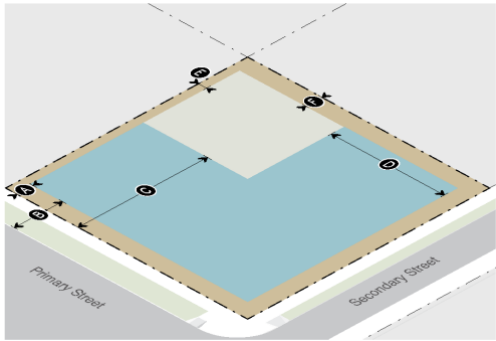


2.2.13. CR-3: Commercial Residential-3.

A. Intent.

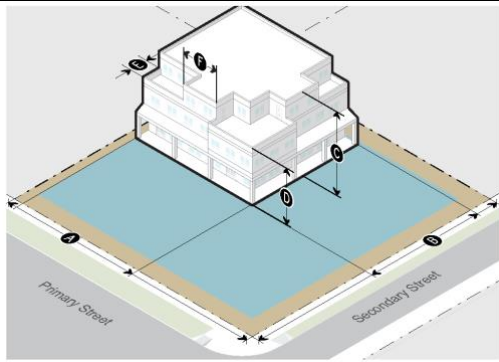
1. **General Intent.** The intent of the Commercial Residential-3 (CR-3) zone is to provide for a vibrant mixed-use zone consisting primarily of retail, office and residential uses. This zone is located on both sides of Highway 89/191 from High School Road to Flat Creek bridge at the entrance to downtown Jackson.
2. **Buildings.** Buildings can be up to three or four stories in height. Massing, articulation, openings, and step backs are used to reduce bulk and mass. Front setbacks are varied, with some buildings pulled up to the street and others set back with landscaping in front, creating an attractive and green street edge.
3. **Parking.** Parking is primarily provided on-site, to the rear or side of buildings and screened from view with a screen-wall.
4. **Land Use.** Active uses, such as retail and service, are encouraged on the ground level, often with residential or office on the upper floors. Buildings of all residential uses are encouraged.
5. **Comprehensive Plan.** Based primarily on sub areas 4.1, 4.2, 4.3, 5.1 and 5.3 of the Comprehensive Plan.

- B. **Physical Development.** Standards applicable to physical development are provided on the following pages. Where a cross-reference is listed, see the referenced division or section for additional standards. Standards in Article 5 apply unless stated otherwise.

1. Lot Standards		
		
Building Setbacks		(Sec. 9.4.8)
Highway 89/191		
Primary street setback range		
Property line (min)	20'	A
Back of curb (min)	30'	B
Property line (max)	85'*	C
Secondary street range (min-max)	10'—85'*	D
All Other Streets		
Primary street setback range (min-max)	10'—65'*	

Secondary street setback range (min-max)	10'—65'*	
Side interior (min)	5'	E
Rear (min)	10'	F
Abutting protected zone (min)	10'	
*Residential projects are exempt from the max setback requirement		
Landscaping	(Division 5.5)	
Landscape surface ratio (min)	10%	
Highway 89 streetscape standards	see E.5	
Plant Units		
All uses	1/1,000 sf of landscape area	
Parking lot (all uses)	1/12 parking spaces	
Parking Setbacks	(Sec. 9.4.8)	
Highway: primary street (min)	20'	
All Other Streets: primary street (min)	10'	
Secondary street (min)	10'	
Access		
Curb cut width (max)	24'	

2. Bulk Standards



Street Facade	Sec. 9.4.11.	
Width of ground and 2nd story in primary street setback range		A
% of lot width (min)	50%	
Length from street corner (min)	n/a	
Width of ground and 2nd story in secondary street setback range		B
% of lot width (min)	50%	
Length from street corner (min)	n/a	

Maximum street facade width (applies to buildings with any portion of facade within 100' of ROW of Hwy 89 or South Park Loop Road)	250'	
Maximum combined street facade width (corner lot)	400'	
Building Height	Sec. 9.4.9	
Height (max) if roof pitch $\geq 5/12$	46'	Ⓒ
Height (max) if roof pitch $\leq 5/12$	42'	Ⓒ
Stories (max) - see E.4 & E.7 for additional height/stories provisions	3	Ⓒ
Height (min) - applies fronting Highway 89/191 only - see E.6	24'	Ⓒ
Building Stepback	Sec. 9.4.12	
Stepback for any 3rd story street facade or street facade over 30' (min)	10'	Ⓔ
Encroachment in stepback (max % of overall facade width)	60%	Ⓕ
A building with only residential use that has at least 4 units is exempt from the stepback requirement		
Scale of Development		
Floor area ratio (FAR max) (E.4)	0.40	
Deed restricted housing exemption	Sec. 7.8.3.	
Workforce housing floor area bonus	Sec. 7.8.4.	
Maximum individual building size (E.8 & E.9)	50,000 sf	

3. Form Standards



Design Guidelines (Division 5.8)

These requirements apply to all development, except where exempted by Planning Director for additions of 20% or less that are consistent with existing architecture.

Pedestrian Frontage

Trees in grates see Sec. 2.2.1.C.2

Trees in lawn see Sec. 2.2.1.C.3

Building Frontage Options
Shopfront see Sec. 2.2.1.D.2
Office see Sec. 2.2.1.D.3
Residential see Sec. 2.2.1.D.4
Lodging see Sec. 2.2.1.D.5
Parking Type Options
On-street parking see Sec. 2.2.1.E.1
Surface parking see Sec. 2.2.1.E.2
Enclosed parking see Sec. 2.2.1.E.3
Tuck-Under Parking see Sec. 2.2.1.E.4
Structured parking see Sec. 2.2.1.E.5
Underground parking see Sec. 2.2.1.E.6

4. Fencing
Height (max)
In street yard 4'
In side yard 6'
Setback (min)
Primary or side street/sidewalk 1'
Alley 2'
Side or rear lot line 0'
5. Environmental Standards
Natural Resource Setback (min) (Sec. 5.1.1)
Cache Creek south of Cache Creek Dr. 20'
Flat Creek north of Hansen Ave. 25'
Flat Creek south of Hansen Ave. 50'
Wetland 30'
Irrigation Ditch Setback (min) (7.7.4. D)
Irrigation Ditch 15'
Natural Resource Overlay (NRO) (Sec. 5.2.1)
6. Scenic Standards
Exterior Lighting (Sec. 5.3.1)
Light trespass is prohibited.
All lights over 600 lumens shall be fully shielded.
Max lumens per sf of site development 3
Lumens per acre of site development (max)
All fixtures 50,000
Unshielded fixtures 2,000
Light Color ≤3000 Kelvin
Scenic Resource Overlay (SRO) (Sec. 5.3.2)
7. Natural Hazards to Avoid
Steep Slopes (Sec. 5.4.1)

Development prohibited Slopes >25%
Hillside CUP required Parcel with average cross-slope ≥10%
Areas of Unstable Soils (Sec. 5.4.2)
Fault Area (Sec. 5.4.3)
Floodplains (Sec. 5.4.4)
Wildland Urban Interface (Sec. 5.4.5)

8. Signs (nonresidential)(Division 5.6)
Number of Signs (max) 3 per business per frontage
Background Color No white or yellow
Sign Area
Total sign area (max) 3 sf per ft of street facade width up to 150 sf
Penalty 10% per projecting and freestanding sign
Sign Type Standards
Canopy sign
Clearance (min) 7' 6" from average grade
Setback (min) 18" from back of curb
Freestanding sign
Height (max) 6'
Setback (min) 5'
Projecting sign
Height (max) 24' above grade
Clearance (min) 7' 6" from average grade
Setback (min) 18" from back of curb
Wall sign
Window sign
Window surface coverage (max) 25% up to 16 sf
Temporary Signs Sec. 5.6.1.
9. Grading, Erosion Control, Stormwater
Grading (Sec. 5.7.2)
Erosion Control (Sec. 5.7.3)
Erosion shall be controlled at all times
Stormwater Management (Sec. 5.7.4)
No increase in peak flow rate or velocity across property lines

10. Physical Development Permits Required							
Physical Development	Sketch Plan (Sec. 8.3.2)	Development Plan (Sec. 8.3.3)	Building Permit (Sec. 8.3.4)	DRC Review (Sec. 8.2.6)	Sign Permit (Sec. 8.3.6)	Grading Permit (Sec. 8.3.6)	Floodplain Permit
Floor area (habitable including basement)							
< 9,750 sf			X	X		(Sec. 5.7.1)	(Sec. 5.4.4)
9,750—19,500 sf		X	X	X		(Sec. 5.7.1)	(Sec. 5.4.4)
> 19,500 sf	X	X	X	X		(Sec. 5.7.1)	(Sec. 5.4.4)
> 30,000 sf for only residential use	Optional	X	X	X		(Sec. 5.7.1)	(Sec. 5.4.4)
Sign					X	(Sec. 5.7.1)	(Sec. 5.4.4)

- C. **Use Standards.** Standards applicable to use are provided below. Where a cross-reference is listed see the referenced division or section for additional standards. Allowed uses are listed in subsection 1. Uses that are not listed are prohibited unless a similar use determination is made pursuant to 6.1.2.C. All standards in Article 6 are applicable unless stated otherwise.

1. Allowed Uses				2. Use Requirements	
Use	Permit	Individual Use (max)	Density (max)	Parking (min) (Division 6.2)	Affordable Workforce Housing Units (min) (Division 6.3)
Residential					
Attached Dwelling (6.1.4.C)	B	8,000 sf habitable excluding basement	n/a	1/DU if < 2 bedrooms and < 500 sf; otherwise, 1.5/DU (E.9)	$0.000017(sf) + (Exp(-14.17 + 1.59 \cdot \ln(sf))) / 2.176$
Apartment (6.1.4.D)	B				
Group Home (6.1.4.G)	C	n/a	n/a	0.25/bed	exempt
Commercial Uses					
Office (6.1.6.B)	B	n/a	n/a	2.47/1,000 sf	$0.000247 * sf$
Retail (6.1.6.C)	B	50,000 sf excluding basement storage	n/a	3.37/1,000 sf	$0.000216 * sf$
Service (6.1.6.D)	B		n/a	2.25/1,000 sf	$0.000216 * sf$
Restaurant/Bar (6.1.6.E)	B		n/a	1/73 sf dining area + 1/40 sf bar area	$0.000599 * sf$

Mini-Storage Warehouse (6.1.6. G)	B	n/a	n/a	1/10 storage units + 1/employee	0.000007 * sf
Heavy Retail/Service (6.1.6.F)(E.3)	C	n/a	n/a	1.5/1,000 sf + 2.25 per repair bay + 0.75/wash bay	0.000123 * sf
Nursery (6.1.6.H)	C	n/a	n/a	independent calculation	independent calculation
Amusement/Recreation					
Amusement (6.1.5.B)	B	n/a	n/a	1/40 sf seating area or independent Calculation	0.000216 * sf
Developed Recreation (6.1.7.D)	B	n/a	n/a	3.37/1,000 sf	independent calculation
Outfitter/Tour Operator (6.1.7.E)	B	n/a	n/a	independent calculation	independent calculation
Institutional Uses					
Assembly (6.1.8.B)	C	n/a	n/a	Independent calculation	Independent calculation
Day Care/Education (6.1.8.C)	B	n/a	n/a	Independent calculation	Independent calculation
Industrial Uses					
Light Industry (6.1.9.B) (E.3)	C	n/a	n/a	0.75/1,000 sf + 0.75/company vehicle	0.000123 * sf
Transportation/Infrastructure					
Parking (6.1.10.B)	C	n/a	n/a	n/a	0.000123 * sf
Utility Facility (6.1.10.C)	C	n/a	n/a	0.75/employee + 0.75/stored vehicle	0.000123 * sf
Wireless Communications Facilities (6.1.10.D)				0.75/employee + 0.75/stored vehicle	0.000123 * sf
Minor	B	n/a	n/a		
Accessory Uses					
Accessory Residential Unit (6.1.11.B)	B	n/a	n/a	1/DU	exempt
Home Occupation (6.1.11.D)	B	n/a	n/a	n/a	exempt

Home Daycare (6.1.11.F)	B	n/a	n/a	0.75/employee + 0.75/off-street pick-up/drop-off	exempt
Drive-in Facility (6.1.11.H)	B	n/a	n/a	3 que spaces per service land	exempt
Temporary Uses					
Christmas Tree Sales (6.1.12.B)	Y	n/a	n/a	0.75/1,000 sf outdoor display area + 0.75/employee	exempt
Farm Stand (6.1.12.E)	B	n/a	n/a	3.75/1,000 sf display Area	exempt

Y=Use allowed, no use permit required, B=Basic Use Permit (Sec. 8.4.2), C=Conditional Use Permit (Sec. 8.4.3)

3. Operational Standards
Outdoor Storage (Sec. 6.4.1)
Outdoor Storage Prohibited
Freestanding storage units (trailers, sheds, "Bully Barns", tarpaulin structures, etc) not made a permanent part of a structure Prohibited
Refuse and Recycling (Sec. 6.4.2)
Trash & recycling enclosure required > 4 DUs and all nonresidential
Vibration (Sec. 6.4.4)
Electrical Disturbances (Sec. 6.4.5)
Fire and Explosive Hazards (Sec. 6.4.6)

- D. **Development Options and Subdivision.** Standards applicable to development options and subdivision are provided below. Where a cross-reference is provided see the referenced division or section for additional standards. All standards in Article 7 are applicable unless stated otherwise.

1. Allowed Subdivision and Development Options		
Option	Lot Size (min)	Standards
Allowed Subdivision Options		
Land Division	7,500 sf	(Sec. 7.2.3)
Condominium Townhouse Subdivision	n/a	(Sec. 7.2.4)

2. Residential Subdivision Requirements
Schools and Parks Exaction
Schools exaction .020 acres per 1- or 2-unit dwelling .015 acres per multi-unit dwelling
Parks exaction 9 acres per 1,000 resident
3. Infrastructure
Transportation Facilities (Division 7.6)
Access required
Right-of-way for Minor Local Road (min) 60'
Paved travel way for Minor Local Road (min) 20'
Required Utilities (Division 7.7)
Water public
Sewer public

4. Required Subdivision and Development Option Permits				
Option	Sketch Plan (Sec. 8.3.2)	Development Plan (Sec. 8.3.3)	Development Option Plan (Sec. 8.5.3)	Subdivision Plat (Sec. 8.5.4)
Land Division				
≤ 10 Lots		X		X
> 10 Lots	X	X		X
Condominium/Townhouse				X

E. **Additional Zone-specific Standards.**

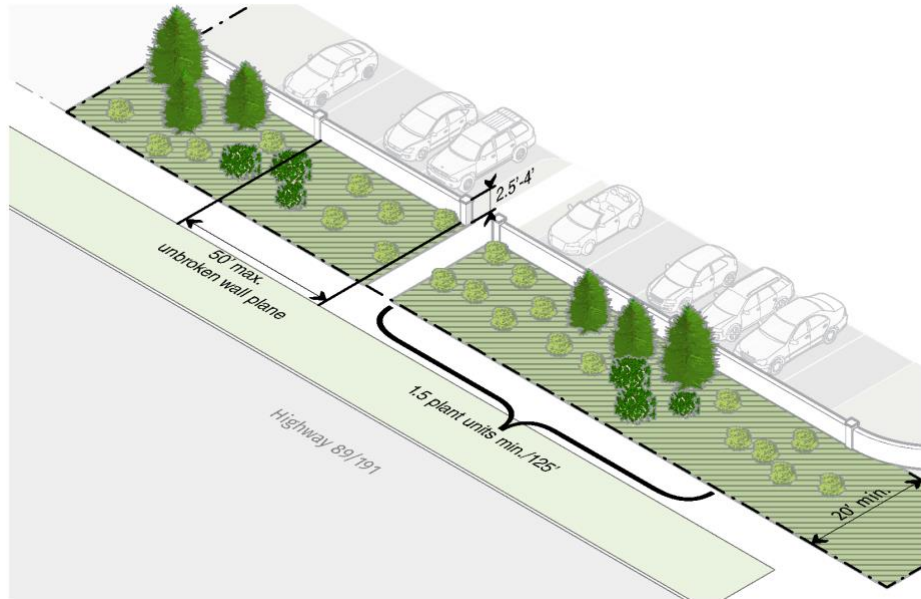
1. **Provision of Nonresidential, Nonlodging Parking.**

- a. **Applicability.** The following options for providing required parking shall apply to allowed uses except:
 - i. Residential Uses (Sec. 6.1.4);
 - ii. Lodging Uses (Sec. 6.1.5); and
 - iii. Accessory Residential Unit (6.1.11.B).
- b. **On-street Parking.** Required parking may be provided on-street provided the following standards are met.
 - i. An on-street parking space shall have the following length of uninterrupted curb adjoining to the lot of record of the use.

Uninterrupted Curb per On-street Parking Space	
Parking Space Angle	Uninterrupted Curb
Parallel	22'
45°/60°	18'
90°	9'

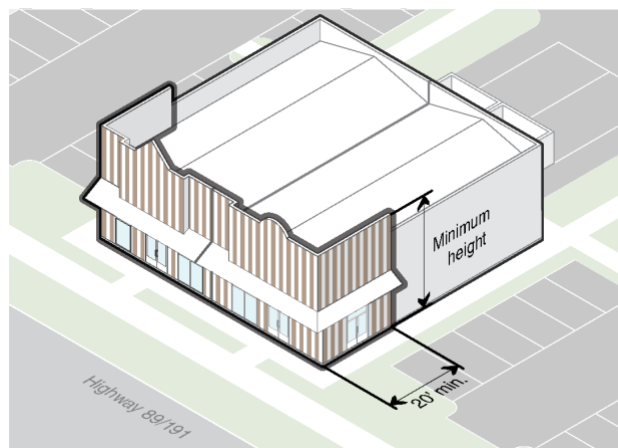
- ii. On-street parking shall not be provided along a red curb or other noparking area put in place by the Town or WYDOT.
 - iii. The on-street parking shall follow the established configuration of existing on-street parking.
 - iv. On-street parking spaces shall be available for general public use at all times. No signs or actions limiting general public use of on-street spaces shall be permitted.
2. **Loading Requirement.** Sufficient off-street loading facilities must be provided. The requirements of 6.2.2.E. are not applicable. The applicant must address how their specific loading needs are being met in the proposed application.
3. **South Highway 191/89 or South Park Loop Frontage.** Heavy Service/Retail and Light Industry uses are only allowed on sites with Highway 191/89 frontage south of South Park Loop Road and sites with South Park Loop frontage.
4. **Workforce Housing Incentive for Additional Height.** A structure may be 48 feet in height and 4 stories provided the following criteria are met.

-
- a. The following standards apply to the amount of additional floor area achieved through the increase in structure height; however, the actual floor area to which the following standards apply may be distributed throughout the structure.
 - i. It shall be deed restricted workforce, affordable, or employee housing with an occupancy restriction;
 - ii. It may have an employment and/or price restriction.
 - iii. It shall be exempt from the calculation of affordable housing required by Div. 6.3 but shall not be used to meet the affordable housing requirement for the project.
 - b. The project shall provide the affordable housing required by Division 6.3. on site.
 - c. The site shall be at least 2 acres to provide opportunity for sufficient setback from, and building height step down to small scale development.
 - d. The site shall be served by transit within ¼ mile.
 - e. The site shall be within ¼ mile walking distance from numerous commercial services routinely needed by residents.
 - f. The additional building height shall not increase the floor area allowance or decrease the required open space.
5. **Highway 89/191 Streetscape Standards.** The following standards apply to all development abutting Highway 89/191. The goal is to provide for an attractive, high-quality streetscape.
- a. **Landscape Strip.**
 - i. The first 20 feet adjacent to the right-of-way must be landscaped along the entire property frontage, except for breaks allowing pedestrian, bicycle and vehicular connections.
 - ii. The required landscape strip must include 1.5 plant units per 125 linear feet, as described in Division 5.5. In order to maximize year-round screening, Alternative C is preferred.
 - b. **Screening Wall for Parking Lots.**
 - i. A screening wall (or year round vegetative hedge) must be placed within the landscape strip when the landscape strip abuts a parking lot. The screening wall or hedge must range in height from 2.5 feet minimum to 4 feet maximum. Variations in height are encouraged.
 - ii. The screening wall cannot be located in the public right-of-way.
 - iii. The screening wall must be constructed of high-quality materials that are a combination of one or more of the following: stone, cast-stone, split-faced block, stucco over concrete masonry blocks, glass block, or other material approved by the Planning Director.
 - iv. The maximum allowed length of a continuous, unbroken and uninterrupted wall plane of the screening is 50 feet. Breaks must be provided through the use of columns with an alternative material or through staggering the wall by at least 1 foot.
 - v. The following graphic shows standards for required landscape strip and screening wall.



6. **Highway 89/191 Minimum Height and Building Material Standards.** The following standards apply to any building located within 85 feet of the ROW of Highway 89/191.

- a. **Minimum Height.** The minimum height requirement applies to all building facades that face Highway 89/19. The minimum height requirement must wrap the corner of the building and extend at least 20 feet down the side of all building facades that do not have an immediately abutting building.
- b. **Building Materials.**
 - i. Any building materials and treatments applied to building facades that face Highway 89/19 must wrap the corner of the building and extend at least 20 feet down the side of all building facades that do not have an immediately abutting building.
 - ii. The following graphic shows standards for building height and building materials for buildings within 85 feet of Hwy. 89/191.



7. **Additional Height and Story for Historic Preservation TDR Program.** A 48-foot maximum height and a 4th story are allowed provided that the 4th story is equal to the amount of floor area transferred to the

site per the TDR program. The transferred floor area is subject to all other applicable LDR requirements.

8. **Mini-Storage Setback.** Mini-Storage use shall be setback at least 100 feet from the Highway 89/191 ROW.
9. **Definition of Individual Building.** For the purposes of enforcing the maximum building size limits in this zone, an individual building is one that is physically separate from any other building and does not share any above-ground internal physical connections (e.g., hallways, elevators). Shared underground parking garages and shared underground pedestrian connections are permitted. Shared mechanical systems, whether underground or above-ground, are permitted. Individual buildings may be attached by a shared fire wall, such as in the case of zero-lot line development.
10. **Floor area defined for maximum individual building size.** All above-ground habitable floor area shall count against the maximum individual building sizes in this zone. All floor area dedicated to a day care facility or that meets the LDR definition of a basement shall not count against the maximum individual building size limits in this zone.
11. **Street Facade Width Defined.** The street facade width is the linear width of an individual building's street-facing facade. It is measured as a straight line and does not include architectural variations in the individual building facade, including larger features such as courtyards. It is measured to a building depth of 75 feet, except on a corner lot where no additional depth limit applies.
12. **Conditional Use Permit (CUP) Required.** A CUP is required for all projects that require a Sketch Plan in this zone.
 - i. **Purpose.** The purpose of the CUP is to provide public and site-specific analysis of the on-site and off-site impacts of the proposed use on traffic, environmental resources, historic resources, water quality, and other important Town resources.
 - ii. **Submittal Requirements:** Applicant shall submit studies of sufficient detail, as identified by staff at the preapplication meeting, to address anticipated impacts on traffic generation, environmental resources (e.g., wildlife permeability), historic resources, water quality (e.g., stormwater runoff, groundwater quality), and other important Town resources. Mitigation measures shall be included as part of any required study.
 - iii. **Procedure.** The project shall follow all of the procedures and finding required in Section 8.4.3.
 - iv. **Conditions.** Conditions may be required to off-set identified adverse impacts of the proposed use(s) on resources protected under this CUP process, which may include on-site or off-site improvements.

(Ord. 1197 § 1, 2018; Ord. 1221 § 1, 2019; Ord. 1273 § 1, 2021; Ord. 1313 § 1, 2022; Ord. 1324 § 1, 2022; Ord. 1348 § 12, 2023; Ord. 1360, § 1, 2024; Ord. 1388, § 1, 2024; Ord. 1394, § 2, 2024; Ord. 1395, § 2, 2024; Ord. 1396, § 1, 2024; Ord. 1397, § 1, 2024; Ord. 1398, § 1, 2024; Ord. 1399, § 1, 2024; Ord. 1400, § 1, 2024)