

ORDINANCE 1223

AN ORDINANCE AMENDING AND REENACTING SECTION II OF TOWN OF JACKSON ORDINANCE NO. 1074 AS AMENDED (PART), AND SECTIONS 5.7.1.D.4 AND 5.7.1.D.5 OF TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS TO CLARIFY AND CORRECT REQUIREMENTS FOR GRADING PERMITS IN THE TOWN OF JACKSON, AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF JACKSON, WYOMING, IN REGULAR SESSION DULY ASSEMBLED THAT:

SECTION I.

Section I of Town of Jackson Ordinance No. 1074 as amended (part) is hereby amended and reenacted to amend Sections 5.7.1.D.4 and 5.7.1.D.5 of the Town of Jackson Land Development Regulations to read as follows:

Article 5. Physical Development Standards Applicable in All Zones | Div. 5.7. Grading, Erosion Control, and Stormwater Management 5.7.1. Purpose and Applicability (P18-314)

D. Grading Permit Required

4. **Required Permit.** The table below establishes the type of grading permit required for various grading proposals. The required permit shall be the most rigorous requirement that applies to the proposal.

EXAMPLE: A proposal that would result in 41% impervious surface coverage or more requires a Grading Plan regardless of the amount of disturbance or slope.

Grading Proposal	Required Grading Permit Submittal		
	Exempt	Statement Level	Plan Level
Disturbance location	See below	See below	Within required yards
Total site proposed impervious surface	See below	See below	≥ 41%
Total land disturbance	See below	≥ 600 sf and <3,000 sf	≥ 3,000 sf
Disturbance of slopes ≤ 5%	< 600 sf	≥ 600 sf and < 3,000 sf	≥ 3,000 sf
Disturbance of slopes > 5% & ≤ 15%	< 400 sf	≥ 400 sf and < 1,000 sf	≥ 1,000 sf
Disturbance of slopes > 15%	n/a	≤ 800sf	> 800 s

For Plan Level Grading proposals submitted as a grading permit or consolidated with a building permit, a preapplication meeting is required prior to application for a permit.

5. **Permit Exemptions.** Grading proposals exempt below or in Sec. 5.7.1. shall be exempt from the requirements to obtain a Grading Permit; however, all activities shall comply with the standards of this Division regardless of whether or not a permit is required. In addition to the exemptions established in Sec. 5.7.1. the following activities shall be exempt from the requirement to obtain a Grading Permit:
- a. **Agricultural Activities.** Earthmoving operations occurring on natural slopes that are less than 25%, which are commonly associated with agricultural use, construction and maintenance of field access improvements, and construction and maintenance of irrigation systems.
 - b. **Emergency Flood Control Work.** A grading permit is not required prior to earthmoving operations occurring as emergency flood control measures; however, an after-the-fact grading permit is required to document the grading completed.
 - c. **Gardening and landscaping that does not alter the grade or increase impervious areas.**

SECTION II.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION III.

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed as a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of the ordinance.

SECTION IV.

This Ordinance shall become effective after its passage, approval and publication.

PASSED 1ST READING THE 4TH DAY OF FEBRUARY, 2019.
PASSED 2ND READING THE 19TH DAY OF FEBRUARY, 2019.
PASSED AND APPROVED THE 4TH DAY OF MARCH, 2019.

TOWN OF JACKSON

BY: _____
Pete Muldoon, Mayor

ATTEST:

BY: _____
Sandra P. Birdyshaw, Town Clerk

ATTESTATION OF TOWN CLERK

STATE OF WYOMING)
) ss.
COUNTY OF TETON)

I hereby certify that the foregoing Ordinance No. 1223 was duly published in the Jackson Hole News and Guide, a newspaper of general circulation published in the Town of Jackson, Wyoming, on the 6th day of March, 2019.

I further certify that the foregoing Ordinance was duly recorded on page _____ of Book _____ of Ordinances of the Town of Jackson, Wyoming.

Sandra P. Birdyshaw, Town Clerk