

# Title 9 – Land Management Code

## Chapter 7

### ZONE DISTRICT REGULATIONS

[9-7-1: R-1 SINGLE-FAMILY RESIDENTIAL:](#)

[9-7-2: R-2 MEDIUM DENSITY RESIDENTIAL:](#)

[9-7-3: R-3 MULTI-FAMILY RESIDENTIAL:](#)

[9-7-4: GC GENERAL COMMERCIAL:](#)

[9-7-5: VC VILLAGE COMMERCIAL:](#)

[9-7-6: L-1 LIGHT INDUSTRIAL:](#)

[9-7-7: ROS RECREATION OPEN SPACE:](#)

[9-7-8: COS CONSERVATION OPEN SPACE:](#)

[9-7-9: P PUBLIC USES:](#)

[9-7-10: ZONING DISTRICT TABLES:](#)

#### **9-7-1: R-1 SINGLE-FAMILY RESIDENTIAL:**

A. Purpose: The R-1 district is intended to provide sites for low density single-family residential uses, together with such public facilities as may appropriately be located in the same district. The R-1 district regulations are intended to ensure adequate light, air, open space for each dwelling, commensurate with single-family occupancy, and, along with the town design standards, to maintain the desirable residential qualities of such sites by establishing appropriate site development standards. Certain nonresidential uses may be permitted as conditional uses, and where approved, are intended to blend harmoniously with the residential character of the district.

B. Permitted Uses: Only the following uses are permitted in the R-1 zone:

Boarding of horses for non-commercial use, subject to a horse boarding permit.

Commercial rentals of single-family residences, subject to a business license.

Home occupations identified in subsection [9-10-5](#) of this title.

Single-unit dwellings.

Other uses customarily incidental and accessory to single-family residential uses, and necessary for the operation thereof (garages or carports, play equipment, or other approved single-family use).

C. Conditional Uses: The following uses are conditional and require a conditional use permit:

Bed and breakfast rentals.

Churches.

Home occupations identified in subsection [9-10-5C](#) of this title.

Mother-in-law / guest house is an accessory use on one lot that is equal to or greater than one acre and shall comply with accessory structure requirements in this title (Ord. 18-006, 6-11-2018)

Public or private schools.

Public parks.

Public utility uses.

D. Physical Restrictions:

1. Minimum lot area: Fourteen thousand five hundred twenty (14,520) square feet ( $\frac{1}{3}$  acre).

2. Minimum frontage: Forty-five feet (45').

3. Minimum setbacks:

a. Front: Twenty-five feet (25'). An administrative exception may be granted for the garage only when all of the following apply:

(1) Front yard setback exceeds twenty percent (20%) slope (11.3 degrees);

(2) No habitable space within the setback area;

(3) Required off street parking is satisfied and maintained in the garage or on the lot;

(4) The roof sheds snow away from the public right of way; and 5) adequate snow storage on the lot.

(5) Adequate snow storage on the lot.

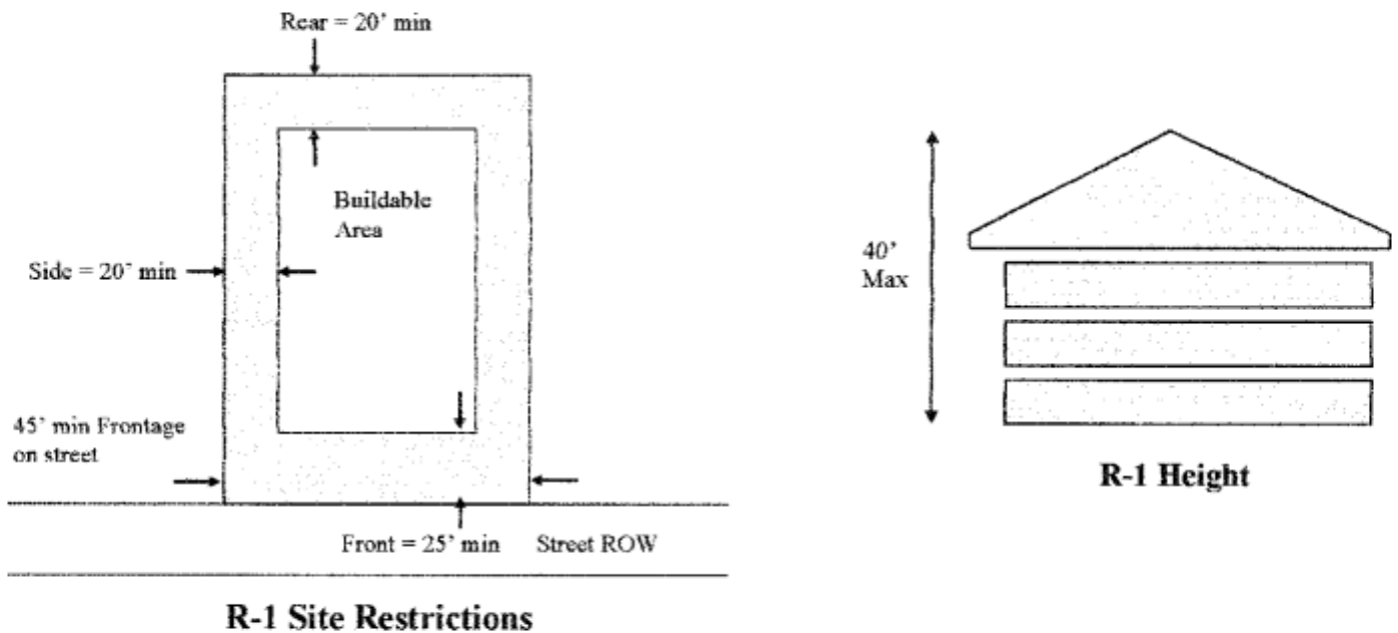
Under no circumstances will the setback be less than five feet (5'). (Ord. 17-004, 7-11-2017)

b. Side: Twenty feet (20').

c. Rear: Twenty feet (20').

4. Setback exception: The following shall be allowed to encroach within the required setback, subject to compliance with the provisions of this section:

- a. Driveways and walkways;
- b. Roof eaves, provided they encroach no more than five feet (5') into the required setback.
- c. Pop out windows, provided the bottom of the pop out structure is no less than four (4') feet above grade, measured at the pop out structure, the total width of the pop out structure does not exceed twelve feet (12') measured at the point where the pop out structure attaches to the residential structure, the pop out structure is under and completely covered by a roof overhang or eaves, and the completely covered by a roof overhang or eaves, and the pop out structure encroaches no more than three and one-half feet (3 ½') into the required setback; and, (2010 Code, amd. Ord. 15-004, 4-28-2015)
- d. Decks and exterior staircases attached to the residential structure may be permitted on a case by case basis after written approval of the zoning administrator, following review. The deck or exterior staircase must be uncovered other than by a permitted roof overhang or eaves of the residential structure, and the deck or exterior staircase may encroach no more than four feet (4') into the required setback. Decks or walkways less than 30" above grade may stand within the innermost one-third (1/3) of the setback. (2010 Code, amd. Ord. 15-004, 04-28-2015)
5. Maximum height: Forty-five feet (45'). One-foot (1') may be added for each two and one-half percent (2½%) slope (45 feet maximum), or one foot (1') may be added for every ten feet (10') of all setbacks greater than required (50 foot maximum). (2010 Code, amd. Ord. 15-004, 4-28-2015)
6. Maximum building coverage: Forty percent (40%) of the lot area. (2010 Code, amd. Ord. 15-004, 04-28-2015)
7. Minimum landscaping: Twenty-five percent (25%) of the lot shall be landscaped per section [9-12-5](#) of this title, with every effort to preserve existing vegetation. (2010 Code, amd. Ord. 15-004, 04-28-2015)
8. Parking: In accordance with section [9-12-15](#) of this title.
9. Undisturbed lot area: Fifteen (15%) of the lot shall not be disturbed during development. (2010 Code, amd. Ord. 15-004, 04-28-2015)
10. Remaining undeveloped lot: The remaining area shall be landscaped as per section [9-12-15](#) of this title. (2010 Code, amd. Ord. 15-004, 04-28-2015)
11. One piece of heavy equipment along with two heavy equipment attachments may be kept on premises for non-commercial use, such as private snow removal or light excavation. The equipment shall be parked in a place and manner so as to be reasonably screened from view from the public right of way. Additional equipment used for construction may be parked at the site when authorized by a current building permit or otherwise authorized by the Town. (Ord. 16-007, 11-08-2016)



(2010 Code amd. Ord. 15-004, 4-28-2015)

**9-7-2: R-2 MEDIUM DENSITY RESIDENTIAL:**

A. Purpose: The R-2 district is intended to provide sites for medium density single- and multi-family residential use at a maximum density of eight (8) dwelling units per acre, together with such public facilities as may appropriately be located in the same district. The R-2 district regulations are intended to ensure adequate light, air, open space for each dwelling, commensurate with medium density multi-family occupancy, and along with the town design guidelines, to maintain the desirable residential qualities of such sites by establishing appropriate site development standards. Certain nonresidential uses may be permitted as conditional uses, and where approved, are intended to blend harmoniously with the residential character of the district.

B. Permitted Uses: Only the following uses are permitted in the R-2 zone:

Food and beverage services (restaurant, cafe, etc.).

Home occupations identified in subsection [9-10-5](#) of this title.

Multi-family dwellings (2 or more dwelling units per structure, including townhomes). Nightly rental of dwelling units, subject to a business license.

Property management.

Public parks and open spaces. Single-unit dwellings.

Spa.

Other uses customarily incidental and accessory to medium density family residential uses, and necessary for the operation thereof (garages or carports, play equipment, etc.).

C. Conditional Uses: The following uses are conditional and require a conditional use permit:

Bed and breakfast rentals.

Churches.

Home occupations identified in subsection 9-10-5C of this title.

Public facilities.

Public or private schools. Public utility uses.

D. Physical Restrictions:

1. Minimum lot area: Twenty-one thousand seven hundred eighty (21,780) square feet ( $\frac{1}{2}$  acre).

2. Minimum frontage: Forty-five feet (45').

3. Minimum setbacks:

a. Front: Twenty-five feet (25'). An administrative exception may be granted for the garage only when all of the following apply:

(1) Front yard setback exceeds twenty percent (20%) slope (11.3 degrees);

(2) No habitable space within the setback area;

(3) Required off street parking is satisfied and maintained in the garage or on the lot;

(4) The roof sheds snow away from the public right of way; and

(5) Adequate snow storage on the lot;

Under no circumstances will the setback be less than five feet (5').

(Ord. 17-004, 7-11-2017).

b. Side: Twenty feet (20');

c. Rear: Twenty feet (20') up to thirty-five feet (35') in height;

d. For buildings over thirty-five feet (35') in height:

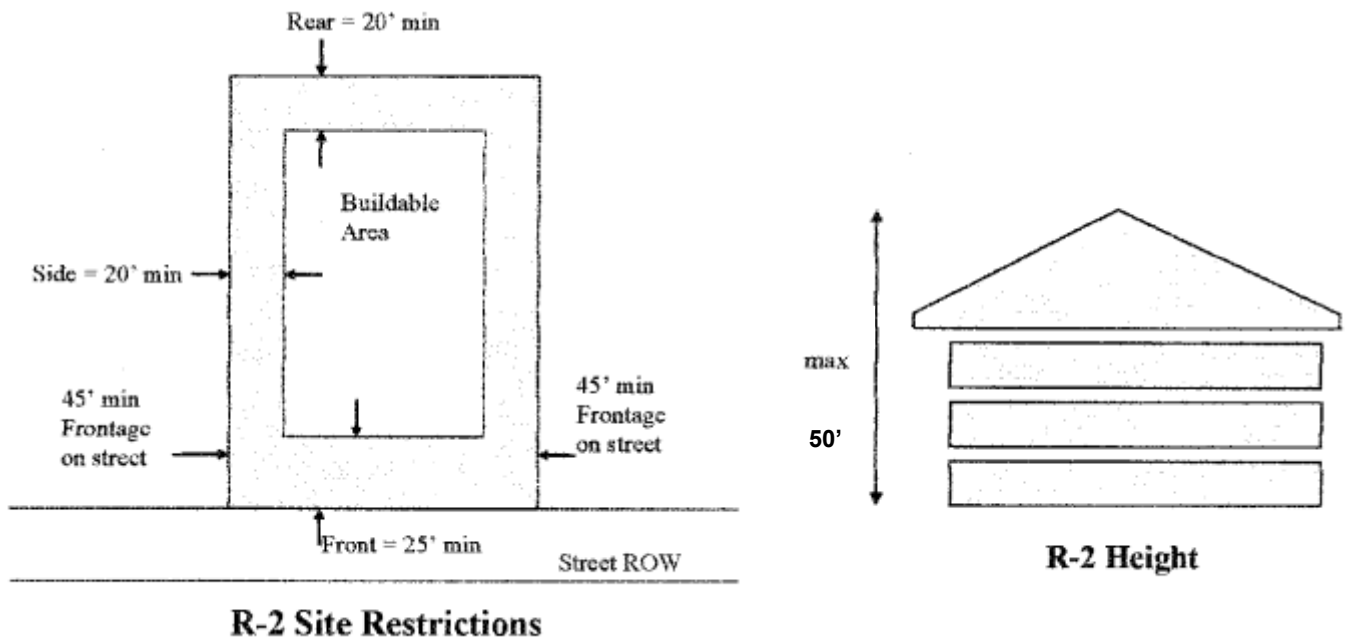
(1) Side: Thirty feet (30');

(2) Rear: Thirty feet (30');

(3) Front: Twenty-five feet (25').

4. Setback exception: The following shall be allowed to encroach within the required setback, subject to compliance with the provisions of this section:

- a. Driveways and walkways;
  - b. Roof eaves, provided they encroach no more than five feet (5') into the required setback;
  - c. Pop out windows, provided the bottom of the pop out structure is no less than four feet (4') above grade measured at the pop out structure, the total width of the pop out structure does not exceed twelve feet (12') measured at the point where the pop out structure attaches to the residential structure, the pop out structure is under and completely covered by a roof overhang or eaves, and the pop out structure encroaches no more than three and one-half feet (3<sup>1</sup>/<sub>2</sub>') into the required setback; and
  - d. Decks and exterior staircases attached to the residential structure may be permitted on a case by case basis after written approval of the Town Manager, or designee, following review. The deck or exterior staircase must be uncovered other than by a permitted roof overhang or eave of the residential structure, and the deck or exterior staircase may encroach no more than four feet (4') into the required setback. Decks or walkways less than 30" above grade may stand within the innermost one-third (1/3) of the setback. (2010 Code, amd. Ord. 15-004, 04-28-2015)
5. Maximum height: Fifty (50') feet for peaked roofs, thirty-five feet (35') for flat roofs. (2010 Code, amd. Ord. 15-004, 04-28-2015)
  6. Maximum building coverage: Forty percent (40%) of the lot area.
  7. Maximum density: Eight (8) units per acre (or a fraction thereof) for multi-family dwellings, including constraints of this title relating to height, setback, landscaping, lot disturbance, parking, etc.
  8. Minimum landscaping: Twenty-five percent (25%) of the lot shall be landscaped per section [9-12-5](#) of this title, with every effort to preserve existing vegetation. (2010 Code, amd. Ord. 15-004, 04-28-2015)
  9. Parking: In accordance with section [9-12-15](#) of this title.
  10. Undisturbed lot area: Remaining undeveloped area shall be landscaped as per section [9-12-5](#) of this title (2010 Code, amd. Ord. 15-004, 04-28-2015)
  11. Remaining undeveloped area shall be landscaped as per section [9-12-5](#) of this title (amd. 2015 Ord. 15-004, 04-28-2015)
  12. One piece of heavy equipment along with two heavy equipment attachments may be kept on premises for uses such as snow removal or light excavation. The equipment shall be parked in a place and manner so as to be reasonably screened from the view of the public right of way. Additional equipment used for construction may be parked at the site when authorized by a current building permit or otherwise authorized by the town. (Ord. 17-001, 4-11-2017)



(2010 Code, amd. Ord. 15-004, 4-28-2015)

### 9-7-3: R-3 MULTI-FAMILY RESIDENTIAL:

- A. Purpose: The R-3 district is intended to provide sites for multiple-family dwellings at densities restricted by constraints of this title relating to height, setback, landscaping, lot disturbance, parking, etc., together with such commercial and public facilities as may appropriately be located in the same district. The R-3 district regulations are intended to ensure adequate light, air, open space and other amenities commensurate with multiple-family occupancy, and, with the town design standards, to maintain the desirable residential qualities of the district by establishing appropriate site development standards. Certain nonresidential uses may be permitted as conditional uses and, where approved, are intended to blend harmoniously with the residential character of the district.
- B. Permitted Uses: Only the following uses are permitted in the R-3 zone:
- Bed and breakfast establishments.
  - Home occupations identified in subsection [9-10-5](#) of this title.
  - Multi-family dwellings (2 or more dwelling units per structure, including townhomes). Nightly rentals of dwelling units, subject to a business license.
  - Property management.
  - Public open spaces (parks and trails for hiking, non-motorized biking and Nordic skiing etc.).

Single-unit dwellings.

Other uses customarily incidental and accessory to permitted uses and necessary for the operation and maintenance thereof, such as garages, carports, play equipment and accessory structure.

C. Conditional Uses: The following uses are conditional and require a conditional use permit:

Churches.

Convention facilities.

Food and beverage services (restaurant, cafe, etc.).

Home occupations identified in subsection [9-10-5C](#) of this title.

Limited retail, food and beverage service and personal services in conjunction with lodging facilities (barber/beauty, travel, childcare, etc.) for the use of building residents (area of accessory uses may not exceed 40 square feet per residential unit).

Public institutions. Public parking lots.

Real estate sales offices operated in conjunction with condominium rental offices when the office space is constructed as part of the project or when approved by the homeowners' association and in conformance with the projects CC&Rs.

Recreational trails and use of open space for motorized vehicles. Schools.

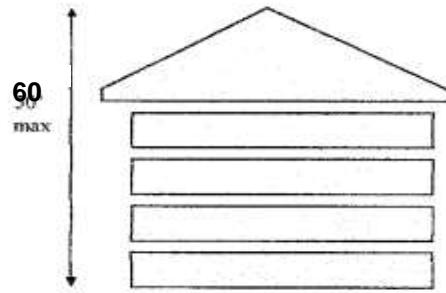
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D. Physical Restrictions:

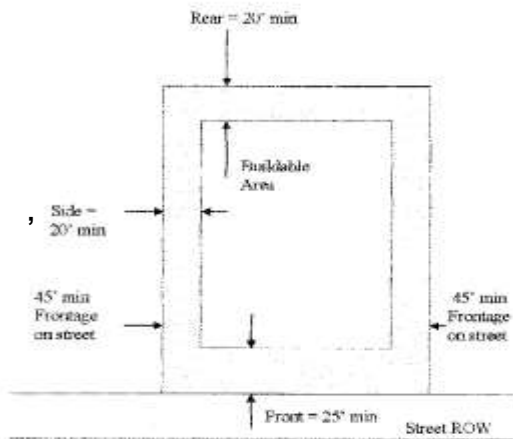
1. Minimum lot area: Twenty-one thousand seven hundred eighty (21,780) square feet ( $\frac{1}{2}$  acre).
2. Minimum frontage: Forty-five feet (45').
3. Minimum setbacks:
  - a. Front: Twenty-five feet (25');
  - b. Side: Twenty feet (20');
  - c. Rear: Twenty feet (20') up to thirty-five feet (35') in height;
  - d. For buildings over thirty-five feet (35') in height
    - (1) Side: Thirty feet (30');
    - (2) Rear: Thirty feet (30');
    - (3) Front: Twenty-five feet (25').



4. Setback exceptions: The following may be permitted to encroach within the required setback, subject to compliance with the provisions of this section, on a case by case basis after written approval of the Town Manager, or designee, following review:
  - a. Driveways and walkways running parallel to a property line shall not occupy more than seventy five percent (75%) of the required setback area while retaining at least twenty five percent (25%) of the required area as a landscape buffer;
  - b. Roof eaves, provided they encroach no more than five feet (5') into the required setback;
  - c. Pop out windows, provided the bottom of the pop out structure is no less than four feet (4') above grade measured at the pop out structure, the total width of the pop out structure does not exceed twelve feet (12') measured at the point where the pop out structure attaches to the residential structure, the pop out structure is under and completely covered by a roof overhang or eaves, and the pop out structure encroaches no more than three and one-half feet (3<sup>1</sup>/<sub>2</sub>') into the required setback; and (2010 Code amd Ord. 15-004, 04-28-2015)
  - d. Decks and exterior staircases attached to the residential structure. The deck or exterior staircase must be uncovered other than by a permitted roof overhang or eaves of the residential structure, and the deck or exterior staircase may encroach no more than four feet (4') into the required setback. Decks or walkways less than 30' above grade may stand within the innermost one-third (1/3) of the setback. (2010 Code amd Ord. 15-004, 04-28-2015)
5. Maximum density: Restricted by constraints of this title relating to height, setback, landscaping, lot disturbance, parking, etc.
6. Maximum height: Sixty feet (60') for peaked roof, forty feet (40') for flat roof; (2010 Code. amd Ord. 15-004, 04-28-2015)
7. Maximum building coverage: Forty percent (40%) of the lot area. Fifty percent (50%) is permitted if all of the required parking is within the footprint of the building. (2010 Code. amd Ord. 15-004, 04-28-2015)
8. Minimum landscaping: Forty percent (40%) or all disturbed portions of the property, whichever is greater, shall be landscaped per section [9-12-5](#) of this title, with every effort to preserve existing vegetation. If the building footprint is at 50% and required covered parking is within the footprint of the building, then the landscaping minimum will be 30%. (2010 Code. amd Ord. 15-004, 04-28-2015)
9. Parking: In accordance with section [9-12-15](#) of this title.
10. Remaining undeveloped area shall be landscaped as per section [9-12-5](#) of this title. (2010 Code. amd Ord. 15-004, 04-28-2015)
11. One piece of heavy equipment along with two heavy equipment attachments may be kept on premises for uses such as snow removal or light excavation. The equipment shall be parked in a place and manner so as to be reasonably screened from view from the public right of way. Additional equipment used for construction may be parked at the site when authorized by a current building permit or otherwise authorized by the town. (Ord. 17-001, 4-11-2017)

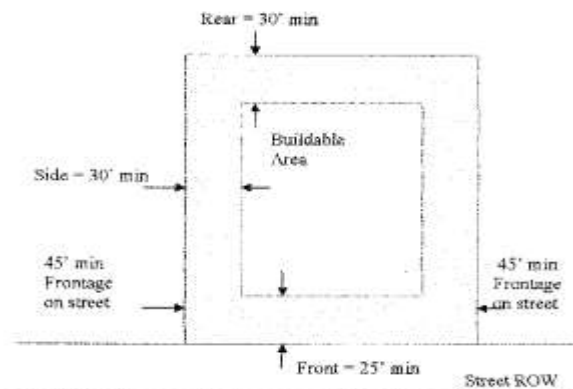


**R-3 Height**



**R-3 Site Restrictions  
(35 ft or less)**

(2010 Code, amd. Ord. 15-004, 04-28-2015)



**R-3 Site Restrictions  
(over 35 ft)**

#### 9-7-4: GC GENERAL COMMERCIAL:

- A. Purpose: The general commercial (GC) district is intended to provide sites outside of the village commercial zone, with a mixture of lodges and commercial establishments in an auto oriented setting. The GC district regulations are intended to ensure light, air, open space and other amenities appropriate to the permitted types of buildings and uses. The GC district regulations, in conjunction with this title, prescribe site development standards that are intended to maintain the unique character and relationship of the town commercial areas and to ensure an attractive, functional commercial setting.
- B. Permitted Uses: Only the following uses are permitted in the GC zone:
- Banks.
  - Childcare centers. Churches.
  - Food and beverage service establishments.
  - Home occupations identified in subsection [9-10-5](#) of this title.

Light hardware (no outside storage or sales of goods).

Lodging and nightly rentals (including hotels and motels).

Mortuary (Ord. 17-004, 7-11-2017)

Personal services (barber/beauty, spa, self-service laundry, etc.).

Places for retailing of goods emphasizing local services (necessities, sundries, groceries and convenience items), including outdoor display.

Professional offices (real estate, finance, insurance, medical and dental, etc.). Public and private educational institutions.

Public institutions and government buildings, e.g., town hall, library, senior center, etc. Public open spaces (parks, etc.).

Public parking lots. Public recreation areas.

Residential dwellings in conjunction with commercial space. It is required that at least seventy-five percent (75%) of the entire main floor, facing the public street or thoroughfares, be dedicated to commercial business with provisions for ADA compliant residential units to be located in the rear or sides of the building to maximize the commercial business exposure. On multi-building projects, the commercial space may be cumulatively oriented toward the vehicle and pedestrian corridors rather than locations typically not accessible or visible to the general public.

Retail, guest services, non-motorized equipment rental (e.g., skis, bicycles, etc.) oriented to tourists and mountain outdoor recreation (including outdoor display).

Schools.

Theater and arcade (indoor entertainment). (2010 Code, amd. Ord. 15-004, 04-28-2015) Other uses customarily incidental and necessary to permitted uses and necessary for the operation thereof.

C. Conditional Uses: The following uses are conditional and require a conditional use permit:

Building Material Sales (Ord. 17-004, 7-11-2017)

Car Wash (Ord. 17-004, 7-11-2017)

Fuel service stations.

Home occupations identified in subsection [9-10-5C](#) of this title.

Public and private utility structures. (2010 Code, amd. Ord. 15-004, 04-28-2015) Recreational vehicle parking and camping facilities.

Recreational vehicle rental, sales and service. Rental of horses.

Outdoor Structures (outdoor entertainment). (Ord. 15-004, 04-28-2015)

D. Physical Restrictions:

1. Minimum lot area: Twenty-one thousand seven hundred eighty (21,780) square feet (1/2 acre).
2. Minimum frontage: Forty-five feet (45').
3. Minimum setbacks:
  - a. Front: Twenty-five feet (25');
  - b. Side and rear: Twenty feet (20') up to thirty-five feet (35') height;
  - c. For buildings over thirty-five feet (35') in height:
    - (1) Front: Twenty-five feet (25');
    - (2) Side and rear: Thirty feet (30').
4. Setback exceptions: The following shall be allowed to encroach within the required setback, subject to compliance with the provisions of this section.
  - a. Driveways and walkways;
  - b. Roof eaves, provided they encroach no more than five feet (5') into the required setback;
  - c. Pop out windows, provided the bottom of the pop out structure is no less than four feet (4') above grade measured at the pop out structure, the total width of the pop out structure does not exceed twelve feet (12') measured at the point where the pop out structure attaches to the residential structure, the pop out structure is under and completely covered by a roof overhang or eaves, and the pop out structure encroaches no more than three and one-half feet (3<sup>1</sup>/<sub>2</sub>') into the required setback; (2010 Code, amd. Ord. 15-004, 04-28-2015)
  - d. Decks and exterior staircases attached to the residential structure may be permitted on a case by case basis after written approval of the Town Manager, or designee, following review. The deck or exterior staircase must be uncovered other than by a permitted roof overhang or eaves of the residential structure, and the deck or exterior staircase may encroach no more than four feet (4') into the required setback. Decks or sidewalks less than 30" above grade may stand within the innermost one-third (1/3) of the setback. (2010 Code, amd. Ord. 15-004, 04-28-2015)
  - e. Portico may extend into front or side yard setback when approved by the Planning Commission.
5. Maximum height: Sixty feet (60') for peak roof, fifty feet (50') for flat roof.
6. Maximum density: Restricted by constraints of this title relating to height, setback, landscaping, lot disturbance, parking, etc.
7. Maximum building coverage: Forty percent (40%) of the lot area.

8. Minimum landscaping: Forty percent (40%) of the lot shall be landscaped per section [9-12-5](#) of this title, with every effort to preserve existing vegetation.
9. Parking and loading: In accordance with section [9-12-15](#) of this title. Onsite parking should be provided in the rear of the building or underground. Parking may be provided off site by participating in a parking district, or by providing parking lots jointly with other specific establishments with the approval of the Planning Commission. (2010 Code, amd. Ord. 15-004, 04-28-2015)
10. Remaining undeveloped area shall be landscaped as per section [12-9-5](#) of this title. (2010 Code, amd. Ord. 15-004, 04-28-2015)

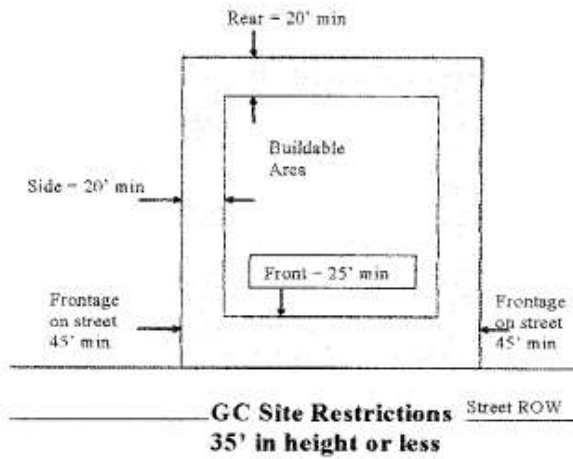
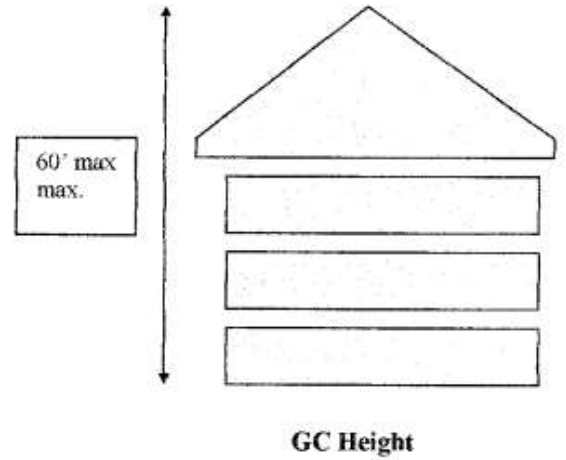
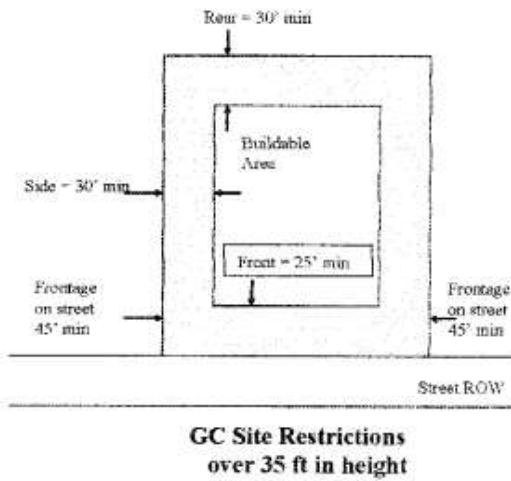


Figure 1



(2010 Code, amd. Ord. 15-004, 04-28-2015)

### **9-7-5: VC VILLAGE COMMERCIAL:**

A. Purpose: The village commercial VC district is intended to provide for village core area with a mixture of lodges, business and commercial establishments in a predominantly pedestrian setting. The VC district regulations are intended to ensure light, air, open space and other amenities appropriate to the permitted types of buildings and uses. The district regulations, in conjunction with the town design guidelines, prescribe site development standards that are intended to maintain the unique character of the town commercial areas and to ensure an attractive, functional village resort setting. It is encouraged that development in the village core would be by development agreement. (2010 Code, amd. Ord. 15-004, 04-28-2015)

B. Permitted Uses: Only the following uses are permitted in the VC zone:

Banks.

Entertainment establishments (not including sexually oriented business establishments).

Food and beverage establishments.

Guest services, non-motorized recreation equipment rental.

Home occupations identified in subsection [9-10-5](#) of this title.

Multi-family housing: Hotel type lodging in conjunction with commercial space. It is required that at least seventy five percent (75%) of the entire main floor, facing the public street or thoroughfares, be dedicated to commercial business with provisions for ADA compliant residential units to be located in the rear or sides of the building to maximize the commercial business exposure. On multi-building projects, the commercial space may be cumulatively oriented toward the vehicle and pedestrian corridors rather than locations typically not accessible or visible to the general public.

Pedestrian oriented retail stores (including outdoor display).

Professional and personal services (beauty shops, travel agencies, real estate, law, medicine),

Professional offices. Spas.

Other uses customarily incidental and necessary to permitted uses and necessary for the operation thereof.

C. Conditional Uses: The following uses are conditional and require a conditional use permit:

Home occupations as identified in subsection [9-10-5C](#) of this title.

Recreational activities and supporting appurtenances. (Ord. 15-004, 4-28-2015)

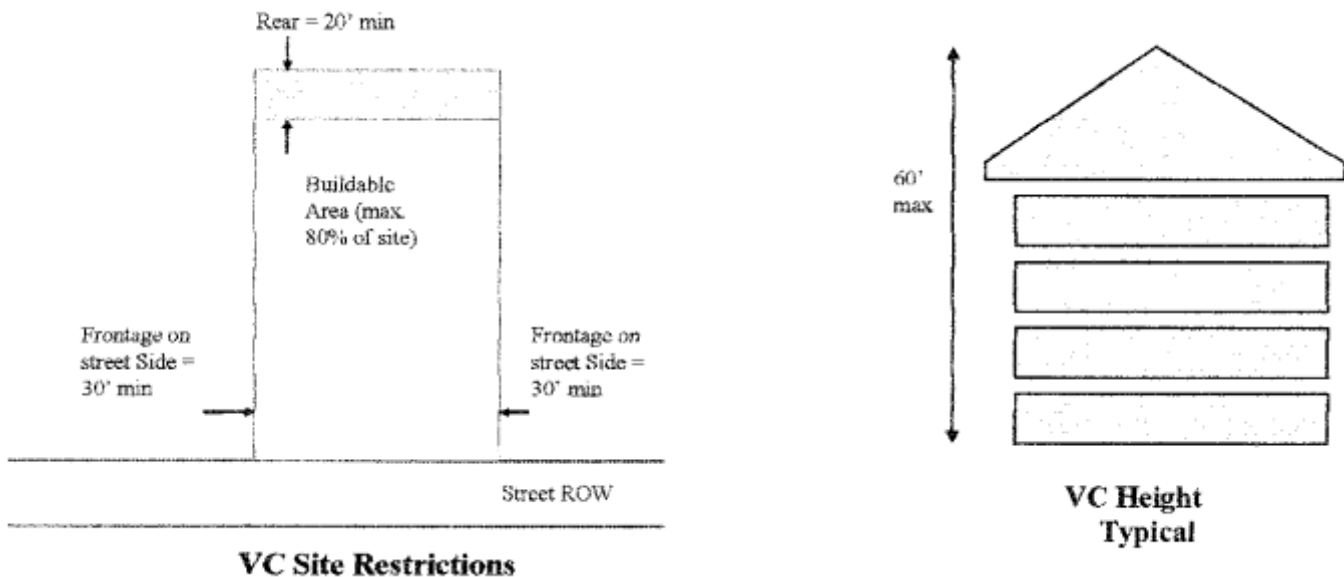
OHV rental offices for which rental vehicles are stored and displayed outside of the Village Core zone. The conditional use permit will be no longer than a five-year period. (Ord. 15-004, 4-28-2015 amd. Ord. 20-002 4-28-2020)

D. Physical Restrictions:

1. Minimum lot area: Three thousand (3,000) square feet.
2. Minimum frontage: Thirty feet (30').
3. Setbacks:
  - a. Minimum: Rear, twenty feet (20'), side and front, zero feet (0');
  - b. Maximum: Front, ten feet (10'), i.e., the front line of the building shall be located no further than ten feet (10') from the front lot line.
4. Rear setback exceptions: The following shall be allowed to encroach within the required setback, subject to compliance with the provisions of this section (amd. Ord. 17-004, 7-11-2017):
  - a. Driveways and walkways;
  - b. Roof eaves, provided they encroach no more than five feet (5') into the required setback;
  - c. Pop out windows, provided the bottom of the pop out structure is no less than four feet (4') above grade measured at the pop out structure, the total width of the pop out structure does not exceed twelve feet (12') measured at the point where the pop out structure attaches to the residential structure, the pop out structure is under and completely covered by a roof overhang or eaves, and the pop out structure encroaches no more than three and one-half feet (3<sup>1</sup>/<sub>2</sub>') into the required setback; and (2010 Code, amd. Ord. 15-004, 04-28-2015).
  - d. Decks and exterior staircases attached to the residential structure may be permitted on a case by case basis after written approval of the Town Tanager, or designee, following review. The deck or exterior staircase must be uncovered other than by a permitted roof overhang or eaves of the residential structure, and the deck or exterior staircase may encroach no more than four feet (4') into the required setback. Decks or sidewalks less than 30" above grade may stand within the innermost 1/3 of the setback. (2010 Code, amd. Ord. 15-004, 04-28-2015)
5. Maximum height: Sixty feet (60') for peaked roof, fifty feet (50') for flat roof.
6. Density: Restricted by constraints of this title relating to height, setback, landscaping, lot disturbance, parking, etc.
7. Maximum building coverage: Eighty percent (80%) of the lot area.



8. Landscaping: No minimum requirement. Planters, decorative paving, and trees in tree grates are appropriate in conformance with section [9-12-5](#) of this title, with every effort to preserve existing vegetation.
9. Parking and loading: In accordance with section [9-12-15](#) of this title. Onsite parking shall be provided in the rear of, or below the building or underground. Parking may be provided off site by participating in a parking district, or by providing parking lots jointly with other specific establishments. In the core area, loading zones shall be located only by specific review.
10. Pedestrian Traffic: Provisions for pedestrian traffic, integrated with neighboring walkways, must be provided. (2010 Code)
11. Remaining undeveloped area shall be landscaped as per section 12-9-15 of this title. (Ord. 17-004, 7-11-2017)



**9-7-6: L-1 LIGHT INDUSTRIAL:**

- A. Purpose: To provide sites for light industrial uses which are not appropriate in other commercial districts. Because of the varied nature and potential impacts of the uses, all permitted uses are subject to the restrictions below and the town design guidelines as a condition of approval. The physical restrictions set out below shall be considered minimum, and more restrictive standards may be prescribed as conditions of a permit for any use.
- B. Permitted Uses: Only the following uses are permitted in the L-1 zone:
  - Firewood preparation, storage and sales.
  - Fuel and oil storage and sales or distribution.

Recreational vehicle rental, sales and service (e.g., snowmobiles, ATVs, etc.).

Residential dwellings in conjunction with industrial space (owner/employee housing).  
(Ord. 15-004, 04-28-2015)

Storage and/or sales of construction/building materials. Utility substations.

Vehicle and equipment storage yards (including recreational vehicles). Vehicle service yards and service garages (including recreational vehicles). Warehouses or storage unit rental facilities.

Other similar uses.

- C. Conditional Uses: The following uses are conditional and require a conditional use permit: (2010 Code, amd. Ord. 15-004, 4-28-2015)

Light Manufacturing (amd. Ord. 17-004, 7-11-2017)

Car Wash (Ord. 17-004, 7-11-2017)

Rental of horses.

Sexually oriented business (SOB).

- D. Physical Restrictions: The restrictions below shall be considered minimum, and more restrictive standards may be prescribed as conditions of a conditional use permit for any use:

1. Minimum lot area: Twenty-one thousand seven hundred eighty (21,780) square feet (1/2 acre).
2. Minimum frontage: Forty-five feet (45').
3. Minimum setbacks: Front, twenty-five feet (25'); side and rear, twenty feet (20') (from residential property); side and rear, ten feet (10') (from adjoining L-1 property).
4. Maximum height: Fifty feet (50') maximum structure height.
5. Density: Not applicable.
6. Maximum building coverage: Fifty percent (50%) of lot area.
7. Minimum landscaping: Twenty five percent (25%) of the lot area shall be landscaped per section [9-12-5](#) of this title, with every effort to preserve existing vegetation.
8. Parking and loading: In accordance with section [9-12-15](#) of this title.
9. Screening: All outdoor storage, including vehicles, machinery and equipment, shall be screened from the public view as seen from any public roadway or from adjacent residential lots. Landscaping, fencing and building orientation are acceptable methods to minimize the adverse visual impacts. (2010 Code amd. Ord.16-007, 11-8-2016)

10. Noise: No use shall be permitted or conducted which creates noise, objectionable by reason of volume, pitch, intermittence or frequency, which is audible at the boundaries of the site.
11. Other restrictions: Design should provide for all servicing of vehicles and equipment to be within structures, except for delivery of gas and other fluids. (2010 Code)

#### **9-7-7: ROS RECREATION OPEN SPACE:**

A. Purpose: To preserve areas for land uses requiring substantial areas of open land and substantially free from structures, roads and parking lots, while permitting recreational pursuits such as ski runs, parks, golf courses and trails. Public or private recreational facilities are suitable uses in this district; provided, that such uses maintain the open, undeveloped character of the land.

B. Permitted Uses: Only the following uses are permitted in the ROS zone:

Multi-use roads and trails for OHVs, biking, hiking and equestrian use (motorized and non-motorized roads and trails).

Outdoor recreation, including golf courses, swimming facilities, riding or bridle paths, related facilities and uses, picnic areas, tennis courts.

Parks, playgrounds and other open recreational facilities.

Ski runs and ski lifts, tubing parks, mountain bike parks and non-motorized trails.

Unpaved maintenance roads.

(2010 Code, amd. Ord. 15-004, 04-28-2015)

C. Conditional Uses: The following uses are conditional and require a conditional use permit:

Buildings and parking related to permitted uses, such as stalls, shelters, ticket booth, pavilion, clubhouse or warming hut, with maximum building area of one thousand five hundred (1,500) square feet.

Rental of horses with horse boarding permit. (2010 Code, amd. Ord. 15-004, 04-28-2015)

D. Physical Restrictions: The restrictions below shall be considered minimum, and more restrictive standards may be prescribed as conditions of a conditional use permit for any use:

1. Minimum lot area: Twenty-one thousand seven hundred eighty (21,780) square feet (1/2 acre).

2. Minimum frontage: Fifty feet (50').
3. Minimum setbacks: Front, twenty-five feet (25'), side and rear, twenty feet (20').
4. Maximum height: Thirty-five feet (35') for peaked roof, twenty-five feet (25') for flat roof.
5. Density: Not applicable.
6. Maximum building coverage: Ten percent (10%) of lot area.
7. Minimum landscaping: Seventy five percent (75%) of the lot area shall be landscaped per section [9-12-5](#) of this title, with every effort to preserve existing vegetation.
8. Parking and loading: In accordance with section [9-12-15](#) of this title. (Ord. 08-016, 8-12-2008)

#### **9-7-8: COS CONSERVATION OPEN SPACE:**

- A. Purpose: To identify and preserve land that is, by virtue of ownership or easement, precluded from development, and to preserve the historic and natural beauty of those areas. Qualifying land includes property owned by a governmental entity, or parcels for which a scenic or conservation easement has been granted to a governmental entity, land trust or conservation organization.
- B. Permitted Uses: Only the following uses are permitted in the COS zone:
  - Conservation areas.
  - Recreational trails.
  - Ski lifts (limited to towers and terminals). Waterways, streams, lakes, water features.
- C. Conditional Uses: The following uses are conditional and require a conditional use permit:
  - Bridges over natural vegetation and water features to preserve open space.
  - Public Restrooms.
- D. Restrictions: All lands are to remain free of structures other than those specifically mentioned above. (2010 Code)

#### **9-7-9: P PUBLIC USES:**

- A. Purpose: The public uses P zone is intended to provide areas for the location and establishment of facilities which are maintained in public and quasi-public ownership.

This zone is intended to provide immediate recognition of such areas on the official zoning map of the town, and to reduce the affect which the location of these facilities may have upon neighborhoods in residential, commercial or industrial areas. Typical uses permitted in the P zone are public schools, public parks, hospitals, airports, public utilities, public equipment storage areas, municipal offices and meeting halls, and public shop areas. Though some of these uses will be allowed in other zones to initially accommodate public facilities in appropriate areas without undue difficulty, it is intended that the P zone would then be applied to all such facilities for ease of recognition and minimizing impacts.

B. Permitted Uses: Only the following uses are permitted in the P zone:

Cultural activities and nature exhibits (public only).

Forest reserves (public only). Governmental services.

Public school facilities.

Recreational activities (public only).

C. Permitted Accessory Uses: Accessory uses, and structures are permitted in the P zone, provided they are incidental to, and do not substantially alter the character of the permitted use or structure, including, but not limited to, the following:

Accessory buildings such as garages, carports, bath houses, green houses, gardening sheds, recreation rooms, and similar structures which are customarily used in conjunction with and incidental to a principal use or structure.

Detached single-family residence used only for the use of a caretaker, watchman or similar employee of a permitted use, when located upon the same site as said permitted use, i.e., RV park camp host.

Fishing activities.

Swimming pool.

Nothing herein shall be construed to permit the open storage of materials or equipment used in conjunction with permitted uses. All such materials or equipment shall be screened from view from public or private streets.

D. Conditional Uses: The following businesses are conditional uses and require a conditional use permit:

Airports, Heliports and general aircraft flying fields. Ambulance services.

Cemetery.

Combination utilities company storage yards and equipment storage. Communications.

Golf courses.

Group or organized camps. Hospitals.

Parks.

Religious activities.

Public Utilities and Supporting Facilities

(2010 Code, amd. Ord. 15-004, 04-28-2015)

E. Physical Restrictions:

1. Minimum lot area: Ten thousand eight hundred ninety (10,890) square feet ( $\frac{1}{4}$  acre).
2. Minimum frontage: Fifty feet (50').
3. Minimum setbacks: Front, twenty-five feet (25'); side and rear, ten feet (10') (adjoining L-1 property); or twenty feet (20') when adjoining property in all other zones. (2010 Code)
4. Maximum height: Forty feet (40') for peaked roof, thirty feet (30') for flat roof. (Ord. 11-007, 6-28-2011, eff. 6-28-2011)
5. Maximum building coverage: Fifty percent (50%) of lot area.
6. Minimum landscaping: Twenty-five percent (25%) of lot area shall be landscaped per section 9-12-5 of this title, with every effort to preserve existing vegetation.
7. Screening: All outdoor storage, including vehicles, machinery and equipment, shall be screened from the public view as seen from any public roadway. Landscaping, fencing and building orientation are acceptable methods to minimize the adverse visual impacts.
8. Parking and loading: In accordance with section [9-12-15](#) of this title.
9. Noise: No use shall be permitted or conducted which creates noise objectionable by reason of volume, pitch, intermittence or frequency which is audible at the boundaries of the site.
10. Other restrictions: No service facilities may be located within setbacks. Design should provide for all servicing of vehicles to be within structures, except for delivery of gas and other fluids. (2010 Code)

**9-7-10: ZONING DISTRICT TABLES<sup>1</sup>**

Physical Restrictions	Zoning Districts								
	R-1	R-2	R-3	GC	VC	L-1	ROS	COS	P
Minimum lot area (square feet)	14,520 1/3 acre	21,780 1/2 acre	21,780 1/2 acre	21,780 1/2 acre	3,000	21,780 1/2 acre	21,780 1/2 acre	n/a	10,890 1/4 acre
Minimum frontage (feet)	45	45	45	45	30	45	50	n/a	50
Minimum setbacks:									
Front (feet)	25 Note 1	25 Note 1	25	25	0 (Max 10)	25	25	n/a	25
Side (feet)	20	20-30 Note	20-30 Note 7	20-30 Note 7	0	10-20 Note 15	20	n/a	10-20 Note 19
Rear (feet)	20	20-30 Note 7	20-30 Note 7		20	10-20 Note 15	20	n/a	10-20 Note 19

Setback exceptions	Note 2	Note 2	Note 2	Notes 2, 9	Note 2	n/a	n/a	n/a	n/a
Maximum height (feet)	45 Note 3	50 peaked 35 flat	60 peaked 40 flat	60 peaked 50 flat	60 peaked 50 flat	50	35 peaked 25 flat	n/a	40 peaked 30 flat
Maximum building coverage (percent of lot area)	40	40	40	40	80	50	10	n/a	50
Maximum density (units per lot)	1	8	Note 8	Note 8	Note 8	n/a	n/a	n/a	n/a
Minimum landscaping (percent) Note 4	25	25	40	40	0 Note 12	25	75	n/a	25
Parking Note 10				Note 11	Notes 11,13				
Undisturbed lot area (percent) Note 5	15	15							
Other					Note 14	Notes 16, 17, 18			Notes 16, 17, 18

(2010 Code, amd. Ord. 15-004, 4-28-2015, amd. Ord. 17-004, 7-11-2017)



Footnote to table:

In case of discrepancy, the legislation contained in the district regulations of this chapter supersede the zoning district tables.

Notes; Physical Restrictions:

1. An administrative exception may be granted for the garage only when all of the following applies: Front yard setback exceeds 20 percent slope, no habitable space within the setback area, required off street parking is satisfied and maintained in the garage or on the lot, the roof sheds snow away from the public right of way, and adequate snow storage on the lot. Under no circumstances will the setback be less than five feet (5') (amd. Ord. 17-004, 7-11-2017).
2. The following shall be allowed to encroach within the required setback, subject to compliance with these provisions:
  - a) Driveway and walkway;
  - b) Roof eaves, provided they encroach no more than 5 feet into the required setback;
  - c) Pop out windows, provided the bottom of the pop out structure is no less than 4 feet above grade measured at the pop out structure, the total width of the pop out structure does not exceed 12 feet measured at the point where the pop out structure attaches to the residential structure, the pop out structure is under and completely covered by a roof overhang or eaves, and the pop out structure encroaches no more than 3<sup>1</sup>/<sub>2</sub> feet into the required setback; and
  - d) Decks and exterior staircases attached to the residential structure may be permitted on a case by case basis after written approval of the Zoning Administrator, following review. The deck or exterior staircase must be uncovered other than by a permitted roof overhang or eaves of the residential structure, and the deck or exterior staircase may encroach no more than 4 feet into the required setback.
  - e) One-foot (1') height may be added for each 2.5 percent slope (40 feet maximum), or one foot (1') may be added for every ten feet (10') of all setbacks greater than required (40-foot maximum).
  - f) Required percentage of each lot shall be landscaped in accordance with section [9-12-5](#) of this title, with every effort to preserve existing vegetation.
  - g) Undisturbed lot area: Requires the designated percent of lot to remain undisturbed during all phases of development.
  - h) On slopes exceeding twenty (20) percent, the front setback may be reduced to no less than twenty feet (20').
  - i) Building setbacks for side and rear are twenty feet (20') when building height is thirty-five feet (35') or less. When building height is greater than thirty-five feet (35'), side and rear setbacks are thirty feet (30').
  - j) Maximum density is restricted by constraints of this title related to height, setbacks, landscaping, lot disturbance, parking, etc. (no specified units per acre density).

- k) A porte-cochere may extend into front or side yard setback when approved by the Planning Commission.
- l) All parking specifications in accordance with section [9-12-15](#) of this title.
- m) Onsite parking should be provided in the rear of the building or underground. Parking may be provided off site by participating in a parking district, or by providing parking lots jointly with other specific establishments.
- n) Planters, decorative paving and trees in tree grates are appropriate in conformance with section [9-12-5](#) of this title, with every effort to preserve existing vegetation.
- o) In the core area, loading zones shall be located only by specific review.
- p) Pedestrian: Provisions for pedestrian traffic, integrated with neighboring walkways, must be provided.
- q) Side and rear setbacks are 20 feet from residential property.
- r) Side and rear setbacks are 10 feet from adjoining L-1 property.
- s) Screening: All outdoor storage, including vehicles, machinery and equipment, shall be screened from the public view as seen from any public roadway. Landscaping, fencing and building orientation are acceptable methods to minimize the adverse visual impacts.
- t) Noise: No use shall be permitted or conducted which creates noise objectionable by reason of volume, pitch, intermittence or frequency, which is audible at the boundaries of the site
- u) Other restrictions: No service facilities may be located within setbacks. Design should provide for all servicing of vehicles and equipment to be within structures, except for delivery of gas and other fluids.
- v) Side and rear setbacks are 10 feet when adjoining L-1 property.
- w) Side and rear setbacks are 20 feet when adjoining all other zones.

2010 Code amd. Ord. 11-007, 06-28-2011, amd. Ord. 15-004, 04-28-2015

Uses	Zoning Districts								
	R-1	R-2	R-3	GC	VC	L- I	ROS	COS	P
Airports, Heliports and general aircraft flying fields									C
Ambulance services									C
Banks				P	P				
Bed and breakfast rentals	C	C	P						
Boarding of horses for noncommercial use, subject to permit if less than 7 consecutive days, but no more than 14 days in a calendar year.	P								
Bridges over natural vegetation and water features to preserve open								C	
Cemetery									C
Childcare centers				P					
Churches or religious activities	C	C	C	P					C
Communications									C
Conservation areas								P	
Convention facilities			C						
Cultural activities and nature exhibits (public only)									P
Entertainment establishments (not including sexually oriented business establishments)					P				
Firewood preparation, storage and sales						P			
Fishing Activities									P
Food and beverage services and establishments (restaurant, cafe, etc.)		P	C	P	P				

Forest reserves (public only)									P
Fuel and oil storage and sales or distribution						P			
Fuel service stations				C					
Government services									P
Groups or organized camps									C
Home occupations identified in subsection <a href="#">9-10-5</a> of this title	P	P	P	P	P				
Home occupations identified in subsection <a href="#">9-10-5C</a> of this title	C	C	C	C	C				
Hospital / Medical Clinics									C
Light hardware (no outside storage/sales of goods)				P					
Light industrial uses similar to those listed as permitted uses in L-1						P			
Lodging and nightly rentals (hotels and motels)				P					
Manufacturing and fabrication							C		
Motorized recreational vehicle rentals and sales						C			
Motorized recreational vehicle rental, sales and service				C		P			
Multi-family dwellings		P	P						
Multi-use trails and roads for OHVs, biking, hiking and equestrian use (motorized and non-motorized roads and trails)							P		
Nightly rentals of dwelling units, subject to a business license	P	P	P						
Other uses customarily incidental and accessory to permitted uses and necessary for the operation thereof (garages/carports, play equipment, etc.)	P	P	P	P	P				P

Outdoor Structures (outdoor entertainment)				C					
Personal services (barber/beauty, spa, self-service, laundry, etc.)				P	P				
Professional offices (real estate, finance, insurance, medical/dental, etc.)				P	P				
Property management		P	P						
Public facilities		C		P					
Public institutions/buildings			C	P					
Public or private schools	C	C	C	P					P
Public parking lots			C	P					
Public parks and open spaces	C	P	P	P			P		C
Public recreation areas				P					
Public restrooms								C	
Public utility uses	C	C		C					P
Recreation open space buildings and parking related to uses permitted in the ROS zone, such as stalls, shelters, ticket booths, pavilions, clubhouses, warming							C		
Recreation, outdoor, including golf courses, swimming facilities, riding or bridle paths, picnic areas, tennis courts, related facilities and uses							P		C
Recreational activities & supporting appurtenances					C		P		P
Recreational trails			C				P	P	P
Recreational vehicle parking and camping facilities				C					

Rental of horses with horse boarding permit				C		C	C		
Residential dwellings in conjunction with commercial space facing the public street (subsection <a href="#">9-7-4B</a> of this chapter) (minimum of 25 square feet commercial space per residential unit)				P					
Residential dwellings in conjunction with commercial space located on the main floor and facing the public street (subsection <a href="#">9-7-5B</a> of this chapter) (minimum of 30 square feet commercial space per residential unit)					P				
Residential dwellings in conjunction with commercial space not facing the public street (subsection <a href="#">9-7-4-C</a> of this chapter) (minimum of 25 square feet commercial space per residential unit)				C					
Residential dwellings in conjunction with commercial space not on the main floor or facing the public street (subsection <a href="#">9-7-5-B</a> of this chapter) (minimum of 30 square feet commercial space per residential unit)					C				
Residential dwelling in conjunction with industrial space (owner/employee housing)						P			
Retail, emphasizing local necessities, sundries, groceries and convenience				P					
Retail, guest services, non-motorized equipment rental - oriented to tourists and mountain outdoor recreation				P	P				



P= Permitted Use C= Conditional Use (2010 Code, amd. Ord. 15-004, 4-28-2015)

**Footnotes -**

Footnote 1: See title 3, chapter 2A of this code for licensing provisions.



