

**CITY OF LANDER
ORDINANCE 2022-1**

**AN ORDINANCE AMENDING TITLE 4 OF THE CITY OF LANDER CODES BY
CREATING SECTION 4-2-3, A CONSOLIDATION OF DEFINITIONS OUTLINED
THROUGHOUT TITLE 4, AND REPEALING SECTIONS 4-9-13, 4-12-11, 4-14-1, 4-15-
10 DEFINITIONS, AND REPEALING SECTION 4-9-4C.5 AND 4-9-11, AMENDING 4-
12-4-H.2, AND ADDING 4-11-8 A 11**

WHEREAS, the Planning Commission was directed by the Governing Body to suggest changes to Title 4, Zoning Code, to update the language and make the code more enforceable, and;

WHEREAS, The Planning Commission suggest the following definitions be updated as written and consolidated in Section 4-2-3 titled "DEFINITIONS"; and

WHEREAS, Section 4-9-4C.5 restricting lot width to depth ratio to 2.5; makes the majority of the original lots of Lander nonconforming, and;

WHEREAS, Section 4-9-13, is redundant since the adoption of Section 1-1-6 to include severability for the entire code; and

WHEREAS, Section 4-12-4-H.2 does not contain any setback requirements for placing more than one manufactured home on a lot. Spacing requirements between manufactured homes will be set at 15' to allow consistent enforcement.

NOW THEREFORE, be it ordained by the Mayor and Council of the City of Lander, Fremont County, Wyoming, that the Lander City Code Title 4 Sections are amended as follows:

SECTION 1: **ADOPTION** "4-2-3 Definitions" of the City of Lander Municipal Code is hereby *added* as follows:

ADOPTION

4-2-3 Definitions*(Added)*

4-2-3 Definitions A. The following words, terms and phrases are hereby defined and shall be interpreted in the same fashion throughout this ordinance. The word "shall" is mandatory. The word "may" is permissive. Words used in the present tense shall include the future tense and words in the singular shall include the plural. Terms not herein defined shall have the meaning customarily assigned to them.

B. For the purpose of interpreting these regulations, the following definitions shall apply:

1. ACCESS: permission, liberty or ability to enter, approach or pass to and from a place or to approach or communicate with a person or commercial business or any other approved/legal use of a property.
2. ACCESS DRIVE: A privately owned, constructed and maintained vehicular access roadway accessing one or more dwelling units or one or more commercial, institutional or industrial principal uses.
3. ACCESSORY STRUCTURE: A subordinate structure, the use of which is incidental to that of a main structure located on the same lot.
4. ACCESSORY USE: Not a primary permitted use as authorized by these regulations but a subordinate use operated on the same lot as the permitted use or any accessory structure.
5. AIRPORT: Hunt Field Airport, the Lander Municipal airport.
6. AIRPORT ELEVATION: The highest point of an airport's usable landing area measured in feet from mean sea level.
7. AIRPORT HAZARD: Any structure or object of natural growth located on or in the vicinity of a public airport, or any use of land near such airport, which obstructs the airspace required for the flight of aircraft in landing or takeoff at such airport or is otherwise hazardous to such landing or takeoff of aircraft.
8. ALLEY: A minor public right-of-way which provides secondary access to abutting properties.
9. ANIMAL BOARD AND TREATMENT CENTER: Means an establishment where animals are admitted for examination, treatment or care by a Doctor of Veterinary Medicine. Outside runs are allowed, but kennels must be in an enclosed facility. Boarding for all purposes is allowed.
10. ANIMAL CLINIC, SMALL: means an establishment where animals are admitted principally for short-term treatment, examination or care by a Doctor of Veterinary Medicine. Board is provided only for medical purposes or treatment.
11. ANNEXATION AGREEMENT: shall mean an agreement between the City and a landowner whereby each agrees to not oppose annexation into the City of Lander upon prior completion of improvements within the zone and a request to do so by the City Administration.
12. APPROACH (AIRPORT), TRANSITIONAL, HORIZONTAL, AND CONICAL ZONES: These zones apply to the area under the approach, transitional, horizontal, and conical surfaces defined in FAR Part 77.
13. BOARD OF ADJUSTMENT: Board of Adjustment is appointed by the City Council and shall be as provided in 4-5-1.

14. BOARD: The Board of Adjustment of the City of Lander, Wyoming.
15. BLOCK: A parcel of land, intended for urban development, entirely surrounded by public streets or lands, streams, railroads or highways.
16. CHILDCARE: A service licensed by the Wyoming Department of Health provided on behalf of children and their parents and designed to supplement daily parental care.
17. CITY ADMINISTRATION: shall mean the City Planner, City Engineer, Public Works Director, Building Inspector, City Clerk or other appointed employee.
18. CLINIC: means an establishment where patients are seen for special study and treatment by licensed healthcare professional and/or their professional associates.
19. COMMERCIAL STORAGE FACILITY: A structure or group of structures that contain varying sizes of individual, compartmentalized and controlled access stalls or lockers for the dead storage of articles or goods. This use does not allow any active retail uses outside storage, or storage or use of hazardous materials.
20. COMMISSION: The City of Lander Planning Commission appointed by the City Council and shall be as provided in 4-7-1.
21. COUNCIL: The City of Lander City Council.
22. COUNTY: Fremont County, Wyoming.
23. CREMATORY: Defined by Wyoming State Statute 33-16-502.
24. CUL-DE-SAC: A street having one end connected to a public street and being terminated by a vehicle turnaround at its other end.
25. DEVELOPED STREET: For purposes of annexation only a developed street shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities with an unobstructed width of not less than 20 feet. This definition does not apply to subdivision rules and regulations of the Lander city code.
26. DEVELOPER: Any person, firm or agency who lays out any subdivision of lots, tracts, parcels, or other unit of land for the immediate or future purpose of sale, building development or redevelopment, for residential, recreational, commercial or public uses.
27. DISTRICT: Any section or area of the City of Lander for which the regulations governing the use of land and the use, density, bulk, height and coverage of structures and other structures are uniform.
28. DRAINAGE EASEMENT: A land area designated on a plat and set aside to accommodate the calculated and approved flow or storage of storm waters, which may also serve as a pathway and/or greenway.

29. DWELLING: A structure or a portion thereof used for living purposes constituting a separate, independent housekeeping unit which contains eating, sleeping, and sanitary services for residential occupancy, not including Recreational Vehicles which require license plates.

30. DWELLING, SINGLE FAMILY: A detached residential dwelling unit designed for and occupied by one family only.

31. DWELLING, TWO FAMILY: A detached residential structure containing two dwelling units, designed for occupancy by not more than two families.

32. DWELLING, MULTI-FAMILY: A residential structure containing more than two dwelling units for family occupancy.

33. EASEMENT: A designated area on a tract, block, or lot of land which the owner legally grants the right for the use of others, particularly, public utilities.

34. ENCUMBRANCE: A mortgage or other lien or record securing or evidencing indebtedness and affecting land to be subdivided, including liens for labor and materials. Taxes and assessments levied by a public authority are not an encumbrance, except such taxes and assessments as may be delinquent.

35. ENGINEER: A licensed professional engineer registered within the State of Wyoming.

36. FAMILY: Single housekeeping unit consisting of eating, sleeping, and sanitary services which has stable, non-transient living arrangements.

37. FOSTER CARE: A service licensed by the Wyoming Department of Health and providing care for children in a facility or home on a 24 hour-a-day basis. Categories of foster care specified in this ordinance include:

a. Foster home: allows for the care of three to six children

b. Group Foster home allows for:

(1) The care of seven to eleven children.

(2) Adult Day Care as licensed by the Wyoming Department of Health

(3) Boarding home as licensed by the Wyoming Department of Health

(4) Intermediate Care Facility as licensed by the Wyoming Department of Health

38. FRONTAGE: The front part of a single lot or property as determined by the main entrance and street address to the structure or use of the parcel.

39. GAMING COMMISSION: The State of Wyoming Limited Gaming Commission.

40. HEIGHT (STRUCTURE HEIGHT): The vertical dimension measured from the average elevation of the finished lot grade at the front of the structure to the highest point of the structure. This definition does not apply to antennas, chimneys, cupolas, and other appurtenances usually placed above the main roof line and not intended for human occupancy

41. HOME BUSINESS: An accessory use of a dwelling unit or accessory structure for gainful employment involving the manufacture, provision, or sale of goods and/or services.

42. HOTEL/MOTEL: A structure which provides a common entrance, lobby, hall and stairways, and in which temporary lodging is provided for compensation.

43. IMPROVEMENTS: Man-installed physical features such as pavements, curbs, gutters, sidewalks, water mains, sanitary sewers, storm sewers, grading, street signs, structures, landscaping, and other items for the welfare of the property owners and the general public..

44. INSTRUMENT: A formal document such as an easement, deed, or contract.

45. JUNKYARD: means a place where waste, discarded or salvaged materials are bought, sold, exchanged, baled, packed, disassembled, handled, or stored, including auto wrecking yards, house wrecking yards, used lumber yards and places or yards for storage of salvaged house wrecking and structural material and equipment; but not including places where such uses are conducted entirely within a completely enclosed structure.

46. LOT: Land occupied or intended to be occupied by a main structure and its accessory structures, together with such open spaces as are required by this ordinance and having its principal frontage on a public street or officially approved place. A lot is the land shown as a lot on a recorded subdivision plat.

47. LOT LINES (DEPTH AND WIDTH): The side of the lot in front of the street used for primary vehicle access is the front lot line. The opposite side is the rear lot line. For lots which are not quadrilateral, lot lines shall be determined from a quadrilateral inscribed within the actual boundaries of the lot. The depth of the lot is the distance between the midpoints of the front lot line and the rear lot line. The width is the distance between midpoints of the side lot lines.

48. LOT OF RECORD: A lot platted within a subdivision recorded at the Fremont County Courthouse, or a parcel described by meets and bounds so recorded and of legal size at the time of recording.

49. MANUFACTURED HOME: A single prefabricated structure built entirely off site in the factory under a federal building code administered by the US Department of Housing and Urban Development (HUD), June 1976. Manufactured homes are intentionally designed with a permanently attached wheeled chassis to ensure long-term portability and are assigned a VIN (vehicle indentation number) or license plate. Manufactured homes are either single or multi-section and are transported to the site and installed per city Code Section 3.

50. MOBILE HOME OR TRAILER HOME: terms used for manufactured homes produced prior to June 15, 1976, when HUD code went into effect.

51. MODULAR HOME: prefabricated home constructed off site in one or more sections and then transported and assembled at the property. Modular homes are built to the International Residential Code (IRC) without a HUD certification. After a modular home is placed on a permanent foundation it will not have any separate distinction from “structure” or “dwelling”.

52. MANUFACTURED HOME PARK: A parcel or lot meeting all the requirements of the subdivision regulations of the City of Lander, the lots or homes of which are intended to be separately sold, leased or assigned for use by manufactured homes with vehicle identification numbers to create a suitable environment for long term residential occupancy.

53. MONUMENTS: An object set in the ground by a Professional Land Surveyor licensed by the State of Wyoming.

54. MORTUARY, FUNERAL ESTABLISHMENT, FUNERAL HOME, FUNERAL CHAPEL: Defined by Wyoming State Statutes 33-16-502.

55. MOTEL/HOTEL: A structure which provides a common entrance, lobby, hall and stairways, and in which temporary lodging is provided for compensation. 56. NON-CONFORMING USE: Any pre-existing structure, object of natural growth, or use of land which is inconsistent with the provisions of this ordinance or an amendment thereto.

57. OWNER: Any person having a legal or equitable interest in land.

58. PARKING SPACE: An off-street space available for the parking of one motor vehicle having an area of not less than 9’x18’ (162 square feet) exclusive of passageways and driveways appurtenant thereto and having direct access to a street or alley.

59. PERMITTED USE: A use enumerated for a zoning district.

60. PERSON: An individual, firm, partnership, corporation, company, association, joint stock association, or governmental entity. It includes a trustee, receiver, assignee, or similar representative of any of them.

61. PLAT: A map or drawing prepared in accordance with the adopted subdivision regulations and showing the developed plan for the property consisting of lots, tracts, parcels or other units of property.

62. PRIMARY SURFACE: A surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway; but when the runway has no specially prepared hard surface, or planned hard surface, the primary surface ends at each end of that runway. The width of the primary surface of a runway will be that width prescribed in Part 77 of the Federal Aviation Regulations (FAR) for the most precise approach existing or planned for either end of that runway. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.

63. PRIVATE ROAD: A privately owned, constructed, and maintained road that may or may not be used by the general public, primarily accessing one or more dwellings or commercial properties.

64. PROFESSIONAL STRUCTURE: the office or offices of a member of a recognized profession maintained for the conduct of that profession excluding retail and wholesale trade.

65. PUBLIC STREET: Primary access that is publicly dedicated on a plat recorded at the Fremont County Courthouse and has been accepted for maintenance by the City.

66 PUBLIC UTILITY: Any person, firm, corporation, municipal department, or board duly authorized to furnish and furnishing under state or municipal regulations to the public electricity, gas, steam, communication, telegraph, transportation or water service.

67. PUBLIC WORKS DIRECTOR: The person appointed as the Public Works Director for the City of Lander, Wyoming.

68. REPLAT: Any change in lot lines within an already approved and recorded plat and any boundary line adjustments within the City Limits.

69. RE-SUBDIVISION: A re-subdivision shall be any change in dimension or alignment of a platted road, addition to the number of lots or addition of un-platted area to an already approved and recorded plat except for the correction of any drafting or surveying errors.

70. RIGHT-OF-WAY: A strip of land dedicated for public use.

71. RUNWAY: A defined area on an airport prepared for landing and takeoff of aircraft along its length.

72. SETBACK: The required distance between every structure and any lot line on the lot on which it is located. The distance is measured from the foundation line to the property line or to lip of the curb if the frontage or side yard is adjacent to a street.

73. SETBACK, FRONT: The required distance between the front of every structure and the line separating the street side curb and gutter from the street edge, also known as the "lip"

74. SETBACK, SIDE & REAR: The required distance between every structure and any lot line on the lot on which it is located.

75. SHORT TERM RENTAL: a dwelling or portion of a dwelling that is rented for a period of fewer than 30 consecutive days. This includes, but is not limited to Airbnb, VRBO and similar short-term vacation and living accommodations.

76. STORAGE STRUCTURES, PORTABLE: Any structure, including metal containers, which is so designed and constructed to make it portable and capable of movement from one

site to another, is designed to be used without a permanent foundation, designed with the purpose of storing tangible property and not designed for occupancy by person.

77. STORAGE STRUCTURES, TEMPORARY: Any transportable structure, including metal containers which are placed on a lot for 90 days or less.

78. STREET, COLLECTOR: A public street which collects traffic from local neighborhood streets and carries it to a major street or highway as shown designated on the most recent WYDOT Functional Classification Map.

79. STREET, LOCAL: A street which affords primary access to abutting private properties as shown designated on the most recent WYDOT Functional Classification Map.

80. STREET, ARTERIAL: A street of considerable continuity and traffic- carrying capacity connecting the various parts of the City as shown designated on the most recent WYDOT Functional Classification Map.

81. STRUCTURE: Anything constructed or erected with a fixed location on, above, or below the ground, or attached to something having a fixed location on the ground, including, but without limitation, structures, towers, smokestacks, earth formations, and overhead transmission lines.

82. SUBDIVISION: The creation of a lot, tract, parcel or other unit of land for the immediate or future purpose of sale, building development or redevelopment, for residential, recreational, industrial, commercial or public uses.

83. TOWER AND ANTENNA, COMMERCIAL COMMUNICATION: Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas. Tower types include but are not limited to guyed commercial communications towers and antennas, wooden poles, lattice commercial communications towers and antennas and monopoles.

84. TREE: Any object of natural growth.

85. UNDUE HARDSHIP: Special or specified circumstances that partially or fully exempt a person from performance of a legal obligation so as to avoid an unreasonable or disproportionate burden or obstacle related to topographic or geographical features (Not meant to include high costs to the developer or landowner).

86. UTILITY RUNWAY: A runway that is constructed for and intended to be used by propeller driven aircraft of 12,500 pounds maximum gross weight and less.

87. VISUAL RUNWAY: A runway intended solely for the operation of aircraft using visual approach procedures with no straight-in instrument approach procedure and no instrument designation indicated on an FAA-approved airport layout plan, a military service's-approved military airport layout plan, or by any planning document submitted to the FAA by competent authority.

88. WIRELESS COMMUNICATIONS FACILITY: An unstaffed facility for the transmission and/or reception of radio frequency (RF) signals usually consisting of an equipment shelter or cabinet, a support structure and/or other transmission and reception devices.

89. WIRELESS COMMUNICATIONS FACILITY, ATTACHED: A wireless communications facility that is affixed to an existing structure (i.e., an existing structure, tower, water tank, utility pole, etc.). The following terms apply to the facilities:

- a. Antenna: Any exterior apparatus designed for telephonic, radio or television communications through the sending and/or receiving of electromagnetic waves. Antenna types may be omni-directional whip antenna, directional panel antenna, and ancillary antenna. This definition shall not include antennas used in the reception of television services by consumers.
- b. Co-location: The use of a single support structure and/or site by more than one wireless communications provider.
- c. Equipment Enclosure: A small structure, shelter, cabinet, or vault used to house and protect the electronic equipment necessary for processing wireless communications signals. Associated equipment may include air conditioning and emergency generators.
- d. Guyed Towers: A telecommunications tower that is supported, in whole or in part, by guy wires and ground anchors.
- e. Public Utility Facilities: Facilities for the transmission, distribution, or collection of electric, telephone, telegraph, cable television, natural gas, water and sewer utility services and the transportation of people.
- f. Related Equipment: All equipment ancillary to the transmission and reception of voice and data via radio frequencies. Such equipment may include, but is not limited to, cable, conduit, and connectors.

90 YARD; The ground area between any lot line and the structure.

SECTION 2: **AMENDMENT** “4-9-9 Design And Engineering Standards” of the City of Lander Municipal Code is hereby *amended* as follows:

AMENDMENT

4-9-9 Design And Engineering Standards

A. General Standards

1. Subdivisions should comply with the general policy and land use recommendations of the Lander Master Plan.
2. No subdivision shall be approved which includes features not in conformance with the zoning regulations of the City of Lander or which would obviously generate requests for variances from the provisions of the Zoning Ordinance.
3. In designing the subdivision, the developer shall consider the topography and its influence on street patterns and drainage, the preservation of natural areas, and the separation of pedestrian activities from vehicular activities.
4. A drainage report, over lot grading plan, and design drawings of drainage facilities must be submitted for review by the City Engineer/Public Works Director.
5. Land subject to flooding shall be reserved for uses which do not increase the danger of flooding or are not endangered by flooding which might occur, or they shall be set aside in a designated drainage easement. Subdivisions which include flood plains or designated drainage easements within their boundaries, shall be platted in such a way that the proposed buildable area for habitable structures is outside of the easement or area subject to flooding.
6. Lands subject to other natural hazards shall be identified and shall not be subdivided until the hazards have been eliminated or until adequate plans have been submitted and approved for eliminating or ameliorating the hazard.
7. Where permanent easements are needed for utility service, they shall be provided ten (10) feet in width of each side of the appropriate rear or side lot lines for a total minimum easement width of twenty (20) feet. Easements for water and sewer mains shall be no less than 30' wide. If any block of the proposed subdivision does not provide for alleys, then a front yard utility easement of ten (10) feet in width shall be provided.
8. Drainage easements shall be provided where required by the City Engineer/Public Works Director. No drainage easement shall be allowed on residential side lot lines unless drainage improvements are placed underground.
9. Utility easements for streetlights and other electrical services shall be provided where required by the City Engineer/Public Works Director.
10. All utilities including water lines, gas lines, electrical lines, telephone lines and cable television lines shall be placed underground, except in cases where the City Engineer/Public Works Director determines that topography, bedrock or underground water conditions would prevent the developer from doing so.

B. Roads, Streets and Alleys

1. The arrangement of arterial roads and streets shall conform to the duly adopted

Transportation Plan as it shall from time to time be determined.

2. The arrangement of streets in a new subdivision shall make provisions for the continuation of important streets from adjoining areas.
3. Streets that are obviously in alignment with already existing platted and named streets shall bear the name of the existing street. Other street names shall be subject to the approval of City Administration and Fremont County Planning and Rural Addressing.
4. Provide for convenient circulation and means of entry for emergency vehicles from a public street.
5. Whenever a dedicated or platted half street or alley exists adjacent to the tract to be subdivided, the other half of the street or alley shall be dedicated as a public way.
6. Under normal conditions, streets shall be laid out to intersect, as nearly as possible, at right angles. Where topography or other conditions justify a variation, the variation from a right angle shall be no more than thirty (30) degrees.
7. Cul-de-sacs shall conform to standards and specifications adopted by the City Council and contained in the City of Lander Engineering Standards and Specifications Manual - Most Recent Addition.
8. If a street jogs at an intersection street and does not continue in a straight alignment, the centerline offset of the two parts of the street approaching the intersection street shall be not less than one hundred fifty (150) feet.
9. Platting shall be accomplished in such a way that private drives and driveways access directly onto arterial streets as little as possible.
10. No more than two (2) streets shall intersect at one point
11. Alleys shall be provided in commercial and industrial districts unless definite provisions are made for service access. Alleys may be provided in residential districts.
12. Alleys shall be permitted only between the rear yards of lots within the same block.
13. Where a residential subdivision abuts a major highway, a railroad right-of-way, or a limited access freeway, a state highway, a frontage road shall be required.
14. Dead end streets are prohibited except where they may be necessary to provide future access to adjacent undeveloped property. In that event, temporary turnarounds may be required on the dead-end street until the adjacent property is developed and the street is extended.
15. If the developer encourages the use of solar energy within the subdivision, streets should be designed with a predominant east-west configuration.

C. Tracts, Blocks and Lots

1. Subdivisions shall consist of, in addition to public ways, an integrated and logical arrangement of tracts, blocks and lots. All blocks and all lots within each block shall be consequently numbered. Numbering of blocks and lots in

later phases of a phased subdivision shall continue the sequence established in earlier phases.

2. A tract is a land area, usually larger in size than a typical lot, set aside for a special use or not otherwise included within the normal subdivision pattern of blocks and lots. Tracts shall bear a letter designation, such as Tract A. Letter designations of tracts shall be sequential and shall not duplicate designations of tracts in earlier phases of a phased subdivision.
3. Blocks in residential subdivisions shall be not less than five hundred (500) feet long and not more than twelve hundred (1200) feet long, except as expressly allowed by the Planning Commission and approved by the City Council.
4. In a residential development, the block width shall normally be sufficient to allow two (2) tiers of lots. Blocks for business or industrial use shall be of suitable width and depth.
- 5.
6. The lot size, width, depth, shape and orientation shall be appropriate for the type of development contemplated. Developers encouraging the use of solar energy within the subdivision should consider orienting the length of each lot on an east-west axis.
7. Corner lots and lots with streets on three sides for residential use shall have extra width to allow for a proper setback from both streets.
8. Double frontage lots (blocks with one lot in width and streets bordering both sides) shall be avoided, except where these lots back upon a major street. Where this is the case, access to those lots from the major street shall be prohibited.
9. Every lot shall abut and have access to an officially approved street or road.
10. Side lot lines shall be approximately at right angles to straight street lines or radial to curved street lines.
11. Whenever a plat is re-subdivided, the newly created lots shall be numbered to avoid duplication of any original lot numbers. A letter may be used in conjunction with a number, for example lot 2A.

D. Manufactured Home Parks

1. Manufactured home parks and manufactured home subdivisions shall be established only in accordance with all of the provisions of these regulations and the Zoning Ordinance of the City of Lander.
2. Manufactured home parks may be served by private streets or dedicated streets. Dedicated streets shall be constructed to the standards required by the standards and specifications established by the City Engineer/Public Works Director. Private streets shall have an asphalt or concrete surface of at least twenty-four (24) feet in an access easement of at least forty (40) feet. All such private streets shall have unobstructed access to a public street or highway.
3. Each Manufactured home unit shall have direct access to the public or private street system which serves the Manufactured home park.
4. Each Manufactured home space shall be conspicuously numbered pursuant to

Section 4-11-12.

5. Adequate sidewalks shall be provided to serve each Manufactured home unit in the Manufactured home park.
6. Manufactured home park areas shall be graded and well-drained and with adequate ground cover in open areas to prevent wind and water erosion of soil.
7. Provision shall be made for adequate night lighting for the entire Manufactured home park area.
8. Manufactured home parks shall provide on-site fire hydrants as directed by the Fire Department and as provided by the adopted City of Lander Engineering Standards and Specifications Manual - Most Recent Addition.
9. Manufactured home lots may allow for an east-west placement of Manufactured homes to maximize solar exposure for each lot.

SECTION 3: **REPEAL** “4-9-11 Severability” of the City of Lander Municipal Code is hereby *repealed* as follows:

R E P E A L

~~4-9-11 Severability~~ (*Repealed*)

- A. If any section of this regulation be held to be unconstitutional or otherwise invalid by any park of competent jurisdiction, then such section shall be considered separately and apart from the remaining provisions of these regulations said section to be completely severable from the remaining provisions of these regulations and the remaining provisions of these regulations shall remain in full force and effect.

SECTION 4: **REPEAL** “4-9-13 Definitions” of the City of Lander Municipal Code is hereby *repealed* as follows:

R E P E A L

~~4-9-13 Definitions~~ (*Repealed*)

- A. For the purpose of interpreting these regulations the following definitions shall apply:
 1. ALLEY: A minor public right-of-way which provides secondary access to abutting properties.
 2. BLOCK: A parcel of land, intended for urban development, entirely surrounded by public streets or lands, streams, railroads or highways.
 3. CITY ADMINISTRATION: shall mean the City Planner, City Engineer, Public Works Director, Building Inspector, City Clerk or other appointed

employee.

4. COMMISSION: The City of Lander Planning Commission.
5. COUNCIL: The City of Lander City Council.
6. COUNTY: Fremont County, Wyoming
7. CUL-DE-SAC: A street having one end connected to a public street and being terminated by a vehicle turnaround at its other end.
8. DEVELOPER: Any person who lays out any subdivision or part thereof for the account of the developer or others.
9. DRAINAGE EASEMENT: A land area designated on a plat and set aside to accommodate the calculated and approved flow or storage of storm waters, which can also serve as a pathway and/or greenway.
10. EASEMENT: A designated area on a tract, block or lot of land which the owner has set aside for the use of others, particularly, public utilities.
11. ENCUMBRANCE: A mortgage or other lien or record securing or evidencing indebtedness and affecting land to be subdivided, including liens for labor and materials. Taxes and assessments levied by a public authority are not an encumbrance, except such taxes and assessments as may be delinquent.
12. ENGINEER: A licensed professional engineer registered within the State of Wyoming.
13. IMPROVEMENTS: Man-installed physical features such as pavements, curbs, gutters, sidewalks, water mains, sanitary sewers, storm sewers, grading, street signs, structures, landscaping and other items for the welfare of the property owners and the general public.
14. INSTRUMENT: A formal document as a deed or contract.
15. MONUMENTS: An object set in the ground to mark a boundary.
16. OWNER: Any person having a legal or equitable interest in land.
17. PLAT: A map or drawing prepared in accordance with the adopted subdivision regulations and showing the developer plan for the subdivision.
18. PROPRIETOR: Any person having a legal or equitable interest in land.
19. REPLAT: Any change in lot lines within an already approved and recorded plat and any boundary line adjustments within the City Limits.
20. RE-SUBDIVISION: A re-subdivision shall be any change in dimension or alignment of a platted road, addition to the number of lots or addition of unplatted area to an already approved and recorded plat except for the correction of any drafting or surveying errors.
21. RIGHT-OF-WAY: A strip of land dedicated for public use.
22. SELL: Includes sale, contract to sell, lease, assignment, auction, award by lottery, or any offer or solicitations of any offer to do any of the foregoing, concerning a subdivision or any part of a subdivision.
23. STREET, COLLECTOR: A public street which collects traffic from local neighborhood streets and carries it to a major street or highway as shown on the Master plan.
24. STREET, LOCAL: A street which affords primary access to abutting private properties.
25. STREET, ARTERIAL: A street of considerable continuity and traffic-carrying capacity connecting the various parts of the City as shown on the

- adopted street plan.
26. SUBDIVISION: The creation of a lot, tract, parcel or other unit of land for the immediate or future purpose of sale, building development or redevelopment, for residential, recreational, industrial, commercial or public uses.
27. UNDUE HARDSHIP: Special or specified circumstances that partially or fully exempt a person from performance of a legal obligation so as to avoid an unreasonable or disproportionate burden or obstacle related to topographic or geographical features (Not meant to include high costs to the developer or landowner).

SECTION 5: REPEAL “4-12-11 Definitions” of the City of Lander Municipal Code is hereby *repealed* as follows:

REPEAL

~~4-12-11 Definitions~~ (*Repealed*)

~~As used in this ordinance, unless the context otherwise requires:~~

- A. Airport – Hunt Field Airport, a Lander Municipal airport.
- B. Airport elevation – The highest point of an airport’s usable landing area measured in feet from mean sea level.
- C. Airport hazard – Any structure or object of natural growth located on or in the vicinity of a public airport, or any use of land near such airport, which obstructs the airspace required for the flight of aircraft in landing or takeoff at such airport or is otherwise hazardous to such landing or takeoff of aircraft.
- D. Structure – An object constructed or installed by man, including, but without limitation, structures, towers, smokestacks, earth formations, and overhead transmission lines.
- E. Tree – Any object of natural growth.
- F. Non-conforming use – Any pre-existing structure, object of natural growth, or use of land which is inconsistent with the provisions of this ordinance or an amendment thereto.
- G. Height – For the purpose of determining the height limits in all zones set forth in this ordinance and shown on the zoning map, the datum shall be mean sea level elevation unless otherwise specified.
- H. Person – An individual, firm, partnership, corporation, company, association, joint stock association, or governmental entity. It includes a trustee, receiver, assignee, or similar representative of any of them.
- I. Board of Adjustment – Shall mean, for purposes of this ordinance only, the Lander Airport Commission as established by Lander City Code Section 12-3-2.
- J. Runway – A defined area on an airport prepared for landing and takeoff of aircraft along its length.
- K. Visual runway – A runway intended solely for the operation of aircraft using visual

approach procedures with no straight-in instrument approach procedure and no instrument designation indicated on an FAA-approved airport layout plan, a military service's-approved military airport layout plan, or by any planning document submitted to the FAA by competent authority.

- L. Utility runway – A runway that is constructed for and intended to be used by propeller driven aircraft of 12,500 pounds maximum gross weight and less.
- M. Non-precision instrument runway – A runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in non-precision instrument approach procedure has been approved or planned, and for which no precision approach facilities are planned or indicated on an FAA planning document or military service's military airport planning document.
- N. Primary surface – A surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway; but when the runway has no specially prepared hard surface, or planned hard surface, the primary surface ends at each end of that runway. The width of the primary surface of a runway will be that width prescribed in Part 77 of the Federal Aviation Regulations (FAR) for the most precise approach existing or planned for either end of that runway. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.
- O. Public Works Director – The person appointed as the Public Works Director for the City of Lander, Wyoming.
- P. City – The City of Lander, Wyoming.
- Q. Approach, transitional, horizontal, and conical zones – These zones apply to the area under the approach, transitional, horizontal, and conical surfaces defined in FAR Part 77.

SECTION 6: **REPEAL** "4-14-1 Definitions" of the City of Lander Municipal Code is hereby *repealed* as follows:

R E P E A L

~~4-14-1 Definitions~~ (*Repealed*)

~~The following words, terms and phrases are hereby defined and shall be interpreted in the same fashion throughout this ordinance. The word "shall" is mandatory. The word "may" is permissive. Words used in the present tense shall include the future tense and words in the singular shall include the plural. Terms not herein defined shall have the meaning customarily assigned to them.~~

- A. **ACCESS:** permission, liberty or ability to enter, approach or pass to and from a place or to approach or communicate with a person or commercial business or any other approved/legal use of a property.
- B. **ACCESS DRIVE OR ACCESSWAY:** A privately owned, constructed and

maintained vehicular access roadway accessing one or more dwelling units or one or more commercial, institutional or industrial principal uses.

- C. **ACCESSORY STRUCTURE:** A subordinate structure, the use of which is incidental to that of a main structure located on the same lot.
- D. **ACCESSORY USE:** Not a permitted use as authorized by these regulations but a subordinate use operated on the same lot as the permitted use or any accessory structure.
- E. **ALLEY:** A minor public right-of-way which provides secondary access to abutting properties.

- F. **ANIMAL BOARD AND TREATMENT CENTER:** Means an establishment where animals are admitted for examination, treatment or care by a doctor of veterinary medicine. Outside runs are allowed, but kennels must be in an enclosed facility. Boarding for all purposes is allowed.
- G. **ANIMAL CLINIC, SMALL:** means an establishment where animals are admitted principally for short-term treatment, examination or care by a doctor of veterinary medicine. Board is provided only for medical purposes or treatment.
- H. **ANNEXATION AGREEMENT:** shall mean an agreement proposed by the City and entered into by all landowners whereby each agrees to not oppose annexation into the City of Lander upon prior completion of improvements within the zone and a request to do so by the Governing Body.
- I. **ASSISTED LIVING FACILITY:** Means a dwelling or rooming house operated by a person, firm or corporation engaged in the business of operating a facility for the purpose of letting rooms for rent and providing meals, personal daily living care and limited nursing care for persons not related to the owner. The facility shall obtain all necessary federal, state and local certifications.
- J. **BED AND BREAKFAST INN:** An establishment, other than a hotel, that provides meals and one or more guestrooms for lodging for periods of less than thirty (30) days in exchange for compensation. Bed and breakfast inns shall be in private owner occupied homes or other small structures which otherwise conform to the applicable zoning regulations.
- K. **BOARD:** The Board of Adjustment of the City of Lander, Wyoming.
- L. **BOARDING HOUSE:** means a structure other than a hotel or motel, where for compensation and by prearrangement for definite periods, lodging and/or lodging with meals are provided for three or more persons, but not exceeding twenty persons who reside on the premises.
- M. **STRUCTURE HEIGHT:** The vertical dimension measured from the average elevation of the finished lot grade at the front of the structure to the highest point of the structure. This definition does not apply to antennas, chimneys, cupolas and other appurtenances usually placed above the main roof line and not intended for human occupancy.
- N. **CLINIC:** means an establishment where patients are seen for special study and treatment by licensed healthcare professional and their professional associates.
- O. **COMMERCIAL STORAGE FACILITY:** A structure or group of structures that contain varying sizes of individual, compartmentalized and controlled access stalls or lockers for the dead storage of articles or goods. This use does not include active retail

uses nor shall there be any activities allowed to be conducted within the structure or structures other than the temporary storage of articles or goods. All storage shall be totally contained within the structure or group of structures with no outdoor storage of articles or goods allowed. No heavy equipment nor farm implements shall be allowed to be stored nor any part thereof. No hazardous materials shall be called to be stored.

- P. **COMMISSION:** Means the Wyoming Limited Gaming Commission.
- Q. **CHILD CARE:** The City of Lander follows the Wyoming Department of Family Services definitions.
- R. **CREMATORY:** Defined by Wyoming State Statute 33-16-502.
- S. **DEVELOPED STREET:** For purposes of annexation only a developed street shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities with an unobstructed width of not less than 20 feet. This definition does not apply to subdivision rules and regulations of the Lander city code.
- T. **DISTRICTS:** Any section or area of the City of Lander for which the regulations governing the use of land and the use, density, bulk, height and coverage of structures and other structures are uniform.
- U. **DRIVE-IN RESTAURANT:** A retail establishment engaged in the sale of prepared food and drink which is served to and/or consumed on the premise by the occupants in their vehicles.
- V. **DWELLING, SINGLE FAMILY:** A detached residential dwelling unit designed for and occupied by one family only.
- W. **DWELLING, TWO FAMILY:** A detached residential structure containing two dwelling units, designed for occupancy by not more than two families.
- X. **DWELLING, MULTI-FAMILY:** A residential structure containing more than two dwelling units for family occupancy.
- Y. **DWELLING UNIT:** A structure or a portion thereof used for living purposes or constituting a separate, independent housekeeping unit for permanent residential occupancy.
- Z. **ECONOMIC DEVELOPMENT ZONE:** shall mean an area of land lying within or adjacent to the Lander city corporate boundaries which is designated by the Governing Body by ordinance as such a zone.
- AA. **FAMILY:** Single housekeeping unit of a more or less permanent living arrangement which is stable, rather than transient living arrangements (except where the handicapped are affected) and/or family as designated and defined by the Wyoming Department of Family Services.
- AB. **FOSTER CARE:** An activity regulated by the State of Wyoming and providing care for children in a facility or home on a 24 hour-a-day basis. Categories of foster care specified in this ordinance include:
 - 1. foster home: allows for the care of three to six children; and
 - 2. group foster home: allows for the care of seven to eleven children.
- AC. **FRONTAGE:** The front part of a piece of property as determined by the main entrance to the structure or use of the parcel.
- AD. **HOME BUSINESS:** An accessory use of a dwelling unit or accessory structure for gainful employment involving the manufacture, provision or sale of goods and/or

services.

- AE. **HOTEL/MOTEL:** A structure which provides a common entrance, lobby, hall and stairways, and in which temporary lodging is provided for compensation.
- AF. **JUNKYARD:** means a place where waste, discarded or salvaged materials are bought, sold, exchanged, baled, packed, disassembled, handled, or stored, including auto wrecking yards, house wrecking yards, used lumber yards and places or yards for storage of salvaged house wrecking and structural steel material and equipment; but not including places where such uses are conducted entirely within a completely enclosed structure.
- AG. **LOT:** Land occupied or intended to be occupied by a main structure and its accessory structures, together with such open spaces as are required by this ordinance, and having its principle frontage on a public street or officially approved place. A lot is the land shown as a lot on a recorded subdivision plat.
- AH. **LOT LINES:** The side of the lot in front of the street used for primary vehicle access is the front lot line. The opposite side is the rear lot line. For lots which are not quadrilateral, lot lines shall be determined from a quadrilateral inscribed within the actual boundaries of the lot. The depth of the lot is the distance between the midpoints of the front lot line and the rear lot line. The width is the distance between midpoints of the side lot lines.
- AI. **LOT OF RECORD:** A lot platted within a subdivision recorded at the Fremont County Courthouse, or a parcel described by meets and bounds so recorded and of legal size at the time of recording.
- AJ. **MANUFACTURED HOME:** A single prefabricated structure designed for transportation after fabrication, on streets and highways on its own wheels and chassis and arriving at the site where it is to be occupied as a dwelling, complete and ready for assembly operations, location on jacks or permanent foundation, connections to utilities and the like, and including all potable contrivances used generally for living and sleeping quarters, towed or transported by another vehicle and cannot qualify as a modular structure. This definition also includes trailer homes with a vehicle identification number.
- AK. **MANUFACTURED HOME PARK:** A parcel (or contiguous parcels) of two or more lots and meeting all of the regulations of the subdivision regulations of the City of Lander, the lots of which are intended to be sold, leased or assigned for use by manufactured homes with vehicle identification numbers and/or license plates to create a suitable environment for long-term residential occupancy.
- AL. **MANUFACTURED HOME SUBDIVISION:** A subdivision consisting of two or more lots and meeting all of the requirements of the subdivision regulations of the City of Lander, the lots of which are intended to be sold, leased or assigned for use by manufactured homes with vehicle identification numbers to create a suitable environment for long term residential occupancy.
- AM. **MORTUARY, FUNERAL ESTABLISHMENT, FUNERAL HOME, FUNERAL CHAPEL:** Defined by Wyoming State Statutes 33-16-502.
- AN. **PARKING SPACE:** An off-street space available for the parking of one motor vehicle having an area of not less than 162 square feet exclusive of passageways and driveways appurtenant thereto and having direct access to a street or alley.

- AO. **PERMITTED USE:** A use enumerated for a zoning district.
- AP. **PRIVATE ROAD:** A private road may or may not be used by the general public, but it primarily benefits those at whose request it was established.**PROFESSIONAL STRUCTURE:** the office or offices of a member of a recognized profession maintained for the conduct of that profession excluding retail and wholesale trade.
- AQ. **PUBLIC STREET:** Primary access that is publically dedicated on a plat and recorded at the Fremont County Courthouse.
- AR. **PUBLIC UTILITY:** Any person, firm, corporation, municipal department or board duly authorized to furnish and furnishing under state or municipal regulations to the public electricity, gas, steam, communication, telegraph, transportation or water service.
- AS. **SETBACK:** The required distance between every structure and any lot line on the lot on which it is located. The distance is measured from the foundation line.
- AT. **SETBACK, FRONT:** The required distance between the front of every structure and the line separating the street side curb and gutter from the street edge, also known as the "lip"; and
- AU. **SETBACK, SIDE & REAR:** The required distance between every structure and any lot line on the lot on which it is located.
- AV. **SHORT TERM RENTAL:** a dwelling or portion of a dwelling that is rented for a period of fewer than 30 consecutive days. This includes, but is not limited to Airbnb, VRBO and similar short-term vacation and living accommodations.
- AW. **STORAGE STRUCTURES, PORTABLE:** shall be any structure which is so designed and constructed to make it portable and capable of movement from one site to another, designed to be used without a permanent foundation, designed with the purpose of storing tangible property and not for occupancy by persons, and to have a minimum of 32 square feet.
- AX. **STORAGE STRUCTURES, TEMPORARY:** shall be any transportable structure designed and used primarily for temporary storage of structure materials (before they are utilized for structure purposes) household goods prior to or during moving, and other such materials for use on a limited basis, no longer than 90 days on residential property, with a permit from the City of Lander.
- AY. **STRUCTURE:** Anything constructed or erected with a fixed location on, above, or below the ground, or attached to something having a fixed location on the ground.
- AZ. **SUBDIVISION:** The creation or change of a lot, tract, parcel or other unit of land for the immediate or future purpose of sale, building development or redevelopment, for residential, recreational, industrial, commercial or public uses.
- BA. **TAXIDERMY:** An operation conducted solely within an enclosed structure to include onsite preparation, stuffing and mounting of heads and skins of animals. Exterior storage or processing of carcasses or parts of animals shall be prohibited in residential zones.
- BB. **TOWER AND ANTENNA, COMMERCIAL COMMUNICATION:** Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas. The term includes radio and television transmission Commercial Communications Towers and Antennas, microwave Commercial Communications

Towers and Antennas, common-carrier Commercial Communications Towers and Antennas, cellular telephone and wireless Commercial Communications Towers and Antennas, alternative Commercial Communications Towers and Antennas structures and the like. Tower types include, but are not limited to guyed Commercial Communications Towers and Antennas, wooden poles, lattice Commercial Communications Towers and Antennas and monopoles.

BC. **WIRELESS COMMUNICATIONS FACILITY:** An unstaffed facility for the transmission and/or reception of radio frequency (RF) signals usually consisting of an equipment shelter or cabinet, a support structure and/or other transmission and reception devices.

BD. **WIRELESS COMMUNICATIONS FACILITY, ATTACHED:** A wireless communications facility that is affixed to an existing structure (i.e., an existing structure, tower, water tank, utility pole, etc.).

1. **Antenna** - Any exterior apparatus designed for telephonic, radio or television communications through the sending and/or receiving of electromagnetic waves. Antenna types include, but are not limited to: omni-directional whip antenna, directional panel antenna, and ancillary antenna. This definition shall not include antennas used in the reception of television services by consumers.
2. **Co-location** - The use of a single support structure and/or site by more than one wireless communications provider.
3. **Public Utility Facilities** - Facilities for the transmission, distribution or collection of electric, telephone, telegraph, cable television, natural gas, water and sewer utility services and the transportation of people.
4. **Related Equipment** - All equipment ancillary to the transmission and reception of voice and data via radio frequencies. Such equipment may include, but is not limited to, cable, conduit and connectors.
5. **Equipment Enclosure** - A small structure, shelter, cabinet or vault used to house and protect the electronic equipment necessary for processing wireless communications signals. Associated equipment may include air conditioning and emergency generators.
6. **Guyed Towers** - A telecommunications tower that is supported, in whole or in part, by guy wires and ground anchors.

BE. **YARD:** The area between any lot line and the required setback.

SECTION 7: **REPEAL** “4-15-10 Definitions” of the City of Lander
Municipal Code is hereby *repealed* as follows:

REPEAL

~~4-15-10 Definitions~~ (*Repealed*)

- A. **“azimuth”** is an angular measurement in a spherical coordinate system. It is the angle between the projected vector and a reference vector on the reference plane.

- B. **“solar collector”** is one of the following which is capable of collecting, storing or transmitting solar energy:
1. a wall, clerestory or skylight window designed to transmit solar energy into a structure for heating purposes;
 2. a greenhouse attached to another structure and designed to provide part or all of the heating load for the structure to which it is attached;
 3. a trombe wall, drum wall, or other wall or roof structural element designed to collect and transmit solar energy into a structure;
 4. a photovoltaic collector designed to convert solar energy into electric energy;
 5. a plate-type collector designed to use solar energy to heat air, water, or other fluids for use in hot water or space heating or other applications;
 6. a massive structural element designed to collect solar energy and transmit it to internal spaces for heating; or
 7. other devices or combination of devices which rely upon sunshine as an energy source.
- C. **"Solar right"** is a property right to an unobstructed line-of-sight path from a solar collector to the sun which permits radiation from the sun to impinge directly on the solar collector. The extent of the solar right shall be described by that illumination provided by the path of the sun on the winter solstice day which is put to a beneficial use or otherwise limited by these regulations. No solar right is protected by this Section for the period of time before 9:00 a.m. or after 3:00 p.m., Mountain Standard Time, or to a solar collector or portion as which would be shaded by a ten foot wall located on the property line on a winter solstice day.
- D. **"Winter Solstice Day"** is the solstice on or about December 21 which marks the beginning of winter in the northern hemisphere and is the time when the sun reaches its southernmost point.

SECTION 8: AMENDMENT “4-12-4 District Regulations - Single And Multi-Family Residential District (R-3)” of the City of Lander Municipal Code is hereby *amended* as follows:

AMENDMENT

4-12-4 District Regulations - Single And Multi-Family Residential District (R-3)

- A. Intent. This district is intended to provide for a compatible mixture of single on up to four family dwellings at a density slightly higher than that for single family districts alone, plus the accessory public and semi-public uses offering services to the surrounding area.
- B. Permitted Uses. The following uses may be operated as permitted uses in the district:
1. single family detached dwellings;
 2. two-family dwellings;
 3. multi-family dwellings (up to four units);

4. manufactured homes on privately owned lots;
5. manufactured home parks: Minimum Area: For the first two (2) manufactured homes there shall be provided an area not less than seven thousand five hundred (7,500) square feet. For each manufactured home after the first two, there shall be provided an area not less than three thousand seven hundred fifth (3,750) additional square feet per manufactured home.
6. churches;
7. public or private elementary and secondary schools;
8. public parks, playground and other public recreational facilities.

C. Conditional Uses:

1. Childcare;
2. Foster care;
3. recreational vehicle and campground district; (See district regulations 4-13-1)
4. home business;
5. bed and breakfast/ short-term rental
6. mortuary/crematory
7. related uses of a similar type as approved by the Board of Adjustment.

D. Permitted Accessory Uses. Any use which complies with all of the conditions set forth under Section 4-11-8 may be operated as an accessory use to a permitted use.

E. Minimum Area of Lot

F. (i) The lot on which there is erected a detached single family dwelling, manufactured home or other permitted use of the district shall contain an area not less than 3,750 square feet. (ii) The lot on which there is erected a two-family dwelling shall contain an area not less than 3,750 square feet. (iii) The lot on which there is erected a multi-family dwelling shall contain an area not less than 1,250 square feet per dwelling unit and no less than 3,750 square feet in total

G. Minimum Width of Lot:

1. detached single family dwelling,
2. manufactured homes, multi-family dwellings: 50 feet at front setback line.

H. Minimum Setback Requirements for Principle Structures:

1. front yard: 20 feet;
2. side yard:
 - a. Single-family dwelling: 10 feet
 - b. Multi-family dwelling: 10 feet, except that there shall be no side yard set back for the common wall of a two-family dwelling, where each living unit, and $\frac{1}{2}$ the land upon which the two-family dwelling is located, are sold separately, provided that the following criteria are met on each family dwelling:
 - (1) all provisions of the International Residential Code and International Fire Code are complied with, including but not limited to, an appropriate fire wall; and
 - (2) each family dwelling unit is served by a separate water and sewer line.

c. spacing for manufactured home park: 15 feet spacing between all sides of the interior dwelling units that are not otherwise required to meet the setback from the front, side, or rear lot line.

(1) all provisions of the International Residential Code Appendix E is complied with, and

(2) each family dwelling unit is served by a separate water and sewer

line.

3. rear yard: 20 feet or 20% of lot depth whichever is smaller;

4. side yard on flanking street or corner lot: 23 feet;

5. encroachment into the front yard setback and any side yard flanking street setbacks to within 18 feet of the curb line is permitted for use of a covered or uncovered porch or deck structure. That portion of the porch or deck structure within the setback area shall not be enclosed and in no case shall it be allowed beyond the property line.

I. Maximum Number of Structures Containing Permitted Uses Per Lot: two per lot.

J. Maximum Height of Principle Structures: 30 feet.

K. Maximum Lot Coverage:

1. detached single family dwellings, manufactured homes: 40%.

2. multi-family dwellings, all other permitted uses in District: 50%.

SECTION 9: AMENDMENT “4-11-8 General Requirements - Accessory Uses” of the City of Lander Municipal Code is hereby *amended* as follows:

AMENDMENT

4-11-8 General Requirements - Accessory Uses

A. Any use which complies with all of the following conditions may be operated as an accessory use:

1. is clearly incidental and customary to and commonly associated with the operation of the permitted use;
2. is operated and maintained under the same ownership and on the same lot as the permitted use;
3. does not include structures or structural features inconsistent with the permitted use;
4. does not include residential occupancy;
5. if operated wholly or partly within a structure containing the permitted use, the gross floor area utilized by the accessory use shall not exceed 30% of the gross floor area of the permitted use;

6. if in a separate, detached structure from a permitted use, the gross floor area devoted to the accessory use shall not exceed the gross floor area as defined in the International Residential Code (IRC).
7. home business, provided the conditions set forth under Section 4-11-4 are met;
8. in all districts, accessory structures shall be located behind the setback line, as defined that that district's regulations from all streets;
9. in all residential districts the following setback regulations shall apply side yard five feet, rear yard five feet.
10. maximum height of detached accessory structures: 20 feet.
11. General Requirements for Portable and Temporary Storage Structure
 - a. Portable storage structures shall be considered an accessory structure in a residential district. A placement permit from City Administration shall be issued prior to placing a portable structure. Such structure shall not be placed on any lot or in any street without the lot owner, renter, or assignee first obtaining the placement permit
 - (1) Portable storage structures placed for more than 90 days shall not be placed over or within any platted utility easement or any other permanent easement of record.
 - (2) Setbacks for all portable storage structures placed for more than 90 days in all residential districts shall meet the setbacks as required in Section 4-11-8 of this code.
 - b. Temporary Storage structures shall not be placed on any lot or in any street without the lot owner, renter, or assignee first obtaining the placement permit. Such permit will regulate the placement of the temporary structure to be located in either the street, City ROW, front yard, driveway, or side yard of the primary structure.
 - (1) Temporary storage structures shall not be placed over or within any platted utility easement nor any other easement of record without express permission stated on the acquired permit as issued.
 - (2) Setbacks for all temporary portable storage structures in all residential districts shall be the setbacks as required in Section 4-1-8 of this code.
 - c. For construction projects requesting a building permit, temporary storage structures may be added to the building permit. Under these conditions, temporary storage structures shall be removed prior to issuing the occupancy permit.
 - d.

EFFECTIVE DATE This Ordinance shall take effect from and after its passage, approval and publication as required by law and the ordinances of the City of Lander

Passed on First Reading on April 12, 2022

Passed on Second Reading on May 10, 2022

Passed on Third Reading on July 12, 2022

PASSED AND ADOPTED BY THE CITY OF LANDER MAYOR AND COUNCIL
JULY 12, 2022.

	AYE	NAY	ABSENT	ABSTAIN
Missy White	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Dan Hahn	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
John Larsen	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Chris Hulme	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Julia Stuble	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Melinda Cox	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Monte Richardson	<u>X</u>	<u> </u>	<u> </u>	<u> </u>

Attest

Presiding Officer





Monte Richardson, Mayor, City of
Lander

Rachelle Fontaine, City Clerk City of
Lander

