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TITLE X

ZONING

Chapter 1

Title and Authority

10-101. TITLE. An Ordinance to regulate by districts or zones the location, height, and bulk of buildings and other structures; the percentage of a lot which may be occupied, the size of courts, lots and other open space; the density and distribution of residential, commercial, and recreation or other uses and purposes; and repealing all ordinances or parts of ordinances in conflict herewith. Be it ordained by the Cokeville Town Council, Cokeville, Wyoming.

10-102. SHORT TITLE. This Ordinance shall be known as the Zoning Ordi­nance of Cokeville, Wyoming, and may be so cited and pleaded.

10-103. AUTHORITY. Be it ordained by the governing body of Cokeville, Wyoming, pursuant to the authority conferred by the provisions of W.S. 15-1-601 through 15-1-611, as amended.

10-104. JURISDICTION: The territorial jurisdiction of these regulations shall include all of the incorporated land located within the Town of Cokeville, Wyoming.

TITLE X

Chapter 2

Purpose, Interpretation and Conflict

10-201. PURPOSE. This Ordinance is designed and enacted for the purpose of promoting the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Cokeville, Wyoming, including, among other things, the lessening of congestion in the streets or roads, secur­ing safety from fire and other dangers, providing adequate light and air, classification of land and distribution of land development and utilization, protection of the tax base, securing economic growth, and the protection of both residential and non-residential development.

10-202. INTERPRETATION. In interpreting and applying the provisions of this Ordinance, the requirements contained herein are declared to be the minimum requirements for the purposes set forth.

10-203. CONFLICT. This Ordinance shall not nullify the more restrictive provisions of covenants, agreements, other ordinances, or laws, but shall prevail notwithstanding such provisions which are less restrictive.

10-204. STANDARDS OF CONSTRUCTION. The standards of construction for any new or remodeled building within the Town of Cokeville shall comply with the requirements of Ordinance 5-623. TITLE X

ZONING

Chapter 3

Definitions

10-301. DEFINITIONS. For the purpose of this Ordinance, certain words, terms, and phrases shall be defined to have the same meaning as setforth in this Section. Where apparently inconsistent with the context, words used in the present tense include the future, words in the singular number include the plural and the plural the singular. The word “shall” is always mandatory and not directory. The word “may” is permissive.

DEFINITIONS

1. Accessory building and use. A subordinate use of a building, other structure or tract of land, or a subordinate building or other structure which:

(a) Is clearly incidental and customary to and commonly associated with the operation of the Permitted Use.

(b) Is operated under the same ownership and on the same Zone Lot as the Permitted Use.

(c) Does not include structures or structural features inconsistent with the Permitted Use.

2. Agriculture: The tilling of the soil, the raising of crops, horticulture, gardening, ranching, and the keeping or raising of domestic animals and fowl excepting household pets. Agricultural land shall include buildings and structures required for agricultural purposes.

3. Alley: A minor way, dedicated to the public, used primarily for vehicular service access to the rear or side of properties otherwise abutting on a street.

4. Automobile Reduction Yard: A lot, land or structure, or part thereof used primarily for the collecting, storage, dismantling, salvaging and sale of machinery or vehicle not in running condition, or for the sale of parts thereof.

5. Automobile Service Station: A retail establishment engaged in the sale of automobile fuels, motor oil or other automobile accessories, and providing incidental services including lubrication, hand washing and cleaning, or minor mechanical work and repair. Specifically excluded from this definition are painting, body work and the sale of butane and propane fuels.

6. Auto Washing Establishment: A building which has its primary purpose as washing automobiles. Such facilities shall be considered incidental to automobile service stations if no more than one auto may be washed at one time and if the service station is clearly the princi­pal use.

7. Building: Any structure having enclosed space and a roof for the housing and/or enclosure of persons, animals or chattels.

8. Building Height: The vertical distance from the grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or the height at the ridge of a gable, hip or gambrel roof.

9. Building Permit: A written warrant or license granting a land owner approval for proposed construction, reconstruction, or alteration of buildings, structures or fences.

10. Conditional Use: A use which would not impair the public health, safety or welfare in one or more zones, but would impair the integrity and character of the zone in which it is located or in adjoining zones, unless restrictions on location, size, extent and character of ­performance are imposed in the zoning regulations.

11. Convenience Food Restaurant: An establishment whose principal business is the sale of food, frozen, desserts, or beverages to the consumer in a ready to eat state for consumption either within the premises, or for carry-out with consumption either on or off the premises, and whose design or principal method of operation includes both of the following characteristics:

(a) Foods, frozen desserts, or beverages are usually served in edible containers or in paper, plastic, or other disposable containers.

(b) The customer is not served food at his/her table by an employee but receives it at a counter, window, or similar facility for carrying to another location for consumption either on or off the premises.

12. District: A land area shown or described in the official zoning map for the Town of Cokeville, Wyoming, to which uniform regulations apply.

13. Dwelling: A building or portion thereof, used primarily for residential occupancy, including one-family, two-family, and multiple dwellings, but not including hotels, motels, or tourist homes. In the event a garage is permanently attached to a dwelling as defined in Section 10-301 herein, it shall be included as part of the main building. A garage attached to a dwelling shall not be considered a separate building or deemed to be an accessory building in determining set back requirements, but shall be deemed to be part of the dwelling. The set back requirements applicable for the dwelling which the garage is attached shall govern.

14. Dwelling, One-Family: A building used for residential occupancy by one family.

15. Dwelling, Two-Family: A building or portion thereof used for occupancy by two families living independently of each other.

16. Dwelling Unit: A living area within a building arranged, intended, or designed to be occupied by one (1) family.

17. Family: One or more persons related by blood, marriage or adoption, occupying a dwelling unit and living as a single housekeeping unit, as distinguished from renters, roomers or as a group occupying a hotel or motel as herein defined.

18. Floodway: The area through which the main body of flood water f1ows.

19. Floodway Fringe Area: The area immediately adjacent to the floodway, characterized by a large volume of water moving slower than the main floodway, often dry until subject to flooding.

20. Floor Area: The total horizontal living area of a building measured on the outside walls of each story.

21. Garage: An accessory building designed or used for the storage of not more than four (4) automobiles owned and used by the occupants of the building to which it is an accessory. In the event a garage is permanently attached to a dwelling as defined in Section 10-301 herein, it shall be included as part of the main building. A garage attached to a dwelling shall not be considered a separate building or deemed to be an accessory building in determining setback requirements, but shall be deemed to be part of the dwelling. The set back requirements applicable for the dwelling to which the garage is attached shall govern.

22. Grade: Grade (ground level) is the average of the finished ground level at the center of all walls of a building. For buildings adjoining one street only, the elevation of the ground at the center of that wall adjoining the street shall be considered grade. For buildings adjoining more than one street, grade is the average of the e1evations of the ground at the centers of all walls adjoining the streets. All walls approximately parallel to and more than five (5) feet (1.52 meters) from a street line are to be considered as adjoining a street.

23. Home Occupation: Any use conducted entirely within a dwelling and carried on by persons residing in the dwelling unit, which use is clearly incidental and secondary to the principal use of the dwelling for dwelling purposes and does not change the character thereof and in connection with which there is no display, nor stock in trade. The home occupation shall not include the sale of commodities except those which are produced on the premises and shall not involve the use of any accessory building or yard space or activity outside the main building, not normally associated with residential use.

24. Hospital: Any building or portion thereof used for the diagnosis, treatment or for the accommodation and medical care of sick, injured or infirm persons and including sanitariums, but not including clinics, rest homes and convalescent homes.

25. Household Pets: Animals ordinarily permitted in the house and kept for company or pleasure, such as dogs, cats and canaries, but not in­cluding a sufficient number of dogs to constitute a kennel.

26. Hotels and Motels: Any building or portion thereof containing six or more guest rooms used for occupancy by persons on a temporary basis.

27. Junkyard: Any place, establishment or business maintained, used or operated for storing, keeping, buying or selling junk, or for the maintenance or operation of automobile graveyards.

28. Indirect Lighting: A source of illumination which is enclosed in a manner which prevents all unscreened light from being seen.

29. Industrial park: A group of non-nuisance industrial plants on a single parcel of land, or on separate parcels contiguously arranged so as to form a planned development of industrial sites, building or buildings.

30. Industry, Light: Those industries whose processing of products results in none of the following conditions: the emission of any atmos­pheric pollutant; light flashes or glare; odor; noise; or vibration which may be heard and/or felt off the premises and those industries which constitute a fire or explosion hazard.

31. Kennel: The keeping of more than three (3) dogs at least four (4) months old.

32. Lot: A parcel ofland occupied or to be occupied by a main building, or group of buildings (main and accessory), together with such yards, open space, lot width and lot area as are required by this Ordinance and having frontage upon a street. Except for group dwellings, not more than one (1) dwelling structure shall occupy any one (1) lot.

33. Lot Area: The total area within the property lines of the lot, excluding adjacent streets.

34. Lot, Corner: A lot, abutting on two intersecting, or intercepting streets, where the interior angle of intersection or interception does not exceed one hundred thirty-five degrees (135°).

35. Lot, Interior: A lot other than a corner lot.

36. Lot Line, Front: The property line dividing a lot from a street. On a corner lot only one street line shall be considered as a front line and the shorter street frontage shall be considered the front line.

37. Lot Line, Back: The lot line opposite the front lot line.

38. Lot Line, Side: Any lot line other than front lot lines or back lot lines.

39. Lot Width: The distance parallel to the front lot line measured at the front setback line.

40. Manufactured Home: Any factory built house meeting Uniform Building Code, and in addition, built without undercarriage.

41. Mobile Home: A factory assembled structure or structures, exceeding eight (8) feet (2.44 meters) in width, originally equipped with the necessary service connections, and made so as to be readily movable as a unit or units on its (their) own running gear and designed to be used as a dwelling unit(s) without a permanent foundation, whether or not said running gear has been removed.

42. Mobile Home Park: An area designated for and/or occupied by more than two (2) mobile homes or facilities delineated above, on units of space of predesign type, which may be utilized for living purposes, either permanent, seasonal, or both.

43. Office: Any building or portion thereof used for the purpose of conducting business provided there is no storage of merchandise or merchandise offered for sale.

44. Open Space: Unoccupied space within the incorporated limits, set aside for recreation uses.

45. Parking Space: Space within a building, lot or parking lot for the parking or storage of one (1) automobile. The parking space shall not be less than 10 ft. x 20 ft. (3.05 meters x 6.10 meters) or two hundred (200) square feet (18.6 sq. meters) in area.

46. Permitted Uses: All uses permitted in a district, subject to the same use, density, sign, parking and spatial regulations applicable to that district.

47. Planning Commission: The Planning and Zoning Commission of Cokeville, Wyoming.

48. Porch: An outside walking area having the floor elevated more than eight (8) inches above grade.

49. Public Utility Services: Those facilities of a municipality, special district or utility company supplying electricity, telephones, natural gas, water, sewage disposal, or similar public services.

50. Restaurant: Any restaurant (except a convenience food restaurant as defined in this Section), coffee shop, cafeteria, short order cafe, luncheonette, tavern, sandwich stand, drugstore, and soda fountain serving food, and all other eating or drinking establishments pro­vided that at least one-half of total sales are derived from the sale of food.

51. Setback: The minimum horizontal distance between a building and the street lot line.

52. Sign: Any device used for visual communication to the general public and displayed out-of-doors, including signs painted on exterior walls, interior illuminated signs to be viewed from out-of-doors, but not including any flag, badge, or ensign of any government agency.

53. Sign, Advertising: A sign which directs attention to a use, product, commodity, or service not related to the premises.

54. Sign, Business: A sign which directs attention to a use conducted, product or commodity sold, or service performed upon the premises.

55. Sign, Identification: A sign displayed to indicate the name or nature of buildings or uses other than commercial or industrial uses located upon the premises.

56. Sign, Nameplate: A sign indicating the name and/or occupations of a person or persons residing on the premises or legally occupying the premises, or indicating a home occupation 1ega1ly existing on the premises.

57. Sign, Property: A sign related to the property on which it is located and offering such property for sale or lease, or advertising contem­plated improvements or announcing the name of the builder, owner, designer or developer of the project, or warning against trespassing.

58. Sign, Public Information: A sign erected by a public or non-profit agency, service club, etc., giving information to direct the public to both public and private facilities and major uses.

59. Sign, Temporary: Temporary signs shall include any sign, banner, pennant or advertising display constructed of cloth, canvas, light fabric, cardboard, wallboard or other light materials, with or without frames, intended to be used for a short period of time only.

60. Site Plan: A drawing to a scale not less than 1 inch equals 50 feet, showing the accurate location of all structures, fences, streets, alleys, and parking areas existing and proposed on subject property or any other information as may be required by this Ordinance.

61. Street: A public thoroughfare, the surface of which is at least twenty­ six (26) feet (7.92 meters) wide, which affords principa1 means of access to abutting property.

62. Structure: Anything constructed or erected which requires location on the ground or is attached to something having a location on the ground. A fence is defined as a structure for purposes of these ordinances.

63. Use, Permitted: A use which is lawfully established in a particular district or districts and which conforms with all requirements, regulations and performance standards of such district. A Permitted Use may be a Principal Use or an Accessory Use.

64. Variance. A modification or variation of the provisions of this Ordinance as applied to a specific piece of property.

65. Wall, Retaining: A physical barrier constructed to prevent the erosion and/or deterioration of an established elevation.

66. Yard, Front: A yard extending across the full width of the lot, between two side lot lines the depth of which is the least distance between the Street right-of-way and the front building line.

67. Yard, Rear: A yard extending across the full width of the lot between the two (2) side lot lines and between the rear building line and the rear lot line.

68. Yard, Side: Any yards other than front or rear yards.

69. Zone: Same as district.

70. Zoning Officer: The duly constituted Town Official designated to administer and enforce this Zoning Ordinance.

71. Zoning Map: The official map which describes thereon the several zoning districts to which the regulations set forth in this Ordinance shall apply.

TITLE X

ZONING

Chapter 4

General Provisions

10-401. ESTABLISHMENT OF DISTRICTS. In order to carry out the provi­sions of this Ordinance, there are hereby created and established In Cokeville, Wyoming the following classifications for zoning districts:

(a) Agriculture District A

(b) Low Density Residential District R-1

(c) Medium Density Residential District R-2

(d) High Density Residential District R-3

(e) Mobile Home Subdivision District R-4

(f) Mobile Home Park District R-5

(g) Residential Mobile Home and Single Family District R-MHL

(h) Community Commercial District C-l

(i) Highway Commercial District C-2A

(i)a Highway Commercial District C-2B

(i)b Highway Commercial District C-2C

(i)c Highway Commercial District C-2D

(j) Industrial District I-1

(k) Open Space Flood Hazard District OF

(l) Residential Animal District R-A

10-402. ZONING MAP AND BOUNDARIES

(a) The boundaries and zoning classifications of districts hereby established are as shown on the official zoning map for Cokeville, Wyoming, as adopted or amended after public hearing by the Cokeville Town Council. Such maps and all notations, references, data and other information shown thereon are, by reference, hereby made a part of this Ordinance.

(b) The zoning district boundary lines are intended generally to follow the centerline of streets or similar rights-of-way, block or lot lines, all as shown on the zoning map; but where a boundary line does not follow such a line, its position is shown on said zoning map by specific dimension express­ing its distance from a street line or other boundary as indicated.

(c) In the case of uncertainty as to the true location of a boundary line the determination thereof shall be made by the Planning and Zoning Commission. An Appeal may be taken to the Cokeville Town Council, as provided in 10-1705.

10-403. APPLICABILITY. Except as hereinafter otherwise provided:

(a) No building or structure or part thereof and no lot or land or part thereof shall hereafter be used, except in conformity with the Use Regulations herein prescribed. Any existing lawful use that does not conform to the Use Regulations of thisOrdinance shall be deemed a nonconforming use, except that uses granted as the result of an approved Conditional Use Permit by the Planning and Zoning Commission pursuant to 10-1603 shall be deemed conforming uses. Use Variances granted by the Cokeville Town Council pursuant to l0-107 shall be deemed non-conforming uses.

(b) No building or structure or part thereof shall hereafter be erected, structurally altered, enlarged or rebuilt except in conformity with the lot dimension, yard coverage, height, and density regulations here prescribed.

(c) Any building or structure that does not conform to such regula­tion hereinafter referred to as the design standards of this Ordinance shall be deemed a non conforming structure, irrespective of the use to which it is put. Design variances granted by the Cokeville Town Council pursuant to Section 10-1707 shall be deemed non conforming structures.

10-404. NON CONFORMING USES AND BUILDINGS.

(a) Normal maintenance and repairs of a building or other structure containing a non conforming use are permitted, provided they do not extend the floor area occupied by the nonconforming use.

(b) Repairs and structural alterations may be made to a non conforming building or to a building housing a non conforming use subject to approval by the Planning and Zoning Commission.

(c) A building or structure lacking sufficient automobile parking space in connection therewith, as required by this Ordinance, may be altered or enlarged provided additional automobile parking space is supplied to meet the requirements of this Ordinance for such alteration or enlargement.

(d) Any lawful use which occupies any building or structure, lot or land at the effective date of this Ordinance, but does not comply with the use regulation of the zone, may be continued until the use is discontinued. If for any reason a non conforming use of land ceases for a continuous period of more than thirty (30) days, the land shall thereafter not be used except in comp1iance with the provisions of this Chapter for the district in which the land is 1ocated. If for any reason a nonconforming use of a building ceases for a continuous period of more than thirty (30) days, the building shall thereafter not be used except in compliance with the provisions of this Chapter for the district in which the building is located.

(e) The occupancy of a building or structure by a non conforming use, existing at the time this Ordinance became effective, may be continued.

(f) A vacant building or structure may be occupied by a use for which the building or structure was designed or intended if so occupied within a period of thirty (30) days after the use became non conforming.

(g) The non conforming use of a building or structure may not be changed except to a conforming use; but where such change is made, the use shall not thereafter be changed back to a non conforming use.

(h) The nonconforming use of land, existing at the time this Ordinance became effective, may be continued, provided that no such non-conforming use of land shall in any way be expanded or extended either on the same or adjoining property, and provided that if such nonconforming use of and/or any portion thereof, is abandoned or changed for a period of one hundred eighty (180) days or more, any future use of such land shall be in conformity with the provisions of this Ordinance.

(i) When a non conforming mobile home is removed it shall not be replaced by another mobile home unless the non conforming use was destroyed by fire or natural disaster. Replacement of such nonconforming use shall be within a period of thirty (30) days from the date on which the damaged mobile home was removed. The home owner may appeal to the Town Council for an extension of time, not to exceed 60 days, due to undo hardship in complying with the time frame set forth above. The mobile home which is brought in as a replacement shall meet all requirements set forth by the Town, including being of equal or greater value, as determined the Town Council.

10-405. SEVERABILITY. If any part, section, subsection, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of the Ordinance.

TITLE X

ZONING

Chapter 5

Agricultural District Regulations (A)

10-501. PURPOSE. To preserve appropriate areas of Cokeville, Wyoming for agricultural use. Uses normally and necessarily related to agriculture are permitted.

10-502. PERMITTED USES.

(a) Single family dwellings and single mobile homes providing residence for those engaged in agriculture.

(b) Agriculture, farming, ranching, animal husbandry, and their related uses and facilities.

(c) Public parks and playgrounds.

10-503. CONDITIONAL USES.

(a) Airports and radio transmitting stations.

(b) Churches and educational institutions.

(c) Cemeteries and golf courses.

(d) Hospitals, clinics, and rest homes.

(e) Livestock feed yards, chicken coops.

(f) Public utilities and facilities including sewage and water supply facilities, and a sanitary land fill area.

(g) Public and commercial recreation areas and facilities.

10-504. ACCESSORY USES.

(a) Meets the requirements under the definition “Accessory Use” and, in addition;

(b) Does not include permanent residential occupancy except by owners or person employed on the premises and their immediate families.

10-505. LOT AND YARD REQUIREMENTS.

(a) Minimum lot area and width:

Minimum lot area 1 acre (.405 hectare)

Minimum lot width 150 feet (45.72 meters)

1. Minimum yard:

Main Building Accessory Building

Front 40 ft. (12.19 m) 50 ft. (15.24 m)

Side 20 ft. (6.10 m)\* 5 ft. (1.52 m)\*

Rear 40 ft. (12.19 m)\* 5 ft. (1.52 m)\*

Corner 40 ft. (12.19 m)40 ft. (12.19 m)

\*Distance increases to 50 feet (15.24 m)in area where live­stock are kept.

10-506. MAXIMUM BUILDING HEIGHT.

(a) Main building: 35 feet (10.67 m).

(b) Accessory building: 35 feet (10.67 m).

10-507. GENERAL REGULATIONS. Use of land in this district shall also conform to all the requirements of Chapter 16 of this Ordinance.

10-508. SITE PLAN APPROVAL.

(a) Required for all Permitted Uses.

(b) Required for all Conditional Uses.

TITLE X

ZONING

Chapter 6

Low Density Residential District (R-l)

10-601. PURPOSE. To provide appropriate locations where low density residential neighborhoods may be established, maintained and protected. The regulations also permit the establishment, with proper controls, of churches, schools, libraries, parks and playgrounds. The regulations are intended to prohibit those uses that would be harmful to a low density residential neighborhood.

10-602. PERMITTED USES.

(a) Single and two family dwelling units.

(b) Home occupations.

(c) Parks and playgrounds.

10-603. CONDITIONAL USES.

(a) Planned unit development.

(b) Churches and public libraries.

(c) Educational institutions.

(d) Hospitals, clinics, and day care centers.

(e) Public utilities and facilities.

(f) Parking lots for permitted and accessory uses.

10-604. ACCESSORY USES.

(a) Meets the requirements under the definition “Accessory Use” and, in addition;

(b) Does not include residential occupancy.

(c) If operated wholly or partially within the structure containing the Permitted Use, the gross floor area utilized by the Accessory Use shall not exceed thirty (30) percent of the gross floor area utilized by the Per­mitted Use.

(d) 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 of the Permitted Use.

10-605. LOT AND REQUIREMENTS.

(a) All lots shall have Town approved water supply and sewage

(b) Minimum lot area and width:

Minimum lot area 8,000 sq. ft. (743.22 sq. m)

Minimum lot width 80 ft. (24.38 m)

(c) Minimum yards:

Main Building

Front 20 ft. (6.10)

Side 10 ft. (3.05 m)

Rear 20 ft. (6.10 m)

Corner 20 ft. (6.10 m.)

(d) Side yards. Accessory buildings shall have a minimum side yard of 20 feet (6.10 m)*.* Accessory buildings located at least 10 feet (3.05 m)behind themain building may have a side yard of one foot (.305 meters) except that the street side yard of a corner lot shall be a minimum of 20 feet (6.10 meters) for main and accessory buildings.

(e) Rear Yards. Accessory buildings located at least 10 feet (3.05m) behind the main building may have a rear yard of one foot (.305 m)provided that on corner lots which have the rear lot line on the side yard of another lot, shall have a setback of 10 feet (3.05 m)*.*

10-606. MAXIMUM BUILDING HEIGHT.

(a) Main building 35 feet (10.67 m).

(b) Accessory buildings 35 feet (10.67 m).

10-607. GENERAL REGULATIONS. Use of land in this district shall also conform to all the requirements of Chapter 16 of this Ordinance.

10-608. SITE PLAN APPROVAL.

(a) Required for all Permitted Uses.

(b) Required for all Conditional Uses.

TITLE X

ZONING

Chapter 7

Medium Density Residential District (R-2)

10-701. PURPOSE. To provide appropriate locations where medium density residential neighborhoods may be established, maintained, and protected. The regulations also permit the establishment, with proper controls, of churches, schools, libraries, parks and playgrounds. The medium density requirements reflect and are based upon the original platting of the Town of Cokeville. The regulations are intended to prohibit those uses that would be harmful to a medium density residential neighborhood.

10-702. PERMITTED USES.

(a) Single and two family dwellings.

(b) Home occupations.

(c) Parks and playgrounds.

10-703. CONDITIONAL USES.

(a) Planned unit developments.

(b) Churches and public libraries.

(c) Educational institutions.

(d) Hospitals, clinics, and day care centers.

(e) Public utilities and facilities.

(f) Parking lots for Permitted or Conditional Uses.

10-704. ACCESSORY USES.

(a) Meets the requirements under the definition “Accessory Use” and, in addition;

(b) Does not include residential occupancy.

(c) If operated wholly or partly within the structure containing the Permitted Use, the gross floor area utilized by the Accessory Use shall not exceed thirty percent (30%) of the gross floor area of the Permitted Use.

(d) 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 of the Permitted Use.

10-705. LOT AND YARD REQUIREMENTS.

(a) All lots shall have Town approved water supply and sewage systems.

(b) Minimum lot area and width:

Minimum lot area 6,500 sq. ft. (603.87 m)

Minimum lot width 60 ft. (18.29 m)

(c) Minimum yards:

Main Building

Front 20 ft. (6.10)

Side 10 ft. (3.05 m)

Rear 20 ft. (6.10 m)

Corner 20 ft. (6.10 m.)

(d) Side Yards. Accessory buildings shall have a minimum side yard of 15 feet (4.57 m). Accessory buildings located at least 10 feet (3.05 m)behind the main building may have a side yard of one foot (.305 m)except that the street yard of a corner lot shall be a minimum of 20 feet (6.10 m)from main and accessory buildings.

(e) Rear Yards. Accessory buildings located at least 10 feet (3.05 m) behind the main building may have a rear yard of one foot (.305 m) pro­vided that on corner lots which have the rear lot line on the side yard of another lot shall have a setback of 10 feet (3.05 m).

10-706. MAXIMUM BUILDING HEIGHT.

(a) Main building: 35 feet (10.67 m.).

(b) Accessory building: 35 feet (10.67 m).

10-707. GENERAL REGULATIONS. Use of land in this district shall also conform to all the requirements of Chapter 16 of this Ordinance.

10-708. SITE PLAN APPROVAL.

(a) Required for all Permitted Uses.

(b) Required for all Conditional Uses.

TITLE X

ZONING

Chapter 8

High Density Multi-Family Residential District (R-3)

10-801. PURPOSE. To provide appropriate locations where high density residential neighborhoods may be established, maintained and protected. The regulations also permit the establishment with proper controls, churches, schools, parks, and playgrounds.

10-802. PERMITTED USES

(a) Single family and two family dwellings.

(b) Multi-family dwellings.

(c) Parks and playgrounds.

10-803. CONDITIONAL USES

(a) Planned unit developments.

(b) Home occupations

(c) Churches.

(d) Educational institutions.

(e) Hospitals, clinics, and day care centers.

(f) Public utilities and facilities.

(g) Parking lots for Permitted or Conditional Uses.

10-804. ACCESSORY USES.

(a) Meets the requirements under the definition “Accessory Use” and, in addition;

(b) Does not include residential occupancy.

(c) If operated wholly or partially within the structure containing the Permitted Use, the gross floor area utilized by the Accessory Use shall not exceed thirty (30) percent of the gross floor area utilized by the Permitted Use.

(d) If in a separate, detached structure from a Permitted Use, the floor area devoted to the Accessory Use shall not exceed the gross floor area of the Permitted Use.

10-805. LOT AND YARD REQUIREMENTS.

(a) All lots shall have Town approved water supply and sewage systems.

(b) Minimum lot area and width:

Minimum lot area - single family 5,500 sq. ft. (510.97 m)for single family dwelling unit.

Minimum lot area multi-family 5,500 sq. ft. (510.97 m)for the first unit plus 1,500 sq. ft.

(139.35 m)for each additional unit.

Minimum lot width 60 feet (18.29 m)

(c) Minimum yards:

Main Building

Front 20 ft. (6.10)

Side 10 ft. (3.05 m)

Rear 20 ft. (6.10 m)

Corner 20 ft. (6.10 m.)

(d) Accessory buildings set back:

Side Same as main building if located with in 10 ft.

(3.05 m)of main building, if more than 10 ft. (3.05 in.) from main building then 1 foot (.305 m) from property line.

Corner 20 ft. (6.10 in.) from main.

10-806. MAXIMUM BUILDING HEIGHT.

(a) Main building: 35 feet (10.67 m)

(b) Accessory buildings: 35 feet (10.67 m)

10-807. GENERAL REGULATIONS. Use of land in this district shall also conform to all the requirements of Chapter 16 of this Ordinance.

10-808. SITE PLAN APPROVAL.

(a) Required for all Permitted Uses.

(b) Requited for all Conditional Uses.

TITLE X

ZONING

Chapter 9

Mobile Home Subdivisions District (R-4)

10-901. PURPOSE. To provide appropriate locations where residential neighborhoods exclusively for mobile homes may be established.

10-902. PERMITTED USES.

(a) One mobile home per lot.

(b) Home occupations.

(c) Parks and playgrounds

(d) Public utilities and facilities.

10-903. SPECIAL PROVISIONS.

(a) Decorative porches for exterior entrances and exits shall be required.

(b) Accessory structures shall be designed in a manner that will enhance theappearance of the mobile home.

10-904. ACCESSORY USES.

(a) Meets the requirements under the definition “Accessory Use” and, in addition;

(b) Does not include residential occupancy.

(c) If operated wholly or partially within the structure containing the Permitted Use, the gross floor area utilized by the Accessory Use shall not exceed thirty (30) percent of the gross floor area utilized by the Permit­ted Use.

(d) 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 of the Permitted Use.

10-905. LOT AND YARD REQUIREMENTS.

(a) All lots shall have Town approved water supply and sewage systems.

(b) Minimum lot area and width.

Minimum lot area 6,000 sq. ft. (577.00 m)

Minimum lot width 60 ft. (18.29 m)

(c) Minimum yards:

Front 20 ft. (6.10)

Side 10 ft. (3.05 m)

Rear 20 ft. (6.10 m)

Corner 20 ft. (6.10 m.)

(d) Side yard Same as main building if located with­in 10 ft. (3.05 m)

of main building, ifmore than 10 ft. (3.05 m)from

main building then 1 ft. (.305 m) from property line.

Corner 20 ft. (6.10 m)from main building.

10-906. MAXIMUM BUILDING HEIGHT.

(a) Main building 15 feet (4.57 m)

(b)Accessory buildings 15 feet (4.57 m)

10-907. MOBILE HOME PLACEMENT REQUIREMENTS. The area of the mobile home stand shall be improved to provide an adequate foundation for the place­ment, blocking, tie-down and anchoring of the mobile home, thereby securing the superstructure against uplift, sliding, rotation and overturning. The mobile home stand shall not heave, shift or settle unevenly under the weight of the mobile home due to frost action, inadequate drainage, vibration or other forces acting on the superstructure. The method and materials for tie-down pads, and for securing the mobile homes to the tie-down pads must be designed by a professional engineer registered in Wyoming and must be approved by the Town Counci1 both for typical tie-downs and for each individual space as it is shown on the proposed final site plan. This approval must occur prior to the approval of any mobile home park permit by the Town Council.

10-908. GENERAL REGULATIONS. Use of land in this district shall also conform to all requirements of Chapter 16 of this Ordinance.

10-909. SITE PLAN APPROVAL.

(a) Required for all Permitted Uses.

(b) Required for all Conditional Uses.

TITLE X

ZONING

Chapter 10

Mobile Home Park District (R-5)

10-1001. PURPOSE. To provide appropriate locations where residential neighborhoods exclusively for mobile parks may be established, maintained and protected.

10-1002. PERMITTED USES. Mobile homes in approved mobile home parks.

10-1003. ACCESSORY USES.

(a) Meets the requirements under the definition “Accessory Use” and, in addition;

(b) Does not include residential occupancy, except that a single-family dwelling on its own designated area for the owner or manager of a mobile home park may be considered a permitted Accessory Use.

(c) If operated wholly or partially within the structure containing the Permitted Use, the gross floor area utilized by the Accessory Use shall not exceed thirty (30) percent of the gross floor area of the Permitted Use.

(d) 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 of the Permitted Use. Separate, detached structures containing an Accessory Use shall be, at a minimum, ten (10) feet from mobile homes or other­ structures containing a Permitted Use.

(e) Central laundries, utilities and maintenance facilities, showers, recreation or

Administrative space may be considered as accessory uses to a mobi1e home or park.

10-1004. LOT AND YARD REQUIREMENTS.

(a) All mobile homes shall have Town approved water supply and sewage systems.

(b) Minimum lot area and width:

Minimum lot 3 acres (1.21 hectares)

Minimum width 250 feet (76.2 in.)

10-1005. PROVISIONS OF SITE PLAN.

(a) Three copies of the mobile home park site plan drawn to a scale ofnot less than one inch (1”) per one hundred feet (100’) showing: the area and dimensions of the mobile home park; location, size, and number of all mobile home spaces; location, width, and grade of all public streets adjacent to the mobile home park and of all roadways, driveways and sidewalks proposed within the park location and number of utility rooms to be used by occupants of the mobile home park; location of service buildings and any other existing or proposed structures; location and size of automobile parking areas and recreation areas; a general landscape plan and any proposed fencing; location of water and sewer lines and riser pipes; location and details of lighting and electrical systems; location of fire hydrants; and location of mail boxes.

(b) Typical plot plans for individual mobile home spaces, at a scale of one inch equals ten feet.

(c) Typical street and walkway sections.

(d) Method to be used for garbage and trash disposal.

(e) A drainage plan which shall include, but not be limited to, a description of the following: the approximate boundaries of areas subject to flooding both, existing and as modified by the proposed development; the loca­tion of all water courses and all known or proposed surface water areas; the direction of surface and channelized drainage flow; and existing and proposed permanent and temporary drainage ways, structures and facilities and erosion and sediment control devices,

(f) Such further information as may be requested by the Town Council to enable its members to determine that the proposal will comply with this Ordinance.

(g) The mobile home park as proposed shall conform to the following development standards:

(1) Site location - The mobile home park shall be located on a well-drained site, and shall be located so that its drainage will not constitute an unreasonable hazard or nuisance to persons, property or water supply in the immediate vicinity of the site. The site shall be made free from marshes, swamps, or other potential breeding places for insects or rodents. Mobile home park sites shall not be subject to undue flooding, fire or safety hazards, and shall not be exposed to nuisances, such as undue noise, smoke, fumes, or odors. The topography of the site shall be favorable to minimum grading, mobile home placement and ease of maintenance. Overall site grades shall not exceed eight percent (8%).

(2) Site design - The site design shall provide for a desir­able residential environment for mobile home residents which is an asset to the community and the neighborhood in which it is located. Site planning and improvements shall provide facilities and amenities which are appropriate to the needs of the residents; safe, comfortable and sanitary use by the residents under all weather conditions; and practical and efficient operation and maintenance of facilities at reasonable costs.

(3) Mobile home park size and density - The mobile home park site shall contain a minimum of three (3) acres of land, and gross density on the site shall not exceed eight (8) units per acre.

(4) Recreation area - Not less than ten percent (10%) of the gross site area shall be reserved for and devoted to recreational areas and facilities. Such areas and facilities shall be provided in a loca­tion or locations convenient to all mobile home spaces. Recreation areas may include space for community buildings and community use facilities, such as indoor recreation areas, hobby and repair shops. Recreation areas shall be centrally located for all residents of the mobile home park.

(5) Soil and ground cover requirements - Exposed ground sur­faces in all parts of every mobile home park shall be paved, or covered with stone screenings, or other solid material, or protected with an approved vegetative growth that is capable of preventing soil erosion and of eliminating objectionable dust.

(6) Mobile home spaces

(i) The area of each mobile home space shall be a minimum of 3,000 sq. ft. for double wide mobile homes and 2,500 sq. ft. for single wide mobile homes and in addition, shall be adequate to pro­vide for: a minimum of fifteen (15) feet (4.57m) between mobile homes; a minimum of two (2) feet (.61 m.) from the tongue of the mobile home to any sidewalk; and an outdoor living and service area on the mobile home space of not less than three hundred (300) square feet (27.87 sq. m). The area required for a mobile home space shall not include additional area required by this Ordinance for access roads, off street parking and storage areas, service buildings, recreation areas, office and similar mobile home park needs. Accessory structures shall not be closer than three (3) feet (.91 m)from a mobile home or building on an adjacent lot.

(ii) Driveways, the minimum width of which shall be ten (10) feet (3.05 m)shall be provided where necessary for convenient access to the mobile home. The Town Council shall establish required surface material for driveways.

(iii) At least two (2) off street parking spaces shall be provided for each mobile home space. Surfacing for such required parking spaces shall be established by the Town Board. They shall be located on, or within 200 feet (60.96 m)of the space for which they are required; and shall not be located on streets, alleys and other rights-of-way, or on driveways serving more than one mobile home space.

(7) Setbacks and screening - All mobile homes shall be located at least twenty-five (25) feet (7.62 m.) from any park boundary line abutting upon a public street or highway and at least twenty-five (25) feet (7.62 m)from other park property boundary lines. All mobile home parks adjacent to other residential uses, or to commercial or industrial uses, shall be provided with screening such as landscaping along the property boundary separating the mobile home park from such adjacent land uses.

(8) Streets - Access roads shall be provided to each mobile home space. Access shall be an unobstructed area, not less than fourteen (14) feet in width. All streets and accessways providing ingress to and egress from the mobile home park and circulation within the mobile home park shall be provided with a smooth, hard and dense surface which shall be durable and well drained under normal use and weather-conditions. Grades of all streets shall be sufficient to insure adequate surface drainage, but shall be not more than eight percent (8%). The Town Council may stipulate additional specifications in accordance with requirements for like streets and accessways on public ways. Streets shall be improved to the required standards prior to occupation of the mobile home spaces by mobile homes. Park streets shall be adequate widths to accom­modate the contemplated parking and traffic load in accordance with the type street. Traffic lanes shall be ten (10) feet (3.05m)minimum width for collector streets, and 9 feet minimum width for minor streets. Lanes for parallel parking shall be seven (7) feet (2.13 m.) minimum width. Collector streets, with guest parking allowances, shall be thirty-four (34) feet (10.36 m.) minimum width. Collector streets and all other streets except minor streets without parking allowances, shall be twenty-four (24) feet (7.31 m) minimum width. Minor streets serving less than forty (40) sites (no parking) shall be minimum width eighteen (18) feet (5.49 m). One-way minor streets serving less than twenty (20) sites (no parking) shall be fourteen (14) feet (4.27 m) minimum width. Streets and walkways designed for the general use of the mobile home park residents shall be lighted during the hours of darkness. Such lighting shall not be under the control of the mobile home occupant.

(9) Dedication of streets, easements and other public lands -Where any streets, easements, or other lands are required to be dedicated to the Town for public use, the developer shall submit the necessary deeds or other legal documents or file a plat of the mobile home park covering the dedication of all such streets, easements and/or public lands prior to or at the time of final approval of the permit.

(10) Walkways and lighting - Paved walkways at least four (4) feet (1.22 m) wide shall be provided from all mobile home spaces to service buildings and other community areas, and along all access roads. Pedestrian circulation areas shall be lighted at night by 7000 lumen lighting standards (equal. to 175-watt mercury vapor bulbs) spaced not more than three hundred (300) feet (91.44 m) apart, with a maximum height of twenty five (25) feet (7.62 m); or by other lighting methods producing an equivalent level of 1ight at the ground.

(11) Storage areas - Storage areas for boats, boat trailers, travel trailers, tent trailers, horse trailers, and detachable pickup campers shall be provided within the mobile home park in an amount equal to one hundred (100) square feet (9.29 sq. m) per mobile home space. Such areas shall be screened from adjacent residential properties and public streets by means of opaque fencing or landscaping.

(12) Water and sewer - The mobile home park, and all individual mobile homes therein, shall be connected to the Town water and sewer system. All sewage disposal apparatus and appurtenances thereto shall be provided, maintained, and operated so as not to create a nuisance or health hazard.

(13) Electrical regulations - All electrical lines within the mobile home park shall be placed underground. All lines and service to individual mobile home lots shall meet Code specifications as adopted by the State of Wyoming. Enforcement of such provisions shall be by the State.

(14) Refuse handling - The storage, collection and disposal of refuse inthe mobile home park shall be so conducted as to create no health hazards, rodent harborage, insect breeding areas, accident or fire hazards or air pollution. All refuse shall be stored in fly-tight, water-tight, rodent-proof containers, which shall be located no more than 150 feet (45.72 m.) from any mobile home space. Containers shall be provided in sufficient number and capacity to properly store all refuse. Refuse collection stands shall be provided for all refuse containers. Such container stands shall be so designed as to prevent containers from being tipped, to minimize spillage and container deterioration and to facilitate cleaning around them. All refuse shall be collected at regular intervals.

(15) Fire protection - Every mobile home park shall be equipped at all times with such fire extinguishing equipment, and so located within thepark, as prescribed by the Fire Department to satisfy fire regulations.

(16) Permanent buildings - The building or buildings containing the management office and other common facilities shall be conveniently located for the uses intended. Consolidation of laundry, recreation, management and other common facilities in a single building shall be acceptable if the single location will adequately serve all mobile home spaces. All buildings containing common facilities shall conform to all applicable requirements set forth by the Cokeville Town Council.

10-1006. MOBILE HOME PLACEMENT REQUIREMENTS. The area of the mobile home stand shall be improved to provide an adequate foundation for the place­ment, blocking, tie down and anchoring of the mobile home, thereby securing the superstructure against uplift, sliding, rotation and overturning. The mobile home stand shall not heave, shift or settle unevenly under the weight of the mobile home dueto frost action, inadequate drainage, vibration or other forces acting on the superstructure. The method and materials for tie down pads and for securing the mobile homes to the tie down pads must be designed by a professional engineer registered in Wyoming and must be approved by the Town Council both for typical tie downs and for each individual space as it is shown on the proposed final site plan. This approval must occur prior to the approval of any mobile home park permit by the Town Council.

TITLE X

ZONING

Chapter 11

Residential Mobile Home Lot District Regulations (R-MHL)

10-1101. PURPOSE. To continue use provisions for both mobile homes and site built homes on individual lots in the same neighborhood. This zone district not intended for expansion beyond its current boundaries.

10-1102. PERMIITTED USES.

(a) Single mobile homes on individual lots.

(b) Single and two family dwelling units.

(c) Home occupations.

(d) Parks and playgrounds.

(e) Public utilities and facilities.

10-1103. CONDITIONAL USES.

1. Planned unit development.

(b) Churches and public libraries.

(c) Educational institutions.

(d) Hospitals, clinics and day care centers.

10-1104. SPECIAL PROVISIONS. The above specified single mobile homes on individual lots shall be permitted under the following conditions:

(a) If a non-conforming mobile home unit is for any reason moved or removed from a lot and a different mobile home unit is installed on the lot to replace the original unit, the replacement unit must be of the same or better quality than the unit removed or replaced; and the unit must be installed in full compliance with Section 10-907 or be placed on a permanent foundation approved by the Town. If a mobile home has been removed from a lot 30 days or longer, no other mobile home can be installed in it’s place.

(b) The mobile home resident shall comply with all applicable requirements of this Ordinance and shall maintain his mobile home lot, its facilities and equipment in good repair and in clean and sanitary conditions.

(c) The mobile home resident shall be responsible for proper placement of his mobile home on its mobile home stand and proper installations of his utility connections in accordance with the Town approved water and sewage systems.

(d) Skirting shall be installed by the mobile home owner and be of atype approved by the Cokeville Town Council and the Planning and Zoning Commission. A. description of the proposed method of skirting themobile home shall be submitted along with the site plan for Building Permit approval. (See Section 10-1410(a) through (d).)

(e) The resident shall store and dispose of all the rubbish and garbage in a clean, sanitary and safe manner.

(f) Accessory structures shall be designed in a manner that will enhance the appearance of the mobile home.

(g) The mobile home shall be properly placed on its foundation and its stability shall be affirmed. The mobile home shall be properly secured against high wind velocities. Overturning, sliding or up-lift shall be prevented by anchors, tie downs or similar devices.

(h) Anchors or tie downs, such as cast-in-place concrete “dead man”, eyelets embedded in concrete screw augers, or arrowhead anchors shall be placed at each corner of the mobile home stand and at intervals of at least 20 feet or 6.10 meters. Each device shall be able to sustain a minimum load of 4,800 pounds or 2,744 kilograms.

(i) Grounds, buildings, and structures shall be maintained free of insect and rodent harborage and infestation. The lot shall be maintained free of accumulations of debris which may provide rodent harborage or breeding places for flies, mosquitoes and other pests. Storage areas shall be somaintained as to prevent rodent harborage; lumber, pipe and other building material shall be stored at least one foot above the ground. Where the potential for insect and rodent infestation exists, all exterior openings in or beneath any structure shall be appropriately screened with wire mesh or other suitable materials.

(j) The growth of brush, weeds and grass shall be controlled to prevent harborage of noxious insects. The lot shall be maintained to prevent the growth of weeds considered detrimental to health.

10-1105. ACCESSORY USES.

(a) Meets the requirements under the definition “Accessory Use” and, in addition;

(b) Does not include residential occupancy.

(c) If operated wholly or partially within the structure containing the Permitted Use, the gross floor area utilized by the Accessory Use shall not exceed thirty (30) percent of the gross floor area utilized by the Permitted Use.

(d) 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 of the Permitted Use.

10-1106. LOT AND YARD REQUIREMENTS.

(a) All lots shall have Town approved water supply and sewage system.

(b) Minimum lot area and width:

Minimum lot area 8,000 sq. ft. (743.22 sq. m.)

Minimum lot width 80 ft. (24.38 m.)

(c) Minimum yards:

Main Building

Front 20 ft. (6.10)

Side 10 ft. (3.05 m)

Rear 20 ft. (6.10 m)

Corner 20 ft. (6.10 m.)

(d) Side yards - Accessory buildings shall have a minimum side yard of 20 feet (6.10 m). Accessory buildings located at least 10 feet (3.05 m) behind the main building may have a side yard of one foot or .305 meters except that the street side yard of a corner lot shall be a minimum of 20 feet (6.10 meters) for main and accessory buildings.

(e) Rear Yards. Accessory buildings located at least 10 feet (3.05 m) behind the main building may have a rear yard of one foot (.305 m) provided that on corner lots which have the rear lot line on the side yard of another lot, shall have a setback of 10 feet (3.05 m).

10-1107. MAXIMUM BUILDING HEIGHT.

(a) Main building 35 feet (10.67 m).

(b) Accessory buildings 35 feet (10.67 m).

10-1108. GENERAL REGULATIONS. Use of land in this district shall also conform to all the requirements of Chapter 16 of this Ordinance.

(a) Required for all Permitted Uses.

(b) Required for all Conditional Uses.

TITLE X

ZONING

Chapter 12

Community Commercial District (C-1)

10-1201. PURPOSE. To provide areas for community retail and service activities on locations to conveniently serve the residents.

10-1202. PERMITTED USES.

(a) Bakery.

(b) Bank.

(c) Barber shop.

(d) Beauty parlor.

(e) Bookstore.

(f) Bar.

(g) Tavern.

(h) Dry cleaning agency.

(i) Cafeteria.

(j) Dairy products store.

(k) Drug store.

(l) Day care center.

(m) Florist.

(n) Gift shop.

(o) Grocery.

(p) Greenhouse.

(q) Hardware store.

(r) Self service laundry.

(s) Medical and dental clinics.

(t) Business or professional office.

(u) Optometrist or optician.

(v) Photographic shop.

(w) Post office.

(x)Radio and television sales.

(y) Repair shop.

(z) Shoe repair shop.

(aa) Residential uses above street floor of commercial use.

(bb) Restaurant.

(cc) Theaters.

(dd) Variety Store.

(ee) Other similar and related uses.

10-1203. CONDITIONAL USES.

(a) Fuel sales office and public buildings and services.

(b) Parking lot, public utilities and facilities.

(c) Hotels and funeral homes.

(d) Multi-family uses.

10-1204. SPECIAL PROVISIONS.

(a) Such business shall be conducted entirely within an enclosed building except for the parking of automobiles and service to persons in automobiles.

(b) All products, whether primary or incidental, shall be sold at retail on the premises.

(c) All uses shall be free from objectionable odor, dust, smoke, noise, vibration or other health and safety hazards.

10-1205. ACCESSORY USES.

(a) Meets the requirements under the definition “Accessory Use” and, in addition;

(b) If operated within a structure, shall not exceed a gross floor area of 50 percent (50%) of the gross floor area of the Permitted Use. If operated as an open Accessory Use, shall not exceed a gross floor area of 50 percent (50%) of the area of the Zone Lot.

10-1206. LOT AND YARD REQUIREMENTS.

(a) All lots shall have Town approved water supply and sewage systems.

(b) Minimum lot and yard requirements:

Yards in Feet

Front Yard Side Yard Rear Yard

District Lot Area Width Setback Setback Setback

C-1 No Min. No Min. No Min. None, except None, except

20 feet (6.10 10 feet (3.05m)

m) where side where side yard

yard abuts a abuts a residential zone

residential

zone, or is

adjacent to a

street

In addition a solid fence or wall not less than 6 feet (1.83 m) in height may be required on the district line, at the discretion of the Town Council.

10-1207. MAXIMUM BUILDING HEIGHT.

(a) Main building: 35 feet (10.67 m).

(b) Accessory building: 35 feet (10.67 m).

10-1208. GENERAL REGULATIONS. Use of land in this district shall also conform to all the requirements of Chapter 16 of this Ordinance.

10-1209. SITE PLAN APPROVAL.

(a) Required for all Permitted Uses.

(b) Required for all Conditional Uses.

TITLE X

ZONING

Chapter 13

Highway Commercial District Regulations (C-2)

10-1301. PURPOSE. To provide commercial areas on major highways for the location of traveler services and highway oriented commercial uses.

10-1302. PERMITTED USES.

(a) Any use allowed in the C-1 District.

(b) Convenience food restaurant.

(c) Garage for repair of motor vehicles.

(d) Motel.

(e) Residential uses above street floor of Commercial Use.

(f) Restaurant.

(g) Service station.

(h) Travel Trailer Court

(i) Other related and similar uses; any lawful Commercial Use.

10-1302a C-2A PERMITTED USES SHALL ONLY INCLUDE THE FOLLOWING:

1. Visitor Center
2. Historical Center
3. Museum
4. Green Space/Park
5. Statuary
6. Entry/welcome sign
7. Art Gallery

10-1302b C-2B PERMITTED USES SHALL INCLUDE ALL USES OUTLINED IN C-2 AND:

1. Bank
2. Professional and government offices
3. Family restaurants and fast-foods
4. Medical care
5. Spa
6. Sporting goods/Equipment rental
7. Multi-business Retail/strip Mall

10-1302c C-2C PERMITTED USES SHALL INCLUDE ALL USES OUTLINED IN C-2B AND:

1. Hotel, motel, bed and breakfast
2. Churches
3. Car Sales
4. Pawn Shop
5. C-stores
6. Farm Implement
7. Hardware
8. Pharmacy
9. Convention/Conference Center
10. Grocery Stores
11. Movie Theatre
12. Laundromat/Dry Cleaners
13. Nursing Home/Assisted Living
14. Shipping Center

10-1302d C-2D PERMITTED USES SHALL INCLUDE ALL USES OUTLINED IN C-2C AND:

1. Auto repair
2. Auto body
3. Car wash
4. Truck Stop
5. Park & ride
6. Lumber Yard
7. Bowling Alley
8. Construction equipment rental
9. Skating rink
10. Landscape materials (rocks, plants)

10-1303. CONDITIONAL USES.

(a) Drive-in theater.

(b) One residential unit for employees.

(c) Farm machinery and equipment sales.

(d) New and used automobile agency.

(e) Temporary placement of mobile home for construction office not to exceed 90 days. Conditions shall include placement on site where construc­tion is taking place and placement only during construction activity.

(f) Sexually oriented businesses

10-1304. ACCESSORY USES.

(a) Meets the requirements under the definition “Accessory Use” and, in addition;

(b) If operated within a structure, shall not exceed a gross floor area of 50 percent of the gross floor area of the Permitted Use. If operated as an open Accessory Use, shall not exceed a gross floor area of 50 percent of the area of the Zone Lot.

10-1305. LOT AND YARD REQUIREMENTS.

(a) All lots shall have Town approved water and supply and sewage systems.

(b) Minimum floor area: None required.

(c) Minimum lot and yard requirements:

Yards in Feet

Front Yard Side Yard Rear Yard

District Lot Area Width Setback Setback Setback

C-2 10,001 sq ft 75 ft. 40 ft None except None except

(929.03 m) (22.86 m) (12.19 m)20 ft. (6.10m.) 10 ft. (3.05 m)

where side yard where rear

is adjacent to yard abuts a

a street or residential zone

residential zone; or agricultural zone.

or is adjacent

to a street.

(d) Minimum setback on zoning district boundary line for parking area and circulation drive: 10 ft. (3.05 m.). In addition a solid fence or wall not less than 6 feet (1.83 m.) in height may be required on the district boundary line at the discretion of Town Council.

10-1306. MAXIMUM BUILDING HEIGHT.

(a) Main building; 35 feet (10.67 m.)unless written approval from the Town Council is first received.

(b) Accessory building; 35 feet (10.67 m)unless written approval from the Town Council is first received.

10-1307. GENERAL REGULATIONS. Use of land in this district shall also conform to all the requirements of Chapter 16 of this Ordinance.

10-1308. SITE PLAN APPROVAL.

(a) Required for all Permitted Uses.

(b) Required for all Conditional Uses.

10-1309. TRAVEL TRAILER COURT REQUIREMENTS AND RESTRICTIONS.

(a) Maximum length of stay will be no longer than 30 consecutive days.

(b) Minimum length of time before trailer can return after leaving is 10 days.

(c) Maximum length of trailer must not exceed 40 feet.

(d) Minimum width of individual trailer space shall be 20 feet.

(e) Water, sewer and power hook-up shall be according to Town and State requirements.

(f) An extension of length of stay upon submission of request and approval by the Town Council.

TITLE X

ZONING

Chapter 14

Industrial District Regulations (I-1)

10-1401. PURPOSE. To provide areas where industries necessary and beneficial to the local economy may locate and operate.

10-1402. PERMITTED USES.

(a) Any industrial, mining, manufacturing, processing, assembling, research, wholesale or storage use which have little or no emission of dust, smoke, fumes, gas, vibration, glare, or noise and which pose little or no danger to the public health and safety.

(b) Agriculture, farming and ranching.

(c) Public utilities and facilities.

10-1403. CONDITIONAL USES.

(a) Automobile salvage and wrecking operations, provided that all operations are conducted within a solid view-obstructing wall or fence not less than 8 feet (2.44 m) in height.

(b) Temporary placement of mobile homes for construction office not to exceed ninety days. Conditions shall include placement on site where construction is taking place and placement only during construction activity.

(c) Sand and gravel pits.

10-1404. ACCESSORY USES.

(a) Meets the definition “Accessory Use” and, in addition;

(b) Does not include residential occupancy except by a caretaker or watchman employed on the premises.

(c) Does not include an area of over ten percent (10%) of the area of the Zone Lot.

10-1405. LOT AND YARD REQUIREMENTS.

(a) All lots shall have Town approved water supply and sewage systems.

(b) Minimum lot area 10,000 sq. ft. (929.03 m).

(c) Minimum lot width: 100 feet (30.5 m).

(d) Minimum yards:

Front and Corner 50 ft. (15.24 m) if across the street from any Agricultura1 or Residential Zone and 25 ft. (7.62 m)if across the street from any Commercial Zone.

Side and Rear 30 ft. (9.1.4 m) for any Agricultural or Residential Zone and 20 ft. (6.10m) for any Commercial Zone. In addi­tion, a solid fence or wall of no less than 6 feet (1.83 m)may be required on the district boundary line, at the discretion of the Plan­ning and Zoning Commission.

10-1406. MAXIMUM BUILDING HEIGHT.

(a) Main building: 35 feet (10.67 m).

(b) Accessory buildings: 35 feet (10.67 m).

10-1407. GENERAL REGULATIONS. Use of land in this district shall also conform to all the requirements of Chapter 16 of this Ordinance.

10-1408. SITE PLAN APPROVAL.

(a) Required for all Permitted Uses.

(b) Required for all Conditional Uses.

10-1409. PENALTY. Any person who violates this Ordinance may be punished as provided in Section 1-108, as amended, of the Revised Ordinances of Cokeville. Each day’s continuance of such violation shall be deemed to be a separate offense.

TITLE X

ZONING

Chapter 15

Open Space - Flood Hazard District Regulations (OF)

10-1501. PURPOSE. To provide an overlay zone which preserves areas of open space and protects land areas subject to frequent flooding.

10-1502. HOW TO USE. This zone may, at the Town Council’s discretion, be adopted for any area of Cokeville which is desirable for open space and/or which has been determined to be a flood hazard area. This zone may overlay any other zone. Uses allowed in this zone take precedence over uses allowed on any other zone.

10-1503. PERMITTED USES.

(a) Agriculture.

(b) Public recreation grounds and facilities.

(c) Fairgrounds.

(d) Parks and playgrounds.

(e) Floodway zone: No improvements except flood control devices and bridges.

(f) Flood fringe zone: Uses allowed in (a)-(e) above with the exception of buildings.

10-1504. CONDITIONAL USES.

(a) Conditional uses are not allowed.

10-1505. ACCESSORY USES.

(a) Accessory uses, provided that they meet the definition as set forth in Section 10-301.

10-1506. MAXIMUM BUILDING HEIGHT. (For uses outside floodway and flood fringe zone)

(a) Main building: 35 feet (10.61 m).

(b) Accessory building: 35 feet (10.67 m).

10-1507. GENERAL REGULATIONS. Use of land in this district shall also conform to all the requirements of Chapter 16 of this Ordinance.

10-1508. SITE PLAN APPROVAL.

(a) Required for all Permitted Uses.

(b) Required for all Conditional Uses.

TITLE X

ZONING

Chapter 16

Supplementary Regulations

10-1601. PURPOSE.

The regulations hereinafter set forth in this Chapter qualify or supplement, as the case may be, the district regulations appearing elsewhere in this Ordinance.

10-1602. YARD SPACE FOR ONE BUILDING.

For the purpose of complying with the provisions of this Ordinance, no required yard or other open space for any building shall be considered as providing a yard or open apace for any other building; nor shall any yard or other required open space on an adjoining lot be considered as providing a yard or open space on a lot whereon a building is to be erected or established.

10-1603. ONE DWELLING PER LOT.

Except for group dwellings, where permitted, no lot shall contain more than one dwelling.

10-1604. PERMITTED ENCROACHMENTS.

Every part of a required yard shall be open to the sky except for accessory buildings in a rear yard, the ordinary projects of skylights, sills, belt courses, cornices, roof overhang, chimneys, flues, and other ornamental features which project into a yard not more than four (4) feet (1.22 m).Also excepted are open or lattice enclosed fire escapes, fireproof outside stairways and balconies upon fire towers projecting into a yard, not more than five (5) feet (1.52 m).

10-1605. WALL OR FENCE.

(A) No fence, wall, or similar structure shall be erected in the Town of Cokeville without an approved Fence Permit Application.

(B) A fence shall be constructed out of one or more of the following materials:

(1) Chain Link

(2) Wood (i.e., post, pole, plank etc.)

(3) Vinyl

(4) Barbed wire or Sheep net will only be approved in Residential Animal District(R-A) or Agricultural District(A) Zones

(5) other materials will need prior approval from the Town

(C) Height Requirements

(1) Back yard and side yard fences shall not exceed six (6) feet

(2) Front yard fences shall not exceed four (4) feet, ten (10) feet from property line

(D) On corner lots no fence shall interfere with the unobstructed view of vehicular or pedestrian traffic for twenty (20) feet from the corner of the intersection or roadway

(E) If animals cause damage to adjoining property owners of animals are liable for damages and can be charged under Title V, Chapter 2, 5-215 Trespassing

(F) During and after construction is complete the fence will be inspected by Town Staff (building inspector, or employee appointed to do so by the Mayor and Town Council)

(G) Exceptions for Height Requirements

(1) Front yard fences can be at the height of six (6) feet if constructed by see through material (i.e., chain-link)

(2) If Owner(s) have lots located between two streets and all back yards face the same street, a rear yard fence may be erected to the six (6) feet height if no front yards are on the same block.

(3) An auto reduction yard where the fence must be at least eight (8) feet in height.

10-1606. MAIN BUILDING HEIGHT.

No building shall be erected to a height less than one (1) story above grade except for approved earth sheltered homes.

10-1607. VIEW OF INTERSECTING STREETS.

In all districts which require a front yard, no obstruction of view in excess of two (2) feet (.61 m)in height shall be placed on any corner lot within a triangular area formed by the street property lines and the line connecting them at points thirty (30) feet (9.14 m) from the intersection of the street lines except trees pruned high enough to permit unobstructed vision by automobile drivers.

10-1608. COVERAGE - ACCESSORY BUILDINGS.

Accessory buildings in a resi­dential district and mobile home park district shall not cover more than twenty-five percent (25%) of the rear yard. The remainder of the lot must be landscaped.

10-1609. SIGNS. The following described signs shall be allowed as indicated in the accompanying table:

Zone Permitted

Type of Sign Max. Size Max. Height Permitted Conditional Type of

(See Definitions) in Feet in Feet\* Use Use Illumination

Advertising 8 x 12 18 I-1 C-2, A Indirect

(2.44 x 3.66 in.) (5.49 m)

Business 10 x 24 70 C-1, C-2, Indirect,

(3.04 x 7.31 m) (21.34 m) I-1 Flood, Neon

Identification 3 x 4 8 All Zones Indirect

(0.914 x 1.22 m)(2.44 m)

Nameplate 1 x 2 8 All Zones Indirect

(0.305 x .610 m)(2.44 m)

Property-Sale, 2 x 3 8 All Zones None

Lease, Trespass (.610 x .914 m) (2.44 in.)

Property-Other 8 x 16 16 All Zones None

(2.44 x4.88 m)(4.88 m)

Public 3 x 6 8 All Zones Indirect

Information (.914 x 1.83 m)(2.44 m)

Temporary 8 x 12 16 All Zones None

(2.44 x 3.66 m)(4.88 m)

\*The distance from the top of the sign to ground supporting it.

(a) Any sign designed to use any type of flashing light, including but not limited to; flashing, blinking, running, or strobe, shall have the expressed written approval of the Town Council.

(b) All signs, except business signs, shall be illuminated by indirect lighting, the source of which shall not be visible from the street. In no case shall direct rays of light from a sign be permitted to penetrate a property in a residential district.

(c) All signs shall be placed so as not to interfere with a clear view at intersecting streets as provided for in this Ordinance. In any district requiring a front yard, signs located on the ground in that district shall adhere to the front yard requirements.

(d) Roof signs shall be permitted only in Districts C-1 and C-2. Roof signs shall not be permitted higher than the height regulations of the district in which they are located. Ground signs shall not project above the roof line of the highest building located on the premises.

10-1610. OFF STREET PARKING.

There shall be provided at the time of erection of any building, or at the time any main building is enlarged or increased in capacity, a minimum off street parking space with adequate provisions of ingress and egress by standard sized automobiles as hereinafter provided.

(a) Minimum requirements for parking areas are indicated in the following table:

Minimum Parking

Building Type Space Required For Each

Single & Two Family Residential 2 Dwelling Unit

Dwelling Mobile Home 2 Dwelling Unit

Motel 1 Living or Sleeping Unit

Hotel 1 Two (2) Sleep Rooms

Hospital 1 Two (2) Beds

Church 1 Four (4) Fixed Seats

Auditorium Theater, Stadium, 1 Four (4) Seats

Place of Public Use

Pub1ic Library 1 200 Sq. Ft.(18.58 Sq. m)

Gross Floor Space

Business Development, Bank, 1 250 Sq. Ft. (23.22 Sq. m)

Retail Store, etc. Gross Floor Space

Medica1 and Dental Clinic 1.5 Employee

Restaurants, Bars, Cafes 1 Three (3) Seats

Drive-In Restaurant 1 500 Sq. Ft. (46.45 Sq. m)

of Lot Area

Bowling Lanes 3 Lane

Grocery Store 1 300 Sq. Ft. (27.87 Sq. m)

Gross Floor Space

Elementary & Junior High School 1 1/2 Classroom (In Addition

to Parking Space Required

for Auditorium)

Senior High School 1 1/4 Classroom (In Addition

to Parking Space Required

for Auditorium)

Office Parking Requirements 1 400 Sq Ft. (37.16 Sq. m)

Gross Floor Space

Multiple family & Condominium 2 Dwelling Unit

10-1611. MOBILE HOME PARKS. A mobile home park shall meet the require­ments of Chapter 10 in this Ordinance.

10-1612. DESIGN STANDARDS. Certain design standards are required to ensure good development and to avoid the need for expensive corrective measures by the Town of Cokeville. It is, therefore the intent of this section to provide minimum design standards relating to drainage, sanitation, water supply and roads to be applied as development occurs.

(a) No building shall be erected, structurally altered or relocated on, or permission granted for development of a site of land which is subject to periodic flooding unless adequate provision is made to ensure flooding will not affect or damage said improvements and access thereto.

(b) No building or structure, except a flood control facility, dam, or irrigation structure, or a limited recreation facility, shall be erected or located in a flood plain. Uses permitted in a flood plain shall be limited to agriculture, recreation and parking. No construction or alteration of topography shall be made which will obstruct or restrict the natural flood channel and cause other lands to be flooded.

(c) No permission shall be granted for construction or use in any flood plain unless specifically approved by the Cokeville Town Council.

(d) Approval shall not be granted for the erection, alteration, or relocation of a building for human use or occupancy which will not be connected to a public sewage system or water supply which meets the standards and require­ments of the State of Wyoming Health Department.

10-1613. SITE PLAN.

(a) Plans drawn to a scale of 1 inch equals 50 feet or 1 inch equals 100 feet.

(b) Illustrate by location - existing buildings, streets, alleys, property lines, buildings on adjacent properties, and utility locations.

(c) Locate proposed structures, parking areas, driveways, storage areas, utility lines, freestanding signs, and landscaping.

10-1614. PLANNED UNIT DEVELOPMENT.

(a) A planned unit development (PUD) is intended to replace the rigid requirements of conventional zoning with general appearance and livability guidelines allowing flexibility and innovation in site planning, building arrangement and land use relationships, while simultaneously ensuring substantial compliance with the intent and purpose of this Ordinance.

(b) Planned unit developments must be approved by the Cokeville Planning and Zoning Commission. Application shall be made to the Planning and Zoning Commission after the proposed site has been given approval by the Town Council.

(c) The applicant shall submit a preliminary site plan including, but not limited to, the following:

1. An explanation of all intended uses.

2. Sketch Plan.

3. Preliminary plat.

4. An inventory resource statement, with total area proposed in PUD, present and potential energy resources, hydrological resources, data concerning population to be served, the expected value per unit, sewer and water capabilities, soil types and composition, geologic analysis, and pro­posed pedestrian and automobile circulation patterns.

(d) After receiving Planning and Zoning Commission approval of the preliminary plan, the developer shall, within one (1) year, submit a final plan including, but not limited to, the final draft of all that is listed in the preliminary plan.

(e) No planned unit development shall have an area of 1essthan Five (5) acres (2.02 hectares).

(f) The development shall be in single or corporate ownership at the time of the application, or the subject of an application filed jointly by all owners of the property.

(g) No piece of land shall be withdrawn from the PUD without the consent of all the property owners and the Planning and Zoning Commission.

(h) The developer shall submit for approval all documents to the Planning and Zoning Commission and Town Council. Included in submittals shall be copies of any special agreements, restrictions, conditions or covenants which will govern the use, continued protection, and maintenance of the planned unit and any of its common park areas and facilities.

(i) Density and coverage under a conditional use shall in no case be more than ten percent (10%) higher than allowed in the zoning district.

(j) The residential density of a PUD district shall not be greater than eight (8) units per acre (.405 hectare) in the R-1, R-2, and R-MHL Zones, and coverage not greater than sixty percent (60%).

(k) Building uses, building locations, lot area, width, yard, height and coverage regulations proposed, shall be considered and determined acceptable through the process of approving the site development plan.

(l) Upon approval of the preliminary plan, and in accordance there­with, the developer may survey and stake the lots, roads, and other proposed areas on the proposed site, but may not commence any further development activity until final approval. The completion of survey and staking work shall in no way obligate any Town officials.

(m) The general site plan required shall include, but not be limited to the following: layout of roads, lots, parks and open space, location orientation, spacing, storage, and lighting, water supply and sewage treatment systems, natural preservation and drainage areas, landscaping, fencing and screening, and any information including residential density, coverage, and open space characteristics.

(n) The Town Council shall determine whether all or a part of stream areas, bodies of water, and slopes may or may not be included as usable open space. In addition, the Town Council may require up to twenty percent (20%) of the total site be set aside for private and/or public open space and recreation purposes within a residential PUD.

(o) The developer may retain ownership and responsibility for maintenance of the designed open space, and shall commit himself through written agreement with all parties who subsequently acquire ownership of property within the PUD.

(p) Planned unit developments may be developed in phases. No construction of any kind shall begin the second or subsequent phases until sixty five percent (65%) of the total development has been sold on the preceding phase. Development of any phase must have all public improvements completed within two (2) years from the time of final approval.

(q) Planned unit developments must comply with requirements set forth in the Town’s Subdivision Ordinance.

TITLE X

ZONING

Chapter 17

Administration and Responsibility

10-1701. ENFORCEMENT RESPONSIBILITY.

(a) It shall be the responsibility of the Cokeville Planning and Zoning Commission and its authorized agent, to be known as the Zoning Officer, to administer this Zoning Ordinance.

(b) It shall be unlawful to locate, erect, construct, reconstruct, enlarge, maintain, or use any building, structure or fence, or use any land within the incorporated area of Cokeville without first obtaining authorization from the Cokeville Planning and Zoning Commission or its authorized agent. No authorization shall be issued unless the plans for the proposed building, structure, or use fully comply with this Zoning Ordinance. The Cokeville Planning and Zoning Commission or its authorized agent shall act upon any application filed with it. The Planning and Zoning Commission shall grant authorization in all cases where the proposed construction or use complies with the requirements of the Zoning Ordinance, and if it denies the authorization shall specify the reasons for such denial.

(c) The Cokeville Planning and Zoning Commission shall be authorized to receive and review all applications for construction, alteration or occupancy of land or structures which relate to the issuance of routine building permits and shall have authority to disapprove or approve such applications and permits based on their performance with the provisions of these regulations. It shall not be required that applications for routine building permits be further reviewed by the Cokeville Town Council, after approval has been given by the Cokeville Planning and Zoning Commission, subject to the following conditions:

(1) The Cokeville Planning and Zoning Commission’s authority to consider applications and approve permits for routine building permits without the review of the Cokeville Town Council, shall not be deemed to include approval of permits for variances, zone changes, conditional use permits, questionable or unusual permits.

(2) Appeal of any decision of the Planning and Zoning Commission disapproving and/or denying an application for a routine building permit shall be to the Cokeville Town Council. Appeals shall be in writing and shall be filed at the Office of the Town Council not more than ten (10) working days after the decision by the Planning and Zoning Commission. The Cokeville Town Council may affirm, modify, or reverse the decision of the Planning and. Zoning Commission. However, the Cokeville Town Council shall present in writing the reasons for its action.

10-1702. ENFORCEMENT AGENT.

(a) The Cokeville Planning and Zoning Commission, with the approval of the Town Council, may appoint a zoning enforcement agent for the administra­tion and enforcement of the provisions of this Ordinance. This agent shall be designated as the Zoning Officer. Duties of the Zoning Administrator include:

(1) Establish and administer rules and procedures for conduct­ing the zoning affairs of the Town to include the development of the necessary forms and development of procedures not described in this Ordinance.

(2) Establish and administer rules and procedures for conducting the zoning affairs of the Town to include the development of the necessary forms and development of procedures not described in this Ordinance.

(3) Coordinate with other officials in the administration and enforcement of this Ordinance.

(4) Receive and review all applications for permits for con­struction, alteration, or change of use or occupancy of land or structures, and approve or disapprove such applications based on their conformance with the provisions of these regulations.

(5) Receive all notices of appeals and all requests for vari­ances from the provisions of this Ordinance, notify the Building Inspector of the appeal or request.

(6) Receive all applications for amendments to the language of this Ordinance or the District Zoning Map, refer such applications to appro­priate agencies for comment and submit all such applications along with the comments of the examining agencies and the comments of the Planning and Zoning Commission to the Town Council.

(7) Receive and review all applications for Development Plans and prepare recommendations on such plans for review and action by the Planning and Zoning Commission.

(8) Participate, when deemed appropriate, in meetings or public hearings related to zoning before the Planning and Zoning Commission or the Town Council.

(9) Maintain the official District Zoning Map or maps and other records showing the current zoning c1assification of all lands within the Town of Cokeville.

(10) Upon reasonable cause, revoke any Zoning Permit, issue cease and desist orders to take any other lawful action to ensure substantial compliance with the provisions of this Ordinance.

(11) Propose to the Planning and Zoning Commission and to the Town Council, any changes to the Zoning Ordinance or to zone district classifications within the Town that may, from time to time, be desirable or necessary. All such changes shall be subject to the amendment procedures set forth in this Ordinance.

(12) Make any necessary examinations or studies relative to the use of land or structures to determine compliance with and appropriateness of these regulations.

(13) Maintain such records and files as may be necessary in the efficient conduct of the above duties.

(b) Nothing contained in the foregoing designation of duties of the enforcement agent, as set forth above in section (a) (1) through (12), shall be interpreted to deny the power and authority of the Cokeville Planning and Zoning Commission to consider, and approve or deny routine building permits, as authorized under these ordinances, and outlined in Section 10-1701(c) of this Chapter.

10-1703. CONDITIONAL USE PERMIT

(a) An approved conditional use permit shall be required for each conditional use listed in this Ordinance. No building permit or other permit or license shall be issued for a conditional use by any officer or employee of the Town of Cokeville unless a conditional use permit shall have been approved.

(b) Application for a conditional use permit shall be made at the office of the Cokeville Planning and Zoning Commission on forms provided for that purpose.

(c) The applicant for a conditional use permit shall prepare a site plan of the proposed conditional use, drawn to scale and showing all existing and proposed buildings, utility rights-of-way, fences, landscaping, automobile parking and loading areas, and any other information the Planning and Zoning Commission may deem necessary.

(d) The conditional use permit shall be $25.00 and said fee shall be non-refundable.

(e) A hearing shall be held when the Planning and Zoning Commission shall deem a hearing to be necessary to serve the public interest.

(f) The Planning and Zoning Commission may approve, modify and approve, or deny the conditional use application. In approving any conditional use, the Planning and Zoning Commission shall impose regulations and conditions as are necessary to protect the public welfare.

(g) In approving a conditional use, the Planning and Zoning Commis­sion shall find:

(i) that the proposed use is necessary or desirable and will contribute to the general well being of the community;

(ii) that the proposed use will comply with the regulations of this Ordinance;

(iii) that the use will not be detrimental to the health, safety, or general welfare of the persons residing or working in the vicinity, or injurious to property or improvements in the vicinity; and

(iv) that the proposed use is in harmony with the intent of the Master Plan.

(h) Appeal of any decision of the Planning and Zoning Commission shall be to the Cokeville Town Council. Appeals shall be in writing and shall be filed at the office of the Town Council not more than ten (10) working days after the decision by the Planning and Zoning Commission. The Cokeville Town Council may affirm, modify or reverse the decision of the Planning and Zoning Commission. However, the Cokeville Town Council shall present, in writing, the reasons for its action.

(i) The Zoning Inspector shall inspect the conditional use during the course of construction to ensure that it complies with the conditions of the use permit.

(j) A conditional use permit shall be null and void one (1) year after approval unless substantial work shall have been accomplished toward its completion.

(k) A conditional use permit may be revoked upon failure to comply with the conditions imposed with the original approval of the permit.

10-1704. CHANGES AND AMENDMENTS TO ZONING.

(a) This Zoning Ordinance, including the maps, may be amended from time to time by the Cokeville Town Council and the Planning and Zoning Commis­sion. Proposed amendments may be first proposed by the Planning and Zoning Commission or may be submitted to the Town Council for its recommendation.

(b) The applicant for a Zoning Amendment shall submit an application to the Planning and Zoning Commission.

(c) The applicant for a Zoning Amendment shall prepare at the discretion of the Cokeville Planning and Zoning Commission, a site plan such as described above under Conditional Uses.

(d) The Zoning Amendment fee shall be $35.00 and said fee shal1be non-refundable.

(e) Public meetings shall be held by the Planning and Zoning Commission on all zoning amendments requested. At least fifteen (15) days notice of the time and place of the hearing shall be published in a newspaper of general circulation in the Town.

(f) The Planning and Zoning Commission may approve, modify and approve, or deny the applicant’s zone change request following the procedures described in Section 10-1703 above for conditional uses. The Planning and Zoning Commission shall submit its recommendations for proposed changes and amendments to the Cokeville Town Council for its consideration within thirty (30) days after the public meeting, unless agreement is reached by the appli­cant and the Planning and Zoning Commission to table the matter until the next meeting. Failure of the Planning and Zoning Commission to submit its recommendation within the prescribed time shall be deemed approval by such Commission of the proposed change or amendment, except when the matter has been tabled.

(g) After fifteen (15) days’ notice and a public hearing, the Town Council may approve, modify, and approve, or deny an amendment to the Zoning Ordinance upon the Planning and Zoning Commission’s recommendations by a majority vote of its members. The Town Council shall take action within forty-five days, after receiving recommendations from the Planning and Zoning Commission. All action taken by the Town Council in approving a zoning amendment shall be in the form of an ordinance.

10-1705. APPEALS.

The decision of the Cokeville Planning and Zoning Commission may be appealed to the Town Council by any person aggrieved or affected by any decisions of the Planning and Zoning Commission or its author­ized representative. Such an appeal shall be made within ten (10) days from the date of the action being appealed by filing a notice of appeal with the Town Council. The Planning and Zoning Commission shall forthwith transmit to the Town Council all papers constituting the record of the action being appealed.

10-1706. STAYS.

An appeal of a decision by the Cokeville Planning and Zoning Commission or its authorized representative shall stay all proceedings in furtherance of the action appealed, unless the Planning and Zoning Commis­sion or its authorized representative shall certify to the Town Council, after notice of appeal has been filed with both of them, that by reason of facts stated in the certificate, a stay would cause imminent peril to life or property. In such case, the proceedings shall not be stayed other than by a restraining order, which may be granted by the Town Council or by a court of record on application or notice to the Planning and Zoning Commission or its authorized representative, and on due cause shown.

10-1707. VARIANCES.

(a) Variances from the strict application of the regulations of this Ordinance may be granted where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property at the time of the enact­ment of this Ordinance, or by reason of exceptional topographic conditions or extraordinary and exceptional situation or condition of such piece of property, the strict application of the provision of this Ordinance would result in undue hardships upon the owner of the property. The Cokeville Town Council may authorize, upon an appeal relating to said property, a variance from such strict application so as to relieve such difficulties or hardships, provided such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of this Ordinance.

(b) Any variance granted by the Cokeville Town Council pursuant to the provisions of this section, shall be construed to be a non-conforming use.

(c) The fact that an owner could realize a greater financial return by using his property contrary to zoning regulations is not a sufficient reason for granting a variance.

(d) Every variance granted by the Cokeville Town Council shall be based on the specific findings, supported by written evidence and a photograph of the specific problem where applicable.

(e) A variance shall be nothing more than a minimal easing of the standards or requirements.

10-1708. LEGAL ACTION.

In case any building or structure is, or is proposed to be erected, constructed, reconstructed, altered, maintained or used, or any land is proposed to be used in violation of any provision of this ordinance, or any amendment thereof, the Town Council of Cokeville, Wyoming and the attorney for the Town of Cokeville, or any owner of real estate within the zoned areas, in addition to other remedies provided by law, may institute an injunction, mandate, statement or any other appropriate action to prevent, enjoin, abate or remove such unlawful erection, construction, reconstruction, alteration, maintenance or use. Appeals from judgments rendered in any action instituted to enforce this Ordinance shall be permitted and shall be in accordance with the general appeals provisions of Wyoming Rules of Civil Procedure.

10-1709. LIABILITY FOR DAMAGES.

This Ordinance shall not be construed to hold the Town of Cokeville responsible for any damage to persons or property for reason of the inspection or re-inspection authorized herein or failure to inspect or re-inspect for reason of issuing authorization in the administration and enforcement of this Ordinance.

10-1710. BUILDING PERMITS.

(a) The Cokeville Town Council shall enforce the most recent edition of the International Building Code. The Building Inspector, appointed under the provisions of the Building Code, is hereby designated, and authorized as the officer charged with the enforcement of this Ordinance, but the Town Council of Cokeville, by resolution or Ordinance, may from time to time entrust such administration in whole or in part, to any other officer of Cokeville without amendment to this Ordinance.

(b) Building permit applications shall be filled out by contractor, authorized agent, or

owner of land and be submitted to the Building Inspector before initiating construction. Such a permit becomes null and void if work or construction authorized is not commenced within one hundred and twenty (120) days.

(c) The applicant for a Building Permit shall prepare a site plan, except where the building Permit concerns interior or exterior changes with no alteration of the building’s dimensions. The site plan does not need an engineered drawing but must include property measurements, building measurements and show all existing and proposed buildings, utility, rights-of-way, fences, landscaping, automobile parking and loading areas, and any other information the Planning and Zoning Commission may deem necessary.

(d) Building permits and site plans shall be submitted to the Cokeville Planning and Zoning Commission for review.

(e) Fence permits or shed permits shall be submitted to the Town Clerk and reviewed by staff.

10-1711. LICENSING.

All officials and public employees of The Town of Cokeville which are vested with the duty or authority to issue permits or licenses shall enforce the provisions of this Ordinance. Any permit or license issued and used in conflict with the provisions of this Ordinance shall be null and void.

10-1712. ENFORCEMENT AND PENALTIES.

(a) It shall be the responsibility of the Cokeville Town Council and its authorized agent, the Cokeville Planning and Zoning Commission, to administer the Cokeville Zoning Ordinance.

(b) No person shall locate, erect, construct, reconstruct, enlarge, change, maintain or use any building or use of land in violation of this Ordinance or amendment thereto.

(c) The Planning and Zoning Commission shall declare each zoning violation a nuisance and order, in writing, correction of all conditions which are found to be in violation of this Ordinance. All violations shall be corrected within a period of thirty (30) days after the written order is issued or in a longer period of time as indicated by the Planning and Zoning Commission. Any violations not corrected within the specified period of time shall be prosecuted.

(d) Any person who violates this Ordinance may be punishable as provided for in 1-108 of the Revised Ordinances of the Town of Cokeville, as amended. Each day’s continuance of such violation shall be deemed to be a separate offense.

TITLE X

ZONING

CHAPTER 18

Residential Animal District (R-A)

10-1801. PURPOSE.

To establish a new zoning classification to provide appropriate locations for residential living, while allowing the seasonal keeping of farm type animals for the purpose of recreation.

10-1802. PERMITTED USES.

(a) Single and two family dwellings.

(b) Home occupations.

(c)Parks and playgrounds.

(d) Use of farm type animals for recreational use in accordance with the regulations and requirements set forth herein in Section 10-1801 through 10-1811.

10-1803. CONDITIONAL USES.

(a) Planned unit developments.

(b) Churches and public libraries.

(c)Educational institutions.

(d) Hospitals, clinics, and day care centers.

(e) Public utilities and facilities.

(f) Parking lots for Permitted or Conditional Uses.

10-1804. ACCESSORY USES.

(a) Meets the requirements under the definition Accessory Use as contained in Title X, Chapter 3, Section 10-301; and, in addition;

(i) Does not include residential occupancy.

(ii) It operated wholly or partly within the structure containing the Permitted Use, the gross floor area utilized by the Accessory Use shall not exceed thirty percent (30%) of the gross floor area of the Permitted Use.

(iii) 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 of the Permitted Use.

10-1805. LOT AND YARD REQUIREMENTS FOR RESIDENCE.

(a) All residence lots shall have Town approved water supply and sewage systems.

(b) Minimum Lot area and width:

Minimum lot area 6,500 sq. ft. (603.87 m.)

Minimum lot width 60 ft. (18.29 m.)

(c) Minimum yards:

Main Building

Front 20 ft. (6.10)

Side 10 ft. (3.05 m)

Rear 20 ft. (6.10 m)

Corner 20 ft. (6.10 m.)

(d) Side Yards. Accessory buildings shall have a minimum side yard of 15 feet (4.57 m). Accessory buildings located at least 10 feet (3.05 m) behind the main building may have a side yard of one foot (.305 m) except that the street yard of a corner lot shall be a minimum of 20 feet (6.10 m) from main and accessory buildings.

(e) Rear Yards. Accessory buildings located at least 10 feet (3.05 m) behind the main building may have a rear yard of one foot (.305 m) provided that on corner lots which have the rear lot line on the side yard of another lot shall have a setback of 10 feet (3.05 m).

(f) Maximum Building Height.

(1) Main building: 35 feet (10.67 m.).

(2) Accessory building: 35 feet (10.67 m.).

10-1806. LOT AND YARD REQUIREMENTS FOR LIVESTOCK UNITS:

(a) A lot designated for the purpose of livestock containment may not have buildings used for residential purposes located thereon.

(b) Accessory buildings located in livestock containment areas must be used for the care and keeping of livestock animals.

(c) A minimum of three-fourth’s (3/4) acre will be required for the first livestock unit located thereon. An additional one-half (1/2) acre will be required for each additional livestock unit located thereon.

(d) The lot and yard required for a residence may not be used to calculate the square footage required for a livestock unit to be allowed on a lot.

10-1807. LIVESTOCK CLASSIFICATIONS.

(a) Livestock allowed in R-A zoning classifications shall be classified in terms of units as follows:

ANIMAL / LIVESTOCK NUMBER OF UNITS

(2) horses one unit

(2) cows one unit

(2) sheep one unit

(5) fowl in any combination one unit

(2) goats or llamas one unit

10-1808. FENCING REQUIREMENTS:

(a) Fencing Requirements for lots on which animals are located:

(1) Follows Title X, Chapter 16, 10-1605

(b) Barbed wire and/or sheep net will not be permitted when the adjoining property is not also zoned (R-A) or Agriculture. Barbed wire and/or sheep net will be permitted when the adjoining property is zoned Agriculture or (R-A).

(c) Set back requirements.

Follows Title X, Chapter 16, 10-1605

(d) Minimum and maximum fence height requirements.

Follows Title X, Chapter 16, 10-1605

(e) Prohibitions relating to fencing and lot usage.

(1) No lots on which animal/livestock are located shall be enclosed by electric fencing.

(2) No livestock animal units shall be kept outside of a permitted livestock area by the use of electric fences and/or staking on a rope.

(3) If animals cause damage to adjoining property owners of animals are liable for damages and can be charged under Title V, Chapter 2 5-215, Trespassing

10-1809. SPECIAL REQUIREMENTS.

(a) Applications for R-A Zoning. Application forms for R-A zoning shall be made available at the office of the Clerk of the Town of Cokeville and submitted to the Cokeville Town Clerk. Zoning Permits shall be issued after they have been presented to the Planning and Zoning Commission and after approval by the Cokeville Town Council in accordance with the Revised Ordinances of the Town of Cokeville.

(b) Livestock watering requirements. Watering of livestock under R-A zoning must conform to existing city watering ordinances.

(c)Hay storage requirements:

(1) All hay must be stored at the back of a livestock lot unless it is stored inside a building located on a livestock lot.

(2) The lot containing the residence may not store hay for use on a livestock lot.

(3) A maximum of four (4) tons per animal unit of hay may be kept on the livestock lot at a time.

(d) Owners and users of livestock lots and livestock allowed pursuant to R-A Zoning shall be required to comply with all applicable laws and ordinances of the Town of Cokeville and the State of Wyoming, including but not limited to those relating to nuisance and maintenance requirements.

(e) Application of R-A Zoning to Grandfather Status. At the time of application for R-A Zoning, any person possessing grandfather status relative to livestock/animal property rights covered under the R-A zoning classification for the use and purpose for which this ordinance is enacted as outlined in Section 10-1801, must sign a waiver relinquishing grandfather rights to his or her property relative to livestock/animal recreational property usage for the use and purpose outlined in Section 10-1801 et seq. Those persons possessing the grandfather status referred to herein, shall have one (1) year from the date of their application for R-A zoning, to meet those regulations as outlined herein.

10-1810. GENERAL REGULATIONS.

Use of land in R-A Zoning District shall also conform to all the requirements of Chapter 16 of this Ordinance.

10-1811. SITE PLAN APPROVAL.

(a) Required for all Permitted Uses.

(b) Required for all Conditional Uses.

10-1812. SEVERABILITY.

If for any reason, any part, section, sentence, clause or phrase of this ordinance or the application thereof to any person or circumstance is declared to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance.