Title 17

ZONING ORDINANCE

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Chapter 17.04

General Provisions

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17.04.010 Title.

Title is defined as an ordinance establishing specified use districts or zones, and to regulate therein buildings and structures according to their construction; and the extent of their use; and the nature of the uses of the land; in the incorporated area of the Town of Encampment, Wyoming; hereafter referred to as the "Town." This Title also provides for the administration and enforcement of the provisions described therein.

17.04.020 Short Title.

Title shall be known and may be cited as the "Encampment Zoning Ordinance of 2009."

17.04.030 Purpose.

This zoning ordinance is adopted for the purpose of promoting the public health, safety, and the general welfare of the community, and to further the following related and more specific objectives:

A. To guide and regulate orderly growth, development and redevelopment of the Town in accordance with a comprehensive plan of standard long-term objectives, principles and standards deemed beneficial to the interests and welfare of the people.

B. To protect the established character and the social and economic well-being of both private and public property.

C. To promote, in the public interest, the utilization of land for the purposes for which it is most appropriate.

D. To secure safety from fire and other dangers, and to provide adequate light, air and convenience of access.

E. To prevent overcrowding of land or buildings, and to avoid undue concentration of population.

F. To lessen and, when possible, to prevent traffic congestion on public streets and highways.

G. To conserve the value of buildings and to enhance the value of land throughout the Town.

17.04.040 Conformance required.

After the effective date of this Title, no land shall be used or occupied, and no structure shall be erected, altered, used, or occupied except in conformance with the provisions of this Title.

17.04.050 Continuation of Existing Uses and Structures.

Except as provided in this Title, no building or structure or part thereof shall hereafter be erected, structurally altered, enlarged or rebuilt except in conformity with the lot dimensions, height and density regulations prescribed in this Title.

Any use or structure legally existing at the time of adoption of this Title that does not conform to the provisions of this Title shall be deemed a nonconforming use or

nonconforming structure and subject to the provisions of Chapter **17.48** of this Title.

A use or structure granted as the result of an approved conditional use permit or variance granted by the Encampment Town Council, acting as the Board of Adjustment, shall be allowed subject to the terms and conditions of the conditional use permit or variance. Conditional use permits run with the land and succeed to subsequent owners under the terms and conditions of the permit, and are subject to revocation by the Town Council for non-compliance with the terms and conditions approved as part of the permit. Conditional uses shall become null and void if the use or activity authorized by the permit has been abandoned or discontinued for more than 180 days or if the Conditional Use Permit is revoked by the Town Council for non-compliance with the terms and conditions of the permit.

17.04.060 Relation to other laws or agreements.

A. Nothing in this Title shall be taken to repeal, abrogate, annul or in any way impair or interfere with any provisions of law or ordinance or regulations, existing or as may be adopted in the future. Nor is it intended by this Title to interfere with or abrogate or annul any easements, covenants or other agreements between the parties. Where this Title imposes a greater restriction upon the heights of buildings or structures or premises, lots or land, or requires larger lots, setbacks, courts or other open spaces than imposed or required by other provisions of law, ordinance or regulation, or by such easements, covenants or agreements, the provisions of this Title shall control.

B. Whenever the provisions of any other law or ordinance or regulations impose a greater restriction than this Title, the provisions of the other law or ordinance or regulations shall control.

C. No provisions contained in this Title shall be construed as justifying the encroachment of any building or structure within any public rights-of-way or easements.

Chapter 17.08

ADMINISTRATION AND ENFORCEMENT

Sections:

17.08.010 Interpretation

17.08.020 Enforcement

17.08.030 Enforcement Officer

17.08.010 Interpretation.

In applying and interpreting the provisions of this Title they shall be held to be minimum requirements adopted for the promotion of public health, safety, and general welfare.

17.08.020 Enforcement.

A. It shall be the responsibility of the Planning Commission to administer this Title.

B. It is unlawful to locate, erect, construct, reconstruct, enlarge or use any building or use any land within the incorporated area of the Town of Encampment without first complying with this Title.

17.08.030 Enforcement Officer.

The Town Council shall appoint a Zoning Officer for the enforcement of the provisions of this Title.

A. The Zoning Officer shall have the authority and responsibility to enter upon any public or private premises and make inspection thereof at any reasonable time, and for any proper purpose in enforcing this Title. Further, upon reasonable cause or question as to proper compliance, to revoke any permit and issue cease and desist orders requiring the cessation of any building, moving, alteration or use which is in violation of the provisions of this Title.

B. Duties of the Zoning Officer are:

1. Perform on-site inspections at the direction of the Planning Commission.
2. Report findings of on-site inspection to the Planning Commission.
3. Refer property owners to the Planning Commission to resolve any conflicts that may arise.

Chapter 17.12

PLANNING COMMISSION

Sections:

17.12.010 Created

17.12.020 Members and appointment

17.12.030 Term, removal and vacancies

17.12.040 Rules, organization and meetings

17.12.050 Employees, contracts and funds

17.12.060 Planning Commission powers and duties

17.12.070 Master plan creation and review

17.12.080 Cooperation with other agencies

17.12.090 Recommendations to Town Council

17.12.010 Created.

There is created an official Planning Commission to promote the health, safety, order, beauty, prosperity, and general welfare of the Town and to secure growth and development.

17.12.020 Members and appointment.

The Planning Commission shall consist of five members who shall be qualified electors of the Town. The members of the Planning Commission shall be appointed in accordance with the Town policy for appointments.

17.12.030 Term, removal and vacancies.

The members of the Planning Commission shall be appointed for three (3) year terms beginning on July 1 and ending on June 30. Initial terms shall be staggered with two Planning Commissioners serving two-year terms and three Planning Commissioners serving three-year terms. All members shall hold office until their successors are appointed. Removal of members and filling of vacancies shall be in accordance with town policy for appointments.

17.12.040 Rules, organization and meetings.

The Planning Commission shall elect its own chair and shall create and fill such other offices as it may determine it requires for the proper conduct of the affairs and business of the Planning Commission. The chair may hold at least one regular meeting in each month at such time and place as may be fixed by the Planning Commission. A special meeting may be called by the chair or in his/her absence, by any of the members of the Planning Commission. A majority of the Planning Commission shall constitute a quorum for the transaction of business.

Any member of the Planning Commission shall automatically disqualify him/her self from voting on any decision in which there may be a conflict of interest including personal or financial interest or family ownership of land to be affected by the subject application or item under consideration.

All meetings shall be open to the public. The Planning Commission shall adopt such other rules and regulations governing its organization and procedures, as it may deem necessary. Such rules and regulations shall be consistent with the ordinances of the

Town and the laws of the state. The Planning Commission shall keep a record of its resolutions, transactions, findings and determinations that shall be a public record.

17.12.050 Employees, contracts and funds.

A. The Planning Commission may, with the consent of the Town Council:

   1. Request employees to perform necessary duties.

   2. Contact municipal planners, engineers, landscape architects, legal counsel, and other consultants for such services as may be required.

B. The Planning Commission shall, when it deems necessary or appropriate, recommend to the Town Council that it contract for, accept and expend grants from the federal government, state, and other agencies for the purpose of urban planning and renewal.

17.12.060 Planning Commission Powers and Duties

The Planning Commission shall have the authority to:

A. To adopt rules and regulations for the conduct of its own business.

B. To hear and make recommendations to the Town Council on applications for conditional use permits, variances, zone changes and amendments to this Title.

C. To prepare and amend the Master Plan and certify the plan to the council.

D. To make recommendations to the Town Council on land use planning decisions, such as subdivisions and annexations.

E. Any powers and duties granted by the Town Council.

17.12.070 Master plan creation and review.

The Planning Commission shall cause a Master Plan (Long Range Comprehensive Land Use Plan) to be created, which will include overall planning and development policies, and shall certify the plan to the Town Council for adoption. The Planning Commission shall review the master plan and its components at least every five (5) years and recommend needed changes to the Town Council for adoption.

When the Mayor and Town Council have adopted the Master Plan or any portion thereof, nothing involving a change in the plan or portion thereof shall be decided by the Mayor and Town Council until the matter has been submitted to, and approved by the Planning Commission. In the case of disapproval, the Planning Commission shall communicate its reasons to the Mayor and Council, which shall have the power to overrule the disapproval by a vote of the majority.

17.12.080 Cooperation with other agencies.

The Planning Commission is authorized to cooperate with the county planning commission and other agencies in planning matters.

17.12.090 Recommendations to Town Council.

Any and all recommendations of the Planning Commission submitted to the Town Council shall be in writing for approval or disapproval. Such actions by the Town Council must be recorded by a vote of the majority. Actions can include approval, denial, approval with conditions, table, or postpone for a specific period of time.

Chapter 17.16

DEFINITIONS

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17.16.600 Zoning Permit

17.16.005 Generally.

Certain words and terms used in this zoning ordinance for the purposes of this Title are defined as follows:

A. Unless the context clearly indicates the contrary, words used in the present tense include the future, the singular numbers include the plural, and the plural the singular.

B. In addition to its common meaning of an individual, the word "person" also includes a profit or nonprofit corporation, company, partnership or individual.

C. The word "shall" is mandatory, and not directory, and the word "may" is permissive.

D. The word "lot" includes the words "plot" and "parcel."

E. The word "structure" includes the word "building."

F. The word "use" and the word "used" refer to any purpose or activity for which a piece of land or its buildings is designed, arranged, or intended, or for which it is occupied or maintained.

17.16.010 Accessory Building.

"Accessory building" means a subordinate building customarily incidental to the principal building. Accessory buildings can be located on the same or adjacent lot (as defined in **17.16.020**) under single ownership and not separated by a street. The term "accessory building" may include a private garage, garden shed or barn, a private playhouse, a private greenhouse and a swimming pool in accordance with the provisions of this Title. (See Figure 1, Page 22.)

17.16.015 Accessory Use.

"Accessory use" means a subordinate use customarily incidental to, and located on, the same or adjacent lot occupied by the principal use.

17.16.020 Adjacent Property.

A parcel of land or a lot that lies directly beside another parcel or lot. Parcels lying adjacent to one another may be separated by a public right of way such as an alley, utility easement or natural land or water feature.

17.16.025 Adult Business.

Any retail establishment that offers for sale sexually oriented media (magazines, books, videotapes, movies, slides, cd-roms or other computer images, or any media that emphasizes sexual conduct), sexually explicit lingerie, sexually oriented toys, or novelties.

17.16.030 Alley.

Any public or private right-of-way designed to provide access to the rear or side of a parcel of land and less than thirty (30) feet wide.

17.16.035 Apartment.

A suite of rooms for residential purposes located in a singularly owned building designed for multi-family units. Each apartment shall contain both dedicated bathroom and kitchen facilities.

17.16.040 Bed and Breakfast.

"Bed and Breakfast" means a residential building in which rooms are rented primarily to transient travelers, and in which meals are served.

17.16.045 Billboard (Off-Premise Advertising Sign).

A sign including, but not limited to, billboards or general outdoor advertising devices, that advertise or direct attention to a business, commodity, service or activity conducted, sold or offered elsewhere than on the same lot or parcel or within the same building upon which the sign is located.

17.16.050 Block.

"Block" means an area of land within a platted subdivision that according to the plat is entirely bounded by streets, or a street,

railroad right-of-way, natural barrier or adjacent corporate boundary.

17.16.055 Block Frontage.

"Block frontage" means that portion of a block that abuts a single street.

17.16.060 Board of Adjustment.

For the purpose of this Title, the Town Council will act as the "Board of Adjustment" when deemed necessary.

17.16.065 Boarding or Lodging House.

"Boarding or lodging house" means a private dwelling in which at least two but not more than six rooms are offered for rent, payable in money, and in which no public restaurant is maintained.

17.16.070 Building, Area.

"Building Area" means the horizontal area measured around the outside of the foundation walls of the floors or roofed porches and roof terraces inclusive, and including the area of accessory buildings, if any. In the case of split-level dwellings, the "first floor area" shall be deemed to include floor areas on two non-overlapping levels, separated by half story, or less, of height.

17.16.075 Business Center Development.

"Business center development" means a tract of land, buildings or structures planned as a whole and intended for one or more establishments for a business purpose on a site, whether built at one time as a unit, or in two or more construction stages.

17.16.080 Care Facility, Long Term.

Any facility, residence, home for the aged or boarding home that is operated for a period exceeding 24 hours and provided housing, food service or personal care for more than three (3) adults not related to the owner or operator. Personal care shall include bathing, dressing, eating and other similar tasks.

17.16.085 Conditional Use.

"Conditional Use" means a use which runs with the land and may be allowed as approved herein subject to certain restrictions or conditions on the location, size and other performance standards as may be imposed by the Planning Commission or Council, after considering the effects upon the neighborhood in which it is proposed, including aesthetic considerations and conformity to the comprehensive plan.

17.16.090 Conditional Use Permit.

"Conditional Use Permit" means a legal authorization for a conditional use listed in a zoning district, issued by the Planning Commission and approved by the Town Council providing: (a) a written statement of factual determination is made by the Planning Commission which justifies the issuance of the permit, and, (b) a written statement of the specific conditions that must be met and maintained in order for the use to be permitted and continued.

17.16.095 Condominium.

A building or complex where multi-family residential units are individually owned and not located on separately platted lots. Each condominium unit shall contain both dedicated bathroom and kitchen facilities.

17.16.100 Conforming.

Any parcel, lot, building, or structure that exists lawfully as permitted in compliance with the currently adopted zoning ordinance.

17.16.105 Day Care, child.

Any building, facility, or private residence that operates for a portion of a 24 hour period to provide services to children under eighteen years of age not related to the owner or operator as established by the Wyoming Department of Family Services Administrative Rules for Certification of Child Care Facilities.

17.16.110 Development.

Any man-made change to improved or unimproved real estate including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations. A **developer** is the person, persons, corporation or partnership who is the owner of the real estate, building or structure, or the representative of the owner that is responsible for undertaking, review, approval and/or completion of the development.

17.16.115 Dwelling.

"Dwelling" means a building arranged, intended or designed to be occupied by one or more families living independently of each other upon the premises. (See also, "multiple dwelling" and "single-family detached dwelling".)

17.16.120 Dwelling, multi-family.

A building designed for multiple residential units not located on separately platted lots. This can include apartments or condominiums.

17.16.125 Dwelling, single-family (attached).

A building and accessory buildings (garage or storage facility) designed for use by a single household and constructed in a group or row but on a separately platted lot, which share a minimum of 50 percent or more of one exterior wall.

17.16.130 Dwelling, single-family (detached).

"Single family detached dwelling" means a building, on a lot, designed and occupied exclusively as a residence for one family, and which has no part in common with an adjacent building. For the purpose of this Title it also requires a permanent foundation, eaves of six inches or greater and a roof pitch of 3/12 or greater.

17.16.135 Easement.

A right given by the owner of land to another party for specific limited use of that land including utility placement, maintenance and drainage.

17.16.140 Family.

"Family" means one or more individuals living independently as a single house-keeping unit and using certain rooms in common. A family may include two persons not related by blood or marriage. A family shall not be deemed to include the occupants of a college dormitory, motel/hotel, boarding house, or residential club.

17.16.145 Floodplain.

"Floodplain" is an area on the sides of a stream, river or watercourse that is subject to periodic flooding.

17.16.150 Floodway.

"Floodway" means a designated portion of the one hundred (100) year flood area in which waters are rapidly moving, including the stream channel, and other areas designated on the FEMA floodplain maps for the Town.

17.16.155 Floor Area.

"Floor area" means the total horizontal area of a building measured on the outside walls of each story.

17.16.160 Frontage.

The width of a parcel or lot abutting a public right-of-way. Corner property has a separate frontage along each public right-of-way.

17.16.165 Garage, generally.

"Garage" means a building or part thereof used for the storage or parking of one or more vehicles.

17.16.170 Garage, repair.

"Repair Garage" means any garage other than a private garage or parking garage. A repair garage may include servicing, repairs, washing or reconditioning of motor vehicles or motor vehicle parts, and gas station facilities.

17.16.175 Gas Station and / or Convenience Store.

"Gas Station and/or Convenience Store" means a building or part thereof supplying and selling gasoline or other equipment fuel for motor vehicles at retail direct from pumps or storage tanks. A gas station may include accessory facilities for rendering services such as lubrication, washing and minor repairs with hand tools. A Convenience Store may also sell staple groceries, snacks, and in addition to fuels.

17.16.180 Grade.

The rate of incline or decline in the surface of land expressed as a percentage.

17.16.185 Grade Level.

The average point of elevation of the finished surface of the ground, paving or sidewalk within the area between the building and the property line.

17.16.190 Hardship.

Exceptional or extraordinary circumstances or conditions relating to a physical characteristic of a lot, parcel or structure, which do not generally apply to land or buildings in the neighborhood, and as distinguished from a mere inconvenience. Examples include irregularly shaped lots, steep slopes or other topographical condition of the property. Good cause hardship does not include market conditions, financing or self-imposed actions on the part of the developer or owner.

17.16.195 Height, building.

"Building Height" means the vertical distance from the average elevation of the finished grade along the wall of a building or structure to the highest point of the roof, for flat roofs, or to the mean height between eaves and the ridge, gable, hip or gambrel roof.

17.16.200 Home Occupation.

A. Major. "Major home occupation" means a home occupation in which not more than three persons other than family members residing on the premises are engaged in the home occupation, no

stock in trade is kept, is clearly incidental and secondary to the residential use of the property, does not change the outside character of the dwelling or accessory structure and that adequate parking for family members, employees and customers are accommodated.

B. **Minor.** "Minor home occupation" means a home occupation in which no person other than family members residing on the premises are engaged in the occupation, no stock in trade is kept, is clearly incidental and secondary to the residential use of the property, and does not change the outside character of the dwelling or accessory structure.

17.16.205 Hospital.

"Hospital" means a building used for the diagnosis, treatment, and care of human ailments. A hospital shall be deemed to include a clinic, convalescent home, nursing home, rest home, assisted living, chiropractor, or other building with an equivalent appellation. A hospital shall not include care and treatment of mental patients, or full time alcohol or drug rehabilitation.

17.16.210 Hospital Treatment Facility.

"Treatment Facility" means a clinic or care facility for the treatment of substance abuse patients.

17.16.215 Hotel.

"Hotel" means a facility offering transient lodging accommodations on a daily rate to the general public and providing additional services, such as meeting rooms, restaurants and recreational services.

17.16.220 Industrial Park.

"Industrial Park" means a group of 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.

17.16.225 Industry.

"Industry means a use engaged in the basic processing of raw materials or the manufacture of finished products or parts, including processing, fabrication, assembly, treatment, storage, packaging, sales and distribution of such products.

17.16.230 Junkyard.

"Junkyard" means a lot, land, or structure used primarily for the collecting, storage, or sale of wastepaper, rags, scrap metal or discarded material; or for the collection, dismantling, storing, and salvaging of machinery or vehicles not in running condition, or for the sale of their parts. Junkyards are neither an allowed or conditional use.

17.16.235 Landfill.

"Landfill" means a lot or parcel of land, or portion thereof, used primarily for disposal by abandonment, dumping, burial, burning, incineration, or other means of garbage, offal, trash, refuse, junk, discarded machinery, vehicles, or parts thereof, or waste materials of any kind.

17.16.240 Lot, generally.

"Lot" means a portion of a subdivision of land used for development.

A. In the original plat of the Town of Encampment, one lot is 25' x 115'.

B. "Lot area" means the total horizontal area included within lot lines.

C "Corner Lot" means a lot at the junction of and fronting on two or more intersecting streets, the angle of

intersection being not more than one hundred thirty-five degrees.

D. "Lot Depth" means the horizontal distance between the front and rear lot lines, measured along the median between the two side lot lines.

E. "Lot line" means any boundary of a lot. Any lot line not a rear lot line or a front lot line shall be deemed a side lot line or corner lot line. (See Figure 2, Page 22.)

F. "Corner lot line" means, on a corner lot, the frontage line, which is not designated a front lot line. (See Figure 2, Page 22.)

G. "Front lot line" means the street line at the front of a lot. On a corner lot, the owner may specify the front lot line on the plot plan. (See Figure 2, Page 22.)

H. "Rear lot line" means the lot line opposite the front lot line. (See Figure 2, Page 22.)

I. "Through lot" means a lot having two frontages on parallel or approximately parallel streets.

J. "Lot Width" means the distance between the side lot lines, measured at the point midway between the front and rear lot lines.

17.16.245 Manufactured Home.

Manufactured Home: A single family residential dwelling factory constructed in accordance with the U.S. Department of Housing and Urban Development (HUD) standards under the National Manufactured Home Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et. Seq., as amended (currently codified at 24 C.F.R. 3280), bearing certification to that effect ("Applicable HUD Standards) and designed to be used as a single family residential dwelling on a permanent foundation when connected to the required utilities and which includes the plumbing, heating, air conditioning and electrical systems contained therein.

17.16.250 Manufacturing, light.

Establishments engaged in processing, storage, office uses and limited distribution which do not generate objectionable conditions such as light, noise, or smells detectable beyond the property line where the establishment is located.

17.16.255 Manufacturing, heavy.

Establishments engaged in processing, storage, office uses and extensive transportation (dedicated trucks) and major distribution.

17.16.260 Master Plan.

"Master Plan" means a plan with the general purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the municipality which will best promote the general welfare as well as efficiency and economy in the process of development.

17.16.265 Membership Club.

"Membership club" means a building, structure, lot or land area used as a private club or social organization not conducted for private profit or gain.

17.16.270 Mining.

"Mining" means the process of obtaining useful minerals from the earths crust, including both underground excavations and surface workings.

17.16.275 Mobile Home.

"Mobile Home" means a detached, transportable, manufactured single-family dwelling unit, constructed prior to June 15,

1976, built upon a chassis or under carriage as an integral part thereof, without independent motorized power.

17.16.280 Mobile Home Park.

"Mobile Home Park" means a parcel of land under single ownership that has been planned and approved for the placements of two or more mobile homes for dwelling purposes.

17.16.285 Modular Home.

"Modular Home" means a structure, transportable in one or more dependent sections, designed for use as a single family residential dwelling unit, not built on a permanent chassis, capable of being transported from place of fabrication to the site on which it is to be erected, where it is placed on a permanent foundation and, when assembled, meets all of the provisions of the Uniform Building Code, International Building Code, or International Residential Code for residential units.

17.16.290 Motel.

"Motel" means a building, or group of buildings, whether detached or in connected units, used as individual sleeping or dwelling units with direct outside access, designed primarily for transient travelers, and provided with accessory off-street parking facilities.

17.16.295 Multiple Dwelling.

"Multiple dwelling" means a building arranged, intended or designed to be occupied by two or more families living independently of each other as separate housekeeping units.

17.16.300 Multiple Dwelling Development.

"Multiple dwelling development" means one or more multiple dwelling buildings planned as a single unit.

17.16.305 Net Residential Density.

"Net residential density" means the ration obtained by dividing the number of dwelling units on a lot by the area (excluding drives, streets and required open space) of the lot expressed in units per block.

17.16.310 Non-conforming Lot.

"Non-conforming lot" means any lot of record which existed prior to the effective date of the ordinance codified in this Title or any amendment thereto, which does not conform to the lot specifications for the district in which it is situated.

17.16.315 Non-conforming Structure.

"Non conforming structure" means a structure lawfully existing at the effective date of the ordinance codified in this Title or any amendment thereto affecting the structure, which does not conform to the building regulations of this Title for the district in which it is situated, irrespective of the use to which the structure is put.

17.16.320 Non-conforming Use.

"Nonconforming use" means any use of a building, structure, lot or land, or part thereof, lawfully existing at the effective date of the ordinance codified in this Title or any amendment thereto affecting the use, which does not conform to the development standards of this Title for the district in which it is situated.

17.16.325 Parcel.

A piece of property defined by metes and bounds, or a surveyed or owner defined property description and assigned a number assigned by the Carbon County Assessor.

17.16.330 Park, private.

A piece of land that is owned and operated by a land owner not associated with a governmental body that is developed for the active and/or passive recreation and not necessarily open to the public.

17.16.335 Park, public.

A piece of land that is owned by a governmental entity (state, county or a municipality), that is developed for the active and/or passive recreation and is open to the public.

17.16.340 Parking Lot.

"Parking lot" means a lot or part thereof used for parking of motor vehicles, with or without the payment of rent or charges in money or other consideration.

17.16.345 Planning Commission.

"Planning Commission" means the Planning Commission of the Town of Encampment.

17.16.350 Planned Unit Development.

A type of land development designed to provide variety and diversity which may be residential, business, industrial, or a mixture of residential/business, business/industrial, in which buildings may be clustered and/or set on lots of smaller sizes and differing setbacks than normally required by this Title. The PUD may result in an overall density, the same density, or a greater density than is required by this Title. Individual properties may be owned in fee with open space either owned jointly or deeded to the town.

17.16.355 Plot Plan.

An engineered drawing showing the property boundaries, setbacks, legal description, roadways, access, existing improvements and proposed improvements.

17.16.360 Principal Use.

"Principal Use" means the predominant use of the land allowed under the zoning district assigned to the land. i.e. Residential is the principal use in the R-1 and R-2 Districts.

17.16.365 Public Hearing.

A legally announced meeting of an official body where the public is invited to give opinions concerning the issue or application under consideration. Public hearings are an administrative legal proceeding with definite issues of fact to be determined and/or with the parties having the right to be heard and have counsel present.

17.16.370 Public Notice.

"Public notice" means notice of the time and date and place of a hearing, meeting or proceeding given in the manner prescribed by Wyoming State Statute.

17.16.375 Reconstruction.

Returning a damaged building to its original purpose or use without increasing the type or intensity of the use.

17.16.380 Recreation Vehicle.

"Recreation Vehicle (RV)" means a vehicular type portable structure without permanent foundation, which can be towed, hauled, or driven and primarily designed as temporary living accommodation for

recreational, camping and travel use and including, but not limited to, travel trailers. truck campers, pop up campers, camping trailers, and self-propelled motor homes, but shall not include "mobile homes" as defined in this section. The removal of the wheels or any similar transporting device, permanently fixing the structure to the ground, or otherwise rendering the structure immobile and preventing its ready removal will disqualify the structure as an RV under this definition. *(Amended February 9, 2012)*

17.16.385 Recreation Vehicle Park.

"Recreation Vehicle (RV) Park" means a tract of land upon which one or more recreational vehicle sites are located, established or maintained for occupancy by the general public on a temporary or seasonal basis. Use of recreational vehicles as a permanent dwelling in an RV Park is prohibited. RV parks may not be occupied by mobile homes or any other structures except as an accessory building unless site plan approval has been given pursuant to Chapter **17.56** of this title. *(Amended February 9, 2012)*

17.16.390 Remodeling.

Updating or altering the use and functionality of a building.

17.16.395 Retail Business.

Any activity that involves the permanent or temporary sale of goods or services. Retail business shall include variety stores, department stores, drug stores, home and automobile supplies, furniture, hardware stores, book stores, floor covering, sporting goods, florists, jewelers, art shops, pawn shops or other similar uses.

17.16.400 Sand or Gravel Pit.

"Sand or gravel pit" means a lot or land, or part thereof, used for the purpose of extracting sand, gravel, soil for sale, as an industrial operation and exclusive of a lot preparatory to the construction of a building.

17.16.405 Setback.

"Setback" means the distance required to comply with the front, side or rear yard provisions of this Title. (See Figure 2, Page 22.)

17.16.410 Signs, generally.

"Sign" means any identification, description, illustration, or device, illuminated or non-illuminated, which is visible from any public place or is located on private property and exposed to the public, which directs or draws attention to a product, service, place, activity, person, institution, business, or solicitation including any permanently installed or situated merchandise; or any emblem, painting, banner, pennant, or placard designed to advertise, identify, or convey business information.

17.16.415 Sign, animated.

"Animated sign" means any sign which includes action or motion. The term does not refer to flashing, changing or indexing, all of which are separately defined.

17.16.420 Sign, changeable copy (automatic).

"Automatic changeable copy sign" means a sign on which the copy changes automatically on a lampbank or through electronic or mechanical means.

17.16.425 Sign, changeable copy (manual).

"Manual changeable copy sign" means a sign on which copy is changed manually in the field.

17.16.430 Sign, electric.

"Electric sign" means any sign containing electric wiring which is attached or intended to be attached to an electrical energy source.

17.16.435 Sign, exempt.

Means a sign that does not require a permit as defined in Section **17.44.140** of this Title.

17.16.440 Sign Face.

"Sign Face" means the surface of a sign upon, against, or through which the message is displayed or illustrated.

17.16.445 Sign, flashing.

"Flashing sign" means any sign which contains an intermittent or flashing light source, or which includes the illusion of intermittent or flashing light, or an externally mounted intermittent light source. Automatic changing signs such as a public service time, temperature, and date sign or electronically controlled message center are classified as "changing signs" not "flashing signs."

17.16.450 Sign, freestanding.

"Freestanding sign" means a sign that is supported by one or more columns, upright poles, or braces extended from the ground or from an object on the ground, or that is erected on the ground, where no part of the sign is attached to any part of a building, structure, or other sign; this term includes pole signs, pedestal signs, and ground signs. It shall not include portable signs. (See Figure 3, Page 23.)

17.16.455 Sign Height.

"Sign height" means the vertical distance measured from the highest point of the sign or sign structure to the grade of the nearest adjacent street or to the grade of the street or highway to which the sign is directed.

17.16.460 Sign, illegal (non-conforming).

"Illegal nonconforming sign" means a sign that was in violation of any of the laws of the city governing the erection or construction of such sign at the time of its erection and that has never been brought in conformity with all such laws.

17.16.465 Sign, legal (non-conforming).

"Legal nonconforming sign" means any sign that was lawfully erected and maintained prior to the enactment of the ordinance codified in this Title, but that does not conform to all applicable regulations and restrictions contained herein or any sign located in an area annexed to the city since the enactment of the ordinance codified in this Title that was legal at the time of its construction.

17.16.470 Sign, maintenance.

"Sign maintenance" means replacing, repairing, or repainting of a portion of a sign or sign structure or renewing of a copy that has been made unusable by ordinary wear and tear, weather, or accident.

17.16.475 Sign, off-premise Advertising (Billboard).

"Off-premise advertising sign" means a sign including, but not limited to, billboards or general outdoor advertising devices, that advertise or direct attention to a business, commodity, service, or activity conducted,

sold, or offered elsewhere than on the same lot or parcel or within the same building upon which the sign is located. (See Figure 3, Page 23)

17.16.480 Sign, on-premise.

"On-premise sign" means a sign that advertises a business and directs attention to a business, commodity, service or activity conducted, sold or offered on the same lot, parcel or within the same building upon which the sign is located.

17.16.485 Sign, projecting.

"Projecting sign" means a sign that extends in whole or in part fifteen inches or more horizontally beyond the surface of the building to which the sign is attached. (See Figure 3, Page 23.)

17.16.490 Sign, real estate.

"Real estate sign" means a sign indicating the availability for sale, rent, or lease of a specific lot, building, or portion of a building upon which the sign is erected or displayed.

17.16.495 Sign, roof.

"Roof sign" means any sign erected upon, against, or directly above a roof or on top of or above the parapet of a building. (See Figure 3, Page 23.)

17.16.500 Sign, rotating.

"Rotating sign" means any sign or portion of a sign which moves in a revolving or similar manner.

17.16.505 Sign, structure.

"Sign structure" means any supports, uprights, braces, or framework of a sign.

17.16.510 Sign, temporary.

"Temporary sign" means any business sign, banner, display board, poster, or other advertising display constructed of paper, plastic, wood, cloth, canvas, light fabric, cardboard, or other light materials, with or without frames, intended to be displayed for a period of time not to exceed thirty calendar days. This definition does not include governmental flags or political signs regulated pursuant to the provisions in this Title.

17.16.515 Sign, wall.

"Wall sign" means a sign displayed upon or against the wall of an enclosed building, where the exposed face of the sign is in a plane parallel to the plane of the wall and extends not more than fifteen inches from the face of the wall. (See Figure 3, Page 23.)

17.16.520 Site Plan.

"Site plan" means a plan, to scale, showing uses and structures proposed for a parcel of land including the location and size of buildings, the area of the land under consideration, street names and widths, parking area size, and all other items required on the site plan checklist. A site plan is required for all construction alterations or additions.

17.16.525 Site Plan Agreement.

"Site plan agreement" means an agreement entered into between the owner of record and the town for various improvements to be made to the site in accordance with provisions of this Title.

17.16.530 Street.

"Street" means any road, highway, avenue or boulevard, public or private, set aside and

commonly used by the public for travel or access purposes, and shown upon the city map or upon a file plat. (See Figure 4, Page 24.)

17.16.535 Street Line.

"Street line" means the dividing line between a lot and the outside boundary of a public street or street right-of-way, or between a lot and private street, which serves two or more separately owned homes or buildings. (See Figure 4, Page 24.)

17.16.540 Structure.

"Structure" means anything constructed or erected on or under the ground or upon another structure, or building. Building permits are required for all structures constructed, located or erected within the Town of Encampment.

17.16.545 Subdivision.

The process of dividing a parcel of raw land into smaller, buildable sites, including but not limited to blocks, lots, streets, open space, public areas and designating the location of utilities and other improvements.

17.16.550 Subdivision Agreement.

An agreement entered into between Encampment and a property owner to provide for exactions or mitigation strategies or any other provision necessary to address impacts caused by the development.

17.16.555 Swimming Pool, private.

"Private swimming pool" means any constructed body of water or structure to contain water, pursuant to the provisions in this Title and any accessory equipment pertaining thereto, used or intended to be used for swimming or bathing by any family of persons residing on the premises and their guests. The term "private swimming pool" shall not include swimming pools located on a lot only as an accessory use to a hotel, motel or membership club.

17.16.560 Temporary Structure.

Any structure which will be removed upon the completion of construction of a permanent structure. Temporary structures can include mobile homes, construction trailers, traffic calming devices for major roadway construction, fencing or equipment storage buildings. For the purpose of this title temporary structures related to agriculture shall not be considered temporary structures. *(Amended March 24, 2010)*

17.16.565 Transfer Station.

"Transfer Station" means any solid waste transportation related facility including loading docks, parking areas, storage areas, bailing areas, and ancillary features, used for the temporary holding of solid waste for treatment, storage and/or disposal, or transport to another facility.

17.16.570 Variance.

"Variance" means variation or adjustment of the strict application of this Title in the case of an irregular, narrow, shallow or steep lot or other physical condition applying to a lot which is not customary to the surrounding property, and would result in practical difficulty or unnecessary hardship that would deprive the owner of reasonable use of the land involved.

17.16.575 Yard, generally.

"Yard" is defined as the area around or between any structure and within the property lines.

17.16.580 Zoning Appeal.

The process available to an applicant who is aggrieved by the decision of the Planning Commission or Town Council.

17.16.585 Zoning Compliance.

A certification upon review by the zoning officer that the use, building or other structure, or part thereof, upon constructed, reconstructed, or enlargement complies with the regulations established in the currently adopted Encampment zoning ordinance.

17.16.590 Zoning Map.

The officially adopted map of the Town specifying zoning district boundaries within the Town.

17.16.595 Zoning Officer.

"Zoning officer" means the person appointed by the Town Council to look at permit applications and report to the Planning Commission with recommendation on the permit. The zoning officer shall be able to ask for enforcement help from the Town of Encampment and the Police Department, and be prepared to testify on behalf of the Town and the Planning Commission if a court hearing is required.

17.16.600 Zoning Permit.

The document issued upon approval of the proposed development signifying development of a specific project, on a specific site and listing the terms and restrictions established at the time of approval.

Figure 1. Accessory Structures (Reference 17.16.010)

Figure 2. Lot Lines and Setbacks (Reference 17.16.240, 405)

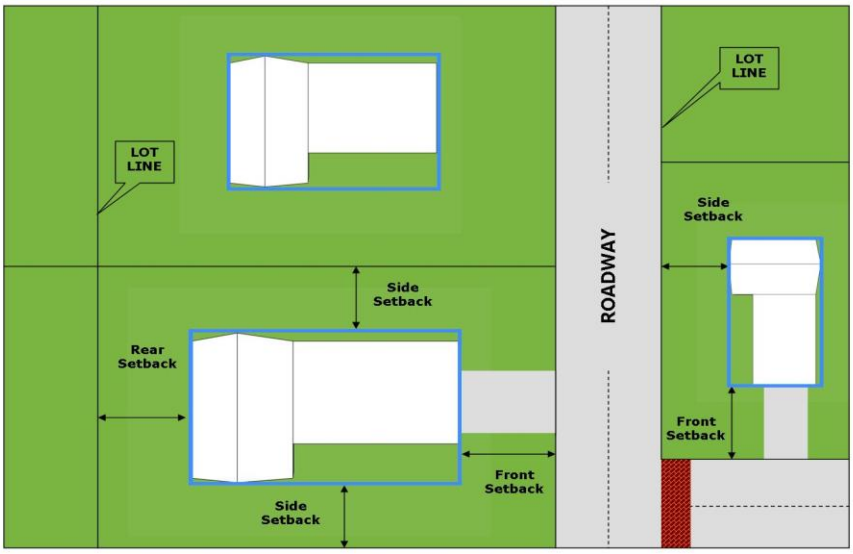


Figure 3. Signs (Reference 17.16.450, 475, 485, 495, 515)

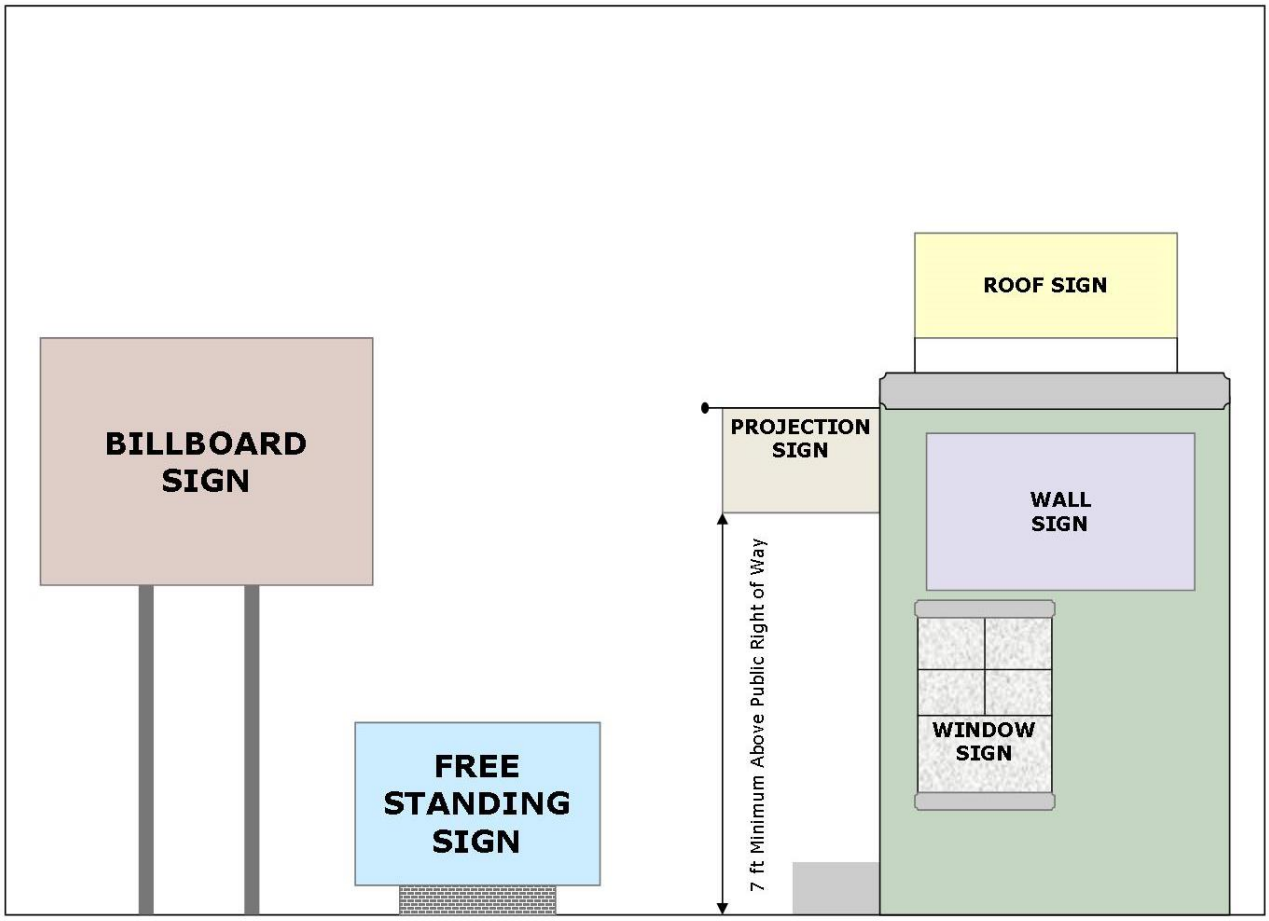


Figure 4. Street, Street Width (Reference 17.16.530, 535)

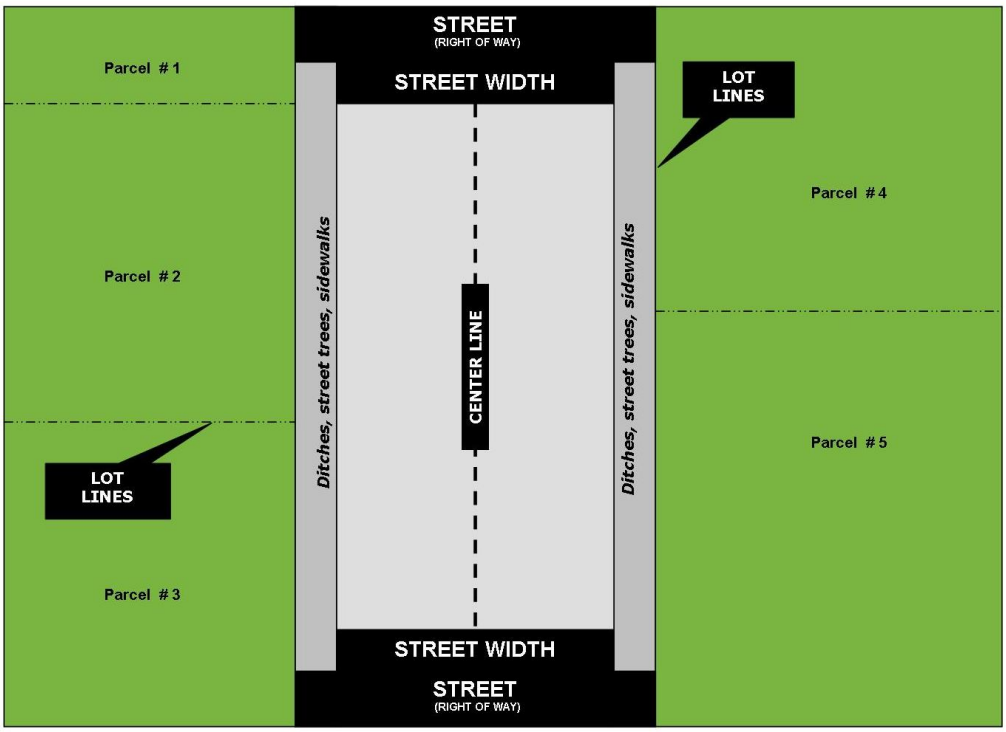
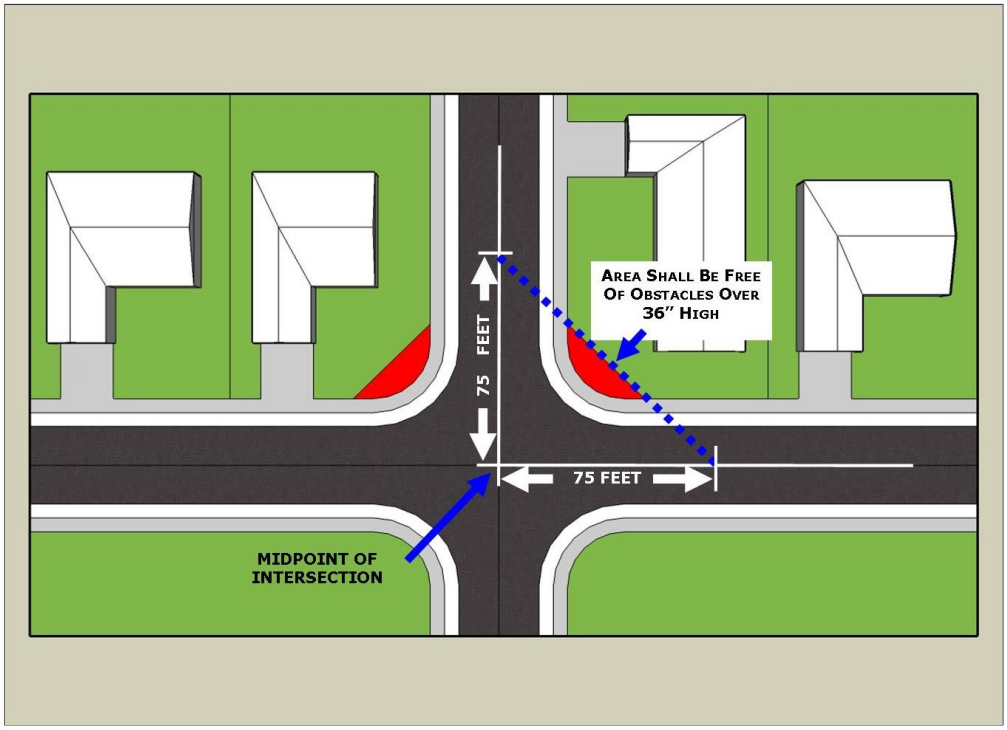


Figure 5. Sight Distance Triangle



Chapter 17.20

DISTRICTS

Sections:

17.20.010 Districts designated

17.20.020 Zoning Map

17.20.030 Delineation of boundaries

17.20.040 Interpretation of boundaries

17.20.010 Districts designated.

For the purpose of this Title, the Town is divided into the following classes of zoning districts:

A. R-1 District, restricted residential.

B. R-2 District, general residential.

C. Planned Unit Development (PUD) District.

D. Business District, business development.

E. Industrial District, industrial development.

17.20.020 Zoning Map.

The boundaries of each zoning district are established as shown on the official zoning map of the Town, which accompanies the ordinance, codified in this Title and is declared to be a part of this Title.

17.20.030 Delineation of boundaries.

The district boundary lines are intended, generally, to follow the centerline of streets, and similar right-of-way or lot lines.

17.20.040 Interpretation of boundaries.

In the case of uncertainty as to the true location of a district boundary line in a particular instance, the Zoning Officer shall make the determination. An appeal may be taken to the Planning Commission, then to the Town Council as provided in Chapter **17.72** of this Title.

Chapter 17.24

R-1 DISTRICT

Sections:

17.24.010 Purpose

17.24.020 Allowed uses

17.24.030 Conditional uses

17.24.040 Accessory uses

17.24.050 Lot, setback and density requirements

17.24.060 Site plan approval

17.24.010 Purpose.

The purpose of this district is to provide for useable open space, convenience, accessibility, utility and services, in areas planned for residential development within the Town. Mobile homes will not be allowed in the R-1 district.

17.24.020 Allowed uses.

A. Single-family dwelling units, (minimum square footage on ground level of dwelling unit must be 900 square feet) are allowed, except for mobile homes. Doublewide manufactured and modular homes are allowed in compliance with the following:
   1. Permanent foundation;
   2. Eaves of six inches or greater;
   3. Roof pitch of 3/12 or greater;
   4. No hitch system extending beyond foundation.

B. Agricultural uses, including temporary structures related to agricultural use. *(Amended March 24, 2011)*

C. Churches and Sunday schools.

D. Public parks and playgrounds.

E. Public schools.

F. Public buildings.

G. Minor home occupations.

17.24.030 Conditional uses.

The following uses are allowed, subject to the approval of the Planning Commission, pursuant to Chapter **17.60** of this Title.

A. Preschools, daycare for less than seven children.

B. Hospitals.

C. Major home occupations.

D. Membership Clubs.

E. Boarding or lodging house.

F. Nursing, rest and convalescent homes.

G. Other uses as approved by the Planning Commission and Town Council, and which are consistent with the intent and purpose of the district.

17.24.040 Accessory uses.

The following accessory uses are allowed subject to the approval of the Planning Commission.

A. Customary accessory structures and uses.

B. Signs, pursuant to Section **17.44.180** of this Title.

C. Private swimming pools as defined in Section **17.16.555** and **17.44.080** of this Title.

17.24.50 Lot, setback and density requirements.

A. Minimum lot area required for development is 8,625 square feet, or three existing and originally platted town lots. Larger lot sizes are allowed.

B. Principal building minimum setback requirements from the property line:

Front - five (5) feet
Side - ten (10) feet
Rear - ten (10) feet

Where principal building is on a corner lot, the front setback would apply to both streets. *(Amended October 28, 2010)*

C. Accessory buildings, additional requirements:

1. Setbacks:

   Front - five (5) feet
   Side - ten (10) feet
   Rear - ten (10) feet
   Alley - (0) feet

   Distance between buildings on the same or adjacent lots– six (6) feet.

2. Height of accessory buildings shall be no higher than twenty-five (25) feet.

3. An accessory building may be erected prior to the construction of the principal building provided that:

   (a) The accessory building is so placed as to not to prevent the practicable and conforming location of the principal building, as shown by location on a site plan.

   (b) The principal building is completed within two (2) years from the date of issuance of the permit for the accessory building.

   (c) Upon completion and occupancy of the principal building, use of the accessory building as a principal building is discontinued and the accessory building becomes customarily incidental to the use of the principal building.

   (d) For the purpose of this title temporary structures related to agricultural use shall not be considered accessory buildings. *(Amended March 24, 2011)*

17.24.060 Site plan approval.

Site plan approval, as detailed in Chapter **17.56** of this Title, is required for all allowed uses.

Chapter 17.28

R-2 DISTRICT

Sections:

17.28.010 Purpose

17.28.020 Allowed uses

17.28.030 Conditional uses

17.28.040 Accessory uses

17.28.050 Lot, setback and density requirements

17.28.060 Mobile Home requirements

17.28.070 Site plan approval

17.28.010 Purpose.

The purpose of this district is to provide for useable open space, convenience, accessibility, utility and services, in areas planned for residential development within the Town. Mobile homes and mobile home parks will be allowed in the R-2 district.

17.28.020 Allowed uses.

The following uses are allowed subject to the approval of the Planning Commission pursuant to Chapter **17.52** of this Title.

A. Single family dwelling units, including mobile homes.

B. Multiple dwelling units on two (2) or more lots.

C. Agricultural uses including temporary structures related to agricultural use. *(Amended March 24, 2011)*

D. Churches and Sunday schools.

E. Public parks and playgrounds.

F. Public schools.

G. Public buildings.

H. Minor home occupations.

17.28.030 Conditional uses.

The following uses are allowed subject to the approval of the Planning Commission pursuant to Chapter **17.60** of this Title.

A. Preschools or Day Care for more than seven children.

B. Hospitals.

C. Major home occupations.

D. Membership clubs.

E. Bed and Breakfast establishments.

F. Nursing, rest and convalescent homes.

G. Other uses as approved by the Planning Commission and Town Council, and which are consistent with the intent and purpose of the district.

17.28.040 Accessory uses.

The following uses are permissible accessory uses subject to the approval of the Planning Commission pursuant to Chapter **17.52** of this Title.

A. Customary accessory structures and uses.

B. Signs pursuant to Section **17.44.180** of this Title.

C. Private swimming pools as defined in Sections **17.16.555** and **17.44.080** of this Title.

17.28.050 Lot, setback and density requirements.

A. Minimum lot area required for development is 5750 square feet or two (2) existing and originally platted town lots. Larger lots are allowed.

B. Principal building minimum setback requirements from the property line:

Front - five (5) feet
Side - ten (10) feet
Rear - five (5) feet

Where principal building is on a corner lot, the front setback would apply to both streets. (Amended October 28, 2010)

C. Accessory buildings, additional requirements:

1. Setbacks:

   Front - five (5) feet
   Side - five (5) feet
   Rear - ten (10) feet
   Alley - (0) feet

   Distance between buildings on the same or adjacent lots– six (6) feet.

2. Height of accessory buildings shall be no higher than thirty-five (35) feet.

3. An accessory building may be erected prior to the construction of the principal building provided that:

   (a) The accessory building is so placed as to not to prevent the practicable and conforming location of the principal building, as shown by location on a site plan.

   (b) The principal building is completed within two (2) years from the date of issuance of the permit for the accessory building.

   (c) Upon completion and occupancy of the principal building, use of the accessory building as a principal building is discontinued and the accessory building becomes customarily incidental to the use of the principal building.

   (d) For the purpose of this title temporary structures related to agricultural use shall not be considered accessory buildings. *(Amended March 24, 2011)*

17.28.060 Mobile Home requirements.

All mobile homes located within the Town of Encampment must comply with the requirements of Sections **17.44.440 – 510** of this Title.

17.28.070 Site plan approval.

Site plan approval, as detailed in Chapter **17.56** of this Title, is required for all allowed uses.

Chapter 17.32
PLANNED UNIT DEVELOPMENT (PUD) DISTRICT

Sections:

17.32.010 Purpose

17.32.020 General requirements

17.32.030 Application requirements

17.32.040 Review

17.32.050 Site plan approval requirements

17.32.010 Purpose.

The Planned Unit Development (PUD) is a development process which allows some variance from the strict application of bulk area and open space requirements of the zoning district regulations imposed in this Title. The purpose of the PUD is to allow flexibility and innovative design in development which will result in more economical use of land, provide for streets and utilities, improve the quality of development, preserve the natural and scenic features of land as open space and avoid development in potentially hazardous areas.

17.32.020 General requirements.

A. PUDs may include any uses allowed by right or by special review in a residential zoning district, including neighborhood business, school sites, other public buildings, parks and open space uses.

B. PUDs may or may not involve subdivision of land. Those involving subdivision of land must meet the submittal and review requirements set forth by the Subdivision Chapter of the Municipal Code, except that minimum right-of-way widths and roadway widths may be waived provided that adequate consideration is given to ingress and egress of emergency vehicles.

C. A tract or parcel of land proposed for a PUD must be under one ownership, or the application must be filed jointly by the owners of the property included in the PUD. Evidence of all owners' agreement to the proposal must also be submitted.

D. District Regulations, such as lot sizes, setbacks, etc., may be varied in accordance with minimum requirements herein established to provide for appropriate use of the individual qualities of the site. Maximum allowed height of structures is thirty-five (35) feet.

E. Off-Street Parking – two spaces per dwelling unit. The parking provisions are listed in Sections **17.44.360 - 430** of this Title.

F. Open Space Requirements – a minimum of 20 percent of the total area of the site shall be reserved as common open space. Common Open Space is defined as open air areas designed for use by owners and inhabitants of the property, including recreational facilities, parks, garden areas, but does not including streets, roadways or parking areas.

17.32.030 Application requirements.

An application for approval of a Planned Unit Development may be filed by a person having an interest in the property to be included in the PUD. The application will be made on a form provided by the Town and must include a consent by the owners of all property to be included in the PUD. The application must be accompanied by a site plan and a written statement of design.

A. Site Plan – A complete site plan showing the major details of the proposed PUD

prepared at a scale of not less than 1" = 50', but a multiple of 1" = 10', shall be submitted in sufficient detail to evaluate the land planning, building, design and other features of the PUD. The site plan must contain, insofar as applicable, the following minimum information:

1. The existing topographic character of land; at a two-foot contour interval;
2. Proposed land uses;
3. The location and size of all existing and proposed buildings, structures and improvements;
4. The maximum height of all buildings;
5. The density and type of dwellings;
6. Locations and dimensions of the internal traffic and circulation systems, off-street parking areas, number of parking spaces, service areas, loading areas, and major points of access to public rights-of-way;
7. The location, height and size of proposed signs, lighting and advertising devices;
8. Areas which will be conveyed, dedicated or reserved as common park areas, including public parks and recreational areas, and sites for schools or other public buildings;
9. Areas within the 100-year flood plain;
10. A general landscape plan at the time of initial submission, followed by a detailed landscaping plan, once the site plan has been approved, showing the spacing, sizes and specific types of landscaping material.

B. Written Statement - The written statement to be submitted with the PUD application must contain the following information:

1. A statement of the present ownership and a legal description of all the land included in the plan;
2. An explanation of the objectives to be achieved by the PUD, including building descriptions, sketches or elevations as may be required to describe the objectives;
3. A development schedule indicating the approximate date when construction of the PUD can be expected to begin and be completed;
4. Copies of any special agreements, conveyances, restrictions or covenants, which will govern the use, maintenance and continued protection of the PUD and any of its common area.

17.32.040 Review.

A. The Town Clerk shall receive all site plans and upon determination that the application is complete shall forward such plans to appropriate agencies and the Planning Commission for review.

B. The Planning Commission shall review the application and make a recommendation for approval, denial or approval with contingencies to be forwarded to the Town Council for final action. The Planning Commission may postpone the decision, with reasonable cause, for a maximum of 35 days to allow the applicant time to prepare any additional information that may be requested or required.

C. Upon receipt of the recommendations from the Planning Commission and relevant agencies, the Town Council shall hold a public hearing on the application and shall grant the application, whole or in part, with or without modifications and conditions, or deny the application.

17.32.050 Site plan approval requirements.

The Town Council must be satisfied that the site plan for the PUD has met each of the following criteria or can demonstrate that one or more of them is not applicable and that a practical solution consistent with the public interest has been achieved for each of these elements:

A. That there is an appropriate relationship to the surrounding area and there must be a minimum 30-foot buffer zone in any PUD that is adjacent to a low-density residential use district. The buffer zone must be kept free of buildings or structures and must be landscaped, screened or protected by natural features, so that adverse effects on surrounding areas are minimized.

B. Circulations in terms of an internal street circulation system designed for the type of traffic generated, safety, separation from living areas, convenience, access, noise and exhaust control. Private internal streets may be allowed if they can be used by police and fire department vehicles, as well as other vehicles, for emergency purposes. Bicycle traffic shall be considered and provided for when the site is used for living purposes. Proper circulation shall be provided in parking areas in terms of safety, convenience, separation and screening.

C. Functional Open Space in terms of: optimum preservation of natural features including trees and drainage areas, recreation, views, density relief, convenience and function.

D. Variety in terms of: housing type, densities, facilities and open space.

E. Privacy in terms of the needs of: individuals, families and neighbors.

F. Pedestrian traffic in terms of: safety, separation, convenience, access to points of destinations, and attractiveness.

G. Building type in terms of appropriateness to density, site relationship and bulk.

H. Building design in terms of: orientation, spacing, materials, color and texture, storage, signs and lighting.

I. Landscaping of total site in terms of: purpose such as screening or ornamental types and materials used, if any; and maintenance, sustainability, suitability, and effect on the neighborhood.

J. All site plans for PUDs, including modifications or conditions, shall be approved by the Town Council. The applicant shall file the approved PUD site plan with the Planning Department who shall indicate on the zoning district map that a PUD has been approved for the area included in the site plan.

Chapter 17.36

Business District

Sections:

17.36.010 Purpose

17.36.020 Allowed uses

17.36.030 Conditional uses

17.36.040 Accessory uses

17.36.050 Lot, setback and density requirements

17.36.060 Site plan approval

17.36.010 Purpose.

The purpose of this district is to provide for appropriately designed business, business retail, professional or personal service facilities and dwellings convenient to expanding residential development areas.

17.36.020 Allowed uses.

Uses allowed in the Business District shall be as follows:

A. Retail store or shop, business center development.

B. Office building for financial institution, real estate or insurance office, professional service such as lawyer, doctor, dentist, studio or agency, medical office buildings, or hospital.

C. Barbershop, beauty shop, self-service laundry or dry cleaning establishment or pickup agency, tailor or dressmaker shop, or other personal service shop.

D. General appliance servicing and appliance repair shop.

E. Restaurant, café, tavern or other place serving food and beverages.

F. Membership club, theater, church.

G. Day Care center, nursing, rest or convalescent home.

H. Any allowed use in the R-1 or R-2 districts with the exception of Mobile Homes which shall be restricted to established Mobile Home Parks. Mobile Homes located in the Business District as of the date of this title shall be considered a Legal Non-conforming Structure. *(Amended January 16, 2016)*

I. Recreational (RV) Parks subject to site plan approval pursuant to chapter **17.56** of this title. *(Amended February 9, 2012)*

17.36.030 Conditional uses.

The following uses are allowed subject to the approval of the Planning Commission pursuant to Chapter **17.60** of this Title.

A. Light manufacturing.

B. Buildings that exceed thirty-five (35) feet in height.

17.36.040 Accessory uses.

Accessory uses in the Business District shall be as follows:

A. Signs, pursuant to Sections **17.44.110 - 300** of this Title.

17.36.050 Lot, setback and density requirements.

Minimum lot and setback requirements for the Business District shall be as follows:

A. Minimum lot area for business development shall be 2,875 square feet or one (1) lot.

B. Minimum setbacks in the Business District shall be zero (0) feet from any property line.

C. Unattached accessory buildings shall be at least six (6) feet from the principal building.

D. No building shall exceed thirty-five (35) feet in height unless approved by the Planning Commission through application for a conditional use permit.

17.36.060 Site plan approval.

Site plan review is required for all new business district uses and additions, and conditional uses approved by the Planning Commission pursuant to Chapter **17.56** of this Title.

A. Site plan review is required for all conditional uses pursuant to the provisions in this Title.

Chapter 17.40

INDUSTRIAL DISTRICT

Sections:

17.40.010 Purpose

17.40.020 Allowed uses

17.40.030 Conditional uses

17.40.040 Accessory uses

17.40.050 Lot, setback and density requirements

17.40.060 Use regulations compliance

17.40.070 Site plan approval

17.40.010 Purpose.

The purpose of this district is to provide for industrial development in locations best suited for such development, and to avoid an uncontrolled mix with residential development.

17.40.020 Allowed uses.

Allowed uses in the Industrial District shall be as follows:

A. Any industrial mining and manufacturing use or industrial park which is not obnoxious, toxic, hazardous or offensive by reason of the emission of dust, smoke, fumes, gas, odors or noise beyond the Industrial District area boundaries.

B. Agricultural uses including temporary structures related to agricultural use. *(Amended March 24, 2011)*

17.40.030 Conditional uses.

The following uses are allowed subject to the to the Planning Commissions approval pursuant to Chapter **17.60** of this Title.

A. Any use in which nuisance conditions will exceed the industrial district boundaries.

B Any building, which exceeds thirty-five (35) feet in height.

C. Planned Unit Development.

17.40.040 Accessory uses.

Accessory uses in the Industrial District shall be as follows:

A. Accessory off-street parking and loading pursuant to the provisions Sections **17.44.360 – 430** of this Title.

B. Signs pursuant to the provisions in Sections **17.44.110 – 300** of this Title.

17.40.050 Lot, setback and density requirements.

Lot, setback and height requirements in the Industrial District shall be as follows:

A. Minimum lot area shall be 8,625 feet or three (3) lots for industrial development.

B. Minimum setback requirements for principal buildings:

Front - fifteen (15) feet which shall include a landscaped buffer of five (5) feet where it borders a street. Setbacks are measured from the edge of the property boundary. Landscaped buffers are allowed within the right-of-way of a street with approval from the Town or the Wyoming Department of Transportation.

Side - adequate to meet required employee and customer off-street parking and commercial loading.

Rear – zero (0) feet where property line adjoins an alley.

C. No building shall exceed a height of thirty-five (35) feet unless the additional height of the building is approved by the Planning Commission, pursuant to approval of a conditional use permit.

17.40.060 Use regulations, compliance.

Use of land in this district shall also conform to the provisions of Chapter **17.52** of this Title.

17.40.070 Site plan approval.

Site plan approval is required for all proposed industrial development. Site plan approval shall conform to Chapter **17.56** of this Title.

MINIMUM DIMENSIONS, SETBACK REQUIREMENTS, AND DENSITY

Zoning District	Minimum Dimensions		Minimum Setbacks (Principal Buildings)		Maximum Height
R-1	Lot size (square feet):	8,625	Front:	5’	25’
	Lot width:	75’	*Side:	10’	
	Lot depth:	115’	*Rear:	10’	
	Maximum gross density per lot (D.U./Lot):	1	*There shall be a minimum of 6’ between buildings on the same or adjacent lots.		
R-2	Lot size (square feet):		Front:	5’	35’
	Single family:	5,750			
	Duplex:	4,312			
	Multi-family:	1,434			
	Lot widths:				
	Single family:	50’			
	Duplex and multi-family:	75’	*Side:	10’	
	Lot depth (all):	115’	*Rear:	5’	
	Maximum gross density per lot (D.U./Lot):				
	Single family:	1	*There shall be a minimum of 6’ between buildings on the same or adjacent lots.		
	Duplex:	2			
	Multi-family:	6			
Business	Lot size (square feet):	2,875	Front:	0’	35’
			Side:	0’	
			Rear:	0'	
			*There shall be a minimum of 6’ between unattached accessory buildings and the principal building.		
Industrial	Lot size (square feet):	8,625	Front:	15’	35’
			Side: adequate to meet parking and loading		
			Rear: where property line adjoins and alley	0’	

Chapter 17.44

DEVELOPMENT STANDARDS

STRUCTURES

Sections:

17.44.010 Regulations, supplemental

17.44.020 Placement of accessory uses and structures

17.44.025 Shipping Containers / Intermodal Freight Containers

17.44.030 Height

17.44.040 Corner clearance

17.44.050 Undeveloped space or tract

17.44.060 Gross floor area

17.44.070 Public garages and gas station

17.44.080 Pools, private

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17.44.100 Sanitation and water supply

SIGNS

Sections:

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17.44.120 Application

17.44.130 Permit required

17.44.140 Signs exempted

17.44.150 Signs prohibited

17.44.160 Size regulations

17.44.170 Computation of area and height

17.44.180 Signs in residential districts

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17.44.220 Signs in the public right-of-way

17.44.230 Signs projecting into the public right-of-way

17.44.240 Design and construction

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17.44.270 Alteration of non-conforming signs

17.44.280 Plan review information

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FENCES

Sections:

17.44.310 Purpose

17.44.320 Application

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OFF-STREET PARKING REQUIREMENTS

Sections:

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17.44.370 Plan approval required

17.44.380 Facilities required- new construction

17.44.390 Variance to off-street parking requirements

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MANUFACTURED AND MOBILE HOME PARKS

17.44.440 Purpose

17.44.450 Regulations

17.44.460 Standards

17.44.470 Applicability

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STRUCTURES

Sections:

17.44.010 Regulations, supplemental

17.44.020 Placement of accessory uses and structures

17.44.025 Shipping Containers / Intermodal Freight Containers

17.44.030 Height

17.44.040 Corner clearance

17.44.050 Undeveloped space or tract

17.44.060 Gross floor area

17.44.070 Public garages and gas station

17.44.080 Pools, private

17.44.090 Floodplain

17.44.100 Sanitation and water supply

17.44.010 Regulations.

This Chapter contains general supplemental regulations applying to districts and uses.

17.44.020 Placement of accessory uses and structures.

The placement of a private garage, accessory parking area or other accessory building or use shall be subject to the following requirements:

A. Accessory building may be constructed within zero (0) feet of any alley.

B. Nothing contained in this Section shall prevent the construction of a private garage as a structural part of a principal dwelling; provided, that when so constructed, the exterior walls shall be regarded as the walls of the principal dwelling in applying the front, rear and side setbacks of this Title.

C. Access driveways may be located within a side setback or a front setback as approved through the site plan process by the Planning Commission and Town Council.

D. Accessory buildings shall be on the same lot with the principal building or buildings, or on an immediately adjacent lot in the same ownership or control subject to the recording of a deed restriction or replat that binds the two lots together as a single use. Upon approval of the Planning Commission and Town Council, an accessory building shall be allowed across an alley from the principle building on a separately platted lot, under single ownership or control, and subject to the recording of a deed restriction or replat that binds the two lots together as a single use under single ownership. No accessory building shall be allowed on property located across a street right-of-way separating the accessory building from the principal building.

E. Required accessory parking areas and truck loading spaces shall have safe and adequate access to a public street either by a driveway on the same lot or by means of a permanent easement across an adjoining lot.

F. No required accessory parking area or off-street truck loading space shall be encroached by buildings, open storage or any other use.

G. Accessory private garages may be constructed within or under any portion of a principal building.

H. For the purpose of this title temporary structures related to agriculture use shall not be considered temporary structures. *(Amended March 24, 2011)*

17.44.025 Shipping Containers / Intermodal Freight Containers.

Shipping Containers/Intermodal Freight Containers, commonly referred to as "Conex" containers, require a permit pursuant to Chapter 17.52 the Encampment Municipal Code Zoning Ordinance and shall comply with the provisions in this section.

A. 1**. R-1 and R-2 District**.

Shipping Containers or Intermodal Freight Containers are allowed for accessory use only and must meet all requirements of this title. Shipping Containers or Intermodal Freight Containers shall be limited to one container per residence or to two containers for residential ownership of 6 lots or more.

2. **Business / Industrial Zones**

Shipping Containers or Intermodal Freight Containers are allowed for accessory use only and must meet all requirements of this title. The Town of Encampment reserves the right to restrict the number of containers in use in the Business or Industrial zones so as to maintain the character and intended purpose of the area.

B. Shipping Containers or Intermodal Freight Containers shall be allowed as an accessory use only and must meet all requirements of this title

C. Shipping Containers or Intermodal Freight Containers shall not be placed in any street, alley, right-of-way or public area.

D. Shipping Containers or Intermodal Freight Containers shall not be allowed for use as a residence.

E. Shipping Containers or Intermodal Freight Containers shall be un-branded and painted, encased or enclosed so as not to detract from the character of the neighborhood.

F. Shipping Containers or Intermodal Freight Containers shall not be stacked a and shall be placed on level ground in the interest of safety and stability.

G. A temporary permit for Shipping Containers or Intermodal Freight Containers may be obtained for containers used ancillary to a building project with a valid building permit. Shipping Containers or Intermodal Freight Containers allowed for temporary use must be removed within one year from the date the building permit is issued.

H. Shipping Containers or Intermodal Freight Containers permitted prior to the date of this title shall be considered a legal non-conforming use. *(section 17.44.025 adopted 01-11-2024).*

17.44.030 Height.

Nothing in this Title shall restrict the height of:

A. Church spire, cupola, dome, mast, belfry, or clock tower.

B. Radio or transmission line, water tank: the minimum height of any overhanging lines must be sufficient as to avoid conflicts with buildings, large vehicles or other objects located beneath the lines.

C. Tower, flagpole, chimney flue, elevator or stair bulkhead, stage tower, scenery loft or similar structure; provided that no structure shall:

1. Have lot coverage at the base in excess of ten (10) percent of the lot area.
2. Be used for residence or tenancy purposes.

3. Have any advertising sign or device inscribed on upon or attached to the structure.

D. Domestic wind generating towers shall be reviewed and approved as a conditional use by the Planning Commission and the Town Council pursuant to regulations in this Title.

E. All towers including cell towers (in residential districts and business districts) shall be reviewed and approved as a conditional use by the Planning Commission and Town Council. Ham radio towers and antennas which are in compliance with Part 97 of the Federal Communications Commission (FCC) regulations are exempt.

F. Any tower that is not operated on a functional basis for a period of six (6) consecutive months shall be deemed abandoned. The Zoning Officer may order the repair or removal of said tower. The applicant, owner, or other person responsible for the facility shall repair or remove the same within thirty (30) days of receipt of notification by certified mail. If said facility is not either operational or removed after thirty (30) days from the date of notification, the Town may remove the system at the owner's expense.

G. The Town reserves the right to enter upon and disconnect, dismantle or otherwise remove any tower should it become an immediate hazard to the safety of persons or property due to emergency circumstances, as determined by the Planning Commission, such as natural or man-made disasters or accidents, when the applicant, owner, or other person responsible for the facility is not available to immediately remedy the hazard. The Town shall attempt to notify any such applicant, owner, or other person responsible for the facility of such action within forty-eight hours. The applicant, owner, or other person responsible for the facility shall reimburse the Town for all costs incurred for action taken pursuant to this Section.

17.44.040 Corner clearance.

A. At all corner lots and all street intersections visual clearance shall comply with the sight distance triangle. (See Figure 5, Page 24.) The sight distance triangle refers to the corner sight distance available in intersection quadrants that allows a driver approaching an intersection to observe the actions of vehicles on the crossing leg(s). The clearance must be maintained extending back seventy-five (75) feet from the intersection of the centerline of the existing streets. The height of all construction, shrubs or other visual obstructions in this subtended triangle shall not exceed thirty-six (36) inches in height or four (4) foot opaque above the centerline of the streets. Trees shall have their branches trimmed to provide clear vision eight (8) feet above the centerline of the streets. (See Figure 5, Page 24.)

B. No solid fence shall form a visual blockade at the entrances to the alleyways. Chain link fences, hedgerows, or low shrubbery up to thirty (36) inches in height or four (4) foot opaque, are acceptable but should be maintained as to provide maximum visibility for vehicles entering traffic from alleyways.

17.44.050 Undeveloped space or tract.

No lot, setback court or other undeveloped space containing the minimum or less than the minimum required area under this Title shall be further divided or reduced without following subdivision and zoning requirements in the Town Code.

17.44.060 Gross floor area.

No single-family residence building shall hereafter be erected or altered, with a gross area (Exclusive of attached garages, porches, cellars and basement) of less than 900 square feet.

17.44.070 Public garages and gas stations.

All public garages and gas stations shall be so arranged and all gasoline pumps shall be so placed, as to permit all services to be rendered entirely within the lot lines. No gasoline or oil pump shall be placed within fifteen (15) feet of any street line or lot line, or within twenty feet of any residential district boundary lines.

17.44.080 Private swimming pools.

A. A private swimming pool accessory to a residential use, which is designed to contain a water depth of twenty-four (24) inches or more, shall not be located, constructed or maintained on any lot or land area, except in conformity with the requirements of these regulations. A permit shall be required to locate, construct or maintain a private swimming pool.

B. The pool shall be located in the rear yard only.

C. The pool shall be not less than fifteen (15) feet from side and rear lot lines.

D. If the water for the pool is supplied from a private well there shall be no cross-connection with any public or community water supply system.

E. If the water for the pool is supplied from the public water system, the inlet shall be above the over-flow level of the pool with sufficient air gap to prevent siphoning.

F. The pool shall be enclosed by a fence, no less than six (6) feet in height, equipped with self-locking gates to isolate the pool from other uses.

17.44.090 Floodplain.

A. No building shall be erected, structurally altered or relocated on, or any building permit issued for a site or tract which is subject to periodic flooding unless adequate provisions are made to insure flooding will not affect or damage the improvements and access thereto. Compliance must be met with the grading and drainage ordinance.

B. No building or structure, except a flood-control facility, dam or irrigation structure, shall be erected or located in a flood plain. Uses allowed in a floodplain shall be limited to flood control, recreation and parking. No construction except for a flood-control facility or dam 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 building permit shall be issued for construction or use in any floodplain unless specifically approved by the Town Council.

17.44.100 Sanitation and water supply.

A. No building permit shall be issued for the erection, alteration or relocation of a building for human use or occupancy which will not be connected to the municipal sewage system.

B. No building permit shall be issued for the erection, alteration or relocation of a building for human use or occupancy, which will not be connected to the municipal water system.

SIGNS

Sections:

17.44.110 Purpose

17.44.120 Application

17.44.130 Permit required

17.44.140 Signs exempted

17.44.150 Signs prohibited

17.44.160 Size regulations

17.44.170 Computation of area and height

17.44.180 Signs in residential districts

17.44.190 Signs allowed on vacant lots

17.44.200 Temporary signs

17.44.210 Portable signs

17.44.220 Signs in the public right-of-way

17.44.230 Signs projecting into the public right-of-way

17.44.240 Design and construction

17.44.250 Maintenance

17.44.260 Removal of signs

17.44.270 Alteration of non-conforming signs

17.44.280 Plan review information

17.44.290 Master sign permit

17.44.300 Real estate signs

17.44.110 Purpose.

The purpose of this regulation is as follows:

A. To encourage the effective use of signs as a means of communication in the Town.

B. To maintain and enhance the aesthetic environment and the Town's ability to attract sources of economic development and growth.

C. To improve pedestrian and traffic safety.

D. To minimize the possible adverse effect of signs on nearby public and private property.

E. To enable the fair and consistent enforcement of these sign restrictions.

17.44.120 Application.

Signs may be erected, placed, painted or maintained only in conformance with the standards, procedures, exemptions, and other requirements of this ordinance.

17.44.130 Permit required.

No sign shall be erected, hung, attached or displayed until a written application has been made to the Planning Commission and a permit has been issued.

17.44.140 Signs exempted from regulation.

The following signs shall be exempted from regulation under this ordinance:

A. Any public notice or warning required by a valid and applicable federal, state or local law, regulation or ordinance.

B. Emergency warning signs erected by a governmental agency, a public utility company, or a contractor doing authorized or allowed work within the public right-of-way.

C. Any company or trade logo which is integrated into the glass of a window or door of a building.

D. Signs displayed no longer than fourteen (14) days, such as:

1. Garage sales
2. Public announcements;
3. Wedding announcements;
4. Funeral announcements;

5. Reunion announcements;

6. Picnic announcements.

E. Political rallies and signs will be displayed pursuant to Town ordinance and removed five (5) days after election, including, but not limited to:

1. Handbills;

2. Posters or notices.

(Amended October 28, 2010)

F. House or family identification signs.

17.44.150 Signs prohibited under this ordinance.

Signs which are prohibited under this ordinance include, but are not limited to:

A. Beacons.

B. Temporary signs shall not be placed in public walks or travel ways.

C. Strobe lighting or flashing lights.

D. Building signs that extend more than six (6) inches into the public right-of-way.

E. Portable signs that are used for any purpose other than temporary signs.

F. Any sign that does not otherwise conform to the requirements of this ordinance.

17.44.160 Size regulations.

In all zoning districts the maximum size of allowed signs shall be in accordance with the regulations contained in the Table on Page 48. Identification, building marker, and exempt signs identified in Section **17.44.140** of this ordinance shall not be included in the computation of any sign restrictions.

17.44.170 Computation of area and height of signs.

The computations related to sign restrictions shall be made in accordance with the regulations in the Table on Page 48.

A. The area of a sign face is defined as: the area of a wall sign or a sign with only one face.

B. The sign area of a sign with two faces shall be calculated on the dimensions of a single face.

C. The height of a sign shall be calculated as the distance from the base of the sign at existing grade to the highest attached component of the sign

D. Lots fronting on two or more streets in business and industrial zones are allowed the allowed sign area allowed for each street frontage, provided that the total sign area, which is oriented toward a particular street, shall not exceed the maximum limits in the Table on Page 48.

17.44.180 Signs in residential districts.

Signs in residential zoning districts shall be limited to two types: freestanding and wall signs. Further, signs in residential districts shall be prohibited from advertising any business enterprise not conducted on the same lot.

17.44.190 Signs allowed on vacant lots.

Signs on vacant lots shall only be allowed in business and industrial districts. Such signs shall be limited to one sign per seventy-five (75) linear feet of road frontage, and be in compliance with the Table on 47 of this ordinance for the district in which it is located.

17.44.200 Temporary signs.

Temporary signs on private property shall be allowed only with the issuance of a temporary sign permit, which shall be subject to the following conditions:

A. A temporary sign permit shall allow the use of a temporary sign for a specified ninety (90) day period.

B. Only one temporary sign permit shall be issued to the same person, business, or organization on the same lot in any six (6) month period.

C. Temporary signs in business and industrial districts and shall be required to meet all of the requirements in the Table on Page 48.

17.44.210 Portable signs.

Portable signs shall only be allowed as temporary signs and shall meet all other sign ordinance requirements.

17.44.220 Signs in the public right-of-way.

No sign shall be allowed in the public right-of-way, except for the following:

A. Permanent signs, including:

1. Public signs erected by or on behalf of a governmental body to post legal notices, identify public property, convey public information, and direct or regulate pedestrian or vehicular traffic;

2. Informational signs of a public utility regarding its poles, lines, pipes or facilities;

3. Awning and suspended signs projected over a public right-of-way in conformity with the conditions of Section **17.44.230** of this Title.

B. Temporary signs in the public right-of-way shall be allowed only for signs meeting the following requirements:

1. Such signs shall contain no business message;

2. No more than two (2) signs shall be erected under one permit;

3. Each temporary sign shall be no more than nine (9) square feet in area.

C. Emergency signs erected by a governmental agency, a public utility company, or a contractor doing authorized or allowed work within the public right-of-way.

17.44.230 Signs projecting into the public right-of-way.

For any sign suspended or projecting above the public right-of-way, the issuance and continuation of a sign permit shall be conditioned on the sign owner obtaining and maintaining in force, liability insurance in the minimum amount of fifty thousand dollars ($50,000) per occurrence, per sign, assigned to the Town of Encampment.

A. Minimum height for signs suspended over or projecting above a public right-of-way shall be as follows:

1. Minimum height from the ground to the bottom of a sign extending over a sidewalk shall be seven (7) feet;

2. Minimum height from the ground to the bottom of a sign extending over a vehicle travel way shall be fourteen (14) feet;

3. Shall not project more than six (6) inches into the public right-of-way.

17.44.240 Design and construction.

All signs shall be designed and constructed in accordance with the following standards:

A. All signs shall comply with applicable provisions of the building and electrical codes adopted by reference by the Town of Encampment.

B. With exception of banners, flags, temporary signs, and window signs conforming in all respects with the requirements of this ordinance, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building, or another structure by direct attachment to a rigid wall, frame or structure.

17.44.250 Maintenance.

Every sign shall be kept in good repair. The ground space within a radius of ten (10) feet from any ground sign shall be kept free and clear of all weeds, rubbish and flammable material. Any sign or portion thereof declared unsafe by the Zoning Officer shall be restored to a safe condition or removed within fifteen days of receiving written notice. The property owner shall be ultimately responsible for all such signs on his/her property.

17.44.260 Removal of signs.

Any sign or portion thereof deemed unsafe by the Zoning Officer is declared a nuisance. After delivery of written notice to the owner, such signs may be abated in the manner of any other nuisance and the property owner may be charged the cost of such abatement. Removal should take place within seven (7) days of notification. Signs no longer in use shall be immediately removed by the property owner. Any sign not removed by the property owner within thirty (30) days shall be removed by the Town at the owner's expense. The Town shall exercise a lien against the property for any removal costs not paid by the property owner.

17.44.270 Alteration of non-conforming signs.

Nonconforming signs shall not be reconstructed in whole or in part, raised, moved, enlarged or altered except in conformance with this Chapter. Alterations shall not be interpreted as normal painting, maintenance, and repair, or changing of copy in signs designed to allow changeable copy. Nonconforming signs which have been damaged by fire, explosion, vandalism, act of God, or other means, to the extent that more than 50 percent of their market value has been lost, shall be rebuilt in conformance with the regulations of this Chapter.

17.44.280 Plan review information.

All requests for sign permits shall be accompanied by a dimensional drawing of the proposed sign(s), including their location, existing business signs on the premises, and the dimensions of the property or parcel and all buildings located thereon. Request and all attachments must be submitted to the Planning Commission prior to the approval of a sign permit.

17.44.290 Master sign permit.

For an applicant who wishes to permit two or more signs at the same time, a master sign permit may be obtained. The information required for this permit is the same as a regular sign permit except that all the signs may be allowed at the same time. Any changes will require an additional sign permit.

17.44.300 Real estate signs.

"For sale" or "For rent" signs are allowed, provided that such signs do not exceed six (6) square feet in area. Illumination of signs is prohibited. Not more than two (2) such signs shall be allowed on any one property or premises. Due to their temporary nature such signs shall not require a permit and may be placed in the front yard or on the house which is for sale or rent.

SIGNS

Number, Dimensions, Clearance and Location of Individual Signs by Zoning District

	R-1	R-2	Business	Industrial
Freestanding				
Area (square feet)	6	30	100	300
Overall Height	5'	5'	24'	35'
Setback from Property Line	5'	5'	5'	10'
Number Allowed Per Residence or Business	1	1	1	1
Building				
Area (square feet)	3	30	N/A	N/A
Percentage of Wall Area	N/A	N/A	20%	25%
Number Allowed	1	1	2	2

In addition to the setback requirements of this table, signs shall be located such that there is, at every intersection, a clear view between the heights of three (3) feet and ten (10) feet in a triangle formed by the corner and points and the curb thirty (30) feet from the intersection or entryway.

FENCES

Sections:

17.44.310 Purpose

17.44.320 Application

17.44.330 Permit required

17.44.340 Fences, prohibited

17.44.350 Height restrictions

17.44.310 Purpose.

The purpose of this regulation is to provide for appropriate fencing for the following purposes:

A. Contain children and/or pets.

B. Fence out stray animals.

C. Provide privacy.

D. Serve as property boundary lines.

E. Security.

17.44.320 Application.

Fences may be erected, placed and/or established only in conformance with the requirements of this Title.

17.44.330 Permit required.

No fence shall be erected until a written application for a permit has been approved by the Planning Commission.

17.44.340 Fences, prohibited.

Fences prohibited under this ordinance are:

A. Any construction on public property such as streets and alleys.

B. Electric fences are not allowed within the Town limits.

17.44.350 Height restrictions.

Height restrictions on fences are as follows:

A. No fence shall form a visual blockage at the entrance to an alleyway or at a street corner. (See Figure 5, Page 24.)

   1. Maximum height of a solid wooden fence is six (6) feet.

   2. Maximum height of any wire or opaque fence is eight (8) feet.

   3. Maximum height of a wooden (solid) fence is four (4) feet on an alleyway for a distance of five (5) feet from the street entrance.

   4. Maximum height of a wooden (solid) fence will be four (4) feet for a distance of ten (10) feet from the street corner or as required by the site distance triangle to avoid visual obstructions to traffic.

OFF STREET PARKING

Sections:

17.44.360 General regulations

17.44.370 Plan approval required

17.44.380 Facilities required - new construction

17.4.390 Variance to off-street parking requirements

17.44.400 Location of parking

17.44.410 Design standards

17.44.420 Drainage, surfacing and maintenance.

17.44.430 Loading and unloading

17.44.360 General regulations.

A. Off-street parking facilities shall be provided to lessen congestion on the streets. The facilities required in this Title shall be available to patrons throughout the hours of operation of the particular business or use for which the facilities are provided. As used in this Chapter, the term "parking space" includes either covered garage or uncovered parking space located off the public right-of way.

B. Outdoor parking space shall be deemed to be part of the open space of the lot on which it is located.

C. A garage or carport may be located wholly or partly inside the walls of the principal building, or attached to the outer walls. If separate from the principal building, the garage shall conform to all accessory or building requirements. The garage may be constructed under a yard or court, provided that the level of the other yards or courts shall conform to the general level of the other yards or courts on the lot. The space above an underground garage shall be deemed to be part of the open space of the lot on which it is located.

17.44.370 Plan approval required.

A. One copy of the plans for any off-street parking facilities shall be submitted to the Planning Commission for approval prior to the issuance of any permit to construct, enlarge, change the use of, or modify in any manner, any parking lot, business building or facility , industrial building or facility, or multi-family housing structure.

B. In the event the plans are not approved the applicant shall provide the Planning Commission with corrected plans or petition the Town Council for a waiver from specific requirements.

17.44.380 Facilities required - new construction.

Any buildings or uses hereafter erected for home occupation, business or industrial purposes shall be provided with no less than the minimum parking spaces required to meet employee and customer parking needs.

17.44.390 Waiver to off-street parking requirements.

An applicant may appeal any decision of the Planning Commission in regard to general parking requirements of the ordinance codified hereinto the Town Council by filing a written request for waiver. This written request shall include the following items:

A. A site plan of proposed parking requirements.

B. A statement of reasons for requesting a waiver including extenuating conditions.

C. Any other rationales which would tend to support the conclusion that the intent of

the ordinance codified herein would be met by the applicants plan.

17.44.400 Location of parking.

Except where specifically approved by the Town Council, no part of a public street or alley right-of-way may be used for required off-street parking spaces. In no case shall any on-street parking spaces be considered as satisfying any off-street parking requirements.

17.44.410 Design standards.

A. All dead-end parking lots shall be designed to provide sufficient back-up area for the end stalls of the parking lot.

B. Parking areas shall be designed so that each motor vehicle may proceed to and from parking space provided for it without requiring the moving of any other vehicle.

C. The width of entrance and exit drives shall be a minimum of twelve (12) feet for one way use only, and a minimum of twenty (20) feet for two way use, except where ninety degree parking is used in which case the minimum shall be not less than twenty-four (24) feet.

D. In all districts, except for single family dwellings, there shall be no less than six (6) feet of space between the curb line or wheel stop of any parking area and the outside wall of any building.

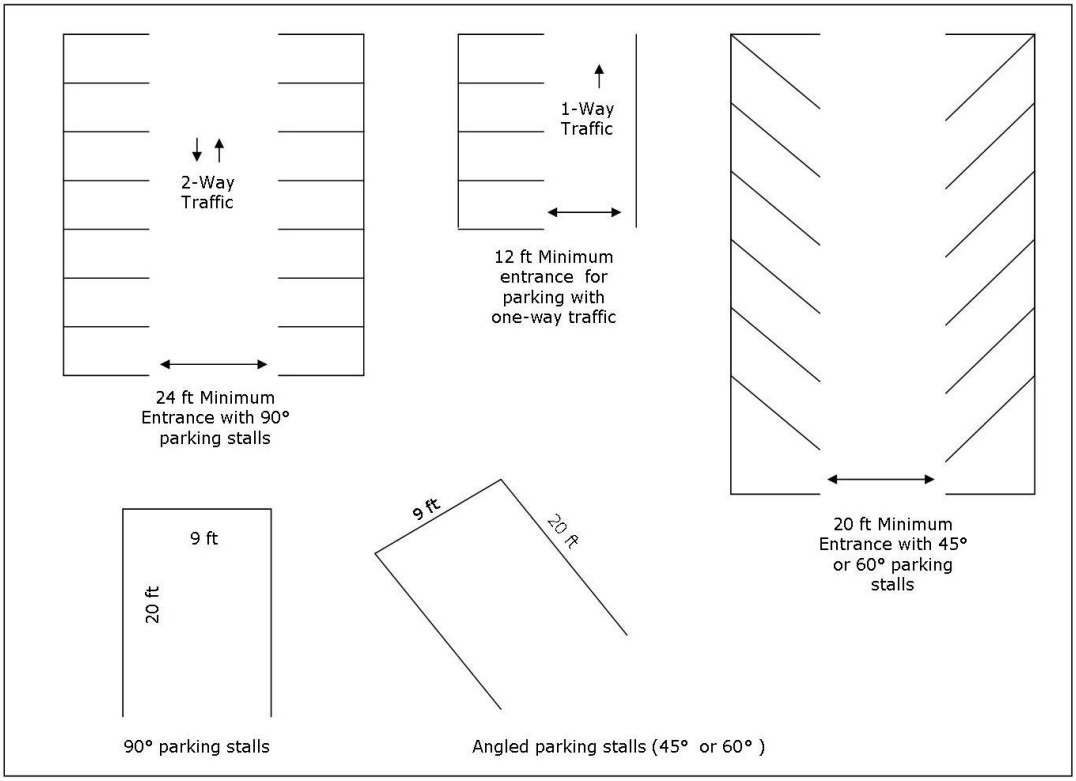
17.44.420 Drainage, surfacing and maintenance standards.

Parking areas shall be kept free from rubbish, debris and encroaching land uses at all times. Parking areas shall be constructed so stormwater exits the property at pre-development rates.

17.44.430 Loading and unloading space.

In addition to the off-street parking space otherwise required in this Chapter, all business and industrial establishments, hospitals and other similar uses exceeding ten thousand (10,000) square feet shall provide adequate off-street area for loading and unloading of supplies to and from vehicles.

Parking requirements per land use	
Use	**No. of Parking Spaces Required**
Churches	1 for every 4 seats in assembly
Home occupations (major)	5 spaces plus 1 per employee
Home occupations (minor)	2 spaces
Hotel	5 plus 1 for each guest room
Industrial / Warehousing Uses	1 space for every 1,000 sq ft
Membership club or theater	1 for each 100 square feet of floor area in principal area(s) of assembly
Multi-family Dwelling Units	1 space per bedroom
Office building	1 space for every 300 sq ft
Public parks and playgrounds	3 for first 10 acres, then 1 per 10 acres after
Restaurant, café, tavern or other place serving food	1 space for every 200 sq ft
Retail store or shop	1 space for every 500 sq ft
Schools (elementary/middle)	20 plus 2 per classroom
Schools (high)	1 per employee plus 1 per 10 students



MANUFACTURED AND MOBILE HOME PARKS

Sections:

17.44.440 Purpose

17.44.450 Regulations

17.44.460 Manufactured and mobile home standards

17.44.470 Applicability

17.44.480 Placement criteria

17.44.490 Location, restricted

17.44.500 Inspection criteria for manufactured homes older than 20 years

17.44.510 Non-conforming uses and structures

17.44.440 Purpose.

The purpose of this Title is to provide for useable open space, convenience, accessibility, utility and services, in districts approved for mobile home parks within the Town.

17.44.450 Regulations.

A mobile home park, in any district where allowed, shall be subject to the following additional provisions:

A. A mobile home park shall not be developed at a residential density greater than one trailer per two (2) lots.

B. Each mobile home space shall be connected to the municipal water supply and sewage treatment systems.

C. All interior mobile home park roads shall have a minimum hard surface width of twenty-five (25) feet within the park.

D. Each mobile home park shall provide recreational and open area, exclusive of mobile home spaces, amounting to no less than ten percent of the total park site.

E. A site plan of development shall be submitted with the application and shall show the design and arrangement of all the above requirements plus other proposed facilities, and conform to all requirements of this Chapter.

F. Full compliance with all setbacks:

1. The minimum distance between mobile homes or trailers on adjacent spaces shall in no case be less than twenty (20) feet.

2. Auxiliary buildings should be six (6) feet from trailer and not extend into the alley.

3. Setback from the street shall be five (5) feet.

17.44.460 Manufactured and mobile home standards.

It is the intent of this Chapter to promote land use compatibility, protect property values, and provide for the health safety and welfare for Manufactured/Mobile Home residents. It is unlawful within the Town of Encampment for any persons to place or park any manufactured or mobile home on any street, alley, highway or another public place, or on any tract of land owned by any person, firm, or corporation, occupied or unoccupied, except as provided in this Ordinance.

17.44.470 Applicability.

This Article shall be applicable to all Manufactured/Mobile Homes (as defined herein) within all areas of the Town of Encampment.

17.44.480 Placement criteria.

A. Each manufactured or mobile home must be supported on pins or blocking

constructed of masonry, block, brick or concrete. Installation instructions as provided by the manufacturer of the manufactured or mobile home shall be deemed a typical blocking installation. Any foundation system design, other than typical blocking, shall be stamped and signed by a Wyoming licensed professional engineer.

B. Each manufactured or mobile home shall be skirted with a waterproof, rigid, durable skirting material.

C. Each manufactured or mobile home shall be equipped so as to permit access to utility connections. All skirting shall be provided with a door or panel to permit ready access to utility connections.

D. Each manufactured or mobile home shall be anchored with tiedowns meeting the minimum standards.

E. All water, sewer, electrical and propane connections shall be inspected and approved by the supplying utility prior to use.

F. The manufactured or mobile home must meet the minimum standards for fire safety and protection in conformance with the applicable HUD standards at the time of original construction or as established by the Wyoming State Fire Marshall.

G. All appurtenant construction such as decks, walks, steps, handrails, sheds, accessory buildings, and other similar construction is subject to the applicable building code regulations adopted by the Town.

H. A minimum of two 10' x 20' off-street parking spaces must be provided for each manufactured or mobile home on the same lot or lots on which the mobile home is located. If off-street parking for a non-conforming manufactured or mobile home, as defined below, is provided between the dedicated street or right-of-way and the non-conforming mobile home, then the distance between the dedicated street or right-of-way and the hitch, or wall if there is no hitch, of the non-conforming mobile home must be at least twenty (20) feet.

I. No non-conforming manufactured or mobile home, as defined below, shall be located within ten (10) feet of any dedicated alley right-of-way line, and the 10-foot setback area shall not be used for off-street parking.

J. No manufactured or mobile home shall be moved, located or relocated within the Town of Encampment without having first secured a written permit for the movement, location, or relocation of said manufactured or mobile home from the Town of Encampment.

17.44.490 Location, restricted.

No manufactured or mobile home shall be located, placed, or installed at any location within the Town of Encampment except as follows:

A. A single manufactured or mobile home, if it is the only principle building on a single lot of record, may be located in an R-2 District or in a developed mobile home park.

B. A manufactured or mobile home may be located in an established mobile home park provided the established mobile home park meets all licensing requirement and all other applicable regulations and codes as set by the Town of Encampment.

C. No manufactured or mobile home shall be located within six (6) feet of any other building on the same or adjacent lot.

D. Manufactured or mobile homes shall not be allowed, permitted or used for as an accessory purpose or as a storage building after the effective date of this Article. Those manufactured or mobile homes utilized as accessory structures or for storage prior to the effective date of this Chapter shall be deemed legal non-conforming uses and allowed to continue until such time as the use of those structures are discontinued for one hundred (180) days.

17.44.500 Inspection criteria for manufactured homes older than 20 years.

All manufactured and mobile homes twenty (20) years and older as measured from the date of proposed installation must be inspected prior to moving, locating, relocating or installation and a manufactured home permit application must be provided to the Town of Encampment. It shall be the responsibility of the owner to provide proof of inspection by a licensed building contractor, engineer or qualified home inspector. No such manufactured or mobile home may be occupied prior to the issuance of a manufactured home permit and payment of appropriate fees. Each such manufactured or mobile home shall be inspected for compliance with the following minimum criteria before a manufactured home permit will be issued.

A. All electrical wiring shall be in compliance with the applicable codes in place at the time the building was manufactured. Any new, altered, modified or replaced wiring shall be in compliance with the current, adopted version of the National Electrical Code.

B. Shall have appropriate operational fire alarms installed.

C. All floors shall be solid and stable. Any penetrations of the floor shall be sealed.

D. All roofs shall be solid and stable without any sag.

E. No evidence of significant wood rot or mold shall exist.

F. The exterior of the building shall be properly maintained and painted.

G. Any additions, modifications, or alterations to the building shall have been constructed with appropriate building permits.

H. The manufactured or mobile home maintains the same structural integrity as it did when it was manufactured.

I. The manufactured or mobile home shall not have any broken windows.

J. All HVAC systems shall be working and installed in accordance with the regulations in place at the time the building was manufactured. All new installations shall be in conformance with the most recent adopted edition of International Building Codes.

K. The Owner must have proof that the manufactured or mobile home meets the established thermal, wind and roof load requirements for Wyoming.

17.44.510 Non-conforming uses and structures

A. Non-conforming manufactured or mobile homes legally located within the Town of Encampment on the effective date of this ordinance and in use for residential purposes may continue at that certain location and continue to be utilized for residential purposes. The non-conforming manufactured or mobile home may not be relocated to any other property unless it has been inspected and brought into conformance with this

ordinance and issued a building permit. It shall be the responsibility of the owner to provide proof of inspection by a licensed building contractor, engineer or qualified home inspector. At such time as any legal non-conforming manufactured or mobile home ceases to be utilized for residential purposes or is vacant for a period of one hundred eighty (180) days, it must be removed from the property.

B. Manufactured and mobile homes located within the Town on the effective date of this ordinance which have not been certified under the "National Manufactured Housing Construction and Safety Standards Act of 1974," 42 U.S.C. 5401, et seq., as amended, are hereby declared legal non-conforming structures, but shall not be replaced by another manufactured or mobile home that is not in compliance with applicable HUD standards unless the replacement manufactured or mobile home has been inspected and brought into conformance with this ordinance and issued a building permit.

Chapter 17.48

NON-CONFORMING USES, LOTS AND STRUCTURES

Sections:

17.48.010	**Non-conforming uses prohibited**
17.48.020	**Continuation**
17.48.030	**Restoration**
17.48.040	**Termination**
17.48.050	**Repairs and maintenance**
17.48.060	**Non-conforming lots**
17.48.070	**Non-conforming uses of Land**
17.48.080	**Non-conforming structures**

17.48.010 Non-conforming uses, prohibited.

Any nonconforming structure, or use of same, shall be prohibited.

17.48.020 Continuation.

Any lawful use which occupies any building, structure or lot prior to the effective date of this ordinance may be continued as a non-conforming use in its present location.

17.48.030 Restoration.

A. If a building or structure utilized for a non-conforming use is damaged it may be reconstructed, or used as before, provided that:

   1. The floor area that existed prior to the damage is not increased;
   2. Reconstruction commences within twelve (12) months of such happening;
   3. It is completed within one (1) year after reconstruction is started. The Planning Commission will entertain a request of extension of the time with sufficient evidence of extenuating circumstances.

B. A nonconforming building or structure that is devoted to a conforming use may be reconstructed, structurally altered, restored or repaired in whole or in part, provided the degree of nonconformity is not increased.

17.48.040 Termination.

A nonconforming use shall be deemed to have terminated and shall not be reinstated:

A. When it is changed to a conforming use.

B. When it has been discontinued or unavailable for that same use for a period of one (1) year.

C. When such use has been abandoned by its owner.

17.48.050 Repairs and maintenance.

Normal maintenance and repairs of a building or other structure containing a nonconforming use is allowed provided the degree of nonconformity is not increased.

17.48.060 Non-conforming lots.

Any lot of record which existed prior to the effective date of this Title may be used in accordance with the requirements of that district. Such lots must be in separate ownership and not of continuous frontage with other lots in the same ownership. This provision shall apply even though such lots may fail to meet the requirements for lot area that are generally applicable to the district,

provided that all other development requirements are met. Variance of the physical dimensional requirements (minimum lot size or width for example) shall be obtained only through the Planning Commission and Town Council.

If two or more lots or combination of lots and portions of lots with continuous frontage are in single ownership of record at the time of passage or amendment of this Title, and if all or part of the lots do not meet the requirements established for the area, the land involved shall be considered to be an undivided parcel for the purpose of this Chapter and no portion shall be used or sold in a manner in noncompliance with the lot area requirements of this Chapter, nor shall any division of any parcel be made which creates a lot area below the requirement stated by this Chapter.

17.48.070 Non-conforming Uses of Land.

Where, at the time of passage of this Chapter, lawful use of the land exists which would not be allowed by the regulations imposed by this Chapter, the use may continue provided:

A. No such non-conforming use shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this Title.

B. No such non-conforming use shall be moved in whole or in part, to any portion of the lot or parcel other than that occupied by such use at the effective date of adoption or amendment of this Title.

C. If any such non-conforming use of land ceases for any reason for a period of more than one (1) year, any subsequent use of such land shall conform to the regulations specified by this Section for the district in which such land is located.

D. No additional structure not conforming to the requirements of this Chapter shall be erected in connection with such non-conforming use of land.

17.48.080 Non-conforming Structures.

Where a lawful structure exists at the effective date of adoption or amendment of this Title that could not be built under the terms of this Chapter by reason of restrictions or area, lot coverage, height, setbacks, its location on the lot, or other requirements concerning the structure, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

A. No such non-conforming structure may be enlarged or altered in a way which increases its nonconformity, but any structure or portion thereof may be altered to decrease its nonconformity.

B. Should such non-conforming structure or non-conforming portion of a structure be destroyed by any means to an extent of more than seventy five percent (75%) of its replacement cost at the time of destruction, it shall not be reconstructed except in conformity with the provisions of this Chapter.

C. Should such structure be moved for any reason for any distance whatsoever, it shall thereafter be in conformance with the regulations for the district in which it is located after it is moved.

Chapter 17.52

PERMITS

Sections:

17.52.010 Permit required

17.52.020 Application

17.52.030 Determinations required

17.52.040 Records

17.52.050 Expiration

17.52.010 Permit required.

A permit is required for:

A. The erection, alteration, enlargement, or moving, in whole or in part, of any building or structure including fences, signs, and any concrete or paving improvements.

B. For the change in use of any building, structure, premises or lot.

C. All building permit applications shall be submitted to the Planning Commission, who shall approve or deny such application at a regularly scheduled meeting.

D. The Planning Commission shall permit construction of conditional uses only after approval. The Planning Commission may refer an application for further review and final approval to the Town Council.

17.52.020 Application.

Application for all permits shall be made to the Planning Commission in writing. The application shall include:

A. Site plan and supporting data.

B. Information and plans necessary for full evaluation by the Planning Commission.

C. The application shall include payment of the fee. Fee amount shall be determined from time to time by resolution of the Town Council.

17.52.030 Determination required.

The Planning Commission must take action on all applications within sixty-five (65) days from the date of receipt of the application, unless the applicant agrees upon continuation.

17.52.040 Records.

Records of all applications and decisions rendered, together with all maps, drawings and descriptions of conditions applied shall be kept and maintained as described in Chapter **2.48.010** (Records Management). A copy of the decision rendered and conditions applied shall be made available to the applicant.

17.52.050 Expiration.

All permits approved and issued by the Town are valid for one year from the date of issuance. Extensions of up to six months can be granted by the Planning Commission. Permits for construction shall expire within 18 months where no substantial construction progress has been made, and when full construction has not been completed within two years of the date of issuance.

Chapter 17.56

SITE PLAN APPROVAL

Sections:

17.56.010 Site Plan Approval

17.56.020 Approval Criteria

17.56.030 Definition

17.56.040 Procedure

17.56.050 Waivers

17.56.010 Site Plan Approval.

Any allowed uses in this Title, including those in the Planned Unit Development District, shall require site plan approval. The site plan shall be submitted in adequate detail to permit the Planning Commission to evaluate the plan to determine its conformance with these provisions. Building permits shall not be issued until the site plan is certified as to conformance with this Title.

17.56.020 Approval Criteria.

The Planning Commission and Town Council shall approve site plans that meet the standards found in this Chapter and the following criteria:

A. Is compatible with the goals and policies of the Town of Encampment Community Development Plan.

B. Promotes the efficient use of land by sound arrangement of buildings, safe and functional points of access, well planned parking circulation, and adequate sidewalks and pathways for pedestrians.

C. Provides for usable open space within multi-family complexes, such as bicycle paths, playground areas, courtyards, areas for active recreation, swimming pools, landscaping, outdoor seating or picnic areas, and similar open space.

D. Preserves and utilizes existing landscape features and amenities where possible, and blends such features with the new structures and other improvements.

17.56.030 Definition.

The site plan is a plot plan of the entire area to be developed. It shows the location and size of buildings, the area of the land under consideration, street names and widths, parking area size, and all other items required on the site plan checklist. A site plan is required for all construction, alterations, or additions including fences, signs, and concrete work.

17.56.040 Procedure.

A. A complete site plan application shall be submitted to the Planning Commission. The application shall consist of:

1. An original and two copies of the site plan application form;

2. Two copies of the site plan containing all information required on the checklist;

3. A drainage plan providing for surface drainage and the effect the surface drainage will have on the area under consideration and adjoining areas, may be required by the Planning Commission or Town Council;

4. Natural hazards shall be identified and what action shall be taken to alleviate the problems including compliance with Section **17.44.090**, Floodplain;

5. Buffering measures for the areas between all multi-family, townhouse and condominium dwellings adjacent to single-family dwellings, and for all

PUD, business, industrial, and multi-family developments.

B. The procedure for submittal, approval or denial, and appeal for PUD site plans is set forth in this Title.

C. Site plan applications for proposed development 5,000 square feet in size or less may be approved by the Planning Commission. The application shall be reviewed for completeness within thirty (30) working days of receipt. If not complete, the Planning Commission shall notify the applicant and list the items needed to complete the application.

D. Site plan applications for proposed development exceeding 5,000 square feet in size must be reviewed by the Planning Commission and approved by the Town Council.

E. Applications must be submitted to the Town by 5:00 p.m. at least fifteen (15) days before the Planning Commission meeting at which the application is to be discussed.

1. The Planning Commission shall review the application for compliance with the site plan application requirements within thirty (30) working days of submittal. If not complete, the application will be returned to the applicant within thirty (30) days. Written notification shall include the reasons for the determination, and shall list the items needed to complete the site plan, drainage and/or the traffic studies, if required.

2. Incomplete applications shall not be placed on the Planning Commission agenda until resubmitted in complete and accurate form.

3. Applications deemed complete will be considered by the Planning Commission at its meeting. The applicant will be given the opportunity to discuss the site plan. Other interested parties will also be given an opportunity to comment.

4. The Planning Commission shall take one of the following actions on applications for proposed development 5,000 square feet in size or less: approve, approve with conditions, table, or deny. If the site plan is approved (with or without conditions), the applicant must sign a site plan agreement stating terms of approval and his/her willingness to comply with those terms. If the application is tabled, it shall be considered at the next regularly scheduled Planning Commission meeting and a decision to approve, approve with conditions, or deny shall be made.

   For applications exceeding 5,000 square feet in size, the Planning Commission shall take one of the following actions: recommend approval or approval with conditions, or denial to the Town Council, or table the application.

5. The Town Council shall consider any site plan exceeding 5,000 square feet in size at the next regularly scheduled Council meeting. The Council shall make a final determination to approve, table, or deny the site plan. If the site plan is approved (with or without conditions), the applicant must sign a site plan agreement stating terms of approval and his/her willingness to comply with those terms.

17.56.050 Waivers.

A. Requests for waivers of any requirement of a site plan including off-street parking

requirements or other requirements listed in this Title and on the site plan checklist (Page 63), may be considered subject to the following procedure:

1. Submission of a written request from the owner of record addressed to the Town of Encampment Planning Commission stating the rationale for the request and providing any documentation, diagrams, renderings, or photographs necessary to convey the intent of the waiver request;
2. Notification of the request and the date, time and place of the Planning Commission meeting where the waiver will be considered shall be mailed to property owners within a three hundred (300) foot radius of the subject property. No public hearing shall be required, however, the Planning Commission shall receive comments from meeting participants who desire to address the request;
3. The Planning Commission shall review the waiver request and forward a recommendation to the Town Council. In rendering their decision, the Commission shall consider such factors as proximity to other development and types of uses, man-made or natural barriers such as streets, drainages, draws, existing vegetation, slopes, etc., which achieve the intent of the buffering or landscaping requirement at a lower rate than is required by this Title. The Planning Commission may also consider alternative solutions which achieve the intent of parking, landscaping and/or buffering;
4. Requests for a reduction of off-street parking requirements shall be considered on the basis of use, number of employees, availability of on-street parking or shared parking with adjacent property owners;
5. The Encampment Town Council shall have the authority to approve, modify or deny all waiver requests.

SITE PLAN CHECKLIST

Site plans for business, industrial and planned unit development projects must be prepared by an architect, an engineer, a licensed civil engineer, a land surveyor, a planner, or a drafting technician. All items on the following checklist must be addressed on a site plan. All proposed items addressed on the checklist must be included on the finished physical development exactly as designated on the approved site plan.

1. _____ Legal description and common address(es) of the proposed site.

2. _____ Title block stating name of project, designer, and address and telephone number of designer.

3. _____ Names of all abutting property owners if other than the petitioner.

4. _____ Surrounding land uses and zoning on all abutting sides, including those lands separated from the land under consideration by a street, alley, or other roadway.

5. _____ Current zoning of the land under consideration and proposed zoning, if applicable.

6. _____ North arrow, scale of site plan at a scale of 1" = 10' or a multiple thereof, and date site plan was prepared.

7. _____ Land area dimensions.

8. _____ Dimensions of all setbacks and heights of all proposed buildings.

9. _____ Location and dimensions of all proposed off-street loading dock areas, including street access and traffic flow, to these areas.

10. _____ Location of all trash receptacles.

11. _____ Dimensions and locations of all advertising signs and fences.

12. _____ Any screening or screening devices used to minimize or eliminate areas which tend to be unsightly.

13. _____ Location of existing and proposed exterior lighting, heights of poles, and size and number of fixtures.

14. _____ Names and widths of all adjacent streets; dimensions and location of all public and private roadways, streets, or driveways, both paved and unpaved, including rights-of-way, pavement width, and proposed uses of rights-of-way.

15. _____ Location and dimensions of existing and proposed curb cuts and sidewalks.

16. _____ Off-street parking spaces, locations and dimensions, layout, traffic control, compact and handicapped parking spaces, including all surface markings such as directional arrows.

17. _____ Location of all wheel stops, bumper guards, and curbing warranted by topography or traffic and pedestrian circulation.

18. _____ Types of ground or yard surfacing throughout, grass, paving, gravel, etc.

19. _____ Existing and proposed easements.

20. _____ Vicinity map at a scale of 1" = 600' clearly indicating the location of the land in questions with respect to a large recognizable area.

21. _____ General notes to include a summary table on the site plan:

a. Total land area in acres or square feet. ☐
b. Total building area in square feet. ☐
c. Total square feet of building addition. ☐
d. Percentage of land covered by buildings. ☐
e. Building height(s). ☐
f. Number of stories and square footage per story of leasable space. ☐
g. Total number of parking spaces. ☐
h. Square footage of parking area(s). ☐
i. Percentage of land covered by parking. ☐
j. Square footage of all landscaped areas. ☐
k. Percentage of site covered by landscaping. ☐

22. _____ Numbering of items on the site plan to correspond to items on this checklist.

23. _____ Existing and proposed contours.

24. _____ Elevations of the building(s) to be constructed (front, rear, side).

25. _____ Surface drainage plan for sites at ten thousand (10,000) square feet or more.

26. _____ Pavement design report for parking areas.

27. _____ Traffic study (if required by the Town)

Chapter 17.60

CONDITIONAL USE PERMITS

Sections:

17.60.010 Authority

17.60.020 General

17.60.030 Purpose

17.60.040 Procedure

17.60.050 Revocation

17.60.010 Authority.

The Town Council shall have the power to grant permits for conditional uses listed in any zoning district and for other uses not specifically listed as a allowed or conditional use in the zoning district assigned to the property under consideration. Conditional uses will be evaluated based on the compatibility with the intent and purpose of the zoning district and compatibility with surrounding land uses.

17.60.020 General.

The Planning Commission shall hear the conditional use request. Upon determination that the request is not contrary to the public interest, the request is recommended to the Town Council. The Town Council has the power to approve a conditional use.

17.60.030 Purpose.

The purpose of a conditional use is to allow more intensive uses in zoning districts provided that surrounding properties are protected and the character of the area is preserved. Uses that may be allowed as conditional uses are specified under each zoning district. The Planning Commission and Council may approve uses temporarily, permanently or for a specific time interval. "Other Uses" not specifically listed as either an allowed or conditional use in the zoning district under consideration ("other uses"), may be considered provided they are not specifically excluded from the district as a listed use in another zoning district.

17.60.040 Procedure.

Requests for a conditional use permit shall be filed with the Planning Commission on a form supplied by the town personnel. The complete application and the filing fee must be submitted before the request is scheduled for a public hearing.

The application shall be legally noticed by the posting of a sign by a designated town official on the subject property at least fifteen (15) days prior to the date of the hearing and one publication of a notice by the Town in a newspaper of general circulation available in the Town not less than fifteen (15) days prior to the public hearing before the Planning Commission.

Notice of the hearing shall be given to the parties involved, including the applicant, town personnel, Planning Commission, affected agencies, and property owners within three hundred (300) feet of the subject property.

Planning Commission meetings are open to the public. The Planning Commission shall keep minutes of its proceedings showing the vote of each member upon each question or if the member was absent or failed to vote. The Planning Commission shall also keep records of its examinations and other official actions. All minutes are public records and shall be filed in the Town Clerk's office.

In rendering its decision, the Planning Commission shall consider and place such conditions as are necessary to ensure the use is compatible with the intent of the

applicable zoning district, the character of the neighborhood and surrounding uses. Conditions may include, but are not limited to, restrictions or provisions for signage, off-street parking, noise reduction, and limitations on the number of employees, equipment, and hours of operation.

The Town Council shall have final authority to approve any requests and to assign any conditions of approval.

17.60.050 Revocation.

Conditional use permits run with the land and succeed to the benefit of subsequent owners subject to the terms and conditions of approval. The Town Council may review or revoke any conditional use permit for non-compliance with the terms and conditions of issuance.

Chapter 17.64

VARIANCES

Sections:

17.64.010 Authority

17.64.020 General

17.64.030 Purpose

17.64.040 Procedure

17.64.010 Authority.

The Town Council shall have the power to grant a variance of the existing regulations. A variance can only be granted if there are specific site constraints including narrowness, shallowness, or specific shape constraints based on the topography of the site. In addition, a variance can be granted if the strict application of the regulations of this Title would result in peculiar and exceptional hardships upon the owner.

17.64.020 General.

The Planning Commission shall hear all variance requests. Upon determination that the variance request, from the requirements of this Title, is not contrary to the public interest, the request is recommended to the Town Council. The Town Council shall have the authority to approve or deny all variance requests.

17.64.030 Purpose.

Variances may be granted by the Town from the strict application of any of the requirements of this Title when a physical condition applying to a lot or building would deprive the owner of the reasonable use of the land or building involved. No adjustment in the strict application of any provision of this Title may be granted unless:

A. There are special circumstances or conditions, fully described in the Town's findings, which are peculiar to the land or building for which the adjustment is sought. The special circumstances or conditions do not apply generally to land or buildings in the neighborhood, and have not resulted from any act of the applicant subsequent to the adoption of the Title; and,

B. For reasons fully set forth in the Town's findings, the circumstances or conditions are such that the strict application of the provisions of the Title would deprive the applicant of the reasonable use of the land or building. Granting the adjustment is necessary for the reasonable use thereof, and the adjustment as granted is the minimum adjustment needed to enable reasonable use of the land or building; and,

C. Granting the adjustment is in harmony with the general purposes and intent of the Title, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

17.64.040 Procedure.

Requests for a variance shall be filed with the Planning Commission on a form supplied by town personnel. The complete application and the filing fee must be submitted before the request is scheduled for a public hearing.

The application shall be legally noticed by the posting of a sign by a designated town official on the subject property at least fifteen (15) days prior to the date of the hearing. A publication notice by the Town shall be placed in a newspaper of general circulation available in the Town not less than fifteen (15) days prior to the public hearing before the Planning Commission.

Notice of the hearing shall be given to the parties involved, including the applicant, town personnel, Planning Commission, affected agencies, and property owners within three hundred (300) feet of the subject property.

All Planning Commission meetings are open to the public. The Planning Commission shall keep minutes of its proceedings showing the vote of each member upon each question or if the member was absent or failed to vote. The Planning Commission shall also keep records of its examinations and other official actions. All minutes are public records and shall be filed in the Town Clerk's office.

The Planning Commission shall determine findings of fact and conclusions of law. Variances to this Title shall not be recommended by the Planning Commission unless it finds that:

A. There are exceptional or extraordinary circumstances and conditions, which are peculiar to the land or building, and which do not generally apply to land or buildings in the neighborhood, and literal application of this Title to the applicant's property will result in unnecessary hardship.

B. The hardship is due to unique circumstances and that the difficulties facing the applicant are different from those of neighboring properties.

C. The variance will not authorize a use other than those uses specifically listed as allowed or conditional uses in the zoning district in which the variance is sought.

D. The variance will not result in a gain in use, service or income for the applicant to a greater extent than available to other landowners in the vicinity.

E. Granting the variance will not merely serve as a convenience for the applicant but is necessary to alleviate a proven hardship related to the land or building.

The Planning Commission shall forward a recommendation to approve or deny the variance to the Town Council. The Planning Commission may postpone the decision, with reasonable cause, for a maximum of thirty-five (35) days. (If action is not taken within thirty-five (35) days, the permit shall be referred to the Town Council accordingly.)

At a duly noticed public hearing and within thirty (30) days of the Planning Commission hearing, the Council shall, make the final determination to approve or deny the variance based on findings of fact and conclusions of law. The decision shall be based on findings of fact and the grounds for the decision shall be included as part of the public record.

Chapter 17.68

AMENDMENTS TO ZONING ORDINANCE

Sections:

17.68.010	**Requirements**
17.68.020	**Petition**
17.68.030	**Petition contents**
17.68.040	**Hearing procedures**
17.68.050	**Planning Commission review**
17.68.060	**Town Council procedure**
17.68.070	**Town Council action**
17.68.080	**Costs**
17.68.090	**Annexed territory**
17.68.100	**Effect of denial**

17.68.010 Requirements.

Amendments to the text of this Title or changes to the district boundaries of the official Zoning District Map shall require the following action before adoption:

A. Completion of a public hearing before the Planning Commission after at least fifteen (15) days notice of the date, time and place of the hearing shall have been given by the method prescribed by Wyoming State Statute. The Planning Commission shall certify any proposed amendments to the Town Council; and

B. Completion of a public hearing before the Town Council after at least fifteen (15) days notice of the date, time and place of the hearing shall have been given by the method prescribed by Wyoming State Statute; and

C. Approval by official vote of a majority of the Town Council.

17.68.020 Petition.

A. A petition to amend the text of this Title or to alter the district boundaries of the official Zoning District Map shall be submitted to the Town Council and the Planning Commission for review and processing as outlined under Section **17.68.010** of this Title. The applicant shall include a fee in an amount to be determined from time to time by recommendation of the Planning Commission and resolution of the Town Council.

B. The Planning Commission may, on its own initiative, recommend to the Town Council, text amendments to the Title, and to the district boundaries on the Zoning District Map.

C. A text amendment or rezoning may be initiated by a petition of interested property owners or authorized agents of the owners, for rezoning of any land to a less or more restricted district.

D. Where property is sought to be rezoned on proposal other than one initiated by the Town Council or Planning Commission, the person(s) proposing the rezoning of property shall have a property interest in the total area of the property.

17.68.030 Petition contents.

A. The owner(s) of interest of property to be rezoned shall submit a petition requesting amendment of the Zoning District Map to the Planning Commission, who shall verify that the petition contains the following information:

   1. Legal description of the property to be rezoned;

2. Existing and proposed zoning districts applicable to the property;

3. Signatures and proof of ownership of the owners of the property to be rezoned.

B. Petitions requesting amendments to the text of the Zoning Ordinance shall include the name of the petitioner and reasons for the requested amendment.

C. The Planning Commission, after verifying completeness of the petition, shall establish a date of public hearing to hear evidence and information on the proposal.

17.68.040 Hearing procedures.

A. The Town Clerk shall publish notice of the date, time, and place of hearing, and a summary of the proposed amendment in a newspaper of general circulation available within the Town. Such notice shall be published at least fifteen (15) days prior to the date of such hearing.

B. A notice of the rezoning or the text amendment petition shall be posted along the property fronting a public street or other equally visible location, at least fifteen days prior to the hearing. The notice shall direct all inquiries about the petition to the Planning Commission.

C. A written notice of the public hearing shall be sent by first class mail at least fifteen (15) days prior the hearing to owners of the property within the proposed rezoning area. Written notice shall also be sent to the owner of record of each separately owned property within three hundred (300) feet of the proposed rezoning area within fifteen (15) days of the hearing.

D. Such notice by posting and by mailing is for convenience of the public only, and any omission thereof or defect therein shall in no way impair the validity of the proceedings for the proposed amendment.

E. Exception for a General Revision - When said Zoning District Map is in any way to be changed or amended incidental to or as a general revision of the Zoning Title, whether such revision be made by repeal of the existing Zoning Title and enactment of a new Zoning Title, or otherwise, said notice in this Section by posting and mailing shall not be required.

17.68.050 Planning Commission review.

A. Following the public hearing, the Planning Commission shall make an advisory report to the Town Council, recommending action on the proposal. The Planning Commission may postpone the decision, with reasonable cause, for a maximum of thirty-five (35) days. If action is not taken within thirty-five (35) days, the permit shall be referred to the Town Council accordingly. Any proposed amendment or change initiated by the Council shall be referred to the Planning Commission for review. Any amendment proposed by the Planning Commission shall be made to the Council as a recommendation accompanied by an advisory report.

B. The Planning Commission shall review each proposed amendment for conformity with the Comprehensive Plan, and the effect of the amendment on the stated intent of this Title and/or established district.

17.68.060 Town Council procedure.

A. After receiving the advisory report from the Planning Commission, the Town Council shall hold a public hearing before acting on the proposed

amendment. Notice of the time, date, and place of the hearing shall be published by town personnel, at least fifteen (15) days prior to the hearing, in a newspaper of general circulation available within the Town.

B. The application shall be legally noticed by the posting of a sign by a designated town official on the subject property at least fifteen (15) days prior to the date of the hearing.

17.68.070 Town Council action.

The Town Council shall, after conducting a public hearing and three readings on the zone change petition or text amendment, approve or deny the zone change or text amendment.

The zoning district map shall be amended to reflect the decision of the Town Council. If there is a protest against the amendment of a zoning district boundary or the text of the Zoning Title signed by twenty (20) percent or more of the area of lots within a distance of three hundred (300) feet of the subject property, the amendment shall become effective only upon an affirmative vote of three-fourths of the members of the Town Council.

17.68.080 Costs.

For individual applications for rezoning or text amendment, the Town Council may establish a fee to be charged for advertising and processing.

17.68.090 Annexed territory.

A. Zoning of land in the process of annexation may be done in accordance with the procedure and notice requirements of this Chapter. The proposed Zoning Title shall become effective when the annexation ordinance is passed on final reading and published. The annexation ordinance shall zone the property. If the zoning process is commenced prior to the effective date of the annexation ordinance, the legal protest area for rezoning shall be determined solely on geographic location, irrespective of whether the land in such legal protest area is within or without, or partly within and partly without, the limits of the Town of Encampment.

B. Any area annexed shall be brought under the provision of this Title and the zoning district map within ninety (90) days from the effective date of the annexation ordinance irrespective of any legal review which may be instituted challenging the annexation. During such ninety (90) day period, or such portion thereof as is required to zone the territory, the Town shall refuse to issue any building or occupancy permits for any portion or all of the newly annexed area.

17.68.100 Effect of denial.

If an application for amendment to this Zoning Title or map is denied, a new application for the same zoning change affecting the same property owners shall not be eligible for reconsideration for two (2) years after the denial.

Chapter 17.72

VIOLATION, PENALTY, APPEALS

Sections:

17.72.010 Penalty for violation

17.72.020 Civil action

17.72.030 Liability for damages

17.72.040 Appeals

17.72.050 Stays

17.72.060 Hearing of appeals

17.72.010 Penalty for violation.

No person shall locate, erect, construct, reconstruct, enlarge, change, maintain or use any building or land in violation of this Title. Any person who violates this Title may be punished by a fine of not less than fifty dollars ($50.00) and not more than seven hundred fifty dollars ($750.00).

17.72.020 Civil 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 Title, the Town Council, the Town Attorney, or any owner of real estate within the zoned areas may institute injunction, mandamus, abatement or any other appropriate action in law or in equity to prevent, enjoin, abate or remove the unlawful erection, construction, reconstruction, alteration, maintenance or use.

17.72.030 Liability for damages.

This Title shall not be construed to hold the Town of Encampment responsible for any damage to persons or property by reason of the inspection or reinspection authorized in this Title or failure to inspect or reinspect by reason of issuing a building permit, or in the administration and enforcement of this Title.

17.72.040 Appeals.

Appeal of action taken by the Planning Commission shall be made in writing to the Town Council.

17.72.050 Stays.

An appeal from a decision by the Planning Commission or its authorized representative shall stay all proceedings in furtherance of the action appealed from, unless the Planning Commission or its authorized representative certifies 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 unless the Town Council, on application or notice to the Planning Commission or its authorized representative and on due cause shown, stays the proceedings.

17.72.060 Hearing of appeals.

The Town Council shall fix a reasonable time for the hearing of the appeal, give public notice thereof, as well as due notice to the parties in interest, and decide the appeal within forty-five (45) days after the hearing. Upon the hearing, any party may appear in person or by agent or by attorney. The decision of the Town Council may be reviewed by the District Court in accordance with law.

Title 17 2009 Zoning Ordinance 1st Revision

Amendments to the 2009 Zoning Ordinance have been adopted as follows:

Section 17.24.050(B)- the language "*Where principal building is on a corner lot, the front setback would apply to both streets"* has been added.

Section 17.28.050(B)- the language "*Where principal building is on a corner lot, the front setback would apply to both streets"* has been added.

The diagram on page 37 has a typographical error in the section for Zoning District R1 that incorrectly identifies the rear setback requirement as 5'. This has been corrected to reflect the setback of 10'.

Section 17.44.140(e)-add language "*pursuant to Town ordinance and removed five (5) days after election…".*

1st reading: September 23, 2010
2nd reading: October 14, 2010
3rd reading: October 28, 2010

Passed, adopted and approved this 28th Day of October, 2010.

_____
Greg Salisbury, Mayor

Attest:

_____
Doreen Harvey, CMC
Deputy Clerk/Clerk of Court

Title 17
2009 Zoning Ordinance
2nd Revision

AN ORDINANCE ADOPTING AND ENACTING A REVISION TO THE TOWN OF ENCAMPMENT ZONING MAP AND ZONING ORDINANCE OF 2009; PROVIDING FOR A CHANGE IN ZONING DESIGNATION OF BLOCKS 43 AND 44 FROM R-2 TO BUSINESS.

Whereas, the Town of Encampment is the owner of Blocks 43 and 44 in the Town of Encampment;

Whereas, Block 43 and Block 44 border the edge of the Grand Encampment Business Park;

Whereas, the Town of Encampment recognizes the need to provide more land designated as Business District;

Whereas, the Business District included any allowed uses for the R-1 and R-2 districts;

Whereas, the Town of Encampment has held the required Public Hearings and made the required Public Notifications;

Whereas, the Town of Encampment has hereby determined that it is in the best interest of the Town of Encampment to affect such a change;

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF ENCAMPMENT, CARBON COUNTY, WYOMING that the following revisions be ordained;

Block 43 and Block 44 be rezoned to Business District.

1st reading: January 13, 2011
2nd reading: February 10, 2011
3rd reading: March 10, 2011

Passed, adopted and approved this _____ Day of _____, 2011.

_____
Greg Salisbury, Mayor

Attest:

_____
Doreen Harvey, CMC
Deputy Clerk/Clerk of Court

Title 17 2009 Zoning Ordinance 3rd Revision

AN ORDINANCE ADOPTING AND ENACTING A REVISION TO THE TOWN OF ENCAMPMENT ZONING ORDINANCE OF 2009; PROVIDING FOR THE USE OF TEMPORARY STRUCTURES RELATED TO AGRICULTURAL USE.

Whereas, the Town of Encampment recognizes the historical presence of agricultural use in our community;

Whereas, the Town of Encampment recognizes the need for temporary structures related to agricultural use in our community;

Whereas, the Town of Encampment recognizes the need for vacant lots to be utilized for grazing, thereby creating a need for temporary structures related to agricultural use where a primary structure may not exist;

Whereas, the Town of Encampment has held the required Public Hearings and made the required Public Notification;

Whereas, the Town of Encampment has hereby determined that it is in the best interest of the Town of Encampment to affect such a change;

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF ENCAMPMENT, CARBON COUNTY, WYOMING that the following revisions be ordained;

Pg. 20
17.16.560 Temporary Structure.
Any structure which will be removed upon the completion of construction of a permanent structure. Temporary structures can include mobile homes, construction trailers, traffic calming devices for major roadway construction, fencing or equipment storage buildings. For the purpose of this title temporary structures related to agriculture shall not be considered temporary structures.

Pg. 26
17.24.020 Allowed uses.
add:
B. Agricultural uses, including temporary structures related to agricultural use.

Pg. 27
17.24.050 (C) (3)
add:
(d) For the purpose of this title temporary structures related to agricultural use shall not be considered accessory buildings.

Pg. 28
17.28.020
add:
C. Agricultural uses including temporary structures related to agricultural use.

Pg. 29
17.28.050 (C) (3)
add:
(d) For the purpose of this title temporary structures related to agricultural use shall not be considered accessory buildings.

Pg. 35
17.40.020 create (A) and add (B)
B. Agricultural uses including temporary structures related to agricultural use.

Pg. 40
17.44.020
add:
H. For the purpose of this title temporary structures related to agriculture use shall not be considered accessory structures.

1st reading: February 10, 2011
2nd reading: March 10, 2011
3rd reading: March 24, 2011

Passed, adopted and approved this _____ Day of _____, 2011.

_____
Greg Salisbury, Mayor

Attest:

_____
Doreen Harvey, CMC
Deputy Clerk/Clerk of Court

TITLE 17 2009 ZONING ORDINANCE
4th Revision

AN ORDINANCE ADOPTING AND ENACTING A REVISION TO THE TOWN OF ENCAMPMENT ZONING ORDINANCE OF 2009; PROVIDING FOR RECREATIONAL (RV) VEHICLE PARKS AS AN ALLOWED USE IN THE BUSINESS DISTRICT.

Whereas, the Town of Encampment recognizes the need for Recreational (RV) sites in the Town of Encampment;

Whereas, the Town of Encampment recognizes that Recreational Vehicle (RV) Park is a use best suited to the Business District;

Whereas, the Town of Encampment has held the required Public Hearings and made the required Public Notification;

Whereas, the Town of Encampment has hereby determined that it is in the best interest of the Town of Encampment to affect such a change;

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF ENCAMPMENT, CARBON COUNTY, WYOMING that the following revisions to the 2009 Zoning Ordinance be adopted;

DEFINITIONS: Page 16 & 17 of Zoning Ordinance

17.16.380 "Recreational Vehicle"

"Recreational Vehicle (RV)" means vehicular type portable structure without permanent foundation, which can be towed, hauled, or driven and primarily designed as temporary living accommodation for recreational, camping and travel use and including, but not limited to, travel trailers, truck campers, pop up campers, camping trailers, and self-propelled motor homes, but shall not include "mobile homes" as defined in this section. The removal of the wheels or any similar transporting device, permanently fixing the structure to the ground, or otherwise rendering the structure immobile and preventing its ready removal will disqualify the structure as an RV under this definition.

17.16.385 "Recreational Vehicle Park"

"Recreational Vehicle (RV) Park" means a tract of land upon which one or more recreational vehicles sites are located, established or maintained for occupancy by the general public on a temporary or seasonal basis. Use of recreational vehicles as a permanent dwelling in an RV Park is prohibited. RV parks may not be occupied by mobile homes or any other structures except as an accessory building unless site plan approval has been given pursuant to Chapter **17.56** of this title.

BUSINESS DISTRICT: Page 33
17.36.020 Allowed Uses
add:

I. Recreational Vehicle (RV) Parks subject to site plan approval pursuant to Chapter **17.56** of this title.

1st reading: December 8, 2011
2nd reading: January 12, 2012
3rd reading: February 9, 2012

Passed, adopted and approved this 9th Day of February, 2012.

Greg Salisbury, Mayor

Attest:

Doreen Harvey, CMC
Deputy Clerk/Clerk of Court

TITLE 17 ZONING ORDINANCE
5th REVISION
TITLE 17.36.020(h)

AN ORDINANCE ADOPTING AND ENACTING A REVISION TO THE TOWN OF ENCAMPMENT ZONING ORDINANCE OF 2009; AMENDING THE ALLOWED USES IN THE BUSINESS DISTRICT BY CLARIFICATION THAT ALL USES FROM THE R-1 AND R-2 DISTRICTS ARE ALLOWED WITH THE EXCEPTION OF MOBILE HOMES WHICH SHALL BE RESTRICTED TO ESTABLISHED MOBILE HOME PARKS.

Whereas, the Town of Encampment has evaluated the Allowed Uses in the Business District; and

Whereas, the Town of Encampment recognizes that there are currently residential uses in the Business District which include mobile homes; and

Whereas, the Town of Encampment has evaluated the impact of mobile homes as an allowed structure in the Business District; and

Whereas, the Town of Encampment has held the required Public Hearing and made the required public notification; and

Whereas, the Town of Encampment has determined that it is in the best interest of the Town of Encampment to affect such a change;

NOW, THEREFORE BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF ENCAMPMENT, CARBON COUNTY, WYOMING that allowed uses in title 17.36.020(h) of the Zoning Ordinance of 2009 is amended as follows:

17.36.020 (H) Any allowed use in the R-1 or R-2 districts ***with the exception of Mobile Homes which shall be restricted to established Mobile Home Parks. Mobile Homes located in the Business District as of the date of this title shall be considered a Legal Non-conforming Structure.***

1st Reading: 11-12-2015
2nd Reading: 12-10-2015
3rd Reading: 01-14-2016

Passed, approved and enacted this 14 day of January , 2016 .

_____
Greg Salisbury, Mayor

Attest:

_____
Doreen Harvey, CMC
Clerk/Treasurer

ORDINANCE #2023-02

AN ORDINANCE CREATING SECTION 17.44.025 OF THE ENCAMPMENT MUNICIPAL CODE ADDRESSING THE USE OF SHIPPING CONTAINERS / INTERMODEL FREIGHT CONTAINERS WITHIN THE TOWN OF ENCAMPMENT AND ALLOWING FOR THE ADDITION OF A REFERENCE OF SECTION 17.44.025 TO THE "*ACCESSORY USES*" IN THE R-1 DISTRICT; R-2 DISTRICT; BUSINESS DISTRICT AND INDUSTRIAL DISTRICT.

17.44.025 Shipping Containers/Intermodal Freight Containers
Shipping Containers/Intermodal Freight Containers, commonly referred to as "Conex" containers, require a permit pursuant to Chapter 17.52 the Encampment Municipal Code Zoning Ordinance and shall comply with the provisions in this section.

A. 1**. R-1 and R-2 District**.
Shipping Containers or Intermodal Freight Containers are allowed for accessory use only and must meet all requirements of this title. Shipping Containers or Intermodal Freight Containers shall be limited to one container per residence or to two containers for residential ownership of 6 lots or more.

2. **Business / Industrial Zones**
Shipping Containers or Intermodal Freight Containers are allowed for accessory use only and must meet all requirements of this title. The Town of Encampment reserves the right to restrict the number of containers in use in the Business or Industrial zones so as to maintain the character and intended purpose of the area.

B. Shipping Containers or Intermodal Freight Containers shall be allowed as an accessory use only and must meet all requirements of this title

C. Shipping Containers or Intermodal Freight Containers shall not be placed in any street, alley, right-of-way or public area.

D. Shipping Containers or Intermodal Freight Containers shall not be allowed for use as a residence.

E. Shipping Containers or Intermodal Freight Containers shall be un-branded and painted, encased or enclosed so as not to detract from the character of the neighborhood.

F. Shipping Containers or Intermodal Freight Containers shall not be stacked a and shall be placed on level ground in the interest of safety and stability.

G. A temporary permit for Shipping Containers or Intermodal Freight Containers may be obtained for containers used ancillary to a building project with a valid building permit. Shipping Containers or Intermodal Freight Containers allowed for temporary use must be removed within one year from the date the building permit is issued.

H. Shipping Containers or Intermodal Freight Containers permitted prior to the date of this title shall be considered a legal non-conforming use.

First Reading: November 09, 2023
Second Reading: December 14, 2023
Third Reading: January 11, 2024

PASSED, APPROVED AND ADOPTED ON THIRD READING on this_____ day of _____, 2024.

TOWN OF ENCAMPMENT, WYOMING

_____
Shannon Fagan, Mayor

ATTEST:

_____
Doreen Harvey, CMC
Clerk/Treasurer

ATTESTATION:

I, Doreen Harvey, the Town Clerk for the Town of Encampment, Wyoming, do hereby verify that the above ordinance was duly and properly published or posted in the manner required by law.

_____
Doreen Harvey, CMC Clerk/Treasurer