

TITLE 15

ZONING

Chapters:

15-5	Title, Interpretation, Scope, and Definitions
15-10	Districts, Maps, and Boundaries
15-15	R-1 Residence District
15-20	R-2 Residence District
15-25	R-3 Residence District
15-30	R-4 Residence District
15-35	B-1 Business District
15-40	B-2 Business District
15-45	M-1 Industrial District
15-46	Planned Unit Development
15-47	Recreational Vehicle Parks
15-48	Site Plan
15-49	Landscaping Application
15-50	Special Permits
15-55	General Provisions and Exceptions
15-60	Nonconforming Uses
15-65	Board of Adjustment

CHAPTER 5

TITLE, INTERPRETATION, SCOPE, AND DEFINITIONS

Sections:

15-5-100	Short Title
15-5-110	Definitions

15-5-100. Short Title. This Chapter shall be known and may be cited as the “Zoning Ordinance.” (Ord. 73 §1, 1975)

15-5-110. Definitions.

(a) For the purpose of this Chapter, certain terms and words are herewith defined as follows:

- (1) “Accessory Building” means a building separate from the main building or residence.
- (2) “Accessory Use” means a use such as storage of main buildings or residence items or other items requiring storage for the purpose of storage only.
- (3) “Alley” means a public way which affords only secondary access to abutting property.
- (4) “Apartment Court” means a group of three or more housekeeping units or apartments used for permanent occupancy and not for transients which occupy a parcel of land in one

Ranchester 1/2014

ownership and have any yard or court in common. The term “apartment court” shall include also “bungalow court” or “dwelling court.”

(5) “Apartment House” (See Multiple Dwelling)

(6) “Basement” means that part of a building which is wholly or partly below grade, the ceiling of which is less than 4 feet above grade. A basement shall be deemed a story if the vertical distance from the grade to its ceiling is 4 feet or more.

(7) “Boarding House” means a building where for compensation and by prearrangement for definite periods of time, table board is provided for five or more persons.

(8) “Building” means a structure having a roof supported by columns or walls for the shelter, support or enclosure of persons, animals or chattels.

(9) “Building Height” means the vertical distance at the center of a building’s principal front measured from the established grade to the highest point in the copying of a flat roof, or to the deck line of a mansard roof, or to the mean height between eaves and ridge for a gable, hip or gambrel roof; provided that where a building is set back from the street line, the building height may be measured from the average finished grade along the front of the building.

(10) “Corner Lot” means a lot abutting upon two or more streets at their intersection.

(11) “Dwelling” means a building, or portion thereof, which is designed or used exclusively for residential purposes.

(12) “Family” means one individual, or a group of two or more persons related by birth or marriage, who occupy a single housekeeping unit, or a group of not more than four unrelated persons who occupy a single housekeeping unit.

(13) “Frontage” means the length of a property abutting on one side of a street measured along the street line.

(14) “Front Yard” means a yard extending across the full width of the lot and situated between the street line and the rear line of the building projected to the side lines of the lot.

(15) “Home Occupation” means any use customarily conducted entirely within a dwelling and carried on by the occupants thereof, which use is clearly incidental to the residential use and in connection with which there is no advertising sign other than one identification sign not more than one square foot in area, and no display visible from the exterior indicating that the building is used for any purpose other than a dwelling.

(16) “Hotel” means a building which provides a common entrance, lobby, halls, and stairways, and in which lodging is provided with or without meals to transient guests.

(17) “Interior Lot” means a lot other than a corner lot.

(18) “Lodging House” means a building other than a hotel or boardinghouse where lodging is provided for compensation for five or more persons. For the purposes of this Chapter, the term “lodging house” includes the term “rooming house.”

(19) “Lot” means land occupied or intended to be occupied by a main building and its accessory buildings, together with such open spaces as are required by this Chapter, and having its principal frontage on a public street or officially approved place. A lot may or may not be the land shown as a lot on a recorded subdivision plat.

(20) “Lot Depth” means the mean horizontal distance between the front and rear lot lines.

(21) “Mobile Home” means a portable unit designed and built to be towed on this own chassis, comprised of frame and wheels, connected to utilities, and designed without a permanent foundation for year-around living. A unit may contain parts that may be folded, collapsed or telescoped when towed and expanded later to provide additional living space.

(22) "Mobile Home Park" means a parcel of land which has been planned and improved for the placement of three or more mobile homes utilized for living purposes.

(23) "Multiple Dwelling" means a building or portion thereof, occupied by three or more families living independently of each other in separate housekeeping units or apartments. For the purposes of this Chapter the term "multiple dwelling" shall include the terms "row house," "apartment house," "apartment hotel," and "apartment court."

(24) "Nonconforming Use" means a building or land occupied by a use that does not conform with the use regulations of the district in which it is situated as established by this Chapter.

(25) "One-family Dwelling" means a detached building occupied by one family, which may include not to exceed four boarders or lodgers.

(26) "Parking Lot" means a parcel of land devoted to the parking of motor vehicles and available for use by the public.

(27) "Parking Space" means an area for the purpose of parking one automobile, having a minimum width of ten feet, and a minimum length of 22 feet, surfaced with concrete or asphalt, with access to a public street or alley.

(28) "Private Garage" means a detached building or part of a main building designed or used for the storage of not more than three privately owned motor vehicles, with no provision for repairing or equipping such vehicles for a business type purpose.

(29) "Public Garage" means a building other than a private or storage garage used for the housing of motor vehicles, or where such vehicles are equipped for operation, repaired or kept for remuneration, hire or sale.

(30) "Rear Yard" means a yard extending across the full width of the lot and situated between the rear line of the lot and the rear line of the building projected to the side lines of the lot.

(31) "Side Yard" means a yard between the building and the adjacent side line of the lot and extending from the front yard to the rear yard.

(32) "Storage Garage" means a building or portion thereof used exclusively for housing four or more motor vehicles.

(33) "Story" means that portion of a building, other than a basement, included between the surface of a floor and the surface of the floor next above it, or, if there be no floor above it, then the space between the floor and the ceiling next above it.

(34) "Street" means a public thoroughfare not less than 25 feet in width which provides the principal means of access to abutting property.

(35) "Street Line" means the boundary line between a street and the abutting lot of land.

(36) "Structural Alteration" means any change in the supporting members of a building, such as bearing walls, columns, beams or girder

(37) "Structure" means anything constructed or erected the use of which requires location on the ground or attached to something having a location on the ground, or any substantial change in the roof or exterior walls.

(38) "Through Lot" means an interior lot having frontage on two nonintersecting streets.

(39) "Tourist Court" means a building or group of buildings, other than a hotel, designed or used for temporary occupancy by motorists or travelers and containing guest rooms having separate outside entrances for each room or suite of rooms. For the purposes of this Chapter the term "tourist court" shall include the terms "tourist camp," "cottage camp," and "motel."

(40) "Two-family Dwelling" means a detached building occupied by two families living independently of each other, each of which may include not to exceed four boarders or lodgers.

(41) “Yard” means an open space on the same lot with a building, unoccupied and unobstructed from the ground upward, except as otherwise permitted herein, and located between the building and the adjoining lot lines. Yard measurements shall be the minimum horizontal distances between the lot lines and the building, provided that a rear yard shall be measured between the rear line of the building and the center line of the alley in the rear of the lot where such an alley is platted.

(b) Words used in the present tense include the future; words in the singular number include the plural, and words in the plural number include the singular; the word “building” includes the word “structure”; the word “shall” is mandatory and not directory. (Ord. 174, 1994; Ord. 135 §1, 1980; Ord. 73 §2, 1975)

TITLE 15

ZONING

CHAPTER 10

DISTRICTS, MAPS, AND BOUNDARIES

Sections:

15-10-100	Zoning Districts
15-10-110	Zoning Map
15-10-120	District Boundaries
15-10-130	Zoning of Annexed Lands
15-10-140	Conformity With Use Regulations

15-10-100. Zoning Districts. The Town of Ranchester is hereby divided into districts of which there shall be seven known as:

- R-1 Residence District
- R-2 Residence District
- R-3 Residence District
- R-4 Residence District
- B-1 Business District
- B-2 Business District
- M-1 Industrial District

(Ord. 73 §3, 1975)

15-10-110. Zoning Map. The locations and boundaries of the aforesaid districts are hereby established as shown on the map entitled “Zoning District Map,” which map accompanies and is hereby declared to be a part of this Chapter. (Ord. 73 §3, 1975)

15-10-120. District Boundaries. Unless otherwise indicated on the Zoning District Map the district boundaries are the center lines of streets or alleys. In case of uncertainty or disagreement concerning the exact location of a district boundary line, the determination shall lie with the board of adjustment as hereinafter provided. (Ord. 73 §3, 1975)

15-10-130. Zoning of Annexed Lands. Any territory hereinafter annexed to the Town of Ranchester shall be in the R-1 Residence District unless the Town Council shall zone it otherwise at the time of annexation. (Ord. 73 §3, 1975)

15-10-140. Conformity With Use Regulations. Except as hereinafter provided:

(a) No building or land shall hereafter be used and no building or part thereof shall be erected, converted, enlarged, reconstructed or altered, except in conformity with the use regulations herein specified for the district in which the building or land is located.

(b) No building shall be erected or structurally altered to exceed the height limit for the district in which such building is located.

(c) No lot area shall be so reduced or diminished that the yards or other open spaces shall be smaller than prescribed herein, nor shall the lot area per family be reduced except in conformity with the regulations herein established for the district in which located. (Ord. 73 §3, 1975)

TITLE 15

ZONING

CHAPTER 15

R-1 RESIDENCE DISTRICT

Sections:

15-15-100	Use Regulations
15-15-110	Height Regulations
15-15-120	Area Regulations
15-15-130	Setbacks

15-15-100. Use Regulations. The following uses shall be permitted:

- (a) One-family dwelling.
- (b) Public park, playground and fair grounds.
- (c) Public library, museum and community building.
- (d) Public and private school, elementary and high, college.
- (e) Church or other place of worship; parish house.
- (f) Municipal, county, state or federal building, except for such uses as warehouse, garage or other uses customarily carried on as a business.
- (g) Water supply reservoir, well tower or filter bed.
- (h) Telephone exchange where no public business office and no repair or storage facilities are maintained.
- (i) Railway right-of-way not including railway yards. Passenger station.
- (j) Agriculture, gardening, and nursing for the propagation of plants.
- (k) Home occupations as defined herein.
- (l) Accessory buildings and uses customarily incidental to any of the above uses. (Ord. 73 §4, 1975)

15-15-110. Height Regulations. No building shall exceed a height of 35 feet or three stories except as hereinafter provided. (Ord. 73 §4, 1975)

15-15-120. Area Regulations.

- (a) Front Yard. The minimum front yard shall be 20 feet.
- (b) Rear Yard. The minimum rear yard shall be 20 feet.
- (c) Side Yard. The minimum width of the side yard on each side of the building shall be five feet.
- (d) Lot area per family. There shall be a lot area of not less than 4,500 square feet for a one-family dwelling; not less than 3,000 square feet per family for a two-family dwelling; and not less than 2,500 square feet per family for three-family or four-family dwellings. (Ord. 73 §4, 1975)

15-15-130. Setbacks. Accessory buildings and uses customarily incidental to any of the above uses will have a setback of 5 feet minimum from any property line, and 5 feet from any building if constructed of non-combustible material and 10 feet if constructed of combustible material. (Ord. 177 §1, 1995)

TITLE 15

ZONING

CHAPTER 20

R-2 RESIDENCE DISTRICT

Sections:

15-20-100	Use Regulations
15-20-110	Height Regulations
15-20-120	Area Regulations
15-20-130	Setbacks

15-20-100. Use Regulations. The following uses shall be permitted:

- (a) Any use permitted in the R-1 Residence District.
- (b) Two-family dwelling; multiple-family dwelling for not more than four families when housed in a single detached building.
- (c) Private club or lodge, excepting those the chief activity of which is a service customarily carried on as a business.
- (d) Accessory buildings and uses customarily incidental to any of the above uses. (Ord. 73 §5, 1975)

15-20-110. Height Regulations. No building shall exceed a height of 35 feet or three stories except as hereinafter provided. (Ord. 73 §5, 1975)

15-20-120. Area Regulations.

- (a) Front Yard. The minimum front yard shall be 20 feet.
- (b) Rear Yard. The minimum rear yard shall be 20 feet.
- (c) Side Yard. The minimum width of the side yard on each side of the building shall be five feet.
- (d) Lot Area per Family. There shall be a lot area of not less than 4,500 square feet for a one-family dwelling; not less than 3,000 square feet per family for a two-family dwelling; and not less than 2,500 square feet per family for three-family or four-family dwellings. (Ord. 73 §5, 1975)

15-20-130. Setbacks. Accessory buildings and uses customarily incidental to any of the above uses will have a setback of 5 feet minimum from any property line, and 5 feet from any building if constructed of non-combustible material and 10 feet if constructed of combustible material. (Ord. 177, 1995)

TITLE 15

ZONING

CHAPTER 25

R-3 RESIDENCE DISTRICT

Sections:

15-25-100	Use Regulations
15-25-110	Height Regulations
15-25-120	Area Regulations
15-25-130	Parking Regulations
15-25-140	Setbacks

15-25-100. Use Regulations. The following uses shall be permitted:

- (a) Any use permitted in the R-2 Residence District.
- (b) Multiple-family dwelling, or apartment court.
- (c) Boarding or lodging house.
- (d) Hospital, sanitarium, or clinic, but not including animal hospitals; home for children or the aged; offices offering professional services.
- (e) Educational, religious, philanthropic and eleemosynary institutions, excepting asylums for the insane.
- (f) Storage garages and parking lots for storage only.
- (g) Accessory buildings and uses customarily incidental to any of the above uses. (Ord. 73 §6, 1975)

15-25-110. Height Regulations. No building shall exceed a height of 45 feet or four stories, except as hereinafter provided. (Ord. 73 §6, 1975)

15-25-120. Area Regulations.

- (a) Front Yard. The minimum front yard shall be 15 feet.
- (b) Rear yard. The minimum rear yard shall be 15 feet.
- (c) Side Yard. The minimum width of the side yard on each side of the building shall be five feet if the building height is not greater than 35 feet. For each additional foot of height the building exceeds 35 feet, each side yard shall be increased one foot in width.
- (d) Lot area per family. There shall be a lot area of not less than 4,000 square feet for a one-family dwelling; not less than 2,000 square feet per family for a two-family dwelling; and not less than 800 square feet per family for multiple dwellings. (Ord. 73 §6, 1975)

15-25-130. Parking Regulations. All newly erected or constructed multiple family dwellings within the R-3 Residence District shall provide upon the same lot, or within 300 feet thereof, the number of accessible off-street parking spaces required by the use and area parking

schedule set forth in the Section 15-55-290 of this Title. (Ord. 135 §2, 1980)

15-25-140. Setbacks. Accessory buildings and uses customarily incidental to any of the above uses will have a setback of 5 feet minimum from any property line, and 5 feet from any building if constructed of non-combustible material and 10 feet if constructed of combustible material. (Ord. 177, 1995)

TITLE 15

ZONING

CHAPTER 30

R-4 RESIDENCE DISTRICT

Sections:

15-30-100	Use Regulations
15-30-110	Mobile Home Setbacks
15-30-120	Mobile Home Minimum Area
15-30-130	Mobile Home Minimum Clearance
15-30-140	Parking Regulations
15-30-150	Setbacks

15-30-100. Use Regulations. The following uses shall be permitted:

- (a) Any use permitted in the R-3 Residence District.
- (b) Any mobile home park.
- (c) Any single family mobile home parked on a private lot.
- (d) Accessory buildings and uses customarily incidental to the above uses. (Ord. 104, 1978; Ord. 73 §6A, 1975)

15-30-110. Mobile Home Setbacks. Mobile homes shall be located on each mobile home space so that there shall be a minimum setback of 20 feet from any street, 20 feet from any buildings within the mobile home park, and 10 feet from the property line. Setback requirements for accessory buildings shall apply on all mobile home spaces. (Ord. 173, 1994; Ord. 104, 1976; Ord. 88 §1B(1), (2), 1976; Ord. 73 §6A., 1975)

15-30-120. Mobile Home Minimum Area. The minimum area of the mobile home space designed to accommodate the single-wide mobile home shall be not less than four times the area of the mobile home, and in any case not less than 4,000 square feet; and for a space designed to accommodate a double-wide mobile home, no less than three times the area of the mobile home, and in any case not less than 5,000 square feet. The aggregate area occupied by a mobile home and its accessory buildings shall not exceed 50% of the area of the mobile home space. (Ord. 88 §1B(3), 1976)

15-30-130. Mobile Home Minimum Clearance. Minimum clearances between mobile homes shall be 20 feet side to side, 20 feet end to end, 20 feet side to end, and 20 feet when the mobile home units are located at other than right angles to the roadway or to adjoining units. Minimum clearance between mobile homes, including accessory buildings, shall be 20 feet. (Ord. 173, 1994)

15-30-140. Parking Regulations: All newly erected or constructed structures within the R-4 Residence District shall provide upon the same lot, or within 300 feet thereof, the number of

accessible off-street parking spaces required by the use and area parking schedule set forth in Section 15-55-290 of this Title. (Ord. 135 §3, 1980)

15-30-150. Setbacks. Accessory buildings and uses customarily incidental to any of the above uses will have a setback of 5 feet minimum from any property line, and 5 feet from any building if constructed of non-combustible material and 10 feet if constructed of combustible material. (Ord. 177, 1995)

TITLE 15

ZONING

CHAPTER 35

B-1 BUSINESS DISTRICT

Sections:

15-35-100	Use Regulations
15-35-110	Sign Regulations
15-35-120	Height Regulations
15-35-130	Area Regulations
15-35-140	Depth Regulations
15-35-150	Parking Regulations
15-35-160	Setbacks

15-35-100. Use Regulations. The following uses will be permitted:

- a) Any use permitted in the R-3 Residence District and the R-4 Residence District, except no trailers or mobile homes will be allowed in the B-1 district without an RV park permit as outlined in Title 15, Chapter 47 of the Town of Ranchester's code book. In the B-1 zone that border Highway 14, ground floor frontage space will be reserved for business only. Where lot size allows enough space for separate buildings, proper yard space, parking and setbacks, residential buildings will be allowed and restricted to the rear of the property so that business use will be conducted on frontage areas. In the areas with no space for separate residential buildings, up to 50% residential use in a business building will be allowed to the rear or above ground floor frontage. No residential use will be allowed in the part of a building that faces U. S. Historic Highway 14 or business frontage. In any B-1 zoned lot along Highway 14, no residential buildings will be permitted prior to the construction of a business building on the same lot.
- b) Any Retail Business.
- c) Public garage or filling station.
- d) Tourist Court.
- e) Offices, theater, bank, restaurant.
- f) Shoe shop, tailor shop, barbershop or beauty parlor.
- g) Business or commercial school; studio
- h) Bakery not employing more than five persons in preparing and baking its products.
- i) Laundry or dry cleaning establishment employing not more than five persons engaged in laundry or dry cleaning work.
- j) Recreational vehicle parks (according to Title 15, Chapter 47 of this Code)
- k) Accessory buildings and uses customarily incidental to any of the above uses. (Ord. 231, 2008; Ord. 206, 2000; Ord. 73 §7, 1975)

15-35-110. Sign Regulations.

(a) Permanent and temporary, advertising one business on that of another will be allowed in a B-1 zoned district within the Town of Ranchester. A drawing will be submitted to the building inspector and a permit issued in the amount of \$25.00. The sign advertising another business should be no more than 50 square feet in total area. The sign advertising the business within has no square foot area limit. The square footage of the combined area of advertising signs for other businesses shall not exceed lineal highway street frontage.

(b) Any advertising signs, permanent or temporary, in areas bordering Highway 14 (Dayton Street) in Ranchester located in a B-1 zoned district are required to comply with WYDOT (Wyoming Department of Transportation) rules and regulations. Enforcement of such rules and regulations will be done by the Building Inspector for the Town of Ranchester. Rules and regulations are on file at the Ranchester Town Hall. (Ord. 191, 1997; Ord. 73 §7-11, 1975)

15-35-120. Height Regulations. The regulations shall be the same as in the R-3 Residence District.

15-35-130. Area Regulations.

(a) Front Yard. In those portions of the B-1 Business District which occupy part of the frontage on one side of the street between two intersection streets and the remainder of the frontage is in a residence district, the front yard requirements shall be the same as those of the residence district in the remainder of the frontage. In all other locations in the B-1 Business District no front yard shall be required.

(b) Rear yard. The minimum rear yard shall be 10 feet.

(c) Side Yard. For buildings used wholly or in part for R-1 purposes, the minimum width of the side yard on each side of the building shall be five feet. Buildings used for nonresidential purposes need not provide a side yard except that any such building located at the boundary line between the B-1 Business District and any residence district shall provide a side yard of not less than five feet on the one side adjoining the residence district. (Ord. 231, 2008; Ord. 73 §7, 1975)

15-35-140. Depth Regulation. Lots adjoining a highway in a B-1 zoning district shall have a maximum depth of 300 feet. (Ord. 73 §7, 1975)

15-35-150. Parking Regulations: All newly erected or constructed structures within the B-1 Business District shall provide upon the same lot, or within 300 feet thereof, the number of accessible off-street parking spaces required by the use and area parking schedule set forth in Section 15-55-290 of this Title. (Ord. 135 §4, 1980)

15-35-160. Setbacks. Accessory buildings and uses customarily incidental to any of the above uses will have a setback of 5 feet minimum from any property line, and 5 feet from any building if constructed of non-combustible material and 10 feet if constructed of combustible material. (Ord. 177, 1995)

TITLE 15

ZONING

CHAPTER 36

C-1 Commercial District

Sections:

15-36-100	Use Regulations
15-36-110	Sign Regulations
15-36-111	Height Regulations
15-36-112	Area Regulations
15-36-113	Depth Regulations
15-36-114	Parking Regulations
15-36-115	Green Space Regulations
15-36-116	Setbacks
15-36-117	Site plan required

15-36-100. Use Regulations. No residential uses will be allowed. No mobile homes will be allowed. The following uses will be permitted:

- a) Any retail business
- b) Automotive Garage or filling station
- c) Hotel or motel
- d) Office space
- e) Theater
- f) Bank
- g) Restaurant
- h) Bakery
- i) Warehouse
- j) Laundry or dry cleaning
- k) Museum

15-36-110. Sign Regulations. No separate temporary signs will be allowed, including but not limited to: folding, sandwich, inflatable or staked-in signs. Signs advertising off-premises business will not be allowed. The following advertising uses will be permitted.

- a) Advertising signs must be affixed to the business building. Exceptions may be considered when off building signage is required by franchise regulations. Other off building signage will not be allowed outside of a mutually designated area that will be approved in the site review process.
- b) Signs will have no square footage requirements.

- c) Signs on the building will not be permitted to exceed the height or width of the building.
- d) Signs will not exceed 25% of the building front area not including windows and doors.

15-36-111. Height Regulations. No height regulations of buildings in C-1 zones.

15-36-112. Area Regulations. Minimum lot width shall be no less than 100 feet to the Frontage Street.

15-36-113. Depth Regulations: Minimum lot depth shall be no less than 150 feet.

15-36-114. Parking Regulations.

- a) All business within a C-1 zone shall provide an appropriate number of employee parking spaces behind the building not to be seen from the Frontage Street.
- b) Shipping and receiving shall be conducted behind the building.
- c) Each business shall provide to the front of the building upon the same property the number of off street parking spaces required by the schedule set forth in Section 15-5-290 of this title.
- d) All access or driveways to parking shall be paved or concrete from the street.

15-36-115. Green Space Regulations.

- a) Each parking lot shall be required to maintain a grass area of no less than 10% of the total parking area.
- b) Each grass area shall be bordered by concrete curb.
- c) Each parking lot shall be required to have and maintain a minimum of at least one tree or shrub.
- d) Green spaces may be shared between adjacent parking lots not to reduce the grass area of less than 5% of each parking lot.

15-36-116. Setbacks.

- a) Buildings shall be placed 40 feet from the rear of the lot in consideration of employee parking, shipping and garbage.
- b) Buildings shall be placed with aesthetic consideration and consistency of adjacent buildings.
- c) No setback of the building to the side of the property will be required provided building code and firewall regulations are followed.

15-36-117. Site Plan Required.

- a) Prior to any building permit, (including signs, art and parking) a site plan will be submitted to the building inspector.
- b) Site plans will be reviewed and approved by a council appointed committee consisting of local business operators.
- c) The Ranchester Town Council will approve final site plans.

TITLE 15

ZONING

CHAPTER 40

B-2 BUSINESS DISTRICT

Sections:

15-40-100	Use Regulations
15-40-110	Height Regulations
15-40-120	Area Regulations
15-40-130	Parking Regulations
15-40-140	Setbacks

15-40-100. Use Regulations. Any use shall be permitted except the following:

- (a) Acetylene gas manufacture or wholesale storage.
- (b) Acid manufacture.
- (c) Ammonia, bleaching powder or chlorine manufacture.
- (d) Arsenal.
- (e) Asphalt manufacture or refining; paving mixture plant.
 - (f) Blast furnace.
 - (g) Bag cleaning.
 - (h) Boiler works.
 - (i) Brick, tile or terra cotta manufacture.
 - (j) Cement, lime, plaster of Paris or gypsum manufacture.
 - (k) Central mixing plant for cement, mortar, plaster or concrete.
 - (l) Creosote treatment or manufacture.
 - (m) Disinfectants manufacture.
 - (n) Distillation of bones, coal or wood.
 - (o) Dyestuff manufacture.
 - (p) Explosives or fireworks manufacture or storage.
 - (q) Exterminator and insect poison manufacture.
 - (r) Fat rendering.
 - (s) Fertilizer manufacture.
 - (t) Forge plant.
- (u) Garbage, offal or dead animals incinerations, reduction or dumping.
 - (v) Gas manufacture or storage.
 - (w) Glue, size or gelatine manufacture.
 - (x) Iron, steel, brass or copper mill.
 - (y) Junk, used material, auto wrecking, salvage, paper, scrap, bottles or rags, bailing or storage except where such activities are conducted wholly within a building.
 - (z) Mills, feed or flour.
 - (aa) Oiled goods manufactured from raw materials.

- (bb) Ore reduction or smelting.
- (cc) Paint, oil, shellac, turpentine or varnish manufacture.
- (dd) Paper and pulp manufacture.
- (ee) Petroleum and its products, refining or wholesale storage.
- (ff) Rubber or gutta percha manufacture or treatment.
- (gg) Shoe polish manufacture.
- (hh) Soap manufacture.
- (ii) Soda and compound manufacture.
- (jj) Slaughter and dressing of animals, but not including poultry and rabbit dressing.
- (kk) Stockyards.
- (ll) Tallow, grease or lard manufacture or refining including processing of animal fat.
- (mm) Tanning, curing or storage of raw hides or skins.
- (nn) Tar distillation or manufacture.
- (oo) Tar roofing or waterproofing manufacture.
- (pp) Vinegar manufacture.
- (qq) Wool pulling or scouring.
- (rr) Yeast plant.

(ss) And those uses which may be, and as ordinarily operated generally, are, obnoxious or offensive by reason of emission of odor, dust, smoke or noise. (Ord. 73 §8, 1975)

15-40-110. Height Regulations. No building shall exceed a height greater than the width of the widest street on which the building has frontage; provided that a portion of a building may be erected to a greater height if such portion is set back from all lot lines a distance of one foot for each foot of such additional height. (Ord. 73 §8, 1975)

15-40-120. Area Regulations.

- (a) Front Yard. No front yard is required for any building.
- (b) Rear yard. No rear yard is required for any building other than a dwelling, in which case a rear yard of not less than ten feet shall be provided.
- (c) Side Yard. No side yard is required for any building other than a dwelling, in which case side yards of not less than five feet shall be provided.
- (d) Lot area per family. For one-family and two-family dwellings the lot area per family requirements of the R-3 Residence District shall apply. (Ord. 73 §8, 1975)

15-40-130. Parking Regulations: All newly erected or constructed structures within the B-2 Business District shall provide upon the same lot, or within 300 feet thereof, the number of accessible off-street parking spaces required by the use and area parking schedule set forth in Section 15-55-290 of this Title. (Ord. 135 §5, 1980)

15-40-140. Setbacks. Accessory buildings and uses customarily incidental to any of the above uses will have a setback of 5 feet minimum from any property line, and 5 feet from any building if constructed of non-combustible material and 10 feet if constructed of combustible material. (Ord. 177, 1995)

TITLE 15

ZONING

CHAPTER 45

M-1 INDUSTRIAL DISTRICT

Sections:

15-45-100	Use Regulations
15-45-110	Height Regulations
15-45-120	Area Regulations
15-45-130	Parking Regulations
15-45-140	Setbacks

15-45-100. Use Regulations. Buildings and premises may be used for any lawful purpose not in conflict with any ordinance of the Town of Ranchester, provided, however, that no permit shall be issued for any of the following uses unless the location of such use shall have been approved by the Planning Commission as hereinafter provided:

- (a) Acid manufacture.
- (b) Cement, lime, gypsum or plaster of Paris manufacture.
- (c) Explosives manufacture or storage.
- (d) Fat rendering.
- (e) Fertilizer manufacture.
- (f) Garbage, offal or dead animals incineration, reduction or dumping.
- (g) Gas manufacture.
- (h) Glue manufacture.
- (i) Ore smelting.
- (j) Petroleum refining.
- (k) Slaughterhouse, not including poultry and rabbit dressing.
- (l) Stockyards. (Ord. 73 §9, 1975)

15-45-110. Height Regulations. No building shall exceed a height of 75 feet. (Ord. 73 §9, 1975)

15-45-120. Area Regulations.

(a) No front yard is required for any building. No rear or side yards are required except for residential buildings, in which case the side and rear yard requirements shall be the same as in the B-2 Business District.

(b) Lot Area per Family. For one-family and two-family dwellings the lot area per family requirements for the R-3 Residence District shall apply. (Ord. 73 §9, 1975)

15-45-130. Parking Regulations: All newly erected or constructed structures within the M-1 Industrial District shall provide upon the same lot, or within 300 feet thereof, the number of

accessible off-street parking spaces required by the use and area parking schedule set forth in Section 15-55-290 of this Title. (Ord. 135 §6, 1980)

15-45-140. Setbacks. Accessory buildings and uses customarily incidental to any of the above uses will have a setback of 5 feet minimum from any property line, and 5 feet from any building if constructed of non-combustible material and 10 feet if constructed of combustible material. (Ord. 177, 1995)

TITLE 15

ZONING

Chapter 46

PLANNED UNIT DEVELOPMENTS

Sections:

15-46-100	Short Title
15-46-110	Purpose
15-46-120	Definitions
15-46-130	Application
15-46-140	Findings for Project Approval
15-46-150	Permitted Uses
15-46-160	Size
15-46-170	Minimum Standards
15-46-180	Open Space
15-46-190	Dimensions and Bulk Standards and Type of Construction
15-46-200	Density
15-46-210	Procedures
15-46-220	Procedures; Application
15-46-230	Procedures; Conceptual Plan
15-46-240	Procedures; Conceptual Design Report
15-46-250	Applicability of Other Regulations
15-46-260	Approval for PUD
15-46-270	Public Hearing Notice
15-46-280	Fees and Advertisement
15-46-290	Alterations of Final Plat, Conceptual Plan and Conceptual Design Report
15-46-300	Subdivision and Platting of PUD
15-46-310	Private Roads; Public Roads
15-46-320	Recordings
15-46-330	Platting and Construction Standards

15-46-100. Short Title. This Chapter shall be known and may be cited as the Planned Unit Development Ordinance. (Ord 216 §1, 2002)

15-46-110. Purpose.

(a) The purpose of a Planned Unit Development (PUD) is to provide opportunities to create more desirable environments through the application of flexible and diversified land development standards under a professional, prepared comprehensive plan and program. The PUD is intended to encourage the application of new techniques and new technology to community development, which will result in superior living or development arrangements with lasting values. It is further intended to achieve economics in land development, maintenance, street systems, and

Ranchester 1/2014

utility networks while providing building groupings for privacy, usable, open spaces, and vehicle and pedestrian circulation for the inhabitants.

(1) The Planned Unit Development concept is designed to allow redevelopment of existing sites through approval of a plan, which reduces setbacks and other requirements to allow new residential development that matches the character of the surrounding neighborhood.

(2) The Planned Unit Development concept is designed to allow development of lands in environmentally sensitive areas; for example, 40 dwelling units may be clustered on five acres of a ten-acre parcel, leaving the remaining five acres in the flood plain as open space and attaining the same overall density possible under traditional zoning districts.

(b) Except as otherwise restricted, the Planned Unit Development may be proposed as a substitute for any existing zone and may be initiated by the owner as herein defined, or upon the motion of the Council as prescribed in this Chapter. The Planned Unit Development may be used for residential, or a combination of residential/business purposes.

(c) PUD's with lots sold to individuals shall dedicate and construct public roads, water distribution and sewer collection systems, and storm water drainage systems that meet Town standards. The Town will accept dedication of these constructed roads, water distribution, sewer collection and storm water drainage systems which meet the standards of construction specified by the Town Engineer, and maintain these in accordance with Town policy for similar public services. Roadways are not considered part of a PUD site or required open space area.

(Ord 216 §2, 2002)

15-46-120. Definitions.

(a) *Common Area* - Land within or related to a development, not individually owned or dedicated for public use, which is designed and intended for the common use or enjoyment of the residents of the development. It may include complementary structures and improvements.

(b) *Conceptual Design Report* - Plans and details of a proposed PUD site development of sufficient accuracy to be used for the purpose of discussion and classifications (see Section 12).

(c) *Conceptual Plan* - A rough sketch map of a proposed site, or site map of sufficient accuracy to be used for the purposes of discussion and classification.

(d) *Developer* - The legal or beneficial owner (or owners), of a lot or any land included in a proposed development. Also, it may be the holder of an option or contract to purchase, or any other person having enforceable proprietary interest in such land.

(e) *Development* - A planning and construction project involving substantial property improvement and, usually, a change of land-use character within the site; the act of using land for building or extractive purposes.

(f) *Easement* - A right-of-way granted, but not dedicated, for limited use of private land for a public or quasi-public purpose and within which the owner of the property shall not erect any permanent structures.

(g) *Final Engineered Construction Drawings* - An engineered plan including all details on the preliminary plan, however these plans should be at 100% completion and prepared for final permitting/approval and construction bidding.

(h) *Final Plat* - A completed map of all or a portion of a subdivision, which is prepared in accordance with the provisions of this Chapter and all other subdivision ordinances, to be presented to the Planning Commission for recommendations and to the Town Council for final approval. Upon approval by the Town Council, this document is filed at the County Recorder's Office for permanent record, and allowing individual parcel ownership transfers.

Ranchester 1/2014

(i) *Immediate Neighborhood* - All private real estate within a three hundred foot radius of the perimeter of the property in question.

(j) *Landscaping* - The use of vegetation and inorganic durable materials such as those identified in Title 15, Chapter 49, to enhance the visual attractiveness of a site and improve erosion control.

(k) *Model Structure* - A structure specifically constructed for the purposes of demonstration and/or development offices. This structure shall not be occupied for other purposes, until such improvements are completed and accepted by the Town Engineer.

(l) *Open Space* - Any parcel or area of land or water, essentially unimproved and set aside, dedicated, designated, and/or reserved for public or private use and/or enjoyment, or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space.

(m) *Planned Unit Development (PUD)* - An area of minimum contiguous size, as specified by ordinance, to be planned, developed, operated, and maintained as a single entity containing one or more structures to accommodate residential, commercial, and/or business uses, and appurtenant common areas, and other uses incidental to the predominate uses.

(n) *Plat* - A map or maps of a subdivision.

(o) *Preliminary Engineered Construction Drawings* - An engineered plan showing the proposed location and construction detail of streets, utilities, topography, drainage and drainage systems, floodplain and floodways, marshes, waterways, and other relative information to the construction and development of a site. These plans should be at a 90% completion to qualify as preliminary plans.

(p) *Preliminary Plat* - A preliminary map showing the proposed layout of the subdivision and subject to Planning Commission review and recommendations. Details on the map shall include all items required within the subdivision ordinance and this Chapter.

(q) *Site Plan* - An accurately scaled detailed development plan that illustrates the existing conditions as well as depicts details of the proposed development. The plan details the location and size of buildings, the size and area of the land under consideration, street names and widths, parking area size, and all other items required by the Town. (See Title 15, Chapter 48)

(r) *Site Plan Agreement* - A binding agreement between a developer and/or other interested parties and the Town of Ranchester that may include, but is not limited to: financial assurances, street and utility construction schedules and agreements, improvement construction and maintenance agreements, plat submission schedules, allowed uses, use limitations, zoning, and zoning limitations.

(s) *Specifications* - are the Technical requirements detailing the construction of physical improvements and guidelines for contracting and bidding the proposed improvements.

(t) *Town Engineer* - The individual employed by the Town of Ranchester and designated as the Town Engineer or other individuals delegated by the Town Engineer to act as his/her representative or in the absence thereof.

(u) *Town Master Plan* - The most current Town-adopted comprehensive, long-range plan intended to guide the growth and development of the Town of Ranchester. This plan may include analysis, recommendations, and proposals for the community's population, economy, housing, transportation, community facilities, and land use.

(Ord 216 §3, 2002)

15-46-130. Application.

(a) The Planned Unit Development concept may be used in three situations:

Ranchester 1/2014

(1) Zoning property PUD upon annexation and approval of conceptual plan and conceptual design report concurrently;

(2) Rezoning property from an existing residential or B-1 District to PUD, and approving the conceptual plan and the conceptual design report concurrently; or

(3) Approving a final plat and conceptual design report as an overlay of an existing residential or B-1 property, where the permitted uses of the existing district apply, but the site can be developed as a PUD.

(b) PUD's shall be noted on the zoning map. In the case that a property is zoned PUD (situations 1 and 2 listed above) with the approval of the conceptual plan and the conceptual design report, the platting process must be completed to final plat stage prior to division of the property and development of the site. (Ord 216 §4, 2002)

15-46-140. Findings for Project Approval. The Council and the Planning Commission shall approve a PUD, if the PUD is found to satisfy standards of this Chapter, including the following:

(a) Be compatible with the goals and policies of the Town Master Plan and/or other applicable adopted plans and policies.

(b) Be compatible with the area surrounding the project site and place no greater demand on existing Town facilities and services than can be furnished by the Town.

(c) Promote the efficient use of land by means of a more economical arrangement of buildings/lots, circulation systems, land uses, densities, and utilities.

(d) Provide for useable and suitably located open space such as, but not limited to, bicycle paths, playground areas, courtyards, tennis courts, swimming pools, planned gardens, outdoor seating areas, outdoor picnic areas, and similar open space.

(e) Demonstrate flexibility and quality in design to permit diversification in the location, type, and uses of structures.

(f) Combine and coordinate architectural styles, building forms, and building relationships within the development and in concert with adjacent and surrounding land and development.

(g) Minimize impact on adjacent zoning districts by limiting building heights, providing screening and/or other buffers.

(h) Preserve and utilize where possible, existing landscape features and amenities and encourage the harmonious combination of such features with structures and other improvements.

(i) Be designed and developed as a whole under the control of one owner, partnership, corporation, or agency.

(j) Consist of such a mixture of uses, density, or characteristic or creative design.

(k) Constitute a buffer zone between existing land uses and existing zones.

(Ord 216 §5, 2002)

15-46-150. Permitted Uses. Except as otherwise permitted or restricted by Wyoming State Statute, conceptual design report, or other laws or actions of the Town Council, all uses permitted in any residential district or B-1 Districts are permitted in a PUD, provided that when residential uses are proposed for a specific PUD, any commercial uses proposed for the PUD must be shown to be primarily for the service and convenience of the residents of the development and the immediate neighborhood, and that such uses, if any, shall not change, injure, or destroy, temporarily or permanently, the predominantly residential character of the PUD. If a PUD is used as an overlay, there shall be no uses allowed other than those permitted in the district for which the

PUD is an overlay or as further restricted by conceptual design report, Wyoming State Statute, or other action. (Ord 216 §6, 2002)

15-46-160. Size. A PUD site shall consist of a land area of a minimum of one and one-half (11/2) acres in size; a smaller land area may be permitted with written approval by the Planning Commission and Town Council. (Ord 216 §7, 2002)

15-46-170. Minimum Standards. Minimum lot area, width, and yard requirements of other districts do not apply in the PUD or PUD overlay. (Ord 216 §8, 2002)

15-46-180. Open Space.

(a) A minimum of the following total land areas shall be retained as usable open space:

(1) Residential Uses: Twenty percent (20%) of the total land area.

(2) Commercial: Fifteen percent (15%) of the total land area.

(b) Roadways and required parking and yard areas cannot be included in open space requirements. (Ord. 216 §9, 2002)

15-46-190. Dimensions and Bulk Standards and Type of Construction. The type of proposed construction shall be described in the PUD application, providing that:

(a) If the spacing between buildings is not equivalent to the spacing that would be required between buildings similarly developed under traditional zoning on separate parcels, other design features shall provide light, ventilation, and other characteristics equivalent to those that would have been obtained from the spacing standards.

(b) Buildings, off-street parking and loading facilities, open space, landscaping, and screening shall provide protection outside the boundary lines of the development comparable to that otherwise required of similar development in other existing districts. Off-street parking requirements are outlined in the Town's Zoning Ordinance.

(c) The maximum building height shall not exceed two stories or 28 feet for residential uses, or four stories or 50 feet for commercial uses, except that a greater height may be approved by the Town Council if surrounding open space within the PUD, building setbacks, and other design features are used to avoid any adverse impact due to the greater height. (Ord 216 §10, 2002)

15-46-200. Density. The number of dwelling units will be determined as provided in this Section.

(a) If a PUD is used as an overlay, there shall be no more dwelling units per acre than permitted in the district for which the PUD is an overlay.

(b) If the PUD is used as a separate zoning district, the number of units will be determined as provided in subsection (c) hereof.

(c) The maximum residential development density of a PUD or PUD overlay shall not exceed 20 dwelling units per acre, unless the Council and Planning Commission find, upon a showing by the land owner, that the PUD is in the public interest because one or more of the following conditions exists:

(1) An unusual physical or topographical feature of importance to the people of the area or the community as a whole exists on the site or in the neighborhood that can be preserved and still leave the landowner equivalent use of the land by the use of a PUD.

(2) The property or its neighborhood has a historical character of importance to the community that will be protected by the use of a PUD.

(d) There exists no maximum density requirements for business type PUD's or PUD overlay developments. (Ord 216 §11, 2002)

15-46-210. Procedures. This process will allow the developer to rezone or annex property as PUD district prior to the completion of final platting and site development procedures for a proposed site. It should be noted that this process does not omit the requirements for final plat approval and site development approval. Typically this process could be used for sites wherein the exact lot configuration is not known at the time that the developer would like to obtain Town Council approval for a PUD. Before a tract of land may be considered for Planned Unit Development, the developer(s) shall:

(a) Meet with the Town Engineer to discuss the proposal prior to submission of any application.

(b) Submit, prior to the development of an existing or proposed PUD within the Ranchester Town limits, a conceptual plan, conceptual design report, and application per requirements of this Chapter. (Ord 216 §12, 2002)

15-46-220. Procedures; Application. The application shall include all information on the form supplied by the Town Engineer and the following:

(a) Names and addresses of all abutting and all property owners within 300 foot radius of the perimeter of the site, not including right-of-ways.

(b) Certificate of Title or other documentation specifically verifying ownership or enforceable proprietary interest in the site.

(c) Verification that information regarding the proposed development has been properly posted at the site. (Ord 216 §12, 2002)

15-46-220. Procedures; Conceptual Plan. The conceptual plan shall include:

(a) Legal description of the proposed site;

(b) Proposed and existing zoning of the site and adjacent properties;

(c) Existing utilities and structures;

(d) Utility capacity and volume demands for proposed site (water, sewer, storm sewer, etc.);

(e) Anticipated traffic generated from the proposed development;

(f) Proposed right-of-way, open space/park dedication areas, buffer zones, parking, and specific land uses layout and area defined;

(g) A written statement by the developer explaining the objectives to be achieved by the Planned Unit Development and the overall density for the PUD as well as the ratio of open space to developed areas;

(h) Scale of one (1) inch = one hundred (100) feet or larger and north directional arrow; and

(i) Stamp of Licensed Surveyor or Professional Engineer. (Ord 216 §12, 2002)

15-46-240. Procedures; Conceptual Design Report. The Conceptual Design Report shall include, but may not be limited to:

(a) Uses specifically prohibited and/or allowed;

- (b) General description and responsible party for the construction and maintenance physical improvements (constructed during the site development stage of the project) including, but not limited to: streets, utilities, storm drainage systems, signs, sidewalks and/or pedestrian ways, buffer zones, landscaping, and other improvements such as tennis courts, parks, etc.
- (c) Schedule for project completion.
- (d) An explanation of the objectives to be achieved by the Planned Unit Development.
- (e) A statement of architectural theme and building type, distinguishing the uses of single-family dwellings, multifamily dwellings, townhouses, condominiums, and commercial structures.
- (f) A program describing the uses and activities to be permitted within each area, including the following:
 - (1) the type, sizes, and mixture of dwelling units.
 - (2) The acreage or square footage of each use, including non-residential parking, roadways, easements, rights-of-way, and recreational areas.
 - (3) The number of off-street parking spaces.
 - (4) Any other applicable restrictions such as building setbacks, height limits, access, grades, or widths of roads.
 - (5) The overall density for the entire Planned Unit Development, as well as the ratio of open space in areas to be developed, stated on a percentage basis, including the number of square feet.
- (6) A written statement by a registered, professional engineer, which shall describe the following:
 - (A) The proposed method and arrangement for connection to the municipal water system, and the projected usage and needs.
 - (B) The proposed method and arrangement for connecting to the municipal sewer system, and the projected usage and needs.
 - (C) The soil, geological, and ground water conditions of the site; and the manner in which storm drainage will be handled.
 - (D) Traffic generation data and recommendations for controlling impact.
- (7) If the PUD is to be developed in stages, a description of each stage and an estimated date of completion for each stage. Any change or alteration in the design of the PUD or completion will require the owner to submit an amended plan in compliance with the most current rules and regulations adopted by the Town. (Ord 216 §12, 2002)

15-46-250. Applicability of Other Regulations.

- (a) The process for submittal of information for a PUD overlay includes the items listed above and those procedures listed in the subdivision ordinance for final plat approval.
- (b) Mobile Home Park Regulations: If the PUD is to be developed as mobile home residential usage, the Mobile Home Park Regulations of the Town of Ranchester shall apply. If said regulations are precluded in any manner, appropriate platting shall be required in accordance with the Subdivision Regulations.
- (c) Subdivision Regulations: If the Planned Unit Development is to be subdivided, the Subdivision Regulations of the Town of Ranchester shall apply. If said regulations are precluded in any manner, through the use of townhouses or condominiums, appropriate platting shall be required in accordance with all related subdivision ordinances of the Town of Ranchester shall apply, and must be approved by the Planning Commission and Town Council. (Ord 216 §12, 2002)

15-46-260. Approval for PUD.

(a) The Planning Commission reviews and forwards recommendation to the Council on all PUD's.

(b) Within 20 working days after submission of the required information has been made, the Planning Commission shall hold a public hearing for which public notice shall be given. At such meeting, all interested parties may present testimony and evidence pertinent to the proposed Planned Unit Development. The Planning Commission shall recommend approval, approval with contingencies, table, or deny the proposal and shall state the rationale of their decision in writing, and shall forward their decision to the Council.

(c) The Council shall then conduct a public hearing and approve, table, or deny the PUD Conceptual Plan and Conceptual Design Report or PUD Final Plat, Conceptual Plan, Conceptual Design Report and Site Plan Agreement.

(d) If the application is approved, the owner(s) may proceed with the Site Plan Agreement executed with the Town and the final platting and site development, and shall obtain the required building permits upon acceptance of the improvements (from the Office of the Town Engineer).

(e) If the application is tabled, it shall be considered at the next regular Council meeting and a determination made, unless the Council, at its option and upon request of the owner(s), determines to table the proposal until a future date.

(f) A denial of the proposal shall be considered final.

(g) Final platting must be approved by the Town Council prior to site development (construction of improvements) and transfer of ownership of portions of the site. Final platting must be completed in accordance with the Subdivision Regulations and must include financial assurance in a form acceptable to the Town Council.

(h) Site Development Plans (Site Plans, Preliminary and Final Engineering Plans, Technical Specifications, and As-Built Plans) shall be approved by the Town Engineer. The Town Engineer may approve the issuance of building permits to 10% of the platted lots upon completion of construction and acceptance of the underground utilities. In addition, the Town Engineer may approve the issuance of one (1) model structure building permit prior to the completion of the underground utilities, but not until approval of final engineering plans and specifications is issued by the Town Engineer. (Ord 216 §13, 2002)

15-46-270. Public Hearing Notice. Within 20 working days after the submission of the required information has been made a written notice of the day, time, and place of the public hearing shall be mailed certified, return receipt requested, or delivered by the applicant to all abutting and all property owners within a 300 ft. radius of the perimeter of the site, not including right-of-ways. The notice shall be mailed and delivered at least 15 calendar days prior to the hearing. Notice shall be published at least 15 calendar days prior to the hearing as required by law. (Ord 216 §14, 2002)

15-46-280. Fees and Advertisement. Upon submission of a zone change application and/or PUD application, the applicant shall pay a fee established by the Council, for the cost of advertising, the Public Hearing, and the review of the application. (Ord 216 §15, 2002)

15-46-290. Alterations of the Final Plat, Conceptual Plan and Conceptual Design Report.

(a) The Final Plat, Conceptual Plan and Conceptual Design Report, as passed by the Council, shall not be altered during the construction of the Planned Unit Development, except as hereinafter set forth.

(1) Minor alterations in locations, setting, alignments, bulk of structures, placement or types of plant material, changes in grades, heights, or character of structures, or other similar alterations may be authorized by the Town Engineer, if required by circumstances not reasonably foreseeable at the time the Final Conceptual Plan and Conceptual Design Report was approved.

(2) All other alterations in use, intent, rearrangement of lots, realignment of major circulation patterns, density levels, provisions governing common or open space, or the ratio thereof, or any other alterations that, in the judgment of the Town Engineer are substantial change(s), the Planned Unit Development must be approved by the Planning Commission and passed by the Council at public meetings for which public notice is given. The same type and quality of data shall be required as was necessary for the original final approval and passage. (Ord 216 §16, 2002)

15-46-300. Subdivision and Platting of PUD. Planned Unit Development sites may be developed as single lots with single ownership, as condominiums, or as platted lots with individual owners. Single lot and ownership PUD's would be in the instance of apartments. Condominium ownership would be where individuals purchase the air space in their dwelling unit and share in common interest in the actual building and the entire site. A lot ownership format would be where townhouses (attached single family house) and detached single-family homes are platted on individual lots owned by individuals. In all instances, a homeowner's association is required to maintain the common areas of the site through assessments. (Ord 216 §17, 2002)

15-46-310. Private Roads; Public Roads.

(a) PUD's may contain private drives built to private standards, for access to the buildings on site. In this instance all roadways must be dedicated easements/rights-of-ways for access of owners, law enforcement, and fire and emergency vehicles.

(b) All PUD's with private roadways may be specifically allowed by the Town Council wherein "special" circumstances exist. The developer must provide evidence of the practical difficulties or unnecessary hardship that would be imposed by the requirements for public roadways. An association shall be established for assessment of fees and maintenance, and shall be approved by the Town Engineer and recorded with the final plat.

(c) PUD's with lots sold to individuals, shall be encouraged to dedicate and construct public roads, water distribution and sewer collection systems, and storm water drainage systems which meet Town standards. The Town will accept dedication of the constructed roads, water distribution, sewer collection and storm water drainage systems, which meet the standards of construction specified by the Town Engineer, and maintain these in accordance with Town policy for similar public services. (Ord 216 §18, 2002)

15-46-320. Recordings. The approved site plan, agreements, plats, homeowners' association documents and other supporting data will be recorded by the Town as a matter of public record (the owner shall pay all recording fees). The Town will monitor construction and require the site to be constructed in accordance with the approved final engineered construction drawings and specifications. (Ord 216 §19, 2002)

15-46-330. Platting and Construction Standards. All platting and construction of public roadways will comply with Town of Ranchester policies and procedures, technical specification, and mobile home park or subdivision regulations. (Ord 216 §20, 2002)

TITLE 15

ZONING

Chapter 47

RECREATIONAL VEHICLE PARKS

Sections:

15-47-100	Definitions
15-47-110	Purpose and Scope
15-47-120	Placement and Occupancy
15-47-130	Storage on Premises by Owner
15-47-140	Rendering Vehicle Immobile
15-47-150	Requirements for Motor Homes Generally
15-47-160	Park Permit; Privileges Conveyed
15-47-170	Park Permit; Application
15-47-180	Location of Recreational Vehicle Parks
15-47-190	Nonconforming Uses
15-47-200	Minimum Area and Width of Recreational Vehicle Units
15-47-210	Minimum Clearance Surrounding Vehicle
15-47-220	Parks to Have Access to Abutting Streets, Roadways
15-47-230	Areaways
15-47-240	Sewer Connections
15-47-250	Water Supply
15-47-260	Accessory Buildings
15-47-270	Floor Drains
15-47-280	Plumbing Requirements
15-47-290	Garbage Cans
15-47-300	Distance Between Vehicle Units and Other Structures
15-47-310	Vehicle Wash Racks
15-47-320	Drainage
15-47-330	Tents and Canvas Roofs
15-47-340	Dogs and Other Animals in Recreational Vehicle Park
15-47-350	Renting or Leasing as Living Quarters
15-47-360	Electrical Service
15-47-370	Lighting
15-47-380	Fire Prevention Equipment
15-47-390	Gas Water Heaters
15-47-400	Filing Name of Park Supervisor with Town Clerk
15-47-410	Office Building Requires; Park Register to be Kept
15-47-420	Duties of Person in Charge of Park

15-47-100. Definitions. For the purposes of this Chapter the following terms shall have the meanings respectively ascribed to them by this section:

(a) “Recreational vehicle” 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 and regulated by Title 15 of this Code.

(b) “Recreational vehicle park” means any lot or parcel of land used or intended to be used for the accommodation of one or more recreational vehicles.

(c) “Recreational vehicle unit” means a plot of land in a recreational vehicle park used or intended to be used for the accommodation of not more than one recreational vehicle.

(d) “Self-contained recreational vehicle” means a recreational vehicle which can operate independently of connections to sewer, water, and electrical systems, containing a water-flush toilet, lavatory, shower, and kitchen sink, all of which are connected to water storage and sewage holding tanks located within the trailer.

(e) “Surfacing” means hot plant mix asphalt pavement with minimum of two inches in thickness, or portland cement with a minimum of four inches in thickness. (Ord 206 §1, 2000)

15-47-110. Purpose and Scope. Purpose and scope of this Chapter is to provide certain minimum standards, provisions, requirements and arrangements for sanitation, safety and use of materials for all recreational vehicle parks and recreational vehicles on private property. (Ord 206 §2, 2000)

15-47-120. Placement and Occupancy.

(a) It is unlawful for any person to place, keep or maintain any recreational vehicle on any land within the Town without the express permission of the owner of such land; and except as otherwise provided in this Chapter, it shall be unlawful for the owner, or other person having charge or control of any lot or tract of land in the Town, other than a recreational vehicle park, as defined in this article, to permit any person to occupy for living or sleeping quarters or business purposes any recreational vehicle parked thereon; provided, that nothing in this section shall be construed to prohibit the owner or other person having charge or control of a lot, from permitting a nonresident of the Town to park a recreational vehicle thereon, and live and sleep therein, for a period not to exceed two weeks while visiting family or friends, or while attending or participating in a locally sponsored meeting, event or activity, provided such recreational vehicle is self-contained or that sanitary facilities required by law are provided on such lot or tract of land.

(b) Government and quasi-public bodies may, upon application to the Town Council and while acting as a sponsor of a meeting, event, or activity establish a temporary area for the parking of recreational vehicles for a period of not to exceed two weeks, provided the recreational vehicles are self-contained or that sanitary facilities as required by law are provided on such area. (Ord 206 §3, 2000)

15-47-130. Storage on Premises by Owner. Nothing in this Chapter shall be deemed to prohibit the storage of a recreational vehicle on the home premises of its owner for any length of time when not used for living, sleeping or business purposes; provided, that the placement or location of the recreational vehicle on the lot is set back not less than six feet from the edge of the curb or projected curb line as measured to the maximum projection or extension of the recreational

vehicle or motor home; and that no part of any recreational vehicle shall extend over a sidewalk. Recreational vehicles shall be located five feet from any interior property line of the lot. (Ord 206 §4, 2000)

15-47-140. Rendering Recreational Vehicle Immobile. It shall be unlawful for any person owning, operating or occupying for living quarters any recreation vehicle within the Town, to remove or cause to have removed the wheels or any similar transporting device from such recreation vehicle or to otherwise permanently fix it to the ground in a manner that would prevent the ready removal of the recreational vehicle. (Ord 206 §5, 2000)

15-47-150. Requirements for Motor Homes Generally. Motor homes shall have a state license for motor vehicles and attached state license plates issued to the owner within the last current year, and the wheels on such motor homes shall be maintained permanently in place on the motor homes for its immediate movement. (Ord 206 §6, 2000)

15-47-160. Park Permit; Privileges Conveyed. Any permits issued under the terms of this Chapter convey no right to erect any building, other than the accessory buildings designated on the plot plan for the recreational vehicle park, or to do any electrical work or to do any plumbing work. Regular building, electrical, plumbing or other permits, as required by the provisions of this Code or other ordinances of the Town, shall be secured for all such work. Where no work is done under a permit within 90 days after its issuance, it shall become null and void. (Ord 206 §7, 2000)

15-47-170. Park Permit; Application.

(a) Application to obtain a permit for a recreational vehicle park shall be filed with the building department. Application shall be in writing, signed by the applicant, and shall contain the following:

- (1) The name and address of the applicant;
- (2) The location and legal description of the recreational vehicle park;
- (3) The complete plan of the park showing compliance with this chapter;
- (4) Plans and specifications of all buildings and other improvements, construction or to be constructed within the recreational vehicle park; and
- (5) Such further information as may be required by the Town engineer's office to enable it to determine if the proposed park will comply with legal requirements. The application and all accompanying plans and specifications shall be filed in triplicate. The inspector of buildings and the local enforcing agencies shall investigate the applicant and inspect the proposed plans and specifications and the proposed recreational vehicle and all other applicable ordinances or statutes, the building department shall approve the application and issue the proper permits. (Ord 206 §8, 2000)

15-47-180. Location of recreational Vehicle Parks. Subject to the provisions of this chapter, recreational vehicle parks may be established and maintained only in B-1 business of the zoning ordinance and any amendments thereto. (Ord 206 §9, 2000)

15-47-190. Nonconforming uses.

(a) The lawful use of land, including the location of a recreational vehicle thereon, existing on the effective date of this amendment may be continued; provided that the owner of such land shall register such nonconforming use in the office of the building inspector.

(b) When any recreational vehicle not now conforming to the provisions of this chapter shall be moved or removed, the space occupied by such recreational vehicle shall not again be devoted to any nonconforming use. (Ord 206 §10, 2000)

15-47-200. Minimum Area and Width of Recreational Vehicle Units. Each recreational vehicle unit in every recreational vehicle park shall contain not less than 900 square feet of ground area, and shall not be less than 20 feet in minimum width measured at right angles to the sidelines thereof. The boundary lines of every recreational vehicle unit shall be plainly and permanently marked, or otherwise indicated. (Ord 206 §11, 2000)

15-47-210. Minimum Clearance Surrounding Vehicle. There shall be a clearance of not less than 10 feet between recreational vehicles, or recreational vehicles and other buildings. Where recreational vehicles are placed on the same lot with a residential building, the yard area of such residential building shall be maintained as provided in the zoning ordinance. There shall be a clearance of not less than five feet between recreational vehicles and the interior property lines of a recreational vehicle park, and not less than five feet from any driveway. There will be a setback clearance from the property lines of not less than five feet. (Ord 206 §12, 2000)

15-47-220. Parks to Have Access to Abutting Street, Roadways. Every recreational vehicle park shall have access to a public street either by abutting directly on such street or by means of a private road not less than 25 feet wide, exclusive of parking areas, and such road shall be surfaced and so located that each and every recreational vehicle unit shall have direct access thereto. (Ord 206 §13, 2000)

15-47-230. Areaways. There shall be an unobstructed, paved surface areaway, not less than four feet wide, adjoining and surrounding any buildings, except those areas maintained with lawns or plants. (Ord 206 §14, 2000)

15-47-240. Sewer Connections. On each and every recreational vehicle unit there shall be a connection to the recreational vehicle park sewer, arranged so that the sinks or lavatories in any recreational vehicle may be readily connected thereto, and such connection shall be an arrangement approved by the plumbing inspector. A recreational vehicle choosing to hook up to the sewer services must have its sink or lavatory connected to the sewer by an approved airtight and gastight connection. Every recreational vehicle park shall have a cast-iron, or other approved equivalent, main sewer, which shall comply with the rules and ordinances governing sewers connected with the public sewer system of the Town, and which shall not be less than four inches in diameter. (Ord 206 §15, 2000)

15-47-250. Water Supply. On each recreational vehicle unit there shall be an ample supply of water, as approved by local plumbing ordinances, from an approved water service for the use of the occupants thereof, not less than one water outlet for each and every recreational vehicle unit. All such water outlet shall be adapted for hose connection. (Ord 206 §16, 2000)

15-47-260. Accessory Buildings. Office rooms for keeping of the required record, and accessory buildings for toilets, urinals, showers, slop sinks, laundries and garbage enclosures, shall be constructed according to the general requirements of the building, zoning, fire regulation and garage provisions of this Code and other ordinances of the town pertaining to such matters. (Ord 206 §17, 2000)

15-47-270. Floor Drains. An approved-type of floor drain shall be installed in all concrete floors in all rooms containing sanitary plumbing fixtures. Such floor drains shall be connected to the recreational vehicle park sewer. One outlet for water at or near each and every floor drain shall be installed. (Ord 206 §18, 2000)

15-47-280. Plumbing Requirements.

(a) In every recreational vehicle park the following facilities shall be installed, except in a single recreational vehicle unit which has independent sanitary facilities and has access to laundry facilities in an adjacent building.

(1) One public toilet and one stall shower for each sex, for every 20 recreational vehicle units or fraction thereof.

(2) One public urinal for every 20 recreational vehicle units or fraction thereof.

(3) One public lavatory for each sex for every 20 recreational vehicle units or fraction thereof.

(Ord 206 §19, 2000)

15-47-290. Garbage Cans. Every recreational vehicle shall be provided with a centrally located garbage receptacle in an approved garbage can rack large enough to handle the needs of the entire recreational vehicle park. (Ord 206 §20, 2000)

15-47-300. Distance Between Vehicle Units and Other Structures. No recreational vehicle unit shall be more than 200 feet from an accessory building or sanitary fixtures required by this amendment to serve such recreational vehicle unit, except recreational vehicles with self-contained sanitary facilities. (Ord 206 §21, 2000)

15-47-310. Vehicle Wash Racks. In every recreational vehicle park of 15 sites or more, where recreational vehicles are washed or are to be washed, there shall be installed a wash rack, and no washing shall be done except on such was rack. All such wash racks shall be paved with a continuous concrete floor slab not less than 15 feet by 25 feet by four inches thick and all parts thereof shall slope towards an approved sand trap. For recreational vehicle parks of less than 15 sites, the construction of a wash rack shall be approved by the building department. (Ord 206 §22, 2000)

15-47-320. Drainage. Every recreational vehicle park shall be located and constructed on a well drained area, and such premises shall be properly graded so as to prevent the accumulation of storm or casual water. (Ord 206 §23, 2000)

15-47-330. Tents and Canvas Roofs. No tents or other habitable enclosures shall be allowed in any recreational vehicle unit or any other location within a recreational vehicle park

Ranchester 1/2014

unless complying with the provisions of this code or other ordinances of the Town, except that fireproof canvas roofs only may be installed with one side or end fastened to one recreational vehicle. (Ord 206 §24, 2000)

15-47-340. Dogs or Other Animals in Recreational Vehicle Parks. Dogs or other animals in recreational vehicle parks shall meet the requirements of the provisions of this Code and other ordinances of the Town pertaining to such animals. (Ord 206 §25, 2000)

15-47-350. Renting or Leasing as Living Quarters. It shall be unlawful for any person to rent or lease, or cause to be rented or leased, any land or recreational vehicle to any person to be used as living quarters within the Town, except within an approved recreational vehicle park. (Ord 206 §26, 2000)

15-47-360. Electrical Service. All electrical service shall be governed by and conform with the provisions of this Code and other ordinance of the Town. (Ord 206 §27, 2000)

15-47-370. Lighting. Every public toilet and every public urinal room shall be lighted from sunset to sunrise of the succeeding day. Such lighting shall be provided in an amount not less than one-half ($\frac{1}{2}$) watt per square foot of floor area in any such room. Every public bath, laundry, room, sink and slop sink shall be supplied with lights which may be turned on by the person using such room. Every required roadway in any recreational vehicle park shall be adequately lighted from sunset to sunrise of the succeeding day. The lighting equipment shall be such that not less than 100 watt lamps shall be provided for each 100 feet, linear, of roadway, or major fraction thereof, or as otherwise directed by the Town Building Inspector. (Ord 206 §28, 2000)

15-47-380. Fire Prevention Equipment. Every recreational vehicle park shall be provided with not less than one suitable extinguisher, approved by the fire department having jurisdiction as to location, type and number, and where there are more than two recreational vehicles, there shall be one additional fire extinguisher. (Ord 206 §29, 2000)

15-47-390. Gas Water Heaters. Every gas water heater or appliance, used for the purpose of heating accessory buildings, shall be an approved vented type appliance and shall comply with all applicable provisions of this Code. (Ord 206 §30, 2000)

15-47-400. Filing Name of Park Supervisor with Town Clerk. The owner or operator of every recreational vehicle park, before allowing any recreational vehicle therein, shall file with the Town Clerk the name of the person who will be in continuous responsible charge of the park, and who is authorized to act for him. Any change in such person in charge will be immediately reported to the Town Clerk. (Ord 206 §31, 2000)

15-47-410. Office Building Required; Park Register to be Kept. In every recreational vehicle park there shall be an office building in which shall be located the office of the person in charge of the park. The park register shall at all times be kept in such office. (Ord 206 §32, 2000)

15-47-420. Duties of Person in Charge of Park.

(a) It shall be the duty of the owner, operator or person in charge of any recreational vehicle park:

(1) To keep at all times a register of all persons staying in his park, which register shall be at all times open to inspection by Town, state and federal officers. Such register shall record the names and home address of all persons staying in the recreational vehicle park, the date of their arrival, date of their departure, the license number of all recreational vehicles and automobiles in the park, the name of the state and county in which they are registered, and the recreational vehicle unit on which each is located;

(2) To maintain the park in a clean, orderly and sanitary condition at all times;

(3) To require that all such recreational vehicles and automobiles are located in their respective recreational vehicles units as required by the terms of this amendment;

(4) To see that all required lights are kept lighted as provided for in this amendment;

(5) To see that garbage is drained and wrapped as required by the provisions of this code and other ordinances of the Town and deposited in the garbage receptacle required by this amendment, and see that such garbage receptacle is collected and cleaned as required by the provisions of this code and other ordinances of the Town;

(6) Not to permit any domestic animal in the recreational vehicle park unless they meet the requirements of the provisions of this code and other ordinances of the Town pertaining to such animals;

(7) To report promptly to the proper authorities any violation of law which may come to his attention.

(Ord. 206 §33, 2000)

TITLE 15

ZONING

Chapter 48

SITE PLAN

Sections:

15-48-100	Site Plan Required
15-48-110	Goal
15-48-120	Objectives
15-48-130	Definitions
15-48-140	Procedures
15-48-150	Site Plan Checklist

15-48-100. Site Plan Required. All PUD site plans and other required site plans shall comply with the standards set forth in this Chapter. (Ord 216 Appendix 1, 2002)

15-48-110. Goal. The goal of a requiring a site plan is to beautify and improve the quality of life in the Town of Ranchester, Wyoming, and to insure compliance with the Town Subdivision Regulations and the Town Zoning Ordinances. (Ord 216 Appendix 1, 2002)

15-48-120. Objectives. The site plan requirements and procedures for the Town of Ranchester are designed to meet the following objectives for the protection of the health, safety, and welfare of the general public.

(a) To insure compliance with all applicable subdivision regulations and all drainage, safety, utilities, natural hazard mitigation, traffic plans, and easement provisions required by Town rules, regulations, and plans;

(b) To provide a smooth transition between adjoining properties;

(c) To facilitate the review of new developments by appropriate governmental agencies of the Town;

(d) To streamline the development application, review, and approval processes.

(Ord 216 Appendix 1, 2002)

15-48-130. Definitions. The site plan is a plot plan of the entire area to be developed, which shows location and size of buildings, the size and area of the land under consideration, street names and widths, parking area size, and all other items required on the attached site plan checklist. A site plan is required for all PUD's, all new multi-family residential buildings consisting of 16 or more living units, all new public, commercial, and industrial buildings, including churches, and all exterior additions to existing public, commercial, and industrial buildings, including churches. (Ord 216 Appendix 1, 2002)

15-48-140. Procedures.

(a) Persons submitting site plans are required to discuss their proposals and the site plan application with the Town Engineer at least seven days prior to submitting an application for review. A landscaping plan in accordance with Title 15, Chapter 49, must be submitted to, and approved by, the Town Engineer prior to issuance of any building permits. An approved landscaping plan must be forwarded to the Building Official by the Town Engineer prior to the Building Official issuing any building permits

(b) After the required owner-staff meeting, a complete site plan application must be submitted to the Town Engineer. A complete site plan application consists of:

(1) The original and two copies of the site plan application form.

(2) 15 copies of a site plan containing all information required on the site plan checklist.

(3) For those sites having a total land area of 10,000 square feet, a drainage plan providing for surface drainage and the effect the surface drainage will have on the area under consideration and all abutting areas, and proving compliance with the Town's Urban Storm Water Management Plan.

(4) For commercial and industrial uses generating more than 100 vehicle trips per 24-hour period, a traffic study prepared by a qualified professional engineer registered in Wyoming shall be provided to the Town Engineer. Trip generation data shall be calculated using the trip generation guide (Institute of Transportation Engineers, 1987, or most recent edition). In the event said data is not available, the Planning and Engineering Directors and owner shall mutually agree upon an estimated rate prior to preparation of said study, which study shall include:

(A) The estimated traffic generated from the proposal and its effects;

(B) Two copies of a complete road network plan providing for all traffic expected to be generated by the proposed development.

(C) Identification of: any private and/or public roadways proposed, and the widths of these roadways; any necessary widening of existing roadways, and the recommended geometric design of roadways; or,

(D) The Town Engineer may determine if a traffic study is not needed based on preliminary information.

(5) Natural hazards shall be identified and proper action shall be taken to mitigate potential hazards.

(6) Buffering measures for the areas of transition between all multi-family, townhouse, and condominium dwellings adjacent to single-family dwellings and for all PUD, commercial, industrial, and multi-family developments.

(c) Site plan applications for all new public, commercial, and industrial buildings, including churches and off-street parking lots, and all exterior additions to existing public, commercial, and industrial buildings, including churches and off-street parking lots, up to 5,000 square feet of building area, may be approved by the Town Engineer. Within three working days of the receipt of the application, the Town Engineer shall review the application for completeness. If the application is not complete, the Town Engineer shall notify the applicant both verbally and in writing and shall list those items needed to complete the application. If the application is complete, the Town Engineer shall approve, approve with contingencies, or deny the application within 12 working days of its receipt and notify the applicant in writing and verbally of the decision. If approved or approved with contingencies, the applicant shall sign a site plan agreement and proceed in accordance with this Chapter for final approval. If the application is denied, the decisions of the Town Engineer may be appealed in writing to the Council within 15 calendar days of the Town Engineer's decision. Any denial not appealed shall become final.

Ranchester 1/2014

(d) Site plan applications for new public, commercial, and industrial buildings, including churches and off-street parking lots, and all exterior additions to existing public, commercial, and industrial buildings, including churches and off-street parking lots, in excess of 43,560 square feet of building (parking lot) area, and multi-family developments over 16 units per acre, must be approved by the Planning Commission. Applications must be submitted to the Town Engineer by 5:00 p.m. at least 20 working days prior to the Commission meeting at which the application is to be considered.

(1) Within three working days of submittal, the Town Engineer will review the application for completeness with the site plan application requirements. If the application does not conform to the requirements, it will be returned to the owner within the three day period, and the Town Engineer will notify the owner, first by telephone, and then by writing. Written notification shall include the reasons for the determination, and shall list items needed to complete the site plan, the drainage study, and/or the traffic study. If the application is complete, it shall be accepted and the date of acceptance noted on all copies.

(2) An application which is determined to be incomplete shall not be placed on the Planning Commission agenda by which it was originally intended to be considered, unless it is resubmitted in complete and accurate form at least 20 working days prior to the Planning Commission meeting for which it had been set for hearing. The application will be reviewed in compliance with requirements as stated in the above procedure.

(3) The Town Engineer will notify the owner, in writing, at least five calendar days prior to the Planning Commission meeting at which the application will be considered. In addition, a meeting will be scheduled between the owner and the Town Engineer to discuss the staff's written comments to the Planning Commission.

(4) After being placed on the agenda, the application will be considered by the Planning Commission at its meeting. The Town Engineer review comments will be submitted at the Planning Commission meeting. The owner will be given the opportunity to discuss the site plan with the Planning Commission, and other comments regarding the site plan may be made.

(5) The Planning Commission shall then take one of the following actions:

(A) Approve;

(B) Approve with contingencies;

(C) Deny; or

(D) Table discussion of the application.

(6) If the site plan application is approved or approved with contingencies, the owner shall be required to sign a site plan agreement stating terms of approval and his willingness to comply with those terms. If the application is tabled, it shall be considered at the next regular scheduled Planning Commission meeting and a decision to approve with contingencies, or deny shall be made. Appeal of decisions may be made in writing to the Council within 10 calendar days of written notice of decision.

(7) The Council may consider the appeal at the next regularly scheduled Council meeting to be held after receipt of the written appeal. Within 15 working days of the Council meeting at which the appeal was heard, the Council shall make a final determination upon the appeal. (Ord 216 Appendix 1, 2002)

15-48-150. Site Plan Checklist. Site plans must be prepared by a licensed civil engineer or land surveyor. All items on the following checklist shall be addressed on the site plan. All

proposed items addressed on the checklist shall be included on the finished physical development exactly as designated on the approved site plan.

1. Legal description and common address of the proposed site.
2. Title block stating name of project, designer, and address and telephone number of designer.
3. Names and addresses 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 the date the 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 locations 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 easements.
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 question with respect to a larger recognizable area.
21. General notes to include a summary of:
 - a. Total land area in acres or square feet.
 - b. Total building area in square feet.
 - c. Percentage of land covered by buildings.
 - d. Building height(s).
 - e. Number of stories and square footage per story of leasable space.
 - f. Total number of parking spaces.
 - g. Square footage of parking area(s).
 - h. Percentage of land covered by parking.
 - i. Square footage of all landscaped areas.
 - j. 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.

Ranchester 1/2014

24. Elevations of the building(s) to be constructed (front, rear, side).
25. Surface drainage plan for sites at 10,000 square feet or more.
26. Pavement design report for parking areas.
27. Traffic study, as required by the Town Engineer.
(Ord 216 Appendix 1, 2002)

TITLE 15

ZONING

Chapter 49

LANDSCAPING APPLICATION

Sections:

15-49-100	Goal
15-49-110	Objectives
15-49-120	Definition
15-49-130	Procedures
15-49-140	Landscaping Criteria
15-49-150	Minimal Landscaping Percentages

15-49-100. Goal. The goal of the landscaping requirements is to beautify and improve the quality of life within the Town of Ranchester. (Ord 216 Appendix 2, 2002)

15-49.110. Objectives. The landscaping procedures and provisions for the Town of Ranchester are designed to meet the following objectives:

- (a) To encourage quality development within the Town.
- (b) To provide a smooth transition between adjoining properties.
- (c) To screen service yards, parking lots, and other areas which tend to be a nuisance;
- (d) To improve erosion control.
- (e) To encourage a sense of commitment to the Town and its residents on the part of developers, schools, and government agencies; and
- (f) To provide for the health, safety, and welfare of the residents of the Town of Ranchester. (Ord 216 Appendix 2, 2002)

15-49-120. Definition. Landscaping means the use of vegetation and inorganic durable materials such as those identified below, to enhance the visual attractiveness of a site and improve erosion control. For the purposes of satisfying the Town Subdivision and Zoning Ordinances, landscaping shall include, but not be limited to, the following:

- (a) Formal turf areas.
- (b) Trees, shrubs, bushes, ground cover, or planting.
- (c) Sprinkler systems.
- (d) Decorative rock, natural or manmade.
- (e) Rooftop gardens, exposed aggregate tile or similar decorative materials used in walkways, excluding sidewalks on public property, driveway approaches, and any architectural features attached to the building.
- (f) Decorative lighting (standard street lighting or lighting used primarily for security purposes is not considered decorative).
- (g) Benches, tables, fountains, planters, kiosks and public transit shelters, waterfalls, and manmade streams;

- (h) Decorative fences; retaining walls, i.e., railroad ties, brick, and flagstone;
 - (i) Ponds, excluding detention and retention ponds;
 - (j) Berms and mounds.
- (Ord 216 Appendix 2, 2002)

15-49-130. Procedures.

(a) The owner of any proposed, new public, commercial, or industrial buildings, or parking lots, including churches; any exterior additions to existing public, commercial, or industrial buildings, or enlargement of a parking lot, including churches; or any new residential buildings or exterior additions to existing residential buildings with the exception of single-family and two-family dwellings, must submit and obtain approval of a complete landscaping application before any building permit is issued. Landscaping applications are to be submitted to the Town Engineer. A complete landscaping application consists of:

- (1) A planting list;
- (2) A time frame for installation or planting;
- (3) One copy of a landscaping plan complying with the attached list of landscaping criteria; and
- (4) The original and two copies of the attached landscaping application form.

(b) At the time the owner submits a landscaping application; the owner shall sign an agreement with the Town to comply with both the landscaping criteria below, and an approval of a landscaping plan, and to complete the landscaping within the time frame stated in the agreement. Upon approval of a landscaping plan by the Town Engineer, the signed agreement shall be filed with the Town Clerk.

(c) Within three working days of receiving a landscaping application, the Town Engineer will review the application for completeness with the landscaping criteria. Applications determined to be incomplete will be returned to the owner within the three-day period, along with written notification of additions and corrections necessary for compliance. If the application is complete, the Town Engineer shall approve, approve with contingencies, or deny the application within 12 working days of its receipt and notify the applicant in writing and verbally of the decision. If approved or approved with contingencies, the applicant shall sign a site plan agreement and may obtain a building permit from the office of the Town Engineer. If the application is denied, the Town Engineer shall not issue the applicant a building permit. Appeals of the decisions of the Town Engineer must be requested, in writing, to the Council within 15 working days of the date upon which the owner was notified of the decision. The Council may consider the appeal at the next regularly scheduled Council meeting to be held after receipt of the written appeal. Within 15 working days of the Council meeting at which the appeal was heard, the Council should make a final determination upon the appeal. Any denial not appealed shall become final.

(d) If the owner does not receive written notification of non-compliance, the landscaping application is considered approved. The Town Engineer will forward the approved landscaping application to the Building Official within the 15 day period and the Building Official may issue a building permit. (Ord 216 Appendix 2, 2002)

15-49-140. Landscaping Criteria. The landscaping plan must comply with the following criteria:

(a) Minimum size of plant and other materials shall comply with the criteria and specifications set forth by the Town.

(b) Inorganic ground cover should consist of rock, lava, and bark installed over a minimum six mil screen type material to prevent weed infiltration.

(1) Redwood bark chips a minimum of one inch (1") in size and a minimum of two inches (2") in depth.

(2) Crushed stone a minimum of one inch (1") in size and a minimum of two inches (2") in depth.

(c) Total inorganic landscaping shall not constitute more than 50% of the landscaped area of the land under consideration unless otherwise approved by the Town Engineer.

(d) Landscaping of off-street parking lots and loading and unloading spaces shall be located so as to break up the expanse of paving.

(e) Landscaping shall be required along the perimeter lot line(s) of all off-street parking lots which abut any public way, residential property, or property zoned for a less intensive use.

(f) No artificial trees, bushes, hedges, flowers, or shrubs may be used in landscaping any exterior areas, unless having received prior written approval from the Town Engineer.

(g) No synthetic ground cover, such as astroturf, is to be used for exterior landscaping unless warranted by soil conditions and unless prior written approval has been received from the Town Engineer.

(h) All planted areas must be provided with sprinkler irrigation systems.

(i) The owner or occupant, his successors, and assigns, are responsible for irrigating, fertilizing, spraying, pruning, and general maintenance of all plantings and landscaped areas. After 24 months, the owner or occupant, his successors and assigns, may substitute alternate landscaping upon approval by the Town Engineer.

(j) Upon demand of the Council, the owner shall replace and replant any plant material that dies within the 24 months maintenance period, or is not in conformity with the landscaping plan.

(k) Landscaping shall not:

(1) Interfere with the installation, maintenance, and repair of any public utilities.

(2) Restrict pedestrian or vehicular access; or

(3) Constitute a traffic hazard.

(l) The owner shall attempt to use a listing of recommended plantings when selecting landscaping materials as provided by the Town.

(m) A minimum percentage of the site shall be landscaped. A list of minimum percentages follows in Section 15-49-150.

(n) The landscape plan should be prepared by a landscape architect, landscape contractor, or other qualified person.

(o) The landscape plan must be prepared on a scale of 1" = 10' or a multiple thereof and must include:

(1) North arrow, scale, and date of preparation;

(2) Common address and location of land under construction;

(3) Location and width of all interior and abutting roads, highways, rights-of-way, and railroad rights-of-way;

(4) Easements on the land under construction;

(5) Adjoining property lines;

(6) The location, type, and size of all existing plant materials specifying whether the materials are to remain on the site;

(7) The location, type, size, and quantity of proposed plant and other landscaping materials; and,

(8) All other significant features.

(Ord 216 Appendix 2, 2002)

15-49-150. Minimum Landscaping Percentages.

Size of Site	Minimum Percentage of Land to Be Landscaped
Multi-family sites of 9,000 square feet or more*	20%
Commercial sites	
0 to 8,999 square feet	0%
9,000 to 19,999 square feet	8%
20,000 square feet to 1 acre	6%
Over 1 acre	4%
Industrial sites	
0 to 8,999 square feet	0%
9,000 to 19,999 square feet	4%
20,000 square feet to 1 acre	3%
Over 1 acre	2%

* For multi-family developments of 16 units or over, the owner is required to expend 6% of the raw land value for landscaping purposes as well as to landscape 20% of the land.

(Ord 216 Appendix 2, 2002)

TITLE 15

ZONING

CHAPTER 50

SPECIAL PERMITS

Sections:

15-50-100	Uses Requiring Special Permits
15-50-110	Application
15-50-120	Hearing
15-50-130	Grant or Denial
15-50-140	Standards for Granting

15-50-100. Uses Requiring Special Permits. The uses allowed in R-3 Residence District, R-4 Residence District, B-1 Business District, B-2 Business District, and M-1 Industrial District shall be permitted within those districts only upon the issuance of a special permit by the Council of the Town of Ranchester. (Ord. 73 §9A, 1975)

15-50-110. Application. A person desiring to obtain a special permit shall apply in writing to the Council. The application shall contain a development plan including the following information:

(a) Survey of the property, showing existing features of the property, including contours, buildings, structures, trees over four inches in trunk diameter, streets, utility easements, rights-of-way, and land use.

(b) Site plans showing purported building locations and land use areas.

(c) Landscaping plans, including site grading and landscape design.

(f) Preliminary drawings for buildings to be constructed in the current phase, including floor plans, exterior elevations and sections.

(g) Construction sequence and time schedule for completion of each phase for buildings, parking spaces and landscape areas. (Ord. 73 §9A, 1975)

15-50-120. Hearing. The Council shall conduct a hearing on the application. (Ord. 73 §9A, 1975)

15-50-130. Grant or Denial. The Council may either deny or grant the permit or grant the permit subject to conditions and restrictions deemed necessary by the Council. (Ord. 73 §9A, 1975)

15-50-140. Standards for Granting. The Council may grant the permit or grant the permit subject to conditions and restrictions if it determines that:

(a) The uses proposed will not be detrimental to present and potential surrounding uses.

(b) Lands surrounding the proposed development can be developed in coordination with the proposed development and can be compatible in use.

(c) Existing and proposed streets are suitable and adequate to carry anticipated traffic caused by the proposed development and in the vicinity of the proposed development.

(d) Existing and proposed utility services are adequate for the proposed development.

(e) The proposed development will not be detrimental to the public health, safety, morals, or welfare. (Ord. 73 §9A, 1975)

TITLE 15

ZONING

CHAPTER 51

CONDITIONAL USE PERMITS

Sections:

15-51-100	Purpose
15-51-110	Conditional Use Permit Required
15-51-120	Application
15-51-130	Fees
15-51-140	Procedure
15-51-150	Evaluation Criteria
15-51-160	Conditions; Permitted Use
15-51-170	Failure to Exercise Permit within One Year
15-51-180	Modification
15-51-190	Revocation

15-51-100. Purpose. The purpose of a conditional use permit is to allow for the review of uses which are not permitted throughout a zoning district. Through the use of controls on the number, area, location, or relation to the area, these non-permitted uses may be found to be compatible with the health, safety, and general welfare of the community. As the character of the neighborhood containing the request is an issue, the procedure is intended to allow and encourage broad public review and evaluation of the use and to insure adequate mitigation of potentially unfavorable impacts.

15-51-110. Conditional Use Permit Required. Any use not shown as permitted in the zoning district in which the use is being requested shall require a conditional use permit prior to initiation of the use. As a conditional use permit is issued relative to the use of a property, any change in ownership of the property shall require notification to the Planning Commission of the Town of Ranchester. The Planning Commission shall then notify the new owner of the requirements of the conditional use permit under which the property is operating.

15-51-120. Application. A person desiring to obtain a conditional use permit shall apply in writing to the Planning Commission. All applications for conditional uses shall be on a form prescribed by the Planning Commission and shall, at the minimum, contain the following information:

- (a) Name, address, and telephone number of the person applying for the permit;
- (b) Legal description and common street address of the property for which the conditional use permit is sought;
- (c) Current zoning and use of the property;

- (d) Current zoning and land uses within a three hundred (300) foot radius of the property;
- (e) A written description of the proposed use and how the proposed use will meet the requirements of Section 15-51-150 of this Chapter; and
- (f) A stamped, pre-addressed business-sized envelope for each property owner within a three hundred (300) foot radius of the boundary of the property for which the conditional use permit is sought.

15-51-130. Fees. At the time an application for a conditional use permit is submitted to the Planning Commission, a uniform fee established by Town Council resolution shall be paid by the applicant.

15-51-140. Procedure. Upon receipt of a complying application for a conditional use permit, the Planning Commission shall set the matter for a public hearing and shall mail or deliver written notice of the date, time, and place of the hearing to the applicant and all owners of private real property within a three hundred (300) foot radius of the perimeter of the property in question. Such written notice shall be provided at least thirty (30) days in advance of the public hearing date. In addition, notice of the date, time and place of the hearing shall be published at least thirty (30) days prior to the public hearing date. The Planning Commission shall hold the public hearing and make a recommendation to the Town Council. A public notice shall be published at least fifteen (15) days before the Town Council's meeting at which the application will be considered. The Town Council, upon receipt of the recommendation of the Planning Commission, shall hold a hearing and shall have discretion in the consideration of the health, safety, and welfare of the public to approve or deny a conditional use permit or to apply conditions of approval which would mitigate potentially unfavorable impacts.

15-51-150. Evaluation criteria. The conditional use permit application shall be reviewed relative to the following criteria:

- (a) Conformance with the spirit, purpose, and intent of this Title;
- (b) Compatibility with existing or permitted uses in the area surrounding the property for which the conditional use permit is sought, considerations may include but not be limited to building height, bulk and scale, setbacks and open spaces, landscaping and site development, and access and circulation features;
- (c) Potential impacts to permitted uses in the area;
- (d) Location, lighting, and type of signs, and relation of signs to traffic control and adverse effect on adjacent properties; and
- (e) Safety and convenience of vehicular and pedestrian circulation, considering traffic reasonably expected to be generated by the proposed use and other uses reasonable and anticipated in the area, and considering existing zoning and land uses in the areas.

15-51-160. Conditions; Permitted Use.

- (a) If the conditional use permit is approved, reasonable conditions or modifications may be imposed including, but not limited to, time limitations, requirements that one or more things be done before construction is initiated, or conditions of a continuing nature. Conditional approval of an application for a conditional use permit to ensure compliance with the goals of the land use requirements of the town of Ranchester may include, but are not limited to, the following considerations:
- (1) Limits on length of approval for use;
 - (2) Limits on the hours of operation of use;
 - (3) Limits on activities within a use;
 - (4) Approval of building elevation designs;
 - (5) Approval of accessory uses to the primary use;
 - (6) Site ingress and egress;
 - (7) Approval of vehicular and pedestrian site circulation;
 - (8) Location of parking
 - (9) Location of loading and docking facilities;
 - (10) Need for fencing and type of required fencing or other screening devices;
 - (11) Location, height, and dimensions of signs; and
 - (12) Other conditions which may be appropriate to ensure compatibility with land uses and traffic patterns in the area.
- (b) Upon the performance of all conditions, if any, set forth in the conditional use permit and the continued performance of all conditions of a continuing nature, the use shall be considered a permitted use.

15-51-170. Failure to Exercise Permit within One year. In any case in which a conditional use permit has not been exercised and the work completed by the person named in the permit within one year from the date of issuance, the permit shall be void and have no further force or effect.

15-51-180. Modification. No conditional use may be modified, structurally enlarged, or expanded in ground area, unless such is allowed by the terms of the permit, until and unless the conditional use permit is amended and approved in accordance with this Title.

15-51-190. Revocation. Should the conditions of approval for a conditional use permit not be met or should the use increase beyond what was originally presented, the Town Engineer/Planning Commission may bring the matter before the Town Council for revocation of the conditional use permit. Before revoking any conditional use permit, the Town Council shall provide notice to the property owner of the grounds for a revocation and an opportunity to respond. (Ord. 241, 2011)

TITLE 15

ZONING

CHAPTER 55

GENERAL PROVISIONS AND EXCEPTIONS

Sections:

15-55-100	Supplement to Regulations
15-55-110	Interpretation and Purpose
15-55-120	Administrative Officer
15-55-130	Unsafe Structures
15-55-140	Permits Issued Before Effective Date
15-55-150	Lot in Two Districts
15-55-160	Subdivision Development Plan
15-55-170	Restriction of Rear Dwellings
15-55-180	Accessory Uses in Residence Districts
15-55-190	Accessory Location Restrictions
15-55-200	Through Lot Yard Requirements
15-55-210	Accessory Building Size Restrictions
15-55-220	Lots Owned on Effective Date
15-55-230	Yard Size on Effective Date
15-55-240	Sign Restrictions in Residence District
15-55-250	Projection Exceptions
15-55-260	Cornice, Eave, and Chimney Projections
15-55-270	Height Exceptions
15-55-280	Court in Lieu of Rear Yard
15-55-290	Off-Street Parking
15-55-300	Changes and Amendments
15-55-310	Violation and Penalty

15-55-100. Supplement to Regulations. The regulations set forth in this Chapter qualify or supplement, as the case may be, the regulations appearing elsewhere in this Title. (Ord. 73 §10, 1975)

15-55-110. Interpretation and Purpose. In interpreting and applying the provisions of this Title, they shall be held to be the minimum requirements for the promotion of the public health, safety, morals and general welfare. It is not intended by this Title to interfere with or abrogate or annul any ordinance, rules or regulations previously adopted or issued and not in conflict with any of the provisions of this Title, nor is it intended by this Title to interfere with or abrogate or annul any easements, covenant or other agreements between parties; provided, however, that where this Title imposes a greater restriction upon the use of buildings or land or requires a larger open space, or a lower height of building, or less number of stories than is

required in any other ordinance, statute, or regulation, or by easements, covenants or agreements, the provisions of this Title shall govern. (Ord. 73 § 12, 1975)

15-55-120. Administrative Officer. It shall be the duty of the building inspector to enforce the provisions of this Chapter and to refuse to issue any building permit for any building or structure which would violate any of the provisions hereof. If no building inspector has been appointed, then the Council shall exercise the duties imposed on him by this Chapter. The building inspector is hereby authorized to prosecute or bring any proceedings in a proper court in the name of the Town of Ranchester against any person, firm or corporation violating any of the provisions of this Chapter, and in case any building or structure is erected, constructed, reconstructed, altered, converted or maintained, or any building, structure or land is used in violation of this Chapter, said building inspector is hereby authorized and directed to institute any appropriate action or proceedings to prevent such unlawful erection, maintenance, construction, alteration, conversion or use; to restrain, correct or abate such violation and to prevent any illegal conduct or use on or about the premises. No oversight or failure on the part of the building inspector or his authorized assistants or on the part of any official or employee of the Town of Ranchester shall legalize, authorize or excuse the violation of any of the provisions hereof. (Ord. 73 §12, 1975)

15-55-130. Unsafe Structures. Nothing herein shall prevent the strengthening or restoring to a safe condition of any part of a building or structure declared unsafe by the building inspector. (Ord. 73 §10, 1975)

15-55-140. Permits Issued Before Effective Date. Nothing herein shall require any change in the plans, construction or designated use of any building for which a building permit has been issued before the effective date hereof and the construction of which from such plans shall have been begun within 60 days of the date of such permit, and which such entire building shall be complete according to such plans within one year from the effective date hereof. (Ord. 73 §10, 1975)

15-55-150. Lot in Two Districts. Where the boundary line of a district divides a lot in a single or joint ownership of record on the effective date hereof, a use permitted on the less restricted portion of such lot may be extended into the more restricted portion for a distance not more than 25 feet beyond the district boundary line. (Ord. 73 §10, 1975)

15-55-160. Subdivision Development Plan. The owner of any undeveloped land not less than ten acres in area may submit to the Board of Adjustment a complete development plan for such area showing proposed streets, parks and other public or private open spaces, together with a proposed building plan indicating the location of various types of dwellings and other buildings serving the local community, the maximum number of families to be housed, the minimum yard requirements and proposed building lines. Such development plan, if approved by the Board of Adjustment, after public notice and hearing, shall be construed to modify and supplement the regulations herein as related to the land included in such subdivision. Such plan shall not be approved unless in the judgment of the Board of Adjustment, the general standard of housing and living conditions will not be inferior to those that would result if the general regulations herein

were in full force, and the development plan is consistent with the general welfare. (Ord. 73 §10, 1975)

15-55-170. Restriction of Rear Dwellings. No building shall be constructed or structurally altered for residential purposes unless the lot upon which it is located has frontage of at least 25 feet on a street or unless such lot has an unobstructed private easement or right-of-way of at least 25 feet width extending to a street. (Ord. 73 §10, 1975)

15-55-180. Accessory Uses in Residence Districts. A use accessory to a use permitted in a residence district shall be permitted. A store, trade or business shall not be deemed an accessory use, except that the office of a physician, dentist or other professional person may be located in his private residence, and home occupations as defined herein shall be permitted. No accessory building located in the rear of the main building on the same lot shall be used for residence purposes except by a member of the family residing in the main building, or by persons employed on the premises. (Ord. 73 §10, 1975)

15-55-190. Accessory Location Restrictions. In any residence district a detached private garage or other accessory building shall not be erected on the front one-half of the lot and shall not be nearer the main building than five feet. Such garage shall be set back not less than five feet from an alley from which it has a direct entrance. Such garage or other accessory building shall not be nearer than three feet to the side line of a lot, provided that in the case of a corner lot, such building shall not be nearer the side street than the depth of front yard required on the lot adjoining the corner lot and in the rear thereof or separated there from by an alley. (Ord. 73 §10, 1975)

15-55-200. Through Lot Yard Requirements. On through lots the front yard requirements shall apply to both street frontages. (Ord. 73 §10, 1975)

15-55-210. Accessory Building Size Restrictions. In any district an accessory building not more than 15 feet in height may occupy not more than 30% of a required rear yard. (Ord. 73 §10, 1975)

15-55-220. Lots Owned on Effective Date. Any lot separately owned and shown of record on the effective date hereof, and having less area than required herein, and where the owner does not own an adjoining land, maybe be occupied by not more than one family; provided, however, that the yard requirements shall not be reduced except by order of the Board of Adjustment as hereinafter provided. (Ord. 73 §10, 1975)

15-55-230. Yard Size on Effective Date. In any block in a residence district between two intersecting streets where 40% or more of the frontage is improved with dwellings on the effective date hereof and the average depth of the existing front yards of such dwellings is less than the minimum front yard prescribed by other provisions of this Chapter, then the front yard required for buildings hereafter erected shall be not less than such average depth of such existing front yards, but shall be at least ten feet in any case. (Ord. 73 §10, 1975)

15-55-240. Sign Restrictions in Residence District. None other than the following signs shall be permitted as an accessory use in any residence district:

- (a) Name plates or identification signs not more than one square foot in area.

(b) Bulletin boards not more than 12 square feet in area for the use of public, charitable or religious institutions.

(c) Directional or informational signs of a public or quasi-public nature, but not including directions to commercial establishments.

(d) Signs relating to the sale or lease of the property where displayed not exceeding eight square feet in area. (Ord. 73 §10, 1975)

15-55-250. Projection Exceptions. An unenclosed one-story porch or terrace may project not more than eight feet into a required front yard, and bay windows and enclosed vestibules may project not more than five feet into a required front yard. An unenclosed one-story porch may extend not more than six feet into a required rear yard. (Ord. 73 §10, 1975)

15-55-260. Cornice, Eave, and Chimney Projections. Cornices, eaves and chimneys may project not more than 18 inches into a required yard. Steps, open fire escapes, and the ordinary projections of chimneys, belt courses, sills and other ornamental features may project into any yard; provided no fire escape shall be nearer a side lot line than two feet. (Ord. 73 §10, 1975)

15-55-270. Height Exceptions. The building height limitations shall not apply to church spires, belfries, domes, cupolas, monuments, water towers, stacks, grain elevators, flag poles, radio towers or airway beacons, nor to any elevator bulkhead, water tank or similar structure extending above the roof and not occupying more than 25% of the roof area. (Ord. 73 §10, 1975)

15-55-280. Court in Lieu of Rear Yard. A multiple-family dwelling in the R-3 Residence District or districts of lower classification may substitute a court in lieu of the rear yard for the district in which dwelling is located, provided that the area of the court be not less than the area of the required rear yard and provided that the court shall be open for the entire height of the building. (Ord. 73 §10, 1975)

15-55-290. Off-Street Parking: Whenever off-street parking facilities are required by the provisions of this Title, the number of parking spaces to be provided for each use shall be determined on the basis of the number of parking spaces required for each unit of area or occupancy listed on the following schedule:

USE	SPA CES	UNIT
Elementary School	2	per classroom
Jr. High School	4	per classroom
High School	8	per classroom
Churches	1	per five seats
Home Occupations	2	
Single Family	2	per dwelling unit

Ranchester 1/2014

Two-Family	2	per dwelling unit
Multiple Family	1.5	per dwelling unit
Hospitals	1	per bed
Nursing Homes	1	per bed
Rest Homes	1	per bed
office & Institution	1	per 350 sq. ft. floor space
Rooming House	1	per 3 sleep unit
Motels & Hotels	1	per sleeping unit
Restaurant	1	per 2.5 seats
Service Stations	1	per 50 sq. ft.-Min. 6
Mental & Dental Clinics	1	per 100 sq. ft. floor space
Automobile Sales, Service Garages	1	per 700 sq. ft. floor space
Banks, Post Office, business and professional offices	1	per 300 sq. ft. floor space
Bowling Alleys	5	per alley
Dance Halls and assembly hall without fixed seats exhibition halls, except church assembly rooms in conjunction with auditorium	5	per each 200 sq. ft. used for assembly or dancing
Funeral Homes and Mortuaries	1	per 80 sq. ft. floor area
Furniture and appliance stores, household equipment, or furniture repair shop	1	per 500 sq. ft. floor area
Personal service establishments	1	per 80 sq. ft. floor area
Retail stores and shop	1	per 200 sq. ft. floor area
Sports arena, auditoriums, theaters & assembly halls	1	per each 3.5 seats
Wholesale establishments	1	per 2 employees or per 1000 sq. ft.
Commercial & Industrial	1	per 1000 sq. ft. of gross floor area
Mobile Home Parks	2	per trailer

Ranchester 1/2014

(Ord. 135 §7, 1980)

15-55-300. Changes and Amendments. The Town Council may, from time to time, in accordance with the provisions of law, on its own motion or on petition, after report by the Board of Adjustment and after a public hearing in relation thereto, notice of the time and place of which hearing shall have been published in an official newspaper at least 15 days before the time of hearing, amend, supplement, change, modify or repeal the regulations herein and the boundaries of district herein or subsequently established. (Ord. 73 §15, 1975)

15-55-310. Violation and Penalty. Any person, firm or corporation who shall violate, neglect or refuse to comply with the provisions of this Title, shall upon conviction be fined \$200.00 or imprisoned for a term not exceeding three months for each offense, and each day that a violation is committed, caused, or continued to exist shall constitute a separate offense. (Ord. 73 §16, 1975)

TITLE 15
ZONING
CHAPTER 60
NONCONFORMING USES

Sections:

15-60-100	Nonconforming Uses
15-60-110	Change of Nonconforming Use
15-60-120	Damage to Nonconforming Use
15-60-130	Nonconforming Signs to Be Removed

15-60-100. Nonconforming uses. Except as hereinafter provided, the lawful use of a building or land existing on the effective date of this Chapter, maybe continued, although such use does not conform with the provisions of this Chapter, and such use may be extended throughout those parts of a building which were arranged or designed for such use at the time of the effective date hereof. No nonconforming use shall be extended so as to displace a conforming residential use. (Ord. 73 §11, 1975)

15-60-110. Change of Nonconforming Use. A nonconforming use shall not be changed unless changed to a use of a similar or higher classification. Whenever a nonconforming use has been changed to a use of a higher classification or to a conforming use, it shall not thereafter be changed back to a lower classification. A nonconforming use of land which has been discontinued for six successive months or more shall not again be devoted to any nonconforming use. A nonconforming use of a building or structure which has been discontinued for a period of 12 successive months or more shall not again be devoted to any nonconforming use. (Ord. 73 §11, 1975)

15-60-120. Damage to Nonconforming Use. No building which has been damaged by fire or other causes to the extent of more than 75% of its fair value at the time of such damage shall be repaired or rebuilt except in conformity with the regulations of this Title. (Ord. 73 §11, 1975)

15-60-130. Nonconforming Signs to Be Removed. Nonconforming advertising signs and commercial billboards in residence districts shall be discontinued and removed within one year from the effective date hereof. (Ord. 73 §11, 1975)

TITLE 15
ZONING
CHAPTER 65
BOARD OF ADJUSTMENT

Sections:

15-65-100	Creation
15-65-110	Meetings
15-65-120	Appeals
15-65-130	Jurisdiction

15-65-100. Creation. A Board of Adjustment is hereby created. The word “board” when used in this section shall be construed to mean the Board of Adjustment. The Board shall consist of five members to be appointed by the Town Council. The initial appointment shall be two members for one year, two members for two years, and the remaining member for three years. Thereafter the terms of the members shall be three years. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant. One of the members first appointed shall be named by the City Council as Chairman, and this member shall serve as chairman for one year. The Town Council shall have the power to remove any member of the board for cause upon written charges and after public hearing. (Ord. 73 §14, 1975)

15-65-110. Meetings. Meetings of the board shall be held at the call of the chairman, or in his absence, the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings of the board shall be open to the public. The board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent, or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the board and shall be a public record. (Ord. 73 §14, 1975)

15-65-120. Appeals.

(a) Appeals to the board may be taken by any person aggrieved or by any officer, department, board or bureau of the Town of Ranchester affected by any decision of the building inspector. Such appeal shall be taken within a reasonable time as provided by the rules of the board by filing with the building inspector and with the board a notice of appeal specifying the grounds thereof. The building inspector shall forthwith transmit to the board all the papers constituting the record upon which the action appealed from was taken.

(b) An appeal stays all proceedings in furtherance of the action appealed from, unless the building inspector certifies to the board after notice of appeal shall have been filed with him that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life or property, in which case proceedings shall not be stayed otherwise than by a restraining order, granted by the District Court for the district, or a judge thereof, on notice to the building inspector, and on due cause shown. The board 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 same within a reasonable time. Upon the hearing any party may appear in person or by agent or by attorney. (Ord. 73 §14, 1975)

15-65-130. Jurisdiction. The board shall have the following powers:

(a) To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by the building inspector in the enforcement of this Chapter.

(b) To hear and decide special exceptions to the terms of this Chapter upon which the board is required to pass.

(c) Interpret the boundaries of districts where the street layout on the ground varies from the street layout shown on the Zoning District Map, in such a way as to carry out the intent and purpose of the map.

(d) To authorize upon appeal in specific cases such variance from the terms of this Chapter as will not be contrary to the public interest, where owing to special conditions a literal enforcement of the provisions of this Chapter will result in unnecessary hardship, and so that the spirit of this Chapter shall be observed and substantial justice done, as follows:

(1) Grant in undeveloped sections of the Town temporary and conditional permits for not more than two years for any building or use.

(2) Grant permits for temporary buildings or structures for commerce or industry, where such uses are incidental to the residential development.

(3) Permit the extension of a nonconforming building upon the lot occupied by such building at the time of passage of this Chapter.

(4) permit in any district such modification of the requirements of this Chapter as the board may deem necessary to secure an appropriate development of a lot, when such lot is adjacent to a nonconforming use.

(5) Permit such variation of the area requirements as may be necessary to secure an appropriate improvement of a lot which has such exceptional geographical or topographic conditions that it cannot be appropriately improved without such variation.

(6) Permit the erection and use of a building or the use of land in any district by a public service corporation for public utility purposes which the board determines is reasonably necessary for the public convenience or welfare.

(7) Grant a permit wherever it is provided in this Chapter that the approval of the board is required.

(e) In exercising the above-mentioned powers the board may, in conformity with law, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination of the building inspector as ought to be made, and to that end shall have all the powers of the building inspector. The concurring vote of a majority of the board is necessary to reverse any order, requirement, decision, or determination of any administrative official, or to decide in favor of the application of any matter upon which it is required to pass under any ordinance or to effect any variation in the ordinance. (Ord. 73 §14, 1975)