

The Town of
Star Valley Ranch, Wyoming

ORDINANCE 2009-09

BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF STAR VALLEY RANCH

**AN ORDINANCE PROVIDING GUIDANCE AND REGULATION FOR
COMMERCIAL DEVELOPMENT WITHIN THE TOWN.**

Town of Star Valley Ranch Code

Chapter 9 – Zoning

TABLE OF CONTENTS

ARTICLE 1.00 GENERAL

- SECTION 1.10 PURPOSE
- SECTION 1.20 ESTABLISHMENT OF ZONING DISTRICTS AND ZONING DISTRICT OVERLAYS
- SECTION 1.30 OFFICIAL ZONING DISTRICT MAP
- SECTION 1.40 INTERPRETATION OF ZONING DISTRICT BOUNDARIES
- SECTION 1.50 NONCONFORMING SITE CHARACTERISTICS
- SECTION 1.60 ISSUANCE OF CONDITIONAL USE PERMITS
- SECTION 1.70 CONFLICTING PROVISIONS
- SECTION 1.80 SEVERABILITY

ARTICLE 2.00 ZONING DISTRICTS

- SECTION 2.10 PURPOSES AND INTENT OF ZONING DISTRICTS
- SECTION 2.20 ZONING DISTRICT OVERLAYS

ARTICLE 3.00 DEFINITIONS

- SECTION 3.10 PURPOSE
- SECTION 3.20 UNDEFINED WORDS
- SECTION 3.30 DEFINITIONS

ARTICLE 4.00 GENERAL REGULATIONS

- SECTION 4.10 PURPOSE
- SECTION 4.20 SCOPE
- SECTION 4.30 BULK REGULATIONS
- SECTION 4.31 COMPLIANCE WITH OTHER APPLICABLE STATUTES, ORDINANCES, OR ADMINISTRATIVE RULES
- SECTION 4.32 WATER PROTECTION
- SECTION 4.33 HAZARDOUS SUBSTANCE, GROUNDWATER PROTECTION
- SECTION 4.34 FENCES
- SECTION 4.35 TRAFFIC VISIBILITY AT CORNERS
- SECTION 4.36 VEHICULAR PARKING SPACE AND ACCESS
- SECTION 4.37 SIDEWALKS
- SECTION 4.38 ROADS AND STREETS

SECTION 4.39 DRIVEWAYS
SECTION 4.40 SIGNS
SECTION 4.41 OUTSIDE LIGHTING
SECTION 4.50 TEMPORARY DWELLINGS
SECTION 4.60 DWELLING REGULATIONS
SECTION 4.70 DRIVE-IN AND DRIVE -THROUGH BUSINESSES

ARTICLE 5.00 COMMERCIAL/COMMUNITY FACILITIES ZONE

SECTION 5.10 PURPOSE
SECTION 5.20 BUILDING TYPES ALLOWED BY RIGHT
SECTION 5.30 USES
SECTION 5.40 DIMENSIONAL AND BULK STANDARDS – COMMERCIAL BUILDINGS
SECTION 5.50 DIMENSIONAL AND BULK STANDARDS – COMMUNITY BUILDINGS
SECTION 5.60 ADDITIONAL DEVELOPMENT STANDARDS

Appendix 5A Permitted and Conditional Uses in Commercial Zones

Chapter 9: Zoning

ARTICLE 1.00 GENERAL

SECTION 1.10 PURPOSE

- A. The provisions of this ordinance have been enacted in order to protect and promote the public health, safety, and general welfare of the people of the Town of Star Valley Ranch (Town). The purpose of this ordinance is to establish the zoning districts and zoning district overlays that regulate the type and intensity of land uses within the Town. Zoning district standards and dimensional limitations are established in order to:
1. Ensure the protection of the desired community character of each zoning district;
 2. Promote adequate housing, business and recreational opportunities within the Town;
 3. Promote the stability of existing land uses and protect them from harmful influences and intrusions;
 4. Ensure that uses and structures are compatible with adjoining properties and the natural beauty of the Town's setting;
 5. Prevent or mitigate negative impacts of certain uses within the zoning districts.
- B. The general goals of this ordinance are:
1. To encourage the preservation of open space wherever possible
 2. To encourage beneficial land development that permits an efficient layout and minimizes costs of roads, utilities, and other public and private infrastructures;
 3. To provide more rapid and efficient delivery of public safety and school transportation services;
 4. To provide private property owners a method to realize the inherent development value of their real property for substantial benefit to the environment, to achieve the purposes of this ordinance, and to preserve and enhance property values within the Town.

SECTION 1.20 ESTABLISHMENT OF ZONING DISTRICTS AND ZONING DISTRICT OVERLAYS

- A. Division of Town into zoning districts. The total incorporated area of the Town is hereby divided into the minimum number of zoning districts necessary to achieve compatibility of uses and character within each zoning district, to implement the Comprehensive Plan, and to achieve the purposes of these Land Development Regulations.
- B. Zoning districts established. There are hereby established zoning districts for the Town as follows:
1. Single Family Residential Zone
 2. Multiple Family Residential – 1 Zone

3. Multiple Family Residential – 2 Zone
 4. Rural Residential Zone
 5. Commercial/ Community Facilities Zone
 6. Private Recreation Zone
 7. Public Facilities Zone
 8. Planned Residential Development Zone
 9. Planned Mixed-Use Development Zone
- C. Zoning District Overlays established. There are hereby established zoning district overlays for the Town as follows:
1. Wellhead Protection Overlay
 2. Ground Water Protection Overlay
 3. Wildfire Hazard Overlay
 4. Alluvial Fan Flooding Overlay

SECTION 1.30 OFFICIAL ZONING DISTRICT MAP

Zoning districts established by these Land Development Regulations (hereafter “Regulations”) are bounded and defined as shown on the Town of Star Valley Ranch Official Zoning District Map (hereinafter " Zoning Map"). The Zoning Map is located in the Town Offices, and is available for inspection during normal business hours.

SECTION 1.40 INTERPRETATION OF ZONING DISTRICT BOUNDARIES

The following rules shall be used to determine the precise location of any zoning district boundary shown on the Zoning Map:

- A. Boundaries following municipal boundaries. Boundary lines shown as following or approximately following Town boundaries shall be construed as following such boundaries.
- B. Boundaries following streets or alleys. Boundary lines shown as following or approximately following streets or alleys shall be construed as following the centerline of such streets or alleys.
- C. Boundaries following Section lines, platted lot lines, Park or Forest Services boundaries. Boundary lines shown as following, or approximately following, Section lines, platted lot lines, park or forest service boundaries, or other property lines as shown on the Zoning Map shall be construed as following such lines.
- D. Parallel boundaries. Boundaries shown as separated from, and parallel or approximately parallel to, any of the features identified in Section 1.30 A-C, Interpretation of Zoning District

Boundaries, shall be construed to be parallel to such features and at such distances as shown on the Zoning Map.

SECTION 1.50 NONCONFORMING SITE CHARACTERISTICS.

- A. The Town Council may approve expansions of nonconforming site characteristics through the variance or planned development process, provided it finds that:
1. The expansion advances the purpose and intent of the Zoning Ordinance and of the Zoning District in which the site is located;
 2. The expansion complies with Town Code requirements to the maximum extent practical given the configuration of the site and the purpose of the expansion;
 3. The plan provides site amenities, buffers and other elements as applicable to mitigate any negative impacts of the expansion on neighboring properties and public streets; and
 4. The Town Council is able to make the applicable required findings for the variance or planned development approval.

SECTION 1.55 CHANGE OF USE.

A nonconforming use may only be changed to a permitted use and when so changed, the prior existing nonconforming use shall be deemed to have been abandoned, and such use may not thereafter be reinstated.

SECTION 1.60 ISSUANCE OF CONDITIONAL USE PERMITS

- A. A conditional use permit shall be approved by the Town Council.
- B. In order to recommend approval of a conditional use permit to the Town Council the Planning and Zoning Board must find that all of the following conditions are met:
1. The proposed use will not cause significant traffic hazards or congestion.
 2. Adjacent land and nearby businesses will not be permanently affected adversely by traffic generation, noise, glare, or other nuisances.
 3. Frequent promotional sales activities outside a building shall be separated by distance or screening from adjacent residentially zoned land.
 4. Wholesale businesses shall be allowed only if they do not unduly interfere with retail sales and services in the Commercial Zone.
 5. The use is consistent with the purposes of the zoning ordinances and the permissible uses of the zoning district.
 6. The proposed use is not in conflict with the Town's Master Plan.

SECTION 1.70 CONFLICTING PROVISIONS.

In the event that the provisions of this ordinance are inconsistent with one another or if the provisions of this ordinance conflict with provisions found in other adopted regulations of the Town, the more restrictive provision will prevail. When the provisions of this ordinance impose a greater restriction

than imposed by any easement, covenant, deed restriction or private agreement, the provisions of this ordinance are deemed superior.

SECTION 1.80 SEVERABILITY.

If any article, section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid, such decision does not invalidate the remaining portions of this ordinance. The Town Council hereby declares that it would have adopted the ordinance in each article, section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more divisions, sections, subsections, sentences, clauses, or phrases be declared invalid.

ARTICLE 2.00 ZONING DISTRICTS

SECTION 2.10 PURPOSES AND INTENT OF ZONING DISTRICTS

This section specifies the purpose and intent of the zoning districts established by these Land Development Regulations.

A. SINGLE FAMILY RESIDENTIAL (DRAFT Description - Reserved for Future Ordinance)

This zone is intended for general residential use to maintain the country atmosphere of the Town. It allows for only single-family residences. The low density of this zone allows its location away from arterial streets and in areas of irregular topography. (Only household pets are allowed)

B. MULTIPLE FAMILY RESIDENTIAL – 1 (DRAFT Description - Reserved for Future Ordinance)

This zone is intended to provide a greater diversity of housing opportunities through higher density housing in areas suited for this type development. It allows for one or two family residences with enhanced on-site wastewater systems or an approved community wastewater treatment system. Open space must be provided; the amount to be determined by the TSVR P&Z Board. Because of the higher density allowed by this zone, it should be located in areas of low topographic relief and shall have ready access to a county arterial road and near public/community facilities. Community facilities and Planned Unit Developments are allowed within this zone upon approval of the Town Council. (Only household pets are allowed)

C. MULTIPLE FAMILY RESIDENTIAL – 2 (DRAFT Description - Reserved for Future Ordinance)

This zone is intended to provide for a greater diversity of housing opportunities through high density dwelling complexes sharing common areas. It allows for duplex multi - unit townhouses and multi-unit two-story condominiums with enhanced on-site wastewater systems or an approved community wastewater treatment system. Open space must be provided and for townhouse/condominium complexes should consist of common grounds maintained by a homeowner's association or land manager; the amount of open space to be determined by the TSVR P&Z Board. Because of the high density of this zone, it should be located in areas of low relief with direct access to an arterial street and near public/community facilities. Community facilities and Planned Unit Development are allowed within this zone upon approval of the Town Council. (Only household pets are allowed)

D. RURAL RESIDENTIAL (DRAFT Description - Reserved for Future Ordinance)

This zone is intended to provide within the Town limits the opportunity for large lot residential areas with facilities for large animals within the Town limits. The allowed animals are limited to numbers that are appropriate to the carrying capacity of available land and facilities. This zone is intended to accommodate existing land uses at the time of annexation and is not available for lands already within the Town boundary. Upon approval of the Town Council, the large lots may be subdivided when community water and sewer service become available.

E. COMMERCIAL ZONE

This zone is intended to provide the TSVR with a core of public and private facilities designed to meet community needs for goods and services and for meeting places of various kinds. To maintain the sense of a town center, this zone shall be a cohesive area and shall not be distributed along arterial roads so as to promote strip commercial development. Parking space

is required for each facility to accommodate the anticipated use. Off street parking should be located in the rear of the facility to maintain a pedestrian friendly atmosphere. For each facility, an enhanced on-site wastewater system capable of treating the load from the maximum anticipate use must be provided or the facility must be connected to a appropriate community waste water treatment system approved by the Town.

F. PRIVATE RECREATION (DRAFT Description - Reserved for Future Ordinance)

This zone is also intended to accommodate the land and functions of private not-for-profit organizations. It allows for the mix of uses that are common and usual for such organizations. All activities, land development, and structures must conform to Town zoning regulations.

G. PUBLIC FACILITIES (DRAFT Description - Reserved for Future Ordinance)

Areas set aside for town facilities such as parks, maintenance grounds, offices, and water and wastewater treatment facilities. All activities, land development, and structures shall conform to Town Codes and to the degree possible to the requirements of the adjacent zoning district.

H. PLANNED RESIDENTIAL DEVELOPMENT ZONE (DRAFT Description - Reserved for Future Ordinance)

This zone is intended to encourage residential development that will result in improved living and working environments, promote more efficient use of space and infrastructure, encourage a variety of residential dwelling types and lot sizes, encourage ingenuity and originality in total development and individual site design, allow for denser clustering of development where appropriate, and preserve open space to serve wildlife, scenic, agricultural, and recreational purposes. Because of higher density of development, this zone shall have ready access to an arterial, multi-modal transportation, and the Town commercial center and it shall have community water and sewer services.

I. PLANNED MIXED-USE DEVELOPMENT ZONE (DRAFT Description - Reserved for Future Ordinance)

This zone is intended to provide the opportunity for a mixed-use commercial, office, and residential development which will, through an overall unified approach, achieve results superior to those produced when development occurs lot by lot and adheres to rigid standards. The zone shall be located adjacent to an existing commercial zone and shall have ready access to an arterial road and multi-modal transportation and it shall have community water and sewer services.

SECTION 2.20 ZONING DISTRICT OVERLAYS

The purpose of the Zoning District Overlay classification is to address critical environmental issues which cut across more than a single zoning district. Overlays are designated on the Official Zoning District Map overlying the base zoning district designation and provide additional standards to be met by development.

- A. Wellhead Protection Area Overlay (Reserved)
- B. Ground Water Protection Overlay (Reserved)
- C. Wildfire Hazard Overlay (Reserved)
- D. Alluvial Fan Flooding Overlay (Reserved)

ARTICLE 3.00 DEFINITIONS

SECTION 3.10 PURPOSE

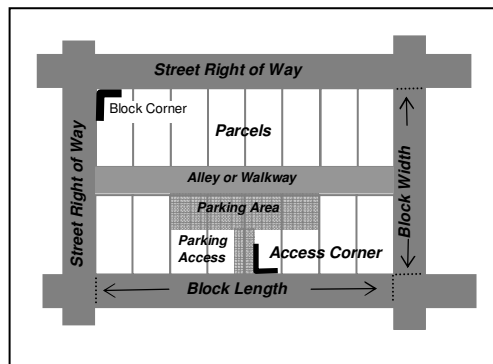
For the purpose of this ordinance certain terms are defined. When not inconsistent with the context, the present tense includes the future. Words used in the singular number include the plural number.

SECTION 3.20 UNDEFINED WORDS

Any word not defined shall be interpreted within its common and approved usage.

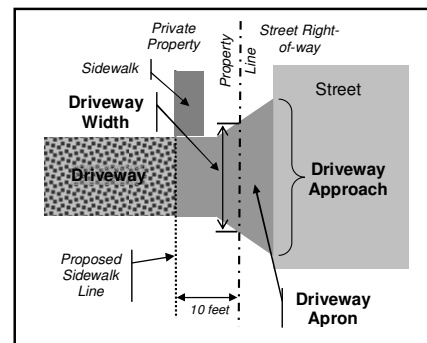
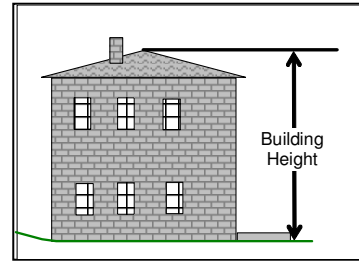
SECTION 3.30 DEFINITIONS OF WORDS

- **ACCESSORY BUILDINGS** means a supplementary building or structure on the same parcel as the principal building, or part of the principal building, occupied by or devoted exclusively to an accessory use. Such use shall not include any building used for dwelling, residential or lodging purposes, or sleeping quarters for human beings.
- **ACCESSORY USE** means a use naturally and normally incidental to, subordinate to, and devoted exclusively to the main use of the land or buildings, but not including uses considered accessory buildings or accessory structures.
- **ACCESS CORNER** means a corner formed by the intersection of a street right-of-way and a fully developed driveway to an off street parking area.
- **ALTERED OR ALTERATIONS** means any construction, modification, remodeling, repair, improvement, relocation, or a replacement of a structure, building, dwelling, accessory building or structure which needs a permit and any changes in the location or use of a building, or any change in the supporting members of a building such as bearing walls, columns, beams, posts, girders, and similar components, or any substantial change in the roof or exterior walls.
- **ALLEY** means a narrow right-of-way lying behind parcels that is used as a service road, access to garages, utilities or as a pedestrian way.
- **APARTMENT BUILDING** means a dwelling designed for three or more housing units with separate housekeeping, cooking, and bathroom facilities for each. Apartment Buildings are also known as, but not limited to, triplex (three housing units), quadplex (four housing units), garden apartments, or townhouses.
- **APPEALS BOARD** means the Star Valley Ranch Town Council.
- **ARTICLE** means the main divisions of this Ordinance. Articles are further divided by sections.
- **BLOCK** means a group of parcels surrounded by streets. It may include an alley separating parcels adjacent to streets.
- **BLOCK CORNER** means that parcel located at the intersection of the street right-of-ways forming two edges of the block.
- **BLOCK LENGTH** means the longest dimension of a block as measured from the outer parcel property lines.
- **BLOCK WIDTH** means the shortest dimension of a block as measured from the outer parcel property lines.
- **BOARD** means the Town of Star Valley Ranch Planning and Zoning Board.
- **BUFFER AREA** means a strip of land separating two land uses that is planted with vegetation and may include a berm.
- **BUILDING** means any structure, either temporary or permanent, having a roof and used or built for the shelter or enclosure of persons, animals, chattel, or property of any kind. Buildings shall include awnings; eaves to the drip line; attached decks and porches with or without a roof; and



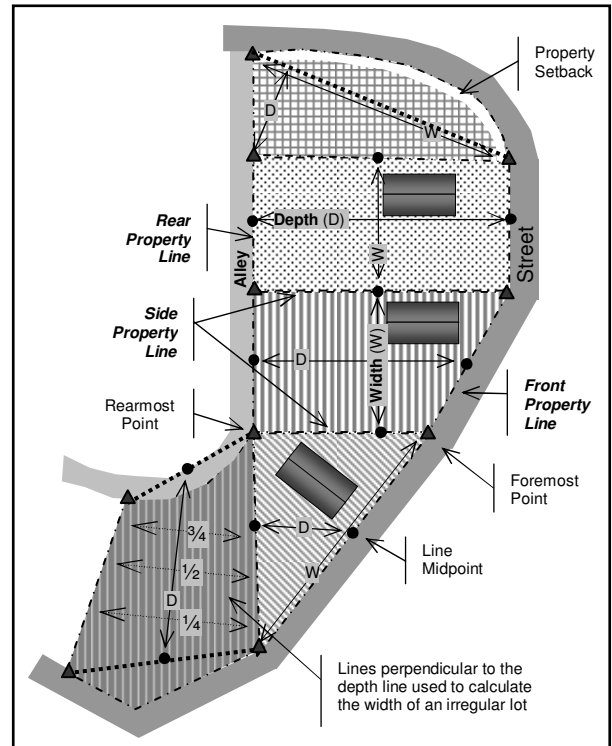
trailers and motor homes, whether mounted or on wheels and situated on private property and used for purposes of a building.

- **BUILDING AREA** means the total exterior framing area taken on a horizontal plane at the largest floor level of a building or an accessory building exclusive of unroofed porches, terraces, patios and steps, and of awnings and nonpermanent canopies. (See Building Coverage, Impervious Surface Coverage.)
- **BUILDING COVERAGE** means the area of a parcel covered by principal and accessory buildings, porches, decks. (See Building Area, Impervious Surface Coverage.)
- **BUILDING HEIGHT** means the vertical distance measured from the lowest elevation of the ground next to the building to the highest point of the roof (for flat roofs, to the deck line), but not including chimneys, antennas, steeples, and other similar non-inhabitable structures or portions of structures. (See illustration to the right)
- **COMMONS** means an area for the use of the public or for all owners of a defined area.
- **COMMERCIAL** means a business or building that provides goods or services with the intent of making a profit exclusive of non-profit and government organizations.
- **COMMUNITY BUILDING** means buildings open to the public (such as private and public schools, churches, museums, meeting halls and libraries) owned by government, quasi-governmental, religious and service organizations.
- **COUNCIL** means the Town Council of the Town of Star Valley Ranch.
- **DECK, AT GRADE** means a deck that shall not exceed one foot above existing or proposed grade at any level
- **DRIVE-IN** means any commercial use that by the way of site layout or building design encourages or permits patrons to remain in their vehicle while receiving goods or services.
- **DRIVE THROUGH** means. DRIVE-IN.
- **DRIVEWAY** means that area on private or public property where vehicles are operated, parked or allowed to stand.
- **DRIVEWAY APPROACH** means a length of street right-of-way that provides access to a driveway or driveway apron.
- **DRIVEWAY APRON** means the area, construction or improvement between the edge of the street and the back edge of sidewalk, proposed sidewalk line, or a line ten feet in from the street right-of-way that provides ingress and egress for vehicles from the alley, street or roadway to a definite area of the private property, which includes, but is not limited to, driveways, loading/unloading areas, drop-off/pickup areas.
- **DRIVEWAY WIDTH** means the width of driveway apron or driveway at the edge of the street right-of-way.
- **DWELLING** means a structure or mobile home providing permanent, complete living accommodations.
- **DWELLING HEIGHT** means BUILDING HEIGHT.
- **EASEMENT** means the right of a utility, public or non-profit agency, organization or association to use or cross private or public land for the purpose(s) of providing services, access, or preservation. The terms of the easement shall be on file with the Lincoln County Clerk.
- **EARTH TONE(s)** Earth tone is a color scheme that draws from a color palette of whites, browns, tans, grays, greens and some reds. The colors in an earth tone scheme are muted and flat in an emulation of the natural colors found in dirt and rocks. For the purpose of these performance standards this definition will also include muted blues and yellows.
- **EXISTING BUILDING** means a building existing in whole or whose foundations are complete, and whose construction is being diligently pursued on the effective date of this Ordinance.



- FAMILY means an individual or a collective number of individuals living together in one house under one head, whose relationship is of a permanent and distinct domestic character. However, this shall not include any society, club, fraternity, sorority, association, lodge, combine, federation, group, coterie, occupants of a counseling house, lodging house or hotel, or organization which is not a recognized religious order, nor include a group of individuals whose association is temporary or seasonal in character or nature.
- FENCE means a constructed barrier or planted hedge which is designed to do any one, or more, of the following:
 - Restrict passage through it regardless if the fence has a gate(s) or not;
 - Prevent viewing through it, and/or;
 - Be decorative.
- FRONTLOADED GARAGE means an accessory building or a portion of a residential, commercial, or community building that is constructed for parking of motor vehicles where the doors for the entry and exit of a motor vehicle faces the street, or front yard.
- FULL-CUTOFF (FCO) means a light fixture which cuts off all upward transmission of light.
- FULLY SHIELDED -- a light fixture with housing or attachment thereto which prevents a line of sight to the bulb when viewed from another property and which prevents a line of sight to any part of the light source at or above a horizontal plane running through the lowest portion of the fixture
- GLARE means the discomfort experienced by an observer with a direct line of sight to a light source which often results in annoyance, discomfort or loss of visual performance causing visual impairment.
- GREENS means a buildable upland open space which is a manicured lawn, garden, passive-use-park, with or without trees, a similar use, or combination of uses.
- GREENBELT means a landscaped or natural area for purposes of aesthetics and for purposes of a buffer area.
- HAZARDOUS SUBSTANCES means any material defined as a hazardous substance under Federal or Wyoming statutes.
- HOME OCCUPATION means a use which includes any activity which is clearly secondary to a residential use and carried out for economic gain.
- HOUSING UNIT means a house, apartment, mobile home, group of rooms, or single room occupied as a separate living quarter (or if vacant, intended for occupancy as a separate living quarter.) Separate living quarters are those in which the occupants live and eat separately from any other persons in the building and which have direct access from the outside of the building or through a common hall.
- IMPERVIOUS SURFACE and IMPERVIOUS SURFACE COVERAGE means the area of a parcel which results in surface water runoff with a runoff curve number of 95 or greater, and includes any cover on or over the ground which is a building, structure, driveway, patio, paved or gravel street/drive/parking parcel surface, lined pond, swimming pool. Runoff curve number, as used here, is as defined and calculated by the Natural Resources Conservation Service, United States Department of Agriculture. (See Building Area, Building Coverage, Building Envelope.)
- LIGHT TRESPASS - light projected onto a property from a fixture not located on that property.
- MASSAGE PARLOR means any establishment having a fixed place of business where massages are administered for pay, including but not limited to massage Parlors, sauna baths and steam baths. This definition shall not be construed to include a hospital, nursing home, medical clinic, or the office of a physician, surgeon, chiropractor, osteopath, or physical therapist duly licensed by the State of Wyoming, nor barber shops or beauty salons in which massages are administered only to the hands, feet, scalp, face, neck or shoulders. This definition shall not be construed to include the practices of registered massage therapists.
- MASTER PARCEL means a parcel of land or adjacent parcels of land under a single ownership as of the date of adoption of this ordinance.
- MAY means the choice to act or not; it is discretionary (see also "shall" and "should").
- MAYOR means the chief elected executive officer of the Town of Star Valley Ranch.

- **MOBILE HOME** means a dwelling, transportable in one or more sections which is built on a permanent chassis, and designed to be used as a dwelling with or without permanent foundation, when connected to the required utilities and includes the plumbing, heating, air conditioning, and electrical systems contained therein.
- **MOBILE HOME PARK** means a use which is a parcel of land under the control of a person upon which three or more mobile homes, trailers, or motor homes are located on a continual non-recreational basis and which is offered to the public for that purpose regardless of whether a charge is made therefore, together with any building, structure, enclosure, street, equipment, or facility used or intended for use incident to the occupancy of a mobile home, trailer, or motor home and which is not intended for use as a temporary mobile home, motor home or trailer.
- **MOTOR HOME** means self-propelled vehicle built on a motor vehicle chassis and designed to serve as self-contained living quarters for recreational purposes.
- **NONCONFORMING BUILDING STRUCTURE** means a structure or building lawfully constructed that does not conform to the requirements of the area in which it is situated and existed before the effective date of this Ordinance or obtained by variance.
- **NONCONFORMING USE** means structure, building, parcel, premise or land lawfully occupied by a use that does not conform to the regulations of the area in which it is situated and lawfully existing on the effective date of this ordinance or obtained by variance.
- **OUTDOOR LIGHT FIXTURES** means outside electrically powered illuminating devices, outdoor lighting or reflective surfaces, lamps and similar devices, permanently installed or portable, used for illumination or advertisement. Such devices shall include, but are not limited to, search, spot, and flood lights for buildings and structures, security, recreational areas, parking parcel, landscape, billboard and other sign (advertising or other), street lighting, product display area, building overhangs and open canopies lighting.
- **OUTDOOR RECREATION PARKS** means uses which are public or private playgrounds, pocket parks, nature areas, natural areas, ball fields, open space preserves, arboretums, gardens, beaches, and so on but not including facilities designed for overnight or camping use
- **OWNERSHIP** means the proprietor of the land who is a natural person, partnership, corporation, or other legal entity, or government, or combination of any of them.
- **PARCEL** means a tract of land or one or more parcels having a single tax identification number or a condominium unit of land space and directly associated limited common element, except that if two or more parcels meeting the foregoing definition are contiguous and under common ownership, then all of such parcels shall be deemed a single parcel for purposes of this Ordinance on which one (1) principal building and its accessory buildings are placed, together with the open spaces required by this ordinance. **PARCEL AREA** means the total land area encompassed within the various property lines including any combination of parcels or parcels of record or portions thereof.
- **PARCEL MEASUREMENTS** mean (See illustration to the right):
 - **PARCEL DEPTH** shall be considered to be the distance between the midpoints of straight lines connecting the foremost points of the front property line and rearmost points of the rear property line.



- PARCEL WIDTH shall be considered the distance between the parallel side property lines at each side of the parcel. In determining parcel width of odd-shaped parcels, if the parcel abuts a curving street and, as a result, the side property lines are not parallel, the measurement of the width shall be at the front yard setback line. In determining parcel width of other odd-shaped parcels, the width shall be the average of three measurements taken perpendicular to the parcel depth line at one-quarter, one-half, and three-quarter intervals of the distance along that line.
- PARKING ACCESS means access to off street parking by means of a driveway, driveway apron or alley.
- PARKING SPACE means one unit of parking area provided for the parking of one vehicle.
- PERSON means an individual, partnership, firm, corporation, association, organization, trust, company, or other legal entity, or a local unit of government or other political subdivision of the state, or a state or state agency.
- PERSONAL PROPERTY SALES means events such as garage sales, yard sales, basement sales, auctions or other similar events where personal property is offered for sale.
- PLANNED UNIT DEVELOPMENT means a special use which encompasses more than one residential units and/or more than one commercial use.
- PLAZA means either an open public space facing onto one or more streets or a complex of commercial uses or buildings facing onto a shared parking area.
- PRINCIPAL BUILDING means a use that is the main building or structure on a parcel designed to meet the primary, dominant, or declared intent of or used for the primary, dominant, or declared purposes of the occupant.
- PRIVATE ROAD/STREET means a street which is not public and which services more than one dwelling or business. Private streets shall not include driveways to a single dwelling or business or accessory buildings when the driveway is located on the same parcel of land as the serviced structure.
- PROPERTY LINE means the outside perimeter of a legally described parcel of land (See illustration for parcel measurements).
 - Front Property Line means that parcel boundary or line which faces the major street or as specified in the zoning area.
 - Rear Property Line means that parcel boundary or line opposite and most distant from the front property line.
 - Side Property Line means any parcel boundary or line other than the front property line or the rear property line.
- PUBLIC UTILITY means any person, firm, corporation, municipal department or Board fully authorized to furnish, under federal, state, or municipal regulations, electricity, gas, steam, communications, telegraph, transportation, water or sanitary or storm water sewerage facilities to the public. (For the purposes of this ordinance, communication tower facilities are not included in the definition of a public utility.)
- RIGHT-OF-WAY means land dedicated and publicly owned for use as a street or for other public purposes.
- SECTION means a part of this ordinance, being the next division under a Chapter. A section is cited by ordinance number and section number, "XXX", with the last two digits being the Section number, and the remaining digits to the left being the Chapter number. Sections may be further divided into sub-sections "A.", divisions "1.", paragraphs "a.", and subparagraphs "(1)", for example.
- SETBACK means the horizontal distance from an applicable property line within which no building or structure can be placed except as otherwise provided in this ordinance.
- SEX-ORIENTED BUSINESS means establishments that provide adult entertainment of a sexual nature such as adult motion picture theaters, adult mini motion picture theaters, adult paraphernalia/novelty stores, and non-therapeutic massage parlors.
- SHALL means a mandatory directive. The word "shall" is always mandatory and not merely permissive (see also "may" and "should").

- SHARED PARKING means a parking area established to meet in whole or in part the parking requirements of adjacent commercial, residential and/or community buildings.
- SHOULD means a discretionary obligation; it is desirable and recommended but not necessary (see also “shall” and “may”).
- SIGN means a structure upon which is displayed any words, numbers, letters, figures, emblems, symbols, designs or trademarks by which any message or image is afforded public visibility from out-of-doors on behalf of and for the benefit of any product, place, activity, individual, firm corporation, institution, profession, association, business or organization.
 - Off Premises Sign: A sign that is physically located on a different parcel than the parcel on which the advertised business, service, activity, event, product, or organization is located.
 - On-Premises Sign: A sign that is physically located on the parcel in which the advertised business, service, activity, event, product, or organization is located.
 - Temporary Sign: A sign that is intended to be displayed for a limited period of time to advertise a special event, activity, political campaign, sale or rent of real property, sale of Personal property, or other similar purpose.
- SPOTLIGHT means a light fixture or bulb which projects light in a specific direction in a narrow beam, typically 45 degrees or less.
- STATE LICENSED RESIDENTIAL FACILITIES means a use, which is a structure, constructed for residential purposes and licensed by the State of Wyoming.
- STORY means that portion of a building included between the surface of any above floor grade and the surface of the floor next above it, or if there be no floor above it then the space between any floor and the ceiling next above it. A full story shall have a vertical separation of at least eight feet floor to ceiling at all places. A half story shall be the upper-most story of a building and has one or more walls which are part the roof with at least an eight-foot high ceiling.
- STOOP or PORCH means a platform, entrance stairway or small veranda at a building door.
- STREET means a Town street as shown on maps certifying the same or a county road as shown on maps certifying the same to Lincoln County.
 - Principal Arterial: Any street designated as a numbered county, state or federal route.
 - Town Arterial: A town street that provide a means of travel between distant parts of Town or to destination areas, such as golf courses, public buildings, or commercial centers, and access to which by lesser streets is controlled by stop signs to minimize interference to through traffic.
 - Neighborhood Collector: A town street that provides a link between local streets and town arterials, and allows for the movement of through traffic in neighborhoods. Neighborhood collectors are designed so as not to disrupt the activities and land uses they serve and, in addition, access to neighborhood collectors by local streets is controlled by stop signs to minimize interference to through traffic.
 - Local Street: A town street that provides direct access to and connections between individual residences, businesses, community facilities and other land uses within a neighborhood. They link individual properties to the neighborhood collectors and town arterial street network. A local street is for use by property owners, the general public and service vehicles such as trash trucks, delivery trucks and snowplows.
 - Primitive Road: A primitive road is a single or two (2) lane street providing direct access to an undeveloped area, individual residential property, ranch, recreational or scenic area. This type of road is usually private and when a public right-of-way, it is not usually maintained for general traffic purpose.
- STRUCTURE means anything constructed, erected or placed with a fixed location on the ground or affixed to something having a fixed location on the ground, except, structure shall not include automobiles, trucks, trailer, hunting blinds, fences, hedges, sidewalks, driveways, gardens, or tents.
- SUPERMARKET also called a grocery store in some parts of North America, is a self-service store offering a wide variety of food and household merchandise, organized into departments.

- TERRACE is an engineering term that means a raised embankment with the top leveled. or a relatively level step constructed on the face of a graded slope for drainage and maintenance purposes.
- TOWN means the Town of Star Valley Ranch, a Wyoming municipality.
- TOWN ADMINISTRATOR means the Town of Star Valley Ranch Chief Operations Officer.
- TOWN COUNCIL means the Town of Star Valley Ranch Town Council.
- TRAILER means a vehicle, which may be drawn or pulled on a highway by a powered unit.
- USE means the purpose for which land or a building thereon is designed, arranged or intended to be occupied or used, or for which it is maintained.
- USED or OCCUPIED means the physical presence of a person to use a structure and includes the words "intended", "designed", or "arranged" to be used or occupied.
- VARIANCE means a relaxation of the terms of this ordinance where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the action of the applicant, a literal enforcement of the ordinance would result in unnecessary hardship or practical difficulty.
- WETLAND means land characterized by the presence of water at a frequency and duration sufficient to support, and that under normal circumstances supports wetland vegetation or aquatic life. Irrigation ditches are not considered wetlands.

ARTICLE 4.00 GENERAL REGULATIONS

SECTION 4.10 PURPOSE

It is the purpose of this article to provide regulations that apply in all zoning areas to all permitted uses and special uses.

SECTION 4.20 SCOPE

Zoning applies to all parcels of land and to every building, structure or use. No parcel of land, no building, structure or part thereof and no new building, structure or part thereof shall hereafter be located, erected, altered, occupied or used except in conformity with this ordinance.

SECTION 4.30 BULK REGULATIONS

- A. The property owner is responsible for the continuing compliance with all provisions of this ordinance.
- B. No parcel shall be divided in such a manner so that the resulting new parcels are in conflict with any provisions of this ordinance including, but not limited to, setbacks, parcel size, open space, buffer areas, greenbelt, building area, the space occupied by buildings, parcel measurements (width, depth), accessory buildings and uses, parking space, vegetation belt, or yard.
- C. Setbacks, open space, buffer areas, greenbelt, building envelope, vegetation belt apply uniformly within each respective zoning area to all uses, structures, and buildings except that the following can be located anywhere on a parcel except as noted:
 - 1. Terraces, retaining walls;
 - 2. Flag poles;
 - 3. Hydrants;
 - 4. Arbors, trellises, trees, plants, shrubs;
 - 5. Playground equipment, outdoor cooking equipment;
 - 6. Walkways, mobility ramps and steps;
 - 7. Paved, concrete and improved driveways

SECTION 4.31 COMPLIANCE WITH OTHER APPLICABLE STATUTES, ORDINANCES, OR ADMINISTRATIVE RULES

No parcel, building or structure in any area shall be permitted which does not comply with applicable federal, state, county, public health, or Town statutes, ordinances, or administrative rules.

SECTION 4.32 WATER PROTECTION

Notwithstanding anything to the contrary contained in this ordinance, the following provisions shall apply:

- A. Within ten (10) feet of the stream channel edge and high water edge of ponds and springs an area of vegetation shall be maintained in a healthy state.
- B. For any parcel or parcels with shared parking that have more than 70 percent impervious cover, the landowner or association shall demonstrate to the satisfaction of the Board and Council that no storm run-off shall leave said parcel or parcels and that if on-site infiltration facilities are employed to meet this requirement, that said facilities meet all county, state, and federal regulations.

SECTION 4.33 HAZARDOUS SUBSTANCES, GROUNDWATER PROTECTION

- A. Except as provided herein, all businesses and facilities which use or generate hazardous substances in quantities greater than two hundred twenty (220) pounds per month or twenty-five (25) gallons per month, whichever is less, or store hazardous substances in quantities greater than two hundred twenty (220) pounds per month or twenty-five (25) gallons per month, whichever is less, shall comply with the groundwater protection requirements of this section. Provided, however, the groundwater protection requirements of this section shall not apply to fuel stored in a fuel tank which is part of the motor vehicle for purposes of use by that vehicle's motor and shall not apply to materials in a five gallon, or smaller, pre-packaged sealed container.
- B. Groundwater Protection, generally:
 - 1. Projects and related improvements shall be designed to protect the natural environment, including lakes, ponds, streams, wetlands, floodplains, groundwater, steep slopes, and natural and man-made drainage systems.
 - 2. General purpose floor drains shall be:
 - a. Connected to an on-site holding tank (not a septic tank/drain field or a dry well) in accordance with state, county and municipal requirements; or
 - b. Authorized through a state groundwater discharge permit; or
 - c. Connected to a public sewer system.
- C. State and federal agency requirements for storage, spill prevention, record keeping, emergency response, transport and disposal of hazardous substances and polluting materials shall be met. No discharge to groundwater, including direct and indirect discharges, shall be allowed without appropriate state and county permits and approvals.
- D. Out-of-service water wells shall be sealed and abandoned in accordance with applicable requirements of the Wyoming Department of Environmental Quality.
- E. If the site plan includes territory within a Wellhead Protection Overlay Area the applicant shall submit a signed statement providing permission for periodic follow-up groundwater protection inspections by the Town Administrator or his representative, county and state officials.
- F. Storm water discharges to the ground shall meet county, state, and federal regulations and when required have the appropriate permits.

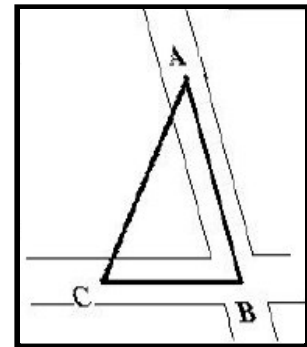
SECTION 4.34 FENCES

- A. Fences over six (6) feet high shall be set back the required distance for the respective zoning district. Fences within the setback area shall not exceed six (6) feet in height. Fences located in the front yard of a parcel shall not exceed three and a half (3 ½) feet in height.

- B. Fences shall be constructed of materials compatible with the structure building materials and appropriate in design for the structure and area.
- C. Fences required as screens shall have opacity greater than 75 percent and shall be placed on the parcel so as to provide the maximum degree of screening.
- D. Unless expressly permitted by the regulations for a zoning district, chain link, barbed wire and plain wire fences of any kind are prohibited in any location visible from a public right-of-way.

SECTION 4.35 TRAFFIC VISIBILITY AT CORNERS

- A. No use, structure or plant material, such as off-street parking spaces, fences, signs, berms, hedges, or planting of shrubs, which is taller than thirty (30) inches or which obstructs safe vision at a street corner, whichever is shorter, shall be located, erected or maintained within a triangular area defined as ABC in the illustration to the right.
- B. The distance between point "A" to point "B" and between point "B" to point "C" shall be equal to the setback from the street for the respective zoning areas plus 33 feet.
- C. The setbacks required in this section may be modified by the Board based on geometric design and other traffic controls at the particular intersection and only after consultation with, and following the advice of the Town Public Works Director and/or the Town Public Safety Advisor.



SECTION 4.36 VEHICULAR PARKING SPACE AND ACCESS

- A. See each zoning area for specific requirements for number of parking spaces and locations.
- B. A parking space shall be a minimum area as defined in Figure 4.36.1 and Table 4.36.1.
- C. Approval for location of all exit and entrance driveways shall be obtained from the Board, Town Council or designee. Such approval shall also include the design and construction thereof in the interests of safety, adequate drainage and other public requirements.
- D. Except when expressly permitted by Ordinance or the Town Administrator or his designee, parking areas required by this Ordinance, and publicly owned parking areas, shall not be used for the storage or continuous parking of recreational vehicles, trailers, motor homes, motor vehicles or junk for more than a seventy-two (72) hour period.
- E. For shared parking lots, wherein the parking requirements for two or more structures are shared in a common space, the shared parking relationship shall be documented prior to the issuance of a building permit. Documentation shall consist of a binding covenant on the deed to each property that is on file with the Lincoln County Clerk and which describes the terms of shared use and the existence of an association of all shared property owners to improve, maintain, and remove snow from the parking lot.

Table 4.36.1: Parking Stall Dimensions

| Standard Vehicle | | | | Dimensions in feet | | |
|------------------|----|----|------|--------------------|----|----|
| A | B | C | D | E | F | G |
| 0° | 10 | 25 | 10 | 25 | 24 | 12 |
| 30° | 10 | 20 | 18.4 | 19 | 24 | 15 |
| 45° | 10 | 20 | 21 | 13.5 | 24 | 15 |
| 60° | 10 | 20 | 22.3 | 11.5 | 24 | 20 |
| 90° | 10 | 20 | 20 | 10 | 24 | 20 |

- A-Angle of Parking
- B-Stall Width
- C-Stall Length
- D-Stall Depth
- E-Curb Length
- F-Two-Way Drive Aisle Width
- G-One-Way Drive Aisle Width

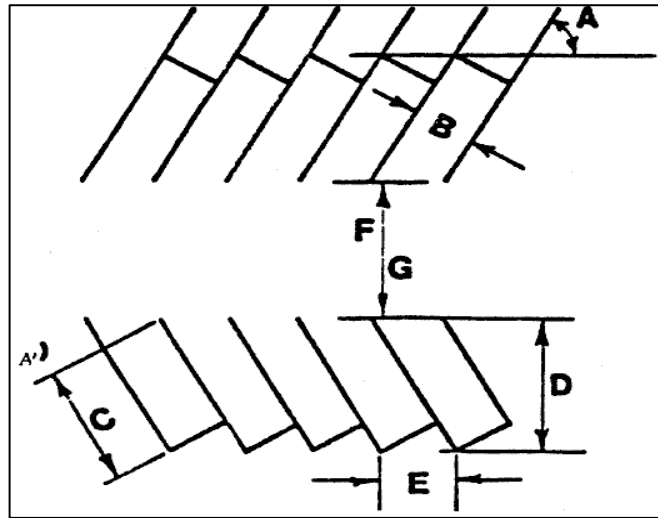


Figure 4.36.1

SECTION 4.37 SIDEWALKS

- A. Sidewalks shall be maintained or replaced by the property owner.
- B. All sidewalks shall:
 1. Be ADA accessible;
 2. Be constructed of brick, concrete, concrete pavers, or concrete with brick borders;
 3. Be no less than four (4) feet wide in residential areas and no less than six (6) feet wide on the side of the block where there are commercial buildings; and
 4. Assist in creating a complete linked network of walkways connecting all uses with parks and other areas.

C. Unless expressly excluded in a zoning district, sidewalks shall be separated from streets by “planting strips” a minimum of five (5) feet wide, planted with appropriate trees and grass, ground cover or other landscaping materials.

1. In areas with commercial use these “planting strips” may be replaced by paved areas utilizing trees in cast iron tree grates placed a minimum of 20 feet and a maximum of 40 feet apart.
2. In areas where the planting strip is replaced by paved areas, the paved strip may be used for the placement of benches, waste receptacles, fire hydrants, traffic signs, newspaper vending boxes, bus shelters, bicycle racks and similar elements in a manner that does not obstruct pedestrian access or motorist visibility.
3. The width of planting strips on contiguous parcels shall be compatible such that the sidewalk is continuous and without conspicuous offsets.

SECTION 4.38 ROADS AND STREETS

A. Purpose

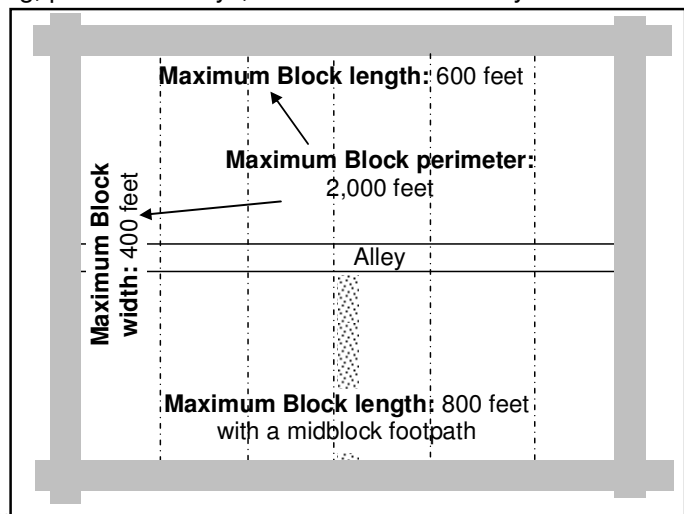
The purpose of this section to promote and maintain the health and safety of town residents; to provide for the orderly flow of traffic within the Town, to facilitate access of emergency vehicles to all parts of Town, and to allow the safe and orderly movement of pedestrians, bicycles, permitted off-road vehicles.

B. Street Classification

1. Town streets are classified according to their function. Criteria used to design streets are based on their functional classification.
2. For planning purposes, the Town of Star Valley Ranch uses the following functional categories in classifying its streets:
 - a. Principal Arterial
 - b. Town Arterial
 - c. Neighborhood Collector
 - d. Local Street
 - e. Primitive Road

C. New developments shall be designed in a pattern of interconnecting streets and alleys, defined by buildings, street furniture, landscaping, pedestrian ways, and sidewalks. The layout should be suited to the existing topography and other natural features of the area. It is recognized that in many cases a varied design containing a layout of curving streets or circular patterns may be more appropriate for the site.

1. Block Dimensions: While topography, existing vegetation, hydrology, and design intentions should influence block shape and size, the maximum perimeter for a block is 2000 feet and the maximum length for a block shall



be 600 feet, with an allowance for blocks up to 800 feet in length when midblock footpaths are provided. No less than one eight-foot wide pedestrian alley or way shall be provided for every 250 feet of street frontage in the commercial area, connecting with rear parking lots.

2. Each development requiring the construction of one or more new streets shall have at least two points of entry and egress, and shall be connected to adjacent streets shown on the Town's Master Street Plan to provide for the future extension of the community's street network. Main streets should not cut through the center of the development, but instead should provide access to secondary roads that begin at the periphery of the street layout, except in the case where the design of the development is built around a central "Main Street" or "town center" concept.
3. In order to control traffic speeds and to provide for pedestrian safety, the use of "T" intersections, where vehicles must stop and turn to the right or to the left rather than proceeding forward in a straight line are encouraged. At least 25 percent of all intersections within the Town residential area shall take this form, unless other design devices, such as traffic circles or four way stops are employed to reduce vehicle travel speed.

D. Cul-de-sacs. RESERVED

E. Alternative Street designs. RESERVED

F. Street Standards. RESERVED

G. Intersection. RESERVED

SECTION 4.39 DRIVEWAYS

- A. Purpose: The purpose of this section is to standardize, regulate and control the location, size, type, construction, maintenance and quantity of driveway access to town streets to provide safe and efficient entry to and exit from town streets to private property, safety of vehicular traffic in the streets, and safety of pedestrian traffic on the sidewalk area.
- B. Permit required. It shall be unlawful for any person either as owner, agent, servant, contractor or employee to install or cause to have installed any driveway, or any vehicular access, on any public right-of-way in the Town without a permit. Permits shall be issued only after payment of prescribed fees and compliance with Town regulations. At the time the permit application is made, the Town shall be advised of any parking meters, traffic or street signs, signal poles, street light poles, fire hydrants, trees or obstructions that will be affected by the placement or removal of the driveway or sidewalk.
- C. Accessibility study. If any proposed site development will generate two hundred (200) or more vehicle trips per day, a traffic accessibility study shall be required before any developmental permit is issued. A vehicular trip is defined as a one way journey of a motorized vehicle. If the study indicates a need for the installation of traffic-control devices to regulate traffic flow generated by the facility, such traffic-control devices shall be installed at the expense of the owner of the facility. The study shall include but not be limited to:
 1. Estimated number of vehicular trips per day;
 2. Location of approaches;
 3. Circulation and channelization patterns;

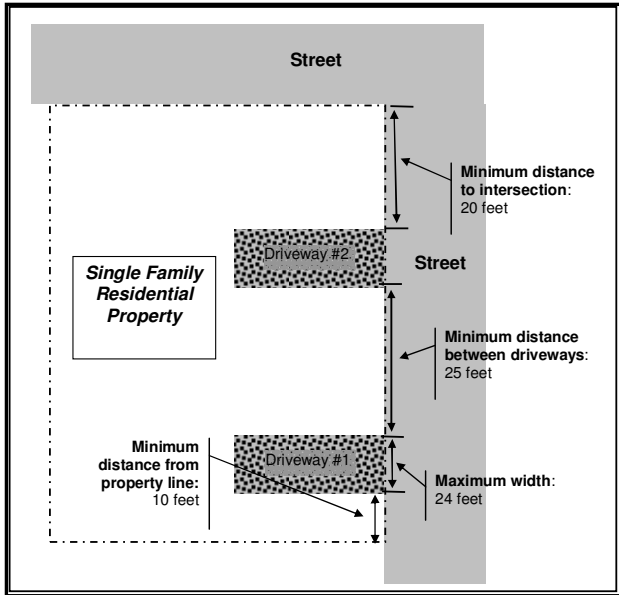
4. Location and type of traffic-control devices;
5. Pedestrian systems;
6. Bicycle systems;
7. Projected turning movements; and
8. Impact on surrounding existing street intersections.

D. Fees. Permit, inspection and service fees shall be charged by the Town as prescribed by Ordinance.

E. Town to furnish inspector. The Town may furnish an inspector to inspect every piece of curb, driveway and driveway apron to be constructed, whose duties shall be to review the forms for alignment, grade and materials and to see that the work is done in accordance with the specifications of the Town at the time of the issuance of the permit. The Town shall be given at least two (2) work days to make an inspection.

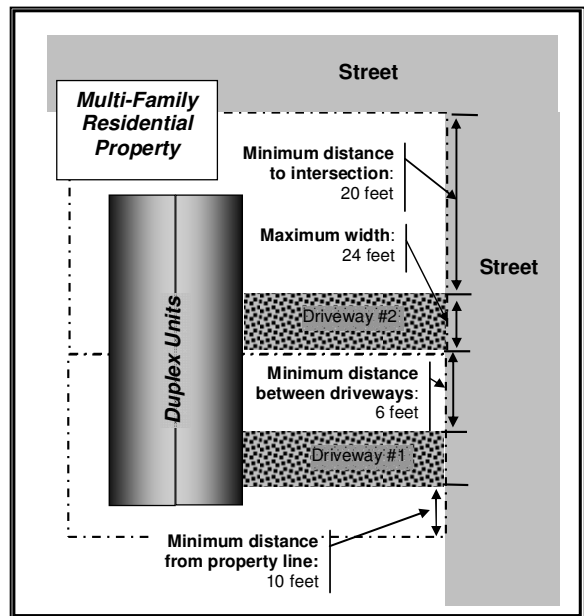
F. Allowable driveway widths:

1. In single-family residential zoned districts, the maximum driveway width shall be twenty-four (24) feet or the width of the garage to which it leads, whichever is greater, and shall be located in accordance with Town specifications. For lots or parcels with more than 25 feet of frontage, the total combined width of all driveways shall not exceed 50% of the frontage of that parcel or lot. The minimum distance between driveways serving the same lot or parcel shall be twenty five (25) feet.

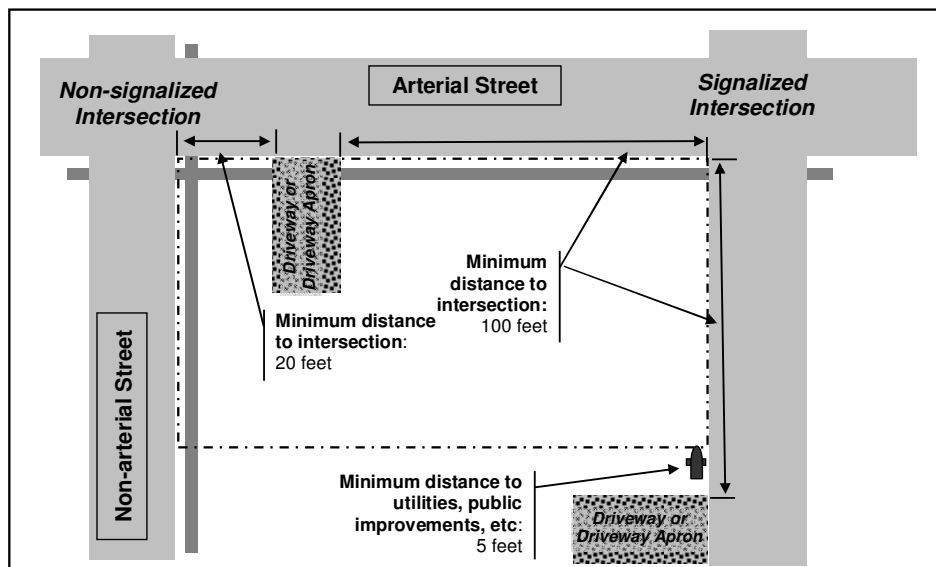
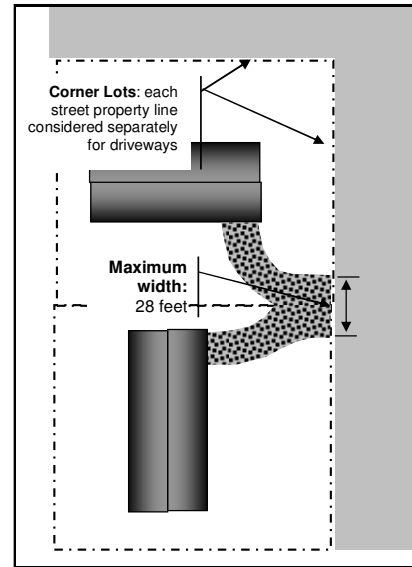


2. In multifamily zoned districts, the maximum driveway width shall not exceed twenty-four (24) feet and shall be located in accordance with Town specifications. The minimum distance between driveways shall be twenty-five (25) feet except in the case where two driveways serve side-by-side duplex units, in such instances, a minimum six (6) foot separation distance is required between the two driveways.
3. In all commercial zoned districts, the maximum driveway width shall be thirty (30) feet except driveway widths for service stations may be up to forty (40) feet when approved by the Town, and shall be located in accordance with Town specifications.

G. General regulations. Every driveway apron constructed or altered in the street right-of-way shall conform to the following regulations:



1. No driveway apron shall be constructed closer than ten (10) feet to the side property line.
2. No driveway apron shall be closer than five (5) feet to, nor shall it be so located as to interfere with, intersecting sidewalks, utility facilities, light standards, fire hydrants, catch basins, street signs, signals or other public improvements or installations.
3. Any necessary adjustments to utility facilities, light standards, fire hydrants, catch basins, street signs, signals, underground conduits for street lighting or fire alarm systems, or other public improvements or installations shall be accomplished without cost to the Town.
4. No driveway shall be closer than twenty (20) feet to the intersection of Town streets except along arterial streets or streets intersecting an arterial at a signalized intersection whereat the driveway shall be one hundred (100) feet from the corner. The location of driveways for lots or parcels along arterial streets having less than 100 feet of frontage shall be approved by the Town.
5. No driveway shall be located so as to create a hazard to pedestrians or motorists, or to invite or compel illegal or unsafe traffic movements.
6. In any commercial zone, driveways shall be designed such that vehicles entering or egressing shall not be required to back from or into a street right-of-way.
7. The contractor or his or her agent doing the construction or alteration work shall maintain the premises in a safe manner and shall provide adequate barricades and lights at his or her own expense to protect the safety of the public using the adjacent streets or sidewalks, and shall hold the Town harmless from any damages incurred by his or her operations.
8. The angle between any driveway apron and the street shall be ninety (90) degrees to the street tangent or on a radial line to the street curve.



9. A permit for the construction of a driveway shall not be issued unless vehicles which will use the driveway can be parked entirely within the private property lines.
 10. Driveways serving facilities that will generate two hundred (200) or more vehicle trips per day may be classified and constructed as a street intersection. A complete design of the intersection shall be submitted to the Town before a permit is issued. Approval of this type entrance may be contingent upon the applicant installing traffic control devices at his or her sole expense. This type of entrance shall be included in calculating number, spacing, or any other requirement pertaining to driveways as specified herein.
- H. Restrictions. In addition to the general regulations prescribed herein, driveway aprons to be constructed or altered shall conform to the following:
1. Where a property abuts more than one street, the maximum number of driveways permitted on each street shall be considered separately and shall be governed by the frontage of the property on that street.
 2. A joint driveway between adjacent parcels may be constructed at a maximum width of twenty-eight (28) feet. Both property owners must be in agreement to a joint driveway and shall submit a written agreement to the Town.

SECTION 4.40 SIGNS

- A. The purpose of this section is to provide fair, comprehensive and enforceable regulations that will foster a quality visual environment for the Town, enhancing it as a place to live, visit and conduct business. Depending on their size, number, and character, signs may attract or repel visitors, affect the visual quality enjoyed daily by residents, affect the safety of vehicular traffic, and define the character of the area. Signs are herein regulated to help maintain the health, comfort and well-being of the public; to prevent adverse community appearance from the unrestricted use of signs; to allow signs appropriate to the character of each zoning district; to promote traffic safety; and to aid police protection and fire-fighting. This section is intended to improve the legibility and effectiveness of signs by preventing over-concentration, improper placement, excessive height, area and bulk and by regulating sign illumination.
- B. General regulations applying to all Signs:
1. Measurement of sign area: The area of a sign shall be computed as including the entire area within a rectangular geometric form or combination of such forms comprising all the display area of the sign and including all of the elements of the matter displayed. Frames and borders bearing copy or display materials shall be included in the computation of the sign area. Where a sign has two or more faces, the area of all faces shall be included determining the area of the sign, except where two such faces are placed back to back, parallel to one another, and less than six (6) inches apart, the area of the sign shall be of one face.
 2. Freestanding signs shall not exceed six (6) feet in height.
 3. The height of all building mounted signs shall not exceed the roof height of the building.
 4. Setback requirements for signs: Except where specified otherwise in this Ordinance, all signs shall be setback a minimum of one-half ($\frac{1}{2}$) the front yard setback requirements as measured from the Street Right-Of-Way line. All signs shall be required to meet rear and side yard setback requirements for the Area in which it is located.

5. Size of signs: All signs not covered elsewhere in this Ordinance, shall not exceed thirty-two (32) square feet in area, or twenty percent (20%) of the wall area, whichever is less.
6. Signs, which direct traffic movement onto or within a property which are not owned and under the authority of county, city, Town, state, or federal agency shall not exceed nine (9) square feet in area for each sign. Logo or business names shall not exceed twenty percent (20%) of the sign area. Such signs shall be located behind the street right-of-way line. Two directional signs per driveway shall be permitted.

C. Prohibited Signs. The following signs are prohibited:

1. Signs within the right-of-way or dedicated public easements, (except for temporary signs indicating sale of the property or political signs) unless the sign is installed or owned by a government agency which owns, or holds in trust, the public property or easement.
2. Illuminated signs in residential zoning areas.
3. Signs affixed to trees, utility poles or rocks, unless the rock is a monument type base designed for that purpose.
4. Signs that interfere with the ability of vehicle operators or pedestrians to see traffic Signals or other traffic.
5. Signs that obstruct any window, door, fire escape, or opening intended to provide entry or exit to any structure, building, or right-of-way.
6. Bulletins, bills, flyers, posters, and any other display which is tacked, pasted or otherwise affixed to walls of buildings, barns, sheds, trees, poles, fences, signs, and sign posts.
7. Signs attached or painted on a bench.
8. Signs that imitate an official traffic sign or signal.
9. Signs that are lighted from the interior of the sign, external neon signs, and signs lighted by means of an upward facing light source, or any light source, which is not shielded so the direct rays of light are confined to the surface of the sign.
10. Signs with flashing lights, flashing messages, moving letters, or blinking lights.
11. Electronic changeable message sign where messages changes more than once a day except for signs denoting the correct time and temperature and the name of the business and shall not exceed twelve (12) square feet per side.

D. Off- Premises Signs:

1. Signs or commercial messages advertising any product, service, activity, event, person, institution, or business located within Town, or advertising the sale or rental of a parcel other than the one where the sign is located, shall be limited to:
2. One sign per parcel;
3. One additional sign is allowed provided that it is for multiple businesses developed by a single organization (such as a business association, chamber of commerce, or other similar

organization) or a governmental agency. Signs which meet the above conditions shall be permitted in any zoning Area established by this Ordinance;

4. Any structure formerly used as a sign, and not in use for more than one hundred and eighty (180) days after its use for a sign has ceased shall be removed.
5. Off-premise signs which bear names, information and emblems of service clubs, places of worship, civic organizations, and all quasi-public uses shall be permitted on private property. Each sign shall be no more than nine (9) square feet in area, shall not exceed a height of eight (8) feet and shall be set back a minimum of ten (10) feet from the street right-of-way line.

E. On-Premises Signs:

1. Community building signage shall not exceed 32 square feet for each building.
2. One identification sign shall be permitted for each public street frontage for a vehicle entrance for a school, church, public building, or other authorized commercial use or lawful non-conforming commercial use. Each sign shall not exceed sixteen (16) square feet in area.
3. One identification sign shall be permitted for each public street frontage, for a subdivision, multiple family building development and mobile home park. Each sign shall not exceed sixteen (16) square feet in area.
4. One single freestanding sign located near each street entrance to a multi-business plaza. It may be a maximum of seventy five (75) square feet in area.
 - a. In a plaza where multiple businesses and occupants are located, a single wall or projecting sign may be permitted for each enterprise and shall be based on one (1) square foot of sign area for each one linear foot of building length which faces on a public street up to a maximum of sixteen (16) square feet.
 - b. Where groups of businesses and occupants are located separate from others in a plaza, each group location is permitted a freestanding sign to advertise businesses and occupants within that group, but shall not exceed twenty four (24) square feet.
5. All multiple business plaza signs shall:
 - a. Only advertise the businesses and occupants associated with the respective group or multiple business plaza; and
 - b. Comply with other provisions of this section and the respective zoning area.

F. Temporary Signs:

Except for street banners approved by the Town, all other temporary signs may be placed to advertise any temporary special event, activity, political campaign, sale or rent of real property sale of Personal property in a residential zoning area, or similar purpose for a limited period of time. All temporary signs shall:

1. Be located on the same property as the event or on private property with permission;
2. Comply with all other provisions of this section;
3. Not exceed the size regulations for the Area, or six (6) square feet, whichever is greater. One banner located on the face of the structure where the event will occur may cover a maximum of 40 percent of the face area;

4. Not impede the flow of traffic or pedestrian movement; and
 5. Be on display only for a period which includes.
 - a. The duration of the event;
 - b. Up to, but not exceeding, five (5) days after the event;
 - c. The minimum amount of time necessary to adequately advertise or campaign ahead of the event not exceed thirty (30) days.
- F. Illumination and light:
1. A sign shall not be internally illuminated.
 2. Lighting of signs, if at all, shall be by means of a downward facing light source, which shall be shielded so the direct rays of light are confined to the surface of the sign.
- G. Signs Not Regulated: This section does not apply to any signs which are:
1. Not visible to motorists or pedestrians on any street, alley, public lands, or adjacent parcels;
 2. Specific information panel for the direction of motorists which may be located, under authority of any statute, on any county, city, Town street, state, or federal highway;
 3. Under four (4) square feet in area for sale, rent of the parcel, indicating private property, no trespassing, no hunting or fishing or political signs;
 4. Legal postings as required by law;
 5. Signs of a non-commercial nature are allowed and shall not exceed 16 square feet.

SECTION 4.41 OUTSIDE LIGHTING

- A. No person, firm or corporation shall install, erect or maintain any floodlight, searchlight, security light or other form or type of light source in such a manner that the light rays from such device fail to conform with the terms and conditions of this ordinance. Further, no person, firm or corporation shall install, erect, or maintain any floodlight, searchlight, security light or other form or type of light source in such manner that the light therefrom may distract the attention of any vehicle driver from the operation of a vehicle in a safe and prudent manner. On all properties the modification or replacement of any permanent outdoor lighting fixtures shall comply with these regulations.
- B. LIGHT TRESPASS: The maximum illumination at five feet inside an adjoining residential parcel or public right-of-way or beyond, from an artificial light shall be no greater than 0.05 horizontal foot-candles and 0.05 vertical foot-candles. Said illumination likewise measured inside an adjoining commercial or industrial parcel or on a public street, or beyond, shall not exceed 0.1 horizontal foot-candles or 0.1 vertical foot-candles. No line of sight to a glaring light source is permitted from 5 feet or more inside a residential property line or public right-of-way property line by an observer viewing from a position that is level with or higher than the ground below the fixture.
- C. GENERAL LIGHTING DESIGN:

1. The bulbs in outdoor light fixtures emitting from 600 to 1200 lumens shall be frosted glass or covered by frosted glass or other similarly translucent cover.
2. An outdoor light fixture emitting more than 1200 lumens except motion detector activated lighting, shall be full cutoff and fully shielded to an observer at the property line.
3. A Spotlight of less than 1800 lumens need not be full cutoff or covered by a translucent cover if its center beam is aimed at a point not beyond any property lines and no higher than forty five degree below horizontal, and is motion detector activated and cycles off after five minutes.
4. Generally, lighting fixtures should not be located closer to the property line than a distance equal to three times the fixture's mounting height above grade at the property line.
5. No searchlights, laser lighting, or lights that pulse, flash, rotate or simulate motion shall be used for advertising or promotions.
6. Emergency lighting and traffic control lighting is exempt from these general lighting requirements.
7. Tower lighting shall not be permitted unless required by the FAA. Required lighting shall be of the lowest allowed intensity and red unless specifically forbidden under FAA requirements.
8. At the close of business, all lighting shall be reduced to a level not greater than those described in the section titled "Parking Lot Lighting".
9. The American Flag may be illuminated by up to three (3) upward facing spotlights.

G. SPECIFIC LIGHTING REQUIREMENTS

1. Landscaping: When landscaping is to be illuminated in commercial or multiple family residential-2 zoning districts, the Board shall first approve a landscape lighting plan that presents the purpose and objective of the lighting, shows the location of all lighting fixtures and what landscaping each is to illuminate, and demonstrates that the installation will not generate excessive light levels, cause glare, or direct light beyond the landscaping into the night sky.
2. Parking Lot Lighting: Parking lot lighting shall be designed to provide the minimum lighting necessary to ensure adequate vision and comfort in parking areas, and to not cause glare or direct illumination onto adjacent properties or streets.
 - a. All lighting fixtures serving parking lots shall be cut-off fixtures.
 - b. Mounting heights of lighting fixtures shall not exceed 20 feet.
 - c. The minimum illumination level shall not exceed 0.4 foot-candles. The ratio of the average illumination to the minimum illumination shall be 4:1.
3. Lighting of Walkways, Bikeways, and Parks: Where special lighting is to be provided for walkways, bikeways, or parks, the following requirements shall apply.
 - a. The walkway, pathway, or ground area shall be illuminated to a level of no more than 0.5 foot-candles.
 - b. The vertical illumination levels at a height of five (5) feet above grade shall be no less than 0.5 foot-candles.
 - c. Lighting fixtures shall be designed to direct light downward, and light sources shall have an initial output of no more than 1000 lumens.

4. Lighting of Gasoline Station or Convenience Store Aprons and Canopies: Lighting levels on gasoline station or convenience store aprons and under canopies shall be adequate to facilitate the activities taking place in such locations. Lighting of such areas shall not be used to attract attention to the business. Signs allowed under local ordinances shall be used for that purpose.
 - a. Areas on the apron away from the gasoline pump islands used for parking or vehicle storage shall be illuminated in accordance with the requirements for parking areas set forth elsewhere in this section. If no gasoline pumps are provided, the entire apron shall be treated as a parking area.
 - b. Areas around the pump islands and under canopies shall be illuminated so that the minimum horizontal luminance at grade level shall not exceed 5.5 foot-candles. The ratio of average to minimum luminance shall be no greater than 4:1.
 - c. Light fixtures mounted on canopies shall be recessed so that the lens cover is recessed or flush with the bottom surface of the canopy and/or shielded by the fixture or the edge of the canopy so that light is restrained to no more than 85 degrees beyond the vertical plane.
 - d. Lights shall not be mounted on the top or sides of the canopy and the sides of the canopy shall not be illuminated.
5. Outdoor Sports or Recreation Fields or Performance Areas. Lighting of outdoor recreational facilities (public or private), such as, but not limited to, football fields, soccer fields, baseball fields, softball fields, tennis courts, driving ranges, special event or show areas, shall meet the following conditions:
 - a. All fixtures used for such lighting shall be fully shielded with fifteen (15) degree cutoff.
 - b. All lighting of facilities covered in this section is prohibited after 11 pm, except as noted below:
 - 1) Illumination of the playing field, court, track, or event site, after 11:00 p.m. is prohibited except to conclude a scheduled event that was scheduled to be completed before 11:00 p.m. that circumstances prevented concluding before 11:00 p.m.
 - 2) The hours of operation for the lighting system for any game or event shall not exceed one hour after the end of the event. When the event schedule places this time after 11 p.m., a permit from the Town shall be obtained.
 - c. Lighting levels for outdoor performance areas, sport and recreation facilities, and playfields shall not exceed by more than five (5) percent the Illuminating Engineering Society of North America's (IESNA) published standards for the proposed activity.

E. Street Lighting:

1. Unless otherwise approved by the Board, the developer of new areas within commercial or multiple family residential-2 zoning districts shall be required to design and construct street lighting systems in accordance with accepted guidelines and professional standards or have the street lighting system designed and constructed by the current power company. The plans shall be reviewed and approved by the Board before construction. All costs associated with furnishing and installing the street lighting systems will be borne by the developer. The Town shall assume ownership of the street light system on Town streets after inspection and testing of the system is complete and the system is functional and approved by the Town in all respects. The plans must be designed by and sealed by a Professional Engineer licensed in Wyoming who is qualified in the design of electrical street light systems. In the event a conflict exists between these requirements, the more stringent applies.
2. Location
 - a. Spacing:

- 1.) Poles and fixtures shall be located on the front property line.
 - 2.) The light poles and fixtures shall be located at 100-foot spacing from pole to pole, on alternating sides of the street (staggered) or as approved by the Board. The Board may waive this requirement in residential zones.
 - 3.) A minimum of two (2) light poles and fixtures, staggered across the intersection, shall be required at all intersections. The Board shall approve the final fixture location. The Board may waive this requirement in residential zones.
 - a.) Layout Requirements: Fixtures shall be strategically located to provide adequate illumination for all intersections. Adequate shall be defined as providing a minimum of 0.5-foot candles at all locations within the street right-of-way including the intersections of streets or as approved by the Board.
 - b.) Conduit shall be provided to the end of each street constructed by the developer, with a cap for future extension.
3. Contract drawings and documents to be submitted to the Town
- a. Plans: Contract drawings shall be prepared on drawings separate from other utilities. Separate drawings shall be provided for each street or subdivision. The scale of the plans shall be 1-inch = 50-feet or larger. The location of the existing and proposed light fixture shall be clearly identified, with all conduits shown. Street crossing shall be located by centerline stationing of the roadway. All control panels/meter pedestals shall be indicated and each separate circuit numbered for clarity.
 - b. Typical Sections and Details: Plans should include all details of the light poles and fixtures, foundation details and trenching cross sections. Any special design feature shall be shown on the drawing or clearly stated in the general notes.
 - c. Distribution of Final Plans: The appropriate number of the final plans, as determined by the Board, shall be submitted to the Board for use by the Town.

SECTION 4.5 TEMPORARY DWELLINGS

- A. No person shall use or permit the use of any temporary dwelling, motor home, or trailer as defined in this Ordinance as a principal or seasonal dwelling on any site, parcel, field, or tract of land, except by zoning permit.
- B. Storage of temporary dwellings, recreational vehicles, motor homes, trailers, boats, etc. shall:
 1. Only be on a parcel where a principal dwelling currently exists; and be inside a building or stored in the rear or side yard on a gravel or paved driveway of the owner's dwelling; and
 2. Be set back the required distance for the respective zoning district.
- C. Unoccupied parking or storage of temporary dwellings (including trailers and motor homes) on a street or front yard is prohibited.

SECTION 4.6 DWELLING REGULATIONS

Dwellings or duplexes shall comply in all respects with the Town's Building Codes. Where a dwelling is required by law to comply with any federal or state standards or regulations for construction and where such standards or regulations for construction are different than those imposed by the Town's Building code, then and in that event such federal or state standard or regulation shall apply. The final structure shall not be occupied until an acceptable final construction inspection has been completed and the report furnished to the Town.

SECTION 4.7 DRIVE-IN AND DRIVE -THROUGH BUSINESSES

- A. Except for as provided in Appendix 5A, there shall be no drive-through or drive-in facilities within the Town.
- B. For permitted drive-through and drive-in facilities space for two additional waiting vehicles shall be provided with a minimum dimension of twenty two (22) feet per each vehicle.
- C. Any drive-in facilities shall be secondary in emphasis and priority to any other access and circulation functions. Such facilities shall be located in side or rear locations that do not interrupt direct pedestrian access along connecting pedestrian frontage. The design and layout of drive-in facilities for restaurants, banks, or other uses shall:
 - 1. Avoid potential pedestrian/vehicle conflicts;
 - 2. Provide adequate directional signage to ensure a free-flow through the facility; and
 - 3. Provide a walk-up service option as well as drive-in

ARTICLE 5.0: COMMERCIAL/COMMUNITY FACILITIES ZONE

SECTION 5.10 PURPOSE

The purpose of this zone is to primarily provide uses that meet the retail and service needs of the Town in a traditional community center and its vicinity with one and two story buildings, and may contain other compatible uses, such as civic and institutional uses of community importance. The scale of retail uses intended for this area is small stores and businesses. This area is not intended to be used for industrial uses, large-scale retail or commercial buildings, or storage. This area is intended to increase pedestrian traffic and use of the area by Town residents and the community as a whole.

SECTION 5.20 BUILDING TYPES

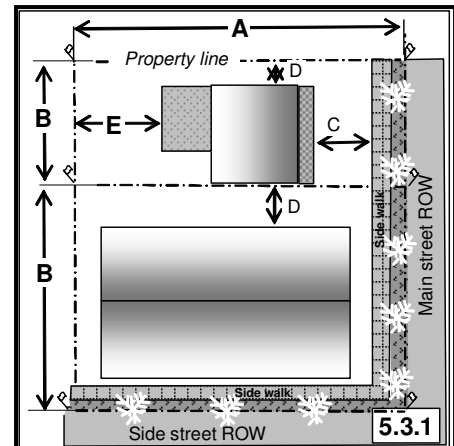
- A. Single and multistory structures that allow for a mixture of uses are allowed.
- B. Buildings shall generally relate in scale and design features to the surrounding buildings, showing respect for the local context, except however, where existing development does not represent a consistent architectural style or does not incorporate a building design that reflects the rural character and architecture of western towns, buildings should instead be designed to improve the overall streetscape, relying on the design standards set forth in this ordinance.
- C. As a general rule, buildings shall reflect a continuity of treatment obtained by maintaining the building scale or by subtly graduation changes, by maintaining small front setbacks, by maintaining cornice lines in buildings of the same height, by extending horizontal lines of fenestration (windows and doors), and by echoing architectural styles, details, design themes, building materials, and colors used in surrounding buildings where such buildings represent the rural character and architecture of western towns.

SECTION 5.30 USES

- A. ALLOWED
 - 1. In the mixed commercial area street level floors are limited to retail, office, community and other service uses. Upper floors may be used for a mixture of retail, office, and service uses.
 - 2. The permitted uses are listed in Appendix 5A.
- B. ALLOWED CONDITIONALLY
Uses that may be permitted with conditions are described in Appendix 5A.

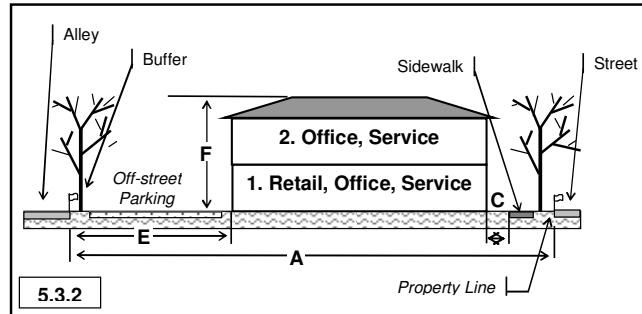
SECTION 5.40 DIMENSIONAL AND BULK STANDARDS – COMMERCIAL BUILDINGS

- A. Structures shall meet all of the following dimensional and bulk standards: (See illustrations 5.3.1 and 5.3.2)
 - 1. Parcel Depth (A) – 120 feet minimum
 - 2. Parcel Width (B) – 25 feet minimum
 - 3. Street Setback (C) – 10 feet maximum from the



inside edge of the sidewalk

4. Side Parcel Setbacks (D) – 10 feet maximum
5. Rear parcel setback (E) – None required.
6. Building height (F) – 15 feet minimum to 35 feet maximum with no more than two stories above ground level. All street facing building facades shall be a minimum of 15 feet or the height of the building whichever is greater.



- B. Sidewalks are required along streets and shall be a minimum of six (6) feet wide. Other sidewalks are required as shown in illustration 5.3.3

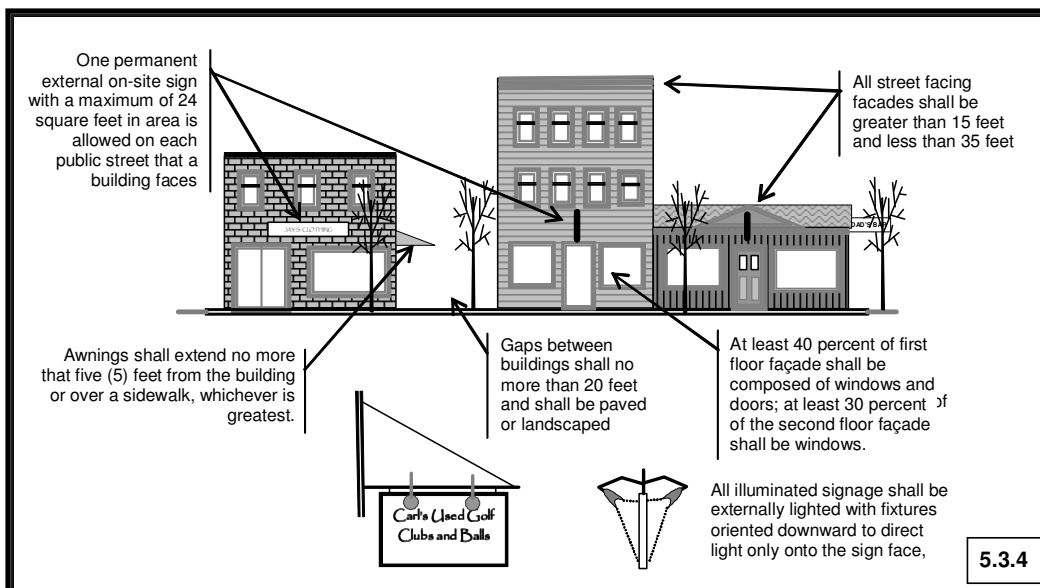
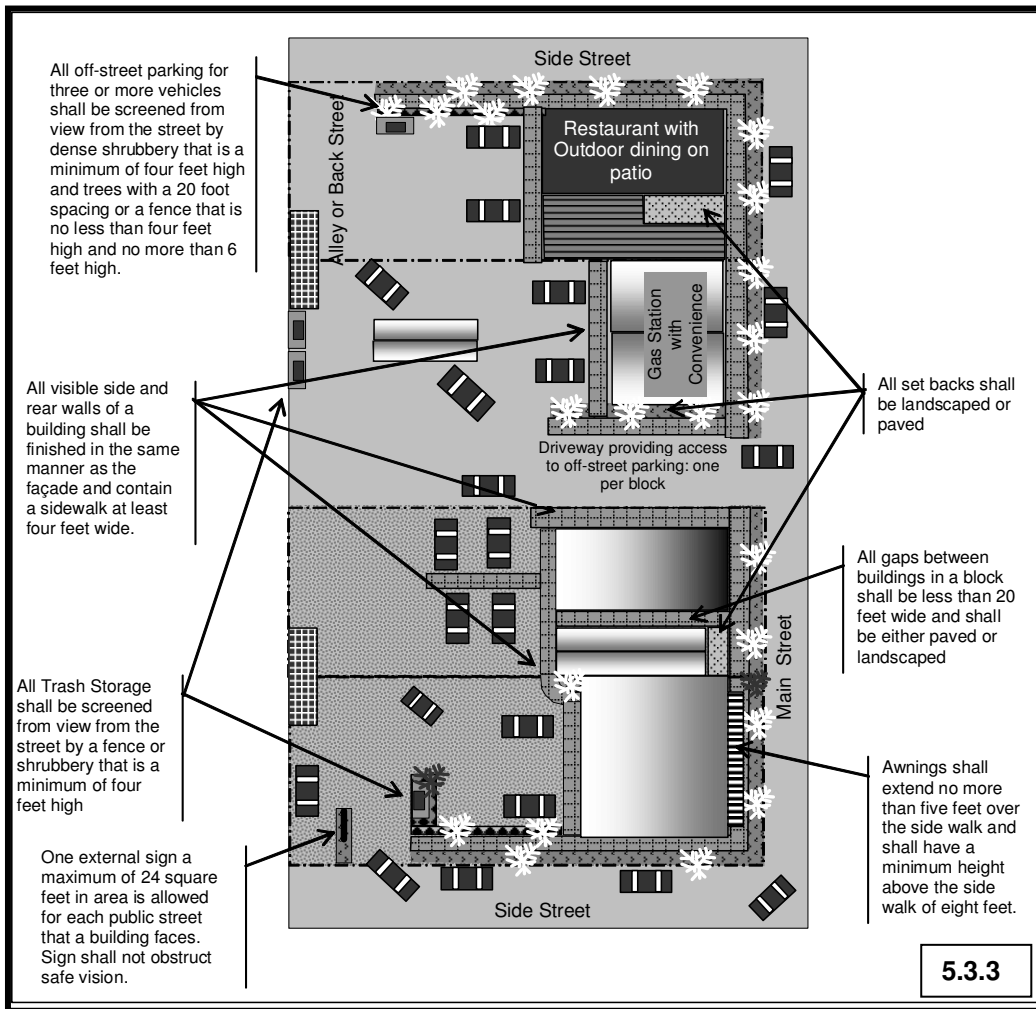
C. Entranceways

1. Building entrances shall be designed to be clearly identifiable and easily recognizable from the adjacent streets, parking lots and pedestrian circulation routes.
2. Design, quality of material, scale and character of the entryway, should help identify its importance and be compatible with entrances of adjacent buildings.
3. Entryways should be recessed to allow for the opening and closing of the doors without hindering the passage of pedestrians.
4. Building entryway doors shall not open in a manner that causes them to swing into or in any way obstruct the sidewalk clear zone.
5. Building entrances shall be ADA accessible.

D. Off-Street Parking

1. Off street parking shall be located behind, or with the permission of the Board, to the side of the building.
2. Parking Access:
 - a. Only one driveway to the main street is allowed per side of a block to access off-street parking as shown in Illustration 5.3.3; when possible off-street parking should be accessed from an alley or by a driveway on a non-arterial side street.
 - b. Parking access provided by a driveway shall consist of two lanes, no less than 12 feet wide and for the purposes of setbacks meet the requirements of Section 4.38 Sidewalks.
 - c. Driveways shall also meet the requirements of Section 4.3.9 (Driveways)
3. Parking Space allocation
 - a. One parking space per 300 square feet of commercial space shall be provided through a combination of off-street and on-street parking. At least 75 percent of the provided parking shall be located off-street to allow for winter snow-removal and snow storage along the street.
 - b. In shared parking lots located behind buildings or between two buildings and where the parking space requirement is shared, the space requirement may be reduced by 40 percent for each structure.

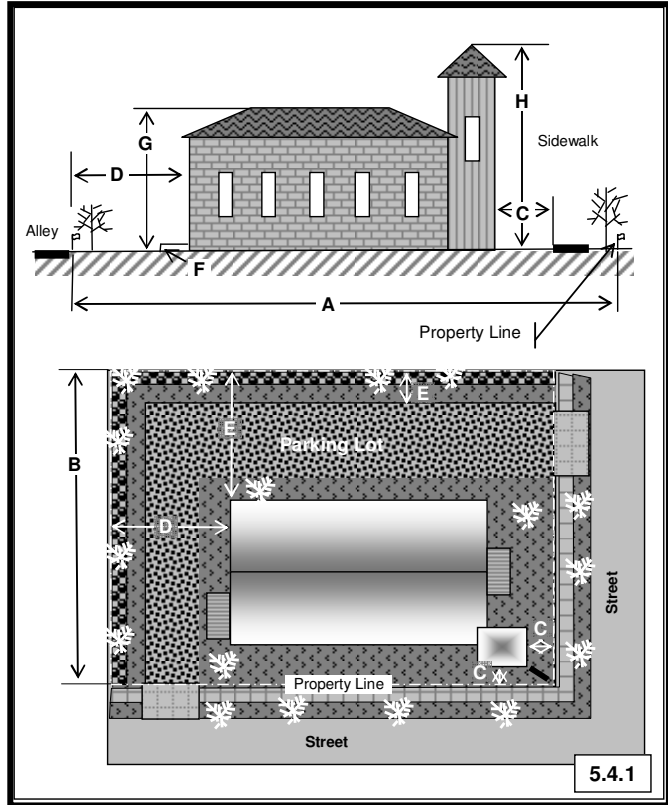
- c. Sufficient space shall be provided in the parking area to accommodate snow storage for a normal winter snowfall. The provided space shall not less than 2.5 percent of the area used for parking, access ways, and dividers.
 4. Off street parking areas shall be screened from public right-of-way by:
 - a. A buffer area consisting of a dense planting of shrubs at least four feet high with trees spaced at a distance less than 20 feet apart
 - b. A fence that meets the standards of Section 4.34
 5. A buffer of trees and/or shrubs not less than 15 feet wide shall be provided between residential areas and parking or service areas.
- E. Refuse containers
1. The owner of every building, structure or premises used or maintained in connection with any business or occupation shall provide and maintain in good condition and repair a sufficient number of refuse containers for the temporary storage of all refuse accumulating between collections.
 2. All refuse which is placed for collection service outside of any building or structure shall be kept in standard refuse containers with covers.
 3. All outside refuse containers shall be placed in a fenced or walled structure of sufficient size to screen the refuse containers. Said structure shall contain doors or gates that hide the containers from view and that provide reasonable protection from scavenging animals.
 4. All outside refuse containers shall be located at least than one hundred (100) feet from a street or private residence.
- F. Additional Development Standards: Buildings and parcels in the commercial area shall meet the additional standards shown in illustrations 5.3.3 and 5.3.4.



SECTION 5.50 DIMENSIONAL AND BULK STANDARDS – COMMUNITY BUILDINGS

A. Churches and community buildings shall meet all of the following dimensional and bulk standards. (See illustration 5.4.1)

1. Parcel depth (A) – 100 feet minimum
2. Parcel width (B) – 80 feet minimum
3. Street setback (C) – 25 feet maximum from the property line or inside edge of the sidewalk whichever is greater.
4. Alley or rear yard setback (D) – 15 feet minimum from the property line.
5. Side parcel setbacks (E) – 15 feet minimum
6. Stoop height (F) – 2 feet minimum
7. Primary building height (G) – 45 feet maximum
8. Steeple or decorative tower height (H) – 75 feet maximum
9. Maximum building coverage - 70% of the gross parcel area
10. Maximum impervious surface coverage - 80% of the gross parcel area.



B. Off-street parking

1. Off-street parking shall be provided at the rate of 1 parking space for each 100 square feet public floor space within the building or 1 space for each five (5) fixed seats, whichever is greater.
2. Parking lot shall be located in the rear or at the side of building with a 15 feet minimum setback.
3. Parking lot is to be screened from the Street and adjacent properties by densely planted shrubbery and trees.

SECTION 5.60 ADDITIONAL DEVELOPMENT STANDARDS

A. Architectural Elements

1. Architectural materials: The following materials are permitted on visible walls within the commercial/community zone:

- a. Brick and tile masonry
 - b. Stucco (cementitious finish)
 - c. Native stone (or synthetic equivalent)
 - d. Pre-cast masonry (for trim and cornice elements only)
 - e. Gypsum reinforced fiber concrete (for trim elements only)
 - f. Metal (for beams, lintels, trim elements and ornamentation only)
 - g. Wood lap siding
 - h. Logs (or synthetic equivalent)
 - i. Concrete composite siding
2. Architectural details for commercial buildings
- a. For commercial buildings, doors and windows must consume a minimum of forty percent (40%) of the first floor façade between two (2) feet and ten (10) feet measured from the grade in front of the Structure. Upper floors shall have door and window coverage of not less than thirty percent (30%) between three (3) feet and nine (9) feet measured from the base of the second story.
 - b. For all commercial and community buildings, awnings and overhangs are permitted to extend out a maximum of five (5) feet from the building or over the sidewalk, whichever is greater, and must be a minimum of eight (8) feet above the grade.
 - c. For all commercial and community buildings, stoops, steps and ramps shall not extend into the public right-of-way. Garage doors shall not face the front parcel line.
 - d. For all commercial and community buildings, colors used shall be earth tones harmonious with the surrounding area. Accent colors are permitted on smaller details such as cornices, doors, window trim, columns and bullheads.
 - e. For all commercial and community buildings, color, architectural treatment and details shall be similar on all facades visible by the public.
 - f. Bicycle requirements: Bicycle parking facilities (bike racks) at a ratio of at least one bicycle parking space for every 10 automobile parking spaces or fraction thereof shall be provided.
 - 1.) No building or buildings sharing a parking area shall have fewer than three bicycle parking spaces nor be required to exceed a maximum of 10 spaces
 - 2.) Bicycle spaces shall be located within the parkway/street furniture zone a maximum distance of 50 feet from the building entrance, or shall be located at least as close as the closest automobile space.
 - 3.) Each space shall include a metal anchor sufficient to secure the bicycle frame when used in conjunction with a user-supplied lock
- B. Development of corner parcels:
- 1. Block corners: Buildings on parcels at block corners may be designed with increased setbacks, greens, additional height and architectural embellishments, such as corner towers, steeples, or other features to emphasize their location and serve as a visual focal point for the area subject to Board approval.
 - 2. Access Corners: Parking access where developed with planting strips and sidewalks increases the significance of the structures on either side. The Board encourages developers of these parcels to design structures with “front” facades facing both the primary street and the parking access and to fully utilize the design advantages of a building corner with such embellishments as corner doorways, triangular-shaped patios or plazas.
- C. Buildings that are set back to 10 feet from the sidewalk shall use the increased area between the front façade and the sidewalk for landscaping, seating, public art, street furniture, outdoor dining, outdoor display of merchandise during business hours, or other similar uses.

- D. The Town encourages the placement of street furniture along the paved planting strip or along sidewalks with a width greater than eight feet.
- E. All HVAC systems, exhaust pipes or stacks, and elevator housing shall be screened from view from the public right-of-way and from adjacent properties by using walls, fencing, roof elements, or landscaping. In no case will chain-link fencing be permitted.
- F. Fire escapes shall not be permitted on a building front façade. In buildings requiring a second means of egress pursuant to the local fire codes, internal stairs or other routes of egress shall be used.
- G. Solid metal security gates or solid roll-down metal windows shall not be permitted. Link or grill type security devices shall be permitted only if installed from the inside, within the window or doorframes. Security grilles shall be recessed and concealed during normal business hours.
- H. In addition to the requirements of this article the provisions of Article 4.0 of this Ordinance shall also apply.

APPENDIX 5A: Permitted and Conditional Uses in Commercial Zones

The following uses are allowed (Permitted uses or P) or with permission of the Town with appropriate conditions (Conditional uses or C) or not permitted (NP). Any use that is not listed below is expressly not permitted in the Commercial zone.

| USE | Status |
|--|--------|
| (1) Motels and hotels, including Accessory Uses intended to serve only the hotel or motel, such as newsstands, gift shops, and similar incidental uses conducted entirely within the Principal Building | C |
| (2) Offices | P |
| (3) Membership clubs, not conducted primarily for gain` | P |
| (4) Public and private golf courses | NP |
| (5) Private indoor or outdoor recreation and amusement including miniature golf putting courses, driving ranges, water slides, go cart tracks, and other similar uses | C |
| (6) Restaurants, including the sale of alcoholic beverage with meals and which May include meal service on an outside patio, not including drive in restaurants | P |
| (7) Drive-in restaurants | C |
| (8) Automobile parking lots and parking structures, as a principal Use | C |
| (9) Duplicating and printing services whose Building or Use does not exceed 5,000 square feet in total floor area | P |
| (10) Art or craft studio space and accessory gallery | P |
| (11) Municipal-state or federal facilities and Buildings | P |
| (12) Public parks and playgrounds | P |
| (13) Gasoline stations without repair or service facilities | C |
| (14) Gasoline service stations including repair and service facilities (but not including paint and body shops) | C |
| (15) Personal service outlets, including barber and beauty shops, shoe repair shops, self-service laundries, dry cleaning outlets, appliance repair, travel agencies and photographic studios | P |
| (16) Establishments for the retailing of goods, including but not limited to clothing, grocery, sporting goods, hardware, electronic, variety, and specialty stores, where the Building or Use does not exceed 5,000 square feet in total floor area | P |
| (17) Establishments for the retailing of goods, including but not limited to clothing, sporting goods, hardware, electronic, variety and specialty stores, where the Building | C |

| | | |
|---------|---|----|
| | or Use is greater than 5,000 square feet but does not exceed 25,000 square feet in total floor area | |
| (18) | Establishments for the retailing of goods, including but not limited to department stores, furniture stores, catalog stores, superstores and retail warehouse/wholesale club where the Building or Use exceeds 25,000 square feet in total floor area. | C |
| (19) | Supermarkets exceeding 25,000 square feet in total floor area. | C |
| (19.1) | Supermarkets less than 25,000 square feet in total floor area. | C |
| (20) | Indoor amusement and entertainment establishments, including but not limited to theaters, video arcades, bowling alley | C |
| (20.01) | Gaming establishments | NP |
| (21) | Recreation and athletic membership clubs | P |
| (22) | Vehicle sales, recreational vehicle sales, Mobile Home sales, and vehicle accessory dealers and repair services excluding junk yards | NP |
| (22.1) | Vehicle sales, recreational vehicle sales and vehicle accessory dealers and repair services excluding junk yards | NP |
| (23) | Drive-in, walk-up and drive-up facilities, such as banks and automatic teller machines, liquor stores, photo stores and cleaning establishments | C |
| (24) | Financial institutions, including banks, savings and loans, finance companies and similar uses | P |
| (25) | Mortuaries and funeral chapels and Accessory Uses | C |
| (26) | Commercial uses including without limitation animal hospitals with indoor kennels, cold storage lockers, rental establishments, car washes, service garages, auto repair, welding services, if there are adequate safeguards to protect adjoining properties from objectionable or harmful substances, conditions or operations | C |
| (27) | Single-unit detached and Dwellings on ground floor | NP |
| (28) | Dwellings on floors above and below, the ground floor | NP |
| (29) | Mini-self storage facilities | NP |
| (30) | Churches and places of worship | P |
| (31) | Lumber yards, Building and plumbing supplies | C |
| (32) | Day care centers and child educational facilities | P |
| (33) | Public and private educational facilities and institutions | P |
| (34) | Transportation centers for buses, taxis or trains | C |
| (35) | Windmills for generation of electrical power | NP |

| | | |
|------|--|----|
| (36) | Package liquor stores | C |
| (37) | Bars, cocktail lounges, taverns | C |
| (38) | Microbrewery | C |
| (39) | Building contractors and equipment | C |
| (40) | Woodworking and similar uses | C |
| (41) | Freight delivery, and Pick-up | C |
| (42) | Greenhouse Nursery Stock Production and Sales | P |
| (43) | Light manufacturing, Processing and Assembly | C |
| (44) | Adult uses including entertainment and retail establishments | NP |

P = permitted

C = conditional

NP = not permitted

PASSED ON FIRST READING THIS 13TH DAY OF OCTOBER, 2009.

Boyd Siddoway, Mayor

Brenda Bauer, Town Clerk

PASSED ON SECOND READING THIS 10TH DAY OF NOVEMBER, 2009

Boyd Siddoway, Mayor

Brenda Bauer, Town Clerk

PASSED ON THIRD READING THIS 8TH DAY OF DECEMBER, 2009

Boyd Siddoway, Mayor

Brenda Bauer, Town Clerk