

AN ORDINANCE AMENDING SECTIONS 4-9-9 DESIGN AND ENGINEERING STANDARDS, 4-9-13 DEFINITIONS, 4-11-2 GENERAL REQUIREMENTS – DIVISION OF LOTS, 4-11-8 GENERAL REQUIREMENTS – ACCESSORY USES, 4-11-10 GENERAL REQUIREMENTS – OFF-STREET PARKING AND LOADING, 4-11-2 GENERAL REQUIREMENTS – DIVISION OF LOTS, 4-12-2, DISTRICT REGULATIONS – LOW DENSITY RESIDENTIAL DISTRICT (R-1), 4-12-3 DISTRICT REGULATIONS – MID DENSITY RESIDENTIAL DISTRICT (R-2), 4-12-4 DISTRICT REGULATIONS – HIGH DENSITY RESIDENTIAL DISTRICT (R-3), DISTRICT REGULATIONS – MAXIMUM DENSITY RESIDENTIAL DISTRICT (R-5), 4-12-7 DISTRICT REGULATION – SINGLE & MULTI-FAMILY RESIDENTIAL AND MEDICAL DISTRICT (R-MED), 4-12-8 DISTRICT REGULATIONS – GENERAL COMMERCIAL DISTRICT (C), 4-14-1 DEFINITIONS AND ADDING 4-11-14 GENERAL REQUIREMENTS – COTTAGE HOUSING DEVELOPMENT, 4-11-15 GENERAL REQUIREMENTS – ACCESSORY DWELLING UNITS TO THE CITY OF LANDER WYOMING CITY CODE BOOK

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LANDER, FREMONT COUNTY, WYOMING THAT THE LANDER CITY CODE TITLE FOUR SECTIONS ARE AMENDED AS FOLLOWS:

4-9-9 DESIGN AND ENGINEERING STANDARDS

3. (i) Every lot shall abut and have access to an officially approved street or road, except for lots in a cottage cluster development which meet the standards of section 4-11-14.

4-9-13 DEFINITIONS

1.(i) ACCESSORY DWELLING UNIT: A second dwelling unit created on a lot with a house, manufactured home, or duplex. The second unit is created auxiliary to and is always smaller than the primary dwelling. The unit includes its own independent living facilities including provision for sleeping, cooking and sanitation, and is designed for residential occupancy by one or more people, independent of the primary dwelling unit. The unit may have a separate exterior entrance or an entrance to an internal common area accessible to the outside.

(vi) COTTAGE: A dwelling in a cottage housing development.

(vii)COTTAGE CLUSTER: Cottage cluster relates to the configuration of cottages. A cluster is a grouping of four to 16 cottage dwellings arranged on a development site around or abutting usable open space. A cottage housing development may contain more than one cluster. See section 4-11-14 Cottage Housing Development.

(viii) COTTAGE HOUSING DEVELOPMENT: A type of site development or subdivision where individual lots are created, both built in conjunction with shared open space and other common tracts of land that are intended to serve small-scale dwellings that interact together as a small community. See section 4-11-14 Cottage Housing Development.

4-11-2. GENERAL REQUIREMENTS - DIVISION OF LOTS

No division of any lot may create a lot smaller than the applicable minimum size and dimensions as described within these Regulations, except for lots created for individual units in a cottage housing development, subject to the provisions of section 4-11-14. Application must be made for any proposed division of real property within the City limits of Lander. Any division shall follow the procedures laid out in the current City of Lander Subdivision Regulations and must be recommended by the Planning Commission and approved by City Council.

4-11-8 GENERAL REQUIREMENTS – ACCESSORY USES

(b) Accessory dwelling units constructed in accordance with the provisions of section 4-11-15 are exempt from the standards pertaining to all accessory uses in section 4-11-8(a).

4-11-10 GENERAL REQUIRMENTS – OFF STREET PARKING AND LOADING REQUIRMENTS

(c) ii. Residences/Dwelling - There shall be provided off-street parking spaces described as follows: (garage may be counted as a parking space)
Dwellings shall be as follows:
0.5 spaces per dwelling in the GC zone
1 space per dwelling in all other zones

(e) Credit for On-Street Parking.

- (i) The amount of off-street parking required may be reduced by one off-street parking space for every on-street parking space abutting the development.
- (ii) On-street parking must follow the established or approved configuration of existing on-street parking, except that angled parking may be allowed for some streets, where permitted by the City. One on-street parking space shall be defined as follows:
 - (1) Parallel parking, each 24 feet of uninterrupted curb, where allowed.
 - (2) Forty-five-degree diagonal, each with 14 feet of curb, where allowed.
 - (3) Ninety-degree (perpendicular) parking, each with 12 feet of curb, where allowed.
 - (4) Curb space must be connected to the lot that contains the use.
 - (5) Parking spaces will not obstruct a required clear vision area or violate any law; and
 - (6) On-street parking spaces credited for a specific use may not be used exclusively by that use but shall be available for general public use at all times. No signs or action limiting general public use of on-street spaces is permitted.

4-12-2 DISTRICT REGULATIONS – LOW DENSITY RESIDENTAIL DISTRICT (R-1)

(d) Permitted Accessory Uses.

- ii. Accessory dwelling units, subject to the provisions of section 4-11-15.

(h) Maximum Number of Structures Containing Permitted Use Per Lot: one per lot, except as allowed for accessory dwelling units.

4-12-3 DISTRICT REGULATIONS – MID DENSITY RESIDENTAIL DISTRICT (R-2)

(b) Permitted Uses

- iii. multi-family dwellings (up to four units)
- iv. cottage housing developments, subject to the provisions of section 4-11-14

(d) Permitted Accessory Uses

- ii. Accessory dwelling units, subject to the provisions of section 4-11-15

(e) Minimum Area of Lot – Interior Lots

- i. The lot on which the re is erected a detached single family dwelling childcare facility, foster home, or group foster home shall contain an area of not less than 3,750 square feet.
- ii. The lot on which there is erected a two-family or multi-family dwelling (up to four units) shall contain an area of not less 1,875 square feet per dwelling unit and no less than 3,750 square feet in total.
- iii. the lot on which there is erected any other permitted use in the district shall contain an area of not less than 3,750 square feet.

(f) Minimum Area of Lot – Corner Lots:

- i. The lot on which there is erected a detached single-family dwelling or manufactured home shall contain an area not less than 3,750 square feet
- ii. The lot on which there is erected a two-family or multi-family dwelling (up to four units) shall contain an area of not less than 1,875 square feet per dwelling unit and no less than 3,750 square feet in total.
- iii. The lot on which there is erected any other permitted use of the district shall contain an area not less than 3,750 square feet.

(i) Maximum Number of Structures Containing Permitted Use Per Lot: One per lot, except as allowed for accessory dwelling units or cottage housing developments.

(j) Maximum Height of Principle Structures:

- i. 25 feet to the base of the eaves on a pitched roof or the highest point of a flat roof
- ii. 35 feet to the highest point of a pitched roof

(k) Maximum Building Dimensions

- i. Maximum building width: 60 feet
- ii. Maximum building depth: 80 feet

(l) Maximum Lot Coverage

- ii. two-family and multi-family dwellings (up to four units), other permitted uses in the district 50%

4-12-4 DISTRICT REGULATIONS – HIGH DENSITY RESIDENTAIL DISTRICT (R-3)

(a) Intent. This district is intended to provide for a compatible mixture of single family on up to multi-family dwellings at a density slightly higher than that for mid density districts alone, plus the accessory public and semi-public uses offering services to the surrounding area.

(b) Permitted uses. The following uses may be operated as permitted uses in the district:

- iv. Cottage housing developments, subject to the provisions of section 4-11-14
- (d) Permitted Accessory Uses.

- ii. Accessory dwelling units, subject to the provisions of section 4-11-15
- (e) Minimum Area of Lot – Interior Lots:
 - i. The lot on which there is erected a detached single family dwelling, manufactured home or other permitted use of the district shall contain an area not less than 3,750 square feet.
 - ii. The lot on which there is erected a two-family dwelling shall contain an area not less than 3,750 square feet.
 - iii. The lot on which there is erected a multi-family dwelling shall contain an area not less than 1,250 square feet per dwelling unit and no less than 3,750 square feet in total.
- (f) Minimum Area of Lot – Corner Lots
 - i. The lot on which there is erected a detached single-family dwelling or manufactured home shall contain an area not less than 3,0000 square feet.
 - ii. The lot on which there is erected a two-family dwelling shall contain an area not less than 3,500 square feet.
 - iii. The lot on which there is erected a multi-family dwelling shall contain an area not less than 925 square feet per dwelling unit and no less than 3,750 square feet.
- (i) Maximum Number of Structures Containing Permitted Uses Per Lot: two per lot, except as allowed for accessory dwelling units or cottage housing developments and manufactured home park.
- (j) Maximum Height of Principle Structures:
 - i. 25 feet to the base of the eaves on a pitched roof or the highest point of a flat roof
 - ii. 35 feet to the highest point of a pitched roof
- (k) Maximum Building Dimensions
 - i. Maximum building width: 60 feet
 - ii. Maximum building depth: 80 feet

4-12-5 District Regulations – Maximum Density Residential District (R-5)

- (a) Intent. This district is intended to provide for a compatible mixture of single and multi-family dwellings at a density higher than that for mid density districts alone, plus the accessory public and semi-private uses offering services to the surrounding area.
- (b) Permitted Uses.
 - iv. cottage housing developments, subject to the provisions of section 4-11-14
 - v. manufactured homes on privately owned lots.
 - vi. manufactured home parks.
- (e) Permitted Accessory Uses.
 - ii. Accessory dwellings units, subject to the provisions of sections 4-11-15
- (f) Minimum Area of Lot – Interior Lots
 - i. The lot on which there is erected a detached single family dwelling, manufactured home or other permitted use of the district shall contain an area not less than 3,750 square feet.
 - ii. The lot on which there is erected a two-family dwelling shall contain an area not less than 3,750 square feet.
 - iii. The lot on which there is erected a multi-family dwelling shall contain an area not less than 925 square feet per dwelling unit and no less than 3,750 square feet in total.
- (g) Minimum Area of Lot – Corner Lots
 - i. The lot on which there is erected a detached single family dwelling or manufactured home shall contain an area not less than 3,000 square feet.
 - ii. The lot on which there is erected a two-family dwelling shall contain an area not less than 3,500 square feet.
 - iii. The lot on which there is erected a multi-family dwelling shall contain an area not less than 625 square feet per dwelling unit and no less than 3,750 square feet.
- (j) Maximum Number of Structures Containing permitted Use Per Lot: two per lot or as otherwise provided herein and as allowed for accessory dwelling units or cottage housing developments and manufactured home parks.
- (k) Maximum Height of Principle Structures: Three stories, not to exceed:
 - i. 35 feet to the base of the eaves on a pitched roof or the highest point of a flat roof.
 - ii. 40 feet to the highest point of a pitched roof

4-12-6 District Regulations – Single Family, Multi-Family Residential and Medical Services District (R-MED)

- (b) Permitted Uses
 - iv. cottage housing developments, subject to the provisions of section 4-11-14
- (d) Permitted Accessory Uses.
 - i. Any use which complies with all the conditions set forth under Section 4-11-8 may be operated as an accessory use to a permitted use.
 - ii. Accessory dwelling units, subject to the provisions of section 4-1-15
- (e) Minimum Area of Lot – Interior Lots:
 - i. The lot area on which there is erected a detached single family dwelling, manufactured home or other permitted use of the district shall contain an area not less than 3,750 square feet.
 - ii. The lot on which there is erected a two-family dwelling shall contain an area not less than 3,750 square feet.
 - iii. The lot on which there is erected a multi-family dwelling shall contain an area not less than 1,250 square feet per dwelling unit and no less than 3,750 square feet in total.
- (f) Minimum Area of Lot – Corner Lots:
 - i. The lot on which there is erected a detached single-family dwelling or manufactured home shall contain an area not less than 3,000 square feet.
 - ii. The lot on which there is erected a two-family dwelling shall contain an area not less than 3,500 square feet.
 - iii. The lot on which there is erected a multi-family dwelling shall contain an area not less than 925 square feet per dwelling unit and no less than 3,750 square feet in total.
 - iv. The lot on which there is erected any other permitted use of the district shall contain an area not less than 3,750 square feet.
- (i) Maximum Number of Structures Containing Permitted Use Per Lot: one per lot or as otherwise provided herein and as allowed for accessory dwelling units or cottage housing developments.

4-14-1 Definitions.

- (e) Accessory Dwelling Unit: A second dwelling unit created on a lot with a house, manufactured home, or duplex. The second unit is created auxiliary to and is always smaller than the primary dwelling. The unit includes its own independent living facilities including provision for sleeping, cooking, and sanitation, and is designed for residential occupancy by one or more people, independent of the primary dwelling unit. The unit may have a separate exterior entrance or an entrance to an internal common area accessible to the outside.
- (r) Cottage: A dwelling in a cottage housing development.
- (s) Cottage Cluster: Cottage Cluster relates to the configuration of cottages. A cluster is a grouping of four to 12 cottage dwellings arranged on a development site around or abutting usable open space. A cottage housing development may contain more than one cluster. See section 4-11-4 Cottage Housing Development.

4-11-14 General Requirements – Cottage Housing Development

- (a) Purpose. The purpose of this section is to:
 - (i) Provide a housing type that responds to differing household sizes and ages (e.g., retirees, small families, single-person households), and offers opportunities for affordability.
 - (ii) Provide opportunities for small dwellings in several residential zoning districts by creating special land division and on-site development regulations that allow this type of use.
 - (iii) Encourage creation of usable open space for residents of the development through flexibility in density and development standards.
 - (iv) Support growth management through efficient use of urban residential land; and

- (v) Provide regulations to ensure compatibility with surrounding uses.
- (b) **Applicability.** Cottage housing developments (CHD) are allowed in the following districts: Mid Density Residential District (R-2), High Density Residential District (R-3), Maximum Density Residential District (R-5), Single Family, Multi-Family Residential and Medical Services District (R-MED) and General Commercial District (GC). Where the regulations of this section are not specific, the standards of the relevant zoning district prevail.
- (c) **Review Procedure.** The procedures and criteria of section 4-9 of this Title apply to cottage housing developments that propose a subdivision with cottage dwellings on individual lots. The procedures and criteria of City of Lander Building permit process apply to a cottage housing development with multiple cottage dwellings on a single lot.
- (d) **Development Standards.** Cottage housing developments must conform to the development standards specified in Table 4-11-14.1 and the additional standards of subsection (e).

Table 4-11-14.1 – Cottage Housing Development Standards

Standards	R-2, R-3 and R-MED Zone	R-5 Zone	GC Zone
Site area and dimensions			
Minimum site area	1,200 sf per unit, no less than 7500 sf	1,000 sf per unit, no less than 7,500 sf	1,000 sf per unit, no less than 7,500 sf
Minimum street frontage	75 ft		
Building types and size			
Number of dwellings in one cluster ¹	Minimum of four (4) dwellings Maximum of 16 dwellings		
Permitted building types	Detached dwelling Building with two (2) attached dwellings	Detached dwelling Building with three (3) attached dwellings	Detached dwelling Building with four (4) attached dwellings
Maximum footprint per building	1,600 sf	1,800 sf	2,000 sf
Maximum footprint per dwelling	1,000 sf	1,200 sf	1,200 sf
Maximum floor area per dwelling ²	1,200 sf	1,400 sf	1,600 sf
Building height			
Maximum height	25 ft	25 ft	25 ft
Maximum height between 5-10 feet of side and rear lot line	15 ft	None	None
Setbacks			
Minimum separation between eaves of individual buildings	6 ft		
Minimum site setback – side/rear	10 ft	5 ft	5 ft
Minimum site setback – front/street side	15 ft	12 ft	8 ft
Common open space and lot coverage			
Minimum area of common open space	100 sq. ft. per dwelling		
Minimum average width of common open space	20 ft		
Maximum building coverage (site)	50%	50%	60%
Notes			
¹ A cottage housing development may contain more than one cluster.			
² Garages are not included in the calculation of the total floor area. The maximum floor area is defined as the area included within the surrounding walls of a cottage building on all levels.			

- (e) Additional Development Standards.
- (i) Lot Size for Individual Cottage Dwellings. There is no minimum lot area requirement for individual cottage dwelling units. The entire cottage cluster site must meet the minimum size requirements of Table 4-11-14.1
 - (ii) Parking. A minimum of one (1) parking space is required per dwelling. Parking must be located on the site and identified on the tentative subdivision plan and/or site plan or on adjacent streets in accordance with section 4-11-10(e). On-site parking must meet the following standards:
 - (1) Parking may be located within an enclosed garage, carport or unenclosed parking space.
 - (2) Parking may be located in common tracts if intended to be shared by the entire CHD in groups of not more than five adjoining spaces separated by at least four feet of landscaping. An enclosed garage or carport intended to be shared by the entire CHD must not exceed 1,200 square feet in size.
 - (3) Parking is allowed between or adjacent to structures only when it is located toward the rear of the cottage and is served by an alley or private driveway.
 - (4) Individual detached garages cannot exceed 450 square feet of floor area and no more than 18 feet in height. Only one garage is allowed per cottage.
 - (5) All parking must provide a minimum of 24 feet for maneuvering and backing movements from garages, carports and/or parking areas.
 - (iii) Frontage Requirements. Individual cottage lots created as part of a CHD subdivision are not required to have frontage on a public or private street. However, the development site must have the minimum of 75 feet of street frontage.
 - (iv) Public Utilities. All lots must be served by individual services from a private or public distribution main. Any deviations from City standards need to be approved by the City Engineer. All individual service lines that cross property must be placed in an easement.
 - (v) Existing Uses. On a site to be used for a CHD, existing detached single-family dwellings, which may become nonconforming with respect to the standards of this section, are permitted to remain, but the extent of the nonconformity may not be increased. The nonconforming dwelling units must be included in the maximum permitted number of dwellings.
- (f) Site and Building Design Standards.
- (i) Common Open Space. Common open space is intended to be an amenity shared by all residents of the cottage housing development. The amount of common open space must meet the dimensional requirements of Table 4-11-14.1
 - (1) Provide a centrally located open space area for the cottage housing development and have cottages abutting at least two sides.
 - (2) At least 50 percent of the cottages must abut a common open space.
 - (3) Each cottage must be connected to the common by a pedestrian pathway.
 - (4) Areas such as utility vaults, perimeter setbacks and common parking areas and driveways are not counted in the common open space requirements.
 - (5) Required common open space must be provided at ground level in a contiguous commonly owned tract with an easement indicating that it benefits all lots in the CHD.

- (6) The common open space must be owned and maintained in accordance with the requirements that apply to open space in Planned Unit Developments pursuant to section 4-9-7.11(1)(c).
- (ii) Cottage Design. Cottages are intended to be designed to create a community-oriented setting within the cluster and to provide an active and interesting experience from the street.
 - (1) At least 50 percent of the cottages must be oriented around and have their main entrance facing the common open space.
 - (2) Each cottage must include a covered entry and/or an uncovered patio or deck. Cottages that abut the common open space must orient the covered entry and/or uncovered patio or deck to the common open space. Conformance with these standards are achieved when each cottage includes one of the following:
 - A covered entry of at least 80 square feet with a minimum dimension of six feet on any side.
 - An uncovered patio or deck of at least 80 square feet with a minimum dimension of six feet on any side.
 - A combination of a covered entry or uncovered patio or deck is at least 80 square feet with a minimum dimension of six feet on any side.
- (iii) Walkways. Pedestrian walkways must be included to provide for movement of residents and guests from parking areas to homes and other amenities. These pathways must be shown on the subdivision tentative plan or site plan and be part of the common areas/tracts.
- (iv) Accessory Structures. Accessory structures for common usage are allowed in the common open space areas. Other accessory structures (except garages) are prohibited.

4-11-15 General Requirements – Accessory Dwelling Units

- (a) Purpose. Accessory dwelling units are allowed in certain situations to:
 - (i) Create new housing units while respecting the look and scale of single-family development.
 - (ii) Increase the housing stock of existing neighborhoods in a manner that is less intense than alternatives.
 - (iii) Allow more efficient use of existing housing stock and infrastructure.
 - (iv) Provide a means for residents, particularly seniors, single parents, and families with grown children, to remain in their homes and neighborhoods, and obtain extra income, security, companionship and services; and
- (b) Applicability. Accessory dwelling units are allowed in the following districts: Low Density Residential District (R-1), Mid Density Residential District (R-2), High Density Residential District (R-3), Maximum Density Residential District (R-5), Single Family, Multi-Family Residential and Medical Services District (R-MED), and General Commercial District (GC). Where the regulations of this section are not specific, the standards of the relevant zoning district prevail.
- (c) Number of Accessory Dwelling Units on One Lot.
 - (i) Up to two accessory dwelling units are allowed on a site with a house or manufactured home. If there are two accessory dwelling units on the site, only one may be attached to or within the primary structure.
 - (ii) One accessory dwelling unit is allowed on a site with a duplex. In this case, the accessory dwelling unit must be detached.
- (d) Development Standards.

- (i) Maximum Size. The floor area of the accessory dwelling unit may be no more than 800 square feet. However, accessory dwellings that result from the conversion of a level or floor (e.g., basement, attic, or second story) of the primary dwelling may occupy the entire level or floor, even if the floor area of the accessory dwelling would be more than 800 square feet.
- (ii) Height. The maximum height of a detached accessory dwelling unit is 25 feet.
- (iii) Setbacks. Accessory dwelling units are exempt from the setback requirements of the underlying zoning district provided all of the following are met with the exception of R-1 where all setback must be retained:
 - (1) The building is setback at least 5 feet from side and rear lot lines and 10 feet from any front or street lot line.
 - (2) The portion of the building within 10 feet of any side or rear lot line is less than 15 feet high; and
 - (3) The building does not have a rooftop deck.
- (iv) Privacy Standard. Privacy standards are required on or along wall(s) of a detached accessory dwelling unit, or portions thereof, that are within 10 feet of a side or rear lot line and face the lot line of an adjacent residential property. The standard may be met in two ways:
 - (1) All windows on the wall must be placed at least 6 feet above the finished floor level.

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

PASSED ON FIRST READING January 14, 2020

PASSED ON SECOND READING February 11, 2020

PASSED ON THIRD READING March 10, 2020

PASSED, ADOPTED AND APPROVED by the Mayor and City Council on the day of

THE CITY OF LANDER
A Municipal Corporation

By _____
Monte Richardson, Mayor

ATTEST:

Sarah Edlund, City Clerk

STATE OF WYOMING)
) ss.
COUNTY OF FREMONT)

CERTIFICATE

I hereby certify that on March 10, 2020, following passage, adoption and approval of Ordinance 1234, Monte Richardson, the duly elected, qualified and acting Mayor of the City of Lander, issued this proclamation and said ordinance was published at least once in the Lander Journal, a newspaper of general circulation within Lander, Wyoming, the effective date and publication will be March 15, 2020.

Sarah Edlund, City Clerk