

ZONING RESOLUTION
PARK COUNTY, WYOMING

Effective September 1, 2000

Adopted by the Park County Board of County Commissioners
Tim Wade, Chairman
Charles W. Johnstone
Timothy J. Morrison

Prepared by the Park County Planning & Zoning Commission:
Alan Siggins, Chairman
Dick Geving
Cecil Alice Johnstone
Colin M. Simpson
Alice Woodward

with assistance from the Park County Planning & Zoning Department:
Ken Markert, Planning Coordinator
Renate Martin, Assistant Planner

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ARTICLE 1. GENERAL PROVISIONS

DIVISION 1-100 TITLE

This zoning resolution shall be known as the Park County, Wyoming, Zoning Resolution and may also be referred to as the "zoning resolution."

DIVISION 1-200 GENERAL PURPOSE

The purpose of this zoning resolution is to implement the 1998 Park County Land Use Plan and to promote the public health, safety, morals, and general welfare of the County by regulating and restricting the location and use of buildings and structures and the use and condition of use or occupancy of lands for residential, recreational, agricultural, industrial, commercial, public use or other purposes.

DIVISION 1-300 COMPOSITION OF ZONING RESOLUTION

This zoning resolution is comprised of the text, Articles 1 through 7 and appendices, and zoning maps showing the location and boundaries of the zoning districts established by this zoning resolution.

DIVISION 1-400 AUTHORITY

This zoning resolution is adopted under the authority of Sections 18-5-201 through 18-5-207, Wyoming Statutes and the State Land Use Planning Act, Sections 9-8-101 through 9-8-302, Wyoming Statutes and is hereby declared to be in accordance with all provisions of the statutes.

DIVISION 1-500 COMPLIANCE WITH ZONING RESOLUTION

No person shall locate, erect, construct, reconstruct, enlarge, maintain or use any structures or use any land without complying with this zoning resolution. All structures and land uses legally established and existing on the effective date of this zoning resolution that do not comply with the zoning resolution shall be permitted to continue to the extent provided in and subject to the provisions of Section 3-210, Nonconformities.

DIVISION 1-600 APPLICABILITY**SECTION 1-605 GENERAL**

The requirements of this zoning resolution shall apply to all unincorporated territory located within Park County, Wyoming. However, nothing contained within this zoning resolution shall be construed to prevent any use or occupancy reasonably necessary to the extraction or production of the mineral resources in or under lands subject to the zoning resolution.

SECTION 1-610 PUBLIC LANDS

The government of the United States and the State of Wyoming and their agencies and departments are exempt from the requirements of this zoning resolution when undertaking development activities on federal and state lands, except when compliance with this zoning resolution is required by the same government, agency, or department. All other public land is subject to the requirements of this zoning resolution.

DIVISION 1-700 PENDING LAND USE APPROVALS

Development applications submitted prior to the effective date of this zoning resolution shall be reviewed and all actions taken shall be in accordance with the County land use regulations in effect at the time of application.

DIVISION 1-800 CONFLICT WITH OTHER REGULATIONS

Where any provisions of this zoning resolution impose more stringent regulations, requirements or limitations than are imposed or required by other resolutions of the County, or statutes of the State of Wyoming, then the provisions of this zoning resolution shall govern unless preempted from regulating by federal or state constitutions, laws or regulations.

DIVISION 1-900 RELATION TO PRIVATE AGREEMENTS

Certain properties in Park County have subdivision covenants or other recorded covenants affecting how the land may be used or developed. Such covenants constitute a private party agreement between the property owner imposing the covenant and subsequent owners. The County does not have the power or obligation to enforce such covenants unless the County is a party to a recorded covenant.

Nothing in this zoning resolution relieves the property owner of any obligation to abide by any covenants.

DIVISION 1-1000 SUSPENSION OF ZONING RESOLUTION DURING LOCAL EMERGENCY

The Board of County Commissioners may by emergency resolution suspend all or part of this zoning resolution on a temporary basis to facilitate response to a natural disaster or local emergency that threatens lives or property.

DIVISION 1-1100 REPEALER

Except as provided in Section 3-210, Nonconformities, Chapters V and VI, Land Use Implementation Program, of the 1994 Park County Development Standards and Regulations as adopted December 20, 1994 and amended from time to time, are hereby repealed on the effective date of this zoning resolution.

DIVISION 1-1200 SEVERABILITY

If any section, clause, provision, or portion of this zoning resolution should be found unconstitutional or otherwise invalid by a court of competent jurisdiction, the remainder of these standards and regulations shall not be affected, and if such findings are applied to a particular property, building, or structure, it shall not apply to other properties, buildings, or structures.

DIVISION 1-1300 EFFECTIVE DATE

This zoning resolution shall take effect and be in force as of the date it is filed in the Office of the Park County Clerk and Recorder unless the Board's resolution of approval specifies a later effective date.

DIVISION 1-1400 PROPERTY TAX ASSESSMENTS DISCLAIMER

Nothing in this zoning resolution requires that any tax assessment status or privilege shall be automatically conferred based on a property's zoning designations.

ARTICLE 2. ZONING DISTRICT REGULATIONS

DIVISION 2-100 ZONING DISTRICTS

The unincorporated territory of Park County is hereby divided into the following districts:

RURAL DISTRICTS

GR-M	General Rural Meeteetse
GR-P	General Rural Powell
GR-40	General Rural 40-Acre
GR-35	General Rural 35-Acre
GR-20	General Rural 20-Acre
GR-5	General Rural 5-Acre
RR-2	Rural Residential 2-Acre

URBAN DISTRICTS

R-H	Residential ½-Acre
R-M	Residential Multifamily
C	Commercial
I	Industrial
T	Transitional

OVERLAY DISTRICTS

F0	Flood Plain Overlay
AO	Airport Overlay
AGO	Agricultural District Overlay

DIVISION 2-200 OFFICIAL ZONING MAP

The locations and boundaries of the zoning districts are as shown on the map entitled "Park County Official Zoning Map", which is on file at the County Clerk's office and the County Planning Department office.

DIVISION 2-300 DISTRICT BOUNDARIES

In determining the boundaries of districts shown on the map, the following rules shall apply:

SECTION 2-305 DISTRICT BOUNDARY LINES

Where district boundaries are indicated as approximately following the center lines of streets, highways, waterways, or utility rights-of-way or such lines extended, such center lines shall be construed to be such boundaries. Where district boundaries are indicated as approximately following property lines or U.S. Public Lands Survey lines, such lines shall be construed to be such boundaries.

SECTION 2-310 DETERMINATION OF BOUNDARY LOCATION

In case of uncertainty as to the true location of a district boundary line in a particular instance, the Board of County Commissioners shall render a determination in accordance with the procedure of Division 4-300, Appeals.

SECTION 2-315 PROPERTIES IN TWO DISTRICTS

Where a lot or parcel held in one ownership and of record on the effective date of this zoning resolution is divided by a zoning district boundary line, the entire lot or parcel shall be considered to be within the less restricted zoning district. This provision shall not apply if it increases the area of the less restricted portion of the lot or parcel by more than 20 percent or by 5 acres, which ever is less. Furthermore, this provision shall not apply to Overlay Districts (Section 2-415).

DIVISION 2-400 DISTRICT PURPOSES

This division specifies the purposes and intent of the zoning districts established by this zoning resolution.

SECTION 2-405 RURAL DISTRICTS

Rural districts include all GR districts and the RR-2 district. These are applied on territory designated by the Park County Land Use Plan as "Medium Intensity Rural," "Low Intensity Rural" and "Conservation" land uses. The RR-2 district is also applied on territory designated as "High Intensity Rural."

- A. General Rural Meeteetse (GR-M).** This district is applied in the Meeteetse local planning area only and is intended to implement the Meeteetse Local Area Land Use Plan and Policy Statement. This district provides flexible development standards appropriate given the area's low rate of growth and development. No minimum lot sizes are specified other

than the one-acre minimum for lots with on-site septic systems. Subdivision densities will be set in the subdivision review process based on consideration of site and area characteristics and the land use guidelines of the Land Use Plan. Performance-based review criteria are used to evaluate proposed land uses. Allowed and disallowed uses are not predefined. All uses are potentially allowed, subject to review for compliance with pre-established performance standards covering such topics as waste disposal, utilities, traffic access, parking, etc.

- B. General Rural Powell (GR-P).** The GR-P district allows low and moderate-intensity land uses. No minimum lot sizes are specified other than the one-acre minimum for lots with on-site septic systems. Subdivision densities will be set in the subdivision review process based on consideration of site and area characteristics and the land use guidelines of the Land Use Plan. A variety of uses is permitted in this district in recognition of the varied land uses typical of rural areas. This district is also intended to promote the retention of open space, agricultural land, wildlife habitat, riparian habitat and scenic areas and prevent development on unstable geologic features.
- C. General Rural 40-Acre (GR-40).** The GR-40 district promotes the retention of open space, agricultural land, wildlife habitat, riparian habitat and scenic areas and prevents development on unstable geologic features. The district provides for the lowest housing density as well as for recreational development, agricultural, timbering, and other uses traditionally associated with the more remote areas of the county. Conventional housing developments will average 40 acres per housing unit to retain the low-density, remote, rural character of areas zoned GR-40.
- D. General Rural 35-Acre (GR-35).** The GR-35 district promotes the retention of open space, agricultural land, wildlife habitat, riparian habitat and scenic areas and prevents development on unstable geologic features. The district provides for low housing density as well as for recreational development, agricultural, timbering, and other uses traditionally associated with the more remote areas of the county. Conventional housing developments will average 35 acres per housing unit to retain the low-density, remote, rural character of areas zoned GR-35.
- E. General Rural 20-Acre (GR-20).** The GR-20 district allows low-intensity rural land uses in areas that are not well-suited for higher intensity development. Conventional subdivisions will average 20 acres per housing unit. A variety of uses is permitted in this district in recognition of the varied land uses typical of rural areas. This district is also intended to promote the retention of open space, agricultural land, wildlife habitat, riparian habitat or scenic areas and prevent development on unstable geologic features.

- F. General Rural 5-Acre (GR-5).** The GR-5 district allows moderate-intensity land uses. Conventional subdivisions will average 5 acres per housing unit. A variety of uses is permitted in this district in recognition of the varied land uses typical of rural areas. This district is also intended to promote the retention of open space, agricultural land, wildlife habitat, riparian habitat and scenic areas and prevent development on unstable geologic features.
- G. Rural Residential 2-Acre (RR-2).** The RR-2 district allows a higher density of residential development served by on-site wastewater disposal systems. Conventional subdivisions will average 2 acres per housing unit. Because of the higher residential densities permitted in this district, non-residential uses are limited to prevent potential conflicts.

SECTION 2-410 URBAN DISTRICTS

Urban districts include the R-H, R-M, C, I and T Districts. These districts are intended for application in territory designated by the Park County Land Use Plan as "Urban" and "High Intensity Rural" land uses. In addition, urban districts may be applied in territory not designated by the plan as "Urban" or "High Intensity Rural" provided such territory is in or adjacent to the population centers of Garland, Frannie, and Ralston.

- A. Residential ½-Acre (R-H).** The R-H district allows moderate density (1/2 acre average density) residential housing developments served by city water and sewer.
- B. Residential Multifamily (R-M).** The R-M district allows higher density residential housing, including multifamily housing such as apartments, town houses, and duplexes. Housing developments in the R-M district must be served by central water and sewer service and typically will be adjacent to cities providing such services.
- C. Commercial (C).** The C district provides sufficient space in appropriate locations for a wide variety of commercial and service activities.
- D. Industrial (I).** The I district provides sufficient space in appropriate locations for a wide variety of industrial and manufacturing uses.
- E. Transitional (T).** The T district serves as an urban land holding zone for land around cities and towns. The T district is applied to land that is suitable for urban development but which is presently characterized by less intense and mixed land uses that lack clearly defined residential, commercial or industrial land use patterns. It is intended that land in the T

district will be rezoned to other urban zoning districts when specific residential, commercial or industrial development plans are proposed.

SECTION 2-415 OVERLAY DISTRICTS

Overlay districts are zoning districts superimposed over all other districts to address development constraints requiring special attention and treatment regardless of the underlying land use allowed by the zoning regulations. Overlay district regulations include special development standards for each overlay district. When the provisions of the overlay district and the basic district conflict, the overlay district provisions shall control. The overlay districts are the Floodplain Overlay (FO), the Airport Overlay (AO) and the Agricultural Overlay (AGO).

- A. Floodplain Overlay (FO).** This district includes lands subject to inundation in a 100-year flood. Regulations which apply to the floodplain overlay district meet requirements of the federal flood insurance program.
- B. Airport Overlay (AO).** This district includes lands subject to flight patterns and air traffic near Yellowstone Regional Airport and Powell Municipal Airport.
- C. Agricultural Overlay (AGO).** The AGO overlay district identifies important agricultural areas of the county for application of special development requirements designed to promote the continuation of agriculture.

DIVISION 2-500 SCHEDULE OF USES

SECTION 2-505 GENERAL

Table 2-1, Schedule of Uses, identifies uses permitted as a matter of right or allowed as special uses pursuant to Division 4-500, Special Use Permits, in each zoning district. Any use not specifically enumerated in Section 2-510, Use Classifications, is expressly prohibited unless a similar use determination is made pursuant to Section 2-520, Determination of Similar Uses.

SECTION 2-510 USE CLASSIFICATIONS

All by-right uses and special uses are classified and defined as follows:

A. Residential Uses.

1. Accessory housing unit: A dwelling unit accessory to a principal dwelling unit, located on the same lot or parcel, and smaller in floor area of living space, including but not limited to accessory apartments, caretaker's quarters, guest houses, and housing units for family members or other relatives.
2. Employee housing: A dwelling unit accessory to a business or agricultural operation occupied by a full-time employee and employee's family.
3. Mobile home: Any transportable home including modular homes, pre-built homes, and manufactured homes.
4. Mobile home park: A residential development occupied or intended for occupancy by 3 or more mobile homes where spaces for the mobile homes or the mobile homes themselves are for rent.
5. Multi-family housing: Buildings containing two or more dwelling units such as duplexes, apartments and townhouses.
6. Single family dwelling: A freestanding building containing one dwelling unit constructed on site, but not including mobile homes.

B. Residential Businesses.

1. Minor home occupation: A business located in the proprietor's home or out building on the same parcel as the proprietor's home, the size of which does not exceed 1,000 square feet and which is clearly incidental and subordinate to the use of the property as a residence.
2. Major home occupation: A business located in the proprietor's home or out building on the same parcel as the proprietor's home, the size of which does not exceed 2,000 square feet.
3. Cottage industry: A business located in the proprietor's home or out of other buildings on the same parcel as the proprietor's home with no more than 5,000 square feet of building floor area devoted to the business and no more than 5 non-resident employees.
4. Bed and breakfast: An owner-occupied, single-family dwelling where short term lodging is provided through the rental of no more than 4 individual rooms to the general public.
5. Contractor business: A construction business, including a general contractor, home builder, excavation contractor, carpenter, mason, plumber, electrician and other building construction trades, located in the proprietor's home or other buildings on the same parcel as the proprietor's home.

6. Day care home: The use of a residence for the care of 11 or fewer children or other people other than the proprietor's family members for periods of less than 24 hours per day.

C. Agricultural Uses.

1. Agricultural production: All agricultural operations and related buildings and structures, including dry land farming, irrigated farming, turf farming, tree farming, wholesale nurseries, ranching, dairying, and other livestock operations, but not including feedlots.
2. Feedlot: A lot, yard, corral, or other area or any enclosed facility in which 300 animal units of livestock or other animals are confined for 45 days or more in any 12 month period, primarily for the purpose of feeding and growth prior to slaughter. The term does not include areas used primarily for the raising of crops, hay, grass or other vegetation upon which livestock are allowed to graze or feed.
3. Irrigation facility: Any facility, structure or system for the collection, storage, transportation, and application of irrigation water including any accessory hydro-electric generating facilities.
4. Timbering: The harvesting of logs for saw logs and pulp, including stock piling of logs.

D. Community, Public & Quasi-Public Uses.

1. Minor community use: Public and quasi-public buildings and land uses operated by a governmental agency or non-profit community organization including non-residential schools, churches, cemeteries, meeting halls, parks, fairgrounds, animal shelters, governmental offices, fire, sheriff, and ambulance stations, and post offices, where the size of all buildings on site is less than 5,000 square feet and less than one acre of land is developed in association with the use.
2. Major community use: Community uses where the size of all buildings on site is 5,000 square feet or more or more than one acre of land is developed in association with the use, and campgrounds and recreational facilities of any size.
3. Minor utility use: Water, sewer and gas mains, electric and telephone distribution lines, gas regulator stations, public lift or pumping stations for domestic water and sewer service, communication towers not more than 35 feet in height, and no more than 2 microwave dishes with a diameter of 10 feet or less in one location.
4. Major utility use: Electric transmission lines, power plants, substations of electrical utilities, solid waste disposal facilities, wastewater treatment plants, water treatment plants, water storage tanks, communication towers over 35 feet in height, pipelines and storage areas of utilities providing natural gas or other petroleum derivatives, and more than 2 microwave dishes in one location.

E. Institutional Uses.

1. Minor institutional use: Group homes, day care centers, hospitals, nursing homes, convalescent homes, retirement homes and similar uses.
2. Correctional facility: Prisons, jails, half-way homes for criminals, youth correctional facilities and similar uses.
3. Minor residential religious use: Monasteries, convents and similar religious facilities providing long-term residential accommodations.
4. Minor residential schools: Public or private schools, colleges, universities, and training schools providing long-term residential accommodations.
5. Major institutional use: Any general institutional, residential religious use or residential school with more than 5,000 square feet of associated building space or more than one acre of land developed in association with the use.

F. Temporary Uses.

1. Construction home: A conventional dwelling unit, mobile home, or recreational vehicle temporarily occupied up to one year while a permanent residence is being constructed or reconstructed on the same site.
2. Construction staging area: An area used for the storage of construction materials and equipment, parking of vehicles, storage of fuel supplies, placement of trailers used for temporary offices, temporary worker housing, and storage of supplies and tools for one year or for the duration of a major construction project not located on the same site as the construction project.
3. Real estate sales office: An office established for up to one year on a property where a residential or nonresidential project is planned, under construction, or just completed for the purpose of selling units or space in the project.
4. Seasonal agricultural products sales: Seasonal sale of agricultural products such as roadside produce stands and Christmas tree sales.
5. Special event: Any outdoor event, or one held in a temporary structure or tent, open to the general public and attended by more than 100 people over an 8-hour period including music festivals, concerts, theatrical exhibitions, public shows, entertainment, circuses, amusements, races, rodeos, speeches, craft fairs, flea markets, etc., but excluding auctions.
6. Temporary heliport: An area or structure used for the landing and takeoff of helicopters which may include refueling, maintenance, repair or storage facilities and is used on a transient or temporary basis for up to one year for such purposes as timbering, seismic work, mineral extraction, etc.

G. Transportation Uses.

1. Bus terminal: A facility providing space for arrival and departure of busses offering transportation to the public, usually equipped with waiting rooms for passengers and facilities for fueling and servicing of busses.
2. Commercial airport: A facility open to the general public providing space for aircraft to take off and land, usually equipped with a control tower, hangars, and waiting rooms for passengers and cargo.
3. Heliport: An area approved for the landing and takeoff of helicopters on a regular basis, and any appurtenant buildings or facilities including parking, waiting rooms, refueling, maintenance, repair, or storage facilities.
4. Landing strip: A surface or land area for fixed-wing aircraft to take off and land used for an individual's private use, and not open to the general public, and including hangers and areas or buildings for aircraft parking, refueling, maintenance or repair.
5. Railroad facility: Rail yards, rail terminals, and similar facilities.
6. Railroad rights-of-way: A strip of land acquired by reservation, easement, dedication, prescription, or condemnation and intended to be used by a railroad.
7. Truck terminal: A place of business where goods carried by motor transport can be received, transferred from one vehicle to another, or shipped, where the primary purpose is not storage of goods but the provision for a point of transfer of goods.
8. Transmission pipeline: A pipeline for the transportation of natural gas, oil and other petroleum products and related facilities including facilities or stations for compression, metering and regulating of the product.

H. Recreational Uses.

1. Minor commercial recreation business: A commercial business offering amusement, recreational, or entertainment activities such as indoor riding arenas, bowling alleys, movie theaters, pool halls, game arcades, and amusement rides when such activities are contained within a building.
2. Minor outdoor recreation facility: A commercial business offering on-site amusement, recreational, or entertainment activities which are predominantly conducted outdoors such as drive-in theaters, batting cages, miniature golf, water slides, amusement rides, go carts, and archery ranges.
3. Major recreation facility: Any commercial recreation business or outdoor recreation facility with over 5,000 square feet of building floor space or over one acre of land developed in association with the use including such uses as driving ranges, golf courses, shooting ranges, skeet and trap ranges, outdoor riding arenas, and cross county ski centers.

4. Campground: An outdoor area providing space for vacationers to live on a temporary basis in either tents, tent trailers, or recreational vehicles which is open to the general public and operated to provide financial gain to the proprietor. A campground may also include rental cabins and the sale of goods and services to patrons, but its primary function is to accommodate visitors providing their own shelter.
5. Dude ranch and resort: A centrally-managed, for profit facility which provides full service lodging, dining or cooking facilities, and recreational or educational activities to the general public. A dude ranch or resort typically includes an organized program of activities such as hunting, fishing, nature study, arts and crafts, skiing, snowmobiling, boating, rafting, horseback riding, hiking, and pack trips. A dude ranch or resort does not solicit one-night accommodations and provides bar or food service only to guests. Motels and hotels are not considered resorts or dude ranches. Guest lodging within a resort or dude ranch shall not be used for long term (greater than 6 months) residency.
6. Accessory dude ranch or resort: A resort or dude ranch in which agriculture and/or ranching is the primary function on the property and dude ranching is a secondary use.
7. Packing/outfitting: Guide services and provisioning of equipment, food supplies, and pack animals for a fee to the general public for trips into the back country.
8. Ski center: A tract of land developed for alpine skiing, nordic skiing, and/or snow boarding, including lifts, groomed trails, lodging, food service, lockers and restrooms, sale of clothing and sporting goods, instruction, and equipment rental. Ski centers may also include other facilities and activities such as an athletic club, nordic center, ice skating, sleigh rides, and child care as accessory uses.

I. Commercial Uses.

1. Minor commercial business: Retail and service businesses and office uses with building sizes under 5,000 square feet of floor area and less than one acre of land developed in association with the use.
2. Major commercial business: Retail and service businesses and office uses with building sizes of more than 5,000 square feet of floor area or more than one acre of land developed in association with the use.
3. Highway commercial business: A business that provides a substantial portion of its goods and services to tourists and travelers, including motels, hotels, restaurants, gift shops, automobile service stations, gasoline filling stations, and truck stops.
4. Agricultural support business: A business specializing in goods or services necessary to the operation of farms and ranches or other agricultural operations such as veterinarians, feed stores, farm machinery dealers and repair shops.
5. Commercial storage: Storage yards and buildings where a fee is charged for the storage of equipment, motor vehicles, boats or

recreation vehicles, including mini-warehouses and self service storage facilities for the storage of goods, belongings, possessions, materials, and other goods.

6. Adult use: Retail and/or entertainment establishments primarily engaged in offering adult entertainment and/or the sale of sexually explicit materials, including adult book and video stores, strip clubs, establishments featuring nude dancers, and similar uses.

J. Industrial Uses.

1. Minor industrial use: Manufacturing, processing, fabrication and assembly operations with up to 10 employees, buildings of less than 5,000 square feet, and less than one acre of developed land area associated with the industry
2. Major industrial use: Manufacturing, processing, fabrication and assembly operations with more than 10 employees, buildings larger than 5,000 square feet, or more than one acre of developed land area associated with the industry.
3. Minor wholesale business: Wholesale businesses such as animal sale yards, bottling distributors, warehouses, bulk fuel storage, lumber yards and building material sales with a building size of less than 5,000 square feet and less than one acre of developed land area associated with the business.
4. Major wholesale business: Wholesale businesses with building sizes of more than 5,000 square feet of floor area or developed land of over one acre.
5. Rock products mine, large: Mining of sand, gravel, rock, limestone, and topsoil for use or sale off site exceeding 2,000 cubic yards per year, including washing, screening, crushing, and other processing of material produced on-site.
6. Rock products mine, small: Mining of sand, gravel, rock, limestone, and topsoil for use or sale off site not exceeding 2,000 cubic yards per year without processing other than washing and screening of material produced on-site.
7. Salvage yard: Any establishment or place of business maintained, operated, or used for storing, keeping, buying or selling junk including scrap metal processors, auto-wrecking yards, salvage and scrap yards, and temporary storage of automobile bodies or parts awaiting disposal, resale, or reuse as a normal part of a business operation when the business has such materials located on the premises on a customary basis.
8. Mining, oil and gas extraction: All operations reasonably necessary for mineral mining, oil and natural gas extractions.
9. Value-added agricultural business: Business or industry converting agricultural products into more finished products.

K. Accessory Uses.

1. Accessory use: A building or use customarily incidental to a principal building or principal use and subordinate in area, extent, or purpose to a principal building or principal use and on the same site as the principal building or principal use.
2. Large impact structure: Any building larger than 10,000 square feet accessory to any use.

L. Subdivisions.

1. Minor subdivision: A subdivision creating five or fewer lots smaller than 35 acres, including conventional, lot size averaged, and grouped lot subdivisions. All subdivisions require a subdivision permit pursuant to the Park County Subdivision regulations.
2. Major subdivision: A subdivision creating more than five lots smaller than 35 acres, including conventional, lot size averaged, and grouped lot subdivisions. All subdivisions require a subdivision permit pursuant to the Park County Subdivision regulations.

TABLE 2-1. SCHEDULE OF USES

	ZONING DISTRICTS (SEE DIVISION 2-100)												CONDITIONS	SITE PLAN REVIEW MAY BE REQUIRED (SEE DIV. 4-600)	AO Zone Applies (SEC. 6-325-B)
	RURAL DISTRICTS						URBAN DISTRICTS								
	GR-M	GR-P	GR-40	GR-35	GR-20	GR-5	RR-2	R-H	R-M	C	I	T			
Residential uses															
Accessory housing unit	P	P	P	P	P	P	P	P	P	P		P	3-105		
Employee housing	P	P	P	P	P	P	P	P	P	P	P	P	3-125		
Mobile home	P	P	P	P	P	P	P	P	P	P	S	P	3-140		
Mobile home park	S							S	S	S				Yes	Yes
Multi-family housing	S							S	P	S				Yes	Yes
Single family dwelling	P	P	P	P	P	P	P	P	P	P	S	P			
Residential businesses															
Minor home occupation	P	P	P	P	P	P	P	P	P	P	P	P	3-130		
Major home occupation	P	P	P	P	P	P	P	S		P	P	P	3-130		
Cottage industry	S	S	S	S	S	S	S			P	P	S	3-130	Yes	Yes
Bed and breakfast	P	P	P	P	P	P	P	P	S	P	P	P	3-130		
Contractor business	P	P	P	P	P	P	P			P	P	P	3-130		
Day care home	P	P	P	P	P	P	P	P	S	P	P	P	3-130		
Agricultural uses															
Agricultural production	P	P	P	P	P	P	P	P	P	P	P	P			
Feedlot	S	S	S	S	S	S								Yes	
Irrigation facility	P	P	P	P	P	P	P	P	P	P	P	P			
Timbering	P	P	P	P	P	P	P	P	P	P	P	P			
Public & quasi-public uses															
Minor community use	S	S	S	S	S	S	S	S	S	S	S	S		Yes	Yes

“P” indicates uses permitted by right with a zoning permit (Division 4-200)
 “S” indicates uses permitted by special use permit (Division 4-500)
 “E” indicates uses permitted by special use permit only in certain Planning Areas (Section 2-515).

TABLE 2-1. SCHEDULE OF USES, Continued

	ZONING DISTRICTS (SEE DIVISION 2-100)												CONDITIONS	SITE PLAN REVIEW MAY BE REQUIRED (SEE DIV. 4-600)	AO Zone Applies (SEC. 6-325-B)
	RURAL DISTRICTS						URBAN DISTRICTS								
	GR-M	GR-P	GR-40	GR-35	GR-20	GR-5	RR-2	R-H	R-M	C	I	T			
Public & quasi-public uses, cont.															
Major community use	S	S	S	S	S	S	S	S	S	S	S	S		Yes	Yes
Minor utility use	P	P	P	P	P	P	P	P	P	P	P	P			
Major utility use	S	S	S	S	S	S	S	S		S	P	S		Yes	Yes
Institutional uses															
Minor institutional use	P	S	S	S	S	S	S	S	S			S		Yes	Yes
Correctional facility	S	S	S	S	S	S	S			S	S			Yes	Yes
Minor residential religious use	S	S	S	S	S	S	S	S				S		Yes	Yes
Minor residential schools	S	S	S	S	S	S	S	S	S			S		Yes	Yes
Major institutional use	S	S	S	S	S	S	S							Yes	Yes
Temporary uses															
Construction home	P	P	P	P	P	P	P	P	P	P	S	P	3-120		Yes
Construction staging area	S	S	S	S	S	S	S			S	P	S		Yes	
Real estate sales office	P	P	P	P	P	P	P	P	P	P	P	P			
Seasonal agricultural products sales	P	P	P	P	P	P	P	P	P	P	P	P			
Special event	S	S	S	S	S	S	S	S	S	P	P	S			Yes
Temporary heliport	P	P	P	P	P	S	S	S	S	P	P	P			Yes
Transportation uses															
Bus terminal	S									S	P	S		Yes	
Commercial airport	S	S	S	S	S	S				S	S			Yes	Yes
Heliport	S	S	S	S	S	S				S	P			Yes	Yes
Landing strip	S	S	S	S	S	S					S			Yes	Yes

“P” indicates uses permitted by right with a zoning permit (Division 4-200)
 “S” indicates uses permitted by special use permit (Division 4-500)
 “E” indicates uses permitted by special use permit only in certain Planning Areas (Section 2-515).

TABLE 2-1. SCHEDULE OF USES, Continued

	ZONING DISTRICTS (SEE DIVISION 2-100)											CONDITIONS	SITE PLAN REVIEW MAY BE REQUIRED (SEE DIV. 4-600)	AO Zone Applies (SEC. 6-325-B)	
	RURAL DISTRICTS						URBAN DISTRICTS								
	GR-M	GR-P	GR-40	GR-35	GR-20	GR-5	RR-2	R-H	R-M	C	I				T
Transportation uses, cont.															
Rail facility	S	S	S	S	S	S				S	P			Yes	
Railroad rights-of-way	S	S	S	S	S	S	S			S	P	S		Yes	
Truck terminal	S									S	P			Yes	
Transmission pipeline	P	P	P	P	P	S	S			P	P	S			
Recreation uses															
Minor commercial recreation business	S	S	S	S	S	S				P	S	S		Yes	
Minor outdoor recreation facility	S	S	S	S	S	S				P	S	S		Yes	Yes
Major recreation facility	S	S	S	S	S	S				P	S			Yes	Yes
Campground	S	S	S	S	S	S				P				Yes	Yes
Dude ranch and resort	S	S	S	S	S	S				P				Yes	Yes
Accessory dude ranch/resort	P	P	P	P	P	P				P					
Packing/outfitting	P	S	P	P	P	S	S			P					
Ski center	S	S	S	S	S	S								Yes	
Commercial uses															
Minor commercial business	S	S			E	E	S			P	P	S		Yes	
Major commercial business	S									S	P			Yes	
Highway commercial business	S	E			E	E				P	S	S		Yes	
Agricultural support business	S	S	S	S	S	S	S			P	P	S		Yes	
Commercial storage	S	S	S	S	S	S	S			P	P	S		Yes	
Adult uses	S									S	S		3-115	Yes	

“P” indicates uses permitted by right with a zoning permit (Division 4-200)
 “S” indicates uses permitted by special use permit (Division 4-500)
 “E” indicates uses permitted by special use permit only in certain Planning Areas (Section 2-515).

TABLE 2-1. SCHEDULE OF USES, Continued

	ZONING DISTRICTS (SEE DIVISION 2-100)												CONDITIONS	SITE PLAN REVIEW MAY BE REQUIRED (SEE DIV. 4-600)	AO Zone Applies (SEC. 6-325-B)
	RURAL DISTRICTS						URBAN DISTRICTS								
	GR-M	GR-P	GR-40	GR-35	GR-20	GR-5	RR-2	R-H	R-M	C	I	T			
Industrial uses															
Minor industrial uses	S	E			E	E				S	P	S		Yes	
Major industrial uses	S									S	S			Yes	
Minor wholesale business	S									S	P	S			
Major wholesale business	S									S	S			Yes	
Rock products mine, large	S	S	S	S	S	S					P			Yes	
Rock products mine, small	S	S	S	S	S	S				S	P	S			
Salvage yard	S	E				E					S		3-135	Yes	
Mining, oil & gas extraction	P	P	P	P	P	P	P	P	P	P	P	P			
Value-added agricultural business	S	S	S	S	S	S	S			S	P	S		Yes	
Accessory uses															
Accessory uses	P	P	P	P	P	P	P	P	P	P	P	P	3-110		
Large impact structure	S	S	S	S	S	S	S	S	S	S	P	S		Yes	
Subdivisions															
Minor subdivision	S	S	S	S	S	S	S	S	S	S	S	S			Yes
Major subdivision	S	S	S	S	S	S	S	S	S	S	S				Yes

“P” indicates uses permitted by right with a zoning permit (Division 4-200)
 “S” indicates uses permitted by special use permit (Division 4-500)
 “E” indicates uses permitted by special use permit only in certain Planning Areas (Section 2-515).

SECTION 2-515 PLANNING AREA EXCEPTIONS TO USE REGULATIONS

In the GR-20, GR-5 and GR-P zoning districts, certain uses are permitted by special use permit only in the Planning Areas as indicated in Table 2-2, Planning Area Exceptions to Use Regulations. The boundaries of the Planning Areas are shown on the Zoning Map and are described in Appendix 1, Descriptions of the Planning Areas of Park County, Wyoming.

TABLE 2-2. PLANNING AREA EXCEPTIONS TO USE REGULATIONS

USES	ZONING DISTRICTS		
	GR-P	GR-20	GR-5
MINOR COMMERCIAL USES	POWELL LOCAL	<ul style="list-style-type: none"> • CLARK • UPPER CLARKS FORK 	<ul style="list-style-type: none"> • NORTH FORK • CODY LOCAL
HIGHWAY COMMERCIAL USES	POWELL LOCAL	<ul style="list-style-type: none"> • CLARK • UPPER CLARKS FORK 	<ul style="list-style-type: none"> • NORTH FORK • CODY LOCAL
MINOR INDUSTRIAL USES	POWELL LOCAL	ALL PLANNING AREAS EXCEPT SUNLIGHT	<ul style="list-style-type: none"> • CODY LOCAL
SALVAGE YARDS	POWELL LOCAL	NO PLANNING AREAS	<ul style="list-style-type: none"> • CODY LOCAL

SECTION 2-520 DETERMINATION OF SIMILAR USES

A. Permitted or Special Use: The Planning Coordinator shall, upon written request, determine whether a use not listed in Table 2.1, Schedule of Uses is to be considered a permitted or special use in a particular zoning district based on its similarity to the uses listed in Table 2.1, Schedule of Uses, and on the intent of these regulations and the land use plan. If a similar use determination is made in the affirmative, the proposed use shall be authorized with the same permissions and restrictions as the use to which it

was determined to be similar. Any affirmative determination the Planning Coordinator makes pursuant to this provision shall be in writing and be presented to the Planning and Zoning Commission at a public meeting.

- B. Appeal of Use Determination:** A similar use determination may be appealed to and reversed by the Board of County Commissioners pursuant to Division 4-300, Appeals

DIVISION 2-600 DIMENSIONAL REQUIREMENTS

SECTION 2-605 TABLE OF DIMENSIONAL REQUIREMENTS

Table 2-3, Dimensional Requirements, contains the lot size and setback requirements for each zoning district.

SECTION 2-610 DEFINITION OF TERMS

Terms used in Table 2-3, Dimensional Requirements, are defined as follows (also see Figure 2-1, Illustration of Subdivision Types, for explanation of conventional, lot size averaged, and grouped lot subdivisions):

- A. Minimum Lot Size:** The smallest total land area within the lot lines of a lot that is permitted within a conventional subdivision or conventional exempt land division.
- B. Special Minimum Lot Size:** The smallest total land area within the lot lines of a lot that is permitted within a lot size averaged subdivision or exempt division or within a grouped lot subdivision.
- C. Lot Grouping Bonus:** The number of additional parcels allowed in grouped-lot subdivisions. For any given property, the bonus is calculated as the Lot Grouping Bonus percentage from Table 2-3 multiplied by the number of lots permitted for a conventional subdivision. For example, a 100-acre parcel in the GR-20 district is permitted up to 5 conventional subdivision lots (100 divided by 20). The bonus (40% of 5) yields 2 additional lots. Up to 7 lots would be allowed if the subdivision were a grouped lot subdivision.
- D. Building Setback:** The minimum distance which buildings and structures must be located from any road right-of-way.

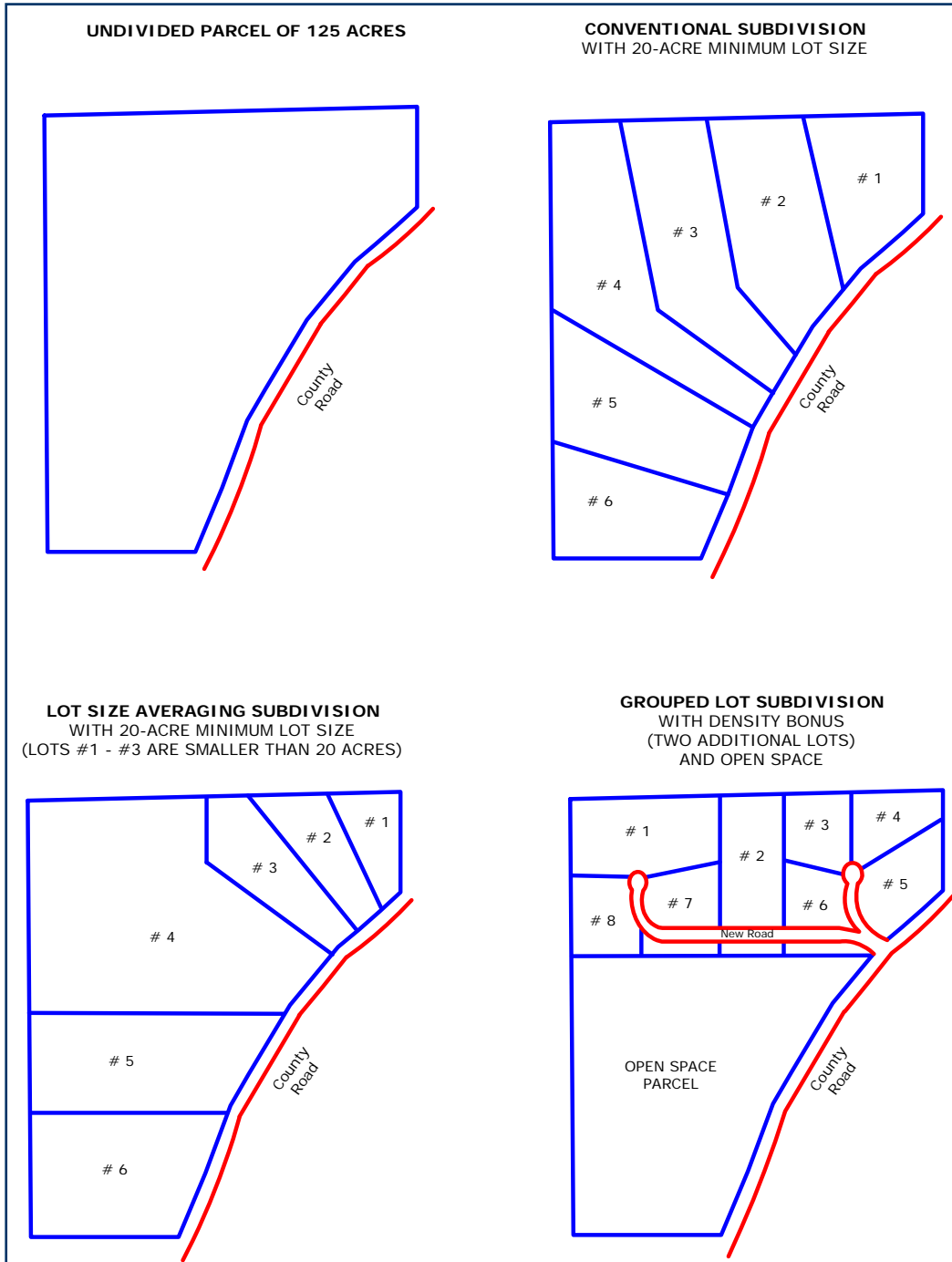
TABLE 2-3. DIMENSIONAL REQUIREMENTS

<u>ZONING DISTRICT</u>	<u>MINIMUM LOT SIZE</u>	<u>SPECIAL MINIMUM LOT SIZE</u>	<u>LOT GROUPING BONUS</u>	<u>BUILDING SETBACK</u>
	SEE SECTIONS 2-610, 2-615, 2-620	SEE SECTIONS 2-610, 2-615, 2-620	SEE SECTIONS 2-610 & 2-615	SEE SECTION 2-625
GR-M	one acre	one acre	not applicable	20 feet
GR-P	one acre	one acre	not applicable	20 feet
GR-40	40 acres	5 acres	40 %	20 feet
GR-35	35 acres	4 acres	40 %	20 feet
GR-20	20 acres	2 acres	40 %	20 feet
GR-5	5 acres	one acre	30 %	20 feet
RR-2	2 acres	37,000 Square Feet.	20 %	20 feet
R-H	½ acre	7,200 Square Feet.	10 %	20 feet
R-M	See Sec. 2-620-C	See Sec. 2-620-C	0 %	20 feet
C	½ acre	½ acre	0 %	20 feet
I	½ acre	½ acre	0 %	20 feet
T	½ acre	½ acre	0 %	20 feet

FIGURE 2-1. ILLUSTRATION OF SUBDIVISION TYPES

This illustration shows how a parcel of 125 acres can be subdivided. 20 acres is the minimum lot size in this example. The landowner has the choice of which type of subdivision to make.

- The conventional subdivision yields 6 lots, each at least 20 acres.
- The lot size averaging example shows no increase in the number of lots (still 6 lots), but more variation in the size of the lots, including lots smaller than 20 acres. The average lot size in this example is still greater than 20 acres.
- The grouped lot subdivision has half of the original parcel as an open space parcel. The lot grouping bonus allows two additional lots for a total of 8 building sites.



SECTION 2-615 RULES PERTAINING TO MINIMUM LOT SIZES

- A. Principal Structures:** No principal structure shall be built or moved on to a lot or parcel that is smaller than one acre and does not meet the minimum lot size requirements for the zoning district in which the lot or parcel is located without first complying with the applicable requirements of Subsection 3-210-C, Nonconforming Lots or Parcels.
- B. Application to Lots and Parcels:** Except as provided by Subsection 2-620-A, Exceptions to Lot Size Minimums, all lots or parcels hereafter created shall comply with the minimum lot size requirements of the district in which the lot or parcel is located unless the special minimum lot size applies to such lots or parcels (see Subsection C, below).
- C. Application of Special Minimum:** The special minimum lot size shall only apply to lots or parcels that meet the requirements for grouped lots or for lot size averaging. See Figure 2-1, Illustration of Subdivision Types, for explanation of conventional, lot size averaged, and grouped lot subdivisions.
- D. Lot Size Averaging Requirements:** A parcel may be subdivided or divided by exempt division using lot size averaging provided all of the following requirements are met:
1. No lots or parcels shall be smaller than the special minimum lot size;
 2. The average lot size of all lots or parcels created shall equal or exceed the minimum lot size for the zoning district in which the lots or parcels are located;
 3. When a parcel is divided or subdivided using lot size averaging so that the maximum allowed number of lots or parcels are created, no such lot or parcel shall be further divided or subdivided. The plat or record of survey shall bear a notation to this effect and the deeds of conveyance shall contain a notice of this restriction;
 4. When a parcel is divided or subdivided using lot size averaging so that fewer than the maximum allowed number of lots or parcels are created, the plat or record of survey shall indicate which lots or parcels may be further divided or subdivided and how many lots or parcels may be created from each lot that is eligible for further division or subdivision. Lots or parcels that may not be further divided shall be so indicated on the plat or record of survey and the deeds of conveyance shall contain a notice of this restriction;
 5. Once a parcel is divided or subdivided using lot size averaging, no part of the parcel may be combined with another parcel for the purpose of calculating the number of allowed lots in a subsequent division or subdivision;
 6. The requirements of the Park County Subdivision Regulations for subdivisions or exempt divisions, as applicable, are met;

- E. Lot Grouping Requirements:** Grouped lot subdivisions shall meet all of the following requirements:
1. No lots or parcels shall be smaller than the special minimum lot size;
 2. The number of lots created, not counting open space lots, shall not exceed the number of lots permitted for a conventional subdivision plus the number permitted by the grouped lot bonus;
 3. A minimum of 50 percent of the acreage of the parent parcel shall be open space configured as a separate parcel owned and managed by a homeowners' association or other entity or as a contiguous area comprised of portions of individual building lots restricted against development by a conservation easement. Such areas shall meet the open space requirements of the subdivision regulations and shall be indicated on the plat or record of survey. The deeds of conveyance shall contain a notice of restrictions on use;
 4. All lots included in the grouped lot subdivision shall not be further divided or subdivided. The plat shall bear a notation to this effect and all instruments of conveyance shall contain a notice of this restriction;
 5. The open space of one subdivision shall not be counted as open space for another subdivision for the purpose of awarding any grouped lot bonus;
 6. The requirements of the Park County Subdivision Regulations for subdivisions are met;

SECTION 2-620 SPECIAL LOT SIZE RULES

- A. Exceptions to Lot Size Minimums:** Certain parcels of land may be divided to create parcels smaller than the minimum lot size of the applicable zoning district:
1. Pre-qualified exempt division: To qualify a parcel for this exception, the owner of the parcel must have obtained written documentation from the Planning Coordinator dated September 29, 1994 to February 15, 2000 that states the subject parcel may be divided into parcels smaller than 35 acres. The division of the subject parcel shall be accomplished within 2 years from the date of enactment of this zoning resolution or the exemption is lost. No parcel created by the division shall be smaller than the minimum lot size in effect under the previous zoning resolution.
 2. Pre-existing residences: A parcel may be divided or subdivided to create parcels smaller than the minimum lot size of the applicable zoning district where such division would create a separate parcel for separate residential buildings built before January 7, 1998. This exception is only available if the original parcel is not large enough to create a lot meeting the minimum lot size for each residential building. Buildings permitted

or historically used as residential accessory buildings, including guest houses, are not eligible for this exception.

- B. Lot Sizes for Powell Urban Development Area:** The 1997 Powell Master Plan Update designates the area within one-half mile of the city limits of the City of Powell as the "Urban Development Area" and specifies lot size criteria for residential subdivisions within this area. All major subdivisions proposed for residential use within one-half mile of the City of Powell shall have lots no smaller than 10 acres unless the subdivision will be served by central public water and central sewage disposal systems. Lots served by public water and sewer service shall have maximum lot size of ½-acre. The lot size requirements of the R-M district, where smaller than ½-acre, shall remain in effect.
- C. Multifamily Housing:** The maximum density of apartment buildings and other multifamily housing units in the R-M district shall be 16 dwelling units per acre. The minimum lot size per dwelling unit for duplexes, town houses, row houses and single family attached housing units shall be 3,500 square feet. The minimum lot size for single family detached housing units shall be 7,000 square feet. The minimum lot size for all other uses shall be one-half acre.
- D. GR-35 Zoning District:** The minimum lot size in the GR-35 zoning district shall be 35 acres except that parcels smaller than 35 acres are permitted by special use permit provided such parcel(s) can be created without a subdivision permit pursuant to the Park County Subdivision Regulations. Such parcel(s) shall be no smaller than 4 acres. Such parcels may be created without having to meet the requirements of Subsection 2-615-D, Lot Size Averaging Requirements.

SECTION 2-625 BUILDING SETBACKS

- A. Application:** Except as provided by Subsection 3-210-D, Nonconforming Buildings or Structures, no building or structure shall be built or located which does not meet the minimum building setback requirement for the zoning district in which the building or structure is located.
- B. Exceptions:** The building setbacks shall not apply to irrigation facilities, earthworks, fences, non-illuminated signs, and minor utility uses.
- C. Measurement:** The building setback shall be measured from the edge of the road right-of-way. The building setback from any county road may be measured from a point 30 feet from the center of the road if the location of the county road right-of-way is not known.

ARTICLE 3. SPECIAL DEVELOPMENT STANDARDS

DIVISION 3-100 STANDARDS FOR SPECIFIC USES

SECTION 3-105 ACCESSORY HOUSING UNITS

- A. Location:** Accessory housing units may be contained within or detached from the principal dwelling unit.
- B. Lot Size Requirements For Accessory Housing Units**
1. Accessory housing units shall not be permitted on lots or parcels smaller than 2 acres.
 2. A maximum of one accessory housing unit is permitted on lots or parcels of at least 2 acres but less than 5 acres.
 3. On lots or parcels of 5 acres or more, more than one accessory housing unit is permitted provided the combined floor area of all accessory housing units on the lot or parcel shall not exceed the floor area of the principal dwelling.
- C. Rental Accessory Housing Unit:** Only one accessory housing unit may be rented on any lot or parcel, except as provided in Subsection D, below.
- D. Preexisting Housing Units:** Accessory housing units constructed prior to January 7, 1998, may be rented at any time.

SECTION 3-110 ACCESSORY USES

Permitted accessory uses are not enumerated in the zoning resolution. Any use shall be considered a permitted accessory use provided the use is customarily incidental and subordinate in area, extent, or purpose to a principal building or principal use and is on the same site as the principal building or principal use.

SECTION 3-115 ADULT USES

Adult uses shall be located at least 1,500 feet from an existing residence, school, church, playground, or another adult use.

SECTION 3-120 CONSTRUCTION HOME

A zoning permit is required for a construction home. An approved means of sewage disposal shall be required. The construction home shall be removed or converted to a permitted accessory use within one year. An extension of the one year time limit may be granted pursuant to Section 3-150, Temporary Uses.

SECTION 3-125 EMPLOYEE HOUSING

- A. With Residential Uses:** Employee housing for residential use is considered an accessory housing unit and shall comply with the requirements of Section 3-105, Accessory Housing Units.
- B. With Agricultural Uses:** Employee housing for agricultural uses is limited to occupancy by persons employed full-time in the agricultural operation and their families. Employee housing shall be located on the employer's farm or ranch.
- C. With Other Uses:** Employee housing for commercial, industrial, and other non-agricultural and non-residential uses is limited to one such unit per site. Occupancy is limited to persons employed full time in the business, industry, etc., and their families. Additional units of employee housing are considered expansions of the principal use (see Table 2-1, Schedule of Uses) and shall be permitted in the same manner as any other expansion of the principal use.

SECTION 3-130 RESIDENTIAL BUSINESSES

- A. Specifications:** Table 3-1 contains the maximum floor area, maximum number of employees, lot or parcel size, owner occupancy, commercial vehicle storage, and traffic impacts that pertain to minor home occupations, major home occupations, contractor businesses, and cottage industries. Residential businesses may exceed the specifications of Table 3-1 for major and minor home occupations and for contractor businesses by complying with the requirements for cottage industries. The employee number limit for cottage industries (5 employees) shall not apply to contractor businesses that comply with all other cottage industry requirements.
- B. Use Limitations:** The following uses, as defined in Section 2-510, Use Classifications, are not considered home occupations, contractor businesses, or cottage industries: bed and breakfast, day care home, community uses, utility uses, correctional facilities, special events, transportation uses, recreation uses, adult uses, gravel mines, and salvage

yards. All other uses as defined in Section 2-510 may be conducted as home occupations or cottage industries.

- C. Parking:** All parking required for residential businesses, as defined in Subsection 2-510-B, Residential Businesses, shall be provided on site in accordance with Section 3-215, Parking.
- D. Location:** Residential businesses, as defined in Subsection 2-510-B, Residential Businesses, may be conducted in the residential building on site or in accessory buildings on site provided any applicable maximum floor area limitation is not exceeded.
- E. Nuisances:** A special use permit for a residential business shall not be granted if the proposed residential business will constitute a safety hazard to neighboring residences, will adversely affect neighboring property values, or constitute a nuisance or otherwise be detrimental to neighbors because of excessive traffic, excessive noise, odors, or other circumstances.

SECTION 3-135 JUNK VEHICLES

- A. Limits on Location:** The outdoor storage of 4 or more unregistered and inoperable motorized highway vehicles per site, including house trailers and motor homes, or major portions of such vehicles, is not permitted within the view from a public road or from residences on adjoining properties, provided such residences were constructed prior to the vehicle storage. Operable antique motorized highway vehicles (25 years old or older) are exempt from this requirement.
- B. Grace Period:** All properties shall comply with this Section within 2 years from the date of enactment of this zoning resolution, except that this requirement shall not apply to licensed, commercial salvage yards.
- C. Uninhabitable Mobile Homes:** The outdoor storage of more than one uninhabitable mobile home is not permitted.
- D. Agricultural Equipment:** Inoperable agricultural equipment or machinery stored on an operating farm or ranch for future restoration or for use as a source of spare parts for other equipment in use on the farm or ranch shall not be subject to the provisions of this Section.

SECTION 3-140 MOBILE HOMES

A. Sunlight/Upper Southfork: Installation of mobile homes is not permitted in the Sunlight and Upper Southfork Local Planning Areas, except that any existing mobile home may be replaced with another mobile home.

TABLE 3-1. SPECIFICATIONS FOR HOME OCCUPATIONS AND COTTAGE INDUSTRIES

	MINOR HOME OCCUPATION	MAJOR HOME OCCUPATION	CONTRACTOR BUSINESS	COTTAGE INDUSTRY
MAXIMUM FLOOR AREA	1,000 square feet	2,000 square feet	2,000 square feet	5,000 square feet
EMPLOYEES	Limited to residents of dwelling	No more than one non-resident employee	No specific limit	No more than 5 non-resident employees
HOME OCCUPIED BY PROPRIETOR	Required	Required	Required	Required
OUTDOOR STORAGE, ASSEMBLY OR DISPLAY	Not permitted	Up to 1,000 square feet, which is counted in total max. floor area. Storage of vehicles awaiting repair counts as outdoor storage.	Up to 1,000 square feet, which is counted in total max. floor area.	Not specifically limited.
TRAFFIC IMPACTS	Limited to incidental levels consistent with residential setting	Limited to 10 vehicle round-trips per day	Limited to 10 vehicle round-trips per day, including contractor's vehicles and employees' vehicles	Not specifically limited
COMMERCIAL VEHICLES	Must be stored in an enclosed building	One commercial vehicle may be stored outdoors	One commercial vehicle may be stored outdoors	No specific limitation
LOT SIZE	No minimum	Minimum one acre	Minimum one acre	Minimum two acres

- B. Recreation Vehicles:** House trailers and motor homes, except those in a commercial campground, shall not be used for residential occupancy for more than 90 days in any calendar year. Longer occupancy is permitted with a zoning permit provided the unit can be permitted as a principal or accessory housing unit (see Section 3-105, Accessory Housing Units) or as a construction home (see Section 3-120, Construction Home) and has an approved means of sewage disposal in accordance with Section 3-220, Approved Sewage Disposal System Required.

SECTION 3-145 PRINCIPAL BUILDINGS AND USES

- A. Multiple Principal Buildings and Uses:** On any lot or parcel of land, establishment of 3 or more principal buildings or uses for residential, recreational, industrial, commercial or public uses requires a subdivision permit pursuant to the Park County Subdivision Regulations. Establishment of a third principal building or use shall not be authorized prior to the issuance of a subdivision permit. Buildings and uses that qualify as accessory buildings or uses pursuant to Section 3-110, Accessory Uses, are not principal buildings or uses and shall not count for the purpose of this Subsection. This Subsection does not impose any limits on the number of accessory buildings that may be constructed on any lot or parcel.
- B. Single Family Dwellings:** On any lot or parcel of land used principally for residential usage, only one single family dwelling may be permitted, as well as any number of accessory uses and accessory buildings. Accessory housing units and employee housing units are permitted pursuant to Section 3-105, Accessory Housing Units.

SECTION 3-150 TEMPORARY USES

Certain temporary uses, including construction homes, temporary heliports, and real estate sales offices, have one-year time limits on the duration of the use. Such time limits shall be extended for up to one additional year when the use has not been the subject of complaints of violations, the use is in compliance with this zoning resolution, and the use will be terminated at the end of the extension period.

DIVISION 3-200 STANDARDS FOR ALL USES

The requirements of this Division apply to all uses unless specifically exempted.

SECTION 3-205 LEGAL ACCESS REQUIREMENT

All lots and parcels shall have legally enforceable access. Access shall be provided to all lots and parcels by: public road rights-of-way; private rights-of-way by recorded perpetual easement; or by access easements or rights-of-way over public land, which need not be perpetual or recorded. This legal access requirement shall not be construed to require the County to locate, repair or maintain any such public or private rights-of-way.

SECTION 3-210 NONCONFORMITIES**A. Nonconformities Defined:**

1. Nonconforming lot or parcel: Any lot or parcel of record legally existing at the time this zoning resolution is enacted and smaller than the present minimum lot size requirements of the zoning district where it is located.
2. Nonconforming building or structure: Any building or structure having the following characteristics: the building or structure legally existed at the time of enactment of this zoning resolution and the building or structure does not conform to the present requirements of the zoning district for setbacks or other dimensional requirements.
3. Nonconforming use: Any use of land, premises, building or structure, legally existing prior to enactment of this zoning resolution which has been continuously in use and is not a permitted use, permitted accessory use, or special use in the zoning district where it is located. Such uses are permitted to continue subject to the terms of this Section until they are abandoned. Cessation of use for 12 consecutive months shall constitute abandonment of the nonconforming use.

B. General Provisions:

1. Construction approved prior to enactment of zoning resolution: Nothing contained in this zoning resolution shall require any change in plans, construction or designation of use of a building for which a zoning permit has been issued and which is actively under construction within one year of the issuance of such permit.

2. Transference: Rights granted to nonconforming lots or parcels, structures and uses pursuant to this Section shall remain with the land when title is transferred.
3. Pre-existing special uses:
 - a. Any use of land or buildings which was established prior to the enactment of this zoning resolution and which is permissible as a special use in the district where it is located shall be considered a conforming use, except if discontinued for one year or more. Thereafter, a special use permit shall be required to re-establish the use.
 - b. Such pre-existing special use shall not be enlarged, relocated, extended or increased in intensity unless an application is made for a special use permit and approved. The special use permit is necessary only for the additional activity.

C. Nonconforming Lots or Parcels

1. Division or subdivision:
 - a. The lot area of a nonconforming lot or parcel may not be reduced in size by division or subdivision of the lot, except as provided in Subsection 2-620-A, Paragraph 2, Pre-existing Residences.
 - b. A nonconforming lot or parcel may be merged with an adjoining lot(s) or parcel(s) provided the entirety of the nonconforming lot or parcel is so merged.
2. Nonconforming Lots Smaller than One-Acre:
 - a. Site plan review, (Division 4-600), shall be required to construct a building on any vacant, nonconforming lot or parcel smaller than one acre.
 - b. Nonconforming lots or parcels smaller than one acre shall be merged with any other contiguous nonconforming parcels under the same ownership into one lot or parcel, and no sale, transfer, or other conveyance of less than the entire merged parcel or lot shall be allowed. A deed delineating the merged lot or parcel and prohibiting the sale, transfer or conveyance of less than the entire merged parcel or lot must be recorded in the land records of the County Clerk and Recorder prior to issuance of the zoning permit or special use permit.
3. Nonconforming Lots Larger Than One-Acre: A nonconforming lot or parcel larger than one-acre shall qualify for a zoning permit for a

permitted use or special use if it meets all other applicable zoning requirements, including sewage disposal requirements.

D. Nonconforming Buildings or Structures

1. Enlargement: Nonconforming buildings or structures may be enlarged or altered provided such construction will not result in the increase of any nonconformity in setback, or other dimensional requirement; all new construction shall conform to setbacks and other applicable dimensional requirements.
2. Maintenance: Nothing in this Section shall prevent normal maintenance and repair of any nonconforming building or structure.
3. Relocation of structure: No nonconforming building or structure shall be moved to another location where such building or structure would also be nonconforming.
4. Reconstruction: Any nonconforming building or structure may be restored or reconstructed after being destroyed or damaged by fire, accident or other act of God provided that the restoration or reconstruction is started within one year after such damage is incurred.

E. Nonconforming Uses

1. Enlargement: Any building, structure or land area used for a nonconforming use may be enlarged, extended or additional buildings or structures added only upon issuance of a special use permit, (Division 4-500). At the discretion of the Board or Commission, the cumulative total of all floor area or actively used land area associated with the use since it became nonconforming may be expanded no more than 50%.
2. Maintenance: Nothing in this Section shall prevent normal maintenance and repair of any building or structure housing a nonconforming use.
3. Extension throughout buildings: Any nonconforming use may be extended throughout any parts of the building which were manifestly arranged or designed for such use when the use became nonconforming.
4. Discontinuance: Whenever a nonconforming use of a building, structure, or land area has been discontinued for a period of one year, such use shall not thereafter be re-established, and any future use shall conform with the provisions of this zoning resolution.

5. Relocation: No nonconforming use shall be moved to another location where such use would also be nonconforming.
6. Reconstruction or re-establishment: Any building or structure housing a nonconforming use may be restored or reconstructed and the use re-established after being destroyed or damaged by fire, accident or other act of God provided that the restoration or reconstruction is started within one year after such damage is incurred.
7. Change to conforming use: A nonconforming use may be changed to a conforming use. Thereafter, the use may not be changed back to a nonconforming use.
8. Change to other nonconforming use: A non-conforming use may be changed to another nonconforming use only upon issuance of a special use permit, (Division 4-500), provided impacts from the new use are less intense than those of the previous use.

F. Prior Land Use Approvals:

1. General: All land use changes, planned unit developments, special use permits, and variances previously approved by the County pursuant to the Park County Land Use Implementation Program shall remain in effect unless converted to a current zoning district pursuant to Paragraphs 4 or 5 of this Subsection. However, land use changes granted for developments which have been abandoned, inactive, or not substantially advanced for 5 years from the effective date of this zoning resolution are deemed expired unless the recorded documents of approval preclude such expiration. All planned unit developments, special use permits, and variances shall remain in effect in accordance with the original terms of approval.
2. Notification: Within 120 days of the effective date of this zoning resolution, the Planning Coordinator shall notify the owners of property subject to the expiration provision of this Subsection and provide them with: a copy of this Subsection; any available information indicating whether the development authorized by the land use change appears abandoned, inactive or not substantially advanced; and a date when the land use change is scheduled to expire. The property owner may appeal the Planning Coordinator's notification pursuant to Division 4-300, Appeals.
3. Zoning map: The County's official zoning map shall identify land use changes approved under the Land Use Implementation Program that are

subject to expiration or have expired pursuant to this Subsection. The zoning maps shall also indicate the zoning district that will replace each prior land use change upon expiration.

4. Conversion to current zoning district: Land use changes previously approved by the County pursuant to the Land Use Implementation Program may closely correspond to one of the zoning districts established by this zoning resolution. In such cases, either at the initiative of the County or of the landowner, the official zoning map may be amended to place the subject property in the zoning district and thereafter the zoning of the subject property will not be subject to the expiration requirements of this Subsection.
5. Nullification by landowner: The landowner of a property subject to a prior land use change may prefer to have a zoning district of this zoning resolution applied instead of the prior land use change. To effect such a change, the landowner shall file a written request bearing the notarized signatures of all landowners and any security interest holders with the Planning Coordinator. Upon receipt of such a request, the Planning Coordinator shall revise the official zoning map to remove the notation of the prior land use change and to place the property in the zoning district in which it would have been placed upon expiration as indicated on the zoning map, pursuant to Paragraph 3, above.
6. Extension of Expiration Date: Prior to expiration of a prior land use change, the landowner may apply for a variance pursuant to Division 4-700 to request an extension of the expiration date.

G. Zoning of Territory Added to County Jurisdiction: Any territory which is de-annexed from a city or town shall be automatically zoned as Transitional. Any lands which are transferred out of federal or state ownership within one mile of a city or town shall automatically be zoned Transitional. Other lands which are transferred out of federal or state ownership shall automatically be zoned to whichever of the following zoning districts is applied to the majority of adjoining properties: GR-M, GR-P, GR-40, GR-35, GR-20, or GR-5.

SECTION 3-215 PARKING

A. Required Spaces: Off-street parking and loading spaces shall be provided for any new structure or use, or the enlargement of any existing structure or use in accordance with the following requirements:

Residential uses: 2 parking spaces for each dwelling unit.

Non-Residential Uses: One parking space for each 400 square feet of floor area.

- B. Reduction of Required Spaces:** Any applicant for a special use permit, (Division 4-500), or site plan review, (Division 4-600), may request a reduction of up to 50% in the number of required parking spaces. The Board may grant a reduction if it determines that the traffic generated by the proposed use can be accommodated with a reduced number of parking spaces.
- C. Requirement of Additional Spaces:** The Board may require up to 50% additional parking spaces if it determines that the traffic generated by the proposed use will exceed the parking space requirements of this Section.
- D. Design of Parking Spaces:** The size and shape of parking spaces and access lanes shall conform to the specifications of Appendix 2, Design of Parking Spaces.

SECTION 3-220 APPROVED SEWAGE DISPOSAL SYSTEM REQUIRED

The owner of any structure or land where people live, work, or congregate shall insure that the structure or land site contains adequate, convenient and sanitary toilet and sewage disposal systems approved by Park County and in good working order. No zoning permit or discretionary development approval shall be granted unless the applicant provides evidence that an approved sewage disposal system serves or will serve the proposed use or structure.

SECTION 3-225 SIGNS

- A. Exempt Signs:** The following signs are exempt from the requirements of this Section: traffic control signs on public or private property; informational signs of a public agency; warning or hazard signs; works of art that do not include a commercial message; political signs; governmental flags; signs restricting access or use of property, such as "no trespassing" signs; temporary signs containing no commercial message; real estate signs advertising the sale of the site on which the sign is located; and identification signs not exceeding 24 square feet.
- B. Sign Specifications:** The number and size (area) of signs shall conform to the specifications of Table 3-2. The number and size of signs shall be computed and applied based on the entire site, as opposed to the parcel or lot.

C. Miscellaneous Requirements:

1. The height of a sign above grade as measured from the base of the sign shall not be higher than the height of the principal building on site.
2. Illuminated signs shall be set back from any road right-of-way a distance equal to the building setback requirement applicable to the site.
3. No permanent signs shall be located within or project over the right-of-way of any public road.
4. Nonconforming signs shall be governed by Subsection 3-210-D, Nonconforming Buildings or Structures.
5. Signs are not permitted to have flashing or blinking lights or mechanically moving parts.
6. The maximum sign area (size) for any single sign located in a C or I district in the Powell Local Planning Area shall be 80 square feet.

TABLE 3-2. SIGN SPECIFICATIONS

		ZONING DISTRICTS									
		RURAL DISTRICTS					URBAN DISTRICTS				
		GR-M	GR-40 & GR-35	GR-20	GR-5 & GR-P	RR-2	R-H	R-M	C	I	T
The maximum total number of all freestanding signs on a site shall not exceed the lesser of the following:											
NUMBER OF FREESTANDING SIGNS	Maximum per site	4	4	6	6	2	2	2	N/A	N/A	6
	Per feet of road frontage	1 per 300	1 per 300	1 per 300	1 per 200	1 per 200	1 per 200	1 per 200	1 per 100	1 per 100	1 per 200
The maximum total area of all signs on a site shall not exceed the lesser of the following:											
SIGN AREA OF ALL SIGNS	Maximum per site	200 S.F.	200 S.F.	200 S.F.	400 S.F.	32 S.F.	16 S.F.	200 S.F.	600 S.F.	600 S.F.	400 S.F.
	Percentage of ground floor area of principal building	4%	4%	4%	4%	N/A	N/A	N/A	10%	8%	4%
	Maximum for any single sign	24 S.F.	24 S.F.	24 S.F.	80 S.F.	32 S.F.	16 S.F.	48 S.F.	200 S.F.	200 S.F.	80 S.F.

ARTICLE 4. APPLICATIONS AND ADMINISTRATION

DIVISION 4-100 APPLICATIONS AND ADMINISTRATION GENERALLY

This zoning resolution contains two basic types of application and decision making procedures required for new developments—administrative permits, which are managed by the Planning Coordinator, and discretionary approvals, which are the responsibility of the Planning and Zoning Commission and the Board of County Commissioners.

Administrative permits include zoning permits (Division 4-200) and flood plain development permits (Division 6-200). The Planning Coordinator's administrative decisions to grant or deny these permits may be appealed to the Board of County Commissioners. The procedures for appeals are specified in Division 4-300.

Discretionary approvals include special use permits (Division 4-500), site plans (Division 4-600), variances (Division 4-700), and zoning map and text amendments (Division 4-800). Applications for discretionary development approval follow the uniform procedure (Division 4-400), which specifies the details of the application process common to all types of discretionary applications.

Table 4-1, Development Review Procedures, highlights the main procedural aspects for each type of development application.

DIVISION 4-200 ZONING PERMITS

This Division provides administrative procedures for zoning permits. Zoning permits are non-discretionary, administrative permits issued by the Planning Coordinator for uses and structures that are permitted by right by this zoning resolution. The purpose of zoning permits is to ensure that uses and construction conform with applicable zoning requirements.

SECTION 4-205 APPLICABILITY

A zoning permit issued by the Planning Coordinator is required to:

- A. locate, erect, or construct any building or structure;
- B. enlarge the outside dimensions of any building or structure;
- C. reconstruct any building or structure within the designated floodplain;
- D. change the use of any building or structure; or
- E. change the use or occupancy rating of a building so as to increase the building's sewage design flow.

TABLE 4-1. DEVELOPMENT REVIEW PROCEDURES

Application Type	Notice Required	Notice Period	Simple Review Allowed	Planning Coordinator Review	Agency Referrals	Planning & Zoning Commission Review	Board of County Commissioners Review
ADMISTRATIVE PERMITS AND APPEALS							
Zoning Permit (Division 4-200)	No	N/A	N/A	Yes	No	No	Yes (on Appeal)
Flood Plain Development Permit (Division 6-200)	No	N/A	N/A	Yes	No	No	Yes (on Appeal)
Appeals (Division 4-300)	Yes	10 days	N/A	No	No	No	Yes (Final)
DISCRETIONARY DEVELOPMENT APPLICATIONS							
Special Use Permit (Division 4-500)	Yes	14 days	Yes	Yes	Yes	Yes (Final)	Yes (Consent)
Site Plan Review (Division 4-600)	Yes	14 days	Yes	Yes	Yes	Yes (Final)	Yes (Consent)
Variances (Division 4-700)	Yes	14 days	Yes	Yes	Yes	Yes (Recommendation)	Yes (Final)
Map Amendments (Division 4-800)	Yes	30 days	No	Yes	Yes	Yes (Recommendation)	Yes (Final)
Text Amendments (Division 4-800)	Yes	30 days	No	Yes	Yes	Yes (Recommendation)	Yes (Final)

SECTION 4-210 APPLICATION REQUIREMENTS

All applications for a zoning permit shall contain a sketch or plot plan showing the actual dimensions and angles of the lot to be built upon and the exact size and location on the lot of the building or accessory buildings to be constructed, erected, relocated or changed. Each application shall state the purpose for which the structure or land is to be used and general description of the type of construction. Upon request of the Planning Coordinator, additional information (such as drawings, data, computations) necessary to ensure compliance with this zoning resolution shall be provided by the applicant.

SECTION 4-215 APPROVAL STANDARDS

No zoning permit shall be issued unless plans for the building, structure, or use fully comply with the provisions of this zoning resolution. The Planning Coordinator shall grant zoning permits when the plans for the proposed construction or use comply with the requirements of this zoning resolution.

SECTION 4-220 ACTION BY PLANNING COORDINATOR

The Planning Coordinator shall approve or deny all applications for zoning permits within 14 days of the receipt of the complete application. The denial of an application shall be in writing setting forth all the reasons for the denial. The decisions of the Planning Coordinator to approve or deny zoning permit applications may be appealed to the Board of County Commissioners pursuant to Division 4-300, Appeals.

SECTION 4-225 EXPIRATION

If construction authorized by a zoning permit has not been started within one year, said permit shall be null and void.

DIVISION 4-300 APPEALS

This Division provides checks and balances over the Planning Coordinator by establishing that persons can appeal any action of the Planning Coordinator to the Board of County Commissioners.

SECTION 4-305 APPLICABILITY

The Board of County Commissioners shall hear and decide appeals from any permit issued or decision or determination made by the Planning Coordinator relative to administration or enforcement of this zoning resolution.

SECTION 4-310 APPLICATION REQUIREMENTS

Any aggrieved person or any officer, department, or board of the County affected by any decision of the Planning Coordinator may appeal to the Board of County Commissioners. Appeals shall be made within 10 days of notice of any action by filing with the Board's Administrative Assistant a written notice of appeal specifying the grounds for the appeal. The Planning Coordinator shall immediately transmit to the Board the complete record of the action from which the appeal is taken.

SECTION 4-315 STAY OF PROCEEDINGS

This zoning resolution does not provide a stay of any proceedings or permits in connection with an action under appeal. Appellants may seek a stay from a court of competent jurisdiction.

SECTION 4-320 SCHEDULING OF HEARINGS ON APPEALS

The Board's Administrative Assistant shall be responsible for scheduling hearings on appeals. Appeals shall be heard at the next regular meeting of the Board of County Commissioners which occurs at least 14 days following the close of the appeal period, or at a special meeting called for that purpose.

SECTION 4-325 NOTICE OF HEARINGS ON APPEALS

The Board's Administrative Assistant shall send notices of hearings on appeals to the appellant, and where the appeal concerns a request for development approval, to all property owners adjacent to the appellant or applicant as the case may require. Such notices of hearings on appeals shall include the information as specified in Subsection 4-420-C, Notice Contents. Notices shall be mailed within 2 days following the close of the appeal period.

SECTION 4-330 TESTIMONY AT APPEAL HEARING

The Board of County Commissioners shall allow an opportunity during the hearing for the appellant and any member of the public to offer either written or oral testimony regarding the proposal under consideration.

SECTION 4-335 CONTINUANCES

The Board of County Commissioners may continue the public hearing to a subsequent regular meeting or special meeting called for this purpose. Public hearings continued to a date certain need not be renoticed. Hearings continued to an indefinite date, or hearings closed and then reopened shall be renoticed in accordance with Section 4-325, Notice of Hearings on Appeals.

SECTION 4-340 DECISIONS ON APPEALS

- A. General:** Except as otherwise provided, the Board of County Commissioners shall take action by resolution, with appropriate findings, to uphold or overturn an appeal.
- B. Scope of review:** The Board of County Commissioners, by its adoption of this zoning resolution, has delegated authority to the Planning Coordinator to act on applications. When decisions are appealed, the Board retains the authority to reopen consideration of the request, to establish conditions of approval, and to take action on the request. The Board's review and action shall be in accordance with the procedures established in these standards and regulations for the type of application being appealed.

SECTION 4-345 BOARD ACTION

The Board of County Commissioners may reverse or affirm, wholly or in part, the order, requirement, decision or determination as necessary, but no power exercised under this Division shall exceed the power or authority vested in the Planning Coordinator. The Board shall issue a written decision to the applicant and the Planning Coordinator. The Board's Administrative Assistant shall promptly give to the appellant, the Planning Coordinator, and if applicable, to the applicant for development approval notice of the decision on an appeal.

DIVISION 4-400 UNIFORM PROCEDURE

This Division describes the Uniform Procedure which shall be used for all discretionary development applications including special use permits, site plans, variances, zoning map amendments, and text amendments. The Uniform Procedure provides for expedited review of simple development projects. Other development projects shall always follow the standard version of the Uniform Procedure (See Figure 4-A, Uniform Procedure).

SECTION 4-405 PRE-APPLICATION WORK SESSION

The pre-application work session is optional and is scheduled at the applicant's request. The purpose of the work session is for the applicant to obtain information regarding the applicable provisions of this zoning resolution. Work sessions are normally held with the Planning and Zoning Commission, but may also be held with the Board of County Commissioners if the Board renders the final decision. The work session shall be scheduled at the next available time and date on the Board's or Commission's schedule, but no later than 60 days following the request.

SECTION 4-410 FILING APPLICATIONS

Applications shall be submitted by the landowner or by an authorized agent. Application shall be made to the Planning Coordinator. The application shall include required fees and the information specified for the type of application. Within 10 days of receiving a submission, the Planning Coordinator shall determine if the application is complete. If the application is incomplete, the Planning Coordinator shall notify the applicant of the deficiencies by the end of the 10 day period. When the application is deemed complete, the Planning Coordinator shall schedule the public hearing.

SECTION 4-415 REVIEW PROCESS DETERMINATION

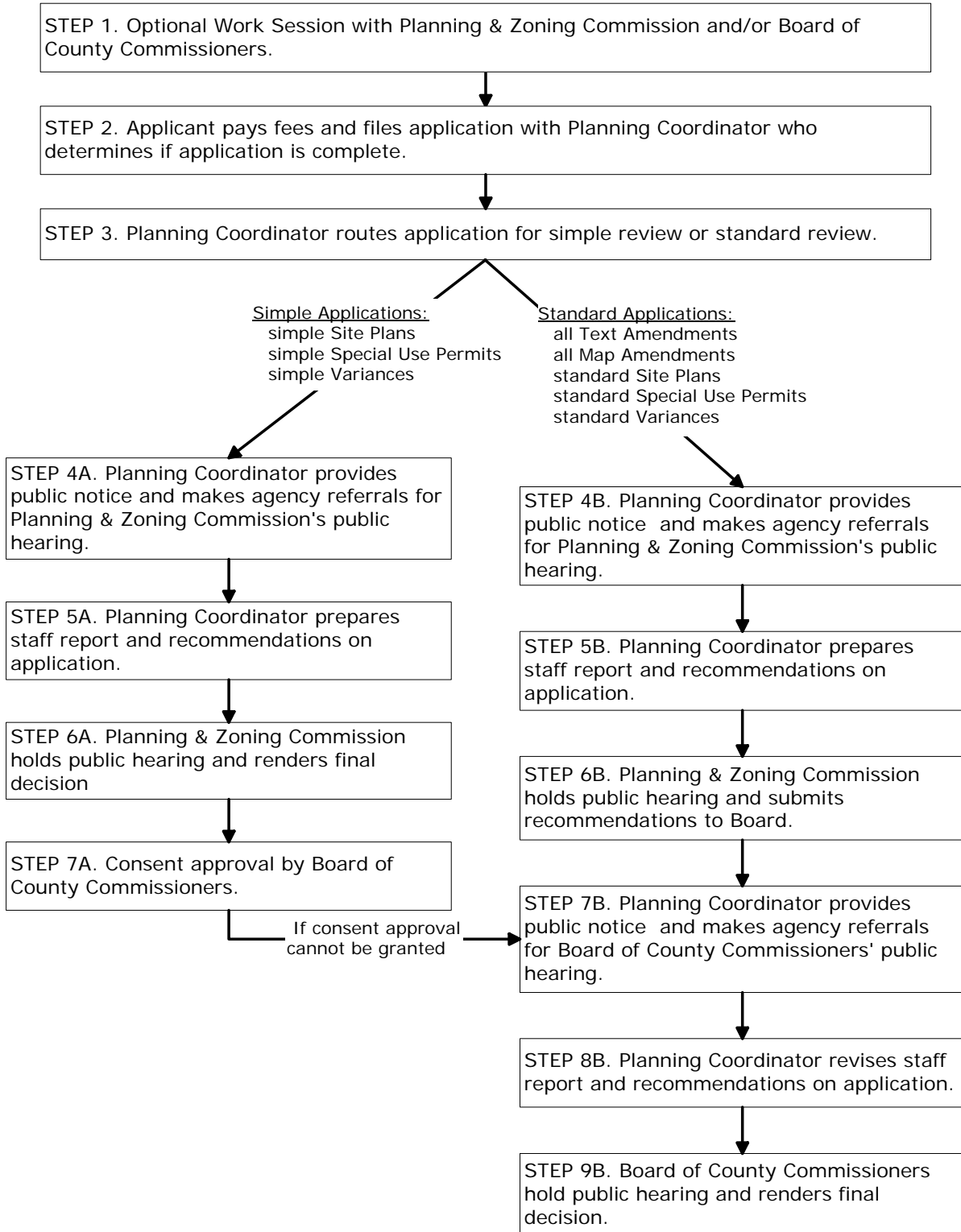
The Planning Coordinator shall determine whether applications will undergo simple review or standard review. The Planning Coordinator shall make this determination no later than 4 days after a complete application has been filed. In making this determination, the Planning Coordinator is required to route applications through standard review if any of the following conditions exist or are likely to exist: the development project is relatively large and may create significant impacts; approval of the project will involve extensive conditions; the project appears to conflict with the land use plan; the project will be controversial; or the applicant has a history of past non-compliance with

county development regulations. Applications for zoning map amendments and text amendments shall always undergo standard review.

SECTION 4-420 NOTICE REQUIREMENTS

- A. Scheduling of Public Hearings:** The Planning Department shall be responsible for the scheduling of public hearings. Public hearings shall be conducted at regular meetings of the Board of County Commissioners or Planning and Zoning Commission, or at a special meeting called for that purpose. Hearings shall be scheduled at the next available time and date on the Board's or Commission's schedule, but no later than 60 days after receipt of a complete application.
- B. Public Notice Generally:** The Planning Department shall be responsible for publishing notices, mailing notices, and posting notice signs before the hearing at least the number of days equal to the notice period given for the type of application in Table 4-1, Development Review Procedures.
- C. Notice Contents:** Notices for public hearings shall include the following:
1. A brief description of the project;
 2. The project's location relative to landmarks or cross roads and the address if available;
 3. An abbreviated legal description;
 4. Applicant's name;
 5. Hearing date, time, and place; and
 6. How additional information can be obtained.
- D. Published Notice:** The notice of a public hearing shall be published in at least one newspaper of general circulation in Park County.
- E. Mailed Notice:** Written notice shall be mailed to the owners of all adjacent properties and all properties within 660 feet of the subject property as shown in the property ownership records of the County Assessor. In addition, notice shall be mailed to the applicant, to security interest holders as identified by the applicant, and to any person who requests to be informed of a pending hearing.
- F. Posting of Notice Signs:** Notice of the public hearing shall be posted on the property using signs furnished by the Planning Department so at least one sign is visible from each roadway bordering the property. Signs shall be posted in advance of the hearing date and remain posted until the hearing is concluded.

FIGURE 4-A. UNIFORM PROCEDURE
(FOR DISCRETIONARY DEVELOPMENT APPLICATIONS)



- G. Improper Notice:** If notice provided pursuant to the notice requirements of these standards and regulations is improper, the public hearing shall be rescheduled and the hearing shall be renoticed pursuant to this Section.

SECTION 4-425 AGENCY REFERRALS

- A.** The Planning Coordinator is authorized to refer the application to any local, state, or federal agency or office that may have relevant interests or expertise.
- B.** The Planning Coordinator shall refer all discretionary development applications in the GR-M district to the Meeteetse Local Planning Area Advisory Committee for review for conformance with the 1996 Meeteetse Local Area Land Use Plan and Policy Statement (see Appendix 3, Meeteetse Local Planning Area Advisory Committee Referral Procedure).
- C.** The Planning Coordinator shall refer all discretionary development applications within one-mile of Cody city limits to the City of Cody Planning, Zoning & Adjustment Board; within one-mile of Powell city limits to the City of Powell Planning & Zoning Commission; within one-mile of Meeteetse town limits to the Town of Meeteetse Planning & Zoning Commission.

SECTION 4-430 PLANNING COORDINATOR REVIEW

The Planning Coordinator shall prepare a staff report on the application. The staff report shall indicate whether the application complies with the requirements of this zoning resolution and shall contain recommendations for action. The staff report shall be mailed to the applicant and the body holding the hearing at least 7 days prior to the hearing.

SECTION 4-435 PLANNING AND ZONING COMMISSION REVIEW

The Planning and Zoning Commission shall conduct a public hearing on all applications subject to the Commission's review pursuant to Table 4-1, Development Review Procedures, and Figure 4-A, Uniform Procedure. The Commission shall evaluate the application's compliance with the approval standards applicable to the type of application. The Commission shall render a decision or recommendation within 45 days of the hearing. This time limit may be extended with consent of the applicant.

SECTION 4-440 CONSENT APPROVAL

- A. Board Consent:** The Planning and Zoning Commission's final decision (approval, approval with conditions, or denial) on any simple application shall not be effective until the Board of County Commissioners grants consent approval to the decision, pursuant to this Section. The Board shall grant consent approval at its next regularly scheduled meeting following the Commission's decision unless a written objection to consent approval is presented to the Board within 7 days of the Commission's decision.
- B. Objections:** Objections to consent approval may be filed by:
1. Any person who offered oral or written testimony at the Commission's public hearing on the application;
 2. The applicant;
 3. Any security interest holder as identified by the applicant;
 4. Any member of the Commission; or
 5. Any member of the Board;
- C. Hearing:** A proper objection to consent approval shall cause the application to be scheduled for a public hearing with a final decision rendered by the Board, in accordance with Section 4-450, Board of County Commissioners Review.

SECTION 4-445 REFERRAL OF APPLICATION TO BOARD OF COUNTY COMMISSIONERS

On applications requiring Planning and Zoning Commission recommendations, the Planning Coordinator shall refer the application and the Commission's recommendations to the Board of County Commissioners within 14 days of the Commission's action. Within the same 14 day period, the Planning Coordinator shall schedule a hearing date that complies with Section 4-420, Notice Requirements. Scheduling of the hearing may be delayed once up to 90 days at the applicant's request. The Commission may, at the time it make its recommendation on the application, authorize a longer delay for scheduling of the hearing.

SECTION 4-450 BOARD OF COUNTY COMMISSIONERS REVIEW

The Board of County Commissioners shall conduct a public hearing on all applications subject to the Board's approval pursuant to Table 4.1, Development Review Procedures, and Figure 4-A, Uniform Procedure. The Board shall evaluate the application's compliance with the approval standards applicable to the type of application. The Board shall render a decision within

45 days of the hearing. This time limit may be extended with consent of the applicant.

SECTION 4-455 CONTINUANCES

The body responsible for conducting a public hearing may continue the public hearing to a subsequent regular meeting or special meeting called for this purpose. Public hearings continued to a date certain need not be renoticed. Hearings continued to an indefinite date, or hearings closed and then reopened shall be renoticed in accordance with Subsection 4-420, Notice Requirements.

SECTION 4-460 CONCURRENT REVIEW

Applicants whose projects require approval of more than one type of development application may choose concurrent processing of these applications. Whenever concurrent processing is used, the applicant's submittal shall include the information required for each application.

SECTION 4-465 FINANCIAL GUARANTEES

The Board of County Commissioners or Planning and Zoning Commission is authorized to require the applicant to provide an agreement guaranteeing construction of physical improvements required as a condition of a discretionary development approval. The Board or Commission may require such agreement to include a financial guarantee in the amount of the estimated cost of the required improvements.

SECTION 4-470 PROPERTY VALUATION AND TAX ASSESSMENTS

Applicants for discretionary development approvals are hereby advised that approval of their request may lead to increased property valuation and tax assessment on the subject property. The Board of County Commissioners shall include a statement further advising of this in the final approval documents for any discretionary development approval.

SECTION 4-475 APPROVALS RUN WITH THE LAND

All discretionary development approvals granted by the Board of County Commissioners or Planning and Zoning Commission shall run with the land and the current property owner is responsible for compliance with the provisions of approval.

DIVISION 4-500 SPECIAL USE PERMITS

This Division provides flexibility in the zoning resolution by providing a review process for certain specified uses as an alternative to outright prohibition of such uses. Such uses are designated as special uses. Without proper review, special uses can be disruptive or incompatible with other uses within the zoning district. Special uses are permitted provided the use is reviewed and adverse impacts are identified and mitigated.

SECTION 4-505 APPLICABILITY OF REVIEW REQUIREMENTS

Special use permit approval is required before commencing or establishing any use specified in Table 2-1, Schedule of Uses, as requiring a special use permit. Special use permits are also required pursuant to Subsection 3-210-E, Nonconforming Uses, and Division 6-300, Airport Overlay District.

SECTION 4-510 APPLICATION REQUIREMENTS

The following information shall be submitted to the Planning Department with any application for a special use permit unless the Planning Coordinator waives information requirements because the specified item(s) is not relevant to the project review.

A. Written Material:

1. Completed application form;
2. Written statement from the property owner consenting to the filing of the application if the applicant is not the property owner;
3. Legal description and acreage;
4. Description of proposed use including, if applicable: amount of building square footage; types of activities; method of operation; hours of operation; and characteristics having impact on adjacent properties.
5. Evidence that an adequate water supply in terms of quantity, quality, and dependability for the use is or will be available;
6. Evidence that an adequate means of sewage and wastewater disposal is or will be available;
7. Evidence that utilities, public services and infrastructure are available to serve the use;
8. Soils report prepared by the local soil conservation district, or a professional soils engineer or geologist when appropriate;
9. Proposed covenants, if any;
10. Statement of how the required findings for approval of a special use permit can be met by the proposal;
11. Statement of how compatibility with adjacent properties will be achieved;

12. If special criteria have been established for the proposed use, a statement of how these criteria will be met; and
13. If the proposal is in an Airport Overlay District, a written recommendation from the appropriate airport board or official.

B. Graphic Material:

1. Vicinity map;
2. Plan-view drawing showing building locations, parking areas, access and circulation, storm water drainage, and activity areas;
3. Building floor plans and elevations; and
4. A map showing site topography and natural features.

SECTION 4-515 APPROVAL STANDARDS

The Planning and Zoning Commission and the Board of County Commissioners shall approve a special use permit only if it is found that:

- A. Compatibility and Impacts:** The use is in harmony and compatible with surrounding land uses and with the neighborhood and will not create a substantial adverse impact on adjacent properties;
- B. Services and Infrastructure:** Adequate services and infrastructure are available to serve the use, or the applicant has agreed to provide services and infrastructure in sufficient time to serve the proposed use.
- C. Specific Criteria:** The use complies with all specific criteria stated in this zoning resolution for the use; and
- D. Overlay Districts:** The use complies with additional requirements of overlay districts, if applicable.

SECTION 4-520 CONDITIONS OF APPROVAL

In approving a special use permit, the Board of County Commissioners and the Planning and Zoning Commission may impose any reasonable conditions to ensure that the proposed use is compatible with surrounding land uses, and to ensure that the development and operation of the proposed use are performed in a manner consistent with public health, safety, and welfare. Such conditions shall be limited to issues directly related to the impacts of the proposed use and shall be proportional to the impacts.

SECTION 4-525 EXPIRATION

If activities allowed by a special use permit have not been established within one year of the approval of the permit or have ceased to occur for at least one year after having been established, the special use permit shall expire and no such activities may resume unless an application is filed and approved in accordance with the procedures for review of new special use permits. The Planning Coordinator may extend this time limit one additional year when the activities permitted by the special use permit have been delayed due to circumstances beyond the applicant's control.

DIVISION 4-600 SITE PLAN REVIEW**SECTION 4-605 INTENT AND PURPOSE OF SITE PLAN REVIEW**

A site plan is a graphical plan, drawn to scale, showing uses and structures proposed for a parcel of land and site development features, both natural and manmade including, where applicable, lot lines, roads, locations of proposed buildings, utility lines, parking areas, reserved open space, steep slopes, flood plains, etc.

Site plan review is the process whereby county officials review the site plans of a developer to assure they meet the stated purposes and standards of the zoning resolution, provide for the necessary public facilities such as roads and drainage structures, provide for adequate site development including sewage disposal facilities, parking, water supply and other requirements through appropriate siting and design of structures and other improvements.

SECTION 4-610 APPLICABILITY OF REVIEW REQUIREMENTS

- A. When Required:** Site plan review is required prior to the construction or commencement of any use listed in Table 4-2, Uses Subject to Site Plan Review provided the development exceeds any one of these threshold conditions:
1. Construction of any building or building addition exceeding 3,750 square feet of floor area.
 2. Development of more than one acre for a land use without buildings.
 3. Construction of a principal building on a nonconforming lot containing less than one acre of land area pursuant to Paragraph 2 of Subsection 3-210-C, Nonconforming Lots or Parcels.

Commencement of a use shall include change in the type of use as defined in Section 2-510, Use Classifications. Construction of a use shall include site preparation for a use or structure which itself requires site plan approval. Uses not listed in Table 4-2 do not require site plan review. Developments which do not exceed the threshold conditions do not require site plan review. In addition, any use eligible for a site plan review exemption pursuant to Subsection B, below, does not require site plan review.

TABLE 4-2. USES SUBJECT TO SITE PLAN REVIEW Uses are defined in Section 2-510, Use Classifications.	
RESIDENTIAL USES	RECREATION USES
Mobile home park	Minor commercial recreation business
Multi-family housing	Minor outdoor recreation facility
RESIDENTIAL BUSINESSES	Major recreation facility
Cottage industry	Campground
AGRICULTURE	Dude ranch and resort
Feedlots	Ski center
PUBLIC & QUASI-PUBLIC USES	COMMERCIAL USES
Minor community use	Minor commercial business
Major community use	Major commercial business
Major utility use	Highway commercial business
INSTITUTIONAL USES	Agricultural support business
Minor institutional use	Commercial storage
Correctional facility	Adult use
Minor residential religious use	INDUSTRIAL USES
Minor residential school	Minor industrial use
Major institutional use	Major industrial use
TEMPORARY USES	Minor wholesale business
Construction staging area	Major wholesale business
TRANSPORTATION USES	Rock products mine, large
Bus terminal	Salvage yard
Commercial airport	Value-added agricultural business
Heliport	ACCESSORY USES
Landing strip	Large impact structure
Rail facility	MISCELLANEOUS
Railroad right-of-way	Construction of principal building on a nonconforming lot containing less than one acre of land area.
Truck terminal	

- B. Exemptions:** The Planning Coordinator may waive the site plan approval requirement provided all of the following conditions are met:
1. No improvements are required for the proposed use which might require a performance bond.
 2. The proposal will not involve an increase in the intensity of impacts on neighboring lands or public facilities including roads.

3. The proposal will not result in an increase of more than 50 percent in either the floor area of the structure housing the use or in the outdoor area used.
4. The proposal shall not involve a change in the type of use.

C. Other Approvals: Site plan review is required pursuant to this Section regardless of whether the proposed use also requires another form of discretionary development approval (special use permit, variance, zoning map amendment or zoning text amendment). Such approvals may be obtained prior to site plan approval or may be applied for and processed concurrently, pursuant to Section 4-460, Concurrent Review.

SECTION 4-615 APPLICATION REQUIREMENTS

An application for site plan approval shall be accompanied by information described in Appendix 4, Content Requirements for Site Plans, unless a waiver of such requirements, or a portion thereof, is granted by the Planning Coordinator. The Planning Coordinator shall waive the requirement of any item in Appendix 4 when such item(s) is not relevant to the project review.

SECTION 4-620 SITE PLAN STANDARDS

A. Site Plan Standards Generally: The Board and Commission shall approve site plans meeting the basic site plan standards and the special site plan standards, if applicable. The Board and Commission shall deny approval to any site plan not meeting the standards.

B. Basic Site Plan Standards: All site plans shall meet the following basic site plan standards:

1. Domestic water supply: Where reliance on individual water supplies is proposed, the proposed development shall provide evidence that an adequate quantity and quality of water is available or can be provided. Where reliance on a public or central water system is proposed, the proposed development shall demonstrate that the water system can and will serve the development's water supply needs.
2. Sewage disposal: All on-site sewage disposal systems shall be designed in accordance with state and county standards. The proposed development shall demonstrate compliance with such standards, as applicable. Where sewage disposal is proposed via a public or central sewage treatment system, the proposed development shall demonstrate that the sewage treatment system can and will serve the development's sewage disposal needs.

3. Solid waste disposal: Solid waste shall be stored in enclosed buildings or containers and handled in a manner that minimizes the attraction of rodents, flies, or other animals; minimizes the generation of liquid runoff or odors perceptible off the site; and minimizes wastes blown by the wind off the site. Solid waste handling and storage areas for multifamily, commercial or industrial uses shall be effectively screened from public view.
4. Hazardous substances: The proposed development shall demonstrate compliance with state and federal regulations on the handling, storage and disposal of hazardous substances, if applicable.
5. Utilities: Adequate easements or rights-of-way shall be provided as necessary for all utilities proposed to serve the development. Power, telephone, and gas lines necessary to serve the development shall be installed underground except in situations or locations where topography or other factors make underground utilities undesirable as determined by the Planning Coordinator, or by the concerned utility supplier in consultation with the Planning Coordinator. The proposed development shall demonstrate that arrangements for utilities comply with the standards of each utility and that such utilities can and will serve the proposed development.
6. Signs: The proposed development shall demonstrate compliance with Section 3-225, Signs.
7. Parking and loading areas: The proposed development shall demonstrate compliance with Section 3-215, Parking.
8. Roads and access: The proposed development shall demonstrate that access points on county or state highways conform with county and state highway access requirements, as applicable.
9. Fire protection: The proposed development shall demonstrate compliance with recommendations of the local fire district for emergency vehicle access, fire fighting water supply, and wildfire mitigation and with requirements of the State Fire Marshal, if applicable.
10. Protection of irrigation systems: No development shall divert storm water or snowmelt runoff into any irrigation system without the consent of the appropriate irrigation authority. Developments shall not adversely impact the operation of any irrigation system. Any proposed development on or adjacent to irrigated lands or containing irrigation facilities shall demonstrate compliance with the requirements of this Paragraph.

11. Water quality: The proposed development shall demonstrate compliance with state and federal water quality regulations, if applicable.
12. Wetlands: The proposed development shall demonstrate compliance with federal wetlands regulations, if applicable.
13. Runoff and erosion control: A runoff and erosion control plan shall be implemented by developments where a cumulative total on more than one acre of land with a slope of more than 8 percent will be disturbed, or where more than 20,000 square feet of contiguous impervious surfaces will be created. Specifications of runoff and erosion control plans are contained in Appendix 5, Runoff and Erosion Control.
14. Air quality: The proposed development shall demonstrate compliance with state and federal air quality regulations, if applicable.
15. Nuisances: The proposed development shall not produce a light or reflection of light in excess of the lighting standards of Appendix 6, Glare Standards. The proposed development shall minimize harmful or offensive fumes, vapors, gases, or odors perceptible beyond the property line. The proposed development shall demonstrate that any continuous, regular or frequent sound produced shall not exceed the maximum permissible sound pressure level as specified by Appendix 7, Detailed Standards for Noise.
16. Overlay districts: The proposed development shall demonstrate compliance with all applicable requirements of Article 6, Overlay District Regulations.
17. Standards for specific uses: The proposed development shall demonstrate compliance with Division 3-100, Standards for Specific Uses, if applicable.
18. Building setbacks along highways: Building setbacks shall be increased 20 feet for every 5,000 square feet of floor area for buildings located on properties adjoining a state or county highway. The Board or Commission may reduce the required increase of the setback distance by up to 50 percent provided the site design mitigates the adverse effects of the reduced setback.
19. Other zoning requirements: The proposed development shall demonstrate compliance with all applicable zoning requirements, including but not limited to building setbacks, minimum lot sizes, etc.

- C. Special Site Plan Standards:** The following special site plan standards shall apply to all site plans in the following local planning areas: Clark's Fork, Lower Southfork, Middle Southfork, Northfork, Sage Creek, Sunlight, Upper Clark's Fork and Upper Southfork.
1. Stream corridors: The open space use of stream corridors and the retention or restoration of riparian vegetation shall be encouraged. A 100-foot setback distance from perennial streams and lakes shall be maintained to the fullest practical extent.
 2. Steep slopes: No development shall be permitted on or near steep slopes as identified in Appendix 8, Slope Conditions Warranting Engineering Review, unless an engineer certifies that such development is not subject to a significant hazard due to slope failure or accelerated soil erosion. Open space use of steep slopes (15 percent or greater) shall be encouraged.
 3. Wildlife habitats: Developments that will disturb more than two acres of crucial big game habitat, as identified on the latest edition of the Wyoming Game and Fish Department's Big Game Seasonal Range Overlays, shall implement a plan for the protection of such habitat that shall:
 - a. Identify the crucial wildlife habitat area, the principal species present, and species used as "indicators" of the habitat protection plan;
 - b. Identify existing wildlife habitat elements, including sources of water, vegetative cover, and migration routes or other wildlife use areas;
 - c. Show how land disturbance will be minimized in order to maximize retention of wildlife habitat;
 - d. Show how the site plan provides for movement of wildlife through and around developed areas and the connection of wildlife habitats;
 - e. Show how temporarily disturbed areas will be revegetated and how revegetation will result in a volume, structure, and diversity of vegetation similar to that found in the existing wildlife habitat; and
 - f. Show how occupants will promote long range maintenance of the wildlife habitat and all protection features of the plan.
 4. Designated Scenic Byways: Developments within one mile of state-designated Scenic Byways (Chief Joseph Highway – WYO 296) shall prove to the satisfaction of the Commission or Board that the site design has mitigated significant visual impacts of the new development. Each of the following design techniques shall be incorporated in the site design unless the applicant shows that no significant visual impact will be created by not using the technique or that use of the technique is

cost-prohibitive or impractical and requiring its use would prevent development of the project:

- a. Concentrating structures in the least visually obtrusive portions of a property;
- b. Locating structures at or below tree lines;
- c. Locating structures below ridge lines;
- d. Installing utilities underground;
- e. Using natural terrain contours to mitigate the visual impact of new roads;
- f. Revegetating cleared areas with native plants;
- g. Using natural materials such as stone or wood, earth tone colors and ranch or lodge type architectural structures.
- h. The applicant may use other design techniques as a substitute for items a – g, provided they mitigate any significant visual impact.

D. Exception From Specific Site Plan Standards: The Planning and Zoning Commission or Board of County Commissioners is authorized to grant such exceptions from these site plan approval standards as may be reasonable and within the general purpose and intent of this Division, if literal enforcement of the standards is impractical or will exact undue hardship because of peculiar conditions pertaining to the land in question.

SECTION 4-625 CONDITIONS

The Board and Commission, in approving site plans, may impose such conditions, safeguards and restrictions upon the physical development of the site as deemed necessary to secure compliance with the approval standards of this Division. Such conditions shall be limited to matters directly related to impacts of the proposed use and shall be proportional to the impacts.

SECTION 4-630 EFFECT OF APPROVAL

No structure or land use requiring site plan approval shall be commenced until the Planning and Zoning Commission or Board of County Commissioners has approved the site plan in accordance with this Division. The Board or Commission shall endorse its approval on a copy of the site plan and shall immediately file it in the office of the Planning Coordinator.

SECTION 4-635 EXPIRATION

A site plan approval shall expire if the use is not commenced and diligently pursued within one year of the date of approval. The Planning Coordinator may extend this time limit one additional year when the development

permitted by the site plan approval has been delayed due to circumstances beyond the applicant's control.

SECTION 4-640 MINOR DEVIATIONS

Minor deviations from an approved site plan shall be approved by the Planning Coordinator. Allowable minor deviations and adjustments are those that are necessary in light of technical or engineering considerations first discovered during actual development and that are not reasonably anticipated during the approval process. Minor deviations shall not include any change which materially or substantially alters the design or configuration of the development. All changes not qualifying as minor deviations shall be considered amendments and shall be subject to Section 4-645, Amendments to Approved Site Plans.

SECTION 4-645 AMENDMENTS TO APPROVED SITE PLANS

An approved site plan may be amended, varied or altered only pursuant to this Division's standards and procedures for approval of the original site plan, except for minor deviations pursuant to Section 4-640, Minor Deviations.

DIVISION 4-700 VARIANCES

This Division provides flexibility in the zoning resolution by allowing the Board of County Commissioners to grant variances from the strict application of the zoning resolution.

SECTION 4-705 APPLICABILITY

The Board of County Commissioners may vary or adjust the strict application of any of the requirements of this zoning resolution in the case of any physical condition applying to land, building, or structure if the strict application would deprive the owner of the reasonable use of the land, building, or structure involved.

SECTION 4-710 APPLICATION REQUIREMENTS

Applicants seeking relief from this zoning resolution shall submit a written request explaining the reasons for the request and the manner in which the approval standards of Section 4-715, Approval Standards, can be met.

SECTION 4-715 APPROVAL STANDARDS

No variance from the strict application of any provision of this zoning resolution may be granted unless there are special circumstances or conditions which are peculiar to the land, building, or structure for which the variance is sought and do not apply generally to land or buildings in the neighborhood, and have not resulted from any act of the applicant subsequent to the adoption of this zoning resolution; the circumstances or conditions are such that the strict application of the provisions of the zoning resolution would deprive the applicant of the reasonable use of the land, building, or structure, the granting of the variance is necessary for the reasonable use thereof and the variance as granted is the minimum variance that will accomplish this purpose; and the granting of the variance is in harmony with the general purposes and intent of the zoning resolution and will not be injurious to properties in the vicinity or otherwise detrimental to the public welfare. The Board shall make written findings on each of these considerations.

SECTION 4-720 CONDITIONS

In granting a variance, the Board may impose conditions to prevent or minimize adverse effects from the proposed variance on other properties in the vicinity and on the health, safety and welfare of the County. Such conditions shall be limited to issues directly related to the impacts of the proposed use and shall be proportional to the impacts.

SECTION 4-725 EFFECT OF APPROVAL

The development for which the variance was granted shall not be constructed or established until the development has secured all other approvals required by this zoning resolution. The grant of a variance does not ensure that the development approved as a variance will receive other necessary approvals unless all the relevant requirements of this zoning resolution are also met.

SECTION 4-730 EXPIRATION

A variance shall expire and become void one year following the date on which the variance was granted unless construction or development is commenced prior to the expiration date and diligently pursued to completion. The Board of County Commissioners may extend its authorization for an additional year for good cause.

DIVISION 4-800 ZONING MAP AND TEXT AMENDMENTS

This Division provides a means for changing zoning district boundaries depicted on the Official Zoning Map and for changes to the text of this zoning resolution.

SECTION 4-805 APPLICABILITY

All amendments to the text of this zoning resolution and all amendments to the Official Zoning Map shall comply with the requirements and standards of this Division.

SECTION 4-810 INITIATION OF AMENDMENTS

The Board of County Commissioners, the Planning and Zoning Commission, the Planning Coordinator or any resident or property owner in Park County may make application for amendments to the zoning resolution text or the Official Zoning Map.

SECTION 4-815 APPLICATION REQUIREMENTS

The application shall consist of the following information:

- A. Proposed Wording:** The proposed wording of any text amendment;
- B. Proposed Map Amendment:** A legal land description or graphical description of land and proposed zoning district designation of land included in any amendment to the Official Zoning Map;
- C. Consistency With Standards:** A written statement describing the consistency of the proposal with Section 4-825, Approval Standards.
- D. Landowner's Authorization:** Any applicant proposing an amendment pertaining to a single property or site shall provide the landowner's authorization pursuant to Section 4-410, Filing Applications. Amendments of general application or of wide-area application are not required to have such authorization.

SECTION 4-820 EXCEPTIONS TO NOTICE REQUIREMENTS

Amendments of general application or broad-area application are exempt from the requirements of Subsections 4-420-E, Mailed Notice, and 4-420-F, Posting of Notice Signs.

SECTION 4-825 APPROVAL STANDARDS

A. Map Amendments: The proponent of any zoning map amendment bears the burden of proof to show that the following 3 criteria are met:

1. The map amendment does not single out a parcel of land for a zoning classification that would promote a land use that is incompatible and inconsistent with the existing or planned uses of the surrounding area;
2. The map amendment is not solely for the benefit of the land owner, but instead substantially addresses a public purpose or need that outweighs any detriment to the rights of neighboring property owners;
3. The map amendment is in accordance with the County's land use plan and with any municipal plans having jurisdiction.

B. Text Amendments: All text amendments shall be in accordance with the County's land use plan and with any municipal plans having jurisdiction. In addition, at least one of the following criteria shall also be met:

1. The text amendment would better achieve the goals and objectives of the County's land use plan compared to the current zoning requirements.
2. The text amendment provides beneficial flexibility to the zoning resolution without undermining the zoning resolution's purposes and intent.
3. The text amendment is necessary to respond to any federal or state legislation.

SECTION 4-830 BOARD ACTION

The Board of County Commissioners shall approve, deny, or approve with modifications all applications for amendment. If the Board intends to approve the application with substantial modifications where such modifications have not been previously reviewed by the Planning and Zoning Commission, the Board shall, before rendering a final decision, refer the proposed modifications to the Commission for a public hearing and recommendation on such modifications. The Commission shall hold a public hearing before making its recommendations to the Board. The time limit on Board action pursuant to Section 4-450, Board of County Commissioners Review, shall be tolled during the Commission's review.

SECTION 4-835 EFFECT OF APPROVAL

Within 14 days from the date the Board of County Commissioners adopts an amendment, the Planning Department shall revise the zoning resolution or Official Zoning Map to reflect the amendment, and make this available to the public. The Planning Department shall also file a copy of the revised text or map with the Park County Clerk. The amendment shall be effective upon filing with the County Clerk unless the Board's resolution of approval specifies a later date.

DIVISION 4-900 FEES

The Board of County Commissioners may, by resolution, establish fees for permits, determinations, applications, and other services under this zoning resolution, including but not limited to zoning permits, investigation fees, flood plain development permits, special use permits, site plans, variances, appeals, zoning map amendments, and text amendments.

ARTICLE 5. ENFORCEMENT

DIVISION 5-100 ENFORCEMENT PROCEDURES

This Division establishes procedures for enforcement of this zoning resolution.

SECTION 5-105 VIOLATIONS

It shall be a violation of this zoning resolution to make any use of property or commence construction or other land development activities not expressly permitted by this zoning resolution, a zoning permit, or other approval granted pursuant to this zoning resolution.

SECTION 5-110 DISCOVERY OF VIOLATIONS

The Planning Coordinator shall act upon violations discovered by any of the following means:

- A. Complaint:** Complaints of zoning violations shall be made to the Planning Coordinator. Any person, including any resident or landowner and including any County officer or employee, may make a complaint. The Planning Coordinator may act upon anonymous complaints if they appear valid. The Planning Coordinator shall investigate all complaints and shall take further action only if the Planning Coordinator verifies that a probable zoning violation exists. The Planning Coordinator shall apprise complainant of the final disposition of the complaint.
- B. Record Checking:** The Planning Coordinator is authorized to review any public records to discover and investigate zoning violations.
- C. Inspections:** The Planning Coordinator is authorized to discover and investigate zoning violations by:
 1. Conducting on-site inspections of properties provided the landowner consents to the inspection;
 2. Inspecting properties by viewing them from public areas including county highways, or from neighboring properties provided the owner of such neighboring property consents;
 3. Observing zoning violations in the course of conducting other County business for which the Planning Coordinator has permission to enter the property or which otherwise allows the Planning Coordinator to witness a violation;

4. Obtaining an inspection warrant from a court of competent jurisdiction if other means of inspecting a probable violation are ineffective; and
5. Other methods approved in advance by the County Attorney.

SECTION 5-115 INFORMAL RESOLUTION

Upon finding that a zoning violation has probably occurred, the Planning Coordinator may attempt to resolve the matter informally by contacting the landowner and discussing the violation. In the case of complaints, no more than 30 days shall be allowed for informal resolution. If informal resolution is not successful within the specified time, a notice of violation shall be issued.

SECTION 5-120 INVESTIGATION FEE

In all cases where the Planning Coordinator determines through a complaint, record-checking or inspection that building construction or other land development activity has taken place prior to the issuance of a permit or approval, the applicant shall pay an investigation fee surcharge before the permit or approval will be issued. The investigation fee shall be established pursuant to Division 4-900, Fees, and shall apply to zoning permits, flood plain development permits, special use permits, site plans, variances, zoning map amendments, and zoning text amendments.

SECTION 5-125 NOTICE OF VIOLATION

When the Planning Coordinator has determined that a zoning violation has probably occurred and informal resolution is unsuccessful or inappropriate due to the nature of the violation, the Planning Coordinator shall send a notice of violation to the landowner by certified mail, return receipt requested. The notice shall also be sent to other county offices that may withhold permits pursuant to Section 5-130, Withholding of Permits. The notice shall state the location of the property, the nature of the violation, the sections of the zoning resolution that are violated, a time limit for compliance not exceeding 30 days, the penalty for violations, and suggested corrective actions. At the Planning Coordinator's discretion, the time limit for compliance may be extended for an additional 60 days if the landowner is making progress toward compliance. If substantial compliance is not achieved within the specified time, the Planning Coordinator shall refer the case to the County Attorney for enforcement action pursuant to Section 5-135, Referral to County Attorney and if applicable, to the Board of County Commissioners pursuant to Subsection 5-140-A, Revocation of Board Approvals. The Planning Coordinator's issuance of a notice of violation may be appealed to the Board of County Commissioners pursuant to Division 4-300, Appeals, and the notice of violation shall advise of this opportunity for appeal.

SECTION 5-130 WITHHOLDING OF PERMITS

Upon issuance of a notice of violation, all County offices shall withhold the approval of any permits and approvals issued under authority of the Board of County Commissioners for the subject land. Such permits shall be withheld until the Planning Coordinator clears the notice of violation. However, such permits may be issued if the Planning Coordinator determines that the issuance of the permits will facilitate correction of the violation.

SECTION 5-135 REFERRAL TO COUNTY ATTORNEY

If a violation is not remedied within the time limit specified in a notice of violation, the Planning Coordinator shall refer the case to the County Attorney for prosecution.

SECTION 5-140 REVOCATION

- A. Revocation of Board Approvals:** The Board of County Commissioners shall revoke a special use permit, site plan approval, or variance if terms or conditions of approval are violated. Prior to revocation, the land owner shall be given an opportunity for a hearing before the Board. Notice shall be provided in accordance with Section 4-420, Notice Requirements. The Board may specify a time by which action shall be taken to correct any violations in order for the approval to be retained.
- B. Planning Coordinator Approvals:** The Planning Coordinator may revoke any zoning permit and any flood plain development permit if it is determined that the project for which the permit was issued is in violation of this zoning resolution. Revocations by the Planning Coordinator may be appealed to the Board of County Commissioners pursuant to Division 4-300, Appeals.

SECTION 5-145 RESPONSIBLE PARTIES

The County may institute enforcement action against all parties responsible for the violation including, but not limited to: any landowner who authorizes, commissions or allows any construction or other use of land in violation of this zoning resolution; any tenant, renter, contract purchaser or other occupant of the land who authorizes, commissions or allows any construction or other use of land in violation of this zoning resolution; any contractor, firm, or other person who engages in construction or land development activities in violation of this zoning resolution.

SECTION 5-150 RECORD KEEPING

The Planning Coordinator shall maintain complete records of all violations, including information leading to the discovery of the violation, the results of investigations, and copies of all correspondence. Violation records shall be made available to the public upon request.

DIVISION 5-200 PENALTIES

The penalty for any violation of any provision of this zoning resolution shall be a fine of not more than the amount set by statute (currently \$750) per day for each violation.

DIVISION 5-300 ADDITIONAL LEGAL REMEDIES

When other means of enforcement have failed, or in cases warranting immediate abatement, the County Attorney is authorized to pursue additional legal remedies pursuant to W.S. 18-5-205.

DIVISION 5-400 GENERAL NOTIFICATION

The County shall make a concerted effort to advise the public about the general requirements of this zoning resolution and to help the public avoid inadvertent violations. At a minimum, the following actions shall be taken: The Planning Coordinator shall annually publish a summary of actions requiring permits and approvals pursuant to this zoning resolution in newspapers of general circulation in the County. The Planning Coordinator shall develop a list of persons engaged in construction, land development, and other activities that may come under the purview of this zoning resolution. A copy of the same notice above shall be mailed to these persons annually.

ARTICLE 6. OVERLAY DISTRICT REGULATIONS

DIVISION 6-100 OVERLAY DISTRICTS IN GENERAL

Overlay districts are zoning districts which are superimposed over all other zoning districts and impose additional requirements above those required by the underlying zone. Overlay districts shall be regarded as supplementary to the regulations of any underlying zoning district. Whenever the regulations of the overlay district and any other zoning district conflict, the more restrictive provisions shall apply.

DIVISION 6-200 FLOODPLAIN OVERLAY DISTRICT

SECTION 6-205 FINDINGS OF FACT, PURPOSE AND OBJECTIVES

A. Findings of Fact:

1. The flood hazard areas of Park County are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.
2. These flood losses are caused by the cumulative effect of obstructions in areas of special flood hazard which increase flood heights and velocities, and when inadequately anchored, damage uses in other areas. Uses that are inadequately flood proofed, elevated or otherwise protected from flood damage also contribute to the flood loss.

B. Statement of Purpose: It is the purpose of these regulations to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions to specific areas by provisions designed:

1. To protect human life and health;
2. To minimize expenditure of public money for costly flood control projects;
3. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
4. To minimize prolonged business interruptions;
5. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in areas of special flood hazard;

6. To help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas;
7. To ensure that potential buyers are notified that property is in an area of special flood hazard;
8. To ensure that those who occupy the areas of special flood hazard assume responsibility for their actions; and
9. To qualify Park County for the National Flood Insurance Program.

C. Methods of Reducing Flood Losses: In order to accomplish its purposes, these regulations include methods and provisions for:

1. Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
2. Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
3. Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
4. Controlling filling, grading, dredging, and other development which may increase flood damage; and
5. Preventing or regulating the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards in other areas.

SECTION 6-210 GENERAL PROVISIONS

A. Lands to Which These Regulations Apply: These regulations apply to all areas of special flood hazard within the jurisdiction of Park County.

B. Basis for Establishing the Areas of Special Flood Hazard: The areas of special flood hazard identified by the Federal Emergency Management Agency in its Flood Hazard Boundary Map (FHBM) dated April 25, 1978, as revised, is adopted by reference and declared to be a part of these regulations. The FHBM is on file at the Park County Planning and Zoning Department, 1002 Sheridan Ave., Cody, WY.

C. Compliance: No structure shall hereafter be constructed, located, or extended, and no land or structure altered without full compliance with the terms of these and other applicable regulations.

D. Abrogation and Greater Restrictions: These regulations are not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where these regulations and another

regulation, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

- E. Interpretation:** In the interpretation of these regulations, all provisions shall be: considered as minimum requirements; liberally construed in favor of the governing body; and deemed neither to limit nor repeal any other powers granted under state statute.
- F. Warning and Disclaimer of Liability:** The degree of flood protection required by these regulations is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. These regulations do not imply that land outside the areas of special flood hazards or uses permitted within such areas of special flood hazards will be free from flooding or flood damages. These regulations shall not create liability on the part of Park County, any officer, employee or officials thereof, the Wyoming Emergency Management Agency, or the Federal Emergency Management Agency for any flood damages that result from reliance on these regulations or any administrative decision lawfully made thereunder.

SECTION 6-215 ADMINISTRATION

- A. Development Permit:** A development permit shall be obtained before construction or development begins within any area of special flood hazard established in Subsection 6-210-B, Basis for Establishing the Areas of Special Flood Hazard. Application for a development permit shall be made on forms furnished by the Planning Coordinator and may include, but not be limited to plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures; fill; storage of materials, drainage facilities, and the location of the foregoing. Specifically, the following information is required:
1. Elevation in relation to mean sea level of the lowest floor (including basement) of all structures;
 2. Elevation in relation to mean sea level to which any structure has been flood-proofed;
 3. Certification by a registered professional engineer that the flood-proofing methods for any nonresidential structure meet the flood-proofing criteria in Paragraph 2 of Subsection 6-220-B, Specific Standards; and
 4. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

- B. Designation of the Local Administrator:** The Planning Coordinator is hereby appointed to administer and implement these regulations by granting or denying development permit applications in accordance with its provisions.
- C. Duties and Responsibilities of the Local Administrator:** Duties of the Planning Coordinator shall include, but not be limited to:
1. Permit review:
 - a. Review all development permits to determine that the permit requirements of these regulations have been satisfied.
 - b. Review all development permits to determine that permits have been obtained from those Federal, State or local governmental agencies from which prior approval is required.
 - c. Review all development permits to determine if the proposed development adversely affects the flood carrying capacity of the area of special flood hazard. For the purposes of these regulations, adversely affects means damage to adjacent properties because of rises in flood stages attributed to physical changes of the channel and the adjacent over-bank areas.
 - (1) If it is determined that there is no adverse effect and the development is not a building, then the permit shall be granted without further consideration.
 - (2) If it is determined that there is an adverse effect, then technical justification (i.e., a registered professional engineer's certification) for the proposed development shall be required.
 - (3) If the proposed development is a building, then the provisions of these regulations shall apply.
 2. Use of other base flood data: When base flood elevation data has not been provided in accordance with Subsection 6-210-B, Basis for Establishing the Areas of Special Flood Hazard, the Planning Coordinator shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State, or other source as criteria for requiring that new construction, substantial improvement, or other development in Zone A is administered in accordance with Subsection 6-220-B, Specific Standards.
 3. Information to be obtained and maintained:
 - a. Obtain and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement.
 - b. For all new or substantially improved flood-proofed structures: verify and record the actual elevation (in relation to mean sea level) to which the structure has been flood-proofed; and maintain the flood-proofing certifications required in Paragraph 3 of Subsection 6-215-A, Development Permit.
 4. Alteration of watercourses:

- a. Notify adjacent communities and the Wyoming Emergency Management Agency prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.
 - b. Require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.
5. Interpretation of FHBM boundaries: Make interpretations, where needed, as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions).

SECTION 6-220 PROVISIONS FOR FLOOD HAZARD REDUCTION

A. General Standards: In all areas of special flood hazard, the following standards are required:

1. Anchoring:
 - a. All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure and capable of resisting hydrostatic and hydrodynamic loads.
 - b. All manufactured homes and mobile homes must be elevated and anchored to resist flotation, collapse or lateral movement and capable of resisting the hydrostatic and hydrodynamic loads. This requirement is in addition to applicable State and local anchorage requirements for resisting wind forces. Methods of anchoring can include the following or equivalent methods:
 - (1) Over-the-top ties provided at each of the four corners of the manufactured or mobile home, with two additional ties per side at intermediate locations, with manufactured or mobile homes less than 50 feet long requiring only one additional tie per side;
 - (2) Frame ties provided at each corner of the home with five additional ties per side at intermediate points, with manufactured or mobile homes less than 50 feet long requiring only four additional ties per side;
 - (3) All components of the anchoring system shall be capable of carrying a force of 4,800 pounds; and
 - (4) Any additions to the manufactured or mobile home shall be similarly anchored.
2. Construction materials and methods:
 - a. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.

- b. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.
 - c. All new construction and substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
3. Utilities:
 - a. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
 - b. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharge from the system into flood waters; and
 - c. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.
 4. Subdivision proposals:
 - a. All subdivision proposals shall be consistent with the need to minimize flood damage;
 - b. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;
 - c. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage; and
 - d. Base flood elevation data shall be provided for subdivision proposals and other proposed development containing at least 50 lots or 5 acres (whichever is less).
 5. Encroachments: Encroachments, including fill, new construction, substantial improvements, and other development shall be prohibited in any floodway unless a technical evaluation demonstrates encroachments will not result in any increase in flood levels during the occurrence of the base flood discharge.
- B. Specific Standards:** In all areas of special flood hazard where base flood elevation data has been provided as set forth in Paragraph 2 of Subsection 6-215-C, Duties and Responsibilities of the Local Administrator, the following standards are required:
1. Residential construction: New construction and substantial improvement of any residential structure shall have the lowest floor (including basement) elevated to or above the base flood elevation.

2. Nonresidential construction: New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor (including basement) elevated to the level of the base flood elevation; or, together with attendant utility and sanitary facilities, shall:
 - a. Be flood-proofed so the structure is watertight below the base flood elevation with walls substantially impermeable to the passage of water;
 - b. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and
 - c. Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this Paragraph. Such certifications shall be provided to the Planning Coordinator as set forth in Paragraph 3 of Subsection 6-215-C, Duties and Responsibilities of the Local Administrator.

SECTION 6-225 DEFINITIONS

Unless specifically defined below, words or phrases used in these regulations shall be interpreted to give them the meaning they have in common usage and to give these regulations their most reasonable application. The following definitions are specific to this Division:

Area of Special Flood Hazard: The land in the floodplain within Park County subject to a one percent or greater chance of flooding in any given year. The area may be designated as Zone A on the Park County flood hazard boundary maps.

Base Flood: The flood having a one percent chance of being equaled or exceeded in any given year. Equivalent to 100-year flood.

Basement: Any area of the building having its floor subgrade (below ground level) on all sides.

Development: Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations located within the area of special flood hazard.

Flood or Flooding: A general or temporary condition of partial or complete inundation of normally dry land from the overflow of inland or tidal waters, the unusual and rapid accumulation or runoff of surface waters from any source, or mudslides (i.e., mudflows) which are proximately caused or precipitated by accumulations of water on or under the ground; or the collapse or subsidence

of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding the anticipated cyclical levels, or suddenly caused by an unusually high water level in a natural body of water accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding.

Flood Elevation Information: The elevation in relation to sea level and depth of flooding which is determined for specific locations in the floodplain.

Flood Hazard Boundary Map (FHBM): An official map issued by the Federal Emergency Management Agency where the boundaries of the flood, mudslide (i.e., mudflow), and related erosion areas having special hazards have been designated for Park County.

Floodplain: Land area subject to inundation as a result of the base flood. The physical location of the floodplain on flood hazard maps is representative of existing ground conditions and may be based, among other things, on historical flood records or other readily available data. Equivalent to flood prone area and 100-year floodplain.

Flood Prone Area: Same as floodplain.

Flood Proofing: Any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, utilities, and structures and their contents.

Lowest Floor: The lowest floor of the lowest enclosed area (including basement) of a structure. An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable flood proofing and design requirements of these regulations.

New Construction: Structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by Park County (August 15, 1989), including any subsequent improvements to such structures.

Substantial Improvements: Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either before the improvement or repair is started, or if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, 'substantial improvement' is considered to occur when the first alteration of any wall, ceiling, floor or other

structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions or any alteration of a structure listed on the National Register of Historic Places.

DIVISION 6-300 AIRPORT OVERLAY DISTRICT

SECTION 6-305 PURPOSE AND INTENT

The Board of County Commissioners hereby finds that obstructions to airport operations endanger the lives and property of users of public airports in Park County and property or occupants of land in the vicinity thereof. If the obstruction type reduces the size of the area available for the landing, takeoff, or maneuvering of aircraft, thus destroying or impairing the utility of public use airports within Park County and the public investment therein, then it is declared that the creation or establishment of an airport obstruction is a public nuisance and an injury to the region served by the public airports in Park County, and it is necessary in the interest of the public health, safety, morals, and general welfare that the creation or establishment of airport hazards be prevented, and the prevention of these hazards should be accomplished to the extent legally possible by the adoption and implementation of airport obstruction regulations. The Board further declares that the prevention of airport obstructions and establishment of airport safety regulations along with the elimination, removal, alteration, mitigation, or marking and lighting of existing airport hazards is in the public interest.

SECTION 6-310 APPLICABILITY

In order to carry out the provisions of these regulations, there are hereby created and established airport zones which include all of the land lying within the runway protection zones, transitional zones, horizontal zones, and conical zones as they apply to a public airport. Such zones are shown on the "Airport Airspace Drawing, Plan View and Profile View," October, 1998, for the Yellowstone Regional Airport and on the "Airport Airspace Plan," August 4, 1993, for the Powell Municipal Airport copies of which are available in the County Commissioners' Office in the Park County Courthouse and made a part hereof. The various zones are hereby established and defined as follows:

SECTION 6-315 RUNWAY PROTECTION ZONES

The runway protection zone consists of those areas depicted on the Airport Airspace Drawing, and includes the horizontal, conical, approach, and primary surfaces which pertain to Federal Aviation Regulations (FAR), Part 77. Within the runway protection zone are the following defined sub-zones:

- A. Utility Runway Visual Approach Sub-Zone:** The inner edge of this approach zone coincides with the width of the primary surface and is 250 feet wide. The approach zone expands outward uniformly to a width of 1,250 feet at a horizontal distance of 5,000 feet from the primary surface, its centerline being the continuation of the centerline of the runway.
- B. Runway Larger than Utility With a Visibility Minimum Greater Than $\frac{3}{4}$ -Mile Non-Precision Instrument Approach Sub-Zone:** The inner edge of this approach zone coincides with the width of the primary surface and is 500 feet wide. The approach zone expands outward uniformly to a width of 3,500 feet at a horizontal distance of 10,000 feet from the primary surface, its centerline being the continuation of the centerline of the runway.
- C. Transitional Sub-Zone:** These zones are hereby established as the area beneath the transitional surfaces. These surfaces extend outward and upward at 90 degree angles to the runway centerline and the runway.
- D. Horizontal Sub-Zone:** The Horizontal zone is hereby established by swinging arcs of 10,000 foot radii from the center of each end of the primary surface of each runway, and connecting the adjacent arcs by drawing lines tangent to those arcs. The horizontal zone does not include the approach and transitional zones.
- E. Conical Sub-Zone:** The conical zone is hereby established as the area that commences at the periphery of the horizontal zone and extends outward therefrom a horizontal distance of 4,000 feet. The conical zone does not include the precision instrument approach zones and the transitional zones.

SECTION 6-320 AIRPORT ZONE HEIGHT LIMITATIONS

Except as otherwise provided for in these regulations, no structure or tree or use of land shall be erected, altered, allowed to grow, or be maintained in any zone created by these regulations to a height in excess of the applicable height limit herein established for such zone or sub-zone. Where an area is covered by more than one zone, the more restrictive height limitation shall prevail. The

following applicable height limitations are hereby established for each of the zones and sub-zones as follows.

- A. Utility Runway Visual Approach Sub-Zone:** This zone is defined as sloping upward 20 feet horizontally for each foot vertically, beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.
- B. Runway Larger Than Utility With A Visibility Minimum Greater Than ¾-Mile Non-Precision Instrument Approach Sub-Zone:** This zone is defined as sloping upward 34 feet horizontally for each foot vertically, beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline.
- C. Transitional Sub-Zones:** This zone is defined as sloping upward and outward 7 feet horizontally for each foot vertically beginning at the sides of and at the same elevation as the primary surface and the approach zones, and extending to a height of 150 feet above the airport elevation. In addition to the foregoing, there are established height limits sloping upward and outward 7 feet horizontally for each foot vertically beginning at the sides of and at the same elevation as the approach zones and extending to where they intersect the conical surface.
- D. Horizontal Sub-Zone:** This zone is defined as sloping 150 feet above the airport elevation.
- E. Conical Sub-Zone:** This zone is defined as sloping upward and outward 20 feet horizontally for each foot vertically, beginning at the periphery of the horizontal zone and at 150 feet above the airport elevation and extending to a height of 350 feet above the airport elevation.
- F. Excepted Height Limitations:** Nothing in these regulations shall be construed as prohibiting the growth, construction, or maintenance of any structure, tree, or use to a height up to 35 feet above the surface of the existing ground elevation on the land.

SECTION 6-325 USE RESTRICTIONS

- A. General:** Notwithstanding any other provisions of these regulations, no use may be made of land or water within the airport zones established by these regulations in such a manner as to create electrical interference with navigational signals or radio communications between the airport and aircraft, to make it difficult for pilots to distinguish between airport lights and other lights, to result in glare in the eyes of pilots using the airport, to

impair visibility in the vicinity of the airport, or to otherwise create in any way a hazard, or endanger the landing, takeoff, or maneuvering of aircraft intending to use the public airport in Park County. Any land or water use which would tend to promote or increase wildlife, waterfowl, or bird populations, and thereby increase the likelihood of a wildlife or bird strike problem shall be reviewed by public airport officials and the Board of County Commissioners. Notwithstanding any other provisions of these regulations, no use may be made of land or water within the approved runway protection zones established by these regulations in a manner which would promote or increase large congregations of people and/or above ground storage of flammable substances without prior review by the public airport officials and approval of a special use permit by the Board of County Commissioners.

- B. Specific Uses:** The uses listed in Table 6-1, Special Uses in Airport Overlay Zones, when located in an Airport Overlay Zone shall require a special use permit in accordance with Division 4-500, Special Use Permits. In case of a conflict between Table 6-1, Special Uses in Airport Overlay Zones, and Table 2-1, Schedule of Uses, the more restrictive requirements shall apply.

TABLE 6-1, SPECIAL USES IN AIRPORT OVERLAY ZONES

RESIDENTIAL USES	TEMPORARY USES
Employee housing	Special events
Mobile home parks	Temporary heliports
Multi-family housing	TRANSPORTATION USES
RESIDENTIAL BUSINESSES	Commercial airports
Cottage industries	Heliports
PUBLIC & QUASI-PUBLIC USES	Landing strips
Community uses	RECREATION USES
Major community uses	Outdoor recreation facilities
Major utility uses	Major recreation facilities
INSTITUTIONAL USES	Campgrounds
General institutional uses	Dude ranches and resorts
Correctional facilities	SUBDIVISIONS
Residential religious uses	Major subdivisions
Residential schools	Minor subdivisions
Major institutional uses	

SECTION 6-330 NONCONFORMING USES

The Airport Obstruction Regulations shall not be construed to require the removal, lowering, or other changes to, or alterations to any structure, tree, or use of land not conforming to these regulations as of the effective date of these regulations, or otherwise interfere with the continuance of a nonconforming use. Nothing contained within the Airport Obstruction Regulations shall require any change in the construction, alteration, or intended use of any structure, the construction or alteration of which was begun prior to the effective date of these regulations (October 20, 1987).

SECTION 6-335 MARKING AND LIGHTING

Notwithstanding the provisions of Section 3-210, Nonconformities, the owner(s) of any existing nonconforming structure or tree is hereby required to permit the installation, operation, and maintenance thereon of such markers and lights as shall be deemed necessary by the Park County Commissioners. The purpose of said markers and lights is to indicate to the operators of aircraft in the vicinity of the airport the presence of such airport hazards. The following procedures shall be used to determine whether marking and lighting are required for any nonconforming use.

- A. Investigation:** Any airport Board and/or officials representing the public airport shall make an identification investigation in a comprehensive nature to determine airport hazards.
- B. Board Hearing:** Upon recommendation from such airport officials, the Board of County Commissioners shall hold a public hearing to hear public comment regarding the placement of recommended marking and lighting.
- C. Board Action:** The Board shall act to approve or deny the recommendation. The decision of the Board shall be issued in letter form to the landowners affected by the proposal to place markers and lights.
- D. Marker Expenses:** All markers and lights shall be installed, operated, and maintained at the expense of the owner of the public airport.

SECTION 6-340 PERMITS AND APPROVALS

- A. Zoning Permit:** No zoning permit shall be granted which would allow the establishment or creation of an airport hazard, or permit a nonconforming use, structure, or tree to become a greater hazard to air navigation than it was on the effective date of these standards and regulations (October 20, 1987) or any amendments thereto.

B. Discretionary Development Applications: The Planning Coordinator shall refer to the airport officials all discretionary development applications for land within the runway protection zone. The airport board shall review the application and recommend approval, conditional approval, or denial of the application to the Planning and Zoning Commission and/or Board of County Commissioners.

SECTION 6-345 VARIANCES

Applicants for a variance from the requirements of this Division shall comply with the provisions of Division 4-700, Variances, and with the following provisions:

A. Airport Board Review: The airport board shall review the proposed variance and recommend approval, conditional approval, or denial of a variance to the Board of County Commissioners. The applicant shall include the recommendation of the airport Board with their application for variance of the Airport Overlay District Regulations.

B. Installation of Markers: Any variance approved by the Board of County Commissioners shall be so conditioned as to require the owner of the structure or tree in question to permit airport officials of the public airport at their own expense to install, operate, and maintain such markers and lights as may be necessary to indicate to pilots the presence of an airport hazard.

SECTION 6-350 DEFINITIONS

For the purposes of this Division, the words, phrases, and terms used herein shall have the following meanings:

Airport Elevation: The highest point of an airport's usable landing area measured in feet from mean sea level. The elevation of Yellowstone Regional Airport is 5,100 feet mean sea level.

Airport Hazard: Any structure or object of natural growth located on or in the vicinity of a public airport, or any use of land near such airport which obstructs the airspace required for the flight of aircraft in landing or takeoff at such airport or is otherwise hazardous to such landing or takeoff of aircraft.

Airport Overlay Zone: The runway protection zones, transitional zones, horizontal zones, and conical zones as shown on the "Airport Airspace Drawing, Plan View and Profile View," October, 1998, for Yellowstone Regional Airport,

and on the "Airport Airspace Plan," August 4, 1993, for the Powell Municipal Airport.

Approach, Transitional, Horizontal, and Conical Zones: These zones apply to the area under the approach, transitional, horizontal and conical surfaces defined in Federal Aviation Regulations (FAR) Part 77, and shown on the Airport Airspace Drawing for any public airport in Park County.

Height: For purposes of determining the height limits in all zones set forth in the Airport Obstruction Regulations, the datum shall be mean sea level elevation unless otherwise specified.

Nonconforming Use: Any pre-existing structure, object of natural growth, or use of land which is inconsistent with the provisions of the Airport Obstruction Regulations of this Division. The datum of a non-conforming use shall be mean sea level elevation unless otherwise specified.

Non-Precision Instrument Runway: A runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance or area-type navigation equipment, for which a straight-in, non-precision instrument approach procedure has been approved or planned, and for which no precision approach facilities are planned or indicated on the Airport Layout Plan for any public airport in Park County.

Precision Instrument Runway: A runway having an existing instrument approach procedure utilizing an Instrument Landing System (ILS) or a Precision Approach Radar (PAR). A precision instrument runway is also a runway for which a precision approach system is planned and is so indicated on the approved Airport Layout Plan for any public airport in Park County.

Primary Surface: A surface longitudinally centered on a runway. The primary surface extends two hundred (200) feet beyond each end of said runway. The width of the primary surface of a runway will be that width prescribed in Part 77 of the Federal Aviation Regulations (FAR) for the most existing or planned precise approach for either end of said runway. The elevation of any point on the primary surface is the same as the elevation of the nearest point onto the runway centerline.

Public Airport: Any airport, publicly or privately owned, which is open to public use and meets all appropriate state and federal operational criteria, specifically including Yellowstone Regional Airport and the Powell Municipal Airport.

Runway: A defined area on a public airport, prepared for landing and takeoff of aircraft along its length, including both existing and proposed, as shown on the approved Airport Layout Plan for any public airport within Park County.

Structure: An object constructed or installed by man, including but not limited to buildings, towers, smokestacks, earth formations, and overhead transmission lines.

Transport Runway: A runway which is used for five hundred (500) or more (actual or forecasted) annual aircraft operations. Aircraft using said transport runway are 12,500 pounds maximum gross weight or more.

Tree: Any deciduous or coniferous vegetation of natural growth.

Utility Runway: A runway which is used by a propeller-driven aircraft of 12,500 pounds maximum gross weight or less.

Visual Runway: A runway intended solely for the operation of aircraft using visual approach procedures with no straight-in instrument designation indicated on the FAA approved Airport Layout Plan for any public airport in Park County.

DIVISION 6-400 AGRICULTURAL OVERLAY DISTRICT

SECTION 6-405 PURPOSE

The changing nature of land use and demography in particular parts of, and throughout Park County have increased the incidence of conflict between agricultural operators and visitors to and residents of Park County. Such conflicts may threaten the economic viability of agricultural operations and arise from harassment of livestock and livestock losses due to free roaming dogs; trespass by livestock; leaving of gates open; fence construction and maintenance; problems with the maintenance of ditches across private property and burning of ditches; complaints about noise, dust, odors and light; weed and pest control; and trespass. The Board of County Commissioners or Planning and Zoning Commission shall review all the discretionary development applications in the Agricultural Overlay (AGO) district or on land adjoining the AGO district to identify impacts to commercial agriculture.

SECTION 6-410 DISTRICT BOUNDARIES

Boundaries of the AGO district are depicted on the Official Zoning Map. The provisions of this Division shall apply to the entirety of any parcel that is divided by the AGO district boundary line.

SECTION 6-415 AGRICULTURAL IMPACT REVIEW

The Board of County Commissioners or Planning and Zoning Commission shall review all discretionary development applications in the AGO district or on lands adjoining the AGO district to identify impacts to commercial agriculture as follows:

- A. Impacts on Agricultural Operations:** In conducting this review, the Board or Commission shall examine the effects of non-agricultural development on nearby commercial agricultural operations in the AGO district not including agricultural operations of the applicant, if any. The review may identify reasonable changes to the design or operating features of a development that shall be implemented to mitigate adverse impacts to commercial agriculture. Such requirements may include, but are not limited to: control of weeds, pests and litter; confinement of domestic pets that may threaten livestock; and protection and maintenance of irrigation facilities and ditches that cross private property.
- B. Vulnerability of Use to Agricultural Practices:** The Board shall also examine whether the proposed use will be particularly vulnerable to problems resulting from exposure to legal and generally accepted commercial agricultural practices in the vicinity. Uses that will be vulnerable to agricultural noise, dust, odors, light, etc., shall be designed and operated to minimize such problems.
- C. Use of Marginal Land:** The review shall include an examination of the location of the proposed non-agricultural development relative to the conversion of productive agricultural land to non-agricultural use. Applicants shall minimize such conversion by locating non-agricultural use on the least productive or agriculturally-marginal portions of the applicant's property if this is practical given consideration of other factors involved in siting the use.
- D. Limitations on Review:** This review shall not be used as a basis for denial of approval for any use that is permitted by right or by special use permit in the zoning district in which the subject property is located.

SECTION 6-420 MAJOR UTILITY FACILITIES

Major utility facilities shall be sized to serve existing or planned uses within the AGO district and shall not be over-sized so as to induce or facilitate additional development within the AGO district. Major utility facilities shall be sited to minimize the disruption of agricultural operations.

SECTION 6-425 EXTENSION OF OVERLAY DISTRICT

- A. Procedure:** The Board of County Commissioners may include additional land in the AGO district pursuant to the procedures for zoning map and text amendments (Division 4-800).
- B. Requirements:** Lands added to the AGO district shall be areas dominated by commercial agriculture. Areas may be included in the AGO district based on consideration of the following characteristics:
1. Predominant soil types are favorable for agricultural production;
 2. Most land is currently used for agricultural production;
 3. Land parcels are generally large enough to support commercial agriculture;
 4. The land is outside areas identified for future urban expansion; and
 5. Any other characteristics deemed pertinent by the Board and Commission.

ARTICLE 7. DEFINITIONS AND INTERPRETATION

DIVISION 7-100 INTERPRETATION

SECTION 7-105 WORD USAGE

The following rules of construction shall apply to the text of this zoning resolution:

- A. How Construed:** All words and phrases shall be construed and understood according to the common and approved usage of the language, but technical words and phrases that may have a peculiar and appropriate meaning in this zoning resolution shall be construed and understood according to such peculiar or appropriate meaning.
- B. Particular Controls General:** The particular shall control the general.
- C. May and Shall:** The word "shall" is always mandatory and not discretionary. The word "may" is permissive.
- D. Word Tense and Singularity:** When not inconsistent with the context, words in the present tense shall include the future and words in the singular number shall include the plural.
- E. Land Use and Building Use:** The terms "use," "land use," and "use of land" shall be deemed to include use of buildings.

SECTION 7-110 DEFINITIONS DISPUTES

The Planning Coordinator shall administer and interpret the zoning resolution. In case of any dispute over the meaning of a word, phrase or sentence, whether defined herein or not, the Planning Coordinator is hereby authorized to make a definitive determination thereof, being guided in such determination by the purpose and intent of this zoning resolution. An appeal may be taken from any such determination pursuant to Division 4-300, Appeals.

DIVISION 7-200 DEFINITIONS

This Division contains definitions of terms used throughout this zoning resolution. Unless the context clearly indicates a different meaning, words and terms shall be defined as follows:

Accessory Use: A building or use customarily incidental to a principal building or principal use and subordinate in area, extent, or purpose to the principal building or principal use served.

Agriculture: The production, keeping, or maintenance, for sale, lease, or personal use, of plants and animals useful to mankind, including but not limited to: forage and sod crops; grain and seed crops; dairy animals and dairy products; poultry and poultry products; livestock, including beef cattle, sheep, swine, horses, ponies, mules, or goats or any hybrids thereof, including the breeding and grazing of any or all such animals; bees and apiary products; fur animals; fish; trees and forest products; fruits and nuts of all kinds; vegetables; nursery, floral, ornamental, and greenhouse products; or lands devoted to a soil conservation or forest management program.

Agricultural Machinery: Any motor vehicle or farm implement used by its owner primarily in the conduct of agricultural operations.

Agricultural Products: Plant and animal products produced by a commercial agricultural operation.

Animal Unit: 1 bovine fed for slaughter, 0.7 mature dairy cow (whether milked or dry cows), 1 swine each weighing over 25 kilograms (approximately 55 pounds), 0.5 horses, 10 sheep or lambs, 5.5 turkeys, 10 laying hens or broilers, or 5 ducks. For other animals the animal unit shall be determined based on equivalent weight or production figures.

Applicant: The person submitting an application for development permission.

Average Lot Size: The result of $A \div N$, where A equals the gross acreage of the parent parcel and N equals the number of lots contained within a subdivision or exempt land division.

Board: The Board of County Commissioners of Park County, Wyoming.

Building: Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of any individual, animal, process, equipment, goods, or material of any kind.

Commercial Agriculture: An agricultural operation conducted with the expectation of making a monetary profit.

Commercial vehicle: Any vehicle or vehicle combination used, designed or maintained for transportation of persons for hire, compensation or profit, or designed or used primarily for the transportation of property for gain or profit and including, but not be limited to: (A) A power unit having 2 axles and a gross vehicle weight or registered gross vehicle weight exceeding 26,000 pounds; (B) A power unit having 3

or more axles regardless of weight; or (C) Is used in combination when the weight of such combination exceeds 26,000 pounds of gross vehicle weight.

Commission: The Planning and Zoning Commission of Park County, Wyoming.

Conventional Subdivision: A subdivision in which the land area of each and every parcel created is equal to or larger than the minimum lot size for the zoning district in which the subdivision is located.

County: Park County, Wyoming.

Density: The number of dwelling units per gross acre of land.

Development: The construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any building or structure; any mining, excavation, landfill, or land disturbance; and any use or expansion of the use of land; the subdivision of a parcel of land.

Discretionary Development Applications: Applications that require approval by the Board of County Commissioner or Planning and Zoning Commission including special use permits, site plans, variances, zoning map amendments, and zoning text amendments.

Dwelling Unit: Any building or portion of a building constituting a separate housekeeping unit, physically separated from any other dwelling units which may be in the same building, and containing independent cooking and sleeping facilities.

Exempt Land Division: Division of land which creates new parcels and is exempt from the subdivision permit requirements of the Park County Subdivision Regulations.

Family: A group of individuals not necessarily related by blood, marriage, adoption, or guardianship living together in a dwelling unit as a single, nonprofit housekeeping unit.

Financial Guarantee: Cash, letters of credit, bonds, or similar financial instruments deposited with the County to assure that required improvements will be constructed or installed and will function as required for a specified period of time.

Floor Area, Building: The sum of the gross horizontal areas of the several floors of a building or structure measured from the exterior face of exterior walls, or from the centerline of a common wall separating two buildings, but excluding: any space where the floor-to-ceiling height is less than 6 feet; unheated areas; and interior vehicle parking areas.

Gross Acreage: The total land area measured in acres of a lot or parcel exclusive of any deductions.

Grouped Lot Subdivision: A subdivision in which a specified percentage of the parent parcel is reserved as an open space lot and the lots for building development are concentrated on the remaining portion of the parent parcel.

Housing Unit: Same as "dwelling unit."

House Trailer: A vehicle without propelling power designed to be drawn by a motor vehicle that is designed, constructed and equipped as a dwelling place, living abode or sleeping place, either permanently or temporarily and is 8½ feet or less in width, excluding appurtenances.

Land Use Plan: The 1998 Park County, Wyoming, Land Use Plan, adopted September 15, 1998, as it may be amended.

Lot: A designated area of land established by a subdivision plat to be separately owned, used, developed, or built upon.

Lot Size: The total land area within the lot lines of a lot.

Lot Size Averaged Subdivision: A subdivision where lots smaller than the minimum lot size are created provided other lots within the subdivision are oversized to compensate for the smaller lots and the total number of lots created does not exceed the number of lots allowed in a conventional subdivision design.

Manufactured home: A residential dwelling built in accordance with the Federal Manufactured Home Construction and Safety Standards which is a unit more than eight and one-half (8 1/2) feet in width which is designed, constructed and equipped as a dwelling place, living abode or place of business to which wheels may be attached for movement upon streets and highways except a unit used primarily as a mobile laboratory or mobile office.

Minimum Lot Size: The smallest total land area within the lot lines of a lot that is permitted within a conventional subdivision or conventional exempt land division.

Mining: The extraction of minerals, including solids, such as coal and ores; liquids, such as crude petroleum; and gases, such as natural gas.

Mobile Home: Any transportable home including modular homes, pre-built homes, and manufactured homes.

Modular home: A residential dwelling constructed in a factory to a residential construction code other than the Federal Manufactured Home Construction and Safety Standards.

Motor Home: A motor vehicle designed, constructed and equipped as a dwelling place, living abode or sleeping place either permanently or temporarily, including a motor vehicle carrying a camper.

Multifamily Housing: A building containing two or more dwelling units, not counting accessory housing units.

Office use: Professional services and other activities including legal, accounting, investment and financial services; engineering, architectural and other design services; counseling and social services; medical, dental, and other health services; insurance and real estate; and administrative and sales offices for business and industry provided only administrative, bookkeeping and clerical types of activities are conducted on site.

Open Space: An area of land that is essentially unimproved and is set aside or reserved for agricultural purposes or to be maintained in a natural state.

Parcel: A contiguous area of land owned and recorded as the property of the same person or a single entity.

Person: A corporation, company, association, society, firm, partnership, or joint stock company, as well as an individual, a state, and all political subdivisions of a state of any agency or instrumentality thereof.

Permitted Use: Any use allowed by right in a zoning district and subject to the restrictions applicable to that zoning district and to the particular use.

Planning Area: Geographic areas within Park County as depicted on the Zoning Map and described in Appendix 1, Descriptions of the Planning Areas of Park County, Wyoming.

Planning Coordinator: The administrative official designated by the Board of County Commissioners to administer this zoning resolution.

Pre-built home: Any residential dwelling that is wholly, or in substantial part, made, fabricated, formed or assembled in manufacturing facilities for installation or assembly on a building site.

Principal Building: A building in which is conducted the principal use of the lot or parcel on which it is located.

Principal Dwelling Unit: The primary or predominant dwelling unit on a lot or parcel of land.

Principal Use: The primary or predominant use of any lot or parcel.

Road: Any vehicular way, whether improved or unimproved, that: (1) is an existing state, county, or municipal roadway; (2) is shown upon a subdivision plat approved and recorded in the land records of the Park County Clerk; (3) is an access easement

shown upon a survey recorded in the land records of the Park County Clerk; or (4) is approved by other official action of the Board of County Commissioners.

Road Frontage: The length of that side of a lot or parcel that abuts on a road.

Sign: Any device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol, or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public.

Sign Area: The entire face of a sign, including the advertising surface and any framing, trim, or molding, but not including the supporting structure. For two-sided signs, sign area is computed as the sign area of one of the two faces.

Sign, Freestanding: Any sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building.

Simple Review: The County's review procedure for discretionary development applications in which the Planning and Zoning Commission holds a public hearing and renders a decision that is subject to consent approval by the Board of County Commissioners.

Site: A lot or parcel of land or combination of contiguous lots and parcels owned by the same owner.

Special Use: Any use allowed by special use permit in a zoning district and subject to the restrictions applicable to that zoning district and to the particular use.

Standard Review: The County's review procedure for discretionary development applications in which both the Planning and Zoning Commission and the Board of County Commissioners hold a public hearing. The Commission makes a recommendation to the Board and the Board renders a final decision.

Subdivision: Any division of land defined as a subdivision by the subdivision regulations of Park County.

Structure: A combination of materials to form a permanent construction for use, occupancy, or ornamentation whether installed on, above, or below the surface of land or water.

Territory: All areas within the statutory boundaries of Park County, Wyoming.

Use: The purpose or activity for which land or buildings are designed, arranged, or intended or for which land or buildings are occupied or maintained.

Zoning District: A specifically designated area within the County within which uniform regulations and requirements govern the use, placement, spacing, and size of land and buildings. Zoning districts are listed in Division 2-100, Zoning Districts.

APPENDIX 1. DESCRIPTIONS OF THE PLANNING AREAS OF PARK COUNTY, WYOMING

CLARK PLANNING AREA

Starting at the S.E. corner, Sec. 1, T.52N., R103W., thence W. to the ridge line of Rattlesnake Mtn., thence northwest following the ridge line to the S. Line, Sec. 21, T.54N., R.104W., thence W. To the S.W. corner, Sec. 19, thence north to the N.W. corner Sec. 6, thence east to the N.E. corner, Sec. 1, thence north to the N.W. corner, Sec. 6, T.56N., R.103W., thence east to the N.W. corner, Sec. 3, thence north to the Montana border, thence east to the N.E. corner, Sec. 23, T.58N., R.101W., thence south to the S.E. corner, Sec. 35, T.57N., R.101W., thence west to the N.W. corner, Sec. 6, T.56N., R.101W., thence south to the N.E. corner, Sec. 1, T.53N., R.102W., thence west to the State Hwy. 120, thence southeast following said road to the N. line, Sec. 23, T.53N., R.102W., thence west to the N.W. corner, Sec. 23, thence south to the N.E. corner, Sec. 27, thence west to the N.W. corner, Sec. 28, thence south to the S.E. corner, Sec. 32, thence west to the N.W. corner of Sec. 6, T.52N., R.102W., thence south to the point of beginning.

CODY LOCAL PLANNING AREA

Starting at the S.W. corner Sec. 6, T.52N., R102W., thence E. to the S.E. corner thereof, thence S. to the S.W. corner Sec.8, thence E. to the N.W. corner Sec. 15, thence S. to the N.W. corner Sec. 27, thence E. to State Highway 120, thence N. to the S. line of Tr. 50, thence E. to the E. line of the W/2 of Tr. 50, thence N. to the Cody Canal, thence W. to State Hwy. 120, thence N. along the Hwy. to Cody city limits, thence following the city limits east and north and projecting the E. boundary to the Powell Hwy., thence N.E. to the S. line of Sec. 27, T.53N., R.101W., thence E. to the S.E. corner Sec. 25, thence N. to the N.E. corner Sec.13, thence E. to the S.E. corner of Sec. 7, T.53 N., R.100 W., thence N. to the N.E. corner of Sec. 30, T.54 N. R.100 W., thence west to the N.W. corner Sec. 30, T.54N. R. 101 W. thence S. to the S.W. corner Sec 31, T. 54 N., R 101 W., thence along the N. line of T. 53 N. to State Hwy. 120, thence along State Hwy. 120 to the N. line of Sec. 23, T.53 N., R. 102 W., thence W. to the N.W. corner Sec. 23, T.53 N., R. 102 W, thence S. 1 mile, thence W. to the N.W. corner Sec. 28, thence S. 2 miles to the N. line of Sec. 6, T.52N., R.102W., thence W. to the N.W. corner, Sec. 6, thence S. to the point of beginning.

CODY/POWELL RURAL PLANNING AREA

Starting at the S.W. corner Sec. 19, T. 54 N., R 101 W., thence north to the N.W. corner T.56N., R.101W., thence east to the S.W. corner Sec. 36, T.57N., R.101W., thence north to the Montana Line, thence east to the east boundary line of Park County, thence south following the Park County Line to the S.E. corner Sec. 12, T.53N., R.98W., thence west to the S.W. corner Sec. 8, T. 53 N., R. 100 W., thence N. to the N.W. corner Sec. 29, T.54 N., R. 100 W. thence W. to the point of beginning, EXCEPTING that portion within the Powell Local Planning Area.

LOWER SOUTHFORK PLANNING AREA

Starting at the N. mid-section line of Sec. 23, T.52N., R.103W., thence S. along mid-section lines to the S. mid-section line of Sec. 26, thence E. to the Southfork Hwy., thence S. along the Southfork Hwy., Co. Rd. 6RT, and the W. line of Lot 66A, R.S., T.51N., R.103W., to the N. line of Sec. 11, T.51N., R.103W., thence E. to the mid-section line thereof, thence S. along mid-section lines to the S. mid-section line of Sec. 14, T.50N., R.103W., thence E. to S.E.

corner of Sec. 13, thence S. 1 mile, thence E. 1 mile, thence S. 1 mile, thence E. to S.E. corner of Sec. 25, T.50N., R.102W., thence N. to N.E. corner of Sec. 13, thence E. to centerline of State Highway 120, thence N.W. to N. line of Sec. 29, T.52N., R.101W., thence W. to N.W. corner of Sec. 27, T.52N., R.102W., thence N. 2 miles, thence W. 2 miles, thence N. 1 mile, thence W. to N. shore of Buffalo Bill Res., thence along shore to W. line of Sec. 12, T.52N., R.103W., thence S. to S.W. corner of Sec. 13, thence W. to point of beginning.

MEETEETSE LOCAL PLANNING AREA

Starting at N.W. corner of T.49N., R.104W., thence S. to N.E. corner of Sec. 24, T.49N., R.105W., thence W. to N.W. corner of Sec. 23, T.49N., R.105W., thence S. to S.W. corner of Sec. 35, T.49N., R.105W., thence W. to N.W. corner of Sec. 4, T.48N., R.105W., thence S. to S.W. corner of Sec. 33, T.48N., R.105W., thence W. to N.W. corner of T. 47N., R.105W., thence S. to the county boundary, thence along county boundary S.E., thence N.E., thence N. to N.E. Corner of T.51N., R.98W., thence W. to N.W. corner of T.51N., R.99W., thence S. to N.E. corner of Sec. 13, T.50N., R.100W., thence W. to N.W. corner of Sec. 18, T.50N., R.101W., thence S. to N.E. corner of Sec. 36, T.50N., R.102W., thence W. to S.E. corner of Sec. 30, T.50N., R.102W., thence N. 1 mile, thence W. 1 mile, thence N. 1 mile, thence W. to N.W. corner of Sec. 21, T.50N., R.103W., thence S. to S.W. corner of Sec. 33, T.50N., R.103W., thence W. to beginning point.

MIDDLE SOUTHFORK PLANNING AREA

Starting at N. quarter-corner of Sec. 19, T.52N., R.103W., thence S. 2.5 miles to the center quarter-corner of Sec. 31, T.52N, R.103W., thence W. 1.5 miles to the W. quarter-corner of Sec. 36, T.52N, R.104W., thence S. 1/2 mile to the S.E. corner of Sec. 35, thence W. to the N.W. corner of Sec. 3, T.51N., R. 104W., thence S. to the S.E. corner of Sec. 9, thence W. to the N.W. corner of Sec. 18, thence S. to S.W. corner of T.51N., R.104W., thence E. to N.W. corner of Sec. 5, T.50N., R.104W., thence S. to S.W. corner of Sec. 32, thence E. to S.E. corner of Sec. 32, T.50N., R. 103W., thence N. 3 miles, thence E. to S. mid-section line of Sec. 14, thence N. along mid-section lines to N. mid-section line of Sec. 11, T.51N., R.103W., thence W. to the W. line of Lot 66A, R.S., T.51N., R.103W., thence N. along W. line of Lot 66A, Co. Rd. 6RT, and the Southfork Hwy. to the S. line of Sec. 26, T.52N., R.103W., thence E. along S. line of Sec. 26 to the mid-section line, thence N. along mid-section lines to N. mid-section line of Sec. 23, T.52N., R.103W., thence W. 4 1/2 miles to point of beginning.

NORTHFORK PLANNING AREA

Starting at the N. line of T.53N. on the E. border of Yellowstone N. P., thence S. along the Park to the S. line of T.51N., thence E. to the S.E. corner of Sec. 34, T.51N., R.106W., thence N. to the N.W. corner of Sec. 26, T.51N., R.106W., thence E. to the S.E. corner of Sec. 24, T.51N., R.106W., thence N. to the N.W. corner of Sec. 19, T.51N, R.105W., thence E. to the N.E. of Sec. 24, T51N., R.105W., thence N. to the N.W. corner of Sec. 18, T.51N. R.104W., thence E. to the N.E. of Sec. 16, thence N. to the N.W. corner of Sec. 3, thence E. to the N.E. corner of Sec. 2 all in T.51N., R.104W., thence N. to the W. quarter-corner of Sec. 36, T.52N, R.104W., thence E. 1.5 miles to the center quarter-corner of Sec. 31, T.52N, R.103W. thence N. to the N. quarter-corner of Sec. 19, thence E. to the S.E. corner of Sec. 14, T.52N., R.103W., thence N. to the N. shore of Buffalo Bill Res., thence along the shore E. to the ridge line of Rattlesnake Mtn., thence along the ridge line N.W. to the S. line of Sec. 21, T.54N., R.104W., thence W. to the N.W. corner of Sec. 30, thence S. 1 mile, thence W. to the N.W. corner of Sec. 35, T.54N., R.105W., thence S. 1 mile, thence W. to the point of beginning.

POWELL LOCAL PLANNING AREA

Starting at the intersection of County Lane 5 and County Road 10, thence S. to Lane 6, thence W. To Road 12, thence S. to the N. Line of T.55N., thence W. to the E. line of R.100W., thence S. to Lane 11 1/2, thence E. to Road 11, thence S. to the S. line of T.55N., thence E. to the E. line of R.99W., thence N. to Lane 11, thence E. To Road 6, thence N. to Lane 10, thence E. to Road 5, thence N. to Lane 7, thence W. to Road 6, thence N. to Lane 6, thence W. to Road 8, thence N. to Lane 5, thence W. to the point of beginning.

SAGE CREEK PLANNING AREA

Starting at the S.E. corner of T.52N., R.98W., thence west to the S.E. corner of T.52N., R100W., thence south to the S.E. corner of Sec. 12, T.50N., R.100W., thence west to State Hwy. 120, thence north along the highway to the W. line of Sec. 21, T.52N., R.101W., thence N. to the S. line of Tr. 50, thence W. to the E. line of the W/2 of Tr. 50, thence N. to the Cody Canal., thence W. to State Hwy. 120, thence N. along the Hwy. to Cody city limits, thence following the city limits east and north and projecting the E. boundary to the Powell Hwy., thence N.E. to the S. line of Sec. 27, T.53N., R.101W., thence east to the S.E. corner Sec. 25, T.53N., R.101W., thence north to the N.E. corner Sec.13, thence east to the Park County Line, thence south following the Park County Line to the point of beginning.

SUNLIGHT PLANNING AREA

Starting at the Eastern border of Yellowstone National Park at the N. line of T.55N., thence southerly along the Park boundary to the S. line of T.54N., thence E. along the township line to the S.E. corner of Sec. 34, T.54N., R.105W., thence N. to the S.E. corner of Sec. 27, T.54N., R.105W., thence E. to the S.E. corner of Sec. 25, T.54N., R.105W., thence N. to the N.E. corner of T.54N., R.105W., thence E. to the S.E. corner of T.55N., R.104W., thence N. to the N.E. corner of T.55N., R.104W., thence W. to point of beginning.

UPPER CLARK'S FORK PLANNING AREA

Starting at the Montana border at the Eastern edge of Yellowstone National Park, thence following the Park boundary southerly to the S. line of T.56N., thence E. along township lines to the S.E. corner of T.56N., R.104W., thence N. to the N.E. corner of T.56N., R.104W., thence E. to the S.E. corner of Sec. 35, T.57N., R.103W., thence N. to the Montana border, thence W. to the point of beginning.

UPPER SOUTHFORK PLANNING AREA

Starting at the intersection of Yellowstone National Park and the N. line of T.50N., thence south and east along the Park boundary and the county line to the E. line of R.106W., thence N. to N.E. corner of T.47N., R.106W., thence E. to S.E. corner of Sec. 32, T.48N., R.105W., thence N. to N.E. corner of Sec. 5, T.48N., R.105W., thence E. to S.E. corner of Sec. 34, T.49N., R.105W., thence N. to N.E. corner of Sec. 22, T.49N., R.105W., thence E. to S.E. corner of Sec. 13, T.49N., R.105W., thence N. to N.W. corner of T.49N., R.104W., thence E. to S.E. corner of Sec. 31, T.50N., R.104W., thence N. to N.E. corner of Sec. 6, thence W. to the N.W. corner of Sec. 6, thence N. to the N.E. corner of Sec. 24, T.51N., R.105W., thence W. to the N.W. corner of Sec. 19, T.51N., R.105W., thence S. to the S.W. corner of Sec. 19, thence W. to the N.W. corner of Sec. 26, T.51N. R.106W. thence to the S.W. corner of Sec. 35, T.51N., R.105W. thence W. along township lines to point of beginning.

APPENDIX 2. DESIGN OF PARKING SPACES

APPENDIX 3. MEETEETSE LOCAL PLANNING AREA ADVISORY COMMITTEE REFERRAL PROCEDURE

1. Pursuant to Section 4-425, Agency Referrals, all discretionary development applications (special use permits, site plans, variances, zoning map amendments, and zoning text amendments) pertaining to land in the GR-M district shall be referred to the Meeteetse Local Planning Area Advisory Committee.
2. The Planning Coordinator shall refer the complete application to the Committee immediately following completion of the Review Process Determination pursuant to Section 4-415.
3. The referral shall include a copy of the public hearing notice specifying the date and time of the hearing.
4. The Committee shall make its recommendations to the Planning and Zoning Commission at the public hearing either by oral testimony or by written statement.
5. If the application is referred to the Board of County Commissioners pursuant to Section 4-445, Referral of Application to Board of County Commissioners, the Planning Coordinator shall forward Committee's recommendations to the Board along with the application.
6. Prior to receiving a referral pursuant to Section 4-425, Agency Referrals, The Committee shall adopt bylaws governing its operation. Such bylaws shall include rules for: the election of officers; subcommittees; scheduling of meetings; quorum and voting requirements; notice and minutes of meetings; conduct of meetings, work sessions and site visits; application review procedures; conduct of members including conflict of interest and ex parte contact; open meetings and open records requirements; and amendment of bylaws. Such bylaws shall be subject to the approval of the County Attorney.

APPENDIX 4. CONTENT REQUIREMENTS FOR SITE PLANS

Site plans shall be prepared by a registered professional engineer, surveyor, architect, or landscape architect. Applicants may request a waiver of this requirement from the Planning and Zoning Commission at the pre-application conference. The Commission, at its discretion, may waive this requirement in consideration of the cost of professional plan preparation relative to the size and complexity of the application.

Site plans shall be prepared at a scale of 1 inch equals 20 feet, on standard 24" x 36" sheets.

The site plan shall include the following data, details, and supporting plans. All of the requirements must be met in each plan, with notations explaining the reasons for any omissions.

Items required on the site plan or in a supplemental report include:

1. Name of the project, boundaries, and vicinity maps showing site's location in the county, date, north arrow and scale of the plan.
2. Name and address of the owner of record, developer, and seal of the engineer, surveyor, architect or landscape architect.
3. Signature blocks for the Board and Commission.
4. All existing lot lines, easements, and rights-of-way. Include area in acres or square feet, abutting land uses, and the location and use of structures within 300 feet of the site.
5. The location and use of all existing and proposed buildings and structures within the development. Include all dimensions of height and floor area, and show all exterior entrances, and all anticipated future additions and alterations.
6. The location of all present and proposed public and private roads, parking areas, driveways, sidewalks, ramps, curbs, fences, paths, landscaping, walls, and fences. Location, type, and screening details for all waste disposal containers shall also be shown.
7. The location, height, intensity, and bulb type (e.g., fluorescent, sodium incandescent) of all external lighting fixtures. The direction of illumination and methods to eliminate glare onto adjoining properties must also be shown.
8. The location, height, size, materials, lighting, and design of all proposed signage.
9. The location of all present and proposed utility systems including:
 - a. Sewage or septic system;
 - b. Water supply system and irrigation system;
 - c. Telephone, cable, gas and electrical systems; and

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- d. Storm drainage system including existing and proposed drain lines, culverts, catch basins, manholes, and drainage swales.
 10. Existing and proposed topography at a 5 foot contour interval. All elevations shall refer to the nearest N.G.V.D. Bench Mark. If any portion of the parcel is within the 100 year floodplain, the area will be shown. Base flood elevations shall be given if any development is proposed within the 100 year floodplain. Indicate areas within the proposed site and within 50 feet of the proposed site where ground removal or filling is required, and give its approximate volume in cubic yards.
 11. A landscape plan showing all existing natural land features, trees, forest cover and water sources, and all proposed changes to these features including size and type of plant material. Water sources will include ponds, lakes, brooks, streams, wetlands, flood plains, and drainage retention areas.
 12. Zoning district boundaries within 300 feet of the site's perimeter shall be drawn and identified on the plan.
 13. Traffic flow patterns within the site, entrances and exits, loading and unloading areas, and curb cuts on the site and within 300 feet of the site.

The Commission or Board may require a detailed traffic study for large developments or for those in heavy traffic areas to include:

- a. The projected number of motor vehicle trips to enter or leave the site, estimated for daily and peak hour traffic levels;
 - b. The projected traffic flow pattern including vehicular movements at all major intersections likely to be affected by the proposed use of the site;
 - c. The impact of this traffic upon existing abutting public and private ways in relation to existing road capacities. Existing and proposed daily and peak hour traffic levels as well as road capacity levels shall also be given.
14. For new construction or alterations to any existing building, a table containing the following must be included:
 - a. Area of building to be used for a particular use such as retail operation, office, storage, etc.;
 - b. Maximum number of employees;
 - c. Maximum seating capacity, where applicable; and
 - d. Number of parking spaces existing and required for the intended use.
 15. Elevation plans at a scale of 1/4" = 1' for all exterior facades of the proposed structure(s) and/or existing facades, plus addition(s) showing design features and indicating the type and color of materials to be used.
 16. A report documenting the site plan's compliance with Section 4-620, Site Plan Standards.

APPENDIX 5. RUNOFF AND EROSION CONTROL

A runoff and erosion control plan shall be implemented by developments where a cumulative total of more than one acre of land with a slope of more than 8 percent will be disturbed, or where more than 20,000 square feet of contiguous impervious surfaces will be created. The plan shall:

1. Identify runoff and erosion hazard areas on the site;
2. Identify areas and facilities, both on and downstream from the site, that are vulnerable to damage from accelerated runoff or erosion;
3. Show how the retention of existing vegetation will be maximized and land disturbance minimized;
4. Show how trees to be retained will be protected from damage during construction;
5. Show how the area disturbed by construction at any one time will be minimized and how disturbed areas will be stabilized during the construction period;
6. Show how disturbed areas will be promptly, permanently stabilized by revegetation or structural techniques;
7. Show how runoff velocities will be minimized and drainage ways will be prepared to handle acceleration or increase of runoff;
8. Show how any additional runoff generated will be retained on-site and absorbed, evaporated, or released from the site at a rate not exceeding the pre-development rate of release;
9. Show how sediment resulting from accelerated soil erosion will be retained on site; and
10. Show how water quality in adjoining or nearby streams and wetlands will be protected by retention of existing vegetation, installation of vegetative filter strips, and similar means.

APPENDIX 6. GLARE STANDARDS

Use subject to site plan review shall be conducted so as to comply with the specifications governing glare prescribed below.

Method of Measurement: Illumination levels shall be measured with a photoelectric photometer following the standard spectral luminous efficiency curve adopted by the International Commission of Illumination.

General Requirements: Uses subject to site plan review shall not produce glare so as to cause illumination on adjoining properties in GR-M, GR-40, GR-35, GR-20, GR-5, RR-2, R-H, and R-M districts in excess of 0.5 foot candles. Flickering or intrinsically bright sources of illumination shall be controlled so as not to be a nuisance in GR-M, GR-40, GR-35, GR-20, GR-5, RR-2, R-H, and R-M districts.

Glare Standards: Uses subject to site plan review shall limit the use of light sources and illuminated surfaces which are located in or are within 500 feet of and visible from any GR-M, GR-40, GR-35, GR-20, GR-5, RR-2, R-H, and R-M district so as to comply with the light intensities indicated in Table A6-1, Maximum Intensity of Light Sources, below.

TABLE A6-1. MAXIMUM INTENSITY OF LIGHT SOURCES

Source	Intensity
Bare incandescent bulbs	25 watts
Illuminated buildings	25 foot-candles
Back lighted or luminous	200 lamberts
Outdoor illuminated signs	35 foot candles

Definitions:

Foot-candle – The unit of illumination. The illumination on a surface one square foot in area where there is uniform distribution of light having a candle power of one candela.

Foot lambert – The unit of brightness equal to the brightness of a uniform diffusing surface which emits or reflects one lumen per square foot.

Illumination – The density of luminous energy falling upon a surface, usually measured in foot-candles.

Intrinsically bright source – A source of light of extremely high intensity.

APPENDIX 7. DETAILED STANDARDS FOR NOISE

Maximum Sound Levels: No development creating excessive levels of sound beyond its property line shall be permitted. Excessive sound, measured at the property line of the receiving use, exceeds the standards of Table A7-1, Detailed Standards for Noise, below.

TABLE A7-1. DETAILED STANDARDS FOR NOISE

RECEIVING USE	MAXIMUM SOUND LEVEL
Residential	60 dBA, 7:00 A.M. to 10:00 P.M.
	50 dBA, 10:00 P.M. to 7:00 A.M.
Commercial or industrial	70 dBA, any time

Note: "dBA" is the measure of sound levels in A-weighted decibels.

Applicability: This standard applies to sound generated by the occupancy or operation of a development, including sound generated by the operation of trains, motor vehicles, and heavy equipment on the site. It does not apply to the movement of trains on existing railroad rights-of-way, the movement of motor vehicles on public roads, the operation of farm machinery, the operation of water craft, or other sources of noise not attributable to a particular development.

Temporary Exception: The maximum sound levels of Table A7-1 may be exceeded by temporary construction and maintenance activities, but any excessive noise generated by such activities shall be restricted to the hours between 7:00 A.M. and 10:00 P.M.

APPENDIX 8. SLOPE CONDITIONS WARRANTING ENGINEERING REVIEW

Geotechnical engineering review of a development shall be required when the proposed development is located:

1. On a slope of 30% or steeper grade;
2. Less than 500 feet from the bottom of an upslope of 30% or steeper grade, where the length of slope is 500 feet or more.
3. Less than the length of the slope from the bottom of an upslope of 30% or steeper grade, where the slope length is less than 500 feet.
4. Less than 200 feet from the top of a downslope of 30% or steeper grade, where the length of the slope is 200 feet or more.
5. Less than the length of the slope from the top of a downslope of 30% or steeper grade, where the slope length is less than 200 feet.
6. Across a natural drainage or water course identified as a perennial or intermittent stream on the U.S. Geological Survey 7.5 minute topographic map series.