

RAWLINS MUNICIPAL CODE

Title 19

ZONING

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Chapter 19.04

GENERAL PROVISIONS

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- 19.04.010 Title.**
- 19.04.020 Short title.**
- 19.04.030 Purpose.**
- 19.04.040 Use Regulation Conformance Required.**
- 19.04.050 Design Standard Conformance Required.**
- 19.04.070 Extraction or Production of Mineral Resources.**
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Section 19.04.010 Title.

This title is established as an ordinance establishing specified land use zones, and to regulate therein buildings and structures according to their construction and the nature of and the extent of their use, and the nature and extent of the uses of the land, in the incorporated area of the City of Rawlins, Wyoming, hereinafter referred to as the City, and providing for the administration and enforcement of the provisions provided in this title. (Ord. 9-89 (part))

Section 19.04.020 Short title.

This title shall be known and may be cited as "The Rawlins Zoning Ordinance of 1989." (Ord. 9-89 (part))

Section 19.04.030 Purpose.

The zoning ordinance codified in this title is adopted for the purpose of promoting the public health, safety, morals and the general welfare of the community, and to further the following related and more specific objectives:

- A. To guide and regulate orderly growth, development and redevelopment of the city in accordance with a comprehensive plan of long-term objectives, principles and standards deemed beneficial to the interests and welfare of the people;
- B. To protect the established character and the social and economic well-being of both private and public property;
- C. To promote, in the public interest, the utilization of land for the purposes for which it is most appropriate;
- D. To secure safety from fire, panic and other dangers, and to provide adequate light, air and convenience of access;
- E. To prevent overcrowding of land or buildings, and to avoid undue concentration of population;
- F. To lessen and, when possible, to prevent traffic congestion on public streets and highways;
- G. To conserve the value of buildings and to enhance the value of land throughout the city. (Ord. 9-89 (part))

Section 19.04.040 Use Regulation Conformance Required.

Except as provided in this title, no building or structure or part thereof and no lot or part thereof shall hereafter be used, except in conformity with the use regulations prescribed in this title. Any existing use

that does not conform to the use regulations prescribed in this title shall be deemed a nonconforming use, except that uses granted as the result of an approved special use permit by the recommendation of the Planning & Zoning Commission with final approval by the Rawlins City Council pursuant to Chapter 19.56 shall be deemed conforming uses. (Ord. 9-89 (part))

Section 19.04.050 Design Standard Conformance Required.

Except as provided in this title, no building or structure or part thereof shall hereafter be erected, structurally altered, enlarged or rebuilt except in conformity with the lot dimension, yard coverage, height and density regulations prescribed in this title. Any building or structure that does not conform to such regulations, deemed in this title a nonconforming structure, irrespective of the use to which it is put. Variances granted by the Board of Adjustment pursuant to Chapter 19.76 on grounds of practical difficulties or unnecessary hardship, not self-imposed, the extent of their use, and the nature and extent of the uses of the land, in the incorporated area of the City of Rawlins, Wyoming, hereinafter referred to as the-City, and providing for the all the administration and enforcement of the provisions provided in this title. (Ord. 9-89 (part)) (Ord 9-00(part))

Section 19.04.070 Extraction or Production of Mineral Resources.

In accordance with the state statutes, this title shall not prevent any use or occupancy reasonably necessary to the extraction or production of the mineral resources in or under any lands subject thereto. However, prior to actual extraction of the mineral, the area shall be properly zoned, and all other applicable requirements of this zoning ordinance shall be met. (Ord. 9-89 (part))

Section 19.04.080 Relation to-Other Laws or Agreements.

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

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

C. No provisions contained in this title shall be construed as justifying the encroachment of any building or structure within any street lines now or hereafter laid down or officially mapped. (Ord. 9-89 (part))

Section 19.04.090 Temporary Occupied Recreational Vehicle Parking.

Temporary parking of a single occupied Recreational Vehicles for any church or residence shall be permitted in all areas of the City of Rawlins for not longer than thirty (30) days and only when permits with site plans have been obtained with the Community Development Department. The recreational vehicle will need to maintain a ten (10) foot separation from any other structure. No more than two (2) thirty (30) day extension per calendar year shall be permitted. Such parking is only allowed on property owned by the homeowner or organization and shall not be allowed on City streets or alleys. (Ord. No. 06-02, Adopted, 07/10/01) (Ord. 08-2009, Amended, 09/01/2009; 06-2002, Added, 07/10/2001)

Section 19.04.100 Recreational Vehicle Use.

A Recreational Vehicle may not be used as an accessory building or for any purpose other than the use intended by the manufacturer. (Ord. 08-2009, Added, 09/01/2009)

Chapter 19.08

DEFINITIONS

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- 19.08.020 Accessory Use / or Building.**
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Section 19.08.010 Generally.

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

- A. Unless the context clearly indicates the contrary, words used in the present tense include the future; the singular numbers include the plural, and the plural the singular.
- B. The word "person" includes a profit or nonprofit corporation, company, partnership or individual.
- C. The word "shall" is mandatory, and not directory; and the word "may" is permissive.
- D. The word "lot" includes the word "plot."
- E. The word "structure" includes the word "building."
- F. The word "use" and the word "used" refer to any purpose for which a lot of land or part thereof is arranged, intended or designed to be used, occupied, maintained, made available or offered for use; and to any purpose for which a building or structure or part thereof is arranged, intended or designed to be used, occupied, maintained, made available or offered for use, or erected reconstructed, altered, enlarged, moved or rebuilt with the intention or design of using the same. (Ord. 9-89 (part))

Section 19.08.015 Animal Grooming Service.

“Animal Grooming Service” means any place or establishment, public or private, where animals are bathed, clipped, or combed for the purpose of enhancing their aesthetics value or health and for which a fee is charged.

Section 19.08.019. Accessory Dwelling Unit.

“Accessory Dwelling Unit” means a separate, complete dwelling unit with a kitchen, sleeping area, and full bathroom facilities, such as a granny flat or mother-in-law apartment, within the property boundary of the primary residential structure that provides privacy through either an alternate entrance with a separation wall, if attached to the primary residential structure, or a detached structure for the residing of no more than three (3) persons at a time if accommodating or being rented to general public.

Section 19.08.020 Accessory Use or Building.

"Accessory Use or Building" means a subordinate use or building customarily incidental to and located on the same lot occupied by the main use or building. The term "Accessory building" may include a private garage, garden shed, a private playhouse, a private greenhouse and a swimming pool in accordance with the provisions of this title. (Ord. 9-89 (part)) (Ord. Amended 6/17/2014)

Section 19.08.021 Accessory Building Separation.

“Accessory Building Separation” means a building that is separated from the principle building on the same lot following the table listed in Section 19.24.050 iii.

Section 19.08.030 Agricultural Uses.

"Agricultural Uses" means lands including necessary buildings and structures, which are used for agriculture, including, but not limited to, farming, grazing, dairying, pasturage, agriculture, horticulture and animal and poultry husbandry, as well as the necessary accessory uses; provided, however, that the operation of any such accessory uses shall be secondary to that of the normal agricultural activities. (Ord. 9-89 (part))

Section 19.08.032 Airport.

“Airport” means any area of land or water designed and set aside for the landing and take-off of aircraft, including all necessary facilities for the housing and maintenance of aircraft.

Section 19.08.033 Animal Husbandry.

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“Animal Husbandry” means a branch of agriculture for the raising or nurturing and management of animals, including breeding, pasturing, ranching, and sales of animals.

Section 19.08.035 Art Gallery.

“Art Gallery” meaning a room or structure in which works of art are bought, sold, loaned, appraised, or exhibited to the general public.

Section 19.08.036 Asphalt Plants.

“Asphalt Plant” means a plant for the manufacturing or mixing of asphalt, macadam and other forms of coated roadstone. Blacktop or asphalt concrete.

Section 19.08.037 Assisted Living Facility.

“Assisted Living Facility” means a living arrangement in which people with special needs, especially senior, live in a facility that provides help with everyday task such as bathing, dressing, and taking medication.

Section 19.08.038 Attached

“Attached” means connected or joined having two components tied together.

Section 19.08.040 Automobile Care.

“Automobile Care” meaning any establishment or structure designed solely for the purpose of washing, vacuuming or detailing of any automobile that doesn’t include the alteration of any exterior or interior part of the vehicle. (Ord. 6-14 (part))

Section 19.08.042 Automobile Dealer New/Used.

“Automobile Dealer New/Used” meaning any business establishment whose principal use of the site shall be the marketing of new or used automobiles, trucks, vans, trailers, recreational vehicles, boats, or motorcycles or other similar motorized transportation vehicles, whether by sale, rent, lease, or other commercial or financial means. Secondary supporting uses may also exist upon the same site, such as maintenance, repair and service areas, parts storage areas, and financial service areas.

New: The use of any building, land area, or other premises or portion thereof, for the display, sale, or lease of new automobiles, panel trucks or vans, trailers, or recreational vehicles and including any warranty repair work and other repair service conducted as an accessory use.

Used: The use of any building, land area, or other premises or portion thereof, for the display or sale of used automobiles, panel trucks or vans, trailers, or recreational vehicles. (Ord. 6-14 (part))

Section 19.08.044 Bakery shop.

“Bakery Shop” meaning an establishment primarily engaged in preparing, cooking, baking, and selling of products for consumption. The products may be prepared either on or off site. Such use may include incidental food service. (Ord. 6-14 (part))

Section 19.08.046 Bank/Financial Service.

“Bank/Financial Service” meaning a freestanding building or institution with or without a drive-up window, that is open to the public for the custody, loan, investment or exchange of currency, for the extension of credit; and for facilitating the transmission of funds.

Section 19.08.047 Bed & Breakfast.

“Bed & Breakfast” means a residential dwelling which has a maximum of five (5) guest units within a single-family dwelling, in which breakfast is served to guest(s) for compensation.

Section 19.08.050 Benefaction.

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"Benefaction" means the dressing or processing of ores for the purpose of regulating the size of a desired product; removing unwanted constituents; and improving the quality, purity or assay grade of a desired product. (Ord. 9-89 (part))

Section 19.08.060 Block.

"Block" means a tract of land or a lot or group of lots, bounded by streets, public parks, or parkways, railroad rights-of-way, watercourse or body of water, or a boundary line or lines of the county or any combination thereof. (Ord. 9-89 (part))

Section 19.08.070 Block Frontage.

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

Section 19.08.075 Board of Adjustments.

As defined in Chapter 2.60.

Section 19.08.080 Boarding or Lodging House.

"Boarding or lodging house" means a building with more than two but not more than ten guest rooms where lodging with or without meals is provided for compensation.

Section 19.08.085 Bookstore.

"Bookstore" meaning a retail establishment that, as its primary business, engages in the sale, rental, or other charge-for-use of books, magazines, newspapers, greeting cards, postcards, videotapes, computer software, or any other printed or electronically conveyed information or media, excluding any "adult bookstore," "adult theater," "theater," or "studio theater." (Ord. 6-14 (part))

Section 19.08.090 Brewery.

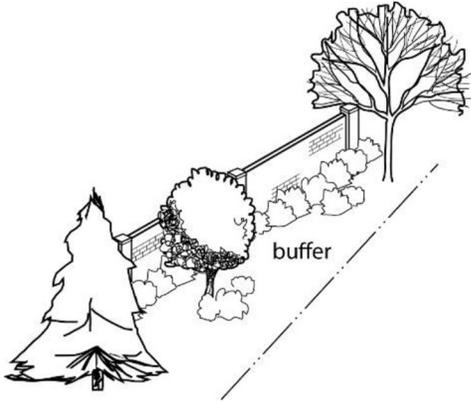
"Brewery" means an industrial use that brews ales, beers, meads, and/or similar beverages on site. Breweries are classified as a use that manufactures more than stores or microbrewery operated in conjunction with a bar or restaurant. (Ord. 6-14 (part))

Section 19.08.095 Broadcasting Station.

"Broadcasting Station" means an establishment containing one or more broadcasting studios for over-the-air, cable or satellite delivery of radio, internet or television programs, or studios for the audio or video recording or filming of musical performances, radio or television programs or motion pictures. This term does not include a transmission tower. (Ord. 6-14 (part))

Section 19.08.097 Buffer.

"Buffer" means a combination of physical space and vertical elements, such as plants, berms, fences and /or walls, the purpose of which is to separate and screen the boundaries of different zone uses from each other or reduce the visual impact of large structures or parking areas along high traffic streets. (Ord. 6-14 (part))



Section 19.08.100 Building, Area of.

"Area of Building" means the horizontal area measured around the outside of the foundation walls and of the floors or roofed porches and roofed terraces inclusive, and including the area of accessory buildings, if any. In the case of split-level dwellings, the "first floor area" shall be deemed to include floor areas on two non-overlapping levels, separated by a half story, or less, of height. (Ord. 9-89 (part))

Section 19.08.105 Bus Station.

"Bus Station" means any location or area for the sole purpose of providing a designated drop off or pickup point, which may or may not provide any shelter or seating, for the convenience of passengers. (Ord. 6-14 (part))

Section 19.08.106 Bus Terminal.

"Bus Terminal" means any premises for the transient housing or parking of motor driven buses, and the loading and unloading of passengers. A place where the transfer of people between modes of transportation takes place. (Ord. 6-14 (part))

Section 19.08.110 Business Center Development.

"Business Center Development" means a tract of land, buildings or structures planned as a whole and intended for one or more establishments for a commercial purpose on a site, whether built at one time as a unit, or in two or more construction stages. (Ord. 9-89 (part))

Section 19.08.113 Car Title Loan.

"Car Title Loan" means any structure in which a business provides currency, as a loan, to any individual or company by way of holding the title of the borrower's vehicle as collateral. (Ord. 6-14 (part))

Section 19.08.117 Caretaker Dwelling.

"Caretaker Dwelling" means any attached or detached dwelling in which an individual(s) live whose sole responsibility is the care, maintenance, or security of a property or building that houses a business that the dwelling is incidental to. The dwelling shall be located on the same property as the business and be listed with its own address and utilities. The dwelling shall also conform to the design standards of the zone. (Ord. 6-14 (part))

Section 19.08.119 Cellar.

"Cellar" means an accessory structure having more than one-half its height below the average curb level of the street abutting the front of the lot, or below the average finished grade level of the ground immediately adjacent to the building. A cellar shall not be used for residential purposes. (Ord. 9-89 (part))

Section 19.08.120 Check Cashing.

“Check Cashing” means a person or business that for compensation engages, in whole or in part, in the business of cashing checks, warrants, drafts, money orders, or other commercial paper serving the same purpose. (Ord. 6-14 (part))

Section 19.08.121 Church/Religious Establishment.

“Church/Religious Establishment” means a building wherein persons regularly assemble for religious worship, and which is maintained and controlled by a religious body organized to sustain public worship, together with all accessory buildings and uses customarily associated with such primary purpose. Includes synagogue, temple, mosque, or other such place for worship and religious activities. (Ord. 6-14 (part))

Section 19.08.122 City.

“City” means The City of Rawlins, Wyoming.

Section 19.08.0123 Clinic.

“Clinic” means a facility operated by one or more physicians, dentist, chiropractors or other licensed practitioners of the healing arts for the examination and treatment of persons solely on an outpatient basis.

Section 19.08.124 Communication Tower.

“Communication Tower” means a tower, pole, or similar structure that supports a telecommunications antenna operated for a commercial or non-commercial purpose above ground in a fixed location, freestanding, guyed, or on a building or other structures. (Ord. 6-14 (part))

Section 19.08.125 Community Development Department.

“Community Development Department” means a city department for the purpose of promoting and accommodating growth while preserving the community values.

Section 19.08.126 Community Use.

“Community Use” means a place, structure, area or other facility used as a place of meeting, recreation, or social activity and is generally open to the public and designed to accommodate and serve significant segments of the community. (Ord. 6-14 (part))

Section 19.08.127 Concert Venue/Hall.

“Concert Venue/Hall” means a structure or facility for the presentation of the performing arts, including indoor motion picture theaters, theaters for live performances, and indoor and outdoor concert hall. Use does not include adult motion picture theaters or establishments featuring burlesque. (Ord. 6-14 (part))

Section 19.08.128 Congregate Living Facility.

“Congregate Living Facility” means a building or part thereof that contains sleeping units where residents share bathroom and/or kitchen facilities.

Section 19.08.129 Connex.

See “Shipping Container”.

Section 19.08.130 Consignment Store.

“Consignment Store” means a store that sells secondhand items on behalf of the original owner, who receives a percentage of the selling price.

Section 19.08.131 Convenience Store.

“Convenience Store” means a retail store that sells groceries and may also sell gasoline; does not include automotive service stations or vehicle repair shops. (Ord. 6-14 (part))

Section 19.08.132 Cosmetic Salon.

“Cosmetic Salon” means a fixed establishment or place where cosmetology services are provided by one or more persons engaged in the practice of hair care, nail care, and skin care on a regular basis for compensation. (Ord. 6-14 (part))

Section 19.08.133 Day Care Center.

“Day Care Center” means supervised daytime care for preschool children, the elderly, or those with chronic disabilities provided at a center outside the home.

Section 19.08.134 Detention Facilities or Jail.

“Detention Facilities or Jail” means a facility established in conjunction with a law enforcement or public safety building, established for the temporary detention of adult or juvenile persons while being processed for arrest or detention by law enforcement. Holding facilities do not include detention, correctional, or release facilities. (Ord. 6-14 (part))

Section 19.08.135 Drive Up/Through Service.

“Drive Up/Through Service” means a building opening, including windows, doors, or mechanical devices, through which occupants of a motor vehicle receive or obtain a product or service. (Ord. 6-14 (part))

Section 19.08.136 Driveway Access.

“Driveway Access” means the area within a public street right- of- way extending to the common right “of “way/property line, which provides an ingress/egress point for a vehicle (recreation vehicles including), to access private property from a public street whether for short term parking or long-term storage. The driveway access is the only area within which the property can be accessed from the public street. Gaining access into private property from a public street is allowed only through an approved driveway access.

Section 19.08.137 Dump.

See Section 19.08.300. See also Landfill.

Section 19.08.138 Duplex / Townhouse

“Duplex/Townhouse “means a duplex house has two living units attached to each other, as townhouse condominiums are above each other like apartments.

Section 19.08.140 Dwelling.

"Dwelling" means a building arranged, intended or designed to be occupied by one or more families living independently of each other upon the premises. (See also "Multiple Dwelling" and "Single-Family Detached Dwelling.") (Ord. 9-89 (part))

Section 19.08.141 Educational Use.

“Educational Use” means use of land or a building or buildings as or for an institution not for profit but for the establishment and maintenance of a public or private college, secondary, elementary, or preschool or other educational institution for the academic instruction and cultivation of the mind and or the inculcation of clearer sense of moral and spiritual values and including an institution or organization directed primarily to the physical training or development of physical or manipulative skills. (Ord. 6-14

(part))

Section 19.08.147 Emergency Service.

“Emergency Service” means the conduct of publicly owned safety and emergency services, such as, but not limited to, fire stations, police stations, and emergency medical and ambulance service. This may also include the use of any equipment, machinery, vehicle, or other activity in a short-term effort to protect or restore safe conditions in the city, or work by private or public utilities when restoring utility service. (Ord. 6-14 (part))

Section 19.08.148 Employee.

“Employee” means any person employed by a firm, business, educational institution, non-profit agency, corporation, government agency, or other entity.

Section 19.08.150 Family.

"Family" means one or more individuals living independently as a single housekeeping unit who are related by blood or marriage and using cooking facilities and certain rooms in common. A family may include two persons not related by blood or marriage. A family shall not be deemed to include the occupants of a college dormitory or residential club. (Ord. 9-89 (part))

Section 19.08.152 Farming.

“Farming” means the growing of crops, plants, and trees. The term also includes the maintaining of horses, livestock, or poultry for the residents needs or use and the sale of agricultural products grown on the premises.

Section 19.08.155 Fast Food Establishment.

“Fast Food Establishment” means an establishment that sells food already prepared for consumption, packaged in paper, Styrofoam or similar materials, and may include drive-in or drive-up facilities for ordering. It may provide food for on or off premises consumption. (Ord. 6-14 (part))

Section 19.08.157 Fence.

“Fence” means a tangible barrier constructed of any allowable material erected for the purpose of providing a boundary or as a means of protection, or to prevent uncontrolled access, or for decorative purposes (such as an ornamental fence or ornamental gates), to enclose, separate or screen from viewers in or on adjoining properties and streets, materials stored and operations conducted behind it. (Ord. 6-14 (part))

Section 19.08.160 Filling and Charging Station.

"Filling and Charging Station" means a building or lot or part thereof supplying and selling gasoline or other equipment fuel for motor vehicles at retail direct from pumps or storage tanks. A filling station may include accessory facilities for rendering services such as lubrication, washing and minor repairs with hand tools." Charging station is an apparatus or facility with one or more electrical outlets for recharging the batteries of electric vehicles". (Ord. 9-89 (part))

Section 19.08.170 Floodplain.

"Floodplain" means the relatively flat area of land area that may be inundated by flood, as designated by the federal government, which can be found at www.fema.gov/flood-zones. (Ord. 9-89 (part))

Section 19.08.180 Floor Area Ratio.

"Floor Area Ratio" means the relationship between the total amount of usable floor area that a building has and the total area of the lot on which the building stands. (Ord. 9-89 (part))

Section 19.08.183 Fraternal/Social Club.

“Fraternal/Social Club” means a club or social activity officially associated with, recognized and supervised by an institution for higher education whose membership is limited exclusively to students of a college or university for the purpose of sharing social, cultural and scholarly interests. (Ord. 6-14 (part))

Section 19.08.184 Frostline.

“Frostline” means the depth to which frost penetrates the soil. Refer to the 2021 International Building Code (IBC) 1809.5 frost protection and 2021 International Residential Code (IRC) 403.1.4.1 and table 311.2(1). Climate for frost free footers is 48” from the bottom of footer to top of stem wall.

Section 19.08.187 Funeral Parlor/Mortuary.

“Funeral Parlor/Mortuary” means a building or part thereof used for human funeral services. Such building may contain space and facilities for embalming and the performance of other services used in the preparation of the dead for burial; the performance of autopsies and other surgical procedures; the storage of caskets, funeral urns, and other related funeral supplies; the storage of funeral vehicles; and facilities for cremation. Where a funeral home is permitted, a funeral chapel shall also be permitted. (Ord. 6-14 (part))

Section 19.08.190 Garage.

"Garage" means a building or part thereof used for the storage or parking of one or more vehicles. (Ord. 9-89 (part))

Section 19.08.200 Garage, Parking.

"Parking Garage" means a garage for the convenience of the general public in which no servicing, repairs, washing or reconditioning of motor vehicles is carried on. (Ord. 9-89 (part))

Section 19.08.210 Garage, Repair.

"Repair Garage" means any garage other than a private garage or parking garage. A repair garage may include servicing, repairs, washing or reconditioning of motor vehicles, and filling station facilities. (Ord. 9-89 (part))

Section 19.08.211 Garden.

“Garden” means a parcel used for the growing of vegetables, flowers, etc. used for human consumption but not for commercial use.

Section 19.08.212 General Repair Service.

“General Repair Service” means establishments primarily engaged in the provision of repair services to individuals and households, rather than businesses, but excluding automotive and equipment repair use types. Typical uses include appliance repair shops, shoe repair, watch or jewelry repair shops, or repair of musical instruments. (Ord. 6-14 (part))

Section 19.08.215 Greenhouse.

“Greenhouse” means a retail business whose principal activity is the selling of plants shipped to or grown on the site and having outside storage, growing, or display. (Ord. 6-14 (part))

Section 19.08.218 Hardware Store; Home Improvement Center.

“Hardware Store; Home Improvement Center” means a facility with a total gross floor area of 30,000 square feet or less, primarily engaged in the retail sale of various basic hardware lines, such as tools, builders’ hardware, plumbing and electrical supplies, paint and glass, housewares and household appliances, garden supplies, and cutlery; if greater than 30,000 square feet, such a facility is a home improvement center. (Ord. 6-14 (part))

Section 19.08.220 Height of a Structure.

"Height of a Structure" means the vertical distance derived from the average finished grade at the foundation corners of the building or structure, to the highest point of the building or structure excluding a chimney or other similar structure listed in Section 19.40.040. (Ord. 9-89 (part))

Section 19.08.230 Home Occupation.

"Home Occupation" means an incidental or secondary use of a residence in a residential zone for business purposes or ventures. Such may be classified as "major" or "minor" or "unauthorized" home occupations.

- A. Major Home Occupation. A home occupation which is owned and operated by the inhabitant of the residence and employs at least one, but not more than two persons who do not inhabit the residence.
- B. Minor Home Occupation. A home occupation which is owned and operated by the inhabitant of the residence and does not employ any outside persons.
- C. Unauthorized Home Occupation. All other home occupations which do not qualify as a "major home occupation" or a "minor home occupation." (Ord. 2-91 (part); Ord. 9-89 (part))

Section 19.08.240 Home Professional Office.

See "Residential Professional Office." (Ord. 2-91 (part); Ord. 9-89 (part))

Section 19.08.250 Hospital.

"Hospital" means a building used for the diagnosis, treatment, or other care of human ailments, unless otherwise specified. A hospital shall be deemed to include a sanitarium, clinic, convalescent home, nursing home, rest home or other building with an equivalent appellation. A hospital shall not include care and treatment of mental patients, liquor or drug addicts, except for emergency detention and/or care.

Section 19.08.260 Hotel.

"Hotel" means a building or part thereof which has a common entrance, common heating systems and general dining room, and which contains seven or more living and sleeping rooms designed to be occupied by individuals or groups of individuals for compensation. (Ord. 9-89 (part))

Section 19.08.265 Impound.

"Impound" means the seizure and legal process of placing a vehicle into an impound lot or tow yard. (Ord. 12-2025)

Section 19.08.266 Impound Yard.

"Impound Yard" means the holding place for vehicles until they are placed back in the control of the owner. An impound yard is not a junk yard. (Ord. 12-2025)

Section 19.08.270 Industrial Park.

"Industrial Park" means a group of non-nuisance industrial plants on a single parcel of land, or on separate parcels contiguously arranged, so as to form a planned development of industrial sites, building or buildings. (Ord. 9-89 (part))

Section 19.08.280 Industry, Non-nuisance.

"Non-nuisance industry" means any industry which is not detrimental to the environment in which it is located by reason of the emission of smoke, noise, odor, dust, vibration or excessive light, beyond the limits of its lot, or by reason of generating excessive traffic with attendant hazards and which does not include any open storage yards or outdoor processing of materials. (Ord. 9-89 (part))

Section 19.08.285 Junk.

“Junk” means waste or junked, dismantled or wrecked automobiles or parts thereof, old or scrap copper, brass, metal, wire, glass, weeds, lumber, stumps, grass, trash, straw, hedge trimmings, cut branches, paper, cordage, cloth, construction debris, building materials not intended for immediate use or other waste or discarded material of any nature or substance whatsoever or any scrap or salvage materials, which in general may or may not be turned into some other use. (Ord. 12-2025)

Section 19.08.290 Junk Yard.

“Junk Yard” means a business which engages in buying, collecting, acquiring, selling, or disposing of junk. This includes any accessory structure or lot, which is used for buying, selling, storing, baling, packing, disassembling, or handling junk, waste, salvage, or scrap materials. A lot on which three or more inoperable vehicles are stored shall be deemed a junk yard. A junk yard includes a salvage yard and wrecking yard. Junk yards excludes Impound Yards. (Ord. 9-89 (part)) (Ord. No. 6-93, Amended, 06/01/93) (Ord. Amended 6-17-2014). (Ord. 12-2025)

Section 19.08.291 Kennel, Business.

“Kennel, Business” means any lot, building, structure or premises where more than four (4) animals are kept or maintained for boarding, training, or selling, exclusive of medical or surgical care, or for quarantine purposes. See also Breeder Kennel 6.02.010 #6 and /or Hobby Kennel 6.02.010 # 12.

Section 19.08.295 Labor Camp.

“Labor Camp” means a camp established for transient labor or a place, area, or piece of land where housing is provided for five or more employees or prospective employees of another by any individual, firm, partnership, association, or corporation, that, for a fee, employs persons to render personal services for, or under the direction of, a third person, or that recruits, solicits, supplies, or hires persons on behalf of an employer, and that, for a fee, provides in connection therewith one or more of the following services: furnishes board, lodging, or transportation for such employees or prospective employees; supervises, times, checks, counts, weighs, or otherwise directs or measures the work of such employees; disburses wage payments to such employees. (Ord. 6-14 (part))

Section 19.08.300 Landfill.

"Landfill" means a lot or parcel of land, or portion thereof, used primarily for disposal by abandonment, dumping, burial, burning, incineration, or other means of garbage, offal, sewage, trash, refuse, junk, discarded machinery, vehicles, or parts thereof, or waste materials of any kind. (Ord. 9-89 (part))

Section 19.08.302 Landscaping.

“Landscaping” means the area within the boundaries of a given lot that consists of planting materials, including but not limited to trees, shrubs, ground covers, grass, flowers, decorative rock, bark, mulch, and other similar materials for an aesthetic or functional purpose. It includes the preservation of existing vegetation and the continued maintenance thereof together with grading and installation of minor structures and appurtenances which covers seventy-five (75%) percent of front yard.

Section 19.08.304 Laundromat/Dry Cleaning Facilities.

“Laundromat/Dry Cleaning Facilities” means a facility where patrons wash, dry, or dry clean clothing or other fabrics in machines operated by the patron; Dry cleaning facilities are an establishment or business maintained for the pickup and delivery of dry cleaning and/or laundry with or without the maintenance or operation of any laundry or dry-cleaning equipment or machinery on the premises. (Ord. 6-14 (part))

Section 19.08.306 Library.

“Library” means a public, nonprofit facility, room or building containing printed information, electronic information, and pictorial material such as books, manuscripts, computers, recordings or films are kept for use by or loaning to patrons of the facility but are not normally officered for sale. (Ord. 6-14 (part))

Section 19.08.308 Light Manufacturing.

“Light Manufacturing” means an area that accommodates low impact industrial development where little or no nuisance effects are generated, such as research and development activities, the manufacturing, compounding, processing, packaging, storage, assembly, and/or treatment of finished or semi-finished products from previously prepared materials, which activities are conducted wholly within an enclosed building. Finished or semi-finished products may be temporarily stored outdoors pending shipment. (Ord. 6-14 (part))

Section 19.08.310 Lot.

"Lot" means a parcel of land used or designed to be used by one use or structure, or by a related group of uses or structures, and the accessory uses or structures customarily incidental thereto, including such open spaces as are arranged or designed and required in connection with the structure or group of structures. A lot may be or may not be the land shown as a single lot on a duly recorded plat or other official record. (Ord. 9-89 (part))

Section 19.08.320 Lot Area.

"Lot Area" means the total horizontal area included within lot lines. (Ord. 9-89 (part))

Section 19.08.330 Lot, Corner.

"Corner Lot" means a lot at the junction of and fronting on two or more intersecting streets, the angle of intersection being not more than one hundred thirty-five degrees (135)

Section 19.08.340 Lot, Depth of.

"Depth of Lot" means the mean distance between the front lot line and the rear lot line. The greater frontage of a corner lot is its depth, and the lesser frontage is its width. (Ord. 9-89 (part))

Section 19.08.350 Lot Line.

"Lot Line" means any boundary of a lot. Any lot line not a rear lot line nor a front line shall be deemed a side lot line or a corner lot line. (Ord. 9-89 (part))

Section 19.08.360 Lot Line, Corner.

"Corner Lot Line" means, on a corner lot, the frontage line which is not designated a front lot line. (Ord. 9-89 (part))

Section 19.08.370 Lot Line, Front.

"Front Lot Line" means the street line at the front of a lot. On a corner lot, the owner may specify the front lot line on the plot plan. (Ord. 9-89 (part))

Section 19.08.380 Lot Line, Rear.

"Rear Lot Line" means the lot line opposite to the front lot line. (Ord. 9-89 (part))

Section 19.08.390 Lot, Through.

"Through Lot" means a lot extending from one street to another, uninterrupted by public right-of-way. (Ord. 9-89 (part))

Section 19.08.400 Lot, Width of.

"Width of Lot" means the mean dimension measured at substantially right angles to the depth of the lot. (Ord. 9-89 (part))

Section 19.08.405 Lumber Yard.

"Lumber Yard" means a lot or facility where building materials such as lumber, plywood, drywall, paneling, cement blocks and other cement products, and other building products are stored and sold. Lumberyards may also process lumber by performing millwork, planning, cutting, and other customizing processes. Lumberyards may provide for the sale of associated products including tools and fasteners. (Ord. 6-14 (part))

Section 19.08.410 Main Use or Building.

"Main Use or Building" means the principal or most important use or building on a lot. (Ord. 9-89 (part))

Section 19.08.415 Manufactured Home.

"Manufactured Home" means a structure, transportable in one or more dependent sections, constructed in conformance with the National Manufactured Housing Construction and Safety Standards Act, which is built on a permanent chassis and designed to be used as a single-family residential dwelling unit. (09-2000, Added, 09/05/2000)

Section 19.08.420 Medical Office Building.

"Medical Office Building" means a building used exclusively by licensed healthcare provider for treatment and examination of patients; provided, that no overnight patients shall be kept on the premises. (Ord. 9-89 (part))

Section 19.08.430 Membership Club Facilities.

"Membership Club Facilities" means a permanent, headquarters-type, and meeting facilities for organizations operating on a membership basis for the promotion of interest of the members, including facilities for business associations. Civic. Social, and fraternal organizations; country clubs, golf courses, labor unions and similar organizations, political organizations, professional membership organizations and other membership organizations.

Section 19.08.432 Mental Health Facility.

"Mental Health Facility" means a facility or institution for diagnosing, treating, caring, for, or counseling people requiring mental health services in confinement.

Section 19.08.435 Micro-Brew Restaurant/Brewer.

"Micro-Brew Restaurant/Brewer" means a facility for the production and packaging of malt beverages of low alcoholic content for distribution, retail, or wholesale, on or off premise, with a capacity of not more than 50,000 barrels per year and no less than 50 per year. The development may include other uses such as a standard restaurant, bar or live entertainment as otherwise permitted in the zoning district. (Ord. 6-14 (part))

Section 19.08.440 Mill.

"Mill" means a place that processes things in a mechanical way.

Section 19.08.450 Milling.

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"Milling" means the processing of raw materials. The term may include the operating of removing valueless or harmful constituents and preparation for market. (Ord. 9-89 (part))

Section 19.08.460 Mine.

"Mine" means an opening or excavation in the earth for the purpose of extracting minerals. (Ord. 9-89 (part))

Section 19.08.470 Mineral Exploration.

"Mineral Exploration" means the search for coal, mineral or ore by geological surveys, geophysical prospecting, boreholes and trial pits, surface or underground headings, drifts or tunnels. (Ord. 9-89 (part))

Section 19.08.480 Mining.

"Mining" means the process of obtaining useful minerals from the earth's crust, including both underground excavations and surface workings. (Ord. 9-89 (part))

Section 19.08.483 Mixed Use.

"Mixed Use" means a single building containing more than one type of land use or a single development of more than one building and use, where the different types of land uses are in close physical proximity, planned as a unified complementary whole, and functionally integrated to the use of shared vehicular and pedestrian access and parking areas. (Ord. 6-14 (part))

Section 19.08.485 Mobile Home.

"Mobile Home" means a structure, transportable in one or more sections, designed for use as a single-family residential dwelling unit, built on a permanent chassis, that cannot provide certification of compliance with the National Manufactured Housing Construction and Safety Standards Act. Such a structure shall be considered to be a mobile home, whether or not the wheels originally mounted have been removed, whether or not the structure has been placed upon a permanent foundation.

Section 19.08.487 Mobile Home Park.

"Mobile Home Park" means a parcel (or contiguous parcels) of land which has been so designed and improved that it contains two or more manufactured home lots available for rent and the placement thereon of manufactured home for residential occupancy.

Section 19.08.490 Modular Home.

"Modular home" means a structure, transportable in one or more dependent sections, designed for use as a single family residential dwelling unit, not built on a permanent chassis, capable of being transported from the place of fabrication to the site on which it is to be erected, where it is placed on a permanent foundation and, when assembled, meets all of the provisions of the Uniform Building Code for residential dwelling units. (Ord. 9-89 (part); Ord. No. 09-00, Amended 9/5/00) (09-2000, Amended, 09/05/2000)

Section 19.08.500 Motel.

"Motel" means a building, or group of buildings, whether detached or in connected units, used as individual sleeping or dwelling units with direct outside access, designed primarily for transient automobile travelers, and provided with accessory off-street parking facilities. The term "motel" includes buildings designed as tourist courts, motor lodges, auto courts and other similar appellations, but shall not be construed to include mobile or immobile trailers. (Ord. 9-89 (part))

Section 19.08.510 Multiple Dwelling.

"Multiple Dwelling" means a building arranged, intended or designed to be occupied by three or more families living independently of each other as with separate cooking and toilet facilities.

Section 19.08.520 Multiple Dwelling Development.

"Multiple Dwelling Development" means one or more multiple dwelling buildings planned as a single unit. (Ord. 9-89 (part))

Section 19.08.523 Museum.

"Museum" means a building having public significance by reason of its architecture or former use or occupancy or a building serving as a repository for a collection of natural scientific, or literary curiosities or objects of interest, or works of art, and arranged, intended, and designed to be used by members of the public for viewing, with or without an admission charge, and which may include as an accessory use the sale of goods to the public as gifts or for their own use. (Ord. 6-14 (part))

Section 19.08.525 National Register Historic District.

"National Register Historic District" means a property or area that has been added to the official list of National Historic Registry properties significant in American history, architecture, archeology, engineering, or culture for use in local preservation planning efforts. (Ord. 6-14 (part))

Section 19.08.526 Neighborhood.

"Neighborhood" means an area where people live and interact with one another these areas have their own identity.

Section 19.08.527 Neighborhood Services Establishment.

"Neighborhood Services Establishment" means an establishment primarily engaged in the provision of frequently or recurrently needed goods for household consumption, such as prepackaged food and beverages and limited household supplies and hardware. (Ord. 6-14 (part))

Section 19.08.530 Net Residential Density.

"Net Residential Density" means the ratio obtained by dividing the number of dwelling units on a lot by the area (excluding drives, streets and required open space) of the lot expressed in units per acre. (Ord. 9-89 (part))

Section 19.08.540 Nonconforming Structure.

"Nonconforming Structure" means a structure lawfully existing at the effective date of the ordinance codified in this title or any amendment thereto affecting the structure, which does not conform to the building regulations of this title for the district in which it is situated, irrespective of the use to which the structure is put. (Ord. 9-89 (part))

Section 19.08.550 Nonconforming Use.

"Nonconforming Use" means any use of a building, structure, lot or land, or part thereof, lawfully existing at the effective date of the ordinance codified in this title or any amendment thereto affecting the use, which does not conform to the use regulations of this title for the district in which it is situated. (Ord. 9-89 (part))

Section 19.08.553 Nuisance.

"Nuisance" means an offensive, annoying, unpleasant, or obnoxious thing, act, or practice, a cause or source of annoyance, especially a continual or repeated invasion of a use that endangers health and safety, or unreasonably offends the senses, or obstructs the free use and comfortable enjoyment of property, creating a hazard to, or having a detrimental effect on the property of another person or to the community

or essentially interferes with the comfortable enjoyment of life. (Ord. 6-14 (part))

Section 19.08.557 Nursing Home/Convalescent Center.

“Nursing Home/Convalescent Center” means a facility that provides nursing services and custodial care on a 24-hour basis for three or more unrelated individuals who for reasons of illness, physical infirmity, mental memory afflictions or advanced age, require such services; which is not of sufficient severity to require hospitalization, or persons requiring further institutional care after being discharged from a hospital other than a mental hospital. (Ord. 6-14 (part))

Section 19.08.558 Office Building.

“Office Building” means a building used primarily for offices that may include ancillary services for office workers such as a restaurant, coffee shop, newspaper, or candy stand.

Section 19.08.560 Parking Area.

"Parking Area" means a lot or part thereof used for the storage or parking of motor vehicles, with or without the payment of rent or charges in money or other consideration. (Ord. 9-89 (part))

Section 19.08.563 Parking Lot.

“Parking Lot” means an area provided for self-parking by employees, visitors, and/or patrons of any office of state or local government, any public accommodations, commercial or industrial establishments, or any other business open to the general public. Also includes the area provided for self-parking by residents, visitors or employees of an apartment building available to the general public. Not for the storage or repair of inoperable vehicles, machinery, or materials that is not otherwise customary to the use. (Ord. 6-14 (part))

Section 19.08.565 Parking Structure.

“Parking Structure” means an attached or detached building which is used for the parking or storing of motor and other vehicles, open to public use without charge or for a fee, and shall, without limiting the foregoing, include all real and personal property, driveways, roads, approaches, structures, garages, meters, mechanical equipment, and all appurtenances and facilities either on, above, or under the ground which are used or usable in connection with such parking or storing of such vehicles. (Ord. 6-14 (part))

Section 19.08.567 Pawnshop.

“Pawnshop” means any business that loans money on deposit of personal property or deals in the purchase or possession of personal property on condition of selling the same back again to the pledger or depositor, or loans or advances money on personal property by taking chattel mortgage security thereon and takes or receives such personal property. (Ord. 6-14 (part))

Section 19.08.570 Planning & Zoning Commission.

"Planning & Zoning Commission" means the Planning & Zoning Commission of Rawlins. (Ord. 9-89 (part))

Section 19.08.575 Postal Service.

“Postal Service” means a commercial business which conducts the retail sale of stationery products, provides packaging and mail services (both U.S. Postal and private service), and provides mailboxes for lease. (Ord. 6-14 (part))

Section 19.08.576 Preschool.

“Preschool” means providing day care with or without educational services for children not yet attending elementary school; includes nursery school and kindergarten.

Section 19.08.580 Processing.

"Processing" means perform a series of mechanical or chemical operations on (something) in order to change or preserve it.

Section 19.08.585 Professional Service.

"Professional Service" means a vocation, occupation or employment which involves labor, skill, education, special knowledge and compensation or profit, but the labor and skill involved is predominantly mental or intellectual, rather than physical or manual; e.g., legal, medical, real estate, insurance. (Ord. 2-91 (part))

Section 19.08.586 Public and Civic Use.

"Public and Civic Use" means a nonprofit, religious, or public use, such as a church, library, public or private school, hospital, or government owned or operated building, structure, or land used for public purposes.

Section 19.08.057 Public Buildings.

"Public Building" means a building owned by a governmental agency.

Section 19.08.590 Public Notice.

"Public Notice" means notice of the time and place of a hearing, meeting, or proceeding as required by Wyoming State Statues. (Ord. 9-89 (part))

Section 19.08.591 Ranching as an Activity or Business.

"Ranching" means a place where livestock is bred or raised.

Section 19.08.592 Reception Center.

"Reception Center" means a place, structure, area, or other facility used for and providing religious, fraternal, social, or recreational programs generally open to the public and designed to accommodate and serve significant segments of the community. May also be referred to as a convention center or civic center. (Ord. 6-14 (part))

Section 19.08.593 Recreation, Private.

"Recreation, Private" means a private recreational facility for use solely by the residents and guests of a particular residential development, planned unit development, or residential neighborhood, including indoor and outdoor facilities. These facilities are usually proposed or planned in association with development and are usually located within or adjacent to such development. Clubs or recreation facilities for which a membership charge may be made, and which are open only to bona fide members and their guests. A private recreational facility may not be open or available to members of the general public. For definition on Indoor and Outdoor facilities see Section 19.08.594 Recreation, Public. (Ord. 6-14 (part))

Section 19.08.594 Recreation, Public.

"Recreation, public" means a recreational facility that is open to the general public and available for use at dates and times specified by the city. A fee or charge may be imposed for events held within these facilities.

Indoor: Meaning recreational facility conducted entirely indoors, with or without seating for spectators, and providing accommodations for a variety of individual, organized, or franchised sports, including but not limited to basketball, ice hockey, wrestling, soccer, tennis, volleyball, racquetball, or handball. Such facility may also provide other regular organized or franchised events, health and fitness club facilities, swimming pool, snack bar, restaurant, and retail sales of related sports, health or fitness items, and other support facilities.

Outdoor: Meaning predominantly participant uses conducted in open or partially enclosed or screened facilities. Typical uses include driving ranges, miniature golf, swimming pools, tennis courts, outdoor racquetball courts, paintball, laser tag, geocaching, motorized cart and motorcycle tracks, and motorized model airplane flying facilities. (Ord. 6-14 (part))

Section 19.08.595 Recreational Vehicle.

"Recreational Vehicle" means a vehicle whether self-propelled, drawn or carried, used for recreation purposes, which may be used for temporary living quarters.

Section 19.08.596 Recreation Vehicle Park.

"Recreation Vehicle Park" means a commercial use providing space and facilities for motor homes or other recreational vehicles for recreational use or transient lodging. There is no minimum required stay in a recreational vehicle park, uses where unoccupied recreational vehicles are offered for sale, or lease, or are stored, are not included.

19.08.597 Residential, Primary.

"Residential, Primary" means a separate, complete dwelling unit with one or more habitable rooms which are occupied, or which are intended or designed to be occupied as a residence by one family, with facilities for living, sleeping, cooking, and dining, that is the larger of the dwelling units when a single-family residential site development plan proposes or contains an accessory dwelling unit. Residential uses within the dwelling shall occupy more than 51% of the time and space within the unit over any other use. (Ord. 6-14 (part))

Section 19.08.598 Residential Professional Office.

"Residential Professional Office" means an office in which professional services are offered or employed located in a residential zone utilizing an existing residential building, with no residential use or overnight occupancy in connection therewith, and which use does not detract from or detrimentally change the character of the neighborhood. (Ord. 2-91 (part))

Section 19.08.600 Residential Walk Up/Loft.

"Residential Walk Up/Loft" means a single-family dwelling unit located on the uppermost story of a residential or commercial structure, usually found in mixed use structures, with a separate entrance that is accessed from either the interior or exterior of the structure. (Ord. 6-14 (part))

Section 19.08.602 Retail Store.

"Retail-Store" means a commercial enterprise that provides goods and/or services directly to the consumer, where such goods are available for immediate purchase and removal from the premises by the purchaser. (Ord. 6-14 (part))

Section 19.08.603 Salvage Yard.

"Salvage Yard" see "Junk Yard" Section 19.08.290. (Ord. 12-2025)

Section 19.08.604 Sand or Gravel Pit.

"Sand or Gravel Pit" means a lot or land, or part thereof, used for the purpose of extracting sand, gravel, soil for sale, as an industrial operation and exclusive of a lot preparatory to the construction of a building. (Ord. 9-89 (part))

Section 19.08.605 Scenic Corridor.

"Scenic Corridor" means an area of land generally adjacent to and visible from a roadway that

requires protective measures to ensure perpetuation of its scenic qualities, whether of an urban or rural setting. (Ord. 6-14 (part))

Section 19.08.606 Self-Service Storages.

“Self-Service Storages” means a building or group of buildings or structures with controlled access and fenced compound that contains varying sizes of individual, compartmentalized, and controlled-access stalls or lockers for the storage of customers’ goods or wares. Shipping containers are not considered appropriate self-storage units. (Ord. 6-14 (part))

Section 19.08.607 Sexually Oriented Business.

“Sexually Oriented Business” means any adult arcade, adult bookstore, adult novelty store, adult video store, adult cabaret, adult motel, adult motion picture theater, adult theater, escort agency, nude model studio, sexual encounter center or any other business or establishment that offers its patrons services or entertainment characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas, but not including those uses or activities, the regulation of which is preempted by state law. (Ord. 6-14 (part))

Section 19.08.608 Shipping Container.

“Shipping Container” means a container with strength suitable to withstand shipment, storage, and handling. Shipping containers range from large reusable steel boxes. If used shall be compatible with and complimentary to the surrounding area.

Section 19.08.609 Shopping Center.

“Shopping center” means a group of stores planned and designed for the site on which it is built, functioning as a unit, with off-street parking, landscaped areas, and pedestrian malls or plazas provided on the property as an integral part of the unit. (Ord. 6-14 (part))

Section 19.08.610 Sign.

"Sign" means any device which visually imparts a message through the use of texts, pictures or models. (Ord. 9-89 (part))

Section 19.08.620 Sign, Advertising.

"Advertising sign" means a sign which directs attention to a business, commodity, service or entertainment conducted, sold or offered elsewhere than upon the property where the sign is displayed. (Ord. 9-89 (part))

Section 19.08.630 Sign, Announcement or Professional.

"Announcement or professional sign" means a sign on a residential building which directs attention to a home professional office, home occupation or professional office in the residential building. (Ord. 9-89 (part))

Section 19.08.640 Sign, Business.

"Business sign" means a sign which directs attention to a business or profession conducted upon the property where the sign is displayed. (Ord. 9-89 (part))

Section 19.08.645 Single Family Residence.

"Single Family Residence" means a dwelling designed for one (1) family occupancy. A manufactured or modular home, when constructed to the most current applicable building standards at the time of placing, placed on a permanent foundation, located in a residential zone and converted to real property prior to occupancy, shall be considered a single-family residence. (Ord. No. 09-00, Adopted,

9/5/00) (09-2000, Added, 09/05/2000)

Section 19.08.650 Single-family Detached Dwelling.

"Single-Family Detached Dwelling" means a building, on a lot, designed and occupied exclusively as a residence for one family, and which has no part in common with an adjacent building. For purposes of this title, trailers, automobile trailers and mobile homes are not considered single-family detached dwellings. (Ord. 9-89 (part))

Section 19.08.660 Site Plan.

"Site Plan" means a map indicating the location and dimensions of prominent existing and proposed features and development of a tract and its surroundings and the general street layout. (Ord. 9-89 (part))

Section 19.08.665 Specialty Store.

"Specialty Store" means retail operations that specialize in one type or line of merchandise. Such stores may include but are not limited to apparel stores, jewelry stores, bookstores, shoe stores, stationary stores, antique stores, and similar establishments. (Ord. 6-14 (part))

Section 19.08.670 Special Use Permit.

"Special Use Permit" (SUP) means a use specified in one or more zones, for which the Planning & Zoning Commission shall submit a certified recommendation to the City Council that a permit be granted, pursuant to the provisions of this title. (Ord. 9-89 (part)) (Ord. Amended. 6/17/2014)

Section 19.08.671 Stick-Built Homes.

"Stick-Built Home" means-built piece-by-piece at the construction site, as opposed to a factory-built.

Section 19.08.675 Stock-in-Trade.

"Stock-in-Trade" means products, goods or merchandise kept by a merchant for sale or traffic which require no assembly or skill to bring to final salable condition. (Ord. 2-91 (part))

Section 19.08.678 Storage Lot.

"Storage Lot" means a depository, stockpiling, or safekeeping of materials, products, vehicles, trailers, or equipment and any other similar item or objects not in service within a defined area. Storage lots shall not incorporate any other areas of a project development, parking area, landscaping or yard areas. (Ord. 6-14 (part))

Section 19.08.680 Street.

"Street" means any road, highway, avenue, street, parkway, lane or other way, public or private, set aside and commonly used by the public for street purposes, and shown upon the city map or upon a file plat. (Ord. 9-89 (part))

Section 19.08.690 Street Line.

"Street Line" means the dividing line between a lot and the outside boundary of a public street or street right-of-way, or between a lot and private street which serves two or more separately owned homes or buildings. (Ord. 9-89 (part))

Section 19.08.700 Structure.

"Structure" means anything constructed or erected on or under the ground or upon another structure, or building, but not including elements such as lean-tos, fences, pump houses, or other minor buildings accessory to any agriculture use. (Ord. 9-89 (part))

Section 19.08.705 Substance Abuse Facility.

“Substance Abuse Facility” means a facility for the purpose of temporary or long-term inpatient/outpatient treatment of victims of alcohol or drug use or addiction.

Section 19.08.710 Swimming Pool, Private.

"Private Swimming Pool" means any constructed body of water or structure to contain water, pursuant to the provisions of Chapter 19.40.140 and any accessory equipment pertaining thereto, used or intended to be used for swimming or bathing by any family of persons residing on the premises and their guests. The term "private swimming pool" shall not include swimming pools located on a lot only as an accessory use to a hotel, motel or membership club. (Ord. 9-89 (part))

Section 19.08.712 Tattoo Establishment.

“Tattoo Establishment” means an establishment whose principal business activity, either in terms of operation or as held out to the public, is the practice of one or more of the following: (1) placing of designs, letters, figures, symbols, or other marks upon or under the skin of any person, using ink or other substances that result in the permanent coloration of the skin by means of the use of needles or other instruments designed to contact or puncture the skin; (2) creation of an opening in the body of a person for the purpose of inserting jewelry or other decoration. (Ord. 6-14 (part))

Section 19.08.714 Tavern.

“Tavern” means any place in which fermented malt beverages, intoxicating liquors, packaged alcoholic beverages and food are sold to the general public for consumption upon said premises. (Ord. 6-14 (part))

Section 19.08.716 Temp Housing.

“Temp Housing” means any structure for the primary use of housing or the dwelling of any individual by compensation of rent, payable in money or other consideration, for a limited residing time of less than a year but longer than 3 months. (Ord. 6-14 (part))

Section 19.08.717 Temporary Structure

“Temporary Structure” means a building designed or constructed, erected, or placed on land and which is demolished or removed from the land within 6 months. One 6-month extension may be issued by the Community Development office.

Section 19.08.718 Temporary Uses.

“Temporary Uses” means a use established for a fixed period of time, with the intent to discontinue such use upon the expiration of such time, which does not involve the construction or alteration of any permanent structure. Such uses may be granted permission to conduct the use on a renewal basis. (Ord. 6-14 (part))

Section 19.08.719 Theater/Cinema.

A). “Theater/Cinema” means a structure that contains audience seating, one or more projection screens and auditoriums with a lobby; refreshments and restaurant services may accompany these facilities.

B). “Drive In” means an outdoor movie theater where patrons view movies or any other form of entertainment on a screen or stage from their vehicles. This definition does not include an adult theater. (Ord. 6-14 (part))

Section 19.08.720 Thrift Store.

“Thrift Store” means a store selling secondhand goods.

Section 19.08.721 Towing Business.

“Towing Business” means any individual or business that engages in the towing or removal of motor vehicles, trailers, or parts thereof, including cargo or loads, for compensation. (Ord. 12-2025)

Section 19.08.722 Towing Yard.

“Towing Yard” means the lot where a Towing Business maintains or uses for the temporary storage, of motor vehicles, trailers, or parts thereof, including cargo or loads thereof, regardless of condition. Temporary Ordinance No 12 – 2025 storage of any such motor vehicle, trailers, parts, or cargo shall not exceed six (6) months. Permission may be allowed at the City’s discretion for the granting of a 48-hour grace period for emergency situations, such as during inclement weather, allowing overflow vehicles to be parked near the towing yard business on the roadway but shall not impede the flow of traffic to pass nor hinder traffic visibility. (Ord. 12-2025)

Section 19.08.730 Trailer.

See Sections 19.08.595 and 19.08.485. (Ord. 9-89 (part))

Section 19.08.740 Trailer or Mobile Home Court.

See Sections 19.08.597 and 19.08.487. (Ord. 9-89 (part))

Section 19.08.745 Truck Terminal.

“Truck Terminal” means any premises used by a motor freight company as a carrier of goods, which is the origin or destination point of goods being transported, for the purpose of storing, transferring, loading and unloading goods. (Ord. 6-14 (part))

Section 19.08.750 Variance.

"Variance" means a modification of the regulations of this title granted on grounds of practical difficulties or unnecessary hardship, not self-imposed, pursuant to the provisions of Chapter 19.76 and the laws of the state. (Ord. 9-89 (part))

Section 19.08.755 Veterinary Hospital/Kennel.

“Veterinary Hospital/Kennel” means a place where animals or pets are given medical or surgical treatment and are cared for during the time of such treatment.

Section 19.08.758 Warehouse.

“Warehouse” means a building or premises in which goods, merchandise or equipment are stored for eventual distribution or use. (Ord. 6-14 (part))

Section 19.08.759 Wrecking Yard.

“Wrecking Yard” see “Junk Yard” 19.08.290. (Ord. 12-2025)

Section 19.08.760 Yard, Corner.

"Corner Yard" means, on a corner lot, the unoccupied space on the same lot with a building situated between the nearest roofed portion of the building and the corner lot line and extending from front yard to rear yard. (Ord. 9-89 (part))

Section 19.08.770 Yard, Front.

"Front Yard" means an open unoccupied space on the same lot with a building situated between the nearest roofed portion of the building and the front line of the lot and extending from side lot line to side lot line. (Ord. 9-89 (part))

Section 19.08.780 Yard, Rear.

"Rear Yard" means a space on the same lot with a building situated between the nearest roofed portion of the building and the rear lot line of the lot and extending from side lot line to side lot line. (Ord. 9-89 (part))

Section 19.08.790 Yard, Side.

"Side Yard" means an opened unoccupied space on the same lot with a building situated between the nearest roofed portion of the building or of any accessory building and the side lot line of the lot, and extending through from the front yard or from the front lot line where no front yard exists, to the rear yard, or to the rear lot line where no rear yard exists. (Ord. 9-89 (part))

Section 19.08.791 Zone

"Zone" means an area of land having a particular purpose or use and subject to particular restrictions.

Section 19.08.800 Zoning Officer.

"Zoning Officer" means the person or persons designated by resolution by the City Manager to administer and enforce this zoning title.

Chapter 19.12

ADMINISTRATION AND ENFORCEMENT

Sections:

- 19.12.010 Interpretation.**
- 19.12.020 Enforcement.**
- 19.12.030 Enforcement Agent.**
- 19.12.040 Zoning Officer--Records and Reports Required.**
- 19.12.050 Zoning Officer--Meeting Attendance.**
- 19.12.060 Zoning Officer--Annual Report.**

Section 19.12.010 Interpretation.

In applying and interpreting the provisions of this title they shall be held to be minimum requirements adopted for the promotion of the public health, safety, morals, comfort, convenience and general welfare. (Ord. 9-89 (part))

Section 19.12.020 Enforcement.

- A. It shall be the responsibility of the zoning officer to administer this title.
- B. It is unlawful to locate, erect, construct, reconstruct, enlarge or use any building or use any land within the incorporated area of Rawlins without first complying with this title. (Ord. 9-89 (part))

Section 19.12.030 Enforcement Agent.

- A. The City Manager shall appoint a zoning officer for the administration and enforcement of the provisions of this title.
- B. The zoning officer (or his deputy) shall have the authority and responsibility to enter upon any public or private premises and make inspection thereof at any reasonable time, and for any proper purpose in enforcing this title. Further, upon reasonable cause or question as to proper compliance, to revoke any permit and issue cease and desist orders requiring the cessation of any building, moving, alteration or use which is in violation of the provisions of this title. (Ord. 9-89 (part))

Section 19.12.040 Zoning Officer--Records and Reports Required.

The zoning officer shall keep, file and maintain all records regarding certificates of occupancy, applications and all actions, notes and minutes of the Planning & Zoning Commission related to this title, including mapping of land uses, variances and special permits by address and legal description. (Ord. 9-89 (part))

Section 19.12.050 Zoning officer--Meeting attendance.

The zoning officer shall attend all meetings of the Planning and Zoning Commission. (Ord. 9-89 (part))

Section 19.12.060 Zoning Officer--Annual Report.

The zoning officer shall prepare a written annual report of the calendar year activities to the Planning & Zoning Commission at its regular February meeting for the previous calendar year. The Planning & Zoning Commission shall review and publish the annual report, including descriptions of other commission activities, by the end of the month of April.

Chapter 19.16

ZONING

Sections:

- 19.16.010 Zoning designated.**
- 19.16.020 Zoning map.**
- 19.16.030 Delineation of boundaries.**
- 19.16.040 Interpretation of boundaries.**
- 19.16.050 County Shop.**
- 19.16.060 Glenn Addition.**
- 19.16.070 Historic Residential Overlay Boundary**

Section 19.16.010 Districts Zoning designated.

For the purposes of this title, the city is divided into eight classes of districts zones and overlays as follows:

- A. R-A zoning, ranching and agriculture;
- B. R zoning, residential development;
- C. C-1 zoning, commercial city center;
- D. C-2 zoning, commercial transitional;
- E. Repealed.
- F. I zoning, industrial;
- G. I-A zoning, Intensive agricultural.
- H. HRO zoning, historic residential overlay.

(Ord. 9-89 (part)) (Ord. No. 3B-95, Amended, 03/07/95; Ord. No. 2-98, Amended, 02/03/98; Ord. No. 07-02, Amended 07/16/02) (Ord. 19.16.010, Amended, 07/18/2002)

Section 19.16.020 Zoning Map.

The boundaries of each district or zone are established as shown on the official zoning map of the City which accompanies the ordinance codified in this title and is declared to be a part of this title. (Ord. 9-89 (part))

Section 19.16.030 Delineation of Boundaries.

The district boundary lines are intended generally to follow the centerline of streets and similar right-of-way or lot lines, or straight line projections of such lines, or city boundary lines, township or section lines all as shown on the zoning map; but where a district boundary line does not follow such a line, its position is shown on the zoning map by a specific dimension expressing its distance in feet from a street line or another boundary line as indicated. (Ord. 9-89 (part))

Section 19.16.040 Interpretation of Boundaries.

In case of uncertainty as to the true location of a district boundary line in a particular instance, the determination thereof shall be made by the zoning officer. An appeal may be taken to the Board of Adjustments as provided in Chapter 19.76. (Ord. 9-89 (part))

Section 19.16.050 County Shop.

All of that portion of the NE1/4NW1/4 of Section 20 T21N, R87W 6th P.M. is zoned Industrial excepting a triangular shape tract of land owned by the Union Pacific Railroad and already zoned Industrial.

(Ord. No. 7-97, Enacted, 07/01/97)

Section 19.16.060 Glenn Addition.

The Intensive Agriculture (I-A) District boundary of the Glenn Addition is: Beginning at the Southwest Corner of Section 15, T21N, R87W, 6th P.M., Carbon County, Wyoming; thence N0°12'26"E, 1327.99 ft. along the west line of said Section 15; thence S89°53'15"E, 1310.39 ft. along the north line of the SW1/4, SW1/4 of said Section 15; thence N0°14'57"E, 390.96 ft. along the west line of the NE1/4, SW1/4 of said section 15 to the south line of the UPRR Right of Way; then southeasterly, 184.53 ft. along the UPRR Right of Way on a curve to the right with a radius of 1773.5 ft. and through a central angle of 5°57'36", thence S69°03'33"E, 1260.93 ft. along the UPRR Right of Way to the intersection with the Highway I-80 Right of way; thence S55°57'35"W, 1108.91 ft. along the Highway I-80 Right of Way; thence S34°02'25"E, 100.00 ft. along the Highway I-80 Right of Way; thence S55°57'35"W, 840.00 ft. along the Highway I-80 Right of Way to the south line of said Section 15; thence S89°44'32"W, 1110.93 ft. along the south line of said Section 15 to the point of beginning; all of the preceding description being in Section 15, T21N, R87W, of the 6th P.M., Carbon County, Wyoming, containing 63.127 acres. (Ord. No. 12-97, Enacted, 12/16/97)

Section 19.16.070 Historic Residential Overlay Boundary

The **Historic Residential Overlay Boundary** consists of the following three parcels, all within the City of Rawlins, Carbon County, Wyoming as shown on attached map.

Parcel AA@- A parcel of land which includes all of the Merrell Addition, all of the Second Merrell Addition, all of the Third Merrell Addition, all of the South Side Addition, all of the Second South Side Addition, all of the Third South Side Addition and a portion of the Southpark Addition described as follows:

Beginning at the southwest corner of the Southpark Addition; Thence in a northerly direction along the westerly boundary line of said Southpark Addition to the northwest corner of said Southpark Addition; Thence in an easterly direction along the northerly boundary line of said Southpark Addition to the northeast corner of said Southpark Addition; Thence in southerly direction along the easterly boundary line of said Southpark Addition to the intersection of a easterly extension of the centerline of the alley in block 3 of said Southpark Addition; Thence in a westerly direction along said extension to the intersection of the westerly right-of-way line of Jefferson Street; Thence continuing in a westerly direction along said centerline to the intersection of the easterly right-of-way line of Washington Street; Thence continuing in a westerly direction along a westerly extension of said centerline of the alley in block 3 to the intersection of the centerline of said Washington Street; Thence in a southerly direction along said centerline to the intersection of Davis Street; Thence continuing in a southerly direction along a southerly extension of said centerline of Washington Street to the intersection of the southerly boundary line of said Southpark Addition; Thence in a westerly direction along said southerly boundary line to the southwest corner of said Southpark Addition, also being the **Point of beginning**.

Parcel AB@- A parcel of land Beginning at the northeast corner of the Friendly Hills Addition; Thence southeasterly along the easterly boundary of the Friendly

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Hills Addition, also being the easterly right-of-way line of Rodeo Street to the intersection of the northerly right-of-way line of Spruce Street; Thence continuing in a southeasterly direction along a southeasterly extension of the easterly boundary of said Friendly Hills Addition to the intersection of the southerly right-of-way line of Spruce Street, point also being on the easterly right-of-way line of Rodeo Street and the northwest corner of Lot 1, Block 2 of the Friendly Hills Addition; Thence continuing in a southeasterly direction along the easterly right-of-way line of Rodeo Street to the southwesterly corner of said Lot 1; Thence continuing along a southeasterly extension of the easterly right-of-way line of said Rodeo Street in a southeasterly direction to the intersection of the southerly boundary of the Friendly Hills Addition; Thence in a southwesterly direction along said southerly boundary of the Friendly Hills Addition to the southwesterly corner of the Friendly Hills Addition; Thence in a southwesterly direction along a southwesterly extension of the southerly boundary line of the Friendly Hills Addition to the intersection of the centerline of Utah Street; Thence in a southeasterly direction along the centerline of Utah Street to the intersection of an easterly extension of the centerline of the alley in Block J of the School Land Addition; Thence in a southwesterly direction along said extension of said centerline and continuing in a southwesterly direction along said centerline to the easterly right-of-way line of Colorado Street; Thence continuing in a southwesterly direction along a southwesterly extension of said centerline of alley in block J to the intersection of the centerline of Wyoming Street; Thence in a northwesterly direction along the centerline of Wyoming Street to the intersection of an easterly extension of the southerly right-of-way line of Spruce Street; Thence in a northeasterly direction along said extension and continuing northeasterly along the southerly right-of-way line of Spruce Street to the intersection of a southerly extension of the west right-of-way line of Colorado Street; Thence in a northwesterly direction along said extension and continuing in a northeasterly direction along the westerly right-of-way line of Colorado Street to the southerly right-of-way line of Maple Street; Thence in a southwesterly direction along said southerly right-of-way line of Maple Street to the intersection of a southwesterly extension of the easterly right-of-way line of First Street; Thence in a northwesterly direction along said extension and continuing along the easterly right-of-way line of First Street to the intersection of the northerly boundary of the Mahoney Tierney Addition; Thence in an northeasterly direction along said boundary to the northeast corner of the Mahoney Tierney Addition, point also being the northwest corner of the Third Hillside Addition; Thence in an easterly direction along the northerly boundary of the Third Hillside Addition to the northeast corner of the Third Hillside Addition, point also being the northwest corner of the Friendly Hills Addition; Thence in an easterly direction along the northerly boundary of the Friendly Hills Addition to the northeast corner of said Friendly Hills Addition, point also being the **Point of Beginning**.

Parcel AC@-

A parcel of land **Beginning** at the intersection of the northerly right-of-way line of Spruce Street and the easterly right-of-way line of Fifteenth Street; Thence in a northerly direction along the easterly right-of-way line of Fifteenth Street to the intersection of the southerly right-of-way line of Walnut Street; Thence continuing in a northerly direction along a northerly extension of the easterly right-of-way of Fifteenth Street to the intersection of the centerline of Walnut Street; Thence in an easterly direction along the centerline of Walnut Street to

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the intersection of Fourteenth Street; Thence in a northerly direction along the centerline of Fourteenth Street to the intersection of the centerline of Date Street; Thence in an easterly direction along the centerline of Date Street to the westerly border of the Fourth Park Hill Addition; Thence in a northerly direction along the westerly boundary line of said Fourth Park Hill Addition to the northeast corner of said Fourth Park Hill Addition, point also being the southwest corner of the Fifth Park Hill Addition; Thence in a northerly direction along the western boundary line of said Fifth Park Hill Addition to the northwest corner of said Fifth Park Hill Addition; Thence in a easterly direction along the northerly boundary of said Fifth Park Hill Addition to the intersection of the centerline of the alley between lots 14 and 15 in block 7 of the Modified Mountain View Addition; Thence in a northerly direction along said centerline to a southerly extension of the alley centerline between lots 8 and 26 of said block 7 of the Modified Mountain View Addition; Thence in a northerly direction along said extension and continuing along said centerline of alley to the intersection of the southerly right-of-way line of Birch Street; Thence in a northerly direction along a northerly extension of said alley centerline between lots 8 and 26 of said block 7 to the intersection of the centerline of Birch Street; Thence in an easterly direction along said centerline to the intersection of the centerline of Thirteenth Street; Thence in a northerly direction along said centerline to the intersection of the centerline of Fourteenth Street; Thence in a northeasterly direction to a southerly extension of the centerline of the alley between lots 14 and 15 in block 14 of the Modified Mountain View Addition; Thence in a northerly direction along said extension and continuing along said centerline to the intersection of the centerline of the alley between lots 1 and 6 of said block 14; Thence in a westerly direction along said centerline to a southerly extension of the easterly right-of-way line of Mountain View Boulevard; Thence in a northerly direction along said extension and continuing along said easterly right-of-way to the intersection of the southerly right-of-way line of High Street; Thence in a northerly direction along a northerly extension of said easterly right-of-way to the intersection of the centerline of High Street; Thence continuing in a easterly direction along said centerline to the intersection of the centerline of Eighth Street; Thence in a southerly direction along said centerline to the intersection of the northerly boundary of the Park Hill Addition; Thence in a easterly direction along said northerly boundary to the northeast corner of said Park Hill Addition; Thence in a southerly direction along the easterly boundary of said Park Hill Addition to the intersection of the northerly boundary of the Fifth Addition; Thence in a southwesterly direction along the northerly boundary of said Fifth Addition to the northwest corner of said Fifth Addition; Thence in a southeasterly direction along the westerly boundary of said Fifth Addition to the intersection of the southerly right-of-way line of Buffalo Street; Thence in a northeasterly direction along said right-of-way line to the intersection of the westerly right-of-way line of Sixth Street; Thence continuing in an northeasterly direction along a northeasterly extension of said southerly right-of-way line of Buffalo Street to the intersection of the centerline of Sixth Street; Thence in a southeasterly direction along said centerline to the intersection of the centerline of Cedar Street; Thence in a southwesterly direction along said centerline to the intersection of the centerline of Seventh Street; Thence in a southeasterly direction along said centerline to an easterly extension of the northerly right-of-way line of Front Street; Thence in a southwesterly direction along said

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extension to the intersection of the westerly right-of-way line of Seventh Street; Thence continuing in a southwesterly direction along said northerly right-of-way line of Front Street to the intersection of the easterly right-of-way line of Eighth Street; Thence continuing in a southwesterly direction along a southwesterly extension of said northerly right-of-way line of Front Street to the intersection of the centerline of Eighth Street; Thence in a northwesterly direction along said centerline to a northeasterly extension of the northerly right-of-way line of Cedar Street; Thence in a southwesterly direction along said extension to the westerly right-of-way line of Tenth Street, point also being on the easterly boundary line of the Tolliver Addition; Thence in a southeasterly direction along said easterly boundary of said Tolliver Addition to the southeast corner of said Tolliver Addition; Thence in a southwesterly direction along the southerly boundary of said Tolliver Addition to a southerly extension of the centerline of the alley between lots 15 and 16 of Block 4 of said Tolliver Addition; Thence in a northerly direction along said extension to the centerline of said alley; Thence continuing in a northerly direction along said centerline to the intersection of the southerly right-of-way line of South Jeffers Drive; Thence continuing in a northerly direction along a northerly extension of the centerline of said alley between lots 15 and 16 of block 4 to the intersection of the centerline of South Jeffers Drive; Thence in a southwesterly direction along the centerline of said South Jeffers Drive to the intersection of the centerline of West Jeffers Drive; Thence in a northwesterly direction along the centerline of West Jeffers Drive to the intersection of the centerline of Twelfth Street; Thence in a northerly direction along the centerline of Twelfth Street to the intersection of the centerline of North Jeffers Drive; Thence in easterly direction to the intersection of the centerline of Eleventh Street; Thence in a northerly direction along said centerline to the southerly boundary of the Park Hill Addition; Thence in a westerly direction along said southerly boundary to the southwest corner of said Park Hill Addition, also being the southeast corner of the Second Park Hill Addition; Thence continuing in a westerly direction along the southerly boundary of said Second Park Hill Addition to the southwest corner of said Second Park Hill Addition; Thence in a northerly direction along the westerly boundary of said Second Park Hill Addition to the intersection of the southerly right-of-way line of Spruce Street; Thence in a northerly direction along a northerly extension of the westerly boundary of said Second Park Hill Addition to the intersection of the northerly right-of-way line of said Spruce Street, point also being the southwest corner of lot 18, block 28 of the Third Park Hill Addition; Thence in a southwesterly direction along a southwesterly extension of said northerly right-of-way line of Spruce Street and continuing in a southwesterly direction along said northerly right-of-way line to the southwest corner of the Sixth Park Hill Addition, said point also being the **Point of Beginning**. (Ord. No. 07a-02, Adopted, 07/16/02) (07b-2002, Added, 07/16/2002)

Chapter 19.20

R-A ZONING

Sections:

- 19.20.010 Purpose.**
- 19.20.020 Permitted Uses.**
- 19.20.030 Special Use Permits.**
- 19.20.040 Accessory Uses.**
- 19.20.050 Lot and Yard Requirements.**
- 19.20.060 Use Regulations Compliance.**
- 19.20.070 Site Plan Approval.**

Section 19.20.010 Purpose.

The purpose of this zoning is to preserve open areas within the City not yet ready for development while at the same time permit ranching, agriculture and animal husbandry in a manner which attains this purpose. (Ord. 9-89 (part))

Section 19.20.020 Permitted uses.

Permitted uses in the R-A zoning shall be as follows:

- A. Residential, general ranching, agriculture, farming, animal husbandry and their related residences, uses and facilities;
- B. Churches and Sunday schools;
- C. Public parks and playgrounds;
- D. Cemeteries;
- E. Buried underground utility lines and facilities and overhead electrical transmission lines only serving the city. (Ord. 9-89 (part))

Section 19.20.030 Special Use Permits.

The following uses are permitted subject to the Planning & Zoning Commission's recommendation pursuant to Chapter 19.56:

- A. Airports and communication towers;
- B. Hospitals, clinics, assisted living facilities, nursing home/convalescent home, substance abuse facility, mental health facility;
- C. Public buildings, schools;
- D. Public facilities and utilities limited to aboveground structures including sewage treatment and water supply facilities, sanitary landfill operations, substations, distribution and regulator stations and overhead electrical transmission lines serving areas other than Rawlins, all conforming to State Health Department requirements;
- E. Membership clubs facilities;
- F. Public and commercial recreation areas and facilities, including fishing ponds and campgrounds;
- G. Any use, building or structure proposed in an area classified as scenic corridor (except Section 19.20.020 uses) pursuant to Chapters 19.56;
- H. Major home occupation, subject to the conditions imposed in Chapter 19.40.190. (Ord. 2-91 (part); Ord. 9-89 (part))

Section 19.20.040 Accessory Uses.

Accessory uses in the R-A zone shall be as follows:

- A. Accessory use or building as defined in 19.08.020;
- B. Signs pursuant to Chapter 19.48.070;
- C. Minor home occupation, subject to the conditions imposed in Chapter 19.40.190 and obtaining the required permit from the community development office;
- D. Boarding or lodging house as defined in Chapter 19.08.080;
- E. Swimming Pools, Private, as defined in Chapter 19.08.710. (Ord. 2-91 (part); Ord. 9-89 (part))

Section 19.20.050 Lot and Yard Requirements.

	Main Building	Accessory Building
A. Minimum lot area	One acre	- -
B. Minimum front yard	40 feet	50 feet
C. Minimum side yard, each side	20 feet	5 feet ¹
D. Minimum rear yard	40 feet	5 feet ¹
E. Minimum corner yard	40 feet	40 feet
F. Maximum building height ²	60 feet	60 feet

¹ Distance increases to a minimum of thirty feet if building houses livestock.

² Greater heights may be approved by the Board of Adjustments if the proposed height will not have a detrimental effect on adjacent properties. (Ord. 9-89 (part))

Section 19.20.060 Use Regulations Compliance.

The use of land in this district shall also conform to the off-street parking and other provisions of Chapters 19.40 and 19.44 (Ord. 9-89 (part))

Section 19.20.070 Site Plan Approval.

- A. Site plan approval is required for special use permits pursuant to Chapter 19.56.
- B. Site plan approval is required for all permitted uses.

Chapter 19.22

I-A Zoning

Sections:

- 19.22.010 Purpose.**
- 19.22.020 Permitted Uses.**
- 19.22.030 Special Use Permits.**
- 19.22.040 Accessory Uses.**
- 19.22.050 Lot and Yard Requirements.**
- 19.22.060 Use Regulation Compliance.**
- 19.22.070 Site Plan Approval.**

Section 19.22.010 Purpose.

The purpose of this district is to preserve open areas within the City, while providing an area where intensive use with animal husbandry and the keeping of livestock in confined spaces where such are fed and cared for without open grazing. (Ord. No. 3A-97, Enacted, 03/18/97; Ord. No. 12-97, Amended, 12/16/97)

Section 19.22.020 Permitted Uses.

Permitted uses in the I-A district shall be as follows:

- A. Keeping, boarding, feeding, caring for, riding, training, and breeding of horses, mules, ponies, goats, sheep, cattle, rabbits, poultry, donkeys, asses, swine, ratites, llamas, and alpacas in confined spaces. (Ord. No. 3A-97, Enacted, 03/18/97; Ord. No. 12-97, Amended, 12/16/97)
- B. Residential uses are not allowed within this zone.

Section 19.22.030 Special Use Permits.

The following uses may be permitted subject to the recommendation of the Planning & Zoning Commission pursuant to the requirements of Chapter 19.56:

- A. Public utilities limited to above ground structures including sewage treatment and water supply facilities, sanitary landfill, substations, distribution and regulator stations and overhead transmission lines serving areas other than Rawlins. (Ord. No. 3A-97, Enacted, 03/18/97; Ord. No. 12-97, Amended, 12/16/97)

Section 19.22.040 Accessory Uses.

Accessory uses in a I-A zone shall be as follows:

- A. Barns, pens, corrals, shipping containers, arenas and sheds to house and keep permitted animals.
- B. The keeping of operable equipment used in keeping of the permitted animals and facilities maintenance.
- C. Storage of junk or abandoned or derelict vehicles, including campers, boats and trailers is prohibited pursuant to 8.16. (Ord. No. 3A-97, Enacted, 03/18/97; Ord. No. 12-97, Amended, 12/16/97)

Section 19.22.050 Lot and Yard Requirements.

- A. The minimum lot size shall be one-half (1/2) acre.
- B. The minimum setback from the front lot line for any building shall be twenty (20) feet.
- C. The minimum setback from any other lot line for any building shall be five (5) feet.
- D. The maximum height of any building shall be thirty (30) feet. (Ord. No. 3A-97, Enacted, 03/18/97; Ord. No. 12-97, Amended, 12/16/97)

Section 19.22.060 Use Regulation Compliance.

The use of land within this district shall also conform to the requirements of Chapters 19.40 and 19.44. (Ord. No. 3A-97, Enacted, 03/18/97; Ord. No. 12-97, Amended, 12/16/97)

Section 19.22.070 Site Plan Approval.

- A. Site plan approval is required for all special permitted uses pursuant to Chapter 19.56.
- B. Site Plan approval is required for all outright permitted uses pursuant to Chapter 19.44. (Ord. No. 3A-97, Enacted, 03/18/97; Ord. No. 12-97, Amended, 12/16/97)

Chapter 19.24

R-D ZONE

Sections:

- 19.24.010 Purpose.**
- 19.24.015 Single family residence.**
- 19.24.020 Permitted uses.**
- 19.24.030 Special permit uses.**
- 19.24.040 Accessory uses.**
- 19.24.050 Lot yard and density requirements.**
- 19.24.060 Use regulations compliance.**
- 19.24.070 Site plan approval.**
- 19.24.080 Townhouse and duplex regulations.**
- 19.24.090 Single-family zero lot line regulations.**
- 19.24.100 Reduced side yard setback.**
- 19.24.110 Reduced front or rear yard setback.**
- 19.24.120 Unattached garages in conjunction with zero lot line development.**
- 19.24.130 Lot sizes for zero lot line and reduced front or rear yards.**
- 19.24.140 Application of zero lot line and reduced side yard regulations.**

Section 19.24.010 Purpose.

The purpose of this district is to provide for useable open space, convenience, accessibility, utility and services, in areas planned for residential development within the city. Density control through variable land area per unit requirements permit a variety of housing types to fit varying needs throughout the city. (Ord. 9-89 (part))

Section 19.24.015 Single family residence.

"Single family residence" means a dwelling designed for one (1) family occupancy. A manufactured home, when constructed to the most current applicable building standards at the time of placing, placed on a permanent foundation, located in a residential zone and converted to real property prior to occupancy, shall be considered a single-family residence.

1. The following are requirements for single-family manufactured residential construction:
 - a. The structure shall have a pitched roof, with a slope of not less than a nominal three (3) inch vertical rise for each twelve (12) inches of horizontal run; and
 - b. Roof material shall consist of nonreflective material customarily used for conventional dwelling including, but not limited to, asbestos shingles, fiberglass shingles, shake shingles, wood shingles, composition shingles, or tile materials. Roof materials shall not include flat or corrugated sheet metal except for manufactured metal roof panels; and
 - c. Have a roof or roof and gutter combination overhang of not less than eight inches measured from the vertical side of the home; and
 - d. Have siding and skirting material consisting of wood or wood products, stucco, brick, rock, horizontal lap steel or aluminum or horizontal lap vinyl; and
 - e. Structure must be placed on a permanent foundation and have a perimeter wall not less than 6" thick which extends below the frost line and 8" above ground level. The permanent foundation must have intermediate supports as required by the manufacturer's foundation design. An insulated wall, not less than R-11, is required to seal the gap between the single-family residence and the perimeter wall.

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- f. Structure shall be a minimum of twenty-four (24) feet along the widest part of the structure's shortest axis; or
 - g. The foundation for a manufactured single-family residence not complying with Subsection e must be submitted under seal and signature of a Wyoming Professional Registered Engineer. A foundation designed so signed and sealed may be approved upon appropriate review.
 - h. Other conventionally constructed dwelling not meeting the above listed conditions as approved by the Community Development director.
2. The following are requirement for single family residence construction located in an R-MH zone, where the structure is located on a privately owned lot outside of an approved mobile home park and is less than twenty-four (24) feet along the widest part of the structure's shortest axis (structures greater than twenty-four (24) feet along the widest part of the structure's shortest axis must comply with Paragraph 1):
- a. The structure shall have a pitched roof, with a slope of not less than a nominal three (3) inch vertical rise for each twelve (12) inches of horizontal run; and
 - b. Roof material shall consist of nonreflective material customarily used for conventional dwelling including, but not limited to, asbestos shingles, fiberglass shingles, shake shingles, wood shingles, composition shingles, or tile materials. Roof materials shall not include flat or corrugated sheet metal except for manufactured metal roof panels; and
 - c. Have a roof or roof and gutter combination overhang of not less than eight inches measured from the vertical side of the home; and
 - d. Have siding and skirting material consisting of wood or wood products, stucco, brick, rock, horizontal lap steel or aluminum or horizontal lap vinyl; and
 - e. Structure must have tie downs and foundation blocking as required by the manufacturer;
 - f. Structure shall be a minimum of twelve (12) feet along the widest part of the structure's shortest axis;
 - g. Other conventionally constructed dwelling not meeting the above listed conditions as approved by the Community Development director. (Ord. No. 09-00, Adopted, 9/5/00) (09-2000, Added, 09/05/2000)

Section 19.24.020 Permitted uses.

- A. Residential dwelling unit development as specified in Tables 9.24.020A and 9.24.020B for each zoning subclassification. Multiple dwelling units on one lot or parcel shall only be permitted in areas with the subclassifications of R-TH and R-MF; all density requirements in Table 9.24.020A must be met. Mobile homes will be allowed only in areas with the subclassification of R-MH:
- B. Crop and garden uses;
- C. Churches, Sunday school and cemeteries;
- D. Public parks and playgrounds;
- E. Public schools;
- F. Buried underground utility lines and facilities and overhead electrical transmission lines only if they only serve the city of Rawlins. (Ord. 9-89 (part))

Table 19.24.020A

MINIMUM LOT AREA AND DENSITIES

<u>Zoning District</u>	<u>Lot Width</u>	<u>Corner Lot Width</u>	<u>Lot Depth</u>	<u>Minimum Lot Size Per SF Dwelling</u>	<u>Minimum Ratio of Lot Area Per D.U.</u>	<u>Gross Density Per Acre (D.U./Acre)</u>
R-40	150	150	200	40,000	40,000	1
R-15	90	90	140	15,000	15,000	3

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R-7.5						
-Single Family	60	75	100	7,500	7,500	6
-Reduced Side Yard	54	67	85	6,500	6,500	7
-Single Family Zero Lot Line	52	65	85	6,500	6,500	7
R-MH						
-Mobile Home	60	75	100	6,000	6,000	7
R-TH						
-Townhouse	20	40	Must Meet Setbacks for Zone	-	2,400	18, Not to Exceed 50% Coverage/Lot 7
-Single-Family	60	75	100	6,000	6,000	10
-Reduced Side Yard	42	52	85	4,000	4,000	
-Single Family Zero Lot Line	40	50	85	3,825	3,825	11.5
-Duplex	40	50	Must Meet Setbacks for Zone	-	2,000	22, Not to Exceed 30% Cover/Lot
R-MF						
-Single-family	60	75	100	6,000	6,000	7
-Reduced Side Yard	42	52	80	3,500	3,500	12.5
-Single Family Zero Lot Line	40	50	80	3,200	3,200	13
-Duplex	40	50	Must Meet Setbacks for Zone	-	2,000	22, Not to Exceed 30% Coverage/Lot
-Townhouse	20	40	Must Meet Setbacks for Zone	-	2,400	18, Not to Exceed 50% Coverage/Lot
-Multifamily	60	75	100	-	1,500	30

Table 19.24.020B

MINIMUM YARD REQUIREMENTS AND SETBACKS

Zoning District	Front Yard	Side Yard	Rear Yard	Corner Yard
R-40	35	15	25	35
R-15	30	10	25	20
R-7.5				
-Single-family	25	8	25	15
-Single-family zero lot line	15/25	0/12	25/15	0/15
-Reduced side yard	15/25	2/12	25/15	1/15
R-MH	25 * 10	8 * 8	15 * 8	15 * 15
R-TH				
-Townhouse	25	0/8	25	15
-Single-family	--	--	--	--

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-Single-family zero lot line	12/25	0/12	25/12	0/15
-Reduced side yard	12/25	2/12	25/12	2/15
-Duplex	25	0/8	25	0/15
R-MF				
-Single-family	20	8	15	15
-Single-family zero lot line	12/20	0/12	20/12	0/15
-Reduced side yard	12/20	2/12	25/12	2/15
-Duplex	20	0/8	20	0/15
-Townhouse	20	0/8	20	0/15
-Multifamily	25	8	20	15

(Ord. No. 3B-95, Amended, 03/07/95)

* Mobile Home Parks

Section 19.24.030 Special permit uses.

The following uses are permitted subject to the Planning & Zoning Commission's recommendation pursuant to Chapter 19.56:

- A. Planned unit development, mobile home parks pursuant to 19.60;
- B. Preschools, day care for more than seven children;
- C. Hospitals;
- D. Public utilities limited to above ground structures including sewage treatment and water supply facilities, sanitary landfill, substations, distribution and regulator stations and overhead transmission lines serving areas other than Rawlins;
- E. Membership facilities;
- F. Boarding or lodging house as defined in 19.08.080
- G. Nursing home/convalescent center-
- H. Repealed
- I. The keeping of not more than one horse for the private use of each member of the family living on the premises so long as such horses are not kept or housed within fifty feet of any street or highway so long as the lot has at least ten thousand square feet of area for each horse;
- J. Major home occupations, subject to the conditions imposed by Chapter 19.40;
- K. Residential professional offices.
- L. Assisted Living Facility. (Ord. 2-91 (part); Ord. 9-89 (part)) (Ord. No. 3B-95, Amended, 03/07/95) (09-2000, Amended, 09/05/2000) (Res. 05A-2013, Amended 5/7/2013)

19.24.040 Accessory uses.

Accessory uses in the R district shall be as follows:

- A. Customary accessory structures and uses:
 - i. May consist of detached garages, tool or storage sheds, playhouses, accessory dwelling units, hot tubs, spas, gazebos and recreational courts.
 - a. Shipping containers are not acceptable accessory structures.
 - ii. Fences, pursuant to Section 19.40.050;
 - iii. Signs, pursuant to Chapter 19.48;
 - iv. Private swimming pools, pursuant to Section 19.40.140;
 - v. Minor home occupation, pursuant to section 19.40.190.
 - vi. Access driveway, pursuant to section 19.40.

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- B. Minor home occupations, subject to the conditions imposed by Chapter 19.40 and obtaining the required permit from the community development office;
- C. Garage sales, provided that:
 - i. No property may be offered for sale which has not been owned and used by the occupant of the premises or the co-participants in "neighborhood" garage sales. Neighborhood garage sales are allowed only if occupant of the premises receives no profit or commission from sale of other participant's property.
 - ii. No garage sales shall be conducted for longer than three days duration;
 - iii. Garage sales may be conducted *between the hours of seven-thirty (7:30) AM & nine-thirty (9:30) PM* only;
 - iv. Goods may not be stored outside during non-sale hours.
 - a. Posting of private signs, pursuant to section 9.12.100 through .170.

(Ord. No. 5A-97, Enacted, 05/20/97) (Ord. Amended 6/17/2014) (Ord.07B-2014, Amended 7/15/2014)

Section 19.24.050 Lot yard and density requirements.

- A. Minimum lot area and density for lots with either a public, or state approved community water supply and sewage treatment system *are* shown in Table 19.24.020A.
- B. Minimum yard requirements, lot size, and setbacks are shown in Table 19.24.020B for main buildings.
- C. Encroachment for Purposes of Energy Conservation. Modifications of existing structures for the purpose of energy conservation may encroach up to twenty-five percent of the required setback. Such encroachment shall be addition of improvements such as solar collectors, attached solar greenhouses, vestibules or foyers. Under no circumstances may the improvement constitute habitable room. Solar Access is located in Chapter 19.47 within this code.
- D. Accessory Building Conformance Requirements.
 - i. All other structures shall be incident only to the primary residential structure on the lot; the accessory structure shall not exceed one hundred twenty five percent (125%) of the lot footprint of the residence, and the width or length of the residence.
 - ii. The total footprint of all accessory structures shall not exceed thirty percent (30%) of the total yard.
 - iii. An accessory structure shall maintain the following separation from other structures on the lot or any adjacent lot with the table listed below.

**TABLE R302.1(1)
EXTERIOR WALLS**

EXTERIOR WALL ELEMENT		MINIMUM FIRE-RESISTANCE RATING	MINIMUM FIRE SEPARATION DISTANCE
Walls	Fire-resistance rated	1 hour—tested in accordance with ASTM E119, UL 263 or Section 703.3 of the <i>International Building Code</i> with exposure from both sides	0 feet
	Not fire-resistance rated	0 hours	≥ 5 feet
Projections	Not allowed	NA	< 2 feet
	Fire-resistance rated	1 hour on the underside, or heavy timber, or fire-retardant-treated wood ^{a, b}	≥ 2 feet to < 5 feet
	Not fire-resistance rated	0 hours	≥ 5 feet
Openings in walls	Not allowed	NA	< 3 feet
	25% maximum of wall area	0 hours	3 feet
	Unlimited	0 hours	5 feet
Penetrations	All	Comply with Section R302.4	< 3 feet
		None required	3 feet

- iv. Accessory structures allowed one (1) foot from the property line:
 - a. Structure: shall not be secured by permanent foundation.
 - b. Structure: shall be less than 200 square feet.
 - c. Structure: shall not be allowed over any public or utility easement.
 - d. Private non-permeable driveways or parking pads are exempted from the 120 square foot requirement.
- v. Any accessory structure over 200 square feet shall have a permanent foundation.
- vi. Accessory structures shall not be allowed within a front yard, except doghouses, playhouses, or any non-permanent structure less than twenty (20) square feet.
- vii. Accessory structures may be allowed within side yards when the distance from the side yard property line to the primary structure is equal to or greater than the distance from the rear property line to the primary structure.
 - a. Structures located in the side yard shall maintain all required setbacks.
 - b. Front setback of side yard structures shall be greater than the primary structure.
- viii. The exterior design and material of the accessory building shall be compatible with and complimentary to the residence and the neighborhood. No reflective, bright or galvanized materials will be allowed, colored metal panels are acceptable for siding and roof applications.
- ix. Accessory buildings' total height shall not exceed twenty-five (25') feet being measured pursuant to Section 19.08.220.
- x. All accessory buildings with a pitched roof shall have a pitch of at least a three (3) inch vertical rise for each twelve (12) inches of horizontal run; flat roof is acceptable.
- xi. Detached garages shall not twenty-five (25') in height.
 - a. Permitted accessory dwelling units may be attached or detached from the primary residential structure and shall consist of a mother-in-law suite, carriage house, granny flat or similar type secondary residential structures. Mobile homes and trailers are not acceptable secondary residential structures.

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- xii. All requirements within this code are to operate in conjunction with Section 19.40.020, except wherein any conflict in requirement shall be superseded by the provisions stated within this code. Setbacks are to follow table listed below for future home development.

E. Accessory Buildings Setbacks.

- i. Side Yard Structures: Front setbacks for structures located in the side yard shall not be less than the primary structure for all residential zones.

Table with 7 columns: Zone, R-40, R-15, R-7.5, R-TH & R-MH, R-MF. Rows include Front, Side, Rear, and Corner setbacks.

F. Maximum building height, twenty-five (25) feet;

- G. Open space (private): In all residential zones, not less than thirty (30) percent of the lot or parcel shall be reserved and improved as open space for the use of occupants. (Ord. 9-89 (part)) (Ord. No. 3B-95, Amended, 03/07/95; Ord. No. 07b-02, Amended, 07/16/02) (Ord. 19.24.050, Amended, 07/18/2002) (Ord. Amended 06/17/2014) (Ord. 07B-2014, Amended 7/15/2014)

Section 19.24.060 Use regulations compliance.

Use of land in this district shall also conform to the off-street parking and other provisions of Chapter 19.44. (Ord. 9-89 (part))

Section 19.24.070 Site plan approval.

- A. Site plan approval is required for all permitted uses pursuant to Chapter 19.44.
B. Site plan approval is required for all special permit uses pursuant to Chapter 19.56. (Ord. 9-89 (part))

Section 19.24.080 Townhouse and duplex regulations.

- A. In zones designated R-TH and R-MH, individual dwellings constructed as part of a series of dwellings, all of which are either attached to the adjacent dwelling or dwellings by party walls, or are located immediately adjacent thereto with no visible separation between walls or roof may be individually owned if so indicated on a subdivision plat setting forth the area of individual ownership. The lots so created shall be subject to all the provisions of the Rawlins subdivision regulations.
B. Where common areas, private roads or common open spaces are provided, a homeowner's association to maintain such improvements shall be required to be established and to remain as long as the property remains in such ownership.
C. Building setback requirements shall be specified in Table 19.24.020B, and shall be determined from the boundaries of the proposed development.
D. The lot area per dwelling unit and lot width shall be not less and coverage shall be no greater than indicated in Tables 19.24.020A and 19.24.020B of these regulations. (Ord. 9-89 (part)) (Ord. No. 3B-95, Amended, 03/07/95)

Section 19.24.090 Single-family zero lot line regulations.

- A. The side yard setback may be reduced to zero in appropriate zones, as shown in Table 19.24.020A on one side of the lot provided that:

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- i. The minimum side yard setback for such adjacent lot is not less than twelve feet or that if the lot adjacent to the side yard already has a main building constructed on it that the side yard setback for such adjacent construction is not less than twelve feet; and
- ii. The opposite side yard setback for which the zero side yard is proposed is not less than twelve feet and is perpetually maintained free and clear from any obstructions or construction other than a maximum three-foot eave projection, normal landscaping, removable patio covers which may extend to no more than five feet from the side yard property line, or garden walls or fences crossing the setback provided they are equipped with a gate, and may not exceed six feet in height; and
- iii. A minimum four-foot wide irrevocable maintenance and drainage easement which is covenanted to run with the land is provided on the adjacent lot for which a zero side yard is established in order to maintain the wall of the structure located at the zero side yard setback. In addition, no construction other than that described in Section 19.24.100(A)(2) shall be allowed within the twelve-foot adjacent side yard. No fences or other permanent structure shall be permitted in such an easement. Such easement shall be recorded at the Carbon County clerk's office; and
- iv. No portion of the dwelling unit or architectural features shall project over any property line except a roof overhang may penetrate the easement on the adjacent lot a maximum of twenty-four inches, but the roof shall be so designed that any water runoff from the dwelling placed on the lot line is limited to the easement area. No openings, windows, doors, etc. may open towards the reduced side yard; and
- v. The zero-side yard does not encroach a public or private right-of-way; and
- vi. Construction of structures on the lot shall meet requirements of the codes of the city of Rawlins; and
- vii. The building permit application is accompanied by proof of adjacent lot(s) or land ownership and/or a deed showing the granting of a four-foot easement from adjacent property owner(s) along the common line designated for zero side yard, along with proof of the recording of such deed and a signed statement of ownership and affidavit that the landowners have been informed of the zero-lot line proposal. (Ord. 9-89 (part))

Section 19.24.100 Reduced side yard setback.

- A. The side setback may be reduced to two feet in appropriate zones on one side of the lot provided that:
 - i. The minimum side yard setback for the adjacent lot is not less than twelve feet, or that if the lot adjacent to that side yard already has a main building constructed on it that the said yard setback for such adjacent construction is not less than twelve feet; and
 - ii. The opposite side yard setback for which the reduced side yard is proposed is not less than twelve feet and is perpetually maintained free and clear from any obstructions or construction other than a maximum three-foot eave projection, normal landscaping, removable patio covers which may extend to no more than five feet from the side yard property line, or garden walls or fences crossing said setback provided they are equipped with a gate, and may not exceed six feet in height; and
 - iii. A minimum two-foot-wide irrevocable maintenance and drainage easement which is covenanted to run with the land is provided on the adjacent lot for which a reduced side yard is established in order to maintain the wall of the structure located at the reduced side yard setback. In addition, no construction other than that described in subdivision 2 of this subsection shall be allowed within the twelve-foot adjacent side yard. No fences or other permanent structure shall be permitted in such an easement. Such easement shall be recorded at the Carbon County clerk's office; and
 - iv. No portion of the dwelling unit or architectural features shall project over any property line except a roof overhang may penetrate the easement on the adjacent lot a maximum of

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twelve inches, but the roof shall be so designed that any water runoff from the dwelling placed on the lot line is limited to the easement area. No openings, windows, doors, etc. may open towards the reduced side yard; and

- v. The reduced side yard does not abut a public or private right-of-way; and
- vi. Construction of structures on the lot shall meet requirements of the codes of the city of Rawlins, Wyoming; and
- vii. The building permit application is accompanied by proof of adjacent lot(s) or land ownership and/or a deed showing the granting of a two-foot easement from the adjoining property owner(s) along the common line designated, along with proof of the recording of such deed and a signed statement of ownership and that the landowners have been informed of the zero-lot line proposal. (Ord. 9-89 (part))

Section 19.24.110 Reduced front or rear yard setback.

- A. Either the front or rear yard setback may be reduced in appropriate zoning as shown in Table B provided that:
 - i. The dwelling on the lot, and adjacent lots meet the requirement for and setbacks in that zone as shown in Table 19.20.020B and the required front yard shown is kept perpetually free of encroachment; and
 - ii. The dwelling unit is constructed in accordance with the side setback exception allowed in the zero side yard or reduced side yard setback sections of this ordinance; and
 - iii. Construction of structures on the lot shall meet requirements of the codes of the city of Rawlins, Wyoming; and
 - iv. The building permit is to be issued for a building in a subdivision for which zero lot line and reduced front and rear setbacks have been recorded on the plat; or
 - v. The building permit application is accompanied by a signed, notarized affidavit(s) of the adjacent property owner(s) directly to the rear stating their ownership and that they have approved the reduced rear or front yard proposal and the applicant shows proof of filing of the notice of acceptance at the Carbon County clerk's office. (Ord. 9-89 (part))

Section 19.24.120 Unattached garages in conjunction with zero lot line development.

- A. Whenever a building permit for zero lot line or reduced side yard single family unit has been approved, an unattached garage may also be erected on the property conforming to the setbacks established for the main building under the following conditions:
 - i. No unattached garage will be allowed on the same lot where an attached garage has already been constructed.
 - ii. No unattached garage shall be closer than six feet to any main building on the same lot.
 - iii. No unattached garage shall be closer than twelve feet to any building on another lot.
 - iv. Other accessory buildings must be placed within general accessory setbacks established for the zone.
 - v. All architectural restrictions which apply to the main building shall also apply to unattached garage.
 - vi. At least forty percent of the lot shall remain as open space for the use of the residents.
- B. Unattached garages must be constructed according to general accessory building setback requirements for the zone if they do not conform to section 19.24.110(A).
- C. No unattached garage shall encroach upon side yard requirements in 19.24.090(A)(2). (Ord. 9-89 (part))

Section 19.24.130 Lot sizes for zero lot line and reduced front or rear yards.

If a zero side yard or a reduced front or rear yard setback is approved by the zoning officer, the minimum lot size required in the sub-district shown in Table 19.24.020A may be applied upon application for a building permit. (Ord. 9-89 (part))

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Section 19.24.140 Application of zero lot line and reduced side yard regulations.

Zero lot line and reduced side yard regulations area intended to promote infill and allow for accommodation of irregular lots in existing subdivisions. As such these regulations apply only to subdivisions platted to January 1, 1987. (Ord. 9-89 (part))

Chapter 19.28

COMMERCIAL ZONE

Sections:

19.28.010	Purpose.
19.28.020	Schedule of Uses.
19.28.030	Special Permitted uses.
19.28.040	Use Regulation Compliance
19.28.050	Lot and Yard Requirements
19.28.060	Height Standards
19.28.070	Landscaping
19.28.080	Site Plan Approval

Section 19.28.010 Purpose.

The purpose of the Commercial Zone is to provide an appropriate design to reflect the degree to which commercial development impacts other adjacent uses. The Commercial Zone has been divided into three classifications to promote versatility in development. The three zone areas are as follows:

C-1, Commercial City Center:

- i. The Commercial City Center Zone is established to provide locations for a full range of office, retail commercial, mixed use and service uses which are oriented to serve the City as a whole. A variety of activities are encouraged, especially those which promote both daytime and night-time consumer activity.
- ii. The Commercial City Center Zone includes uses usually associated with a central business district, shopping facilities and mixed-use multi-family residential uses oriented to pedestrian traffic, as well as vehicular traffic. Site selection development and uses for Commercial City Center Zones shall take into account potential impacts on surrounding residential uses and measures shall be taken to minimize these impacts.
- iii. In order to stabilize, improve and protect the City's commercial areas, standards are established to ensure a quality urban environment with landscaping, light and air at street level, well-defined urban spaces, and compatibility of building materials, colors and textures.

B. C-2, Commercial Transitional:

- i. The Commercial Transitional Zone is established to provide suitable locations for retail, big box retail, service and indoor recreational uses. These areas should serve as transition zones between Commercial City Center and Commercial Heavy Zones and should be located on arterial streets.
- ii. The C-2 Zone serves as the location for light to medium type of commercial activities allowed in the City. For this reason, these zones may be next to residential areas with an appropriate landscaped buffer.

C. I, Commercial Heavy/Light Industrial:

- i. The I Zone is established to provide locations for the heaviest type of permitted commercial uses such as wholesale, light manufacturing, lumber or storage yards and outdoor recreation. For this reason, these zones should not occur next to

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residential areas so that the appearance from the highway or freeway does not present a poor image of the city.

- ii. This includes the production, processing, cleaning, testing and distribution of material goods and services.
- iii. Uses that will not be considered a nuisance by means of excessive smoke, noise, traffic, fumes, odors or other type of nuisance beyond that of the surrounding developments.

19.28.020 Schedule of uses.

The following schedule indicates by the symbol "P" are the uses that shall be permitted in each Commercial Zone, and by the symbol "S," are the uses which require a Special Use Permit in accordance with the provision. Any use not identified within this schedule may be allowed through a Special Use Permit. The symbol "X" means that the use is not allowed. (Ord. 12-2025)

	Use	Reference Code	C-1	C-2	I
1.	Art Gallery	19.08.035	P	P	P
2.	Automobile care	19.08.040	X	P	P
3.	Automobile filling station	19.08.160/ 19.40.130	S	P	P
4.	Automobile repair garage	19.08.210	S	P	P
5.	Automobile Dealership, New/Used	19.08.042	X	P	P
6.	Bakery/Pastry shop	19.08.044	P	P	P
7.	Bank or financial service	19.08.046	P	P	P
8.	Boarding/lodging house, Temp Housing i. Inside National Historic Registry zones ii. Outside National Historic Registry zones	19.08.080	S P	S P	S P
9.	Broadcasting Station	19.08.095	S	S	P
10.	Business Center Development	19.08.110	S	P	P
11.	Bus Station/Terminal	19.08.105/ 19.08.106	S	P	P
12.	Car Title Loan Business	19.08.113	S	S	S
13.	Caretaker dwelling incidental to and above or behind a principal commercial use	19.08.117	S	S	P
14.	Check Cashing Facility / Deferred Deposit Loan	19.08.120	S	S	S
15.	Churches/ Religious establishments	19.08.121	S	S	S
16.	Community use	19.08.123	P	P	P
17.	Concert Venue, Concert Hall, Dance Hall	19.08.124	S	P	P

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18.	Convenience store	19.08.125	S	P	P
19.	Cosmetic/Hair or Tanning Salon service establishment	19.08.126	P	P	P
20.	Day care center	19.08.127	P	P	S
21.	Detention facilities; jails	19.08.128	X	S	P
22.	Drive up/Drive through service incident to any business	19.08.129	S	P	P
23.	Educational Use	19.08.141	S	P	S
24.	Emergency services; police, fire or ambulance stations	19.08.147	S	P	P
25.	Fast food establishment, independent	19.08.155	S	P	P
26.	Fast food establishment which is located under the roof of a shopping center containing at least three other retail uses	19.08.155/ 19.08.608	P	P	P
27.	Fences	19.08.157/ 19.40.050	P	P	P
28.	Fraternal Club, Social Club	19.08.183	S	S	S
29.	Funeral parlor/Mortuary	19.08.187	S	P	P
30.	General Repair Service	19.08.212	S	P	P
31.	Greenhouse; garden supply	19.08.215	S	P	P
32.	Hardware store; home improvement center	19.08.218	S	P	P
33.	Hospital	19.08.250	S	P	P
34.	Hotel; motel; extended stay hotel	19.08.260/ 19.08.500	S	P	S
35.	Impound Yard completely enclosed by fence no less than eight (8) feet in height. A city approved landscaping plan may be substituted if approved by the Community Development Department and must be continually maintained.	19.08.266/ 19.40.050	X	X	S
36.	Industrial Park	19.08.270	X	S	P
37.	Junk Yard completely enclosed by fence no less than eight (8) feet in height. A city approved landscaping plan may be substituted if approved by the Community Development Department and must be continually maintained.	19.08.290/ 19.40.050	X	X	S
38.	Labor Camp	19.08.295	X	S	S
39.	Laundromat/dry cleaning facilities	19.08.304	S	S	P
40.	Library	19.08.306	P	P	P
41.	Light manufacturing conducted within an enclosed building	19.08.308	X	S	P
42.	Lumber yard	19.08.405	X	S	P

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43.	Medical clinic; doctor's offices	19.08.420	P	P	P
44.	Membership club	19.08.430	S	P	P
45.	Mixed use	19.08.483	P	P	S
46.	Museum	19.08.523	P	P	P
47.	Neighborhood service establishment	19.08.527	P	P	P
48.	Nursing home; convalescent center/senior activity center	19.08.557	S	P	P
49.	Off-premises beer retailer licensed outlet	Ch. 5.08	S	P	P
50.	Office/warehouse -less than 50% interior storage; no outside storage or display permitted	19.08.758	S	S	P
51.	Office/warehouse -more than 50% interior storage; outside storage only as approved by Planning Commission	19.08.758	X	X	S
52.	Parking lots	19.08.563/ 19.44	S	P	P
53.	Parking structure/Garage	19.08.200/ 19.40.130/19.44	S	P	P
54.	Pawnshop/Pawnbroker	19.08.567/5.01	X	S	S
55.	Planned Unit Development (PUD);	Ch. 19.60	P	P	P
56.	Postal services, private or federal	19.08.575	S	P	P
57.	Privately owned communication towers	19.08.122	X	S	P
58.	Professional Service	19.08.585	P	P	P
59.	Public utility installation (except lines and rights-of-way)	No Def.	P	P	P
60.	Public utility transmission lines and rights-of-way:	No Def.			
	a. Not serving the city		S	S	S
	b. Are serving the city		P	P	P
61.	Reception center	19.08.592	P	P	S
62.	Recreation, Private	19.08.593			
	i. Indoor		P	P	P
	ii. Outdoor		S	S	P
63.	Recreation, Public	19.09.594			
	i. Indoor		P	P	P
	ii. Outdoor		S	S	P
64.	Recreational facility beer retailer	Ch. 5.08	S	S	P

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65.	Residential, Loft/Walk up with private entrance	19.08.600	P	P	S
66.	Residential Multi-family/Duplex above public parking garage or main level commercial establishment with private entrance	No Def.	P	P	S
67.	Residential, over 55 non-assisted living	No Def.	P	P	X
68.	Residential uses in conjunction with a Regional/local shopping mall	No Def.	P	P	S
69.	a. Restaurant Liquor Retailer, Dining club b. Micro-Brew Restaurant, Liquor Retailer c. Manufacturer of Alcoholic Products/Brewery	19.08.435/ Ch. 5.08	S S X	S S X	S S S
70.	Restaurant, Restaurant on-premises beer retailer	Ch. 5.08	P	P	P
71.	Retail department or specialty store with no outside storage or display	19.08.602/ 19.08.665	P	P	P
72.	Retail department or specialty store with outside storage or display	19.08.602/ 19.08.665	S	P	P
73.	RV Park	19.08.597	X	P	P
74.	Salvage Yard	19.08.603/ 19.40.050	X	X	S
75.	Seasonal fruit/produce vendor stand as temporary use only	19.08.718	P	P	P
76.	Self-Storage facility with a maximum of 100' of frontage along any road, completely enclosed by fence no less than eight (8) feet in height, not including façade of main office. A city approved landscaping plan may be substituted if approved by the Community Development Department and must be continually maintained.	19.08.606/ 19.40.050	X	S	P
77.	Sexually oriented Business	19.08.607/Ch. 5.10	X	S	S
78.	Shopping center	19.08.608	P	P	S
79.	Signs	19.08.610/19.48/ 9.12.100	S	P	P
80.	“Storage lot incident to business OR structure” completely enclosed by wall or fence that complies with district design standard, or a city approved landscaping plan may be substituted if approved by the Community Development Department and must be continually maintained. This excludes lots used for towing, impound, junk, salvage and wrecking yards.	19.08.678/ See 19.40.050	P	P	P
81.	Tattoo establishment	19.08.712	X	S	S
82.	Tavern	19.08.714	S	S	S
83.	Temporary uses	19.08.718	S	S	S
84.	Theater/Cinema, indoor	19.08.719	S	P	P
85.	Theater/Cinema, drive in	19.08.719	X	S	P

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86.	Towing Business	19.08.721	X	X	S
87.	Towing Yard completely enclosed by fence no less than eight (8) feet in height. A city approved landscaping plan may be substituted if approved by the Community Development Department and must be continually maintained.	19.08.722/ 19.40.050	X	X	S
88.	Trucking and transportation terminals	19.08.745	X	S	P
89.	Uses customarily accessory to a listed permitted use	No Def.	P	P	P
90.	Uses customarily accessory to a listed special use	No Def.	P	P	P
91.	Veterinary hospital/indoor kennel	19.08.755	X	S	P
92.	Wrecking Yard, <i>see Junk Yard</i>	19.08.759/19.08. 290/19.40.050	X	X	S
93.	*Any structure built in a scenic corridor*	19.08.605	S	S	S
94.	*Other commercial type use not listed*	No Def.	S	S	S

19.28.030 Special Permitted Uses

All Special Use Permits (SUP) shall, by application, be submitted to the Community Development Department for review. All completed and reviewed SUP applications will be brought before the Planning & Zoning Commission pursuant to Section 19.56.040 for determination.

19.28.040 Use Regulation Compliance.

Uses in the commercial zones shall be as follows:

- A. All accessory uses, including off-street parking and loading, allowed under the provisions of this code will be required to comply with the use regulations and provisions in chapter 19.40 and chapter 19.44.

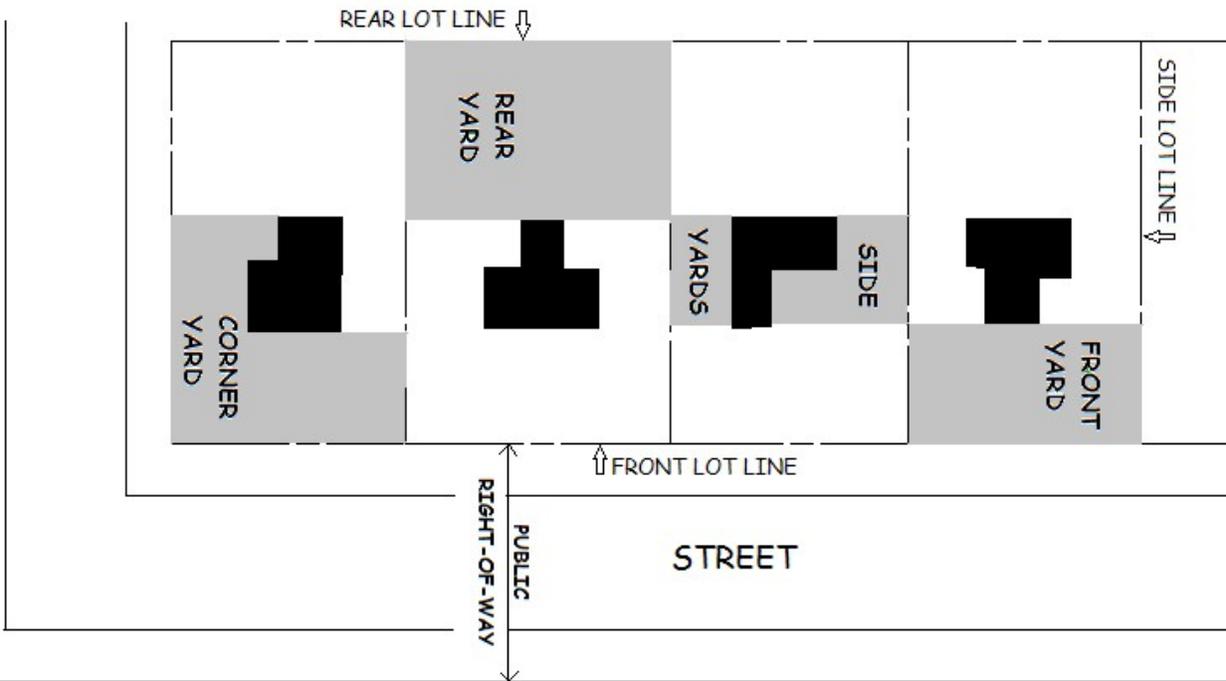
- B. Use regulation within the C-1 District only:
 - i. All new construction or additions shall comply with Downtown Development Authority (DDA) district design guidelines.
 - ii. Additions to contributing buildings shall be designed in conformance with the National Register District / Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.
 - iii. Additions to non-contributing buildings and new buildings shall be designed to be compatible in terms of architectural forms, dimensions and materials with other contributing structures within the district.
 - iv. All drive through service shall be oriented to be the least visible from all major arterial streets or corridors.
 - a. Visibility may be supplemented through a city approved landscaping design using berms, shrubs, trees or decorative fencing.

- C. Use regulation within the C-2 and I Zones:
 - i. All drive through service must be oriented to be the least visible from all major arterial corridors.

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- a. Visibility may be supplemented through a city approved landscaping design using berms, shrubs, trees or decorative fencing.
- ii. All storage businesses or lots shall be completely enclosed with an eight (8) foot privacy or opaque fence or wall.
 - a. The façade of an office building on the lot shall be considered as part of the wall or fence to enclose the lot.
 - b. The wall or fence shall adhere to the corner setback regulation.
 - c. A city approved landscaping plan may be substituted. Decorative rod Iron fencing may be used in lieu of an opaque wall or fence.
- iii. Minimum lot area shall be designed and maintained at three times the total building floor space area to provide for parking, loading, circulation and pedestrian walk.
 - a. The total area of a parking structure may be used to reduce total lot size up to 50% upon approval of design by the Community Development Department.

19.28.050 Lot and Yard Requirements



SETBACK STANDARDS.

Minimum:

Zone	FRONT	SIDE	REAR	CORNER	Adjacent to residential
C-1	3ft	0ft	3ft	10ft	10ft
C-2	20ft	5ft	10ft	20ft	25ft
I	30ft	10ft	20ft	30ft	50ft

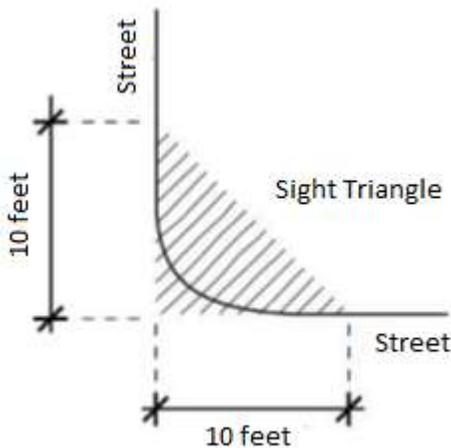
The yard requirements in the C-1, C-2, and I commercial zones shall be as follows:

A. C-1, Commercial City Center:

- i. Front Yard Setback:
 - a. The minimum building setback from any street shall be three (3) feet;
 - b. Parking shall not be allowed within this minimum setback area;
 - c. Such areas shall be permanently landscaped, except for approved access drives;

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- d. Any commercial building located adjacent to, or across a street from, a residential zone shall have permanent landscaping a minimum of ten (10) feet from the property line.
- ii. Side Yard Setback:
 - a. No side yard setback is required;
 - 1. Any existing side yard shall be permanently landscaped;
 - 2. Any side yard that abuts a zone boundary line shall require a wall, fence, or screening not less than six (6) feet in height on the property line. Every wall, fence or screening required for this purpose shall be reviewed by the Community Development Department for design conditions and standards.
- iii. Rear Yard Setback
 - a. The minimum Building setback from and rear lot line shall be three (3) feet.
 - 1. Any rear yard that abuts a residential zone boundary line or is adjacent to any residential lot or zone the minimum setback shall be ten (10) feet.
 - I. A wall, fence, or screening not less than six (6) feet in height on the property line shall be required, pursuant to section 19.40.050;
 - II. At least five percent (5%) of any existing rear yard shall be permanently landscaped;
 - III. Additional landscaping may be used to subjugate a fence or wall upon approval of design by the Community Development Department.
- iv. Corner Setback
 - a. The minimum building setback from the corner on a lot where two or more streets intersect shall be ten (10) feet to maintain appropriate sight triangle. The minimum building setback from a side street lot line shall also be ten (10) feet.
 - 1. All corner clearance shall comply with Section 19.40.070.

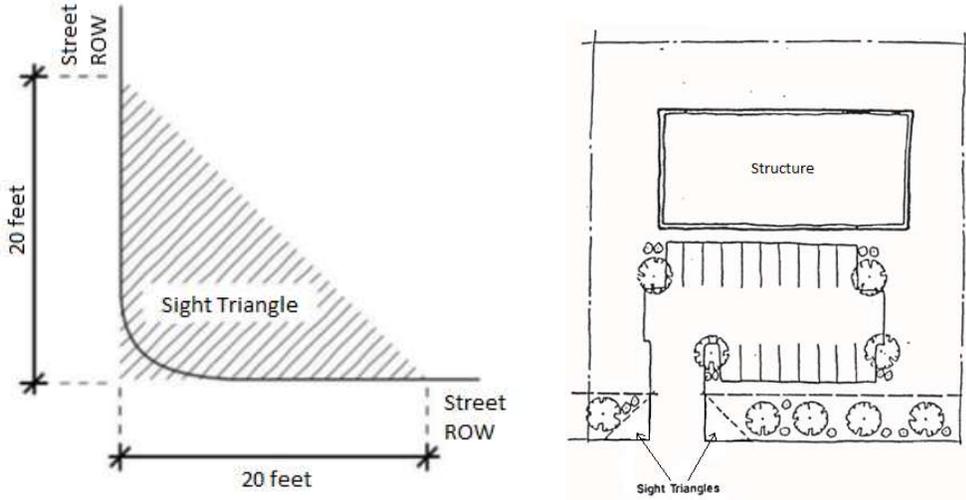


B. C-2, Commercial Transitional:

- i. Front Yard Setback
 - a. The minimum building setback from a front yard lot line shall be twenty (20) feet;
 - b. The Setback shall be permanently landscaped, except for approved access drives;

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- c. Parking may encroach into the landscaped setback a maximum of ten (10) feet, providing the following conditions are met:
 - 1. A berm shall be provided in the remaining ten (10) feet to a minimum elevation of two feet above the adjacent sidewalk;
 - 2. A mixture of evergreen and deciduous trees shall be planted at the ratio of one tree for each five-hundred (500) square feet of the net landscape area;
 - 3. The parking encroachment shall not reduce the total landscaping on the site to less than fifteen (15) percent;
 - 4. This encroachment shall not be allowed when existing or proposed residential uses are located directly across a street from a commercial use;
 - 5. This encroachment shall not be allowed along arterial streets.
- ii. Side Yard Setback
 - a. The minimum building setback from a side yard lot line shall be five (5) feet.
 - b. No parking will be allowed within the side yard setback;
 - c. The side yard will be permanently landscaped to provide a natural buffer between structures.
- iii. Rear Yard Setback
 - a. The minimum building setback from a rear yard lot line shall be ten (10) feet.
 - 1. Any rear yard that abuts a residential zone boundary line or is adjacent to any residential lot or zone the minimum setback shall be twenty-five (25) feet.
 - I. A wall, fence, or screening not less than six (6) feet in height on the property line shall be required, pursuant to section 19.40.050;
 - II. At least twenty-five percent (25%) of any existing rear yard shall be permanently landscaped;
 - III. Additional landscaping may be used to subjugate a fence or wall upon approval of design by the Community Development Department.
- iv. Corner Yard Setback
 - a. The minimum building setback from the corner on a lot where two or more streets intersect shall be twenty (20) feet to maintain sight triangles. The minimum building setback from a side street lot line shall also be twenty (20) feet. Such areas shall be permanently landscaped, except for approved access drives. Parking may encroach into the landscaped setback a maximum of ten (10) feet, providing the following conditions are met:
 - 1. A berm shall be provided in the remaining ten (10) feet to a minimum elevation of two feet above the adjacent sidewalk;
 - 2. A mixture of evergreen and deciduous trees shall be planted at the ratio of one tree for each five-hundred (500) square feet of the net landscape area;
 - 3. The parking encroachment shall not reduce the total landscaping on the site to less than fifteen (15) percent;
 - 4. This encroachment shall not be allowed when existing or proposed residential uses are located directly across a street from a commercial use;
 - 5. This encroachment shall not be allowed along arterial streets.
 - 6. All corner clearance shall comply with Section 19.40.070.



C. I, Commercial Heavy/Light industrial:

i. Front Yard Setback

- a. The minimum building setback from a front yard lot line shall be thirty (30) feet;
- b. The Setback shall have at least fifty percent (50%) of the total setback area permanently landscaped, except for approved access drives;
- c. Parking shall be allowed to encroach into this minimum setback area a maximum of ten (10) feet so long as it does not reduce the total landscaping of the required setback to less than fifty percent (50%).

ii. Side Yard Setback

- a. The minimum building setback from a side yard lot line shall be ten (10) feet.
- b. No parking will be allowed within the side yard setback;
- c. The side yard will be permanently landscaped to provide a natural buffer between structures.

iii. Rear Yard Setback

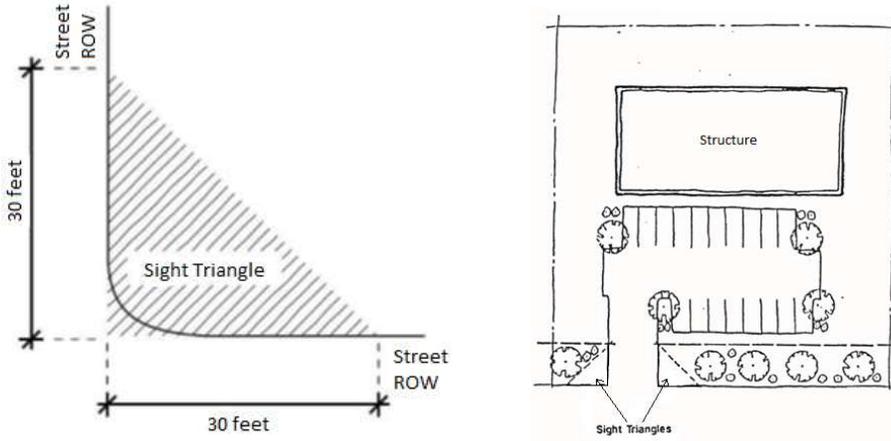
- a. The minimum building setback from the rear yard lot line shall be twenty (20) feet.
- b. Parking shall be allowed within forty percent (40%) of the rear yard setback, the remaining sixty percent (60%) shall be permanently landscaped.
 - 1. Any rear yard that abuts a residential zone boundary line or is adjacent to any residential lot or zone the minimum setback shall be fifty (50) feet.
 - I. A decorative wall, fence, or screening not less than six (6) feet in height on the property line shall be required, pursuant to section 19.40.050;
 - II. At least fifty percent (50%) of any existing rear yard shall be permanently landscaped;
 - III. Additional landscaping may be used to subjugate a fence or wall upon approval of design by the Community Development Department.

iv. Corner Yard Setback

- a. The minimum building setback from the corner on a lot where two or more streets intersect shall be thirty (30) feet to maintain sight triangles. The minimum building setback from a side street lot line shall also be thirty (30) feet. Such areas shall be permanently landscaped, except for approved access drives. Parking may encroach into the landscaped setback a maximum of ten (10) feet, providing the following conditions are met:

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1. A berm shall be provided in the remaining twenty (20) feet to a minimum elevation of two feet above the adjacent sidewalk;
2. A mixture of evergreen and deciduous trees shall be planted at the ratio of one tree for each five-hundred (500) square feet of the net landscape area;
3. The parking encroachment shall not reduce the total landscaping on the site to less than fifteen (15) percent;
4. This encroachment shall not be allowed when existing or proposed residential uses are located directly across a street from a commercial use; and
5. This encroachment shall not be allowed along arterial streets.
6. All corner clearance shall comply with Section 19.40.070.



19.28.060 Height and Area Standards.

CLASSIFICATION	Max Floor Area Ratio	Max Height	Min/Max Building Coverage of Lot
C-1, Commercial City Center	3:1	50	60%/90%
C-2, Commercial Transitional	4:1	60	30%/60%
I, Commercial Heavy/Light Industrial	2:1	50	25%/45%

A. C-1, Commercial City Center

- i. Maximum Floor Area Ratio (FAR) for any structure shall be 3:1;
- ii. Maximum building height shall not exceed fifty (50) feet, unless a greater height is approved by variance through the Planning Commission pursuant to section 19.76.040;
- iii. Structure shall cover no less than sixty percent (60%) up to a maximum of ninety percent (90%) of the total lot area.

B. C-2, Commercial Transitional

- i. Maximum Floor Area Ratio (FAR) for any structure shall be 4:1;
- ii. Maximum building height shall not exceed sixty (60) feet, unless a greater height is approved by variance through the Planning Commission pursuant to section 19.76.040;
- iii. Minimum lot area shall be designed and maintained at three times the total building floor space area to provide for parking, loading, circulation and pedestrian walk;
- iv. Structure shall cover no less than thirty percent (30%) up to a maximum of sixty percent (60%) of the total lot area;
- v. Airport Safety Zone, pursuant to section 19.40.040 (B).

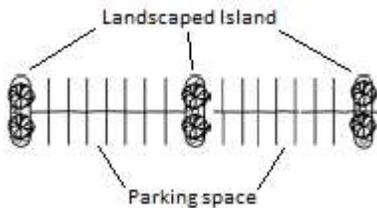
C. I, Commercial Heavy/Light Industrial

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- i. Maximum Floor Area Ratio (FAR) for any structure shall be 2:1;
- ii. Maximum building height shall not exceed fifty (50) feet, unless a greater height is approved by variance through the Planning Commission pursuant to section 19.76.040;
- iii. Minimum lot area shall be designed and maintained at two (2) times the total building floor space area to provide for parking, loading, circulation and pedestrian walk;
- iv. Structure shall cover no less than twenty-five percent (25%) up to a maximum of forty-five percent (45%) of the total lot area;
- v. Airport Safety Zone, pursuant to section 19.40.040 (B).

Section 19.28.070 Landscaping

- A. Landscaping shall be required on a minimum of five (5) percent of the gross area of a C-1 site and fifteen (15) percent of the gross area of a C-2 or I site. Gross area is interpreted as the total site area remaining after any required right-of-way dedication.
 - i. Landscaping requirements may be reduced by variance when, due to the size of the parcel, the amount of landscaping required is unreasonable and cannot be located in useful locations;
 - ii. A landscape plan shall be provided; it will include plant location, type, size and quantities.
- B. All landscaped areas shall be provided with an irrigation system capable of complete coverage of the areas and designed to minimize run-off and other wasting of water. Such system shall be maintained in a fully operational condition.
 - i. No or reduced irrigation system may be accepted if a landscape design that utilizes native vegetation, rocks or other ground cover that will not need continuous irrigation to be maintained in its original design is approved by Community Development.
- C. All landscaped areas shall be landscaped with a mixture of a ground cover shrubs and trees, and may include sculptures, patios or fountains. Some of the following requirements will only address the quantity of trees to be provided, however, when trees are required, a complementary quantity of ground cover and three shrubs per tree shall also be provided. Decorative rocks shall be considered acceptable ground cover.
- D. No less than one tree shall be provided for each 500 square feet of required yard area adjacent to a residential zone boundary. For listed Special uses, this requirement may be increased if, in the opinion of the Planning Commission, additional screening or buffering is necessary on a specific site.
- E. All parking lots shall have a minimum of one island, no smaller than 12 square feet, for every eight (8) parking spaces in a row within the lot, and have landscaping around the periphery of the lot.



- i. Every island shall have at least 1 deciduous tree, all islands within the lot shall also include grasses, shrubs or other similar type greenery; decorative rocks or maintained native vegetation shall only be allowed on 1 out of every 3 islands.
- ii. The number of trees on each island shall be consistent with their multiple. Maximum number of square feet per tree is 64 sq. ft. (ex. 64 sq. ft. x 1 = 1 tree, 64 x 3= 192 sq. ft. = 3 trees. 3:1 ratio)

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- F. All landscaping shall be maintained in a healthy, neat and orderly condition, free of weeds and litter. All paved areas, walls or fences shall be maintained in good repair without broken parts, holes, potholes or litter.

Section 19.28.080 Site Plan Approval

- A. Site plan review is required for any new C-1, C-1 or I district uses and additions thereto pursuant to Chapter 19.40. (Ord. Amended 06/17/2014)
- B. Site plan review is required for all special permit uses pursuant to Chapter 19.56. (Ord. 9-/* (part)) (Ord. No. 3B-95, Amended, 03/07/95) (Ord. No. 07A-2014)

Chapter 19.32

C-2 DISTRICT

Sections:

19.32.010 REPEALED.
19.32.020 REPEALED.
19.32.030 REPEALED.
19.32.040 REPEALED.
19.32.050 REPEALED.
19.32.060 REPEALED.
19.32.070 REPEALED.

(Ord. No. 07A-2014)

Chapter 19.36

I-DISTRICT

Sections:

- 19.36.010 Purpose.**
- 19.36.020 Permitted use.**
- 19.36.030 Special permit uses.**
- 19.36.040 Accessory uses.**
- 19.36.050 Yard and height requirements.**
- 19.36.060 Use regulations compliance.**
- 19.36.070 Site plan approval.**

Section 19.36.010 Purpose.

The purpose of this district is to provide for industrial development in locations best suited for it, and to avoid an uncontrolled mix with residential development. (Ord. 9-89 (part))

Section 19.36.020 Permitted use.

Permitted uses in the I district shall be as follows:

- A. Any industrial mining and manufacturing use or industrial park which is not obnoxious, toxic, hazardous or offensive by reason of the emission of dust, smoke, fumes, gas, odors or noise beyond the I district area boundaries;
- B. Public utility building, structure or facility and overhead electrical transmission lines only if the lines only serve Rawlins.
- C. Any use permitted outright by special use permit in the C-1 and C-2 zones (Ord. 9-89 (part)) (Ord. No. 3B-95, Amended, 03/07/95)

Section 19.36.030 Special permit uses.

The following uses are permitted subject to the planning commission's approval pursuant to Chapter 19.40:

- A. Sand or gravel pit;
- B. Junkyard, dump, sanitary landfill;
- C. Any use which cannot meet the requirements;
- D. Overhead electrical transmission lines serving area other than just the city;
- E. Any use, building or structure proposed in an area classified as a scenic corridor pursuant to Chapters 19.56 and 19.68. (Ord. 9-89 (part))

Section 19.36.040 Accessory uses.

Accessory uses in the I district shall be as follows:

- A. Customary accessory uses and structures;
- B. Accessory off-street parking and loading pursuant to Chapter 19.44;
- C. Signs pursuant to Chapter 19.48. (Ord. 9-89 (part))

Section 19.36.050 Yard and height requirements.

- A. Front and Corner (Whenever Adjacent to a Street). A minimum of fifty feet is required if across the street from an R zone. The yard adjacent to the street shall be landscaped.
- B. Rear and Side. If adjacent to an R zone, a minimum setback equal to four times the height of the

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building is required. In addition, a solid fence or wall not less than six feet in height is required on the zone boundary line.

C. Building Height. No building shall exceed a maximum height of sixty feet unless additional height of the building is approved by the planning commission if it is determined that the additional height is not detrimental to the neighborhood. (Ord. 9-89 (part)) (Ord. No. 3B-95, Amended, 03/07/95)

Section 19.36.060 Use regulations compliance.

Use of land in this district shall also conform to the provisions of Chapter 19.40. (Ord. 9-89 (part))

Section 19.36.070 Site plan approval.

A. Site plan approval as required shall also conform to the provisions of Chapter 19.40.

B. Site plan approval is required for all special permit uses pursuant to Chapter 19.56. (Ord. 9-89 (part))

Chapter 19.38

HISTORIC RESIDENTIAL OVERLAY

Sections:

- 19.38.010 Purpose**
- 19.38.020 Uses**
- 19.38.030 Standards**

Section 19.38.010 Purpose

The purpose of the Historic Residential Overlay is to facilitate development in those areas of the city that were originally platted with lots 25 feet in width and now have a significant number of developed and undeveloped single-family residential parcels 50 feet in width. (Ord. No. 07c-02, Adopted 07/16/02) (07c-2002, Added, 07/16/2002)

Section 19.38.020 Uses

Uses are the same as those allowed in the underlying zoning district and are not changed by the overlay. (Ord. No. 07d-02, Adopted, 7/16/02) (07c-2002, Added, 07/16/2002)

Section 19.38.030 Standards

The following standards apply to single-family residential uses within the Historic Residential Overlay. Yard and height requirements not listed below are the same as the underlying zone.

- A. Minimum lot width: 50 feet
 - B. Front setback main structure: 15 feet
 - C. Front setback attached garage: 20 feet
 - D. Front setback detached garage: 25 feet
 - E. Rear setback main structure: 15 feet
 - F. Side setback main structure: 5 feet
 - G. Corner lot (sight triangle) 15 feet
- (Ord. No. 07e-2002, Adopted, 07/16/02) (07e-2002, Added, 07/16/2002)

Chapter 19.40

USE REGULATIONS

Sections:

19.40.010	Regulations supplemental.
19.40.020	Placement of accessory uses and structures.
19.40.030	Lot area, width and coverage.
19.40.040	Height.
19.40.050	Fences.
19.40.060	Through lots.
19.40.070	Corner clearance.
19.40.080	Stripping of topsoil.
19.40.090	Undeveloped space or tract.
19.40.100	Sidewalks.
19.40.110	Livestock.
19.40.120	Gross floor area.
19.40.130	Public garages and filling stations.
19.40.140	Private swimming pools.
19.40.150	Site plan approval.
19.40.160	Special design standards.
19.40.170	Drainage.
19.40.180	Sanitation and water supply.
19.40.190	Home occupation conditions.

Section 19.40.010 Regulations supplemental.

This chapter contains general regulations applying to zones and uses. (Ord. 9-89 (part))

Section 19.40.020 Placement of accessory uses and structures.

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

A. Except as provided for in (I) below, no accessory building shall be constructed within five feet of any rear lot.

B. Nothing contained in this section shall prevent the construction of a private garage as a structural part of a main dwelling; provided, that when so constructed, the exterior garage walls shall be regarded as the walls of the main dwelling in applying the front, rear and side yard regulations of this title.

C. No private garage or other accessory building shall be within a required front yard, or within a required side yard, except that in any nonresidential district a parking area may utilize the portion of a side yard not otherwise required for a planting screen.

D. Any access driveway may be located within a required side yard or required front yard.

E. Required accessory buildings and uses shall be on the same lot with the main building or buildings or on an immediately adjacent lot in the same ownership or control or within the site limits of an approved site plan of development. A leasehold or easement may constitute control; however, continued occupancy may be conditioned on continuation of the control or equivalent.

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

G. No required accessory parking area or off-street truck loading space shall be encroached by

buildings, open storage or any other use.

H. Accessory private garages may be constructed within or under any portion of a main building; provided, that the access driveway does not at any point have a grade in excess of ten percent.

I. Portable accessory buildings of 120 square feet or less having no utility connections may be located on a lot line. (Ord. 9-89 (part); Ord. No. 07f-02, Amended 7/16/02) (Ord. 19.40.020, Amended, 07/18/2002)

Section 19.40.030 Lot area, width and coverage.

The provisions of subsection B of Section 19.40.020 shall not prevent the construction of a permitted single-family detached dwelling unit on any lot that was lawful when created and which, to the effective date of these regulations, was in separate ownership duly recorded by plat or deed; and provided that:

A. The lot does not contain less than two-thirds of the required minimum lot area as specified in subsection A of Section 19.24.050; and

B. The percentage of the lot area covered by the dwelling unit shall not exceed twenty percent of the area of the lot; and

C. All setback requirements shall be met; and

D. This exception shall not apply to any two or more contiguous lots in a single ownership as of or subsequent to the effective date of these regulations, in any case where the re-parceling or re-platting could meet the requirements of these regulations. (Ord. 9-89 (part))

Section 19.40.040 Height.

A. Nothing contained in this title shall restrict the height of a church spire, cupola, dome, mast, belfry, clock tower, radio or transmission line, tower, flagpole, chimney flue, water tank, elevator or stair bulkhead, stage tower, scenery loft or similar structure, provided that no structure shall:

1. Have a lot coverage at the base in excess of ten percent of the lot area;

2. Be used for residence or tenancy purposes;

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

B. Airport Safety Zone--Maximum Height. Except for field crops and fences under five feet in height, the maximum heights of any object, building or structure located within five hundred feet of either side of the centerline of a landing strip or runway and extended to a distance of two miles from the end of the landing strip or runway shall be no higher than one one-hundredths of the distance of the object, structure or building to the landing strip or runway. (Ord. 9-89 (part))

Section 19.40.050 Fences.

A. Fences, walls and hedges permitted as accessory uses except that no fence, wall, or hedge shall be permitted which obstructs vision to an intersecting street, or right-of-way, or which is a potential hazard to vehicular or pedestrian traffic. Notwithstanding other provisions of this title, fences, walls, and hedges may be permitted in any required yard, or along the edge of any yard.

B. Height Limitations. Except in industrial zones or when otherwise required by ordinance or when specifically approved otherwise by the Planning & Zoning Commission in accordance with the provisions of Chapter 19.56, no fence or wall shall exceed six (6) feet in height. Exceptions to height limitations for detention facilities or jail. No fence, wall or hedge along the sides or front edges of any front yard, shall exceed four feet up to the time of twenty-five (25') feet at which time height can be six (6') along the sides in height except in industrial zones where they shall not exceed eight (8) feet in height.

C. Fence shall be constructed in a substantial, workmanlike manner and of substantial material reasonably suited for the purpose for which the fence is proposed to be used. Every fence shall be maintained in a condition of reasonable repair and shall not be allowed to become and remain in a condition of despair, damage, or unsightliness, or constitute a nuisance, public or private. Any such fence which is or has become dangerous to the public safety, health, or welfare, or has become unsightly through improper

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maintenance or neglect is a public nuisance, and the Zoning Enforcement Officer shall commence proper proceedings for the abatement thereof.

D. In no case shall barbed wire be used for fencing and on the tops of walls or fences shall not be adorned with pointed or sharp protrusions of any kind except in industrial zones where fences, not less than five feet high, may be provided with three strands of barbed wire at the top.

E. Electrified Fences are prohibited.

F. Notwithstanding other ordinances and sections of the ordinance codified in this title where not prohibited by subdivision covenants or deed restrictions, walls or fences may be permitted to encroach on a public right-of-way to the extent allowed by the following standards:

1. On streets in which curb and sidewalks are present, no fence or wall shall be placed any closer than the outside edge of any existing sidewalk;
2. On streets which have no sidewalks but have curb, no fence or wall shall be placed closer than sixty (60) inches to the back of any existing curb;
3. On streets which have neither curb nor sidewalk, the director of planning shall specify a placement of the fence or wall corresponding to the position stated in Subsection A of this section if a sidewalk were ever built according to city specifications;
4. No Encroachment shall be allowed on alley rights-of-way.

G. The city assumes no future responsibility or liability of the modification, removal or destruction of such improvements necessitated by future public need for use of privately improved rights-of-way. All costs for such will be borne by the private property owner responsible for the improvements, his heirs or successors. All such construction within the city rights-of-way as specified shall also be subject to the provisions of Chapter 12.20 and shall require a permit.

H. Any business utilizing storage lots which face the main thoroughfares of the City and which are visible from the roadway shall be enclosed with opaque fencing or a landscaping plan approved by the Community Development Department. These include the following:

- a. Spruce Street to 3rd Street;
- b. Cedar Street to 3rd Street;
- c. Higley Blvd. Bypass from Cedar Street to Hwy 287

I. Any Junk Yard, Salvage Yard, or Wrecking Yard shall adhere to fencing and screening requirements as set forth in Wyoming's Junkyard Control Act, W.S. 33-19-101, et seq.

J. If a landscaping plan is utilized in lieu of fencing, it must be approved by the Community Development Department prior to implementation. If approved, landscaping must be continually maintained by the property owner. Failure to properly maintain landscaping may result in issuance of a citation pursuant Chapter 8.16.

K. If a use listed in Section 19.28.020, *Schedule of uses*, includes fencing requirements that are more specific or restrictive than those set forth in this section, the requirements in Section 19.28.020 shall govern and must be adhered to in addition to the general standards in this section. Where a conflict exists, the more restrictive provision shall apply. (Ord. 9-89 (part)) (Ord. 11-2007, Amended, 11/06/2007) (Ord. 9-2021, Amended 9/21/21) (Ord. 12-2025)

Section 19.40.060 Through lots.

Where a lot extends through from street to street, the applicable front yard regulations shall apply on both street frontages. If one street is other than a local street, some common fencing, landscaping or other

design treatment may be approved by the planning commission if the treatment is somewhat uniform for the block. (Ord. 9-89 (part))

Section 19.40.070 Corner clearance.

A. Clearance on Corner Lots. At all street intersections visual clearance shall be maintained extending back seventy-five feet from the intersection of the centerline of the bounding streets, as shown in the sketch attached to the ordinance codified in this title. The height of all construction, shrubs or other visual obstructions in this subtended triangle shall not exceed thirty-six inches in height above the centerline of the streets; trees shall have the lower branches trimmed to provide clear vision eight feet above the centerline of the streets.

B. On lots abutting alleyways, no solid fence shall form a visual blockade at the entrances to the alleyways. Chain link fences, low shrubbery up to thirty inches in height, or hedgerows are acceptable but should be so maintained as to provide maximum visibility for vehicles entering traffic from alleyways. (Ord. 9-89 (part))

Section 19.40.080 Stripping of topsoil.

No persons, firms or corporations shall strip, excavate or otherwise remove topsoil for sale, or for use other than on the premises from which it is taken except in connection with the construction or alteration of a building on the premises and excavation or grading incidental thereto. (Ord. 9-89 (part))

Section 19.40.090 Undeveloped space or tract.

No lot, yard, court or other undeveloped space containing the minimum or less than the minimum required area under this title shall be further divided or reduced. (Ord. 9-89 (part))

Section 19.40.100 Sidewalks.

Combination curb, gutter and sidewalks shall be built according to city construction standards. (Ord. 9-89 (part)) (Ord. 11-2007, Amended, 11/06/2007)

Section 19.40.110 Livestock.

No livestock or poultry shall be kept or maintained (without proper permits issued by the animal control officer for poultry only) in any zone other than R-A in accordance with ordinance; dogs, cats and other household pets are excepted. (Ord. 9-89 (part))

Section 19.40.120 Gross floor area.

No single-family residence building shall hereafter be erected or altered, with a gross floor area (exclusive of attached garages, porches, cellars and basements) of less than nine hundred square feet, except that in El Rancho Verde Park Additions the gross floor area (exclusive of attached garages, porches, cellars and basements) shall not be less than one thousand square feet, and except in Painter Additions the gross floor area (exclusive of attached garages, porches, cellars and basements) shall not be less than eight hundred seventy-five square feet; provided, that a dwelling of more than one story above the basement shall have not less than seven hundred fifty square feet of ground floor area (exclusive, of garages, porches, cellars and basements). (Ord. 9-89 (part))

Section 19.40.130 Public garages and filling stations.

All public garages and filling stations shall be so arranged, and all gasoline pumps shall be so placed, as to permit all services to be rendered entirely within the lot lines. No gasoline or oil pump shall be placed within fifteen feet of any street line or side lot line, nor within twenty feet of any residential district boundary lines. (Ord. 9-89 (part))

Section 19.40.140 Private swimming pools.

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

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

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

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

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

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

G. No permit shall be granted for the installation or construction of the swimming pool unless the zoning officer has certified that the drainage of the swimming pool is adequate and will not interfere with the public water supply system, with existing sanitary facilities or with the public streets. (Ord. 9-89 (part))

Section 19.40.150 Site plan approval.

Any permitted uses unless otherwise excepted in this title shall require site plan approval. The site plan shall be submitted in adequate detail to permit the zoning officer to evaluate the plan to determine its conformance with these provisions. Building permits shall not be issued until the plan is certified as to conformance with this title. (Ord. 9-89 (part))

Section 19.40.160 Special design standards.

Certain design standards are requisite to ensure good development and to avoid the need of expensive corrective measures by the city. It is, therefore, the intent to provide a few minimum design standards relating to drainage, sanitation, water supply and roads to be applied as development occurs. (Ord. 9-89 (part))

Section 19.40.170 Drainage.

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

B. No building or structure, except a flood-control facility, dam or irrigation structure, shall be erected or located in a floodplain. Uses permitted in a floodplain shall be limited to flood control, recreation and parking. No construction except for a flood-control facility or dam or alteration of topography shall be made, which will obstruct or restrict the natural flood channel and cause other lands to be flooded.

C. No building permit shall be issued for construction or use in any floodplain unless specifically approved by the city council. (Ord. 9-89 (part))

Section 19.40.180 Sanitation and water supply.

A. No building permit shall be issued for the erection, alteration or relocation of a building for human use or occupancy which will not be connected to a public or community sewage system or will provide for a private or on-lot sewage system (septic tank) which meets the standards and requirements of the State Health Department. No certificate of occupancy shall be issued until these requirements are met.

B. No building permit shall be issued for the erection, alteration or relocation of a building for human use or occupancy which will not be adequately served by a water supply facility which meets the standards

and requirements of the State Health Department. (Ord. 9-89 (part))

Section 19.40.190 Home occupation conditions.

Every applicant for a home occupation permit which allows a home occupation shall have the burden to prove that the following conditions are met:

A. Generally.

1. The home occupation must be clearly incidental and secondary to the residential use of the property.
2. The home occupation shall not detract from or significantly detrimentally affect the residential character of the neighborhood.
3. There shall be no storage of equipment or material allowed outside of the approved buildings.
4. There shall be no evidence of the home occupation visible from outside the buildings, with the exception of not more than one sign, pursuant to the conditions imposed by Chapter 19.48.
5. There shall be no use of tools or equipment which can be heard by an average person off the property in the hours of darkness.
6. There shall not be any nuisance created by the occupation as defined by ordinance.
7. The home occupation shall be limited to such location on the property as has been approved, and shall not be expanded therefrom.
8. No retail sales shall be conducted or stock-in-trade maintained on the property, unless:
 - a. The items being sold or maintained are produced on the property; or
 - b. The sales are incidental to a service oriented business and are clearly minor in relation to the primary business; or
 - c. The sales are clearly to dispose of dated samples and are only available on a periodic basis.

B. Parking Requirements.

1. Major home occupations applicants shall submit a proposed parking plan for approval and shall maintain such during the term of the use. The plan shall include a drawing showing all on-street and off-street parking spaces which are available for use within a one-half block radius of the proposed use. The requirements of Section 19.44.030 shall be considered in the review of the application, but shall not be controlling for the limited use. Off-street parking shall be available for employees where feasible.
2. Minor home occupation applicants shall note on the application the available on-street parking spaces which adjoin the property containing the proposed use. (Ord. 2-91 (part))

Chapter 19.44

OFF-STREET PARKING

Sections:

- 19.44.010** **General regulations.**
- 19.44.020** **Plan approval required.**
- 19.44.030** **Facilities required--New construction.**
- 19.44.040** **Facilities required--Existing structures and uses.**
- 19.44.050** **Variance to off-street parking requirements.**
- 19.44.060** **Location of parking.**
- 19.44.070** **Design standards.**
- 19.44.080** **Drainage, surfacing and maintenance standards.**
- 19.44.090** **Loading and unloading space.**

Section 19.44.010 **General regulations.**

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

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

C. A garage or carport may be located wholly or partly inside the walls of the principal building, or attached to the outer walls. If separate from the principal building, the garage shall conform to all accessory or building requirements. The garage may be constructed under a yard or court; provided, that the level of the other yards or courts shall conform to the general level of the other yards or courts on the lot. The space above an underground garage shall be deemed to be part of the open space of the lot on which it is located. (Ord. 9-89 (part))

Section 19.44.020 **Plan approval required.**

A. Four copies of plans for any off-street parking facilities shall be submitted to the building official for approval to the issuance of any permit to construct, enlarge, change the use of, or modify in any manner, any parking lot, commercial building or facility, industrial building or facility, or multifamily housing structure.

B. Off-street parking plans shall be submitted to the building official who shall distribute them to the following agencies for review for conformance with the requirements of this chapter and other applicable city ordinances:

1. Office of the police chief;
2. Planning and zoning office;
3. Office of the city engineer;
4. Other agencies as deemed appropriate.

C. In the event the plans are disapproved by any of the above agencies, the applicant shall provide the building official with corrected plans or petition the city council for a variance from specific requirements. (Ord. 9-89 (part))

Section 19.44.030 **Facilities required--New construction.**

Any of the following buildings or uses hereafter erected for one or more of the following uses and any open area hereafter used for commercial or industrial purposes shall be provided with not less than minimum parking spaces as set forth below; provided, however, that such requirements shall not apply to

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the area bounded by Spruce Street on the North, Second Street on the East, Sixth Street on the West and Front Street on the South:

Off-Street Parking Space Requirements

Uses	Required Parking Spaces
Apartment buildings (not exceeding 10 units)	2 per unit
Apartment buildings (10 or more units)	20 for first 10 units plus 1.5 for each additional unit
Athletic clubs, private	1 per 250 square feet of floor space
Automobile sales and/or service garages	1 for each 400 square feet of floor area
Banks or professional offices	1 for each 250 square feet of floor
Bowling alleys	5 for each alley
Churches, funeral homes and mortuaries	1 for each 3.5 seats in an auditorium or 1 for each 17 classroom seats, whichever is greater
Community buildings and social halls	1 for each 200 square feet of floor area
Dancehalls, swimming pools, clubs, lodges and other similar places and commercial buildings	1 for each 200 square feet of floor area or of water area in swimming pool
Drive-in restaurant or stand	1 for each 500 square feet of floor area
Driving ranges and miniature golf	1 for each tee
Food supermarkets	1 for each 200 square feet of floor area
Furniture or appliance stores	1 for each 200 square feet of floor area
Hospitals, nursing and convalescing homes	1 for each three beds, plus 1 for each employee
Hotels, motels, tourist homes, boarding and loading houses	1 space for each 1,000 square feet of floor area plus one for each guestroom
Manufacturing plants, research or testing plants	2 employees in the maximum working shift. The total parking area shall not be less than 25% of the building floor area
Medical and dental offices	5 spaces for each doctor and dentist
Mixed uses	Total requirements shall be the sum of the requirements of the component uses computed

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	separately
Mobile homes	2 per unit
Passenger terminal	1 for each 250 square feet of floor area
Professional office in a residential building	1 per 200 square feet of floor space used
Restaurants, beer parlors and nightclubs	1 for each 2.5 seats
Retail stores and shops	1 per 200 square feet of floor area
Roller skating rinks	1 for each 500 square feet of floor area
Rooming houses	1 for each bedroom
Schools:	
Elementary and junior high	2 spaces in addition to required spaces for auditorium
Senior high	5 per classroom in addition to required spaces for auditorium
Service stations	2 for each service bay
Enclosed shopping centers	1 per 350 square feet of total square feet exceeding 50,000 square feet
Single-family dwellings, town-houses and rowhouses	2 per housing unit
Sports arenas, auditoriums, theaters, assembly halls	1 for each 3.5 seats (bench capacity computed at 1 seat for each 20 inches)
Trailer sales or auctions	1 for each 2,500 square feet of lot area
Video arcades	1 for every amusement game
Wholesale establishments or warehouse	1 for each 2 employees on maximum shift. The total parking area shall not be less than 25% of the building floor area

(Ord. 9-90 (part); Ord. 9-89 (part); Ord. No. 09-00, Amended, 9/5/00)

Section 19.44.040 Facilities required--Existing structures and uses.

A. Any use of a building or other use which is conforming or construed to be conforming under the ordinance codified in this section may be changed or enlarged and be in compliance with this section provided that one or more of the following conditions are met, provided, however, that none of the provisions of this section shall apply in the area bounded by Spruce Street on the North, Second Street on

the East, Sixth Street on the West and Front Street on the South. It shall be the duty of the zoning officer to determine which option or combination of options best meets the intent of the ordinance codified in this section. The options are as follows:

1. When a change in use is made between uses listed in Section 19.44.030 or an enlargement of such a use is made, an increment of parking may be added equal to the net increase required. This increment shall be determined to be the difference if the new use or enlargement where new construction and the parking requirements of the existing use if it were newly constructed. In no case will this increment be less than zero.

2. When the use is located in a commercial zone, in lieu of creating an additional increment of parking, a contribution equal to the fair market value of each parking space required by this subsection may be made to the city municipal parking improvement fund for purposes of creating and maintaining public parking. This amount shall be calculated by the following formula:

$$400 \times \text{fair market price per square foot of commercial parking area} = \text{parking extraction}$$

Whenever cash in lieu of actual parking is made for required increments of parking, the market value shall be based on an official market value determined and adopted by the planning commission and adjusted from time to time. In the event of inability of the above parties to agree on the full market value of the spaces, an independent party being a qualified local appraiser shall be selected by mutual agreement of the disagreeing parties. The independent party's findings on full market value of the site shall be final and binding on all parties. The applicant shall pay the cost of the appraiser. Payments made under the requirement of this section shall be made payable to the city. The zoning officer shall receive such fund to change in use of a property or issuance of a building permit. This fee shall be deposited with the city treasurer who shall in turn deposit such funds in any city approved and designated financial institution within the city. Such funds shall be deposited to special interest bearing escrow accounts. The status of these accounts shall be reported annually to the city council and shall be made available to the general public. Funds may be withdrawn from the special escrow accounts by the city council, for the specific purposes of acquiring lands for public parking sites and of making improvements to and maintaining such sites.

3. Upon written approval of the city engineer and the chief of police, the zoning officer may approve a written waiver of incremental parking up to twenty-five percent of total required parking for the new use or enlargement if it were new construction. In granting such a waiver, the zoning officer must certify that such a waiver does not violate the intent of the ordinance codified in this section nor harm the public interest. This waiver may only be used in cases where it is unlikely that municipal parking will ever be provided in the vicinity.

4. The applicant may be asked to apply for blanket approval of parking arrangements under the variance procedure outlined in Section 19.44.050. (Ord. 9-90 (part); Ord. 9-89 (part))

Section 19.44.050 Variance to off-street parking requirements.

A. An applicant may appeal any decision of the zoning officer in regard to general requirements of the ordinance codified herein to the planning commission by filing a written request for appeal. This written appeal shall include the following items:

1. A site plan of proposed parking requirements;
2. A statement of reasons for requesting a variance and extenuating conditions;
3. Any other rationales which would tend to support the conclusion that the intent of the ordinance codified herein would be met by the applicant's plan.

B. No variance to design standards may be granted through this procedure. All such requests shall be considered by the board of adjustments. Application for such variance shall be made in accordance with Section 19.76.040. Each application for such a variance shall include payment of the appropriate fee to the city as set by resolution of the City Council, and provided for in Title 1 of this code. (Ord. 9-89 (part)) (Ord. No. 10D-94, Amended, 10/04/94) (Ord. 08a-2008, Amended, 08/19/2008)

Section 19.44.060 Location of parking.

A. Parking spaces for apartment buildings, commercial or industrial uses shall be readily accessible to, and be within a reasonable distance from the buildings served thereby. Such spaces shall be on the same lot and in the same zoning district as the principal building, or open area, except when otherwise authorized, as a special exemption, conforming to the following regulations:

1. The required parking spaces shall be suitable within six hundred feet of the principal building or open space in question.

2. Such spaces shall be in the same ownership or control as the principal building to which they are accessory and shall be subject to deed restrictions acceptable to the planning commission, binding the owner, and his heirs or assigns to maintain the required number of parking spaces throughout the life of the principal use.

3. A leasehold or easement may constitute control; however, continued occupancy may be conditioned on continuation of such control or equivalent.

B. Except when specifically approved otherwise by the city council, no part of a public street or alley right-of-way may be used for required off-street parking spaces. In no case shall any on-street parking spaces be considered as satisfying any portion of off-street parking requirements. (Ord. 9-89 (part))

Section 19.44.070 Design standards.

A. The minimum standards of parking facilities to be provided shall be as follows:

Angle of Parking (in degrees)	Parking Space Width Wheel (in feet)	Curb Stop	Aisle Width One Way (in feet)	Aisle Width Two Way (in feet)
90	10	18	24	24
60	9.5	18	18	20
45	9	18	15	20
30	8.5	17	12	20

* Depth from curb is the perpendicular measurement from curb or edge of the parking lot toward the interior portion of the lot to be occupied by the parking vehicles and not including any part of the drive.

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

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

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

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

F. In no case, except for single-family dwellings, shall parking areas be designed to require or encourage cars to back into a public or private street in order to leave the parking areas.

G. All parking spaces within parking lots, together with access drives shall be provided with curbs or other type of wheel stops or physical barriers where such are adjacent to property lines except at entrances and exits. Such barriers shall be positioned at least three feet from property line or street barriers shall be positioned at least three feet from property line or street right-of-way line.

H. An alley way may be utilized as access to off- street parking lots only when the clear paved width is a minimum of twelve feet on a one-way alley and a minimum of twenty feet on a two way alley.

I. A structure or planting material shall be provided of sufficient height and density to screen off-

street parking lots from view at the ground level of adjoining residential zones or uses.

J. Any lighting used to illuminate off-street parking or loading areas shall be arranged so that the direct rays from the luminaries will not fall on any residential building beyond the property line. (Ord. 9-89 (part); Ord. No. 09-00, Amended 9/5/00) (Ord. 11-2007, Amended, 11/06/2007)

Section 19.44.080 Drainage, surfacing and maintenance standards.

A. The area of parking lots, including driveways, shall be graded, paved with asphalt or other suitable material and drained to the extent necessary to prevent dust, erosion and excessive water flow across streets or adjoining property.

B. Parking areas shall be kept free from rubbish, debris and encroaching land uses at all times. (Ord. 9-89 (part))

Section 19.44.090 Loading and unloading space.

A. In addition to the off-street parking space otherwise required in this chapter, all commercial and industrial establishments, hospitals or sanitariums and other similar uses exceeding ten thousand square feet shall provide adequate off-street area for loading and unloading of supplies to and from vehicles.

B. At least one loading berth shall be provided for a gross floor area exceeding ten thousand square feet. Should the gross floor area of the main building and buildings accessory thereto used for commercial and/or industrial purposes exceed fifty thousand square feet of gross floor area, one additional loading berth shall be provided for each additional ten thousand square feet of gross floor area above fifty thousand. An off-street loading berth shall be not less than ten feet wide and thirty-five feet in length, and fourteen feet in height.

C. Hotels and motels shall have at least one loading berth when the gross floor area exceeds fifty thousand square feet. (Ord. 9-89 (part))

Chapter 19.46

**REGULATION OF MICRO WIND SYSTEMS AND
SMALL WIND ENERGY CONVERSION SYSTEMS**

Purpose

The intent of this chapter is to provide a uniform set of standards, conditions, and procedures which will preserve the public health and safety for the placement of Small Wind Energy Conversion Systems, and temporary meteorological towers needed on property located within the City of Rawlins.

Applicability

The requirements set forth in this Ordinance shall govern the siting of small wind energy systems used to generate electricity or perform work which may be connected to the utility grid pursuant to the Wyoming net metering laws, serve as an independent source of energy, or serve in a hybrid system.

The requirements of this Ordinance shall apply to all Small Wind Energy Systems that become operable after the effective date of this Ordinance. Small Wind Energy Systems for which a required permit has been properly issued prior to the effective date of this Ordinance shall not be required to meet the requirements of this Ordinance; provided, however, that any such pre-existing Small Wind Energy System that is not producing energy for a continuous period of twelve (12) months shall meet the requirements of this ordinance prior to recommencing production of energy. No modification that increases the height of the system or significantly increases its output shall be allowed without full compliance with this Ordinance.

Definitions

“A-Weighted Sound Level (dba)” – A measurement of sound pressure level, which has been filtered or weighted to progressively de-emphasize the importance of frequency components below 1000 Hz and above 5000 Hz. This reflects the fact that human hearing is less sensitive at low frequencies and at extremely high frequencies, relative to the mid-range of the frequency spectrum. This area of sensitivity also corresponds to the human speech band.

“Decibel (db)” – The measurement of a sound pressure relative to the logarithmic conversion of the sound pressure reference level often set as 0 db (A-weighted). In general, this means the quietest sound we can hear is near 0db (A-weighted) and loudest we can hear without pain is near 120 db (A-weighted).

“FAA” – The Federal Aviation Administration of the United States Department of Transportation.

“Guy Cable” – Any cable or wire that extends from a small wind energy system for the purpose of supporting the system structure.

“Large Wind Energy Conversion System” - means a wind energy conversion system consisting of a tower, a turbine and associated control or conversion electronics that generates power (25kw or larger) for an industrial area or is intended to provide supplemental power for a utility grid.

“Meteorological Tower” – means a facility consisting of a tower and related wind-measuring devices, which is used solely to measure winds preliminary to construction of a Small Wind Energy Conversion System. Meteorological Towers shall not be allowed for time periods in excess of six months, and shall be removed prior to the installation of the wind energy conversion system for which they are measuring. A request to install a meteorological tower shall be included in the application to install a Small Energy Conversion System.

“Micro Wind System” – A building mounted wind system (either a Vertical or Horizontal Axis Turbine) that has a Rated Nameplate Capacity of 10 KW or less, and projects no more than 15’ above the highest point of the roof. Such building-mounted wind systems shall be regulated by applicable building and electrical codes, and shall not be considered a Small Wind Energy Conversion System. A Micro Wind System Shall not be considered in determining total building height for zoning or setback purposes.

“Rated Nameplate Capacity” – The maximum rated output of electric power production equipment. This

output is typically specified by the manufacturer with a “nameplate” on the equipment.

“Small Wind Energy Conversion System” – means a wind energy conversion system consisting of a tower, a turbine and associated control or conversion electronics that generates power for an individual property for the purpose of reducing on-site energy consumption with a rated nameplate capacity of 25kW or less per tower. This includes, but is not limited to, storage, electrical collection and supply equipment, and transformers. Excess electrical power generated, and not presently needed for onsite use, may be utilized by utility company.

“Tower Height” – means the total height when referring to a Wind Turbine, is the distance measured from ground level to the blade extended at its highest point.

“Turbine” – the parts of a wind system including the blades, generator and tail. The definition of a turbine includes both Horizontal Axis Wind Turbines (HAWT) and Vertical Axis Wind Turbines (VAWT).

Permitted Use

Micro Wind Systems and Small Wind Energy Conversion Systems shall be permitted, as an accessory use, in all zoning classifications, subject to all requirements as provided herein.

Large Wind Energy Conversion Systems shall be required to go through a special use permit process, and will be treated as stand-alone structures and will be regulated by zoning requirements and industry standards.

General Requirements

Minimum Lot Size – There is no minimum lot size requirement for Micro Wind Systems (10kw or less).

Lot size for Small Wind Energy Conversion Systems (10kW-25kW maximum) shall be .5 of an acre.

Maximum Tower Height – The maximum tower height for Small Wind Energy Conversion Systems shall be eighty feet (80’). On properties larger than five acres there is no limitation on the tower height, except as imposed by FAA regulations.

Minimum Setbacks – minimum setback requirements for a tower shall be equal to the height of the tower. No part of the Small Wind Energy Conversion System structure, including, but not limited to, guy wire anchors, may extend closer than ten feet (10’) to the property line, unless appropriate easements are secured from adjacent property owners, or other acceptable mitigation is approved by the Board of Adjustments.

Sound – Micro Wind Systems and Small Wind Energy Conversion Systems shall not exceed 60 dba, measured five feet (5’) above ground level at the closest property line. The sound level, however, maybe exceeded during short-term events such as utility outages and /or severe windstorms.

Turbine Clearance – No portion of any turbine shall extend within twenty feet (20’) of the ground. No portion of any turbine may extend over public parking areas, public driveways, public sidewalks, utility easements or interfere with overhead power or communication lines.

Automatic Over Speed Controls – All Small wind Energy Conversion Systems shall be equipped with manual (electronics or mechanical) and automatic over-speed controls to limit the blade rotation speed to within the design limits of the Small Wind Energy Conversion System.

Utility Notification – No Micro Wind System or Small Wind Energy Conversion System shall be installed until evidence has been given that the electrical utility company has been informed of, and approved the customer’s intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.

Tower color – Tower colors shall be white, off-white, gray, or neutral subdued tones, such as earth tones of green or brown. Towers shall not be finished in bright or vivid colors, nor shall the tower be used for advertising of any kind.

Multiple towers – Multiple Small Wind Energy Conversion Systems are allowed on any site provided all minimum standards are met.

Lighting – Micro Wind Systems and Small Wind Energy Conversion Systems shall not be artificially lighted, except as required by the FAA.

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Climb prevention – Small Wind Energy Conversion Systems shall not be climbable up to fifteen feet (15') above the ground surface.

Micro Wind System – A building mounted wind system (either a Vertical or Horizontal Axis Turbine) that has a Rated Nameplate Capacity of 10 KW or less, and projects no more than 15' above the highest point of the roof. Such building-mounted wind systems shall be regulated by applicable building and electrical codes, and shall not be considered a Small Wind Energy Conversion System. A Micro Wind System Shall not be considered in determining total building height for zoning or setback purposes. Only one Micro Wind System unit will be permitted per structure.

Application Requirements

The applicant shall provide the following materials to the Building Department as part of a building permit application for a Small Wind Energy Conversion System;

A completed application provided by the building department.

Proof of ownership for the property where the proposed tower will be constructed and applicable fees, as established by City Council.

A scaled plot plan of the proposed Small Wind Energy Conversion System, to include property lines, setbacks, physical dimensions of property, and locations of structures and the tower, base footings, generator, blades, guy wires, and all associated equipment.

An engineering analysis of the tower showing compliance with all applicable current building codes, and certified by a State of Wyoming licensed professional engineer.

At the request of the Building Official a soil analysis shall be provided by the builder to determine the ground stability for the erection of wind turbine towers.

Certification that the design is in compliance with the current National Electrical Code and local electrical code. Building permit applications for Small Wind Energy Conversion Systems shall be accompanied by a line drawing of the electrical components in sufficient detail to allow for a determination that the manner of the installation conforms to the National Electrical Code and local electrical codes.

Evidence satisfactory to the Building Official that the proposed system meets the following standards;

1. That the Small Wind Energy Conversion System is UL listed, and/or meets the Institute of Electrical and Electronic Engineers (IEEE) standards, or other Nationally Recognized Testing Lab (NRTL);
2. Information demonstrating that the wind turbine is approved under an emerging technology program, such as International Electro technical Commission (IEC) or any other small wind certification program recognized by the American Wind Energy Association (AWEA) or the U.S. Department of Energy. Non-certified wind turbines must submit a description of the safety features of the turbine prepared by a professional mechanical engineer.
3. That the installation of the wind turbine complies with FAA, FCC, NEC, NESC, PSC and other applicable code requirements.

Review and Approval

After the submittal of all required application material, the Building Official shall review the submittal and shall issue a building permit for the Small Wind Energy Conversion System if the application materials meet all requirements of this ordinance, and all applicable building and electrical codes.

Abandoned or Dangerous Facilities

- A. Any Small Wind Energy Conversion System that is not operated on a functional basis for a period of six (6) consecutive months shall be deemed abandoned and considered a dangerous condition. The building official may order the repair of, removal of said Small Wind Energy Conversion System, in accordance with the City of Rawlins Dangerous Building Abatement process, the

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nuisance abatement process, be prosecuted as a misdemeanor and/or pursuant to section B of these provisions. The applicant, owner, or other person responsible for the facility shall repair or remove the same within thirty (30) days of receipt of notification by certified mail. If said facility is not either operational or removed after (30) days from the date of notification, the City may remove the system at the owner's expense; this will be dealt with on a case by case basis as it is the intent of the City to work with individuals to promote alternative energy sources.

- B. The property owner will provide the city right of entry upon receipt of a permit that will be filed with the county clerk and running with the land for the City to enter upon the property and disconnect, dismantle or otherwise remove any Small Wind Energy Conversion System should it become an immediate hazard to the safety of persons or property due to emergency circumstances, as determined by the City Manager or his/her designee, such as natural or man-made disasters or accidents, when the applicant, owner, or other person responsible for the facility is not available to immediately remedy the hazard or refuses to remedy the hazard upon notice. The applicant, owner, or other person responsible for the facility shall reimburse the City for all cost incurred for action taken pursuant to this section. In the event the landowner disagrees with the determination of the City Manager or the amount of reimbursement, the matter will be set for hearing before the Board of Adjustments or its designee for final determination. The Small Wind Energy Conversion System shall remain in a safe condition as determined by the City Manager until final determination by the Board of Adjustments. (Ord. 11-2012)

Chapter 19.47
SOLAR ACCESS

Sections:

- 19.47.010 Short title.**
- 19.47.020 Authorization for chapter.**
- 19.47.030 Purpose and intent of chapter.**
- 19.47.040 Definitions.**
- 19.47.050 Shading of collectors prohibited; location of collectors.**
- 19.47.060 Certain structures or vegetation exempt from section 19.47.050.**
- 19.47.070 Variances.**
- 19.47.080 Solar access permits—Generally.**
- 19.47.090 Same—Application; issuance.**
- 19.47.100 Same—Recordation with county clerk; contents.**
- 19.47.110 Enforcement of chapter; penalty.**
- 19.47.120 Solar Shade**

19.47.010 Short title.

This chapter shall be known and may be cited as the Solar Regulations of the City of Rawlins, Wyoming.

19.47.020 Authorization for chapter.

Authorization for this chapter is contained in Wyoming Statutes, 1977, sections 34-22-101 through 34-22-106.

19.47.030 Purpose and intent of chapter.

The purpose of this chapter is to protect the health, safety and general welfare of the City by encouraging the use of solar energy systems. It is the intent of this chapter to provide a means of protection for the use of solar collectors without causing undue hardships on the rights of adjacent property owners and to establish solar collectors as a permitted use in all zoning or land use zones.

19.47.040 Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

SOLAR COLLECTOR

One of the following, which is capable of collecting, storing or transmitting on a clear winter solstice day:

- A.) A wall, clerestory or skylight window designed to transmit solar energy into a structure for heating purposes;

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- B.) A greenhouse attached to another structure and designed to provide part or all of the heating load for the structure to which it is attached;
- C.) A trombe wall, drum wall or other wall or roof structural element designed to collect and transmit solar energy into a structure;
- D.) A photovoltaic collector designed to convert solar energy into electric energy;
- E.) A plate type collector designed to use solar energy to heat air, water or other fluids for use in hot water or space heating or other applications;
- F.) A massive structural element designed to collect solar energy and transmit it to internal spaces for heating; or
- G.) Other devices or combination of devices that rely upon sunshine as an energy source.

SOLAR RIGHT

A property right to an unobstructed line of sight path from a solar collector to the sun, which permits radiation from the sun to impinge directly on the solar collector. The extent of the solar right shall be described by that illumination provided by the path of the sun on the winter solstice day which is put to a beneficial use or otherwise limited by this chapter.

WINTER SOLSTICE DAY

The solstice on or about December 21 which marks the beginning of winter in the northern hemisphere and the time when the sun reaches its southernmost point.

- (a) The beneficial use of solar energy is a property right.
- (b) In disputes over the use of solar energy:
 - (i) Beneficial use shall be the basis, the measure and the limit of the solar right, except as otherwise provided by written contract. If the amount of solar energy which a solar user can beneficially use varies with the season of the year, then the extent of the solar right shall vary likewise;
 - (ii) Priority in time shall have the better right, except as provided in this act; and
 - (iii) Nothing in this act diminishes the right of eminent domain.
- (c) Solar rights are property rights and as such shall be freely transferable within the bounds of law.

19.47.050 Shading of collectors prohibited; location of collectors.

- (a) The solar right to radiation of the sun before 9:00 a.m. or after 3:00 p.m. Mountain Standard Time is de minimis and may be infringed without compensation to the owner of the solar collector.
- (b) A solar right which is not applied to a beneficial use for a period of five (5) years or more shall be deemed abandoned and without priority.
- (c) Solar collectors shall be located on the solar user's property so as not to unreasonably or unnecessarily restrict the uses of neighboring property. Unless otherwise permitted by the local government, no solar right attaches to a solar collector, or a portion of a solar collector, which would be shaded by a ten (10) foot wall located on the property line on a winter solstice day.

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I. General.

1. Solar energy equipment shall be located in the rear portion of a property or on a side or rear-facing roof, or, upon receiving Planning Commission approval, in the least visibly obtrusive location where panels would be functional.
2. Solar energy equipment must comply with all setback and height requirements for the Zoning district in which the property is located.
3. Non-functioning solar energy equipment or systems shall be repaired, replaced or completely removed in their entirety within three (3) months of becoming non-functional.
4. Ground-mounted solar energy equipment may not exceed a height of ten (10) feet above the ground.
5. Solar energy equipment shall not block nor overhang any parking areas, sidewalks or walkways.
6. No regulations on self contained small decorative solar lighting.

(i) Ground-mounted solar energy equipment.

1. On Residentially-Zoned Property:
 - a. Solar Energy Equipment shall be located only in the rear portion of a property unless approved otherwise by the Planning Commission. Solar Equipment shall be located no closer to the side street right-of-way than the primary building line of the structure.
 - b. Solar Panels shall not cover or occupy more than 50% of the available rear-yard area exclusive of all required setbacks;
 - c. Ground-array Solar systems shall have a minimum setback to side property lines of 3-feet and a setback from rear property lines of 6-feet.
2. On Commercial and Industrially-Zoned Properties:
 - a. Solar Energy Equipment shall be located only in the rear portion of a property or a side portion on a side opposite any side street unless approved otherwise by the Board of Adjustments. Solar Equipment shall be located no closer to the side street right-of-way than the primary building line of the structure.

(ii) Roof or wall-mounted solar energy equipment.

- a. It is encouraged that roof-mounted solar energy equipment shall be installed in the plane of the roof (flush-mounted)/wall mount or made a part of the roof design (capping or framing is compatible with the color of the roof or structure). Mounting brackets shall be permitted if the applicant can demonstrate that the existing pitch of the roof would render the solar energy equipment ineffective or would be impossible.
- b. Solar energy equipment shall not project vertically above the peak of the roof to which it is attached, or project vertically more than five (5) feet above a flat roof. Solar energy equipment shall not overhang any window or lower roofing systems, nor any parking areas, sidewalks, entrances or walkways.

II. Historic Commercial and Residential District

1. Roof or wall-mounted solar energy equipment.

- a. It is encouraged that roof-mounted solar energy equipment shall be installed in the plane of the roof (flush-mounted)/wall mount or made a part of the roof design (capping or framing is compatible with the color of the roof or structure).
- b. Solar energy equipment shall be located on a rear or side-facing roof as seen from the fronting street, unless the applicant can demonstrate that such installation would be ineffective or is impossible. Under no circumstances shall solar equipment be mounted on the front face of a roof in the Historic Downtown Business District.
- c. Solar energy equipment shall not project vertically above the peak of the roof to which it is attached, or project vertically more than five (5) feet above a flat roof.

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Solar energy equipment shall not overhang any window or lower roofing systems, nor any parking areas, sidewalks, entrances or walkways.

d. Solar equipment shall be mounted flush with or within 12-inches of the plane of the roof for flat roofs and shall be located no closer than 3-feet from the edge of the roof. Panels may also be wall-mounted upon approval of a historically sensitive design by both the Rawlins Downtown Development Authority (DDA)/Main Street and the Rawlins Planning Commission. Wall-mounted designs shall also require an engineered attachment plan from a Wyoming-certified design professional.

19.47.060 Certain structures or vegetation exempt from section 19.47.050.

Structures or vegetation with respect to property line which existed prior to the time of installation of the solar energy collection system (solar rights) or the effective date of this chapter shall not be subject to the requirements of Section 19.47.050.

19.47.070 Variances.

Any neighboring property desiring to erect any structure, increase the height of any structure, permit the growth of any tree or other vegetation or otherwise use his property, not in conformance with this chapter, may apply for a variance from the Board of Adjustments. A variance shall not be approved by the Board of Adjustments unless it finds that the literal enforcement or application of this chapter would result in unnecessary hardship. Variances do not violate established solar rights.

19.47.080 Solar permits—Generally.

- A) A solar permit shall be granted before a solar right may be established.
- B) A solar permit shall be granted for any proposed or existing solar collector which complies with the requirements of this chapter.
- C) The solar right vests on the date the solar access permit is granted. The solar collector shall be put to beneficial use within two years; except, the building department may allow that additional time may be granted for good cause. The building inspector or other Community Development Department (CDD) administrative official shall certify the right and its beneficial use within two years.
- D) Existing solar collector users shall apply for permits within five years after the date this chapter is passed to establish solar rights.
- E) A solar right which is not applied to a beneficial use for a period of five years or more shall be deemed abandoned and without priority.

19.47.090 Same—Application; issuance.

- A) Any person who desires to obtain a solar right shall first make application to the CDD for a solar access permit.
- B) The application for a permit, along with the required fee, shall be filed on a form furnished for that purpose. Information required by the CDD such as photographs, property lines vegetation etc. adequate to determine compliance with this chapter shall accompany the application. If the permit is in the Historic Commercial District the application will be reviewed by Rawlins DDA/Main Street and comments will be forwarded to the CDD.
- C) The building inspector or other CDD administrative official, after review of the application, shall grant a solar permit for any proposed or existing solar collector which complies with this chapter.

19.47.100 Same—Recordation with Community Development Department; contents.

A copy of the solar permit shall be recorded with the CDD by the person receiving the solar permit. The solar permit shall include the description of the collector surface or that portion of the collector surface to which the permit is granted. The description shall include the dimensions of the collector surface, the direction of orientation, the height above ground level, the location of the collector on the solar user's property and the date the solar permit was granted.

19.47.110 Enforcement of chapter; penalty.

- A) The building inspector, code enforcement officer or CDD administrative official shall enforce this chapter and bring to the attention of the City Attorney any violations or lack of compliance.
- B) Any person who violates or refuses to comply with the provisions of this chapter shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not more than seven hundred fifty dollars for each offense.

19.47.120 Solar Shade.

Reserved. (Ord. 05-2013)

Chapter 19.48

SIGNS

Sections:

- 19.48.010 Purpose.**
- 19.48.020 Applicability.**
- 19.48.030 Permits required.**
- 19.48.040 Signs exempted from regulation.**
- 19.48.050 Prohibited signs.**
- 19.48.060 Size regulation.**
- 19.48.070 Computation of area and heights.**
- 19.48.080 Signs in residential zones.**
- 19.48.090 Signs requiring engineering.**
- 19.48.100 Off-premises outdoor advertising signs.**
- 19.48.110 Temporary signs.**
- 19.48.120 Portable signs.**
- 19.48.130 Signs in the public right-of-way.**
- 19.48.150 Height exception for freeway-oriented signs.**
- 19.48.160 Design and construction.**
- 19.48.170 Maintenance.**
- 19.48.180 Unsafe or abandoned signs declared a nuisance.**
- 19.48.190 Alteration of nonconforming signs.**
- 19.48.200 Plan review information.**
- 19.48.210 Master sign permit.**

Section 19.48.010 Purpose.

The purpose of these regulations is to encourage the effective use of signs as a means of communication in the city; to maintain and enhance the aesthetic environment and the city's ability to attract sources of economic development and growth; to improve pedestrian and traffic safety; to minimize the possible adverse effect of signs on nearby public and private property; and to enable the fair and consistent enforcement of these sign restrictions. This sign chapter is adopted under the zoning authority of the city in furtherance of the more general purposes set forth in the zoning ordinance. (Ord. 10A-91 (part): Ord. 9-89 (part))

Section 19.48.020 Applicability.

Signs may be erected, placed, established, painted, created or maintained only in conformance with the standards, procedures, exemptions, and other requirements of this chapter. (Ord. 10A-91 (part): Ord. 9-89 (part))

Section 19.48.030 Permits required.

No sign shall be erected, hung, attached or displayed until a written application has been made to the Department of Community Development. Each application for such a sign permit shall include payment of the appropriate fee as set by resolution of the City Council pursuant to Title 1 of this code. (Ord. 10A-91 (part): Ord. 9-89 (part)) (Ord. No. 10D-94, Amended, 10/04/94; Ord. No. 6-95, Amended, 06/20/95) (Ord. 08a-2008, Amended, 08/19/2008)

Section 19.48.040 Signs exempted from regulation.

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The following signs shall be exempted from permit requirements under this chapter:

- A. Any public notice or warning required by a valid and applicable federal, state or local law, regulation or ordinance;
- B. Emergency warning signs erected by a governmental agency, a public utility company, or a contractor doing authorized or permitted work within the public right-of-way;
- C. Any sign located inside the confines of a building;
- D. Any company logo which is integrated into the glass of a window or door of a building;
- E. Works of art that do not include a commercial message;
- F. Real Estate "For Sale", rental or lease signs, not exceeding six square feet in area.
- G. Historical Signage which does not advertise or pertain to present use.
- H. Signs in Commercial and Industrial zones which are directional or instructional only and contain no logo or advertising.
- I. Public service message signs on private or public property if authorized by City Council.
- J. Political campaign signs on private property. Signs shall be removed within fourteen days of election. (Ord. 10A-91 (part); Ord. 9-89 (part)) (Ord. No. 6-95, Amended, 06/20/95)

Section 19.48.050 Prohibited signs.

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

- A. Beacons;
- B. Pennants, other than as temporary signs;
- C. Flashing lights whose individual bulbs exceed fifteen watts;
- D. Strobe lighting;
- E. Handbills, posters, notices or other signs of a temporary nature not specifically allowed by this chapter;
- F. Portable signs which are used for any purpose other than temporary signs;
- G. Any sign which does not otherwise conform to the requirements of this chapter;
- H. Political campaign signs on publicly owned property or right of way. (Ord. 10A-91 (part); Ord. 9-89 (part)) (Ord. No. 6-95, Amended, 06/20/95)

Section 19.48.060 Size regulation.

In all zones, the maximum size of permitted signs shall be in accordance with the regulations contained in Table 19.48.060. (Ord. 10A-91 (part); Ord. 9-89 (part))

Table 19.48.060

NUMBER, DIMENSIONS, CLEARANCE AND LOCATION OF INDIVIDUAL SIGNS BY ZONING DISTRICT

	R-40, 15, 7.5	R-A R-MH, TH, MF	Ins. ^a	C-1	C-2	I
<u>Freestanding</u>						
Area	4	30	60	100	300	300
Height	5	5	12	24 ^b	50/100 ^{b&c}	35 ^b
Clearance	8	8	8	8	8	8
Setback ^d	5	5	5	5	10	10
Number Permitted Per Lot	1	N/A	1	N/A	N/A	N/A

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Per Feet of Street Frontage	N/A	1/200 _f	N/A	1/200 _f	1/200 _f	1/200 _f
<u>Building</u> Area (Sq. Ft.)	4	30	N/A	N/A	N/A	N/A
Percentage of Wall Area	N/A	N/A	15%	20%	25%	25%
Number Permitted	1	1	2	2	2	2

- a This column does not represent a zoning district, but rather institutional uses permitted in any zone. Such uses may include, but are not necessarily limited to: churches, schools, funeral homes and cemeteries.
- b In no case shall the actual sign height exceed the actual sign setback from any adjacent lot that is zoned and used for residential purposes.
- c Signs near the Interstate area allowed greater height. Please see 19.48.150.
- d In addition to the setback requirements of this table, signs shall be located such that there is at every intersection and entrance, a clear view between the heights of three feet and ten feet in a triangle formed by the point of intersection of the curb radius and points on the curb thirty feet from the point of intersection.
- e Each separate business with an independent store front and entrance shall be considered a building.
- f Signs shall not be erected closer than one hundred fifty feet from another freestanding sign on the same lot.

(Ord. No. 3B-95, Amended, 03/07/95; Ord. No. 6-95, Amended, 06/20/95)

Section 19.48.070 Computation of area and heights.

The computations related to sign restrictions shall be made in accordance with the following regulations:

A. The area of a sign face (which is also the sign area of a wall sign or other sign with only one face) shall be computed by means of the smallest square, circle, rectangle, triangle or combination thereof that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop of structure against which it is placed, not including any supporting framework.

B. The sign area of a two-faced sign shall be calculated on the dimensions of a single face, except where the distance between the two faces exceeds sixty inches.

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

Lots fronting on two or more streets are allowed the permitted sign area for each street frontage; provided, the total sign area which is oriented towards a particular street shall not exceed the maximum limits in Table 19.48.060A. (Ord. 10A-91 (part): Ord. 9-89 (part)) (Ord. No. 6-95, Amended, 06/20/95)

Section 19.48.080 Signs in residential zones.

Signs in residential and R-A zones shall be prohibited from advertising any commercial enterprise not conducted on the same lot. Signs in residential zones may be interior lighted or externally lighted. Exterior lighting will be limited to shielded spotlights such that no direct light or significant glare from the sign lighting shall be cast into any adjacent lot. (Ord. 10A-91 (part): Ord. 9-89 (part)) (Ord. No. 6-95, Amended, 06/20/95)

Section 19.48.090 Signs requiring engineering.

Any application for a freestanding sign over ten feet in height or a roof sign or a sign which protrudes over a public right-of-way shall include plans and specifications from a qualified engineer demonstrating

the ability of the roof or other structure to withstand the weight and stress of the sign for the projected life of the sign.

Roof signs shall be permitted in C-1, C-2 and industrial zones only. (Ord. 10A-91 (part): Ord. 9-89 (part)) (Ord. No. 3B-95, Amended, 03/07/95; Ord. No. 6-95, Amended, 06/20/95)

Section 19.48.100 Off-premises outdoor advertising signs.

Off-premises outdoor advertising signs shall only be allowed in commercial and industrial zones. No such sign shall be erected closer than one thousand feet from another off premise outdoor advertising sign on the same side of the street, measured along the frontage. The total sign area is limited to the restrictions found in Table 19.48.060 for its given zoning district. (Ord. 10A-91 (part): Ord. 9-89 (part)) (Ord. No. 6-95, Amended, 06/20/95)

Section 19.48.110 Temporary signs.

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

- A. A temporary sign permit shall allow the use of a temporary sign for a specified ninety-day period.
- B. Only one temporary sign permit shall be issued to the same person, business or organization on the same lot in any six-month period.
- C. Temporary signs shall be required to meet all of the requirements in Table 19.48.060. (Ord. 10A-91 (part): Ord. 9-89 (part)) (Ord. No. 6-95, Amended, 06/20/95)

Section 19.48.120 Portable signs.

Portable signs shall only be allowed as temporary signs and shall meet all other sign ordinance requirements. (Ord. 10A-91 (part): Ord. 9-89 (part))

Section 19.48.130 Signs in the public right-of-way.

No signs shall be allowed to be placed in or over the public right-of-way, except for the following:

- A. Permanent signs, including:
 - 1. Public signs erected by or on behalf of a governmental body to post legal notices, identify public property, convey public information, and direct or regulate pedestrian or vehicular traffic;
 - 2. Informational signs of a public utility regarding its poles, lines, pipes or facilities; and
 - 3. Awning, projecting and suspended signs projecting over a public right-of-way in conformity with the conditions of this section.
- B. Temporary signs in the public right-of-way shall be allowed only for signs meeting the following requirements:
 - 1. Such signs shall contain no commercial message;
 - 2. The term of such a permit shall be sixty days. No more than one permit for temporary signs shall be issued to any applicant in any calendar year. In all cases, the applicant shall be responsible for meeting all requirements under this section;
 - 3. No more than twenty signs may be erected under one permit;
 - 4. Such signs shall be no more than nine square feet in area each.
- C. Emergency signs erected by a governmental agency, a public utility company, or a contractor doing authorized or permitted work within the public right-of-way. (Ord. 10A-91 (part): Ord. 9-89 (part))

Section 19.48.150 Height exception for freeway-oriented signs.

Lots located in highway business zones (C-2), which are within one mile of Interstate 80 at Exit No. 215 and within one-half mile of Exit No. 211, shall be allowed one freestanding sign with a maximum height of one hundred feet. (Ord. 10A-91 (part): Ord. 9-89 (part)) (Ord. No. 3B-95, Amended, 03/07/95)

Section 19.48.160 Design and construction.

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

A. All signs shall comply with applicable provisions of the building and electrical codes of the city.

B. Except for banners, flags, temporary signs and window signs conforming in all respects with the requirements of this chapter, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building or another structure by direct attachment to a rigid wall, frame or structure. (Ord. 10A-91 (part): Ord. 9-89 (part))

Section 19.48.170 Maintenance.

Every sign shall be kept in good repair. The ground space within a radius ten feet from any ground sign shall be kept free and clear of all weeds, rubbish and flammable material. Any sign or portion thereof declared unsafe by the building official shall be restored to a safe condition or removed within fifteen days of receiving written notice. The property owner shall be ultimately responsible for all such signs on his or her property. (Ord. 10A-91 (part): Ord. 9-89 (part))

Section 19.48.180 Unsafe or abandoned signs declared a nuisance.

Any sign or portion thereof declared unsafe or abandoned by the code enforcement officer is declared a nuisance. After delivery of written notice to the owner, such signs may be abated in the manner of any other nuisance and the property owner may be charged the cost of such abatement. (Ord. 10A-91 (part): Ord. 9-89 (part)) (Ord. No. 6-95, Amended, 06/20/95)

Section 19.48.190 Alteration of nonconforming signs.

A. No nonconforming sign shall be reconstructed in whole or in part, raised, moved, enlarged or altered except in conformance with this chapter. Alterations shall not be interpreted as normal painting, maintenance and repair, or changing of copy in signs designed to allow changeable copy.

B. Nonconforming signs which have been damaged by fire, explosion, vandalism, act of God or other means to the extent that more than fifty percent of their replacement cost has been lost, shall be rebuilt only in conformance with the regulations of this chapter. (Ord. 10A-91 (part): Ord. 9-89 (part)) (Ord. No. 6-95, Amended, 06/20/95)

Section 19.48.200 Plan review information.

All requests for sign permits shall be accompanied by a dimensioned drawing of the proposed sign(s), including their location, existing business signs on the premises, and the dimensions of the property or parcel and all buildings located thereon. Such information must be submitted to the zoning officer prior to the approval of a sign permit. (Ord. 10A-91 (part): Ord. 9-89 (part))

Section 19.48.210 Master sign permit.

For an applicant who wishes to permit two or more signs at the same time, a master sign permit may be obtained. The information required for this permit is the same as a regular sign permit except that all signs may be permitted at the same time. Any changes in the number, type or area of the signs permitted under the master sign permit will require an additional sign permit. (Ord. 10A-91 (part): Ord. 9-89 (part))

Chapter 19.52

NONCONFORMING USES

Sections:

- 19.52.010 Unlawful uses not permitted.**
- 19.52.020 Continuation of Non-Conforming Uses.**
- 19.52.025 Variance from Amortization Schedule or Substitution of Use.**
- 19.52.030 Restoration.**
- 19.52.040 Extension.**
- 19.52.050 Termination.**
- 19.52.060 Repairs and maintenance.**

Section 19.52.010 Unlawful uses not permitted.

An unlawful building or structure, or unlawful use of a building, structure, lot or land existing at the effective date of the ordinance codified in this title shall not be deemed to be a nonconforming building, structure or use within the meaning of the provisions of this chapter. (Ord. 9-89 (part))

Section 19.52.020 Continuation of Non-Conforming Uses.

A. All legal uses of property which exist as of May 15, 1989, or prior thereto, but which do not conform in all respects to the terms and conditions of this ordinance, shall be allowed to continue, subject to the terms and conditions found in this chapter, with the following exceptions:

1. Industrial uses located in a residential zone.
2. Junk yard located in a residential zone.
3. Commercial uses with outside sales or storage located in a residential zone.

B. Those excepted uses named in Subsection A shall be ceased or terminated or relocated to a proper zone within the following time periods based upon the value of the business which may be lost as a result of moving the non-conforming use to a proper zone:

1. Where the value is less than \$100,000 - 2 years.
2. Where the value is \$100,000 or more, but less than \$200,000 - 4 years.
3. Where the value is more than \$200,000 - 6 years.

C. The value of the business mentioned in Subsection B shall be the difference in the value of the business as located currently as a non-conforming use and the value of the business if located in a proper zone, including, but not limited to, the cost of moving the business to a proper zone. Such value may be established by such reasonable means as are available to the City and the owner of the non-conforming use which can be anticipated to reasonably appraise the values of the business. In the event that the value estimated by the City is not accepted by the owner of the use, the owner shall have the right to file an objection and demand an evidentiary hearing before the Planning Commission to establish the value, subject to the following conditions:

1. The objection by the owner shall be filed with the Community Development Office in writing not later than ten (10) days following the mailing of the letter establishing the value by the City to the owner's last known address by first class mail, with proper postage attached.
2. The hearing shall be scheduled before the Planning Commission not more than sixty (60) days after the date the objection is received by the City, unless continued for valid cause.
3. All documents, or true and accurate copies thereof, which are to be used by the owner of the use at the hearing, together with the name and address of any witness anticipated to be called, to establish the value of the business shall be delivered by the owner to the City Community Development Office not less than five (5) days prior to the scheduled hearing. The City shall

provide copies to the owner of any and all documents, and the name and address of any anticipated witnesses, which are anticipated to be called at the hearing to establish or dispute value not less than five (5) days before the scheduled hearing.

4. The burden of proving the value of the business in excess of that established by the City shall be on the owner of the use.
5. The Planning Commission shall have not more than ten (10) days following the hearing to issue a written opinion of the value established at the hearing.
6. Any appeal of the decision of the Planning Commission must be taken in writing not more than ten (10) days after the issuance of the decision and shall be taken to the Carbon County District Court. (Ord. 9-89 (part)) (Ord. No. 6-93, Amended, 06/01/93)

Section 19.52.025 Variance from Amortization Schedule or Substitution of Use.

A. The owner of a nonconforming use may apply to the Board of Adjustments for a variance from the strict application of the amortization schedule for the removal of certain non-conforming uses found in 19.52.020 under the following conditions:

1. The owner of the use or property has the burden of proof that each of the conditions are fully met.
2. The application shall be submitted in writing to the Community Development/Planning Office. It shall contain information which identifies and describes the previous or existing use, the proposed use and its probable effects upon the neighborhood, the name and address of the owner and applicant, and the location of the subject property.
3. The proposed use must not change the character of the neighborhood as it now exists.
4. The proposed use would not be more detrimental to the neighborhood than the existing or previous use.
5. There is not substantial opposition to the proposed use from the community at the proposed location.
6. There is no significant conforming use which can be made of the property at this time without an economic investment which would destroy the profitability of the property, or render such highly unlikely.
7. There is a limit on the length of time the proposed non-conforming use will be in existence and that it will be replaced by a conforming use. The time may be limited as of a specific date or an event certain in the future.

B. In the event that an application described above is received by the Community Development/Planning Office such shall be advertised as required for a special use permit, and sufficient fees collected from the applicant to cover the costs of publication and other expenses at such rate as may be established by resolution of the City Council as per Title 1 of this code. The application will then be placed upon the appropriate agenda for action. Appeals from any action shall be taken as described in Section 19.52.020. (Ord. No. 6-93, Enacted, 06/01/93) (Ord. 08a-2008, Amended, 08/19/2008)

Section 19.52.030 Restoration.

A. If a building or structure used by a nonconforming use is damaged it may be reconstructed, or used as before; provided, that the floor area which existed prior to the damage not be increased, and that reconstruction commence within six months of such happening, and be completed within one year after reconstruction is started.

B. A nonconforming building or structure that is devoted to a conforming use may be reconstructed, structurally altered, restored or repaired in whole or in part, provided the degree of nonconformity is not increased. (Ord. 9-89 (part))

Section 19.52.040 Extension.

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

- A. When it is changed to a conforming use;
- B. When it has been discontinued or unavailable to the normal market for that use for a period of six consecutive months. (Ord. 9-89 (part))

Section 19.52.050 Termination.

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

- A. When it is changed to a conforming use;
- B. When it has been discontinued or unavailable to the normal market for that use for a period of six consecutive months;
- C. When such use has been abandoned by its owner. (Ord. 9-89 (part))

Section 19.52.060 Repairs and maintenance.

Normal maintenance and repairs of a building or other structure containing a nonconforming use is permitted, provided it does not extend the floor area occupied by nonconforming use. (Ord. 9-89 (part))

Chapter 19.56

PERMITS

Sections:

19.56.010 Required.

19.56.020 Application and fees.

19.56.030 Hearing.

19.56.040 Determination required.

19.56.050 Records.

19.56.060 Appeals.

19.56.070 Revocation.

19.56.080 Expiration and renewal.

Section 19.56.010 Required.

Due to their unusual and unique features, special permit uses shall be subject to the following requirements to insure the best interests of the health, safety and welfare of Rawlins citizens. Special permit uses shall be permitted only after the City Council has received a certified approval from the planning commission. (Ord. 9-89 (part))

Section 19.56.020 Application and fees.

Application for home occupation and other special use permits shall be made through the Department of Community Development in writing on forms provided by the city. Each application shall include the appropriate fee to the City as set by ordinance of the City Council and provided for in Title 1 of this code. The application shall include a site plan and sufficient information for the Planning & Zoning Commission and staff to fully and accurately evaluate the proposed use. (Ord. 2-91 (part): Ord. 9-89 (part)) (Ord. No. 10D-94, Amended, 10/04/94)

Section 19.56.030 Hearing.

A public hearing shall be held by the planning commission on a special use permit application. The hearing must be held within thirty-one days from the date the application has been filed. Notice of the hearing shall be given by at least one publication in a newspaper of general circulation within the city at least ten days to the hearing date. The notice shall contain at least the following information:

- A. General location;
- B. Requested use;
- C. Time, place and date of hearing;
- D. Number to call to ask questions about request. (Ord. 9-89 (part))

Section 19.56.040 Determination required.

Action on application must be taken and a decision must be made by the Planning & Zoning Commission within sixty-five days from the date of receipt of the application, unless continuation is agreed upon by the applicant. The Planning & Zoning Commission shall make the following determinations prior to approval of a special use permit:

- A. The proposed use shall serve an obvious public need;
- B. The property subject to the application is located in a Zoning District in which the proposed special land use is allowed.

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- C. The proposed use that is subject to a special use permit shall be designed, constructed, operated and maintained so as not to diminish the opportunity for surrounding properties to be used and developed as zoned. The proposed SUP shall avoid uses that would otherwise be detrimental to the economic well-being of the surrounding residents, businesses, landowners, and the community as a whole.
- D. The proposed special land use shall not involve uses, activities, processes, materials, or equipment that will create a substantially negative impact on other conforming properties or uses in the area by reason of traffic, noise, smoke, fumes, glare, odors, or the accumulation of scrap material that can be seen from any public road or seen from any adjacent land owned by another person.
- E. The proposed special land use shall not place demands on fire, police, or other public resources in excess of current capacity.
- F. The proposed special land uses shall be adequately served by public or private streets, water and sewer facilities, and refuse collection and disposal services.
- G. The proposed special land use complies with all applicable specific standards required under this Ordinance.

If approval of the Special Use Permit is granted, the Planning & Zoning Commission shall submit a certified recommendation to the City Council pursuant to Section 2.20.130 of the Rawlins City Code. If it is found that the Special Use Permit cannot be granted, no further action shall be taken by the Planning & Zoning Commission. All appeals of the Planning & Zoning Commission shall be made pursuant to section 19.56.060.

Section 19.56.050 Records.

Records of all applications made, and decisions rendered, together with all maps, drawings, descriptions of conditions applied shall be kept and maintained as described in Section 19.12.040. A copy of the decision rendered, and conditions applied shall be transmitted to the applicant. (Ord. 9-89 (part))

Section 19.56.060 Appeals.

Appeals of the Planning & Zoning Commission action shall be made in writing to the city council. The council shall hold a hearing in the same manner as prescribed in this chapter for the Planning & Zoning Commission on special use permits. (Ord. 9-89 (part))

Section 19.56.070 Revocation.

Revocation of a special use permit shall be subject to the following requirements:

- A. Initiation of Action. The Director of Community Development, the Planning & Zoning Commission, or the City Council may initiate action to revoke a special use permit.
- B. Grounds for Revocation. A special use permit may be revoked upon a finding of any one or more of the following grounds:
 - i. That the special use permit was obtained by fraud.
 - ii. That one or more of the conditions upon which approval was granted have been violated;
or
 - iii. That the use or facility for which approval was granted is so conducted or maintained as to be detrimental to the public health or safety, or as to be a public nuisance.

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- C. **Public Hearing.** The Planning & Zoning Commission shall hold a public hearing upon the revocation of the special use permit. The hearing shall be noticed in accordance with this chapter. The Planning & Zoning Commission shall submit findings based on any one or more of the grounds listed in subsection B of this section and shall forward a recommendation on revocation to the City Council. The person or persons to whom the special use permit has been issued shall be notified of such recommendations not later than three days after submission of the report to the City Clerk.
- D. **City Council Action.** The City Council shall hold a public hearing upon the revocation of the special use permit. The hearing shall be noticed in accordance with this chapter. After the public hearing and consideration of the recommendation of the Planning & Zoning Commission, the City Council may take action to revoke the special use permit. The action of the City Council shall be by an affirmative vote of a majority of the entire membership of the Council. (12-2003, Added, 12/02/2003)

Section 19.56.080 Expiration and renewal.

- A. Every Special Use Permit issued under the provisions of this chapter shall remain in force and effect for one (1) year from the date of issuance, unless cancelled or revoked pursuant to Section 19.56.070.
- B. Special Use Permits shall be renewed as listed in subsection D (ii) of this section, upon payment of the prescribed renewal fee as established by resolution of the City Council as per Title 1 of this code provided the fee is paid within thirty days after the date of expiration.
- C. Failure to renew a Special Use Permit within the prescribed time period shall result in automatic cancellation of the permit and a new permit will only be issued upon approval through reapplication and hearing by the Planning & Zoning Commission pursuant to Section 19.56.070
- D. The Planning & Zoning Commission will specify the status of the Special Use Permit as either a temporary or permanent use. Both permanent and temporary uses are subject to subsection E of this code. Expiration of special uses are as follows:
 - i. A permanent special use such a parking structure, hospital, or school will have no expiration date.
 - ii. A temporary special use such as a residential day care, gravel pit or outside sales shall expire annually on the date of issuance.
- E. The owner of a special use permit may cause the permit to expire if he/she notifies the Community Development Department the permit is being abandon.
 - i. The special use shall expire if inactive for 12 consecutive months.
- F. If ownership of the property with the special use changes, the special use shall continue to be valid so long as the new owner continues the special use and complies with the conditions established for the original permit. New ownership of the special use shall be established with the Community Development Department within thirty (30) days of the transferal of ownership to retain validity.
 - i. A granted Special Use Permit shall apply only to the property for which it was granted. The owner of the SUP will be required to apply for a new SUP if they relocate the use to a different location, parcel of land or zone for which the SUP is required. (Ord. 07-2014)

Chapter 19.60

PLANNED UNIT DEVELOPMENTS

Sections:

- 19.60.010 Purpose.**
- 19.60.020 Application and fees.**
- 19.60.030 Lot area and yards.**

Section 19.60.010 Purpose.

The purpose of planned unit development procedures is to permit creativity and flexibility in design by permitting deviations from the requirements of this title if the design satisfactorily proves that no problems will be created. Through individual design and location of units, greater privacy, land efficiencies and improved living environments should result. Planned unit developments in any zones where permitted shall be subject to the additional provisions of this chapter. (Ord. 9-89 (part))

Section 19.60.020 Application and fees.

A development plan shall be submitted along with an application to the Department of Community Development. Every such application shall include payment of the appropriate fee to the City as set by resolution of the City Council, and provided for in Title 1 of this code. The plan shall show the layout of roads, lots, parks and open spaces, location of buildings, developments immediately adjacent, and provisions for drainage, water supply and sewerage treatment facility in conformance with state and federal standards. (Ord. 9-89 (part)) (Ord. No. 10D-94, Amended, 10/04/94) (Ord. 08a-2008, Amended, 08/19/2008)

Section 19.60.030 Lot area and yards.

The minimum lot area and yard requirements of the specific zone district where located may be varied provided:

A. The gross dwelling unit density of the development does not exceed the density requirements of the district where located as follows:

R	40,000	1 unit per acre
R	15,000	3 units per acre
R	7,500	6 units per acre
R	3,000	14 units per acre
R	1,500	30 units per acre

Open space for recreation shall be provided based on the following:

The percent of the total land to be dedicated shall be based on the formula below which recognizes the national standard of ten acres per one thousand population for park usage. This standard is then related to density and varying family size with density changes. Therefore, the amount to be dedicated is calculated as follows:

Gross density x 2 plus 5 equals % dedication required
(Example: 10 units per acre x 2 plus 5 equals 25 or 25% dedication)

B. That area designated as open space or park shall be dedicated in perpetuity by appropriate covenants

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and protected by a homeowner's association or similar legally constituted arrangement to control, construct and maintain the mutually owned property. Lands proposed to be dedicated to public ownership cannot be considered as meeting these requirements unless accepted by legal action of the government.

C. The minimum distance between principal structures, on the same lot, and perimeter development boundaries shall be no less than the height of the tallest structure as applicable. In no case shall the setback from the boundary be less than twenty-five feet.

D. Approvals granted by the planning commission shall be based on a specific plan and written conditions attached thereto. (Ord. 9-89 (part)) (Ord. No. 3B-95, Amended, 03/07/95)

Chapter 19.64

MOBILE HOME PARKS

Sections:

19.64.010 Regulations.

19.64.020 Campers and Motor Homes.

Section 19.64.010 Regulations.

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

A. A mobile home park shall not be developed at a residential density greater than eight mobile home spaces per acre.

B. Each mobile home space shall be connected to a water supply system and sewage treatment system which meets the State Health Standards.

C. All roads shall have a minimum paved (hard surface) width of twenty-five feet.

D. Electric and telephone utilities shall be underground.

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

F. A site plan of development shall be submitted with an application along with payment of the appropriate fee to the City as set by resolution of the City Council, and provided for in Title 1 of this code. (Ord. 9-89 (part)) (Ord. No. 10D-94, Amended, 10/04/94) (Ord. 08a-2008, Amended, 08/19/2008)

Section 19.64.020 Campers and Motor Homes.

A. Camper Trailers and Motor Homes may be parked in a Mobile Home Park, if in compliance with subsection "C" below.

B. Definition: Camper Trailers and Motor Homes – Mobile living units designed to provide sleeping and sanitary facilities with all services self-contained. Units are individually powered or are designed to be pulled behind a motor powered vehicle.

C. Setup

a. Campers and Motor Homes must display the Recreation Vehicle Industry Association seal or otherwise provide documentation of compliance with the National Fire Protection Code for Recreational Vehicles 1192 and the American National Standards Institute A119.2 Standard for Recreational Vehicles.

b. Utilities – All utilities, including water, landfill, sanitary sewer, electrical service, gas, television cable, etc. . . shall be installed in such a manner that protects the integrity of the service. All installations shall be made as required by regulations prescribed in applicable sections of the municipal code. If propane tanks other than tanks installed in the Camper Trailer or Motor Home are used the propane must be installed by a licensed propane dealer with a minimum one hundred twenty gallon tank.

c. Support and Park Rules– Each Camper Trailer or Motor Home must be stabilized from beneath using a concrete masonry, and/or metal support system the same as required by the park for mobile homes. All park requirements for Mobile Homes such as numbering, skirting, tire and rim removal, water metering etc. . . will also apply to Campers and Motor Homes.

d. Porches and other attached Structures – Any structures attached to the home (where allowed by the park) require a building permit and must be built subject to applicable building codes and inspections by the building official.

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e. Repairs, painting and general upkeep – It shall be the duty of every occupant and/or owner of the Camper or Motor Home to maintain the original integrity of the structure by performing regular repairs, painting, and other items of general upkeep as may be expected and needed from time to time. Maintenance requirements of the Camper or Motor Home apply equally to the maintenance of sheds and all other outside appurtenances to the Camper or Motor Home. (Ord. 08-2009, Added, 09/01/2009)

Chapter 19.72

CERTIFICATE OF OCCUPANCY

Sections:

- 19.72.010 Required.**
- 19.72.020 Compliance required.**
- 19.72.030 Issuance.**
- 19.72.040 Temporary issuance.**

Section 19.72.010 Required.

It is unlawful to use or to permit the use of any building, structure, premises, lot or land, or part thereof, hereinafter erected or altered, enlarged or moved, in whole or in part, after the effective date of the ordinance codified in this title, or any building, structure, premises, lot or land, or part thereof, of which the use is changed, until a certificate of occupancy has been obtained by the owner, or his authorized agent. (Ord. 9-89 (part))

Section 19.72.020 Compliance required.

Upon written request by the owner or his authorized agent, the zoning officer shall issue a certificate of occupancy for any building or structure, lot or land, existing in use at the effective date of the ordinance codified in this title; provided, that the zoning officer finds that the building or structure, lot or land is in conformity with the applicable provisions of this title. (Ord. 9-89 (part))

Section 19.72.030 Issuance.

Upon written request by the owner or his authorized agent, the zoning officer shall issue a certificate of occupancy for any building or structure, lot or land, existing in use at the effective date of the ordinance codified in this title; provided, that the zoning officer finds that the building or structure, lot or land is in conformity with the applicable provisions of this title. (Ord. 9-89 (part))

Section 19.72.040 Temporary issuance.

Under such rules and regulations as may be established by the planning commission and filed with the building official a temporary certificate of occupancy for not more than thirty days for a part of a building may be issued by him. (Ord. 9-89 (part)) (Ord. 11-2007, Amended, 11/06/2007)

Chapter 19.76

APPEALS AND VARIANCES

Sections:

- 19.76.010 Hearings of Appeals.**
- 19.76.020 Filing an Appeal.**
- 19.76.030 Stays.**
- 19.76.040 Variances.**
- 19.76.050 Review of Decisions.**
- 19.76.060 Fees.**

Section 19.76.010 Hearings of Appeals.

- A. The Board of Adjustment shall hear and decide such appeals as may be taken from orders, requirements, decisions and determinations made by the Planning & Zoning Commission or city staff charged with the enforcement and interpretation of the provisions of this title.
- B. In the case of an appeal, the Board shall:
 - 1. Fix a reasonable time for hearing an appeal of not less than ten days nor more than forty-five days from the date of appeal;
 - 2. Give not less than 48 hours notice to the public of the scheduled hearing;
 - 3. Provide not less than five days notice to the parties in interest; and,
 - 4. Decide the appeal within thirty days after the hearing.
- C. Any party may appear in person at the hearing or by agent or attorney.
- D. The Board shall adopt written rules for the parties to follow during the hearing, which shall insure that each side is allowed to present such evidence as is relevant and useful in the view of the Board, without undue repetition, and that each party shall have the opportunity to argue its position. If no such rules are adopted or effective, then the Wyoming rules for Administrative Hearings shall apply.
- E. The Board may reverse, modify or affirm in whole or in part the order, requirement, decision of determination as it deems appropriate, provided, however, that no power exercised by the Board under this paragraph shall exceed the power or authority vested in the Planning & Zoning Commission or staff member from whom the appeal is taken. (Ord. No. 4A-95, Enacted, 04/18/95)

Section 19.76.020 Filing an Appeal.

- A. Any aggrieved person or the City if directly affected by a decision of the Planning & Zoning Commission or city staff concerning this title may appeal such decision to the Board of Adjustment. Appeals must be filed within thirty days following the issuance of the action by the Planning & Zoning Commission or the staff person. The appeal must be filed in writing by delivering a "Notice of Appeal" to the Planning Commission or staff person making the decision and to the Director of Community Development. The Appeal must state with specificity the Planning & Zoning Commission or staff person who made the decision; the date of the decision; the decision that was made; the adverse effect being appealed; the reason the decision was improper and the decision that should have been reached. The Planning & Zoning Commission or staff member from whom the appeal is taken shall immediately transmit to the Board of Adjustment the complete record of the action from which the appeal is taken by delivering a copy of such to the Director of Community Development. (Ord. 9-89 (part)) (Ord. No. 4A-95, Amended, 04/18/95)

Section 19.76.030 Stays.

- A properly filed appeal from a decision by the Planning & Zoning Commission or city staff may, if

requested by the Appellant, stay all proceedings related to the appeal if good cause is shown by the appellant to the Board of Adjustment in sworn affidavit for such stay, provided, however, that no stay shall be granted if the Planning & Zoning Commission or city manager certifies to the Board of Adjustment that the facts affirmed to the Board demonstrate an immediate threat to life or property which can be avoided by denying the stay. In such case, no stay shall be granted except by restraining order issued by the District Court for good cause shown. Ord. 9-89 (part)) (Ord. No. 4A-95, Amended, 04/18/95)

Section 19.76.040 Variances.

A. The Board has the power to:

1. Hear and decide special exemptions to the terms of the ordinances found in this title.
2. Vary or adjust the strict application of any of the requirements of any ordinance adopted pursuant to this title in the case of any physical condition applying to a lot or building if the strict application of the regulations of this title would deprive the owner of the reasonable use of the land or building involved. The Board shall set forth its findings of fact in writing, with copies of such sent to each of the parties within the time specified herein. Any decision made by the Board shall be based upon the finding that there are unique circumstances to the property being addressed and that no adjustment in the strict application of any provision of an ordinance may be granted unless:
 - a. There are special circumstances of conditions fully described in the Board's findings, which:
 1. Are peculiar to the land or building for which the adjustment is sought; and,
 2. Do not apply generally to land or buildings in the neighborhood; and,
 3. Have not resulted from any act of the applicant subsequent to the adoption of the ordinance:
 - b. There are circumstances or conditions fully described the Board's findings such that:
 1. The strict application of the provisions of the ordinance would deprive the applicant of the reasonable use of the land or building;
 2. The granting of the adjustment is necessary for the reasonable use thereof; and,
 3. The adjustment granted is the minimum adjustment that will accomplish the intended purpose; and,
 - c. The granting of the adjustment is in harmony with the general purposes and intent of the ordinance and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
3. Grant exemption and variances upon request after a showing that an illegal construction or a nonconforming building or use existed for a period of at least five years in violation of local ordinance and the City has not taken steps toward enforcement.

B. No variance or use shall be granted in a zone restricted against the structure or use.

C. Any variance granted by the board of adjustment pursuant to the provisions of this section shall be construed to be conforming.

D. The concurring vote of a majority of the Board of Adjustment is necessary to reverse and order, requirement, decision or determination of any administrative official, to decide in favor of the application of any matter upon which it is required to pass under any ordinance or to effect any variation of any ordinance. (Ord. 9-89 (part)) (Ord. No. 4A-95, Amended, 04/18/95)

Section 19.76.050 Review of Decisions.

Any decision of the board may be reviewed by the district court pursuant to Rule 12 of the Wyoming Rules of Appellate Procedure. (Ord. 4-90) (Ord. No. 10D-94, Amended, 10/04/94; Ord. No. 4A-95, Amended, 04/18/95)

Section 19.76.060 Fees.

Every applicant for a variance shall pay to the City a fee at the time of submission of such application as established by resolution of the City Council as per Title 1 of this code. (Ord. No. 4A-95, Enacted, 04/18/95) (Ord. 08a-2008, Amended, 08/19/2008)

Chapter 19.80

AMENDMENTS

Sections:

- 19.80.010 Requirements.**
- 19.80.020 Application.**
- 19.80.030 Effect of denial.**

Section 19.80.010 Requirements.

Amendments to this title shall require the following action before adoption;

A. Certification of any proposed amendments by the planning commission, following a public hearing before the commission after at least fifteen days' notice of the time and place of the hearing shall have been given by at least one publication in a newspaper of general circulation within the city;

B. Completion of a public hearing before the city council after at least fifteen days' notice of the time and place of the hearing shall have been given by at least one publication in a newspaper of general circulation within the city; and

C. Approval by official vote of a majority of the city council. (Ord. 9-89 (part)) (Ord. No. 3a-94, Amended, 03/15/94; Ord. No. 3A-93, Amended, 03/15/94)

Section 19.80.020 Application.

A. An amendment, rezoning or map change may be initiated by:

1. The City Council;
2. The Planning & Zoning Commission;
3. The City Manager; or

4. A petition of interested property owners or authorized agents of the owners, for rezoning, of any land to a less restricted district; provided that the land is adjacent to or directly across a street or alley from property which is already zoned in the same or less restricted zone as that to which the property is proposed to be rezoned.

B. Any proposed zone changes shall not be detrimental to adjacent property or development and shall be in compliance with the Comprehensive Master Plan land use policy as determined by the governing bodies. (Ord. No. 05A-2015, Amended 5/19/15)

C. An application to amend this title or map shall be submitted to the City Council and the Planning Commission for review and processing as outlined under Section 19.80.010. The applicant shall include a fee in an amount sufficient to cover the cost of advertising and processing, the amount to be determined from time to time by resolution of the Planning Commission.

D. A legal protest against the application would be in effect if signed by the owners of twenty percent or more either of the area of the lots included in the proposed change, or of those immediately adjacent in the rear thereof extending one hundred forty feet therefrom, or, in case any alley separates the lots from the lots to the rear thereof, then the area for a distance of one hundred forty feet from the street frontage of the opposite lots, the amendment shall not become effective except by the favorable vote of three-fourths of all members of the legislative body of the municipality. (Ord. 9-89 (part)) (Ord. No. 3A-94, Amended, 03/15/94; Ord. No. 10D-94, Amended, 10/04/94)

Section 19.80.030 Effect of denial.

If an application for an amendment to this zoning title or map is denied new application for the same zoning change affecting the same property or use shall not be eligible for reconsideration for six months after the denial. (Ord. 9-89 (part)) (Ord. No. 3a-94, Amended, 03/15/94; Ord. No. 3A-93, Amended, 03/15/94)

Chapter 19.84

VIOLATION--PENALTY

Sections:

- 19.84.010** **Penalty for violation.**
- 19.84.020** **Civil actions.**
- 19.84.030** **Liability for damages.**

Section 19.84.010 **Penalty for violation.**

No person shall locate, erect, construct, reconstruct, enlarge, change, maintain or use any building or use of land in violation of this title or amendment thereto. Any person who violates any section of this title may be punishable by a fine of not more than one hundred dollars for each offense. (Ord. 9-89 (part))

Section 19.84.020 **Civil actions.**

In case any building or structure is, or is proposed to be, erected, constructed, reconstructed, altered, maintained or used, or any land is proposed to be used, in violation of any provision of this title, or amendment thereof, the city council, the city attorney in and for the city, or any owner of real estate within the zoned areas, in addition to other remedies provided by law, may institute injunction, mandamus, abatement or any other appropriate action to prevent, enjoin, abate or remove the unlawful erection, construction, reconstruction, alteration, maintenance or use. Appeals from judgment rendered in any action instituted to enforce this title shall be permitted in accordance with the general appeals provisions of the Wyoming Rules of Civil Procedure. (Ord. 9-89 (part))

Section 19.84.030 **Liability for damages.**

This title shall not be construed to hold Rawlins responsible for any damage to persons or property by reason of the inspection or reinspection authorized in this title or failure to inspect or reinspect or by reason of issuing a certificate of occupancy, or in the administration and enforcement.