

ORDINANCE #865

AN ORDINANCE OF THE TOWN OF GREYBULL, BIG HORN COUNTY, WYOMING, PERTAINING TO THE ZONING DEFINITIONS WITHIN THE TOWN LIMITS BY REPEALING IN CHAPTER 18 SECTIONS 18.08.010 THROUGH SECTION 18.08.150 IN THEIR ENTIRETY AND SHALL BE REPLACED WITH SECTION 18.08 AS FOLLOWS:

BE IN ORDAINED BY THE GOVERNING BODY OF THE TOWN OF GREYBULL, BIG HORN COUNTY, STATE OF WYOMING.

18.08 – Definitions of terms.

Except as specifically defined herein, all words in this chapter shall have their customary dictionary definitions. For this chapter certain words and terms herein are defined as follows.

Words in the present tense include the future tense; words used in the singular include the plural; and words used in the plural include the singular; the word “shall” is always mandatory, the word “person” includes a firm, association, organization, partnership, trust, corporation or company, as well as an individual; the word “lot” includes the words “plot” or “parcel”; the word “building” includes the word “structure”; the words “used” or “occupied” as applied to any land or building shall be construed to include “intended, arranged, or designed to be used or occupied”; the words “map” or “zoning map” mean the official zoning map of the Town of Greybull that delineates the area to be governed by these regulations.

Abut – “Abut” means reasonably close to and/or touching; for example, two adjoining with a common property line are abutting.

Accessory – A use, or building or structure, and/or part of a building or other structure, which is subordinate to, and the use of which is incidental to that of the main building, structure or use on the same lot, and/or including a private garage. use or building – “accessory use or building” means a subordinate use or building customarily incidental to and located on the same lot with the main use or building, structure or use on the same lot, and/or including a private garage. If an accessory building is attached to the main building by a common wall or roof, such accessory building shall be considered a part of the main building.

Adjacent – laying near or close by, but not necessarily connected. For example, an industrial zone across a street or highway from a residential zone shall be considered adjacent.

Administering authority: Any person, consultant, or entity authorized by the governing body to review applications enforce regulations and interpret the requirements pertaining to this chapter.

Alteration – as applied to a building or structure, means a change or rearrangement in the structural parts or in the exit facilities, or an enlargement, whether by extending on a side or by increasing in height, or the moving from one location or position to another.

Alley – a permanent public way providing a secondary means of access to abutting lots.

Animal Boarding – any establishment where companion animals are maintained for breeding, boarding, holding, training, or similar purposes for a fee or compensation.

Animal Clinic – any establishment where animals are admitted principally for short-term treatment, examination, or care by a Doctor of Veterinary Medicine.

Boarding is provided only for medical purposes or treatment.

Animals, Companion – a household animal kept for a person's enjoyment.

Animals such as cats, dogs, rodents, reptiles, birds, fish, and other similar animals.

Animal limit – each primary residential dwelling unit is permitted up to three same species companion animals six months and older.

Board – for the intent of this entire chapter, board shall mean the Town of Greybull Planning & Zoning Commission and/or Town of Greybull council.

Building – a structure designed, built, or occupied as a shelter or roofed enclosure for persons, animals, or property, including tents, lunch wagons, dining cars, camp cars, trailers, and other roofed structure on wheels or other supports used for residential, business, mercantile, storage, commercial, industrial, institutional, assembly, educational, or recreational purposes. For the purposes of this definition, "roof" includes an awning or other similar covering, whether permanent in nature.

Building line – the line between which the street line or lot line no building or other structure or portion thereof, except as provided in this division, may be erected above the grade level. The building line is considered a vertical surface intersecting the ground on such line.

Building, principal – A building in which is conducted the main or principal use of the lot on which said building is situated.

Building, public – A building, supported by government funds, to be used in an official capacity on the behalf of the entire community.

Business – The engaging in the purchase, sale, barter, or exchange of goods, wares, merchandise, or services; the maintenance or operation of offices or recreational or amusement enterprises.

Campground – Any area of land used to temporarily accommodate two or more camping parties, including cabins, tents, and recreational vehicles.

Caretaker facility – The residential use of a structure (including in appropriate cases, a manufactured home) in conjunction with a business or industrial activity that requires on site monitoring, maintenance, or specialized care on a continual, regular, or sustained basis.

Child daycare center – Any private person, partnership, association, or corporation which provides care or supervision, supplemental to daily parental care, for three or more non-emancipated children not related to the provider.

Church – A building, together with its accessory buildings and uses, where persons regularly assemble for religious worship, and which building, together with its accessory buildings and uses, is maintained, and controlled by a religious body organized to sustain public worship.

Club, private (nonprofit) – A nonprofit association of persons who are bona fide members paying dues, which owns, hires, or leases a building, or portion thereof the use of such premises being restricted to members and their guests.

Common area – An area of land within a residential development which is held in common or mutual ownership by all property owners within that development. The uses

of such areas are reserved for and are to be maintained by an association of the property owners.

Conditional Use – A use designated within a specific zone for which a building permit is not issued until reviewed and approved by the Town of Greybull's building inspector.

Convenience food restaurant – An establishment where the principal business is the sale of foods, frozen dessert, or beverages to the consumer in a ready to eat state for consumption either within the premises, or for carryout with consumption either on or off the premises, and whose design or principal method of operation includes both of the following characteristic:

1. Food, frozen desserts, or beverages are usually served in edible containers or in paper, plastic, or other disposable containers.
2. The customer is not usually served food at his table by an employee, but receives it at a counter, window or similar facility for carrying to another location for consumption either on or off the premises.

Commission or planning commission – The Town of Greybull's planning and zoning commission.

Development – Any manmade change to improve or alter real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations.

Dwelling – any building or any portion thereof which is not an "apartment house", "lodging house" or "hotel" or "motel", which contains one or two "dwelling units" or "guestrooms", intended or designed to be built, used, rented, leased, let or hired out to be occupied or which are occupied for living purposes.

Dwelling, multifamily – A building or portion thereof used for occupancy by five or more families living independently of each other.

Dwelling, single family – A building used for residential occupancy by one family.

Dwelling, two-, three- or four-family – A building or portion thereof for occupancy by two, three or four families living independently of each other.

Dwelling unit – One or more rooms designed for or occupied by one family for living or sleeping purposes and may contain kitchen facilities for use solely by one family. All rooms comprising a dwelling unit shall have access through an interior door to other parts of the dwelling unit. A bachelor apartment constitutes a dwelling unit with the meaning of this chapter.

Family – One or more persons who live together in a traditional family or in a domestic relationship that, in theory, size, appearance and structure, is a functional and factual equivalent of a traditional family of related persons living together and sharing meals. A single, not-for-profit housekeeping unit in a dwelling containing kitchen facilities.

Fence – A barrier constructed of materials erected for the purpose of protection, confinement, enclosure, privacy or ornamentation.

Garage, private – A detached accessory building or portion of a principal building, used for the storage of self-propelled vehicles where the capacity does not exceed three vehicles per family housed in the building to which such garage is accessory.

Garage, public – Any building or premises, except those defined herein as a private garage, used for the storage or care of motor vehicles; or where such vehicles are equipped for operation, repaired, or kept for remuneration, hire or sale.

Greenhouse – For the purpose of this section, is construed to mean “sun space”, a glazed area designed primarily to collect solar energy for heating an adjacent structure. Such “sun space” may or may not be for occupancy and may or may not be used for raising plants.

Ground cover – A low growing, spreading or dwarf plant species that provides partial or complete covering of the ground surface.

Group home – A single, residential structure having common kitchen facilities, occupied by persons having physical, mental, emotional, or social problems and living together for the purpose of training, observations, and/or common support.

Hazardous use – Any use that involves the storage, manufacturing, and distribution of an item or agent (biological, chemical, radiological, and/or physical), which has the potential to cause harm to humans, animals, or the environment, either by itself or through interaction with other factors. These items and/or agents are identifiable through and regulated by adopted local, state, or federal codes.

Height, building – “building height” means the vertical dimensions measured from the average elevation of the finished lot grade at the front of the building, to the highest point of the ceiling of the top story in case of a flat roof, to the deck line of a mansard roof, and to the average height between the plate and ridge of a gable, hip, or gambrel roof.

Home occupation – Conducting a for-profit business from one’s residence. No person engaged in a home occupation is relieved from compliance with the town building regulations. The applicant for a conditional use permit shall be responsible for complying with those regulations.

- A. Alterations and constructions shall be allowed provided that the external character and appearance of the building remains unchanged.
- B. There shall be no offensive noise, vibration, smoke, dust, odors, heat, or glare noticeable at or beyond the property line.
- C. No storage or objectionable display of materials, goods, supplies, or equipment related to the operation shall be visible from the outside of any structure located on the property.
- D. One unlighted sign, compatible with the residence and neighborhood, not over 18 inches by 24 inches shall be permitted provided it is attached flat against the structure or window.
- E. There shall be only incidental sale of stocks, supplies or products, except those made or produced on the premises. Catalogue sales are to be permitted.
- F. Employees working on the site of the home occupation shall be permanent residents of the dwelling or owners of such property.

Hotel or motel – A building or portion thereof, or group of buildings, in which the lodging is provided and offered to transient guests for compensation.

Industrial – All developments for the purposes of extracting, manufacturing, or processing materials or where space requirements are extensive and/or are dependent on frequent use by heavy equipment.

Junkyard – A lot, land or structure, or part thereof, used primarily for the collecting, storage and sale of wastepaper, rags, scrap metal or discarded material; or for the collecting, dismantling, storing and salvaging of machinery or vehicles not in running condition, or for the sale of parts thereof.

Landscape improvements – The installation, construction or placement of living plant material, landscape material or a combination thereof.

Landscape material – Any combination of decorative natural material; including natural or crushed stone or rock, shredded or chipped cork and bark; various amenities including benches, gazebos, decorative lighting under a finished height of 16 feet, and other materials which are commonly used in the landscaping industry. Landscaping materials does not include weed barrier, irrigation system components, synthetic ground cover or plants.

Living plant material – Shrubs, trees, grasses and flowers or any combination thereof which are and remain to be alive, excluding plant families, species or varieties considered undesirable, a nuisance or weed.

Lot, corner – A lot at a junction of and fronting on two or more intersecting streets.

Lot, interior – A lot other than a corner or through lot.

Lot lines – The line bounding a “lot” as defined in this section.

Lot, through – A lot having frontage on two parallel or approximately parallel streets.

Manufactured home – Manufactured housing built on a travel chassis which shall be construed to remain a manufactured home, subject to all regulations applying thereto, whether wheels, axels, hitch or other appurtenances of mobility are removed and regardless of the nature of the foundation provided. Manufactured homes shall be constructed under the provisions of 24 CFR part 3280 and installed under provisions 24 CFR 3285. Installed manufactured homes shall be a maximum of 15 years old from the current calendar year. Existing manufactured homes are considered nonconforming uses as to the date of manufacture. A manufactured home shall not be construed to be a recreational vehicle.

Manufactured home community – A manufactured home development with continuing local general management and/or homeowners’ association, and with special facilities for common use by the occupants and might include such items as common recreational building or areas, common open space, laundries and the like.

Manufactured home court or park – A parcel of land under single ownership on which manufactured homes are occupied as residences, with continuing local general management and providing a number of various facilities for common use.

Manufactured home development – A generic term applicable to manufactured home parks, subdivisions, and communities.

Manufactured home subdivision – A legally created subdivision designed and/or intended for the sale of lots for residential occupancy by manufactured homes or other detached single-family dwellings, with no continuing local general management or homeowners’ association.

Miniwarehouse – A building or group of buildings in a controlled access and fenced or screened compound that contains a relatively small storage spaces or varying sizes having individual, compartmentalized and controlled access for the dead storage of excess personal property of an individual or family generally stored in residential accessory structures, when such storage is not located on the lot of their residence.

Modular home – Modular homes are homes that are built in sections in a factory, complying with locally adopted building codes, transported to a building site, then joined together and placed on a permanent foundation complying with locally adopted building codes.

Nonconforming use – A structure or land lawfully used prior to the date of these regulations which does not conform to the use regulations for the district in which it is located.

Office – A structure, or portion thereof, in which commercial, professional or governmental activities take place but where goods are not produced, sold, or repaired.

Official zoning map – The official zoning map which describes thereon the several zoning districts to which the regulations set forth in this chapter shall apply.

Parking space – an area of not less than 180 square feet, net, exclusive of access or maneuvering area, or ramps, columns, etc. to be used exclusively as a temporary storage space for one private motor vehicle. Truck loading and unloading space shall not be included in such area.

Parking space off street – A space designated for the temporary parking of a motor vehicle not on the public right-of-way of a street or alley, but accessible from a street or alley.

Planned Unit Development – A methodology of organizing, arranging, and developing a mixed-use type of residential, commercial, or light industrial functions that enhance the open space, commercial, or social opportunities for the residents and does not adversely affect the adjoining properties or add a financial burden to the municipality.

Planning Commission or Commission – The Town of Greybull planning and zoning commission.

Professional survey – A drawing rendered by a professional land surveyor (defined by Wyoming State Statutes) that provides evidence of set and/or located property corner markers/monuments, dimensions between property corner markers/monuments, including necessary angles, horizontal distances, building footprints, and elevations that will be utilized by the administering authority to determine construction boundaries, setbacks, fence lines, structure footprints, landscaping borders, public rights-of-way, and any other linear dimensioning that is regulated by this chapter.

Public use – governmental buildings, land owned by a governmental unit and uses by public utilities.

Quonset hut – lightweight prefabricated structure sections of corrugated steel having a semicircular or arched cross section that are connected to form a structure.

Recreational vehicle (RV) – A motor vehicle or trailer equipped with living space and amenities found in a single-family dwelling except it is designed for temporary human habitation. Recreational vehicles shall be licensed for normal highway usage. Any electrical system is six or 12 volts but may include a converter and a 110-volt

parallel system. Any plumbing requires a holding tank. Various types of recreational vehicles can include but are not limited to motor home (class A, B, B+, and C), travel trailer, fifth wheel trailer, pop up trailer, and slide in camper. Recreational vehicles used for habitation may only be in designated campgrounds.

Restaurant – Any restaurant (except a “convenience food restaurant” as defined in this section), coffee shop, short order café, luncheonette, tavern, sandwich stand, drugstore, and soda fountain serving food, and all other eating or drinking establishments, provided that at least one-half of total business area is devoted to the sale of food.

Retail business – A commercial enterprise engaged in the sale of goods or articles individually or in small quantities directly to the consumer.

Reversed frontage – Any property where a structure is constructed on a corner lot and has been placed so as the rear yard of said property is common to the side and/or front yard of said adjacent property. This instance is relevant to all corner properties whether the development incorporates alley design or not.

Screen – A seasonal or permanent visual barrier, which severely restricts or prohibits view of a designated area, reduces the impact of unsightly, undesirable or offensive intrusions and performs a function similar to that of a solid fence, but perhaps using a variety of living and nonliving materials.

Setback – distance from curb to dwelling.

Shrub – A woody plant, either coniferous or deciduous, distinguished from a tree by its low growth form, numerous stems, and branches.

Single manufactured home – one manufactured home place on one town lot on a permanent foundation and used for a residential purpose.

Single mobile home – one mobile home place on one town lot on a permanent foundation with wheels and tongue removed and used for a residential purpose.

Single modular home – one modular home placed on one town lot on a permanent foundation and used for a residential purpose.

Story – That portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above. It is measured as the vertical distance from top to top of two successive tiers of beams or finished floor surfaces and, for the topmost story, from the top of the floor finish to the top of the ceiling joists or, where there is not a ceiling, to the top of the roof rafters.

Street – Any public or private way for vehicular traffic which extends the full width between right-of-way or easement lines.

Structure – Anything constructed or erected which requires location on the earth's surface, but not including fences, walls used as fences, or paved areas.

Synthetic cover – Manufactured or mechanically produced material which is not harvested or derived from a natural occurrence in its natural state or is a product of a natural material manipulated to the extent that it does not exhibit the physical traits, characteristics, or appearance of the natural product from which it was derived.

Townhouse – an attached single-family dwelling constructed as part of a series of dwellings, all of which are either attached to the adjacent building and/or buildings by common walls or are located immediately adjacent thereto with no visible separation between walls or roof; all of which dwellings may be located on individual and separate lots, if individually owned, or upon a single lot, if under common ownership.

Use – the activity for which land or buildings are utilized.

Use, nonconforming – an existing use of land or building which was legal prior to the effective date hereof, but which fails to comply with the requirements set forth in this chapter applicable to the zone in which such use is located.

Use, principal – a use or structure which determines the predominant or major use of the lot on which it is located. A principal use may be either a permitted or a conditional use.

Use, special exemption – either a public or private use as listed or provided herein which, because of its unique characteristics, cannot be properly classified as a permitted use in a particular district. A special exemption use may be a principal use or an accessory use.

Variance – a modification or variation of the provisions of this chapter as applied to a specific piece of property.

Warehouse – an enclosed building designed and used primarily for the storage of goods and material.

Yard – a space on the same lot with a principal building, open, unoccupied other than by steps, walks, terraces, driveways, lampposts, and similar structures, and unobstructed by structures.

Yard, front – an open unoccupied space on the same lot with a main building, extending the full width of the lot and situated between the street line and the front line of the building projected to the side lines of the lot.

Yard, rear – an open unoccupied space on the same lot with the building between the rear line of the building and the rear line of the lot and extending the full width of lot.

Yard, side – an open unoccupied space on the same lot with the building which is situated between the building and the sideline of the lot and extending from the front yard to the rear yard.

Zone – a land area shown or described in the land use zoning map to which uniform regulations apply.

Zone change – the legislative act of removing one or more parcels of land from one zone and placing them in another zone on the land use zoning map.

Zoning map – the official map which describes thereon the several zoning districts to which the regulations set forth in the division shall apply.

This Ordinance shall take effect and be in full force and effect on **August 18, 2022**, after having been published in the **GREYBULL STANDARD**.

First Reading: June 13, 2022
Second Reading: July 11, 2022
Third Reading: August 8, 2022

Passed, approved, and adopted on this 8th day of August 2022.

Myles Foley, Mayor

Attest: _____
Jessica Fink, Town Clerk