

Alan

Date: 11/18/15

ORDINANCE NO. 4110

ENTITLED: "AN ORDINANCE PURSUANT TO SECTIONS 1.1.6 AND 2.4.1(b) OF THE CHEYENNE UNIFIED DEVELOPMENT CODE (UDC), AMENDING ARTICLE 5, ZONING REGULATIONS, TABLE 5-1, DISTRICTS AND USES, CONTAINED IN SECTION 5.1.4, AND SECTION 5.7.3, ACCESSORY DWELLING UNITS, FOR THE PURPOSE OF MODIFYING THE EXISTING REGULATION OF ACCESSORY DWELLING UNITS AND TO PROVIDE AN EXPANDED AS-OF-RIGHT PATH AFTER ADMINISTRATIVE REVIEW."

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CHEYENNE, WYOMING:

Section 1. That pursuant to recommendation of the City of Cheyenne Planning Commission at its November 16, 2015 meeting and pursuant to Sections 1.1.6 and 2.4.1(b) of the Cheyenne Unified Development Code (UDC), Article 5, Zoning Regulations, Table 5-1, Districts and Uses, contained in Section 5.1.4, and Section 5.7.3, Accessory Dwelling Units, of the UDC are hereby amended as set out in this ordinance. Purpose of the amendments is to modify the existing regulation of accessory dwelling units and to provide an expanded as-of-right path after Administrative Review. Articles, sections and subsections currently existing in the UDC not set out within this ordinance remain unchanged.

Section 2. That UDC Article 5, Table 5-1 contained in Section 5.1.4 is amended by inserting a "A" within the intersecting cells of Residential Uses, "Accessory Dwelling" and zoning districts AG, AR, RR, LR-1, LR-2, MR-1, MR-2, HR-1, HR-2, NR-1, NR-2, NR-3, CBD, MUR and MUB as follows:

Table 5-1: Zoning District Uses		A	A	R	R	L	L	M	M	H	H	N	N	N	N	C	C	B	L	H	M	M	M	A
Zoning Districts	Category of Uses / Specific Uses	G	R	R	R	1	2	1	2	1	2	1	2	3	B	B	D	I	I	P	R	B	E	D
Residential Uses																								
Accessory Dwelling		A	A	A	A	A	A	A	A	A	A	A	A	A		A					A	A		

P = Use permitted by right
 A = Use permitted after administrative review
 C = Use permitted after conditional discretionary review
 (Blank = prohibited use)

Section 3. That UDC Article 5, Section 5.7.3 is amended as follows:

In districts where accessory dwelling units are allowed as permitted, administrative or conditional uses, they shall meet the following standards in addition to all other lot and building standards for the district.

b. Only one accessory dwelling unit may be created is permitted per principal dwelling in any residential zone detached one-unit dwelling lot in any zoning district where accessory dwellings are allowed as permitted, administrative or conditional uses. Accessory dwelling units are prohibited on lots with multi-dwelling buildings, attached dwellings or semi-attached dwellings.

d. After approval by the Development Office of an accessory dwelling unit pursuant to subsection (b) of this section, the property owner will record with the Laramie County real estate office a "Notice of ADU Regulations" that shall contain a legal description of the subject property. The "Notice of ADU Regulations" shall be in a form approved by the Development Office prior to filing.

e. In no case shall an accessory dwelling unit be more than 35 40 percent of the principal dwelling unit up to a maximum of 1,200 square feet. This limitation is in

addition to all other lot and building standards applicable in the district. Square footage calculations, as contained herein, exclude any related garage, porch or similar area.

f. The unit size limitations shall not apply to basement apartments. The size of a basement apartment may occupy the entire floor area of the existing basement.

h. An accessory building used for an Accessory Dwelling Unit shall match the primary and secondary materials, and the architectural style and details of the principal building be designed to preserve or complement the architectural design, style and appearance of the principal building.

Section 4. That current subsections 5.7.3 (e) and (g) are re-lettered as (g) and (i) respectively due to the changes outlined in Section 3 of this ordinance.

Section 5. That sections, paragraphs, sentences, clauses and phrases of this ordinance are severable. If any section, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional, such unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases.

Section 6. That this ordinance shall be in full force and effect upon its approval and publication.

FIRST READING:

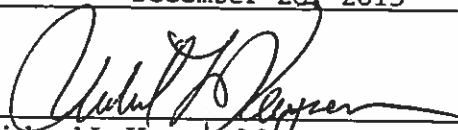
November 23, 2015

SECOND READING:

December 14, 2015

THIRD AND FINAL READING:

December 28, 2015


Richard L. Kaysen, Mayor

(S E A L)

ATTEST:


~~Carol J. Kasper, City Clerk~~

Kristy B. Anderson, Deputy City Clerk

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