

ORDINANCE NO. _____

ENTITLED: "AN ORDINANCE AMENDING SECTIONS 1.4.3 AND 5.8.8 OF THE UNIFIED DEVELOPMENT CODE AND CREATING SECTION 5.8.9 CARPORTS TO CREATE DEFINITIONS AND STANDARDS FOR CARPORTS."

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

Section 1. That the Governing Body of the City of Cheyenne finds that the text amendment that is the subject of this ordinance meets the criteria specified in Section 2.4.1.d of the Unified Development Code of the City of Cheyenne (UDC).

Section 2. That on May 18, 2026, the Planning Commission conducted a public hearing, reviewed the proposed text amendment, and recommended approval of said text amendment.

Section 3. That Section 1.4.3 of the UDC is amended to add the following definitions and read as shown in Exhibit A, which is attached hereto and incorporated herein.

Building, Accessory. A detached, subordinate structure, the use of which is clearly incidental and related to that of the principal building or use of the land, and which is located on the same property as that of the principal structure or use. A carport accessory to residential uses on lots that do not require site plan review shall be regulated exclusively under the standards of section 5.8.9 and shall not be considered an accessory building for the purposes of this Code.

Carport. A carport functions to offer limited protection to vehicles from the elements. The structure may be free standing or attached to another structure.

Section 4. That Section 5.8.8 of the UDC is amended to read:

5.8.8 Accessory Buildings

Accessory buildings associated with residential uses shall meet the following standards:

- a. There shall be a principal building constructed on the site prior to an accessory building being permitted.
- b. For double frontage, triple frontage and corner lots, the setback for a wall with vehicular access parallel to the adjacent right-of-way shall be 25', otherwise the setback for double frontage, triple frontage and corner lots shall be half of the required principal building's front setback.
- c. Accessory buildings under 200 sq. ft. shall be allowed a side and rear setback of 0-feet.
- d. An accessory building shall not encroach on any recorded easement.
- e. Up to two accessory buildings shall be allowed per lot.
- f. The maximum total building footprint of all accessory buildings shall be equal to or less than 15% of the property area.

- g. Accessory Buildings shall not have a larger building footprint than the principal buildings enclosed footprint (porches and decks do not count toward the principal buildings footprint).
- h. Exceptions to accessory building height, area, and number may be approved by conditional use approval.
- i. The provisions of subsections (a), (b), (e), (f), and (g) of this section do not apply to accessory buildings approved in conjunction with a site plan.
- j. To be considered a separate building, the structures must not share any structural attachment and no part of either building may be within 3' of the other when viewed from plan view. Two structures closer than 3' or with a structural attachment shall be considered one building for the purposes of setback, area, and number.
- k. Carports accessory to residential uses that do not require site plan review are not accessory buildings for the purposes of this section and shall be regulated exclusively under section 5.8.9. Carports shall not be counted toward the number of accessory buildings permitted under subsection (e)., nor shall their footprint be counted toward the maximum total accessory building footprint under subsection (f). A structure that does not meet the definition or standards of a carport under section 5.8.9 shall be regulated as an accessory building under this section.

Section 5. That Section 5.8.9 of the UDC is created to read:

5.8.9 Carports

Carports accessory to residential uses that do not require site plan review shall meet all of the standards of this section. Carports requiring site plan review shall comply with applicable design standards and development regulations of the zone district in which they are located.

- a. A principal building shall be constructed on the site prior to a carport being permitted.
- b. A carport shall meet all standards for driveways in the zone district.
- c. The following setback standards shall apply:
 - 1. Front yard carports shall be set back a minimum of 5-feet from any public sidewalk and 10-feet from the curb. The Director may reduce this setback to 0 feet through administrative adjustment upon finding that the carport will not interfere with a current or future public sidewalk.
 - 2. Side and rear setbacks shall conform to the accessory building setback standards of the zone district.
 - 3. On corner lots where a carport takes direct vehicular access from a side street through the narrow dimension of the carport, the side yard setback from the street-facing side property line may be reduced to 5-feet from any public sidewalk and 10-feet from the curb. The Director may reduce this setback to 0 feet through administrative adjustment upon finding that the carport will not interfere with a current or future public sidewalk. A setback reduction only applies where the carport opening directly faces and takes access from the adjacent street. A carport oriented with its long dimension oriented towards the side street property line shall not qualify for this

reduction and shall conform to the accessory building setback standards of the zone district.

- d. One carport is permitted per dwelling unit. More than one carport per dwelling unit may be approved through conditional use review.
- e. A carport shall not exceed 600 square feet in total floor area, measured to the outer face of any posts, columns, or enclosing elements. A carport shall not have a larger footprint than the enclosed footprint of the principal building. A carport exceeding 600 square feet in total floor area, may be approved through conditional use review.
- f. A carport shall not exceed the height of the principal building, measured from finished grade to the highest point of the principal building's roof. A carport exceeding the height of the principal building may be approved through conditional use review.
- g. No more than two sides of a carport may be enclosed in any manner. On any side where enclosure is provided, the lower 50% of the vertical wall facade shall remain open and unobstructed for the full horizontal extent of that facade, measured from finished grade to the underside of the roof or eave. Structural columns or posts shall not be considered enclosure elements. As an alternative to the open facade requirement above, the lower 50% of any enclosed side may be filled in with solid material provided the Director finds that the proposed enclosure material, finish, color, and detailing are architecturally compatible with the principal building. A structure that does not comply with this subsection shall be regulated as a garage or enclosed accessory building under section 5.8.8.
- h. A building permit is required for any carport regulated under this section.

Section 6. That Section 5.8.9 of the UDC be added to the list of sections at the beginning of 5.8.

5.8 Supplemental Provisions

- 5.8.1 Wireless Telecommunication Services
- 5.8.2 Manufactured Homes and Parks
- 5.8.3 Drive-through facilities
- 5.8.4 Fences
- 5.8.5 Refuse Containers
- 5.8.6 Outdoor Storage
- 5.8.7 Oil and Gas Support Service
- 5.8.8 Accessory Buildings
- 5.8.9 Carports

Section 7. 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 or otherwise unlawful, such declaration shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases.

Section 8. This ordinance shall be in full force and effect upon approval and publication.

FIRST READING: _____

SECOND READING: _____

THIRD AND FINAL READING: _____

PATRICK COLLINS, MAYOR

(SEAL)

ATTEST:

KYLIE SODEN, CITY CLERK

Published: _____
Wyoming Tribune-Eagle

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- g. Accessory Buildings shall not have a larger building footprint than the principal buildings enclosed footprint (porches and decks do not count toward the principal buildings footprint).
- h. Exceptions to accessory building height, area, and number may be approved by conditional use approval ~~pursuant to UDC 2.2.4.~~
- i. The provisions of subsections (a), (b), (e), (f), and (g) of this section do not apply to accessory buildings approved in conjunction with a site plan.
- j. To be considered a separate building, the structures must not share any structural attachment and no part of either building may be within 3' of the other when viewed from plan view. Two structures closer than 3' or with a structural attachment shall be considered one building for the purposes of setback, area, and number.
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