

ORDINANCE NO. _____

ENTITLED: “AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) TO CLARIFY THE INTERPRETATION OF LOTS AND AMEND ACCESSORY BUILDINGS REGULATIONS.”

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 UDC.

Section 2. The intent of this amendment is to recognize changing development needs and patterns in the City.

Section 3. That on September 20, 2021 the Planning Commission conducted a public hearing, reviewed the proposed text amendment, and recommended approval of said text amendment.

Section 4. That sub-section 1.4.2.g.3 is amended to read as follows:

1.4.2.g.3 Lot, double frontage. ~~A lot or plot that abuts on two streets, but is not a corner lot, so that the street edges of the lot are not contiguous boundaries of the lot.~~ A lot abutting two (2) streets which do not intersect at the boundaries of the lot.

Section 5. That sub-section 1.4.2.g.4 is created to read as follows and all subsequent subsections be renumbered accordingly:

1.4.2.g.4 Lot, triple frontage. A lot having a frontage on three (3) intersecting streets.

Section 6. That sub-section 1.4.3 is amended as follows:

~~Through Lot. A lot, other than a corner lot, having frontage on two public streets (not alleys) or highways.~~

Corner lot. See “Lot, corner.”

Double frontage lot. See “Lot, double frontage.”

Interior lot. See “Lot, interior.”

Triple frontage lot. See “Lot, triple frontage.”

Section 7. That sub-section 4.3.3.a.2 is amended to read as follows:

4.3.3.a.2 Double-frontage lots ~~or single tier blocks~~ with lots backing to any street should be avoided, ~~but may be approved by City Council. When single tier blocks are approved.~~ When

double frontage lots or triple frontage lots are proposed as a division of land, the decision-making authority Council may require additional design elements either in the right-of-way or easements to mitigate the adverse impacts of double frontage lots ~~and blocks~~. Conditions may include, but are not limited to, requiring **blocks with double frontage lots** blocks to back to portions of the Civic Open Space system in Section 4.4 such as trail corridors, ~~requirements related to unified~~ **required uniform** fencing designs, or other conditions. Where ~~single tier blocks~~ **with double frontage lots or triple frontage lots** are allowed, the minimum block lengths do not apply.

Section 8. That sub-section 6.3.3.a is amended to read as follows:

6.3.3.a ***Landscape Setback.*** Except where street-front buildings are permitted or required by operation of the zoning district standards, all sites shall have a Landscape Setback beyond the right-of-way at the lot line meeting the following:

TABLE 6-7: REQUIRED LANDSCAPE SETBACK	
Adjacency*	Setback Depth
Arterial Street	15'
Collector Street	10'
Local Street	6'

* Based on current master transportation plan.

No parking or other structures shall be allowed within the landscape setback areas. Corner lots, ~~and through lots~~ **double frontage lots and triple frontage lots** shall have landscape setbacks along each right-of-way.

Section 9. That sub-section 5.7.1 is amended to read as follows:

5.7.1 **Accessory Buildings [Reserved]**

~~In all residential districts accessory buildings shall meet the following standards in addition to all other lot and building standards for the district.~~

- ~~a. There shall be a principal building constructed on the site prior to an accessory building being permitted.~~
- ~~b. For through lots, the minimum rear setback of an accessory building shall be equivalent to the minimum front setback of the principal building for its lot and building type, found in Article 5.1.5.~~
- ~~c. An accessory building shall not encroach on any recorded easement.~~
- ~~d. The total size of all accessory buildings on the same property shall not exceed 15% of property area.~~
- ~~e. The total square footage of an accessory building shall not exceed more than 40% of the square footage of the principal building.~~
- ~~f. In districts LR, MR, HR, NR 1, NR 2, and NR 3 only one accessory building is permitted per lot except that one additional accessory building of a maximum size up to 120 square feet may be permitted on any lot. Any accessory building under 120 square feet may be allowed a side and rear setback of 3' regardless of the specific lot standards for accessory buildings. An exception is provided by Administrative Adjustment~~

according to the procedures in Article 2, for garages for multifamily structures in order to provide up to one parking stall for each dwelling unit.

Section 10. That sub-section 5.8.8 be created to read as follows:

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 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.**

Section 11. That sub-section 6.7.5.c is amended to read as follows:

Building Materials. All buildings **and accessory buildings over 200 square feet** shall be constructed according to the following material standards. Percentage requirements for materials exclude windows or other openings.

Section 12. That sub-section 6.9.4.e is amended to read as follows:

Building Materials. All buildings **and accessory buildings over 200 square feet** shall be constructed according to the following material standards. Percentage requirements for materials exclude windows or other openings.

Section 13. That the aforementioned Section of the UDC is hereby amended as set out within this ordinance and sections currently existing within the UDC not set out within this ordinance remain unchanged.

Section 14. 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 15. That 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:

KRISTINA F. JONES, CITY CLERK

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Wyoming Tribune Eagle