

Appendices

Zoning Code Analysis

General Comments

The code is organized well in logical sequence. It is fairly easy to find the correct section when one has a question.

4-2-1. Purpose

Change the following:

These regulations have been made in accordance with the ~~policies and recommendations~~ *goals, objectives and actions* set forth in a duly adopted comprehensive plan

4-3-1. District Classifications.

Need to add a downtown district and a residential dominant mixed use district for the area adjacent to downtown

4-6-1. Conditional Uses

Consider if the PC would be a better body to approve conditional uses.

The compatibility standard needs to be fleshed out. Suggested additions to clarify that standard:

In determining compatibility, the Board should consider the location of structures and other improvements on the site; the size, height and massing of the structures; the number and arrangement of structures; the design of structures and other site features; the proposed removal or addition of vegetation; the extent of site disturbance,

including, but not limited to, any grading and changes to natural topography; and the nature and intensity of the activities that will take place on the site.

Need to add criteria, or standards other than compatibility for review and decisions by BOA. These criteria could be:

1. the proposed use is in conformance with the comprehensive plan
2. not have a material adverse effect on community capital improvement programs;
3. the use will not require a level of community facilities and services greater than that which is available;
4. the use will not cause significant air, odor, water, or noise pollution;
5. the use will be adequately buffered or screened to mitigate any undue visual impacts of the use; and
6. the use will not otherwise be detrimental to the health, safety, or welfare of the present or future inhabitants of Lander.

4-8-5. Public Hearing

Consider a review by the BOA as well, particularly if they remain responsible for conditional use approvals

4-11-4. General Requirements - Home Occupations/Home Business

A)vi) suggest putting in an average daily trip (ADT) limit of 16 so this standard is not so subjective

4-11-13. General Requirements – Fees

This creates a burden when fees need to be adjusted because it requires the formal code amendment process instead of just a decision by City Council

4-11-14 General Requirements - New and Modified Commercial Communication Towers and Antennas

The new LTE (4G) antennas are 8 feet by 2.5 feet and generally require about 10 feet with supports. This should be changed is Lander wishes to permit LTE antennas

4-12-8. District Regulations - General Commercial District (C)

Instead of trying to list all uses, use use categories such as retail and personal service uses. If defined, then there will not be a need for staff to interpret any new use not listed.

Additional District Regulations – Downtown Mixed Use District

Consider adding a mixed use district for downtown to encourage infill and redevelopment. It could be something like the following. In addition, consider mandating the design guidelines instead of just having them as guides. If ignored, the downtown could suffer over time.

4-12-?. District Regulations – Downtown Mixed Use District – (DMU)

(a) Intent. To provide for and encourage development and redevelopment that contains a compatible mix of residential, commercial, and institutional uses within close proximity to each other, or vertically, rather than separating uses. The district regulations promote an efficient pedestrian-access network that connects the nonresidential and residential uses. Redevelopment of underutilized parcels and infill development of vacant parcels should foster pedestrian-oriented residential and mixed use development.

(b) Permitted Uses. The following uses may be operated as permitted uses in the district:

- a. small business machine sales, repair and service;
- b. amusement place (not to include adult rated book store or uses of similar type);
- c. antique shop and store, providing all merchandise is displayed and sold inside a building;
- d. apparel and accessory store;
- e. art and art supply stores;
- f. art studios;
- g. banks and other savings and lending institutions;
- h. barber and beauty shops;
- i. bicycle shop;
- j. books and stationery store;
- k. business and technical school and school for photography, music and dancing;
- l. cigar and tobacco store;
- m. clothing and costume rental;
- n. commercial recreation use;
- o. custom dressmaking, furrier, millinery, or tailor shop;
- p. delicatessen and catering establishment;
- q. department store;
- r. drug store and prescription shop;
- s. dry good and notion store;
- t. dry cleaning and laundry establishment,;
- u. electric repair shop (household appliances);
- v. fix-it shop (radio, television, and small household appliances repair);
- w. florist and gift shop;
- x. furniture and home furnishing store;
- y. garage (public and private);
- z. grocery store (including retail meat markets and produce stores);
- aa. hardware store;
- bb. hobby, stamp and coin store;

cc.. hotel and motel;
 dd. household appliance store;
 ee. interior decorator's shop;
 ff. jewelry and metal craft store;
 gg. leather goods and luggage store;
 hh. library and museum;
 ii. lock and key shop;
 jj. mail order catalog store;
 kk. medical, dental and health clinic;
 ll. medical and orthopedic appliance store;
 mm. messenger or telegraph service station;
 nn. music instrument sales and repair shop;
 oo. music studio, radio and television store;
 pp. newspaper office;
 qq. newsstand;
 rr. offices and office building;
 ss. office supply and office equipment store;
 tt. optician and optometrists shop;
 uu. package liquor store;
 vv. paint store;
 ww. parking of vehicles;
 xx. pawn shop;
 yy. pet shop;
 zz. photographic equipment and supply store;
 aaa. photographic studio;
 bbb. picture frame shop;
 ccc. printing and publishing house (including newspapers);
 ddd. private club, fraternity, sorority and lodge;
 eee. radio and television studio;
 fff. rental store;
 ggg. restaurant and tea room (excluding "drive-ins");
 hhh. self-service laundry;
 iii. sewing machine store;

jjj. shoe store;
 kkk. shoe repair and shoe shine shop;
 ll. multi-family dwellings;
 mmm. sporting and athletic goods store;
 nnn. tailor shop;
 ooo. tavern or lounge;
 ppp. theater, indoor;
 qqq. toy store;
 rrr. travel agency;
 sss. variety store and shop;
 ttt. vocational school;
 uuu. wallpaper store and shop;
 vvv. watch repair shop;
 www. essential public utility and public service installation;

- (c) related uses of similar type as determined by the Department of Planning;
- (d) Minimum Area of Lot: None for non-residential uses. The minimum site area for each dwelling unit is:
 - (i) The lot on which there is erected a multi-family dwelling, not mixed with other uses, shall contain an area not less than 4,000 square feet for each of the first two units, plus 3,000 square feet for each additional unit.
- (e) Minimum Width of Lot: 30 feet on public street
- (f) Minimum Setback Requirements for Principal Structures:
 - (i) front yard: 0 feet;
 - (ii) side yard on flanking street on corner lot: 0 feet or same as the adjacent parcel facing that side street.
 - (iii) When a parcel of ground or lot adjoins a residential district at the rear yard, a six foot high solid wall/fence or other approved buffer shall be required.
- (g) Maximum Height of Buildings: 45 feet
- (h) Conditional Uses:
 - (i) commercial communications antennas, no towers;