

SECTION 6. ZONING DISTRICTS and OVERLAYS

I. District Classifications

- A. Johnson County, Wyoming is hereby divided into Districts in order to:
1. accomplish the purposes set forth in *Part I - Section 5: Purpose*, of these *Zoning Regulations (Regulations)*;
 2. promote and protect the public health, safety and general welfare of the residents of Johnson County;
 3. classify and restrict the location of trades and industries;
 4. regulate the location of buildings and structures designed for specified uses;
 5. limit the height and bulk of buildings;
 6. limit the intensity of the use of land;
 7. determine the area of yards and other open spaces surrounding buildings; and
 8. restrict the density of population and to effectively carry out the provisions of these Regulations.
- B. Johnson County, Wyoming is hereby divided into the following Districts which are more specifically described in *Part II - Section 7: District Regulations*, of these *Regulations*.
1. “A” -- Agricultural. This District provides for the protection, continuation, and encouragement of ranching, farming and other agricultural activities and allows other land uses compatible with agricultural operations. Uses in this District include the extraction, production, and transportation of mineral products.
 2. “RR-3” -- Rural Residential. This District provides for very low density, rural residential living compatible with surrounding Agricultural uses. Minimum lot size allowed is 35 acres. The District generally coincides with areas designated for Rural Living in the Johnson County Comprehensive Land Use Plan (Land Use Plan) located greater than five (5) miles from an incorporated municipality.
 3. “RR-2” -- Rural Residential. This District provides for low density, rural residential living that is compatible with surrounding agricultural uses. Minimum lot size allowed is 5 acres. The District generally coincides with areas designated for Rural Living in the Land Use Plan approximately two (2) to five (5) miles from an incorporated municipality.
 4. “RR-1” -- Rural Residential. This District provides for low density, rural residential living. Minimum lot size allowed is 2.5 acres. The District generally coincides with areas designated for Rural Living in the Land Use Plan less than two (2) miles from an incorporated municipality.
 5. “SR” -- Suburban Residential. This District provides for medium density single-family units, multi-family units and apartment buildings in close proximity to incorporated municipalities. Minimum lot size allowed for single-family dwelling is 7,500 square feet. Minimum lot density for multi-family units and apartment buildings is 8 dwelling units per acre. The District generally coincides with areas designated for Medium Density Development in the Land Use Plan within one (1) mile of an incorporated municipality.

6. "MHC" -- Manufactured Home Community. This District provides for a high-density residential neighborhood for manufactured homes. Minimum space size allowed for individual manufactured homes is 4,000 square feet. The District generally coincides with areas designated for Rural Living in the Land Use Plan more than one (1) mile from an incorporated municipality.
7. "C-1" -- Neighborhood Commercial. This District provides for shopping, professional or personal service facilities that are convenient to residential areas and are compatible with residential uses. Minimum lot size allowed is 10,000 square feet.
8. "C-2" -- Highway Commercial. This District provides areas for varied commercial activities that are more intensive than those provided for in the C-1 District, or that may be incompatible with residential areas. Minimum lot size allowed is 10,000 square feet.
9. "I-L" -- Light Industrial. This District provides areas where the dominant use is light manufacturing, heavy commercial and large administrative facilities. Minimum lot size allowed is 10,000 square feet.
10. "I-H" -- Heavy Industrial. This District provides areas for basic or primary industries that are generally incompatible with residential and/or commercial activities. There is no minimum lot size, provided all setback and parking requirements are met.
11. "PUD" -- Planned Unit Development. This District provides a means by which parcels of land may be developed with more land uses and diversity in site development than is possible within other Districts in these *Regulations*. This District allows and encourages innovative approaches to site planning and land development.

C. Overlays

Overlay standards are created to provide additional protection to critical areas of Johnson County. The *Overlay Standards* are applied in association with the regulations for the underlying Zoning Districts described in *Part II - Section 7: District Regulations*.

1. "AO" -- Airport Overlay. These *Overlay Standards* protect airports from the encroachment of incompatible land uses. The *Overlay Standards* are intended to ensure that Johnson County remains eligible for state and federal airport funding and that provisions of the Johnson County Airport Master plan, adopted by the Board of County Commissioners on February 4, 2014 via Resolution #491, are implemented.
2. "FP" -- Floodplain Overlay. These *Overlay Standards* provide requirements to protect property and structures from damage in flood-prone areas. These *Overlay Standards* are intended to ensure that Johnson County remains in compliance with requirements of the National Flood Insurance Program (NFIP).

II. County Zoning Map

- A. The locations and boundaries of the Zoning Districts established by these *Regulations* are shown on the official Johnson County, Wyoming Zoning Map. This map is hereby declared to be part of these *Regulations*.
1. The official *County Zoning Map (Map)* is located at the Johnson County Planning and Zoning Department (Department).
 2. The upkeep of the *Map* is the responsibility of the Department, including revision of the *Map* whenever District boundaries are amended.
 3. The Department shall maintain a list of land use approvals as well as documentation of all amendments to the *Map*.

III. Rules Where Uncertainty May Arise

- A. Where uncertainty exists with respect to the boundaries of the various Districts as shown on the *Map*, the following rules apply:
1. District boundaries following section or partial section lines, or the center line of roads or highways, shall be understood to follow the said lines.
 2. Where further uncertainty exists, the Planning and Zoning Commission (Commission) shall recommend to the Johnson County Board of Commissioners (Board) the exact location of the boundary. The Board shall then establish the exact boundary in question.

SECTION 7. DISTRICT REGULATIONS

I. A -- AGRICULTURE DISTRICT

A. Purpose

1. The Agricultural District (A) allows for, protects, and encourages agricultural uses and provides for compatible land use.
2. The District generally coincides with areas designated for Agriculture in the Land Use Plan.

B. General District Regulations

1. Minimum District size shall be 160 acres (see exceptions in #6 below).
2. Minimum parcel size shall be 160 acres (see exceptions in #6 below).
3. This District is intended to be served by private water and sewer.
4. Development may be subject to regulation under the Johnson County Subdivision Regulations (Subdivision Regulations).
5. Residential development is limited to those residential uses that are incidental to agricultural use (see exceptions in #6 below)
6. Nothing in this Section shall be construed to limit the transfer of parcels of less than 160 acres for agricultural purposes exemptions, boundary adjustment exemptions, family exemptions and other exemptions as per *Wyoming Statute 18-5-303*. However, a minimum lot size of 160 acres is required for residential dwellings, except in cases of a valid family exemption, where the family exemption is used to provide a housing need for an immediate family member as defined in the family exemption criteria of W.S. 18-5-303.
7. All uses in this District are subject to any applicable requirements described in *Part II—Section 8: Overlay Standards* of these *Regulations*.
8. Zoning Certificates are required for Principal Allowable Uses in the Agriculture District.
9. All *Conditional Uses* require approval of a *Site Plan* (see *Part IV -- Section 25: Site Plans* of these *Regulations*).
10. Some *Principle Allowable Uses* and *Accessory Uses* may require approval of a *Site Plan* (see *Part IV -- Section 25: Site Plans* of these *Regulations*).
11. All uses in this District are subject to all applicable requirements in *Part III -- Section 9: Development Standards* of these *Regulations*.

C. Principal Allowable Uses

1. Agriculture, including farming, ranching, dairying, and animal or plant husbandry.
2. Residential use incidental to agricultural use, including manufactured and modular homes
3. Bed and Breakfast facility
4. Blacksmith shop
5. Essential public utility and public service installation that *may include* business office, repair or storage facility, including fire, ambulance, or rescue service
6. Farmer's market
7. Forest or wildlife preserve or similar conservation area including publicly-owned or nonprofit private park
8. Greenhouse or plant nursery
9. Guest ranch or outfitter
10. Livestock sale yard and/or building; non-consignment
11. Mineral extraction and production, processing and transportation of said minerals

12. Outdoor recreation facility for hunting, fishing, horseback riding, hiking or non-motorized winter sports
13. Private landing strip
14. Private, non-commercial gravel pit
15. Professional office of a realtor, attorney, accountant, insurance agent, physician, or other similar professional office
16. Recreation camp, public or private
17. Retail sale of agricultural products or commodities
18. Riding academy and/or livery or boarding stable
19. Storage and operation of heavy equipment or construction materials relative to the agricultural operation
20. Other uses compatible with agriculture, with Administrator authorization.

D. Conditional Uses Requiring Board of Commissioners Authorization

1. Agricultural research laboratory and facility
2. Airport or heliport; commercial
3. Animal feedlot that is subject to any license and other requirements of the State of Wyoming and the federal government
4. Continuing care retirement community or assisted-living facility
5. Antique and arts and crafts shop
6. Beauty parlor and barbershop
7. Cemetery (in compliance with State regulations)
8. Commercial wind energy system as per *Part III – Section 15: Wind Energy Systems*
9. Commercial sand and gravel operation as per *Part III – Section 14: Sand and Gravel Operations*
10. Feed and seed store
11. Feed mill
12. Food processing and packing plant
13. Golf course or driving range
14. Kennel; commercial
15. Livestock sale yard and/or building; consignment
16. Motorized recreation facilities such as trails
17. Public building under governmental ownership and operation
18. Public building, arena, community hall, museum or historic facility
19. Public park, playground, or other public recreation facility
20. Religious institution
21. Residence other than as Accessory Use described in this Section
22. Sanitary landfill (private, non-commercial)
23. Sawmill; commercial
24. School, public or private
25. Shop for the service, repair, and sale of farm or ranch machinery and equipment, including welding, but which are limited exclusively to the sale, service, and repair of farm or ranch machinery and equipment
26. Slaughter facility, and plant for the processing of animal by-products
27. Public trap, skeet, rifle, or archery range, including gun club
28. Veterinary clinic or animal hospital, including outdoor pens
29. Winery, distillery, or brewery
30. Other *Conditional Uses* with Board authorization

E. Accessory Uses

1. Uses and structures clearly incidental to, and commonly associated with, the operation of the *Allowable or Approved Conditional Use*; (corrals, barns, personal and ranch

- refuse disposal, disposal of animal carcasses, fences, equipment and material storage, animal slaughter, etc.)
2. Home-based business in compliance with *Part III - Section 16: Home-Based Business*, of these *Regulations*.
 3. Non-commercial wind energy system as per *Part III – Section 15: Wind Energy Systems*.

F. Lot Area, Setback, and Height Requirements

	Minimum District Size	Minimum Parcel Size	Front Setback	Side Setback	Rear Setback	Maximum Building Height
Agricultural District	160 acres (*)	160 acres (*)				
Principal building			50 feet	50 feet	50 feet	50 feet
Accessory structure			50 feet	50 feet	50 feet	N/A

* There are some exceptions to the 160 acre minimum district size and 160 acre minimum lot size for agriculture parcels qualifying as exemptions under W.S. 18-5-303. See General District Regulations for the Agriculture District on Page 4.

II. RR-3 -- RURAL RESIDENTIAL-3 DISTRICT

A. Purpose

1. The Rural Residential District (RR-3) provides for very low density, rural residential living compatible with surrounding Agricultural uses.
2. The District generally coincides with areas designated for Rural Living in the Land Use Plan located greater than five (5) miles from an incorporated municipality and with access to a designated public road.

B. General District Regulations

1. Minimum District size shall be 70 acres.
2. Minimum lot size shall be 35 acres.
3. Lot sizes for cluster development may be reduced with Commission approval in accordance with Subdivision Regulations.
4. Density is limited to one primary residence per lot.
5. This District is intended to be served by private wells and septic systems or rural public water.
6. Development may be subject to regulation under the Subdivision Regulations.
7. Subdivision exemptions authorized by W.S. 18-5-303 must comply with both the minimum district size and minimum lot size for this district.
8. Zoning Certificates are required for Principal Allowable Uses in the RR-3 District.
9. All *Conditional Uses* require approval of a *Site Plan* (see *Part IV --Section 25: Site Plans* of these *Regulations*).
10. Some *Principle Allowable Uses* and *Accessory Uses* may require approval of a *Site Plan* (see *Part IV -- Section 25: Site Plans* of these *Regulations*).
11. All uses in this District are subject to any applicable requirements described in *Part II—Section 8: Overlay Standards* of these *Regulations*.
12. All uses in this District are subject to all applicable requirements in *Part III—Section 9: Development Standards* of these *Regulations*.

C. Principal Allowable Uses

1. Single family dwelling
2. Bed and breakfast
3. Day care facility
4. Essential public utility and public service installation provided such uses *do not include* business office, service, or storage facility
5. Other uses compatible with rural residential living, with Administrator authorization

D. Conditional Uses Requiring Board of Commissioners Authorization

1. Cemetery (in compliance with State regulations)
2. Club or lodge, public or private
3. Cluster development
4. Community center, public or private
5. Essential public utility and public service installation that *may include* business office, service or storage facility
6. Guesthouse in an accessory building
7. Mixed Use Development
8. Nursing or care facility
9. Outdoor recreational facility, public or private

10. Planned Unit Development (PUD)
11. Religious institution
12. School, public or private
13. Other compatible uses, not specified in *Principal Allowable Uses*, with Commission authorization

E. Accessory Uses

1. Use is clearly incidental and customary to and commonly associated with the operation of the *Principal Allowable or Approved Conditional Use*.
2. Use is operated under the same ownership and on the same lot as the *Principal Allowable or Approved Conditional Use*.
3. Use does not include structures or structural features inconsistent with the *Principal Allowable or Approved Conditional Use*.
4. If operated wholly or partly within the structure containing the *Principal Allowable or Approved Conditional Use*, the gross above-ground floor area utilized by the *Accessory Use* shall not exceed the gross above-ground floor area of the *Principal Allowable or Approved Conditional Use*.
5. If in a separate, detached structure from a *Principal Allowable or Approved Conditional Use*, the gross floor area devoted to the *Accessory Use* shall not exceed the gross floor area of the *Principal Allowable or Approved Conditional Use*.
6. Livestock and fowl shall be allowed in the RR-3 District as follows:
 - a. Large animals including, but not limited to, bovine, camelid, equine, or ovine species such as horses, cattle, sheep, burros, llamas, alpacas, and goats, are limited to 1 large animal per 2 acres on any single parcel or contiguous parcels under the same ownership within the same zoning district.
 - b. Commercial breeding of livestock, fowl, exotic species, or furbearing animals is not allowed.
 - c. Animals enrolled as 4-H or FFA projects are not included in the ‘commercial’ restriction.
 - d. Areas of the lot, as well as accessory structures devoted to livestock and fowl, shall be maintained and kept in a manner that does not constitute a health or safety issue to the surrounding properties.
7. Home-based business in compliance with *Part III - Section 16: Home-Based Business*, of these *Regulations*.
8. Non-commercial wind energy system as per *Part III – Section 15: Wind Energy Systems*.

F. Lot Area, Setback, and Height Requirements

	Minimum District Size	Minimum Lot Size	Front Setback	Side Setback	Rear Setback	Maximum Building Height
RR-3 Rural Residential District	70 acres	35 acres				
Principal building			30 feet	15 feet	40 feet	35 feet
Accessory structure			30 feet	15 feet	40 feet	N/A

III. RR-2 -- RURAL RESIDENTIAL-2 DISTRICT

A. Purpose

1. The Rural Residential District (RR-2) provides for low density, rural residential living that is compatible with surrounding agricultural uses.
2. The District generally coincides with areas designated for Rural Living in the Land Use Plan approximately two (2) to five (5) miles from an incorporated municipality and with access to a designated county road.

B. General District Regulations

1. Minimum District size shall be 60 acres.
2. Minimum lot size shall be 5 acres.
3. Lot sizes for cluster development may be reduced with Commission approval in accordance with Subdivision Regulations.
4. Density is limited to one primary residence per lot.
5. This District is intended to be served by private wells and septic systems or rural public water.
6. Development is subject to regulation under the Subdivision Regulations.
7. Zoning Certificates are required for Principal Allowable Uses in the RR-2 District.
8. All *Conditional Uses* require approval of a *Site Plan* (see *Part IV --Section 25: Site Plans* of these *Regulations*).
9. Some *Principle Allowable Uses* and *Accessory Uses* may require approval of a *Site Plan* (see *Part IV -- Section 25: Site Plans* of these *Regulations*).
10. All uses in this District are subject to any applicable requirements described in *Part II - -Section 8: Overlay Standards* of these *Regulations*.
11. All uses in this District are subject to all applicable requirements in *Part III -- Section 9: Development Standards* of these *Regulations*.

C. Principal Allowable Uses

1. Single family dwelling
2. Bed and breakfast
3. Day care facility
4. Essential public utility and public service installation provided such uses *do not include* business office, service, or storage facility
5. Other uses compatible with rural residential living, with Administrator authorization

D. Conditional Uses Requiring Board of Commissioners Authorization

1. Club or lodge, public or private
2. Cluster development
3. Community center, public or private
4. Essential public utility and public service installation that *may include* business office, repair or storage facility
5. Guesthouse in an accessory building
6. Mixed Use Development
7. Nursing and group care facility
8. Outdoor recreational facility, public or private
9. Planned Unit Development (PUD)
10. Religious institution
11. School, public or private

12. Other compatible uses, not specified in *Principal Allowable Uses*, with Commission authorization

E. Accessory Uses

1. Use is clearly incidental and customary to and commonly associated with the operation of the *Principal Allowable* or *Approved Conditional Use*.
2. Use is operated under the same ownership and on the same lot as the *Principal Allowable* or *Approved Conditional Use*.
3. Use does not include structures or structural features inconsistent with the *Principal Allowable* or *Approved Conditional Use*.
4. If operated wholly or partly within the structure containing the *Principal Allowable* or *Approved Conditional Use*, the gross above-ground floor area utilized by the *Accessory Use* shall not exceed the gross above-ground floor area of the *Principal Allowable* or *Approved Conditional Use*.
5. If in a separate, detached structure from a *Principal Allowable* or *Approved Conditional Use*, the gross floor area devoted to the *Accessory Use* shall not exceed the gross floor area of the *Principal Allowable* or *Approved Conditional Use*.
6. Livestock and fowl shall be allowed in the RR-2 District in accordance with the following provisions:
 - a. Large animals, including, but not limited to, bovine, camelid, equine, or ovine species such as horses, cattle, sheep, burros, llamas, alpacas, and goats, are limited to 1 large animal per 2 acres on any single parcel or contiguous parcels under the same ownership within the same zoning district; and are limited to a maximum of ten (10) large animals.
 - b. Unweaned offspring are not included in the above allowance.
 - c. Swine are not allowed in the RR-2 District.
 - d. Rabbits, fowl or poultry, including chickens, turkeys, geese or game birds shall be limited to ten (10) rabbits or mixed fowl per acre (contained or free range).
 - e. Commercial breeding of livestock, fowl, or exotic species, or furbearing animals is not allowed.
 - f. Animals enrolled as 4-H or FFA projects are not included in the 'commercial' restriction.
 - g. Areas of the lot and accessory structures devoted to livestock and/or fowl shall be maintained in a manner that does not constitute a health or safety issue to the surrounding properties nor result in the proliferation of noxious weeds or preventable soil erosion.
7. Home-based business in compliance with *Part III - Section 16: Home-Based Business*, of these *Regulations*.
8. Non-commercial wind energy system as per *Part III – Section 15: Wind Energy Systems*.

F. Lot Area, Setback, and Height Requirements

	Minimum District Size	Minimum Lot Size	Front Setback	Side Setback	Rear Setback	Maximum Building Height
RR-2 Rural Residential District	60 acres	5 acres				
Principal building			30 feet	15 feet	20 feet	35 feet
Accessory structure			30 feet	15 feet	20 feet	N/A

IV. RR-1 -- RURAL RESIDENTIAL-1 DISTRICT

A. Purpose

1. The Rural Residential District (RR-1) provides for low density, rural residential living.
2. The District generally coincides with areas designated for Rural Living in the Land Use Plan less than two (2) miles from an incorporated municipality and with access to a designated county road.

B. General District Regulations.

1. Minimum District size shall be 20 acres.
2. Minimum lot size shall be 2.5 acres.
3. Lot sizes for cluster development may be reduced with Commission approval in accordance with Subdivision Regulations.
4. Density is limited to one primary residence per lot.
5. This District is intended to be served by an approved public water and sewer system or an approved community water and sewer system that is designed to be compatible with connection to a public water and sewer system. It may be served by private septic systems in conjunction with a public or community water system.
6. Development is subject to regulation under the Subdivision Regulations.
7. Zoning Certificates are required for Principal Allowable Uses in the RR-1 District.
8. All *Conditional Uses* require approval of a *Site Plan* (see *Part IV --Section 25: Site Plans* of these *Regulations*).
9. Some *Principle Allowable Uses* and *Accessory Uses* may require approval of a *Site Plan* (see *Part IV -- Section 25: Site Plans* of these *Regulations*).
10. All uses in this District are subject to any applicable requirements described in *Part II—Section 8: Overlay Standards* of these *Regulations*.
11. All uses in this District are subject to all applicable requirements in *Part III—Section 9: Development Standards* of these *Regulations*.

C. Principal Allowable Uses

1. Single family dwelling
2. Bed and breakfast
3. Cemetery (in compliance with State regulations.)
4. Day care facility
5. Essential public utility and public service installation provided such uses *do not include* business office, repair, or storage facility
6. Nursing and group care facility
7. Outdoor recreational facility, public or private
8. Other uses compatible with rural residential living, with Administrator authorization

D. Conditional Uses Requiring Board of Commissioners Authorization

1. Club or lodge, public or private
2. Cluster development
3. Community center, public or private
4. Essential public utility and public service installation that *may include* business office, repair or storage facility
5. Guesthouse in an accessory building
6. Mixed Use Development
7. Planned Unit Development (PUD)

8. Religious institution
9. School, public or private
10. Other compatible uses, not specified in *Principal Allowable Uses*, with Commission authorization

E. Accessory Uses

1. Use is clearly incidental and customary to and commonly associated with the operation of the *Principal Allowable* or *Approved Conditional Use*.
2. Use is operated under the same ownership and on the same lot as the *Principal Allowable* or *Approved Conditional Use*.
3. Use does not include structures or structural features inconsistent with the *Principal Allowable* or *Approved Conditional Use*.
4. If operated wholly or partly within the structure containing the *Principal Allowable* or *Approved Conditional Use*, the gross above-ground floor area utilized by the *Accessory Use* shall not exceed the gross above-ground floor area of the *Principal Allowable* or *Approved Conditional Use*.
5. If in a separate, detached structure from a *Principal Allowable* or *Approved Conditional Use*, the gross floor area devoted to the *Accessory Use* shall not exceed the gross floor area of the *Principal Allowable* or *Approved Conditional Use*.
6. Livestock and fowl shall be allowed, with appropriate range management, in the RR-1 District in accordance with the following provisions:
 - a. Large animals including, but not limited to, bovine, camelid, equine, or ovine species such as horses, cattle, sheep, burros, llamas, alpacas, and goats, are limited to 1 large animal per 2 acres; and are limited to a total of ten (10) large animals.
 - b. Unweaned offspring are not included in this allowance.
 - c. Swine are not allowed in the RR-1 District.
 - d. Rabbits, fowl or poultry, including chickens, turkeys, geese or game birds shall be limited to ten (10) rabbits or mixed fowl per acre (contained or free range).
 - e. Commercial breeding of livestock, fowl, or exotic species, or furbearing animals is not allowed.
 - f. Animals enrolled as 4-H or FFA projects are not included in the restrictions listed above.
 - g. Areas of the lot and accessory structures devoted to livestock and/or fowl shall be maintained in a manner that does not constitute a health or safety issue to the surrounding properties nor result in the proliferation of noxious weeds or preventable soil erosion.
7. Home-based business in compliance with *Part III - Section 16: Home-Based Business*.
8. Non-commercial wind energy system as per *Part III – Section 15: Wind Energy Systems*.

F. Lot Area, Setback, and Height Requirements

	Minimum District Size	Minimum Lot Size	Front Setback	Side Setback	Rear Setback	Maximum Building Height
RR-1 Rural Residential District	20 acres	2.5 acres				
Principal building			30 feet	15 feet	20 feet	35 feet
Accessory structure			30 feet	10 feet	10 feet	N/A

V. SR -- SUBURBAN RESIDENTIAL DISTRICT

A. Purpose

1. The Suburban Residential District (SR) provides for medium-density single- or multi-family residential development in close proximity to an incorporated municipality.
2. The District generally coincides with areas designated for medium-density residential development in the Land Use Plan within one (1) mile of an incorporated municipality.

B. General District Regulations

1. Minimum District size is 5 acres.
2. Individual lots for single-family dwellings shall contain a minimum of 7,500 square feet.
3. Lots containing multi-family or apartment buildings shall have a maximum density of 8 dwellings per acre.
4. Lot sizes for cluster development may be reduced with Commission approval in accordance with Subdivision Regulations.
5. The District is intended to be served by a public water and sewer system, or approved community water and sewer system that is designed to be compatible with connection to a public water and sewer system. Individual single-family homes may be served by private water and/or approved septic system if public or community water and sewer services were not available at the time of approval of the original subdivision development.
6. Multi-family dwellings or apartment complexes shall be served by a public water and sewer system, or approved community water and sewer system that is designed to be compatible with connection to a public water and sewer system.
7. For firefighting purposes, the water system must meet the requirements of the Subdivision Regulations and shall be available at all times for firefighting purposes.
8. Development is subject to regulation under the Subdivision Regulations.
9. Suburban Residential Subdivisions are subject to review and approval by the adjacent incorporated municipality as per the *Wyoming Real Estate Subdivisions Statute*.
10. Zoning Certificates are required for Principal Allowable Uses in the SR District.
11. All Conditional Uses require approval of a Site Plan (see Part IV --Section 25: Site Plans of these Regulations).
12. Some *Principle Allowable Uses* and *Accessory Uses* may require approval of a *Site Plan* (see *Part IV -- Section 25: Site Plans* of these *Regulations*).
13. All uses in this District are subject to any applicable requirements in *Part II--Section 8: Overlay Standards* of these *Regulations*.
14. All uses in this District are subject to all applicable requirements in *Part III—Section 9: Development Standards* of these *Regulations*.

C. Principal Allowable Uses

1. Single-family or multi-family dwellings, duplexes, patio homes, townhouses
2. Apartment buildings
3. Religious institution
4. Cultural, civic, educational, social, or community service-type building such as library, playground, community center
5. Essential public utility and public service installation provided such uses *do not include* business office, repair, or storage facility

6. Other uses compatible with rural residential living, with Administrator authorization

D. Conditional Uses Requiring Board of Commissioners Authorization

1. Bed and breakfast
2. Boarding house with not more than 4 boarders
3. Club, fraternal organization, lodge, and similar organization, provided that they are not conducted for profit
4. Cluster development
5. Day-care facility
6. Essential public utility and public service installation that *may include* business office, repair or storage facility
7. Golf course, country club, and similar recreational use, public or private
8. Guesthouse in an accessory building
9. Mixed Use Development
10. Nursing home, retirement home, continuing care retirement community, assisted-living facility, hospital, health, medical or dental clinic
11. Planned Unit Development (PUD)
12. Professional office of a physician, insurance agent, realtor, or similar profession, conducted within the dwelling
13. Public facility
14. School, public or private
15. Other compatible uses, not specified in *Principal Allowable Uses*, with Commission authorization

E. Accessory Uses

1. Use is clearly incidental and customary to and commonly associated with the operation of the *Principal Allowable or Approved Conditional Use*.
2. Use is operated under the same ownership and on the same lot as the *Principal Allowable or Approved Conditional Use*.
3. Use does not include structures or structural features inconsistent with the *Principal Allowable or Approved Conditional Use*.
4. If operated wholly or partly within the structure containing the *Principal Allowable or Approved Conditional Use*, the gross above-ground floor area utilized by the *Accessory Use* shall not exceed the gross above-ground floor area of the *Principal Allowable or Approved Conditional Use*.
5. If in a separate, detached structure from a *Principal Allowable or Approved Conditional Use*, the gross floor area devoted to the *Accessory Use* shall not exceed the gross floor area of the *Principal Allowable or Approved Conditional Use*.
6. Rabbits, fowl or poultry, including chickens, turkeys, geese or game birds shall be limited to ten (10) rabbits or mixed fowl per lot.
 - a. All species must be confined.
 - b. Areas of the lot and accessory structures devoted to rabbits and/or fowl shall be maintained in a manner that does not constitute a nuisance to the surrounding properties.
7. Keeping of livestock, exotic animal species, or commercial furbearing animals is not allowed.

8. Commercial breeding of livestock, fowl, or exotic species, or furbearing animals is not allowed.
9. Home-based business in compliance with *Part III -- Section 16: Home-Based Business*, of these *Regulations*.
10. Non-commercial wind energy system as per *Part III – Section 15: Wind Energy Systems*.

F. Lot Area, Setback, and Height Requirements

	Minimum District Size	Minimum Lot Size	Front Setback	Side Setback	Rear Setback	Maximum Building Height
Suburban Residential District	5 acres					
Single Family Dwelling or Non-Residential Structures		7,500 sq. ft.	20 feet	5 feet	10 feet	35 feet
Multi-Family/Apartment Units (e.g. duplexes, patio homes, townhouses)		8 dwelling units/acre	20 feet	5 feet	20 feet	35 feet
Accessory Structure			20 feet	5 feet	10 feet	20 feet

VI. MHC -- MANUFACTURED HOME COMMUNITY DISTRICT

A. Purpose

1. The Manufactured Home Community (MHC) District provides for a high-density residential neighborhood for manufactured home communities.
2. The District generally coincides with areas designated for high density development in the Land Use Plan within one (1) mile of an incorporated municipality.

B. Definitions

1. **Manufactured homes** are residential dwellings that were fabricated in an off-site manufacturing facility, designed to be a permanent resident, and built to the *Federal Manufactured Home Construction and Safety Standards of 1976, as amended*.
2. A **Manufactured Home Community** is a planned residential development where the land area occupied by a manufactured home is leased or rented but is not a legally platted lot.

C. General District Regulations

1. Minimum District size shall be three (3) acres.
2. Minimum space size is 4,000 square feet per unit.
3. Minimum space width is 40 feet.
4. Public or community water and sewage systems are required. No individual septic tanks and leach field sewage disposal systems are allowed.
5. Zoning Certificates are required for Principal Allowable Uses in the MHC District.
6. All *Conditional Uses* require approval of a *Site Plan* (see *Part IV--Section 25: Site Plans* of these *Regulations*).
7. Some *Principle Allowable Uses* and *Accessory Uses* may require approval of a *Site Plan* (see *Part IV -- Section 25: Site Plans* of these *Regulations*).
8. All uses in this District are subject to any applicable requirements described in *Part II--Section 8: Overlay Standards* of these *Regulations*.
9. All uses in this District are subject to all applicable requirements in *Part III--Section 9: Development Standards* of these *Regulations*.
10. MHC are not allowed within floodplains.
11. The MHC access driveway shall be to a public road or highway, and no site within the MHC shall front upon, or have direct access to, a public road or highway.
12. Road easements, surface width, and construction within the MHC must conform to the Johnson County Road and Bridge Standards for subdivision roads.
13. Each space shall contain a manufactured home placement area that is graded and surfaced to provide a stable, well-drained foundation area.
14. A minimum of two parking spaces shall be located within each home space.
15. For every two home lots, there shall be one parking space dedicated for visitors.
16. Thirty percent (30%) of each home space shall be open space and landscaped with lawns or other appropriate ground cover. Parking areas are not included as open space.
17. MHC shall be designed to make installation and removal of the homes possible without disruption to other homes, utilities, or structures.
18. Common recreational space shall be provided at the rate of 300 square feet for each lot in the MHC. Common recreational space may include playgrounds, swimming pools, tennis courts, picnic areas, bike paths, and other outdoor recreational facilities.
19. Each home lot will be provided with hook-ups for water, sewer and electrical power.

20. All new utility installations shall be underground.
21. Skirting of all homes is required and must be accomplished within 60 days of placement and installation of the manufactured home in the MHC. Installation of permanent foundations under homes is not required in MHC.
22. The maximum accessory building size is 600 square feet.
23. If public or community water is not adequate for firefighting purposes, water storage facility meeting the requirements of the Subdivision Regulations shall be available at all times for firefighting purposes.
24. A copy of any required State of Wyoming permits for the MHC shall be filed with the Planning and Zoning Department.

D. Principal Allowable Uses.

1. Manufactured home community
2. Cultural, civic, educational, social, or community service building such as library, playground, and community center
3. Essential public utility and public service installation provided such uses *do not include* business office, repair, or storage facility
4. Religious institution

E. Conditional Uses Requiring Board of Commissioners Authorization

1. Essential public utility and public service installation that *may include* business office, repair or storage facility.
2. Other compatible uses, not specified in *Principal Allowable Uses*, with Commission authorization (e.g. laundromat, gas station, convenience store).

F. Accessory Uses

1. Use is clearly incidental and customary to and commonly associated with the operation of the *Principal Allowable* or *Approved Conditional Use*.
2. Use is operated under the same ownership and on the same lot as the *Principal Allowable* or *Approved Conditional Use*.
3. Use does not include structures or structural features inconsistent with the *Principal Allowable* or *Approved Conditional Use*.
4. If operated wholly or partly within the structure containing the *Principal Allowable* or *Approved Conditional Use*, the gross above-ground floor area utilized by the *Accessory Use* shall not exceed the gross above-ground floor area of the *Principal Allowable* or *Approved Conditional Use*.
5. If in a separate, detached structure from a *Principal Allowable* or *Approved Conditional Use*, the gross floor area devoted to the *Accessory Use* shall not exceed the gross floor area of the *Principal Allowable* or *Approved Conditional Use*.
6. Livestock, fowl, exotic, and furbearing animals are not allowed.
7. Home-based business in compliance with *Part III -- Section 16: Home-Based Business*, of these *Regulations*.

G. Lot Area, Setback, and Height Requirements

	Minimum District Size	Minimum Space Size	Front Setback	Side Setback	Rear Setback	Maximum Building Height
Manufactured Home Community District	3 acres					
Manufactured Home on Single Space		4,000 sq. ft.	20 feet	10 feet	10 feet	35 feet
Accessory structure			20 feet	5 feet	10 feet	20 feet

VII. NEIGHBORHOOD COMMERCIAL (C-1) DISTRICT

A. Purpose

1. The Neighborhood Commercial District (C-1) provides for basic shopping, retail, professional or personal service facilities that are convenient to residential areas and do not create incompatibility issues for residential areas.
2. The District generally coincides with areas designated for commercial development in the Land Use Plan within one-half (1/2) mile of an incorporated municipality.
3. Other locations may be approved as a *Conditional Use*.

B. General District Regulations

1. The minimum District size shall be one (1) acre.
2. Individual lots shall contain a minimum of 10,000 square feet.
3. Lot sizes for cluster development may be reduced with Commission approval in accordance with Subdivision Regulations.
4. This District is intended to be served by an approved public water and sewer system.
 - a. All uses not connected to public water and sewers require approval of a *Site Plan*.
5. All uses in this District are subject to any applicable requirements described in *Part II—Section 8: Overlay Standards* of these *Regulations*.
6. Zoning Certificates are required for Principal Allowable Uses in the C-1 District.
7. All *Conditional Uses* require approval of a *Site Plan* (see *Part IV --Section 25: Site Plans* of these *Regulations*).
8. Some *Principle Allowable Uses* and *Accessory Uses* may require approval of a *Site Plan* (see *Part IV -- Section 25: Site Plans* of these *Regulations*).
9. All uses in this District are subject to all applicable requirements in *Part III—Section 9: Development Standards* of these *Regulations*.

C. Principal Allowable Uses

1. Retail business or service shops, including, but not limited to:
 - a. Alcoholic beverage package store
 - b. Antique shop
 - c. Appliance retail and/or repair
 - d. Automobile accessory shop
 - e. Bakery shop
 - f. Bank or financial institution
 - g. Beauty shop or barbershop
 - h. Bed and Breakfast
 - i. Candy store
 - j. Clothing store
 - k. Dress, millinery, or tailor shop
 - l. Drugstore or pharmacy
 - m. Dry goods or variety store
 - n. Electronic equipment (retail and/or repair)
 - o. Floral or garden shop
 - p. Funeral establishment
 - q. Furniture or upholstering store
 - r. Gift or jewelry shop
 - s. Hardware store
 - t. Laundromats or dry-cleaning drop-off station
 - u. Meat processing
 - v. Office supply store
 - w. Pet shop
 - x. Photographic studio
 - y. Produce stand
 - z. Radio or television studio
 - aa. Recreation or fitness facility under 5,000 square feet
 - bb. Saddle maker, leather repair
 - cc. Specialty shop
 - dd. Sporting goods or hobby shop
 - ee. Tack store

2. Business or professional office, clinic, including small animal hospital or veterinary clinic without outdoor runs
3. Day care center or nursery
4. Essential public utility and public service installation provided such uses *do not include* business office, repair, or storage facility
5. Public transportation stop
6. Retirement home, nursing home, continuing care retirement community or assisted-living facility, or boarding house
7. Religious institution
8. School: art, trade, or business
9. Social club, fraternal organization, or community meeting hall
10. Other compatible uses, not specified in *Principal Allowable Uses*, with Commission authorization.

D. Conditional Uses Requiring Board of Commissioners Authorization

- | | |
|---|--|
| 1. Amusement arcade | 16. Parking lot; commercial |
| 2. Automobile or motorcycle service/repair shop; including vehicle sales; and sale of tires, parts, and accessories. | 17. Planned Commercial Development |
| 3. Convenience store with or without fuel dispensing | 18. Planned Unit Development (PUD) |
| 4. Cluster development | 19. Public facility |
| 5. Custom carpentry or woodworking shop. | 20. Recreation or fitness facility over 5,000 square feet |
| 6. Custom printing shop | 21. Recreational vehicle park or campground |
| 7. Custom sign painting shop | 22. Restaurant |
| 8. Department store | 23. School, Elementary and Secondary |
| 9. Essential public utility and public service installation that <i>may include</i> business office, repair or storage facility | 24. Public or Private |
| 10. Food or grocery store | 25. Service station |
| 11. Fuel dispensing station | 26. Sheet metal or light metal working shop |
| 12. Greenhouse or nursery; commercial | 27. Storage unit(s); commercial |
| 13. Kennel, commercial | 28. Other compatible uses, not specified in <i>Principal Allowable Uses</i> , with Commission authorization. |
| 14. Laundry or dry cleaning | 29. All compatible commercial uses located farther than ½ mile from an incorporated municipality. |
| 15. Mixed Use Development | |

E. Accessory Uses

1. Use is clearly incidental and customary to and commonly associated with the operation of the *Principal Allowable* or *Approved Conditional Use*.
2. Use is operated under the same ownership and on the same lot as the *Principal Allowable* or *Approved Conditional Use*.
3. Use does not include structures or structural features inconsistent with the *Principal Allowable* or *Approved Conditional Use*.
4. Use does not include residential occupancy, except by owners or employees employed on the same premises, and their families, provided that no more than one (1) dwelling unit shall be allowed.
5. If operated wholly or partly within the structure containing the *Principal Allowable* or *Approved Conditional Use*, the gross above-ground floor area utilized by the

Accessory Use shall not exceed the gross above-ground floor area of the *Principal Allowable* or *Approved Conditional Use*.

6. If in a separate, detached structure from a *Principal Allowable* or *Approved Conditional Use*, the gross floor area devoted to the *Accessory Use* shall not exceed the gross floor area of the *Principal Allowable* or *Approved Conditional Use*.

F. Lot Area, Setback, and Height Requirements

	Minimum District Size	Minimum Lot Size	Minimum Lot Width	Front Yard Setback	Side Yard Setback	Rear Yard Setback	Maximum Building Height
Neighborhood Commercial District	1 acre	10,000 sq. ft.	50 feet				
Principal building				10 feet	5 feet	20 feet	35 feet
Accessory structure				10 feet	5 feet	20 feet	25 feet

G. Signing (see Part III - Section 11: Sign Requirements)

H. Parking (see Part III - Section 12: Parking and Loading Requirements)

VIII. HIGHWAY COMMERCIAL (C-2) DISTRICT

A. Purpose

1. The Highway Commercial District (C-2) provides areas for commercial activities that are more intensive than those provided for in the C-1 District, or that may be incompatible with residential areas.
2. The District generally coincides with areas designated for commercial development in the Land Use Plan within one (1) mile of an incorporated municipality.
3. Other locations may be approved as a *Conditional Use*.

B. General District Regulations

1. The minimum District size shall be one (1) acre.
2. Individual lots shall contain a minimum of 10,000 square feet.
3. Lot sizes for cluster development may be reduced with Commission approval in accordance with Subdivision Regulations.
4. This District shall be served by an approved public water and sewer system, community water and sewer system, or an approved private water and sewer system.
 - a. All uses not connected to public water and sewer require submittal and approval of a *Site Plan* by the Commission.
5. Zoning Certificates are required for *Principal Allowable Uses* in the C-2 District.
6. All *Conditional Uses* require approval of a *Site Plan* (see *Part IV --Section 25: Site Plans* of these *Regulations*).
7. Some *Principle Allowable Uses* and *Accessory Uses* may require approval of a *Site Plan* (see *Part IV -- Section 25: Site Plans* of these *Regulations*).
8. All uses in this District are subject to any applicable requirements described in *Part I—Section 8: Overlay Standards*, of these *Regulations*.
9. All uses in this District are subject to all applicable requirements in *Part III—Section 9: Development Standards* of these *Regulations*.

C. Principal Allowable Uses

1. All *Principal Allowable* and *Conditional Uses* of the C-1, Neighborhood Commercial District.
2. Product manufacture and assembly conducted entirely within an enclosed building.
3. Religious institution
4. Retail trades, businesses and services of a general commercial nature, including but not limited to, the following:
 - a. Amusement park
 - b. Animal hospital or veterinary clinic for small or large animals, without outdoor runs.
 - c. Automobile, trailer, or implement sales or service establishment including motorcycle shop
 - d. Bar / tavern
 - e. Bottling or distribution station
 - f. Bowling alley
 - g. Carpentry or woodworking shop
 - h. Department store
 - i. Essential public utility and public service installation that *may include* business office, repair or storage facility
 - j. Golf driving range
 - k. Mini storage
 - l. Mixed Use Development
 - m. Motel or hotel
 - n. Newspaper publishing establishment
 - o. Printing shop
 - p. Ranch supply / feed store
 - q. Restaurant
 - r. School: business or trade

- | | |
|--|---|
| s. Sheet metal or light metal working shop | w. Swimming pool |
| t. Sign painting shop | x. Telephone central office or service center |
| u. Skating rink | y. Truck or motor freight terminal or warehouse |
| v. Studio: dance, music or art | z. Wholesale business and warehousing |

D. Conditional Uses Requiring Board of Commissioners Authorization

1. Animal hospital, veterinary clinic, or kennel with outdoor runs
2. Building material sales or storage yard
3. Cluster development
4. Feed and grain sales, milling, or storage
5. Outdoor theater or performance/entertainment facility
6. Planned commercial development
7. Planned Unit Development (PUD)
8. Recreational vehicle park or campground
9. Other compatible uses, not specified in *Principal Allowable Uses*, with Commission authorization
10. All compatible commercial uses located farther than 1 mile from an incorporated municipality

E. Accessory Uses

1. Use is clearly incidental and customary to and commonly associated with the operation of the *Principal Allowable* or *Approved Conditional Use*.
2. Use is operated under the same ownership and on the same lot as the *Principal Allowable* or *Approved Conditional Use*.
3. Use does not include structures or structural features inconsistent with the *Principal Allowable* or *Approved Conditional Use*.
4. Use does not include residential occupancy, except by owners or employees employed on the same premises, and their families, provided that no more than one (1) dwelling unit shall be allowed.
5. If operated wholly or partly within the structure containing the *Principal Allowable* or *Approved Conditional Use*, the gross above-ground floor area utilized by the *Accessory Use* shall not exceed the gross above-ground floor area of the *Principal Allowable* or *Approved Conditional Use*.
6. If in a separate, detached structure from a *Principal Allowable* or *Approved Conditional Use*, the gross floor area devoted to the *Accessory Use* shall not exceed the gross floor area of the *Principal Allowable* or *Approved Conditional Use*.

F. Lot Area, Setback, and Height Requirements

	Minimum District Size	Minimum Lot Size	Minimum Lot Width	Front Yard Setback	Side Yard Setback	Rear Yard Setback	Maximum Building Height
Highway Commercial District	1 acre	10,000 sq. ft.	50 feet				
Principal building				10 feet	5 feet	20 feet	45 feet
Accessory structure				10 feet	5 feet	20 feet	25 feet

G. Signing (see *Part III - Section 11: Sign Requirements*)

H. Parking (see *Part III - Section 12: Parking and Loading Requirements*)

IX. LIGHT INDUSTRIAL (I-L) DISTRICT

A. Purpose

1. The Light Industrial District (I-L) provides areas where the dominant use is light manufacturing, heavy commercial and large administrative facilities or offices
2. The District generally coincides with areas designated for commercial/industrial development in the Land Use Plan within one-half (1/2) mile of an incorporated municipality.
3. Other locations may be approved as a Conditional Use.

B. General District Regulations

1. Minimum District size shall be one (1) acre.
2. Minimum lot size shall be 10,000 square feet.
3. Lot sizes for cluster development may be reduced with Commission approval in accordance with Subdivision Regulations.
4. This District is intended to be served by an approved public water and sewer system
5. All uses not connected to public water and sewer require approval of a *Site Plan*.
6. Zoning Certificates are required for Principal Allowable Uses in the I-L District.
7. All *Conditional Uses* require approval of a *Site Plan* (see *Part IV--Section 25: Site Plans* of these *Regulations*).
8. Some Principle Allowable Uses and Accessory Uses may require approval of a Site Plan (see Part IV -- Section 25: Site Plans of these Regulations).
9. All uses in this District are subject to any applicable requirements described in *Part II--Section 8: Overlay Standards* of these *Regulations*.
10. All uses in this District are subject to all applicable requirements in *Part III--Section 9: Development Standards* of these *Regulations*.

C. Principal Allowable Uses

1. Carpentry or woodworking shop
2. Essential public utility and public service installation that *may include* business office, repair or storage facility
3. Feed or grain sales
4. Manufacturing, compounding, assembling, or treatment of articles or merchandise
5. Office or administrative facility
6. Petroleum products storage underground; not to exceed 12,000 gallons
7. Print shop
8. Recreation facility such as community park, or pedestrian, bike or horse trail
9. Repair or service shop
10. Sign painting shop
11. Trade school or professional training center, where all activities are contained indoors
12. Truck or motor freight terminal
13. Warehouse and/or distribution facility
14. Other compatible uses, not specified in *Principal Allowable Uses*, with Commission authorization

D. Conditional Uses Requiring Board of Commissioners Authorization

1. All *Allowable Uses* that are not connected to a public water and sewer system
2. Airport
3. Blacksmith, welding, machine, or similar shop

4. Bottling of soft drinks or milk or distribution facility
5. Building materials sales and storage yard
6. Business park
7. Carpet and rug cleaning plant
8. Cluster development
9. Contractors' equipment and storage yard
10. Heliport
11. Hotel or motel
12. Kennel; commercial
13. Laboratory; chemical, physical, and biological
14. Milling and/or storage
15. Mixed Use Development
16. Office park
17. Parking lot; commercial
18. Petroleum products storage tanks under or above ground, any one of which has a capacity in excess of 1,000 gallons, provided compliance with State and Federal laws, including National Fire Underwriters' codes
19. Planned Unit Development (PUD)
20. Sanitary landfill
21. Sexually oriented adult entertainment establishment *as per Part III --Section 17: Sexually Oriented Adult Business*, of these *Regulations*
22. Sheet metal shop
23. Storage facility; commercial
24. Accessory buildings that exceed the gross above-ground floor area of the *Principal Allowable Use* or approved *Conditional Use*
25. Accessory buildings that exceed 3750 square feet in gross above-ground floor area
26. Other compatible uses, not specified in *Principal Allowable Uses*, with Board authorization
27. All compatible light industrial uses located farther than ½ mile from an incorporated municipality, with Board authorization.

E. Accessory Uses

1. Use is clearly incidental and customary to and commonly associated with the operation of the *Principal Allowable* or *Approved Conditional Use*.
2. Use is operated under the same ownership and on the same lot as the *Principal Allowable* or *Approved Conditional Use*.
3. Use does not include structures or structural features inconsistent with the *Principal Allowable* or *Approved Conditional Use*.
4. Use does not include residential occupancy, except by owners or employees employed on the same premises, and their families, provided that no more than one (1) dwelling unit shall be allowed.
5. If operated wholly or partly within the structure containing the *Principal Allowable* or *Approved Conditional Use*, the gross above-ground floor area utilized by the *Accessory Use* shall not exceed the gross above-ground floor area of the *Principal Allowable* or *Approved Conditional Use*.
6. If in a separate, detached structure from a *Principal Allowable* or *Approved Conditional Use*, the gross floor area devoted to the *Accessory Use* shall not exceed the gross floor area of the *Principal Allowable* or *Approved Conditional Use*.

F. Lot Area, Setback, and Height Requirements

	Minimum District Size	Minimum Lot Size	Minimum Lot Width	Front Yard Setback	Side Yard Setback	Rear Yard Setback	Maximum Building Height
Light Industrial District	1 acre	10,000 sq. ft.	50 feet				
Principal building				5	10 feet	20 feet	35 feet
Accessory structure				5 feet	10 feet	20 feet	25feet

G. Signing (see Part III - Section 11: Sign Requirements)

H. Parking (see Part III - Section 12: Parking and Loading Requirements)

X. HEAVY INDUSTRIAL (I-H) DISTRICT

A. Purpose

1. The Heavy Industrial District (I-H) allows basic or primary industries that are generally incompatible with residential and/or commercial activities.
2. The District generally coincides with areas designated for industrial development in the Land Use Plan within two (2) miles of an incorporated municipality.
3. Other locations may be approved under a *Conditional Use Zoning Certificate*.

B. General District Regulations

1. Minimum District size is two (2) acres.
2. No minimum lot size provided all setback and parking requirements are met.
3. This District may be served by an approved public water and sewer system, community water and sewer system, or an approved private water and sewer system.
4. All *Principal Allowable* and *Conditional Uses* require approval of a *Site Plan* (see *Part IV --Section 25: Site Plans* of these *Regulations*).
5. All uses in this District are subject to any applicable requirements described in *Part II - Section 8: Overlay Standards* of these *Regulations*.
6. All uses in this District are subject to all applicable requirements in *Part III—Section 9: Development Standards* of these *Regulations*.

C. Principal Allowable Uses

1. Uses compatible to industry that are generally incompatible with residential and/or commercial activities, including:
 - a. Airport (private)
 - b. Coal yard
 - c. Cooperage works
 - d. Crematory
 - e. Enameling, lacquering, galvanizing, and plating
 - f. Essential public utility and public service installation that *may include* business office, repair or storage facility
 - g. Farm and heavy equipment sales
 - h. Laundry, cleaning or dry cleaning establishment
 - i. Livestock sale barn
 - j. Lumber yard
 - k. Machine shop
 - l. Manufacturing, processing, assembly and/or bottling of products
 - m. Meat processing, including slaughtering facilities
 - n. Pipeline terminal and pump station
 - o. Sexually oriented adult entertainment establishment, *as per Part III --Section 17: Sexually Oriented Adult Business*, of these *Regulations*
 - p. Steel fabrication
 - q. Supply or service shop including plumbing, welding, electrical, and builders
 - r. Wholesale warehouse

D. Conditional Uses Requiring Board of Commissioners Authorization

- 1. Acid or heavy chemical manufacture, processing, or storage
- 2. Automobile wrecking yard or salvage yard
- 3. Bituminous concrete (blacktop) mixing plant
- 4. Blast furnace or boiler works
- 5. Cement, lime, gypsum, or plaster-of-paris manufacturing
- 6. Commercial quarry operation as per *Part III – Section 14: Quarries*
- 7. Concrete and ceramic products, including ready-mixed concrete plant
- 8. Dead animal, hide, and offal reduction and related processing
- 9. Electric generating or steam power plant
- 10. Explosive manufacture or storage
- 11. Facility for the cleansing of petroleum contaminated soil
- 12. Fertilizer, potash, insecticide, glue, size, or gelatin manufacture
- 13. Flour mill, grain milling, or drying
- 14. Foundry
- 15. Gas and coal manufacture, processing, or storage
- 16. Junkyard
- 17. Mineral manufacturing, refining, and processing
- 18. Petroleum products, refining or storage, provided compliance with all County, State, and Federal laws, including National Fire Codes
- 19. Planned Unit Development (PUD)
- 20. Research facility
- 21. Sanitary landfill, including solid waste transfer facility, solid waste incinerator, processing of recycled materials, provided compliance with State and Federal laws.
- 22. Sawmill
- 23. Truck terminal
- 24. Stockyard
- 25. Accessory buildings that exceed the gross above-ground floor area of the *Principal Allowable Use* or approved *Conditional Use*
- 26. Accessory buildings that exceed 3750 square feet in gross above-ground floor area
- 27. Other compatible uses, not specified in *Principal Allowable Uses*, with Commission authorization
- 28. All compatible heavy industrial uses located more than 2 miles from an incorporated municipality

E. Accessory Uses

- 1. Use is clearly incidental and customary to and commonly associated with the operation of the *Principal Allowable* or *Approved Conditional Use*.
- 2. Use is operated under the same ownership and on the same lot as the *Principal Allowable* or *Approved Conditional Use*.
- 3. Use does not include structures or structural features inconsistent with the *Principal Allowable* or *Approved Conditional Use*.
- 4. Use does not include residential occupancy, except by owners or employees employed on the same premises, and their families, provided that no more than one (1) dwelling unit shall be allowed.
- 5. If operated wholly or partly within the structure containing the *Principal Allowable* or *Approved Conditional Use*, the gross above-ground floor area utilized by the *Accessory Use* shall not exceed the gross above-ground floor area of the *Principal Allowable* or *Approved Conditional Use*.
- 6. If in a separate, detached structure from an *Principal Allowable* or *Approved Conditional Use*, the gross floor area devoted to the *Accessory Use* shall not exceed the gross floor area of the *Principal Allowable* or *Approved Conditional Use*.

F. Lot Area, Setback, and Height Requirements

	Minimum District Size	Minimum Lot Size	Minimum Lot Width	Front Yard Setback	Side Yard Setback	Rear Yard Setback	Maximum Building Height
Heavy Industrial District	2 acres	N/A	N/A				
Principal building				5 feet	10 feet	20 feet	45 feet
Accessory structure				5 feet	10 feet	20 feet	25 feet

G. Signing (see *Part III - Section 11: Sign Requirements*)

H. Parking (see *Part III - Section 12: Parking and Loading Requirements*)

XI. PLANNED UNIT DEVELOPMENT (PUD) DISTRICT

A *Planned Unit Development (PUD)* is a professionally-planned residential, commercial or industrial tract of land under single ownership or unified control guided by a total design plan. In a PUD, one or more of the *Johnson County Zoning or Subdivision Regulations* may be waived or varied to allow flexibility and creativity in site and building design and location.

A. Purpose

The purpose of the PUD District is to promote the development of compatible land uses consistent with the Land Use Plan while preventing a negative impact to the surrounding areas or the county by:

1. allowing and encouraging innovative approaches to site planning and land development; and
2. providing a means by which parcels of land may be developed with more land uses and diversity in site development than is possible within other Districts in these *Regulations*.

B. Sources/Types of PUD District Proposals

1. A PUD District may be proposed as a substitute district for any existing District(s).
2. A PUD District may be proposed for residential, business, and industrial purposes or any combination of residential, business, and industrial purposes.
3. A PUD District may be initiated by the landowner or by the County.

C. General District Regulations.

1. There is no minimum District or lot size requirement for a PUD, provided the Planning and Zoning Commission (Commission) and Board of County Commissioners (Board) find that the proposed PUD is:
 - a. of adequate size to be free-standing and self-sufficient; and
 - b. compliant with the Purpose and Design Standards and Review Criteria outlined in this Section.
2. This District is intended to be served by an approved public or community water system and sewer system that are designed to be compatible with connection to a public water and sewer system.
3. Development is subject to regulation under the Subdivision Regulations.
4. All uses in this District are subject to any applicable requirements described in *Part II -- Section 8: Overlay Standards* of these *Regulations*.
5. All uses in this District are subject to all applicable requirements in *Part III—Section 9: Development Standards* of these *Regulations*.

D. Principal Allowable Uses

As per approved PUD Plat

E. Conditional Uses Requiring Planning and Zoning Commission Authorization

As per approved PUD Plat

F. Accessory Uses

As per approved PUD Plat

G. Lot Area, Setback, and Height Requirements

	Minimum Lot Size	Front Setback	Side Setback	Rear Setback	Maximum Building Height
Planned Unit Development District	As per approved PUD Plat.				
Single Family Dwelling					
Multi-Family/Apartment Units					
Commercial/ Industrial and/or Accessory Structure					

H. Design and Review Criteria

Applications for Planned Unit Development (PUD) shall be reviewed and evaluated for compliance with the purpose and intent of this Section and the following requirements and design standard criteria:

1. The proposed project:
 - a. shall be compatible with the goals and policies of the Land Use Plan
 - b. shall comply with Johnson County regulations;
 - c. can exist as an integrated whole and is designed and developed under control of one owner, partnership, corporation, agency or other legal entity; as determined by evidence of ownership of all property as provided in application package;
 - d. promotes the flexible and/or efficient use of land, buildings, circulation systems, densities, utilities, and other site designs;
 - e. efficiently integrates useable open space into the overall project design;
 - f. demonstrates a compatible mixture of uses, density, characteristics or creative design;
 - g. minimizes adverse impact on adjacent zoning districts and land uses by limiting building heights, providing screening and/or buffering;
 - h. preserves and utilizes, where possible, existing landscape features and amenities and encourages the harmonious combination of such features with structures and other improvements;
 - i. combines and coordinates architectural styles, building forms and relationships within the development and with surrounding land and developments;
 - j. shall not create traffic impact that exceeds the planned capacity of existing or proposed road network serving the general area unless specific mitigation measures are incorporated in the design of the PUD to alleviate the impact;
 - k. provides roads within the project area in accordance with Johnson County Road and Bridge Standards, and adequate in width, pavement type, and circulation pattern to carry the quantity and kind of traffic generated by the proposed uses; and
 - l. provides satisfactory evidence in the form of covenants, restrictions, association membership requirements, financial capacity and funding mechanism to insure, operate and maintain the private common elements within the PUD.
 - m. Dedication of public sites and open space may be required in accordance with Subdivision Regulations.

I. Phased Development Criteria

1. Each phase within the PUD shall be self-sufficient and not dependent on later phases to meet any of the requirements of these *Regulations*.
2. Each phase requires a separate Zoning approval and Final Plat approval for the PUD designation.
3. Failure to proceed to subsequent phases will not have any adverse impacts on the PUD, adjacent or surrounding property or the area in general.

J. PUD Review and Approval Process

1. A PUD is processed under the provisions of these *Regulations* and the Subdivision Regulations.
2. Schools, fire, law enforcement, and/or other public entities shall be provided notice and an opportunity to comment on possible project impacts.
3. PUD approval requires:
 - a. submittal of a *Zoning District Map* amendment as per *Part IV -- Section 21: Amendment Procedures*, of these *Regulations*;
 - b. submittal, review, and approval of a Preliminary PUD Plat by the Commission per Subdivision Regulations;
 - c. submittal to the Commission of a Final PUD application packet and a request to re-zone;
 - d. review and recommendation by the Commission to the Board of a Final PUD application and a request to re-zone;
 - e. conditional approval by the Board, of a Final PUD application and a request to re-zone for the project or for each phase of a phased project; and
 - f. final approval by the Board, of the project or each phase in a phased project, of the PUD and re-zoning request.

K. Project Specific Development Standards

All applications for a PUD must comply with application requirements in the Subdivision Regulations.

SECTION 8. OVERLAY REGULATIONS

I. Overlays in General

- A. Overlays may be superimposed over any of the Districts established by the *Johnson County Zoning Regulations (Regulations)* and impose additional requirements to those required by the underlying District.
- B. Overlays shall be regarded as supplementary to the *Regulations* applicable to any underlying District.
- C. Whenever there is a conflict between the regulations of an Overlay and any District, the more restrictive provisions shall apply.

II. Airport Overlay (AO)

A. Purpose

1. The intent of the "AO" -- Airport Overlay is to:
 - a. protect the Johnson County Airport from encroachment of incompatible land uses;
 - b. ensure that Johnson County remains eligible for state and federal airport funding; and
 - c. implement provisions specified in the Johnson County Airport Master Plan, adopted February 4, 2014 via Resolution #491 by the Board of County Commissioners.

B. Findings of Fact

1. With respect to the need for Airport Overlay regulations for the Johnson County Airport (Airport), the Johnson County Board of Commissioners (Board) finds:
 - a. That the creation or establishment of an aviation obstruction has the potential of being a public nuisance and may hinder future expansion and economic development of the Airport;
 - b. That the encroachment of noise-sensitive or otherwise incompatible land uses within certain areas may endanger the health, safety and welfare of the owners, occupants or users of the land;
 - c. That, in the interest of the public health, public safety and general welfare, it is necessary to prevent the creation or establishment of obstructions that are hazardous to air navigation;
 - d. That the prevention of these obstructions should be accomplished, to the extent legally possible, by the exercise of the police power without compensation;
 - e. That it is essential that the Airport qualify for state and federal funding; and
 - f. That the Airport fulfills an essential community purpose.
2. Therefore, the following regulations are adopted for the purpose of managing aviation obstructions and mitigating the problems associated with encroachment of incompatible land uses.

C. Definitions Specific to this Section – Airport Overlay

1. The definitions of this Section conform to Federal Aviation Administration (FAA) regulations for airport protection programs and are intended to apply in these *Regulations* only to matters concerning airport protection. Certain words or phrases

may be defined differently in other parts of these *Regulations*; in such circumstances, the definition given in this Section shall only apply to this Section.

2. As used in this Section, unless the context otherwise requires:

Airport: The Johnson County Airport.

Airport Board: Johnson County Airport Board

Airport elevation: The highest point of an airport's usable landing area measured in feet above mean sea level.

Approach surface: A surface longitudinally centered on the extended runway centerline, extending outward and upward from the end of the primary surface and at the same slope as the approach zone height limitation slope set forth in this Section. The perimeter of the approach surface coincides with the perimeter of the approach zone.

Approach, transitional, horizontal and conical zones: These zones are set forth in this Section.

Conical surface: A surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 to 1 for a horizontal distance of 4,000 feet.

Hazard to air navigation: An obstruction determined to have a substantial adverse effect on the safe and efficient utilization of the navigable airspace.

Height: For the purpose of determining the height limits in all zones set forth in this Section and shown on the *Johnson County Zoning Map*, the datum shall be mean sea level elevation unless otherwise specified.

Heliport primary surface: The primary surface coincides in size and shape with the designated takeoff and landing area of a heliport. This surface is a horizontal plane at the elevation of the established heliport elevation.

Horizontal surface: A horizontal plane 150 feet above the established airport elevation, the perimeter of which in plan coincides with the perimeter of the horizontal zone.

Larger than utility runway: A runway that is constructed for and intended to be used by propeller driven aircraft of greater than 12,500 pounds maximum gross weight and jet powered aircraft.

NAVD 88: North American Vertical Datum 1988. All elevations in this ordinance are referenced to the 1988 North American Vertical Datum.

Non-precision instrument runway:

1. A runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in non-precision instrument approach procedure has been approved or planned.
2. A runway for which a non-precision approach system is planned and is so indicated on an approved Airport Layout Plan or any other planning document.

Obstruction: Any structure, growth or other object, including a mobile object, which exceeds a limiting height set forth in this Section.

Precision instrument runway:

1. A runway having an existing instrument approach procedure utilizing an Instrument Landing System (ILS), a Precision Approach Radar (PAR) or a Global Positioning System (GPS).
2. A runway for which a precision approach system is planned and is so indicated on an approved airport layout plan or any other planning document.

Primary surface: A surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway; for military runways or when the runway has no specially prepared hard surface or planned hard surface, the primary surface ends at each end of that runway. The width of the primary surface is set forth in this Section. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.

Runway: A defined area on an airport prepared for landing and takeoff of aircraft along its length.

Structure: An object, including mobile object, constructed or installed by man, including but without limitation, buildings, towers, cranes, smokestacks, earth formation and overhead transmission lines.

Transitional surfaces: These surfaces extend outward at 90 degree angles to the runway centerline and the runway centerline extended at a slope of seven feet horizontally for each foot vertically from the sides of the primary and approach surfaces to where they intersect the horizontal and conical surfaces. Transitional surfaces for those portions of the precision approach surfaces, which project through and beyond the limits of the conical surface, extend a distance of 5,000 feet measured horizontally from the edge of the approach surface and at 90 degree angles to the extended runway centerline.

Utility runway: A runway that is constructed for and intended to be used by propeller driven aircraft of 12,500 pounds maximum gross weight and less.

Visual runway: A runway intended solely for the operation of aircraft using visual approach procedures.

D. Airport Height Restriction Zones

1. In order to carry out the provisions of this Section, there are hereby created and established certain Zones which include all of the land lying beneath the approach surfaces, transitional surfaces, horizontal surfaces and conical surfaces as they apply to the Airport.
2. Airport Height Restriction Zones are described in the Johnson County Airport Master Plan.
3. Each portion of an area located in more than one of the following Airport Zones shall be evaluated independently according to the Zone in which it is located.
4. The various Airport Zones are hereby established and defined as follows:
 - a. Precision Instrument Runway Approach Zone (larger than utility runway):

- 1) The inner edge of this Approach Zone coincides with the width of the primary surface and is 1,000 feet wide.
 - 2) The Approach Zone expands outward uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet.
 - 3) Its centerline is the continuation of the centerline of the runway.
- b. Non-Precision Instrument Runway Approach Zone (larger than utility runway):
- 1) The inner edge of this Approach Zone coincides with the width of the primary surface and is 500 feet wide.
 - 2) The Approach Zone expands outward uniformly to a width of 3,500 feet at a horizontal distance 10,000 feet from the primary surface.
 - 3) Its centerline is the continuation of the centerline of the runway.
- c. Non-Precision Instrument Runway Approach Zone (utility aircraft):
- 1) The inner edge of this Approach Zone coincides with the width of the primary surface and is 500 feet wide.
 - 2) The Approach Zone expands outward uniformly to a width of 2,000 feet at a horizontal distance 5,000 feet from the primary surface.
 - 3) Its centerline is the continuation of the centerline of the runway.
- d. Visual Runway Approach Zone (larger than utility runway):
- 1) The inner edge of this Approach Zone coincides with the width of the primary surface and is 500 feet wide.
 - 2) The approach surface expands uniformly to a width of 1,500 feet at a horizontal distance 5,000 feet from the primary surface.
 - 3) Its centerline is the continuation of the centerline of the runway.
- e. Visual Runway Approach Zone (utility aircraft):
- 1) The inner edge of this Approach Zone coincides with the width of the primary surface and is 250 feet wide.
 - 2) The approach surface expands uniformly to a width of 1,250 feet at a horizontal distance of 5,000 feet from the primary surface.
 - 3) The centerline of the Approach Zone is a continuation of the centerline of the runway.
- f. Transitional Zone:
- 1) The Transitional Zones are the areas beneath the transitional surfaces.
- g. Horizontal Zone:
- 1) The Horizontal Zone is established by swinging arcs of 5,000 or 10,000 feet radii from the center of each end of the primary surface of the primary runway and connecting the adjacent arcs by drawing lines tangent to those arcs.
 - 2) The Horizontal Zone does not include the Approach and Transitional Zones.
 - 3) The Horizontal Zone was constructed with 10,000 feet radii.
- h. Conical Zone:
- 1) The Conical Zone is established as the area that commences at the periphery of the Horizontal Zone and extends outward to a horizontal distance of 4,000 feet.

E. Airport Zone Height Limitations

1. Except as otherwise provided in this Section, no structure shall be erected, altered, or maintained, and no tree shall be allowed to grow in any Zone created by these *Regulations* to a height in excess of the applicable height limit herein established for such Zone.
2. Such applicable height limitations are hereby established for each of the Zones as follows:
 - a. Precision Instrument Runway Approach Zone:
 - 1) Slopes 50 feet outward for each foot upward, beginning at the end of and at the same elevation as the primary surface; and
 - 2) extends to a horizontal distance of 10,000 feet along the extended runway centerline; then
 - 3) slopes 40 feet outward for each foot upward, beginning at the end of and at the same elevation as the first 10,000 feet, and
 - 4) extends to a horizontal distance of 40,000 feet along the extended runway centerline.
 - b. Non-precision Instrument Runway Approach Zone (larger than utility runway):
 - 1) Slopes 34 feet outward for each foot upward, beginning at the end of and at the same elevation as the primary surface; and
 - 2) extends to a horizontal distance of 10,000 feet along the extended runway centerline.
 - c. Non-precision Instrument Runway Approach Zone (utility aircraft):
 - 1) Slopes 20 feet outward for each foot upward, beginning at the end of and at the same elevation as the primary surface; and
 - 2) extends to a horizontal distance of 5,000 feet along the extended runway centerline.
 - d. Visual Runway Approach Zone:
 - 1) Slopes 20 feet outward for each foot upward, beginning at the end of and at the same elevation as the primary surface; and
 - 2) extends to a horizontal distance of 5,000 feet along the extended runway centerline.
 - e. Transitional Zone:
 - 1) Slopes 7 feet outward for each foot upward, beginning at the sides of and at the same elevation as the primary surface and the approach surface; and
 - 2) extends to a height of 150 feet above the airport elevation.
 - 3) In addition to the foregoing, there are established height limits,
 - a) sloping seven feet outward for each foot upward, beginning at the sides of and at the same elevation as the approach surface, and
 - b) extending to where they intersect the conical surface.
 - 4) Where the Precision Instrument Runway Approach Zone projects beyond the Conical Zone, there are established height limits,

- a) sloping seven feet outward for each foot upward, beginning at the sides of and at the same elevation as the approach surface; and
- b) extending a horizontal distance of 5,000 feet, measured at 90 degree angles to the extended runway centerline.

f. Horizontal Zone:

- 1) Established at 150 feet above the airport elevation.

g. Conical Zone:

- 1) Slopes 20 feet outward for each foot upward, beginning at the periphery of the Horizontal Zone; and
- 2) At 150 feet above the airport elevation and extending to a height of 350 feet above the airport elevation.

F. Airport-Compatible Land Use Overlay Zones:

- 1. The purpose of dividing the regulated area of the Airport into Airport-Compatible Land Use Overlay Zones is to:
 - a. regulate the development of noise-sensitive land uses;
 - b. promote compatibility between the Airport and the surrounding land uses;
 - c. protect the Airport from incompatible development; and
 - d. promote the health, safety and general welfare of property users.
- 2. The Airport-Compatible Land Use Overlay Zones established herein shall be known as:

Off-Airport Land Use Zoning <u>Zone Number</u>	<u>Zone Name</u>
1	Airport Influence Zone (AIZ)
2	Traffic Pattern Zone (TPZ)
3	Runway Protection Zone (RPZ)
4	Approach Zone (AZ)

- 3. Airport-Compatible Land Use Overlay Zone Boundaries.

The boundaries set out herein are delineated upon the *Johnson County Airport Off-Airport Land Use* drawing contained in the currently adopted *Johnson County Airport Master Plan*.

 - a. Boundaries shown on the official *Off-Airport Land Use Drawing* shall be located and delineated along contour lines established for Johnson County Airport.
 - b. Where uncertainty exists as to the boundaries of the Airport-Compatible Land Use Overlay Zones, the following rules shall apply:
 - 1) Boundaries shall be scaled from the nearest runway end shown on the map.
 - 2) Boundaries shall be scaled from the nearest physical feature shown on the map.
 - 3) Boundaries may be scaled from the nearest platted lot line as shown on the map.
 - 4) Distances not specifically indicated on the original *Off-Airport Land Use Drawing* shall be determined by a scaled measurement on the map.

- c. Where physical features on the ground differ from the information shown on the official *Off-Airport Land Use Drawing*, or when there arises a question as to how a parcel of property is zoned and such questions cannot be resolved by the application of this Section, the property shall be considered to be classified as the most restrictive Airport-Compatible Land Use Overlay Zone.
 - d. Where a parcel of land lies within more than one Airport-Compatible Land Use Overlay Zone, the Zone within which each portion of the property is located shall apply to that portion for development.
4. Use of Land and Buildings.
- a. Within the Airport-Compatible Land Use Overlay Zones as defined herein, no land shall hereafter be used and no structure or other object shall hereafter be erected, altered, converted or modified other than for those compatible land uses allowed by the underlying Zoning District, as specified in these *Regulations*. Additional land uses are prohibited in the Airport-Compatible Land Use Overlay Zones, regardless of underlying zoning, as set forth in Table 8-1, Land Use Compatibility Table.
 - b. Where any use of land and buildings set forth in this Section, conflicts with any allowed use of land and buildings in other provisions of these *Regulations*, this Section shall apply.
 - c. Aviation Clear Zone Easement
 - 1) Where specified on Table 8-1, *Land Use Compatibility Table*, the property owner shall dedicate, in advance of receiving a *Zoning Certificate*, an Aviation Clear Zone Easement to Johnson County, Wyoming.
 - 2) The purpose of this Easement shall be to establish a maximum height restriction on the use of property and to hold the public harmless for any damages caused by noise, vibration, fumes, dust, fuel, fuel particles, or other effects that may be caused by the operation of aircraft landing at, taking off from, or operating on, or at, public airport facilities.
5. Additional Land Use regulations.
- a. On property within the *Off-Airport Land Use drawing* jurisdiction, but outside the jurisdictional limits of Johnson County, Wyoming, these *Regulations* shall be used to formulate recommendations or responses to other jurisdictions requesting comments on land use.
 - b. Notwithstanding any other provisions of this or other Sections of these *Regulations*, no use may be made of land, water, or structures within any Zone established by this Section in such a manner as to:
 - 1) create electrical interference with navigational signals or radio communication between the airport and aircraft;
 - 2) make it difficult for pilots to distinguish between airport lights and others;
 - 3) result in glare in the eyes of pilots using the airport;
 - 4) impair visibility in the vicinity of the airport;
 - 5) create bird strike hazards; or
 - 6) otherwise endanger or interfere with the landing, taking off or flight operations of aircraft utilizing the airport.

- c. Aviation Hazard Easement
 - 1) When a subdivision plat is required for any property within an Airport-Compatible Land Use Overlay Zone, or within an area shown on the *Airspace Drawing for Johnson County Airport*, the property owner shall dedicate an Aviation Hazard Easement to Johnson County over and across that property.
 - 2) This Easement shall establish a height restriction on the use of the property and hold the public harmless from any damages caused by noise, vibration, fumes, dust, fuel, fuel particles, or other effects that may be caused by the operation of aircraft taking off, landing, or operating on or near the Airport.

G. Nonconforming Uses

- 1. Regulations Not Retroactive:
 - a. The regulations prescribed by this Section shall not be construed to require the removal, lowering, or other change or alteration of any structure or tree not conforming to the regulations as of the effective date of these *Regulations*, or otherwise interfere with the continuance of a legal nonconforming use.
 - b. Nothing contained herein shall require any change in the construction, alteration, or intended use of any structure, the construction or alteration of which was begun prior to the effective date of these *Regulations*.
 - c. Nonconforming structures existing as of the effective date of these *Regulations* may be modified such that:
 - 1) Existing structures may be enlarged or expanded provided that:
 - a) Any enlargement or expansion does not result in any greater violation of height restrictions; and
 - b) A variance in accordance with *Part IV -- Section 20: Zoning Appeals and Variances* is obtained.

H. Marking and Lighting:

- 1. Notwithstanding the preceding provision of this Section, the owner of any existing nonconforming structure or tree is hereby required to allow the installation, operation, and maintenance thereon of such markers and lights as shall be deemed necessary by Johnson County Airport (Airport Board) to indicate to the operators of aircraft in the vicinity of the airport the presence of such airport obstruction.
 - a. Such markers and lights shall be installed, operated and maintained at the sole expense of the Johnson County Airport.

I. Certificates

- 1. New Uses:
 - a. Except as specifically provided in this Section, no material change shall be made in the use of land, no structure shall be erected or otherwise established, and no tree shall be planted in any Zone hereby created unless a *Zoning Certificate* shall have been applied for and granted.
 - b. Each application for a *Zoning Certificate* shall indicate the purpose for which the *Certificate* is desired, with sufficient particularity to be determined whether the regulated use, structure, or tree would conform to the regulations herein prescribed.
 - c. An FAA Form 7460-1, *Notice of Proposed Construction or Alteration*, shall accompany each application.

- d. If such determination is in the affirmative, the *Certificate* shall be granted.
 - e. No *Certificate* for a use inconsistent with the provisions of these *Regulations* shall be granted unless a variance has been approved in accordance with this Section.
 - 1) In the area lying within the limits of the Approach Zone, Transition Zone, Horizontal Zone, and Conical Zone, no *Certificate* shall be required by this Section for any tree or structure less than 200 feet above ground level which is also lower than an imaginary surface extending outward and upward at a slope of 100 feet horizontal for each 1 foot vertical beginning at the closest point of the closest runway.
 - 2) Nothing contained in any of the foregoing exceptions shall be construed as allowing, or intending to allow, any construction or alteration of any structure, or growth of any tree, in excess of any of the height limits established by this Section.
2. Existing Uses:
- a. A nonconforming use, structure, or tree shall not be allowed to become a greater hazard to air navigation than it was on the effective date of these *Regulations* or any amendments thereto.
3. Nonconforming Structures and Uses Abandoned or Destroyed:
- a. Whenever a nonconforming structure has been abandoned, damaged, or more than 80 percent destroyed, or a tree physically deteriorated or decayed, no *Certificate* shall be granted that would allow such structure to be rebuilt or tree to exceed the applicable height limitations of these *Regulations*.
 - b. For all nonconforming uses and structures, where active continuous use is terminated for longer than twelve (12) months, the nonconforming use or structure shall be considered abandoned.
4. Variances:
- a. Any person desiring to erect or increase the height of any structure, or allow the growth of any tree, or use property, not in accordance with these *Regulations*, may apply for a variance from such *Regulations* in accordance with *Part IV -- Section 20: Zoning Appeals and Variances*.
 - b. The application for variance shall be accompanied by a determination from the FAA as to the effect of a proposal on the operation of air navigation facilities and the safe, efficient use of navigable airspace.
 - c. Such variances shall be allowed where:
 - 1) it is duly found that a literal application or enforcement of these *Regulations* will result in unnecessary hardship and relief granted;
 - 2) will not be contrary to the public interest;
 - 3) will not create a hazard to air navigation;
 - 4) will do substantial justice; and
 - 5) will be in accordance with the spirit of these *Regulations*.
 - d. No application for variance to the requirements of this Section may be considered unless a copy of the application has been furnished to the Airport Board for review and comment as to the aeronautical effects of the variance. If the Airport Board does not respond to the application within 15 days after receipt, the Commission may act to grant or deny said application.

- e. Any variance granted may, if such action is deemed advisable and reasonable, be conditioned as to require the owner of the structure or tree in question to install, operate, and maintain, at the owner's expense, such markings and lights as may be required in accordance with FAA provisions.

TABLE 8-1 -- LAND USE COMPATIBILITY TABLE				
LAND USE CATEGORY	AIRPORT INFLUENCE ZONE (AIZ)	TRAFFIC PATTERN ZONE (TPZ)	RUNWAY PROTECTION ZONE (RPZ)	APPROACH ZONE (AZ)
RESIDENTIAL				
Single-Family, Nursing Homes, Mobile Homes, Multi-Family, Apartments, Condominiums	+	O (3)	--	-(1, 3)
PUBLIC				
Schools, Libraries, Hospitals	+	O (3)	--	-(3)
Religious Institution, Auditoriums, Concert Halls	+	O (3)	-(3)	-(3)
Transportation, Parking, Cemeteries	++	++	-(2, 5)	++
COMMERCIAL & INDUSTRIAL				
Offices, Retail Trade	++	+	--	O (3)
Service Commercial, Wholesale Trade, Warehousing, Light Industrial	++	+	--	O (3)
General Manufacturing, Utilities, Extractive industry	++	++	--	O (3)
AGRICULTURAL & RECREATIONAL				
Cropland	++	++	++	++
Livestock Breeding	++	++	-(2)	++
Parks, Playgrounds, Zoos, Golf Courses, Riding Stables, Water Recreation	++	++	-(2)	++
Outdoor Spectator Sports	++	+	--	-(3)
Amphitheaters	O	-(4)	--	--
Open Space	++	++	++	++

++ Clearly Acceptable + Normally Acceptable O Marginally Acceptable
 - Normally Unacceptable -- Clearly Unacceptable

Note: Development projects which are wildlife attractant, including sewerage ponds and landfills, within 10,000 feet of the airport are unacceptable. (Ref.: FAA AC 150/5200-33)

Conditions:

- (1) If allowed, aviation easements and disclosure must be required as a condition of development.
- (2) Any structures associated with uses allowed in the RPZ must be located outside the RPZ.
- (3) If no reasonable alternative exists, use shall be located as far from extended centerline s possible.
- (4) If no reasonable alternative exists, use shall be located as far from extended runway centerline and traffic patterns as possible.

(5) Transportation facilities in the RPZ (e.g. roads, railroads, waterways) must be configured to comply with Federal Aviation Regulations, Part 77.

III. FLOODPLAIN OVERLAY (FP)

A. Purpose

1. The intent of the Floodplain Overlay (FP) is to ensure that uses and construction in “areas of special flood hazard” conform to applicable regulations in order to:
 - a. protect human life;
 - b. promote public health, safety and general welfare;
 - c. minimize public and private losses due to flood conditions in specific areas; and
 - d. ensure that Johnson County, Wyoming remains in compliance with federal requirements of the National Flood Insurance Program (NFIP).

B. Application:

1. To comply with the requirements of NFIP, Floodplain Overlay regulations shall apply if a property for which a *Zoning Permit* is applied lies within a floodplain/flood-prone area as determined by the Johnson County Zoning Administrator (Administrator) and/or the Johnson County Floodplain Administrator (Floodplain Administrator).
 - a. When base flood elevation or other official floodplain mapping has been provided by Federal Emergency Management Agency (FEMA), such maps shall be used to determine whether a property shall be subject to the requirements of this Section.
 - b. In the absence of FEMA mapping, the Administrator may consider any or all of the following to make such determination:
 - 1) identified wetlands;
 - 2) flooding potential and history of flooding of the property;
 - 3) areas subject to shallow flooding during intense storms;
 - 4) low-lying areas along a stream, river, or other water course;
 - 5) topography and elevation of a property adjacent to any stream, river, or other water course;
 - 6) analysis of plant life on or near the property to identify species that flourish in flood-prone areas;
 - 7) relative information from the local Conservation District or other government or professional agency; and
 - 8) any other available data.
 - c. The Administrator may require an engineering study of said property by a licensed Wyoming Engineer to determine base flood elevations for the property.

C. Findings of Fact

1. With respect to the need for FP regulations for Johnson County, the Johnson County Board of Commissioners (Board) finds:
 - a. There are flood prone areas within Johnson County that are subject to periodic inundation, which may adversely affect the public health, safety and general welfare.

- b. As of the date of the passage of these *Regulations*, FEMA has not published a Flood Insurance Study, Flood Hazard Boundary Map, or Flood Insurance Rate Map (FIRM) for Johnson County.
- c. Johnson County desires to retain eligibility in the NFIP and therefore agrees to meet the minimum floodplain management regulations of *Section 60.3 (a)* of the Federal Insurance Administration which are intended to reduce future flood damages.

D. Objectives

- 1. The establishment of the FP in the *Johnson County Zoning Regulations (Regulations)* is intended to:
 - a. protect human life and health;
 - b. minimize expenditure of public money for flood control projects;
 - c. minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
 - d. minimize prolonged business interruptions;
 - e. minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, roads and bridges located in flood hazard areas;
 - f. help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize flood blight areas;
 - g. ensure that potential homebuyers are notified if a subject property is in a flood hazard area; and
 - h. ensure that those who occupy the “areas of special flood hazard” (see *Definitions* in this Section) assume responsibility for their actions.
- 2. In order to meet said objectives, the requirements set forth in the FP are intended to:
 - a. restrict or prohibit uses which may be dangerous to health, safety and property due to water or erosion hazards, which may result in damaging increases in erosion or in flood height and velocity;
 - b. require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
 - c. control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters;
 - d. control filling, grading, dredging and other development which may increase erosion or flood damage; and,
 - e. prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands.

E. Definitions Specific to this Section -- Floodplain Overlay

- 1. The definitions that are pertinent to this Section conform to federal regulations for local floodplain management programs and are intended to apply in these *Regulations* only to matters concerning floodplain management. Certain words or phrases may be defined differently in other parts of these *Regulations*. In such circumstances, the definition given in this Section shall only apply to this Section.
- 2. As used in this Section, unless the context otherwise requires:

Accessory structure: A structure which is located on the same parcel of property as the principal structure and the use of which is incidental to the use of the principal structure. Accessory structures should constitute a minimal initial investment, may not

be used for human habitation, and be designed to have minimal flood damage potential. Examples of accessory structures are detached garages, carports, storage sheds, pole barns, and hay sheds.

Area of special flood hazard: In the absence of a Flood Insurance Study, Flood Hazard Boundary Map, or FIRM issued by the FEMA, the “areas of special flood hazard” shall include, at a minimum, the following: identified wetlands, low-lying areas along the shores of lakes and streams, areas subject to shallow flooding during intense storms, and areas known to have flooded historically. As portrayed on maps issued by FEMA, the “area of special flood hazard” is that area anticipated to be inundated by the base flood.

Base flood: The flood having a one percent chance of being equaled or exceeded in any given year (also called the “100-year flood”). Base flood is the term used throughout this Section.

Basement: That portion of a building having its floor sub-grade (below ground level) on all sides.

Building: see Structure.

Encroachment: The advance or infringement of uses, plant growth, fill, excavation, buildings, permanent structures or development into a floodplain, which may impede or alter the flow capacity of a floodplain.

Federal Emergency Management Agency (FEMA)

Flood or flooding: A general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland or tidal waters;
2. The unusual and rapid accumulation or runoff of surface waters from any source.

Flood Hazard Boundary Map (FHBM): An official map of a community, issued by FEMA, where the boundaries of the “areas of special flood hazard” have been identified as Zone A.

Flood Insurance Rate Map (FIRM): An official map of a community, on which FEMA has delineated both the “areas of special flood hazard” and the risk premium zones applicable to the community.

Flood Insurance Study: The official hydraulic & hydrologic report provided by FEMA. The report contains flood profiles, as well as the FIRM, FHBM (where applicable) and the water surface elevation of the base flood.

Floodplain: Any land area susceptible to 100-year flooding.

Floodplain Administrator: County employee or contract official designated by the Board to oversee the requirements of Johnson County’s participation in the NFIP.

Floodplain management: The operation of an overall program of corrective and preventive measures for reducing flood damage and preserving and enhancing, where possible, natural resources in the floodplain, including but not limited to emergency

preparedness plans, flood control works, floodplain management regulations, and open space plans.

Floodplain management regulations: These *Regulations*, subdivision regulations, building codes, health regulations, special purpose ordinances, and other applications of police power which control development in flood-prone areas. This term describes federal, state or county regulations in any combination thereof, which provide regulations for preventing and reducing flood loss and damage.

Highest adjacent grade: The highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a building.

Lowest floor: The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, used solely for parking of vehicles, building access, or storage, in an area other than a basement, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the non-elevation provisions of this code.

Manufactured home: A building, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term also includes park trailers, travel trailers, and similar transportable structures placed on a site for 180 consecutive days or longer and intended to be improved property.

Manufactured home park or subdivision: A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

Mean Sea Level: The average height of the sea for all stages of the tide. Used as a reference for establishing various elevations within the floodplain.

Recreational vehicle: A vehicle that is:

1. Built on a single chassis;
2. 400 square feet or less when measured at the largest horizontal projection;
3. Designed to be self-propelled or permanently towable by a light duty truck; and
4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Start of construction: The date the *Zoning Permit* was issued, provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the *Permit* date. The actual start means the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation or placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main building. For substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure: All walled and roofed buildings, including gas or liquid storage tanks and manufactured homes that are principally above ground.

Substantial improvement: Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the “start of construction” of the improvement. For the purposes of this definition, “substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the building. The term does not, however, include either:

1. Any project for improvement of a building required to comply with existing health, sanitary, or safety code specifications which have been identified prior to *Permit* issuance by the Zoning Administrator and which are solely necessary to assure safe living conditions; or,
2. Any alteration of a “historic structure” provided that the alteration will not preclude the structure’s continued designation as a “historic structure.”

Watercourse: A lake, river, creek, stream, wash, channel or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.

F. Permit Requirements

1. A *Floodplain Development Permit* shall be required in conformance with the provision of these *Regulations* prior to the commencement of any development activities within the unincorporated areas of Johnson County. No structure or land shall hereafter be located, extended, converted or altered without full compliance with the terms of this Section and other applicable regulations.

SEE PART IV – Administration in these Zoning Regulations.

G. Building Regulations for Flood Damage Reduction

1. In “areas of special flood hazard”, the following provision shall apply to new construction or substantial improvement of existing buildings and structures:
 - a. New construction(see *Definitions* in this Section) and substantial improvements of existing structures shall conform to the following requirements:
 - 1) The lowest floor of the lowest enclosed area (including basement) shall be elevated at least two feet above the highest adjacent grade at the building site;
 - 2) Structures shall be:
 - a) designed or modified and adequately anchored to prevent flotation, collapse or lateral movement of the structure;
 - b) Constructed with materials and utility equipment resistant to flood damage; and
 - c) Constructed by methods and practices that minimize flood damage.
 - 3) ‘Actual elevation’ shall be defined as the lowest floor, including the basement, of all new and substantially improved structures, in relation to both mean sea level and highest adjacent grade.
 - 4) ‘Actual elevation’ is to be determined by a Wyoming licensed surveyor.
 - 5) When the lowest floor of the structure is established, the applicant shall provide the ‘actual elevation’ of said floor to the Administrator.

- b. Manufactured homes shall be:
 - 1) elevated two feet above highest adjacent grade, if no other technical base flood elevation data is determined to be available and applicable; and
 - 2) anchored to prevent flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This regulations shall be in addition to and consistent with most current version of the International Building Code requirements for resisting wind forces.
- c. Electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be elevated at least two feet above highest adjacent grade, if no other technical base flood elevation data is determined to be available and applicable; or flood proofed to prevent water from entering or accumulating within the components during conditions of flooding.
- d. Any addition, alteration, repair, reconstruction or improvement to a building which is in compliance with the provisions of this Section, shall meet the requirements of “new construction.”
- e. Accessory structures: Structures that are not used for human habitation and are subordinate to and accessory to the primary structure or use of the property (e.g. storage sheds, detached garages, gazebos, and barns), may be excluded from the elevation requirements of this Section provided they are properly anchored, do not impede the flow of water, and meet the other regulations of these *Regulations*.
- f. All recreational vehicles located on site must either be fully licensed and ready for highway use, or the recreational vehicle must be installed as a manufactured home. A recreational vehicle ready for highway use may only be attached to the site by quick-disconnect-type utilities and security devices, and has no other permanently attached structures or additions.
- g. Historic structures, as defined in this Section, are exempt from the elevation and other regulations of this Section, provided written documentation from the State Historic Preservation Office is submitted with project application verifying that the proposed repairs or rehabilitation will not preclude the building’s continued designation as a historic structure.

H. Regulations for Water and Sewer Systems

- 1. In “areas of special flood hazard” the following provisions are required for the installation or reconstruction of water and sewer systems:
 - a. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.
 - b. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into flood waters.
 - c. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.

I. Setbacks from Streams, Lakes, and Reservoirs

- 1. No encroachments, including fill material or structures, shall be placed within a specified distance of the stream bank. The Zoning Administrator shall review and utilize any and all available data to determine the specified setbacks required to provide for the safe discharge of flood waters during the estimated base flood event.

2. Buildings shall not be allowed where the lowest floor elevation is below the Base Flood Elevation.

J. Regulations for Subdivision Proposals and Other Large Developments

1. Proposals for subdivisions and other large developments, including shopping centers, industrial parks and complexes, public facilities and manufactured home parks and subdivisions, shall:
 - a. be designed and located so as to prevent or minimize future flood damages both on-site and on lands affected by the development;
 - b. have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage;
 - c. have adequate drainage provided to reduce exposure to flood hazards; and
 - d. have Base Flood Elevation (BFE) data developed in accordance with standard engineering practice, when the development is greater in size than fifty lots or five acres. This data shall be provided to the Wyoming Emergency Management Agency and the FEMA within six months of data development.
 - e. The Special Flood Hazard Area (SFHA) boundary and any BFE for the building site(s) on each lot shall be clearly marked on all recorded subdivision plats and approved site development plans.

K. Interpretation. In the interpretation and application of this Section, all provisions shall be:

1. considered minimum requirements;
2. liberally constructed in favor of the county; and,
3. deemed neither to limit nor repeal any other powers granted under federal, state or county statutes.

L. Warning and Disclaimer of Liability

1. The degree of flood protection required by this Section is considered reasonable for regulatory purposes given the flood information available.
2. This Section shall not create liability on the part of Johnson County or by any officer or employee thereof for any flood damages that result from reliance on this Section or any administrative decision lawfully made there under.