



CITY OF LANDER
BOARD OF ADJUSTMENT & PLANNING COMMISSION MEETING

Thursday, September 21, 2023 at 6:00 PM
City Council Chambers, 240 Lincoln Street

AGENDA

Attendance: Chair Zach Mahlum, Members, Tom Russel, Kara Colovich, Kristin Yannone, Dave Fehringer, Rob Newsom, and Joe Henry. City Attorney Adam Phillips, Council Liaison Missy White, Assistant Public Works Director Hunter Roseberry, Recording Secretary RaJean Strube Fossen

1. CALL TO ORDER / PLEDGE OF ALLEGIANCE

This meeting is being recorded electronically. All petitioners to the Board of Adjustments will receive a written decision and order within thirty (30) days of this hearing. The decision will be clearly stated with findings of fact and conclusions of law. Anyone wishing to appeal against a decision and order may do so through District Court.

Anyone wishing to speak tonight, must first be recognized, come to the podium, take the oath, and state your name prior to speaking.

2. APPROVAL OF MINUTES

A. **BOARD OF ADJUSTMENT and PLANNING COMMISSION MINUTES** of September 7, 2023

3. BOARD OF ADJUSTMENT - NEW BUSINESS

A. CU 23.11, 390 S 1st, Childcare, Tynsky

4. BOARD OF ADJUSTMENT - OLD BUSINESS

5. PLANNING COMMISSION - NEW BUSINESS

6. PLANNING COMMISSION - OLD BUSINESS

A. Title 4 suggested Changes - Off-Street Parking Requirements 4-11-10

B. Review Title 4 Residential suggested changes to date

7. ADJOURNMENT

CITY OF LANDER

BOARD OF ADJUSTMENT & PLANNING COMMISSION MEETING

Thursday, September 07, 2023 at 6:00 PM

City Council Chambers, 240 Lincoln Street

MINUTES



Join Zoom

Meeting: <https://us06web.zoom.us/j/85768470104?pwd=NDFJZ01nTlZwMEYvSTFiS2lMYzB4QT09>

Meeting ID: 857 6847 0104, Passcode: 339483

Attendance: Chair Zach Mahlum, Members, Tom Russel, Kara Colovich, Kristin Yannone, Dave Fehringer, Rob Newsom, and Joe Henry. City Attorney Adam Phillips, Council Liaison Missy White, Assistant Public Works Director Hunter Roseberry, Recording Secretary RaJean Strube Fossen

Kristin Yanonne called in ill. Adam Phillips, Missy White and Hunter Roseberry were absent.

1. CALL TO ORDER / PLEDGE OF ALLEGIANCE

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Anyone wishing to speak tonight, must first be recognized, come to the podium, take the oath, and state your name prior to speaking.

2. APPROVAL OF MINUTES

A. BOARD OF ADJUSTMENT MINUTES of July 20, 2023

Dave moved to accept the minutes. Kara seconded. Motion passed.

B. PLANNING COMMISSION MINUTES of August 3, 2023

Kara moved to accept the minutes. Joe seconded. Motion passed.

3. BOARD OF ADJUSTMENT - NEW BUSINESS

A. CU 23.10, Childcare at 340 Del Street, Matson

Kindal Matson, owner of 340 Del Street took the oath and described that she is operating under a provisional DFS permit since September 5. She is operating with 6 children including her daughter.

Dave verified how drop-off parking is handled. The owner reported that the lot in front of the house can handle 3-4 cars off street. Right now with the staggered drop off times there is rarely more than 2 cars at one time.

In regard to the submitted public comments, Zach verified that no neighbors have complained of traffic issues to the owner.

Zach verified also if the ditch was open to the children. Owner verified that the ditch is fenced outside of the children's play area with a lock on the gate.

RaJean read the City Comments and verified that the required inspection has already been done and passed.

Mei Ratz, took the oath. Mei has a child attending this daycare and stressed the importance of having childcare options so that she can continue to be the single breadwinner of the house.

Kara moved to approve CU 23.10 at 340 Del St. Dave seconded. Motion passed. The owner was notified of the 30-day timeframe for the decision order.

4. BOARD OF ADJUSTMENT - OLD BUSINESS

5. PLANNING COMMISSION - NEW BUSINESS

A. S 23.03 Table Mountain Subdivision and rededication of Bishop Randall Drive, City of Lander

RaJean explained that this plat is being presented by the City of Lander as the owner. Past chair and County Planner, Steve Baumann was asked to review the documents for accuracy. Steve recommended that the Plat be filed separately from the Bishop Randall re-dedication for ease of tracking the two separate functions in the county clerks office. The title blocks and legal descriptions of the documents will need to be updated to file separately.

The single lot will hold the Table Mountain Living Community which is a memory care/assisted living facility owned by the City, managed by the Lander Housing Authority, and will be run by a private third party operator. Discussions were held on the schedule, funding, operations, and the tax structure of the facility. These issues are outside the planning commission purview and no action was taken.

Dave moved to approve the plat with the changes suggested, seconded by Joe. Motion Passed.

The Bishop Randall Drive re-dedication is necessary for two reasons. 1. The existing location of the constructed drive is not within the original dedicated right-of-way and 2. to extend the drive beyond what is currently dedicated and constructed into the facility. The layout of the drive will vary from the presentation drawings at the meeting. It will not make a sharp left and dead end on the fire access road. It will continue onto the new lot to terminate in the circle drive access for the structure.

Dave moved to approve the rededication with the changes described. Tom seconded. Motion passed. Changes as discussed will be made and reviewed and recommended to Council at the October regular council meeting.

6. PLANNING COMMISSION - OLD BUSINESS

A. Title 4-11-10 Off Street Parking

Discussions were held on the entirety of the code. RaJean reported that the City is working on a new snow removal plan that will result in reducing street parking by posting "Tow Zone" areas on many streets. As of now, it appears that hilly and curvey streets may be posted for parking on one side of the street and posted for "no parking" on the other side of the street. Because this may drastically reduce the available residential parking spaces, the commission may want to reconsider their original thought to reduce off-street parking to increase the available building envelope and reduce the requirement for off-street parking.

Discussions were held on the commercial requirments of the remainder of section 4-11-10. The commission suggests three options: 1. keep the space calculation specific as currently listed but update the type of uses, 2. calculate parking spaces by using a formula based on the square footage of the building, or 3. delete specific parking space calculations all together and let the business determine the number of spaces required for their employees and clientelle. All three option would be required to keep the calculated number of ADA spaces as required by law. Dave noted that removing all requirements will increase the parking congestion on streets in both residential and commercial zones.

It was noted that the parking space requirements are only calculated when a building permit is issued. Future sales or a change in commercial use of an existing building often do not have the luxury of removing or constructing new parking after the original construction or development of the lot. Tom does not think that the national codes list a requirement for number of parking spaces defined by use or size of building.

It was the concensus that the building department will have to enter into the dicussion. The commission still believes that residential parking space requirements should be simplified to remove the fractional calculations for spaces.

B. Overview of suggested Title 4 changes to date

No Action

7. ADJOURNMENT

7:30 pm

APPLICATION FOR CHILD CARE CERTIFICATION

In accordance with the provisions of Wyoming Statutes § 14-4-101 through § 14-4-111, the undersigned hereby makes application for a child day care license.

Applicant Name: Tynsky Shaelyssa Kadi DOB: 08 14 1997
(Last) (First) (Middle) (Month) (Day) (Year)

Facility Name (Optional): Little wildflowers Daycare

County: Fremont E-Mail Address: SHAELAL9615@gmail.com

The facility is located within the : City limits County

390 South 1st st. lot 3 Lander wy 82520 (307) 851 6815
(Facility Street Address) (City) (State) (Zip) (Facility Phone)

17 Carbine Lane Lander wy 82520 (307) 851 6815
(Mailing Street Address) (City) (State) (Zip) (Home Phone)

Directions for reaching facility: Turn left into Riverview trailer park
middle trailer on left

Have you or anyone in your home/staff (including minors) been required to register as a sex offender in any jurisdiction? Yes No

Have you or anyone in your home/staff (including minors) been the subject of a substantiated child abuse/neglect investigation? Yes No

Have you or anyone in your home/staff (including minors) been charged with a crime? Yes No

If yes to either, give the name of the individual, location, charge and date:

Answering "yes" will not necessarily disqualify you. A Central Registry and National Fingerprint background check will be completed.

ATTACHMENTS:

- TB results or Risk Assessment *
- Physician's Statement
- Zoning approval (if applicable)
- CPR/First Aid (if applicable)
- Fire and Sanitation inspection approvals
- Brief description of your program
- Completion of pre-service orientation
- Authorizations for Background Checks *
- Sample attendance record form, child record forms, and/or staff record forms, and emergency preparedness plan.
- Application fee (\$50 check or money order made payable to Department of Family Services).
- Documentation of education (attach verification and a list of any related experience).
Check all that apply: HS or GED College Training Hours Experience

* Please include documentation for all household members 18 years or older.

APPLICATION FOR CHILD CARE CERTIFICATION

Board of Directors, if applicable: _____
(Board of Directors name)

Board Chair: _____
(Last) (First)

Board Address: _____
(Mailing Address) (City) (State) (Zip)

Email: _____
(phone)

Facility Director, if different than the Applicant:

Director Name: _____ DOB: _____
(Last) (First) (Middle) (Month) (Day) (Year)

Director Address: _____
(Mailing Address) (City) (State) (Zip)

Email Address: _____
(phone)

I authorize the Department of Family Services Child Care Licensing to release information on this application and any further information once the application is approved on the child care facility named in this application to _____ who is the provider, director, chair of board, or other

Applicant Signature

Date

I certify I have read this form or it has been read to me and the information given is true and correct. I understand the information given is voluntary and lack of required information could affect my application. I agree to provide information if it is needed to verify any statements given on this form. I authorize the Department of Family Services to make inquiry of persons, companies or other agencies to obtain additional information or to verify my statements. I will report any change in my circumstances to the local Department of Family Services Child Care Licensing office immediately including but not limited to a change of address or any criminal charges that occur after this license has been submitted.

If you are not satisfied with the action taken on your application, you have the right to request an Administrative Hearing from the Department of Family Services. You may be represented by a lawyer, a relative, a friend or other spokesperson, or you may represent yourself. If you hire a lawyer, the Department of Family Services will not be responsible for any fees you may incur.


Applicant Signature

8/18/23
Date of Application

Little Wildflowers Daycare
390 S 1st st. Lot 3
Lander, WY 82520
(307) 851-6815

PHILOSOPHY

As a mom, I will strive to lead with example, protect, and be patient with all the children in my care. The kids will get to explore their own personalities, and grow with kindness and respect. In my opinion, children are the most beautiful wildflowers we will ever see. Their little minds thrive on individuality, independence, bravery, creativity, and the freedom to get dirty and even make mistakes.

As a child care provider, I understand the importance of maintaining strict compliance with regulations in order to ensure a safe environment for all children: therefore I comply with all applicable state licensing regulations and am licensed by the Department of Family Services.

ANTI BIAS POLICY STATEMENT

We believe all children have the right to high-quality early educational experiences that welcome and embrace all forms of diversity. In our community we acknowledge and respect everyone’s unique identity including their race, gender identity or expression, sexual orientation, religion, ethnicities, abilities, and socio-economic background. Our goal is to provide a nurturing, inclusive, equitable, and safe environment. We strive for children to gain self-awareness, confidence, and pride in their social identities as well as expressing comfort, joy, and compassion for human diversity in our classroom, our community, our country and our world.

We are committed to open and on-going dialogue among children, families, and myself at Little Wildflowers Daycare. This policy ensures all children, families, educators, and staff are welcome, valued, and treated with equity and respect.

STAFF QUALIFICATIONS

- First aid and infant/child/adult CPR certification must be completed biennially and kept current at all times
- 32 hours of continuing education biannually
- TB risk assessment or current TB test results if applicable (Household members as well)
- A child abuse/neglect Central Registry screen done annually (Household members as well)
- Full fingerprint based national criminal history record background check completed every 5 years (Household members as well)
- National sex offender check results (Household members as well)

HOURS OF OPERATION

Little Wildflowers Daycare is open Monday – Friday from 7:30 am to 5:30 pm. If care is needed outside of my regular business hours, arrangements must be made two weeks in advance and I will accommodate if able.

TUITION

Our tuition has been established to provide the best possible care at a reasonable cost to you. Out of pocket tuition must be paid by the last day of the month services were provided. Payment for services rendered is expected as mutually agreed upon in each contract.

Payments to hold the child’s spot are set unless arranged one week in advance or I am unable to care for them for a personal reason without a forewarning of the same amount of time.

The price is set to \$30 per day, per child.

CHILD RECORDS

Each child in care shall have the following information on file;

- Completed Child Record;
- Current Immunization record;
- Health Care Plan if necessary;
- Written authorization from parent(s) or guardian(s) for the following
 - Emergency medical care;
 - Participation in field trips or excursions, whether walking or riding;
 - Child to be transported
 - Use of swimming or wading pool if one is used and
 - Over the Counter Medication form.

GUIDANCE POLICY

Positive guidance shall be used and will be consistent, clear and understandable to the child. When guiding a child's behavior, redirection and setting clear limits that enable a child to become self aware of actions will be used. Children will be encouraged to respect people, to be fair and learn to be responsible for their actions. Children can be removed for the group but not isolated. Behaviors of a child may be ignored, but not the child.

At no time will the following occur

- Punishment associated with food, rest or toilet learning;
- Corporal punishment, including hitting spanking, beating, shaking, pinching and other measures that produce physical pain;
- Abusive or profane language;
- Any form of humiliation including threats of physical punishment; and
- Any form of emotional abuse including rejecting, terrorizing, corrupting, isolating or ignoring a child.

SUSPENSION/EXPULSION POLICY

Little Wildflowers Daycare promotes positive social and emotional growth and includes age appropriate behavior support. This practice enables us to offer the most proactive and supportive environment for children. However there may be a time when we have exhausted all efforts to help a child interact in a positive manner in our program. If this situation should arise with your child we will adhere to the following guidelines:

- Share with parents in writing behavioral concerns and what steps the facility has taken to change those behaviors.
- Schedule a conference with parent(s)/guardians to discuss steps implemented, local resources available and develop a plan for next steps.
- If expulsion or suspension is warranted, discuss with parents terms of child returning and length of suspension.

EXCLUSION FROM CARE FOR ILLNESS CHILDREN & STAFF

Any child who cannot participate in a regular child care program due to discomfort, injury or other symptoms of illness may be refused care. A facility serving well children may not admit a child who has any of the illnesses/symptoms of illness specified below:

- Severe diarrhea
- Severe pain or discomfort
- Two or more episodes of acute vomiting within a period of twenty-four (24) hours;
- Difficult or rapid breathing;
- Yellowish eyes or skin;
- Sore throat with a fever over 101° F or severe coughing;
- Untreated head lice or nits;
- Untreated scabies;
- Children suspected of being in contagious stages of chickenpox, pertussis, measles, mumps, rubella or diphtheria; or
- Purulent conjunctivitis

Children with the following symptoms should be excluded from child care unless they are under the care of a physician and the physician has approved in writing their return to child care:

- Skin rashes, excluding diaper rash, lasting more than one (1) day.
- Swollen joints or visibly enlarged lymph nodes;
- Elevated oral temperature of 101° F or over;
- Blood in urine;
- Mouth sores associated with drooling; or
- Having a communicable disease or being a carrier of such, that is listed on the Wyoming Department of Health (WDH) Reportable Disease and Condition List

The parent shall be notified immediately when a child has symptoms requiring exclusion from care. The child will be kept isolated from other children until the child is removed from the facility.

- No person with a communicable disease, or being a carrier of such, that is listed on the Wyoming Department of Health (WDH) Reportable Disease and Condition List shall work in a childcare facility, unless they have been declared non-infectious to others by a licensed physician, physician assistant (PA), or nurse practitioner (NP) or they have been declared or approval has been given by the local or State Department of Health.
- In the case of Hepatitis B, Hepatitis C, or HIV the infected individual has received bloodborne pathogen training and has been determined to be of negligible risk to other persons during the routine care of children by a licensed physician and the facility director.
- In the case of a sexually transmitted disease the infected individual has been determined to be of negligible risk to other persons during the routine care of children by a licensed physician, physician assistant, or nurse practitioner.
- No person shall work in a child care facility while they are experiencing purulent

conjunctivitis, head lice (until after the first treatment) and scabies (until treatment is complete.)

- No person shall work in a child care facility while they are experiencing Jaundice, skin infection or rash unless the lesion can be completely covered and drainage contained by an impervious dressing, all other persons are prevented from having contact with the lesion, and the affected person can practice adequate hand hygiene.

ADMINISTRATION OF MEDICATION

As required, I have received training on the administration of medication and will only administer medication under the following conditions

- Medications are prescribed by a licensed health professional. Commonly used non-prescription over the counter medications including, but not limited to ointments, repellents, lotions, creams, or powders for which, a medication consent form has been given to the child care facility by the parents or legal guardians. Any deviation from recommended dosage on the label must be accompanied by physician's written instructions,
- Medications bear their original prescription label or manufacturer's label and are in safety lock containers, transported and stored safely with regard to temperature, light and other physical storage requirements,
- A medication consent form must have been completed by the child's parent or legal guardian and include specific instructions for the date and time to be administered and dosage.

TRANSPORTATION

When children are transported there will be a 1st Aid Kit, emergency medical release forms, a written plan for direct supervision and a current attendance record immediately available. I follow Federal Motor Vehicle Safety Standards for child restraint systems and cannot transport without proper safety restraints. Direct staff supervision will be maintained at all times and children will wear some type of identifiable clothing or accessory for easy visual recognition. Physical boundaries will be identified for children.

PARENTAL/GUARDIAN RIGHTS

In accordance with Wyoming Child Care Licensing Regulations, I am obligated to provide you the following informational statements. Parent/Guardian(s) shall have:

- Unrestricted and immediate access to his/her child(ren) and any area of the facility where child care is located;
- The right to view inspection reports that can be found at findchildcarewy.org
- The right to view weekly menus;
- All know and/or treated injuries that occur to his/her child while in care and
- Any situation that occurred during child care that caused concerns for the child's health or safety.

SAFE RELEASE OF CHILD(REN)

Upon enrollment you will be able to list individuals that can pick up your child(ren) without notification. ID will be required for these individuals. If individuals other than parent or guardian that are not on the pre approved list will be picking up your child(ren) we must be notified prior to pick up and an ID will be required.

ANIMALS

I have animals on the premises. All animals must comply with Health & Sanitation and vaccination requirements. Any animal with a history of attacking even one person or demonstrating aggressive behavior will be made inaccessible to the children in care.

WEAPONS

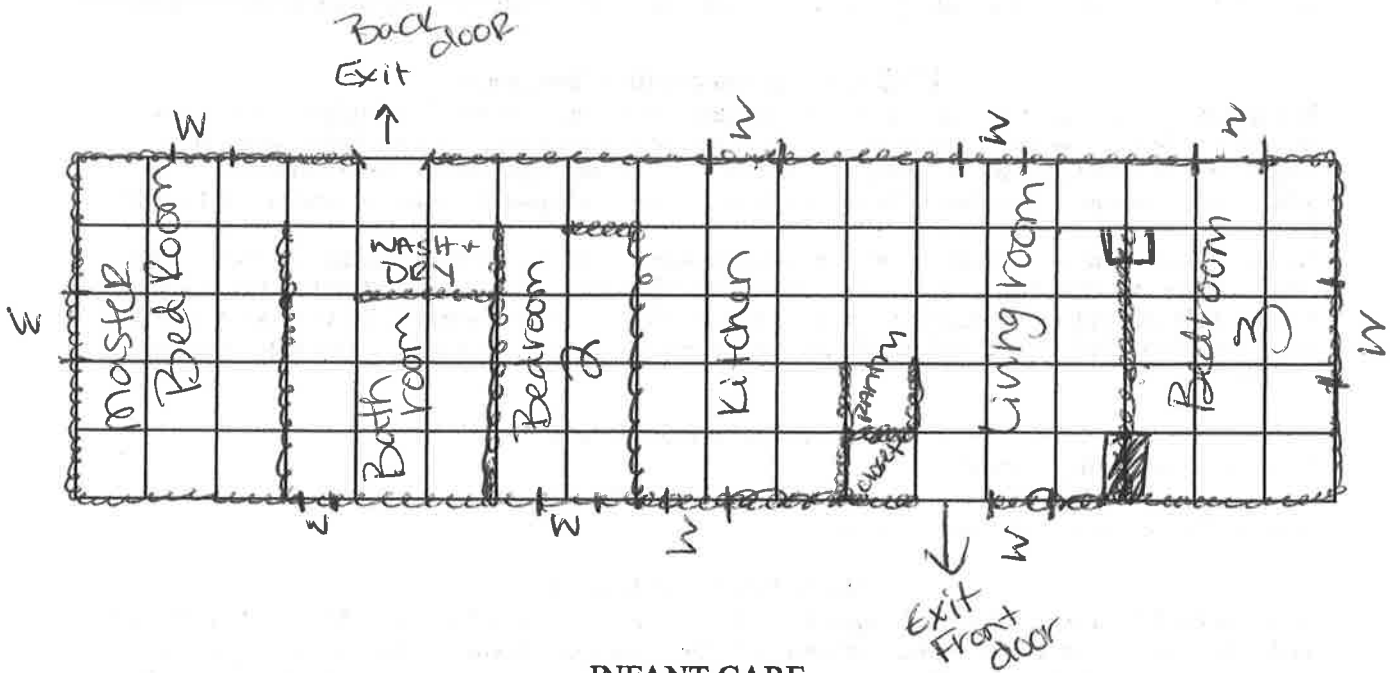
All firearms and ammunition located on the premises are locked and stored separately and inaccessible to children. There are no explosives on the premises. Persons, other than law enforcement, will not be allowed to bring weapons on to the premises or carry weapons into the home.

EMERGENCY PROCEDURES

Fire and evacuation drills are conducted monthly and emergency evacuation diagrams (floor plans) are posted. Drills will be practiced from all exit locations, at varied times of the day, and during varied activities.

In the case of an evacuation the kids and myself will exit through the closest and safest exit door, and walk to the house next door on the river side (which is my grandmother's house). I will grab the emergency folder containing all contact numbers, attendance records, ect. and make calls to parents as soon as all the children and myself are safe in the house next door.

Operations will continue the following day as long as the facility is safe and able to accommodate the children's needs.



INFANT CARE

Sleeping children under the age of 12 months will only be placed on their back, on a firm flat surface with nothing in the sleep space (i.e. blankets, stuffed toys, pacifier attachments)

Swaddling for infant sleep is prohibited unless a licensed health care provider signs statement that includes instructions and time frame.

STAFF:CHILD RATIO REQUIREMENTS

Ages of Children	One Staff	One Staff	Two Staff
Birth – 12 months	2	1	4
12 months – 24 months	2	1	4
24 months – 36 months	2	2	4
Over 36 months	2	6	3
Total	8	10	15

Slots may be moved up but now down in age.

Ages of Children	Staff:Child Ratio	Maximum Group Size
Birth to 12 months	1:4, 2:8, 3:10	10
12 months – 24 months	1:5, 2:10, 3:12	12
24 months – 36 months	1:8, 2:16, 3:18	18
3 year olds	1:10, 2:20, 3:24	24
4 and 5 year olds	1:12, 2:24, 3:30	30
6 and older	1:18, 2:32, 3:40	40

FOOD SERVICE

Nutritionally balanced snacks and meals will be provided and planned with the needs of children’s age and appropriate portion in mind. Weekly menus will be posted for viewing.

USDA Nondiscrimination Statement

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, religious creed, disability, age, political beliefs, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotope, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

LIABILITY INSURANCE

We do not carry liability insurance.

OVERNIGHT CARE

This facility does not provide overnight care.

WATER PLAY ACTIVITIES

Occasionally children will be offered the opportunity for water play. This could include but is not limited to wading pools, slip and slides, sprinklers....while participating in these activities we will maintain ratio and supervision requirements, instruct children on the safety procedures for use of water play items and ensure children are changed to dry clothing once activity is over.

REPORTING CONCERNS

Open communication between provider and families is crucial for your child(ren)s success. I will strive to communicate with you on a regular basis the events of your child's day as well as topics of concern that arise. We appreciate any and all feedback from families to help continue our growth and success as a child care facility. If at any time you have a question or concern please schedule a time for us to discuss your concerns and objectives for your child.

In addition, please feel free to contact the local Department of Family Services at 307-332-4038 to report any concerns.

All providers/staff are required by the Child Protective Services rules to report cases of suspected child abuse or neglect.

Licensed child care complaint and compliance history can be found at findchildcarewy.org or by contacting the local child care licensing official.

By signing below you acknowledge you have read all items in this document.

Parent's Signature _____ Date _____

Parent's Signature _____ Date _____

ADDITIONAL INFORMATION

- Birthdays and holidays where the kids are at daycare will be celebrated however we feel necessary.
- Closures will be announced in a good advance.
- Parents are responsible for bringing diapers, a change of clothes (they will be getting dirty or wet, and any supplies that are special or go beyond the normal things I would have on site. Examples: members mark wipes, sippy cups, blankets, sunscreen, tylenol, etc.....
- Personal comfort items for the kids are absolutely accepted!
- The parent and myself will work together on potty training. I have a small potty and a toddler toilet seat that goes on top of the regular toilet. I also have a stool for toileting and hand washing.
- Sign in and out procedures: there will be an attendance sheet to sign daily per licensing rules.

The Board of Directors of the Company has reviewed the financial statements of the Company for the period ended December 31, 2018, and has determined that the financial statements are presented fairly in all material aspects the financial position, results of operations and cash flows of the Company for the period ended December 31, 2018, in accordance with accounting principles generally accepted in the United States of America.

The Board of Directors of the Company has also reviewed the financial statements of the Company for the period ended December 31, 2017, and has determined that the financial statements are presented fairly in all material aspects the financial position, results of operations and cash flows of the Company for the period ended December 31, 2017, in accordance with accounting principles generally accepted in the United States of America.

The Board of Directors of the Company has also reviewed the financial statements of the Company for the period ended December 31, 2016, and has determined that the financial statements are presented fairly in all material aspects the financial position, results of operations and cash flows of the Company for the period ended December 31, 2016, in accordance with accounting principles generally accepted in the United States of America.

The Board of Directors of the Company has also reviewed the financial statements of the Company for the period ended December 31, 2015, and has determined that the financial statements are presented fairly in all material aspects the financial position, results of operations and cash flows of the Company for the period ended December 31, 2015, in accordance with accounting principles generally accepted in the United States of America.

The Board of Directors of the Company has also reviewed the financial statements of the Company for the period ended December 31, 2014, and has determined that the financial statements are presented fairly in all material aspects the financial position, results of operations and cash flows of the Company for the period ended December 31, 2014, in accordance with accounting principles generally accepted in the United States of America.

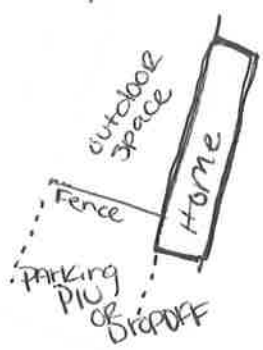
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THE CITY OF LANDER

240 LINCOLN STREET, LANDER, WY 82520

TELEPHONE 307-332-2870

OFFICE OF
PLANNING COMMISSION

September 19, 2023

Re: City Staff comments for CU 23.11, Childcare, 390 S 1st, Lot 3, Tynsky

City staff has received no public comments on this conditional use request.

The application is in order and meets all the requirements for off-street parking, parent manual and emergency preparedness plan. The DFS has issued a temporary permit contingent on City approval.

City staff recommends approval of permit CU 23.11 conditional on the owner meeting all safety requirements as listed by DFS and receiving the required annual inspections from the building department as required by DFS.

Hunter Rosebury

Dustin Springston

RaJean Strube Fossen

**CITY OF LANDER
NOTICE OF PUBLIC HEARING
Conditional Use Permit**

A public hearing will be held by the Planning Commission on Thursday, September 21, 2023, at 6:00 pm in Lander City Hall, 240 Lincoln Street, Lander, Wyoming on a Conditional Use request for 390 South 1st Street, Lot 3. The request is for a conditional use permit to run a daycare at that location. This request complies with the requirements of City Code 4-12-4 C.1, which allows for daycare as a conditionally permitted use in an R-3 residential zone.

The public hearing affords anyone the opportunity to appear and speak for or against the Daycare application. Testimony may be given in person on the date of the hearing, or by written comment to RaJean Strube Fossen rsfossen@landerwyoming.org by close of business on September 18, 2023.

Additional information may be obtained by contacting RaJean Strube Fossen at City Hall 307-332-2870 x117.

Rachelle Fontaine
City Clerk

Publish Lander Journal
Saturday, September 9, 2023.



CITY OF LANDER
CONDITIONAL USE APPLICATION - TITLE 4-6-1
NON-REFUNDABLE FEE \$500.00

For Office use only: Case # CU 23.11
Date Received 8-22-23 Date Fee Paid 8-22-23 BOA Hearing Date 7/21/23
Existing zone designation R-3 Applicable Section of zoning code 46-1

Name of Applicant Shaelyssa Tyrnsky Email shaekal9615@gmail.com
Address 390 South 1st st lot 3 Phone (307) 851-6815

Do you own this property Yes No X +melissalesher
If no, Name of Owner Shane Lesher Email shaendez@yahoo.com
Address 17 Carbine lane Phone (307) 714-0936

Legal Description of Property (Street address, subdivision lot and block numbers, or attached a Legal description prepared by a surveyor)
390 S. 1st Street lot #3

Present Zoning District of Property Residential in city limits Current zoning use of the property Residential
Proposed Zoning District In city limits Proposed zoning use of property Residential

Legal Description of Property (Street address, subdivision lot and block numbers, or attached a Legal description prepared by a surveyor)
390 S. 1st st lot #3

Check Conditional Use Type below

- X Child Care/preschool
Home Business
Bed/Breakfast
Short term Rental
Group/foster home
RV campground
Clinic/nursing home
Professional office
Mortuary/crematory
Motel
Restaurant
Gaming
Communication tower
Junkyard
Other, Explain

Describe your conditional request (Hours of operation, off-street parking, traffic patterns, fencing, etc.)
Daycare From 7:30 AM (drop off) to 5:30 (pick up)
off road parking, already have a fenced yard
will not add more fence anytime soon.

Explain why your conditional use will not adversely affect your neighborhood
There are no landscaping changes to be made.
There are already children in my part of the neighborhood
so everyone is used to their playing and they will not be outside making noise until after breakfast (about 9:30am)



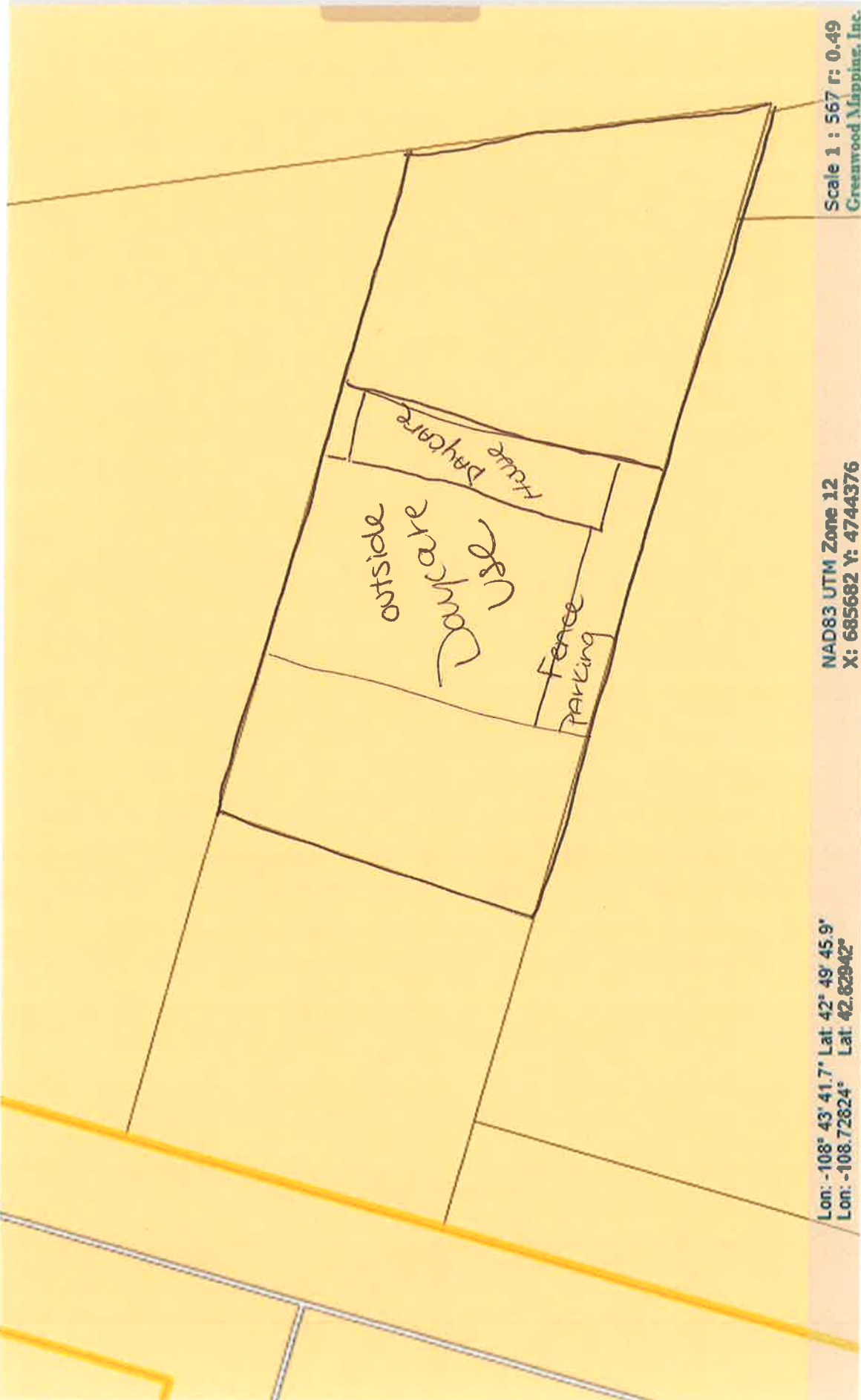
**CITY OF LANDER
CONDITIONAL USE APPLICATION – TITLE 4-6-1
NON-REFUNDABLE FEE \$500.00**

X Attached is a plot plan or drawing of all buildings and outside areas used for the conditional use.

X Attached is additional information for Child Care, Group Home, or Home Business, as required

Signature of applicant Shane Lynskey Date 8/22/23

Signature of owner Shane Fisher Date 8/22/23



Lesner Property



CITY OF LANDER CONDITIONAL USE APPLICATION ADDENDUM FOR CHILDCARE/DAYCARE

For Office use only: Case number CH 23.11

Name of Applicant Shaelyssa Tymsky Email Shaelkal9615@gmail.com

NOTE: The Board of Adjustment can grant or reject all applications in accordance with City Code 4-6-1. Childcare/daycare businesses must be inspected by the City building inspector annually to insure compliance with Wyoming Department of Family Services (DFS) Licensure. Any expansion, alteration of existing building uses must come before the Board of Adjustment for approval.

Describe specifically your daycare (Business name, hours and days of operation, number of children, outdoor space, parent drop off and pickup areas, and number of employees)

Business name: Little wildflowers Daycare
Hours 7:30 AM to 5:30 pm Monday - Friday
Approved for up to 10 children, but only have half for now.
They will play in the front yard that is fenced.
Drop off/pick up is in my driveway and I'm the only employee.

Will this use change the residential character of the neighborhood? Why or why not?

I don't believe that the residential character will be changed because there is already traffic through the trailer park and there are children (4 of my own) and dogs and other noise during the day that I don't think will be a bother with a few more kiddos!

Please select the designation provided to you by the Wyoming Department of Family Services.

- FCCH- Family Childcare home (maximum of 10 children)
- FCCC - Family childcare center (maximum 15 children)
- CCC - Childcare Facility (16 or more children)

Attached is a copy of your initial application to the Wyoming DFS.

Attached is a copy of your Parent Handbook and Emergency Preparedness Plan.

Attached is a sketch or drawing of the property showing the location of all existing buildings, percentage of gross square footage for use, outdoor spaces, fences, drop off zones, employee parking and other applicable information.

Signature of applicant Shaelyssa Tymsky Date 8/22/23

4-11-10 General Requirements - Off-Street Parking And Loading Requirements

A. The following general requirements shall apply:

1. off-street parking and loading shall be provided and maintained as required by this Section for all permitted uses which are established after the effective date of this ordinance;
2. these requirements shall not be retroactive to permitted uses existing on the date this ordinance becomes effective but shall apply to any expansion of these uses which occurs after that date;
3. in residential districts, required off-street parking shall be provided on the same lot to which the parking pertains. In other districts, such parking may be provided either on the same lot or on another lot in the R-5 or P-L Districts, located not farther than 1,000 feet from the structure or use they are required to serve;
4. groups of more than four parking spaces shall be designed so that no backing movements onto a street will be required;
5. no structure shall be erected or enlarged, nor shall any use be enlarged, if such action will eliminate the required off-street parking areas.
6. The requirements of 4-11-10, may be waived at the discretion of the Planning Commission with regards to structures with frontage on Main, Lincoln or Garfield Streets located between First Street and Ninth Street.
7. The businesses within the Lander Business Park will be allowed to count overflow off-street parking for their total parking spaces per use.

B. Off-street parking and loading will be designed, used and maintained in accordance with the following specifications:

1. individual off-street parking spaces shall be at least nine feet wide and 18 feet long;
2. individual off-street loading spaces shall be located only in side or rear yards of the lot and shall be at least 12 feet wide, 50 feet long and have a minimum height clearance of 14 feet;
3. areas used for required parking and maneuvering of vehicles shall have an all-weather surface of asphalt or concrete or alternatives approved by the Planning Commission and shall be designed in a manner which avoids the flow of water across public sidewalks;
4. each parking or loading space must be usable and readily accessible and arranged so that no part of any parked vehicle extends beyond the property line;
5. required parking and loading areas shall be provided with designated entrances and exits located so as to minimize traffic congestion and avoid undue interference with public use of streets, alleys and walkways;
6. parking and loading areas provided in accordance with the requirements of this ordinance shall not be used for the sale, repair, assembly or disassembly, storage or servicing of vehicles or equipment.

C. At the time a structure is being erected or enlarged, or the use of an existing structure is changed, off-street parking spaces shall be provided as follows:

1. Home business - 1 per 200 sq. ft. or fraction thereof;

2. There shall be provided off-street parking spaces described as follows: (garage counted as a parking space)

Dwellings shall be as follows:

One Bedroom Residences – 1 space
Two Bedroom Residences – 1.5 spaces
Three Bedroom Residences – 1.75 spaces
Four Bedrooms and Over – 2 spaces

3. Boarding houses - 1 per each sleeping or living unit.
4. Retirement homes, housing project for senior citizens - .5 per dwelling unit plus 1 for manager.
5. Motel or hotel - 1 per sleeping room plus 1 for manager.
6. Clubs or lodgers - Spaces to meet the combined requirements of the uses being conducted such as hotel, restaurant, auditorium, etc.
7. Convalescent hospital, nursing home - .4 X lawful number of occupants plus 1 per each staff member on duty on maximum shift.
8. Hospital - 1 per bed plus .75 X maximum number of employees on duty on a maximum shift.
9. Churches - .35 X seating capacity of sanctuary.
10. Preschool, nursery or kindergarten - 2 spaces per employee.
11. Elementary or junior high school - 1 per each employee and each faculty member
12. High school and vocational schools - 1 per each employee and each faculty member plus 1 per five students.
13. Stadia, areas, theaters, auditoriums or meeting rooms - .35 X seating capacity or, if no fixed seats, 1 space per 50 square feet of floor area.
14. Bowling Alley - 5 per lane.
15. Dance Hall or skating rink - 1 per 80 square feet of floor area.
16. Retail and repair shops, including shoe repair, contractors' showrooms, galleries, structure material supply stores, package beverage stores with no seating - 1 per 1000 square feet of floor area plus one per three employees.
17. Restaurants and beverage establishment with seating 1 per 100 sq ft of customer floor area;
18. Barber shops and Cosmetology Shop - 1 plus 1.5 per chair;
19. Banks and business or professional offices (except medical and dental clinics) - 1 per 300 square feet of floor area.
20. Medical and dental clinics - 2 per staff person.
21. Gas stations - 1 per nozzle plus 2 per lift (in addition to stopping places adjacent to pumps).
22. Mortuary - 1 space per 4 seats or 8 feet of bench length in the chapel.
23. Laundromats - .5 per machine.

- 24. Other retail and service establishments - 1 per 300 square feet of floor area sales space.
 - 25. Warehouses, storage and wholesale business, and freight terminals – 2 spaces plus, 1 space per employee on maximum shift. And sufficient space to park all company owned or leased vehicles, including passenger auto manufacturers, trucks, tractors, trailers and similar company owned or leased motor vehicles.
 - 26. Manufacturing uses, research testing and processing, assembly, all industries - 1 X number of employees on a maximum shift.
 - 27. Uses not specified - Shall be determined by the City Administration in accordance with the most recently adopted National Codes.
 - 28. Gaming, one space per every 75 square feet of gaming area or any portion thereof.
- D. Where calculation in accordance with the foregoing list results in requiring a fractional space, any fraction less than one-half shall be disregarded and any fraction of one-half or more shall require one space.
- E. When it is alleged that the minimum off-street parking standards will create an unnecessary hardship on the property owners, application may be made to the Board of Adjustment for a variance in the minimum off-street parking requirements. In lieu of meeting such off-street parking requirements and after the Board of Adjustment does not grant relief there-from, either in whole or in part, the property owners shall pay reasonable costs to the City for each required parking space of which the owner may be unable to provide. The cost of those spaces shall be per square foot of current market value for property in that area. Such funds shall be kept in a separate fund and used by the City only for the purpose of purchasing off-street parking and the development of walk/bike ways within the City.
- F. At least the following amounts of off-street loading shall be provided, plus an area adequate for maneuvering and walk/bike ways, ingress and egress:

Number of Spaces	Gross Floor Area in Square Feet
1	3,000 to 20,000
2	20,000 to 40,000
3	40,000 to 60,000
4	60,000 to 80,000
5	80,000 to 100,000
6	100,000 to 150,000

One additional space shall be provided for each 50,000 square feet above 150,000 square feet. If parking is 20 or more spaces a green area and/or snow dump area must be provided on the premises.

HISTORY

- Amended by Ord. [1022](#) on 3/28/2000
- Amended by Ord. [1039](#) on 4/10/2001
- Amended by Ord. [1152](#) on 1/13/2009
- Amended by Ord. [1198](#) on 10/27/2015

P. Annual Registration Requirement - To enable the City of Lander to insure safety requirements of commercial communication towers and antennas with the City limits, on an annual basis, no later than June 30 each year, the owner/operator

shall submit documentation to the City Clerk's office providing:

1. Certification in writing that the commercial communication tower/antenna conforms to the requirements of the Uniform Structure Code and all other construction standards set for by the City Code, federal and state law by filing a sworn and certified statement by an engineer, certified in Wyoming, to that effect. The commercial communication tower/antenna owner/operator may be required by the City to submit more frequent certification should there be reason to believe that the structural and electrical integrity of the tower/antenna is jeopardized. The City reserves the right upon reasonable notice to the owner/operator of the tower/antenna to conduct inspections for the purpose of determining whether the tower/antenna facility complies with the City of Lander adopted structure and safety codes and all other construction standards provided by local, state and federal laws.
2. The name, address, email, and telephone number of any new owner, if there has been a change of ownership of the tower and or any individual/ antenna.
3. The name, address, email, and telephone number of the operator.

HISTORY
 Amended by Ord. 1031 on 10/24/2000
 Amended by Ord. 1098 on 5/10/2005
 Amended by Ord. 1152 on 1/13/2009

4-12-14-12-2 4-19 District Regulations - Agricultural District (A)

~~A. Intent. This district is intended to provide for a compatible mixture of single family residential dwellings and agricultural uses at a density slightly lower than that for single family districts alone, plus accessory public and semi-public uses offering services to the surrounding areas. This zone encourages animal husbandry, agriculture, viniculture, horticulture, aquaculture and family or small commercial farming. Such areas will by nature be on the outer fringes of the City.~~

B.A. Permitted Uses. The following uses may be operated as permitted uses in the district:

1. single family detached dwellings;
2. manufactured homes;
3. agricultural (shall include horticultural uses, nurseries and the production of crops and livestock).

C.B. Permitted Accessory Uses: Any use which complies with all of the following conditions may be operated as an accessory use:

1. is clearly incidental and customary to and commonly associated with the

- operation of the permitted use;
- 2. is operated and maintained under the same ownership and on the same lot as the permitted use;
- 3. does not include structures or structural features inconsistent with the permitted use;
- 4. to include one secondary residential unit;
- 5. if operated wholly or partly within a structure containing the permitted use, the gross floor area utilized by the accessory use shall not exceed 30% of the gross floor area of the permitted use;

~~D.C.~~ Minimum area of lot: 1 acre.

~~E.D.~~ Minimum width of lot: 100 feet.

~~F.E.~~ Minimum setback requirements for structures:

- 1. front yard: 33 feet;
- 2. side yard: 12 feet;
- 3. rear yard: 20 feet;
- 4. side yard on flanking street or corner lot: 28 feet;
- 5. ~~When a lot or parcel of ground in the district adjoins a residential district, the setback requirements that apply to the yard area of that residential district shall be required.~~

~~F.~~ Maximum Number of single family or manufactured homes per lot: ~~one~~ two per lot.

~~G.~~ Maximum number of agricultural structures ~~or accessory structures~~: three per acre.

~~H.~~ Maximum Height of Structures: ~~30~~ 40 feet.

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HISTORY
Amended by Ord. 1152 on 1/13/2009

4-12-24-12-3 District Regulations - Single Family Residential District (R-1)

~~A. Intent. This district is intended to be applied to lands which are suitable for low density residential development within the existing community. The district also allows uses which are compatible with, and provide support to a low density residential environment.~~

~~B.A.~~ Permitted Uses. The following uses may be operated as permitted uses in the district:

- 1. single family detached dwellings;

- 2. churches;
- 3. public or private grade schools;
- 4. public park, playground or other public recreational facilities.

G.B. Conditional Use:

- 1. Childcare;
- 2. Foster care
- ~~2-3. home business. (Section 4-12-3(C) amended by Ordinance 855, effective 4-23-91.)~~
- ~~3-4. bed and breakfast/short-term rental~~
- 4-5. mortuary/crematory
- 5-6. related uses of similar type as approved by the Board of Adjustment.

D.C. Permitted Accessory Uses. Any use which complies with all of the conditions set forth under Section 4-11-8 may be operated as an accessory use to a permitted use.

E.D. Minimum Area of Lot: 7,500 square feet.

F.E. Minimum Width of Lot: 50 feet at front setback line.

G.F. Minimum Setback Requirement for ~~Principle~~Principal Structures:

- 1. front yard: ~~33-28~~ feet;
- 2. side yard: ~~12-10~~ feet;
- 3. rear yard: ~~20-15~~ feet or 20% of lot depth, whichever is smaller;
- 4. side yard flanking street on corner lot : 28 feet;
- 5. encroachment into the front yard setback and any side yard flanking street setbacks to within 18 feet of the curb line is permitted for use of a covered or uncovered carport, porch, or deck structure. That portion of the ~~porch or deck~~permitted structure within the setback area shall not be enclosed and in no case shall it be allowed beyond the property line.

G. Maximum Number of Structures Containing Permitted Use Per Lot: one per lot.

H. Maximum Number of Accessory Structures: two per lot

I. Maximum Height of Principle Structure: ~~30-45~~ feet.

J. ~~Maximum Lot Coverage: 40%.~~

HISTORY

Amended by Ord. 1152 on 1/13/2009
Amended by Ord. 1198 on 10/27/2015
Amended by Ord. 1236 on 11/10/2020

4-12-34-12-4 District Regulations - Single And Multi-Family Low Density Residential District (R-2)

~~A. Intent. This district is intended to provide for a compatible mixture of single and two family dwellings at a density slightly higher than that for single family districts alone, plus the accessory public and semi-public uses offering services to the surrounding area.~~

~~B.A. Permitted Uses. The following uses may be operated as permitted uses in the district:~~

1. single family detached dwellings;
- ~~2. two family dwellings;~~
- ~~3. 2. multi-family dwellings, up to four units;~~
- ~~4. 3. churches;~~
- ~~5. 4. private or public elementary and secondary schools;~~
- ~~6. 5. public park, playground and other public recreational facilities.~~

~~C.B. Conditional Uses:~~

1. Childcare;
2. Foster care;
3. home business;
4. bed and breakfast/short term rental;
5. mortuary/crematory
6. related uses of a similar type as approved by the Board of Adjustment

~~D.C. Permitted Accessory Uses. Any use which complies with all of the conditions set forth under Section 4-11-8 may be operated as an accessory use to a permitted use.~~

~~E.D. Minimum Area of Lot, 3,750 square feet.~~

- ~~1. The lot on which there is erected a detached single family dwelling, childcare facility, foster home, or group foster home shall contain an area of not less than 3,750 square feet.~~
- ~~2. The lot on which there is erected a two-family or multi-family dwelling shall contain an area of not less than 1,875 square feet per dwelling unit and no less than 3,750 square feet in total.~~
- ~~3. The lot on which there is erected any other permitted use in the district shall contain an area of not less than 3,750 square feet.~~

E. Minimum Width of Lot:

- 1. ~~Rectangular lots: 40~~50 feet at front setback line.
- 2. ~~NEEDS WORK - Flag lots: 20 feet at the street frontage for driveway access and 20 feet at the front yard setback to the vertical plane of the front door of the structure.~~
- 3. ~~Pie-shaped lots and other nontraditional lots: 40 feet at front setback line.~~
- 4.

F. Minimum Setback Requirements for ~~Principle~~Principal Structures:

- 1. front yard: ~~28~~23 feet;
- 2. side yard: ~~10-10~~ feet; except that there shall be no side yard ~~set back~~setback for the common wall side yard of a ~~two-family dwelling, where each living unit, and 1/2 the land upon which the two-family dwelling is located, are sold separately, provided that the following criteria are met on each family dwelling multi-plex as long as:~~
 - a. all provisions of the ~~Uniform Structure Code and Uniform Fire Code current version of the City adopted building and fire codes~~ are complied with, including but not limited to, an appropriate fire wall; and
 - b. ~~where units are to be sold separately and ownership of the land is deeded separately each family dwelling unit is shall be served by a separate water, and sewer line and all utilities where there is no homeowners association.~~
 - b.c. ~~where units are to be sold separately without ownership of the land, separate utilities are optional with proof of how the utility billing will be handled in a Homeowners association recorded document.~~

3. ~~G.~~ rear yard:

- a. ~~adjacent to an alley:~~
 - (1) ~~20-5~~ feet ~~where there are no existing or planned utilities easements required~~
 - (2) ~~10~~ feet ~~where there exists or are planned future utility easements required~~
- c.b. ~~with no alley 15 feet~~ or 20% of lot depth, whichever is smaller;

~~3-4.~~ ~~H.~~ side yard on flanking street on corner lot: 23 feet;

~~4-5.~~ encroachment into the front yard setback and any side yard flanking street setbacks to within 18 feet of the curb line is permitted for use of a covered or uncovered ~~carport,~~ porch, or deck structure. That portion of the ~~porch or deck permitted~~ structure within the setback area shall not be enclosed and in no case shall it be allowed beyond the property line.

G. ~~I.~~ Maximum Number of Structures Containing Permitted Use Per Lot: ~~one-two~~ per lot.

H. ~~J.~~ Maximum Height of ~~Principle-Residential~~ Structures: ~~30-45~~ feet.

~~I. Maximum Lot Coverage:~~

- ~~1. detached single family dwellings, childcare, foster care: 40%.~~
- ~~2. two-family dwellings, multi-family dwellings, and other permitted uses in the district: 50%.~~

HISTORY

Amended by Ord. [1023](#) on 3/14/2000

Amended by Ord. [1152](#) on 1/13/2009

Amended by Ord. [1198](#) on 10/27/2015

Amended by Ord. [1236](#) on 11/10/2020

4-12-44-12-5 District Regulations - Single And Multi-Family High Density and Manufactured Home Residential District (R-3)

~~A. Intent. This district is intended to provide for a compatible mixture of single on up to four family dwellings at a density slightly higher than that for single family~~

~~districts alone, plus the accessory public and semi-public uses offering services to the surrounding area.~~

~~B.A. Permitted Uses. The following uses may be operated as permitted uses in the district:~~

- ~~1. single family detached dwellings;~~
- ~~2. two-family dwellings;~~
- ~~3.2. multi-family dwellings (up to four-eight units);~~
- ~~4.3. single manufactured homes on privately owned lots;~~
- ~~5.4. manufactured home parks: must meet all zoning requirement listed herein and the layout requirements of City Code section 4-9-9-D, and the current version of the adopted International Building Codes. Minimum Area: For the first two (2) manufactured homes there shall be provided an area not less than seven thousand five hundred (7,500) square feet. For each manufactured home after the first two, there shall be provided an area not less than three thousand seven hundred fifth (3,750) additional square feet per manufactured home.~~
- ~~6.5. churches;~~
- ~~7.6. public or private elementary and secondary schools;~~
- ~~8.7. public parks, playground and other public recreational facilities.~~

~~C.B. Conditional Uses:~~

- ~~1. Childcare;~~
- ~~2. Foster care;~~
- ~~3. recreational vehicle and campground district; (See district regulations 4-13-1)~~
- ~~4. home business;~~
- ~~5. bed and breakfast/ short-term rental~~
- ~~6. mortuary/crematory~~
- ~~7. related uses of a similar type as approved by the Board of Adjustment.~~

~~D.C. Permitted Accessory Uses. Any use which complies with all of the conditions set forth under Section 4-11-8 may be operated as an accessory use to a permitted use.~~

~~E.D. Minimum Area of Lot: 3,750 square feet~~

~~F. (i) The lot on which there is erected a detached single family dwelling, manufactured home or other permitted use of the district shall contain an area not less than 3,750 square feet. (ii) The lot on which there is erected a two-family~~

dwelling shall contain an area not less than 3,750 square feet.
(iii) The lot on which there is erected a multi-family dwelling shall contain an area not less than 1,250 square feet per dwelling unit and no less than 3,750 square feet in total

E. Minimum Width of Lot:

1. Rectangular lots: 40 feet at front setback line.
 2. **NEEDS WORK** Flag lots: 20 feet at the street frontage for driveway access and 20 feet at the front yard setback to the vertical plane of the front door of the structure.
 3. Pie-shaped lots and other nontraditional lots: 40 feet at front setback line.
- ~~1. detached single family dwelling;~~
~~2. manufactured homes, multi-family dwellings: 50 feet at front setback line.~~

G.E. F. Minimum Setback Requirements for PrinciplePrincipal Structures:

1. front yard: 20-15 feet;
2. side yard:

a. side yard:

- (1) 5 feet unless there are existing utilities or platted utilities or drainage easements.
- (2) 10' if there are existing utilities or platted utility or drainage easement
- (3) except that there shall be no side yard setback for the common wall side yard of a multi-plex as long as:
 - all provisions of the current version of the City adopted building and fire codes are complied with, including but not limited to, an appropriate fire wall; and
 - where units are to be sold and deeded separately each family dwelling unit shall be served by a separate water and sewer line.

a. Single-family dwelling: 10 feet

~~b. Multi-family dwelling: 10 feet, except that there shall be no side yard set back for the common wall of a two-family dwelling, where each living unit, and 1/2 the land upon which the two-family dwelling is located, are sold separately, provided that the following criteria are met on each family dwelling:~~

- ~~(1) all provisions of the International Residential Code and International Fire Code are complied with, including but not limited to, an appropriate fire wall; and~~
- ~~(2) each family dwelling unit is served by a separate water~~

~~and sewer line.~~

3. spacing for the interior of a manufactured home park: 15 feet spacing between all sides of the interior dwelling units that are not otherwise required to meet the setback from the front, side, or rear lot line.

- (1) all provisions of the currently adopted International Residential Code Appendix E is complied with, and
- (2) each family dwelling unit ~~is in a manufactured home park~~ shall be served by a separate water and sewer service line.

4. F. rear yard:

a. adjacent to an alley:

- (1) 5 feet where there are no existing or planned utilities easements required
- (2) 10 feet where there exists or are planned future utility easements required

b. with no alley: 15 feet or 20% of lot depth, whichever is smaller;

c. excepting a manufactured home park where the rear setback is 15 feet.

~~a. 20 feet or 20% of lot depth whichever is smaller;~~

2. G. side yard on flanking street or corner lot: ~~23~~ 15 feet;

3. 1. encroachment into the front yard setback and any side yard flanking street setbacks to within 18 feet of the curb line is permitted for use of a covered or uncovered carport, porch or deck structure. That portion of the ~~porch or deck~~ permitted structure within the setback area shall not be enclosed and in no case

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shall it be allowed beyond the property line.

~~B. H.~~ Maximum Number of Structures Containing Permitted Uses Per Lot: ~~two~~
~~three~~ per lot excepting approved layouts for manufactured home parks.

~~B-C. I.~~ Maximum Number of Accessory Structures: ~~3~~ per lot excepting approved layouts for manufactured home parks

~~C-D. J.~~ Maximum Height of Principle Structures: ~~30-45~~ feet.

D. Maximum Lot Coverage:

~~1. detached single family dwellings, manufactured homes: 40%.~~

~~2. multi-family dwellings, all other permitted uses in District: 50%.~~

HISTORY

Amended by Ord. 1023 on 3/14/2000

Amended by Ord. 1152 on 1/13/2009

Amended by Ord. 1198 on 10/27/2015

Amended by Ord. 1236 on 11/10/2020

Amended by Ord. 2022-1 on 7/12/2022

4-12-2 District Regulations - Multi-Family Maximum Density Residential District (R-5)

~~A. Intent. This district is intended to provide for a compatible mixture of single and multi-family dwellings at a density higher than that for single and two family districts alone, plus the accessory public and semi-private uses offering services to the surrounding area.~~

~~B.A.~~ Permitted Uses. The following uses may be operated as permitted uses in the district:

1. single family detached dwellings;
2. ~~two-family dwellings;~~
3. multi-family dwellings, up to twelve units;
4. churches;
5. public or private elementary or secondary schools;
6. public park, playground and other public recreational facilities;
7. office space for a single user;
8. family day care home;
9. professional structures;

~~C.B.~~ Conditional Uses:

1. Childcare;
2. Foster care;

3. Clinics, assisted living, and nursing homes;
4. motels;
5. related uses of a similar type as approved by the Board of Adjustment;
6. recreational vehicle and campground district; (see district regulations 4-1314-1.)
7. home business.
8. bed and breakfast/short-term rental;
9. restaurant;
10. civic or community center;
11. mortuary/crematory

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D.C. Restrictions on use - Uses shall be subject to the following restrictions and limitations to preserve and enhance desirable neighborhood qualities:

1. Multiple Uses. Any number of permitted uses may be allowed on a single lot/development pad provided the specific use of some lots/development pads or structures may be limited based on access, parking limitations, or potential impacts to adjacent residential uses.
2. Storage Uses. Storage shall be limited to accessory storage of commodities sold at retail on the premises. All storage shall be completely enclosed within a structure unless otherwise approved by the planning commission. No commercial storage facility will be allowed.
3. Walls/Fences Between differing Use Districts. A six-foot-high solid wall/fence/screening or other approved buffer shall be constructed and maintained on all property lines which abut a residential use or zone district unless the property is separated from the residential use or zone district by a public road or alley. Walls or fences may be required to be set back from streets and alleys so as not to obstruct views.
4. Hours of Operation. No business shall be open to the public between the hours of ten p.m. and seven a.m. without a conditional use permit.
5. Uses in Structures. All uses shall be operated primarily within an enclosed structure. Limited seasonal outdoor displays and sales may be permitted if approved in the site plan review or by the Planning Commission.
6. Loading Areas Screened. All loading areas shall be screened from public view or from view from any adjacent residential use or zone district by a maintained wall or screened fence not to exceed ten feet in height.

E.D. Permitted Accessory Uses. Any use which complies with all of the conditions set forth under Section 4-11-8 may be operated as an accessory use to permitted use.

F.E. Minimum Area of Lot: 3,750 square feet.

- ~~1. The lot on which there is erected a detached single family dwelling, manufactured home or other permitted use of the district shall contain an area not less than 3,750 square feet.~~
- ~~2. The lot on which there is erected a two-family dwelling shall contain an area not less than 3,750 square feet.~~
- ~~3. The lot on which there is erected a multi-family dwelling shall contain an area not less than 1,250 square feet per dwelling unit and not less than 3,750 square feet in total.~~

G.F. Minimum Width of Lot: 50 40 feet from front setback line. FLAG AND PIE SHAPED LOTS

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H.G. Minimum Setback Requirements for PrinciplePrincipal Structures:

- 1. front yard: shall be 12 feet ~~or within deeded property and shall be no closer than the setback;~~
 - a. side yard: ~~5 feet;~~
 - (1) 5 feet unless there are existing utilities or platted utilities or drainage easements.
 - (2) 10' if there is an existing utility or platted utility or drainage easement
 - b. except that there shall be no side yard setback for the common wall side yard of a multi-plex as long as:
 - (1) all provisions of the current version of the City adopted building and fire codes are complied with, including but not limited to, an appropriate fire wall; and
 - (2) where units are to be sold and deeded separately each family dwelling unit shall be served by a separate water and sewer line.
- 2. ~~except that there shall be no side yard set back for the common wall side yard of a two-family dwelling, where each living unit, and 1/2 the land upon which the two-family dwelling is located, are sold separately, provided that the following criteria are met on each family dwelling:~~
- 3. ~~all provisions of the Uniform Structure Code and Uniform Fire Code are complied with, including but not limited to, an appropriate fire~~

- wall; and
- ~~4. each family dwelling unit is served by a separate water and sewer line.~~
- 2. rear yard: 10 feet or 20% of lot depth, whichever is smaller;
 - a. adjacent to an alley:
 - (1) 5 feet where there are no existing or planned utilities easements required
 - (2) 10 feet where there exists or are planned future utility easements required
 - b. with no alley: 15 feet or 20% of lot depth, whichever is smaller;
 - a.c. _____
- 5.3. side yard on flanking street on corner lot: shall be 12 feet or within ~~deeded property and shall be no closer than the setback; (City Code Section 4-11-9 must also be met)~~
- H. Maximum Number of Structures Containing Permitted Use per Lot: ~~two~~ **three** per lot or as otherwise provided herein.
- I. ~~Maximum number of Accessory Structures: three per lot~~
- J. Maximum Height of Principle Structures: ~~Three stories, not to exceed 40~~ **45** feet
- K. ~~Maximum Lot Coverage: 60%.~~

HISTORY

Amended by Ord. 1023 on 3/14/2000
Amended by Ord. 1152 on 1/13/2009
Amended by Ord. 1198 on 10/27/2015
Amended by Ord. 1236 on 11/10/2020

4-12-3 District Regulations - Single Family, Multi-Family Residential And Medical Services District (R-MED)

~~A. Intent. This district is intended to provide a compatible mixture of single and multi-family dwellings and general medical services at a density slightly higher than for single family districts alone, plus accessory public and semi-public uses offering services to the surrounding area.~~

Commented [RSF9]: Should we delete this designation and make it R-1 because it is surrounded by R-1? Medical clinics only allowed in R-5 but setbacks are currently similar to R-2. LMC and Showboat exist in this zone.

B.A. Permitted Uses. The following uses may be operated as permitted uses in the district:

- 1. single family detached dwelling;
- ~~2. two family dwellings;~~
- ~~3.2. multi-family dwellings (up to four units);~~
- ~~4.3. churches;~~
- ~~5.4. public or private elementary and secondary schools;~~
- ~~6.5. public park, playground and other public recreational facilities;~~
- ~~7.6. Medical offices, clinic, assisted living facility, skilled nursing facility. (Section 4-12-8(B) amended Ordinance 895 effective 4-12-93)~~
- ~~8.7. parking lots.~~

C.B. Conditional Uses:

- 1. Childcare;
- 2. Foster care;
- ~~3. medical clinics*;~~
- ~~4.3. hospitals*;~~
- ~~5. nursing homes*;~~
- ~~6.4. offices and office structures;~~
- ~~7.5. home business.~~
- ~~8.6. mortuary/crematory~~

*If this use encompasses two (2) structures or more on one (1) lot or is housed in one (1) structure having an area of twenty thousand (20,000) square feet or more, it shall only be reviewed by the Planning

Commission through the Development Plan process as outlined under Section 4-11-11 of this ordinance. ~~(Section 4-12-8(C) amended by Ordinance 887 effective 11-30-92)~~

D.C. Permitted Accessory Uses. Any use which complies with all of the conditions set forth under Section 4-11-8 may be operated as an accessory use to a permitted use.

E.D. Minimum Area of Lot. ~~The lot on which there is erected a detached single family dwelling, childcare, foster care, or medical clinics and all other permitted uses shall contain an area of not less than 6,000 square feet. The lot on which there is erected a multi-family dwelling shall contain an area not less than 4,000 square feet for each of the first two units, plus 3,000 square feet for each additional unit. 6000 square feet~~

F.E. Minimum Width of Lot: 50 feet front setback line.

F. Minimum Setback Requirements for Principal Structures:

1. front yard: 23 feet;

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2. side yard: 10 feet; except that there shall be no side yard setback for the common wall side yard of a multi-family or multi-office-plex as long as:

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a. all provisions of the current version of the City adopted building and fire codes are complied with, including but not limited to, an appropriate fire wall; and

b. where units are to be sold separately and ownership of the land is deeded separately each family dwelling unit shall be served by a separate water, sewer and all utilities where there is no homeowners association.

c. where units are to be sold separately without ownership of the land, separate utilities are optional with proof of how the utility billing will be handled in a Homeowners association recorded document.

3. rear yard:

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a. adjacent to an alley:

(1) 5 feet where there are no existing or planned utilities easements required

(2) 10 feet where there exists or are planned future utility easements required

b. with no alley 15 feet or 20% of lot depth, whichever is smaller;

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G.F.

1. front yard: 28 feet;

2. side yard: 10 feet;

3. rear yard: 20 feet or 20% of lot depth, whichever is smaller;

4-1. side yard on flanking street or corner lot: 23 feet.

H.G. Maximum Number of Structures Containing Permitted Use Per Lot: one per lot or as otherwise provided approved for medical facilities herein.

H. Maximum Height of Principle Structures: 30-45 feet.

~~J. Maximum Lot Coverage:~~

- ~~1. detached single family dwelling, childcare, foster care, or medical clinics: 40%.~~
- ~~2. multi-family dwellings, all other permitted uses in the district: 50%.~~

HISTORY

Amended by Ord. 1023 on 3/14/2000

Amended by Ord. 1152 on 1/13/2009

Amended by Ord. 1198 on 10/27/2015

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

~~A. Intent. This district is intended to provide locations for all retail, commercial, institutional and office uses necessary for a community.~~

~~B.A. Permitted Uses. The following uses may be operated as permitted uses in the district:~~

1. ~~small business machine sales, repair and service;~~
2. amusement place or event center (not to include adult rated book store or uses of similar type),
3. ~~antique shop and store, providing all merchandise is displayed and sold inside a structure;~~
4. ~~apparel and accessory store;~~
5. ~~3. art and art supply stores;~~
6. ~~4. auditorium and similar places of public assembly;~~
7. ~~5. automobile and manufactured home sales, service and repair, new and used;~~
8. ~~auto supply store;~~
9. ~~6. banks and other savings and lending institutions;~~
10. ~~barber and beauty shops;~~
11. ~~bicycle shop;~~
12. ~~books and stationery store;~~
13. ~~business and technical school and school for photography, music and dancing;~~
14. ~~carpenter and cabinet shop;~~
15. ~~church and parish house;~~
16. ~~cigar and tobacco store;~~
17. ~~7. clothing and costume rental;~~
18. ~~8. commercial recreational use facility;~~
19. ~~9. commercial storage facilities;~~
20. ~~custom dressmaking, furrier, millinery, or tailor shop;~~
21. ~~delicatessen and catering establishment;~~
22. ~~department store;~~
23. ~~drug store and prescription shop;~~
24. ~~dry good and notion store;~~
25. ~~dry cleaning and laundry establishment,;~~
26. ~~electric repair shop (household appliances);~~
27. ~~10. fire station, police station and jail;~~

- ~~28. fix-it shop (radio, television, and small household appliances repair);~~
- ~~29. florist and gift shop;~~
- ~~30. furniture and home furnishing store;~~
- ~~31. garden shop;~~
- ~~32.11.garage (public and private);~~
- ~~33.12.gasoline filling station;~~
- ~~34. greenhouse and nursery (place where young trees or other plants are raised for experimental purposes for transplanting, or for sale);~~
- ~~35. grocery store (including retail meat markets and produce stores);~~
- ~~36. hardware store;~~
- ~~37. hobby, stamp and coin store;~~
- ~~38.13.hotel and motel and other temporary lodging accommodations;~~
- ~~39. household appliance store;~~
- ~~40. implement sales and service;~~
- ~~41. interior decorator's shop;~~
- ~~42. jewelry and metal craft store;~~
- ~~43. leather goods and luggage store;~~
- ~~44.14.library and museum;~~
- ~~45. lock and key shop;~~
- ~~46. lumber yard;~~
- ~~47. mail order catalog store;~~
- ~~48.15.medical, dental and health clinic;~~
- ~~49. medical and orthopedic appliance store;~~
- ~~50. messenger or telegraph service station;~~
- ~~51.16.mortuary/crematory~~
- ~~52. music instrument sales and repair shop;~~
- ~~53. music studio, radio and television store;~~
- ~~54. newspaper office;~~
- ~~55. newsstand;~~
- ~~56.17.offices and office structure including professional services;~~

- ~~57. office supply and office equipment store;~~
- ~~58. optician and optometrists shop;~~
- ~~59. package liquor store;~~
- ~~60. paint store;~~
- ~~61.18. parking of vehicles;~~
- ~~62. pawn shop;~~
- ~~63. pet shop;~~
- ~~64. photographic equipment and supply store;~~
- ~~65. photographic studio;~~
- ~~66. picture frame shop;~~
- ~~67. plumbing shop;~~
- ~~68. printing and publishing house (including newspapers);~~
- ~~69.19. private club, fraternity, sorority and lodge;~~
- ~~70.20. public or private school for elementary or secondary education;~~
- ~~71.21. radio and television studio including commercial towers permitted as a conditional use;~~
- ~~72. rental store;~~
- ~~22. restaurant, bar and tea room and food service establishments (including "drive-ins");~~
- ~~73.23. Retail establishment;~~
- ~~74. self-service laundry;~~
- ~~75. sewing machine store;~~
- ~~76. sheet metal shop;~~
- ~~77. shoe store;~~
- ~~78. shoe repair and shoe shine shop;~~
- ~~24. school including public, private, vocational, and higher education;~~
- ~~79.25. short-term rentals~~
- ~~80.26. single & multi-family dwellings;~~
- ~~81. sporting and athletic goods store;~~
- ~~82. tailor shop;~~
- ~~83. tavern or lounge;~~
- ~~84.27. theater, including drive-in theater;~~

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85. tire repair shop;

86. tinsmith shop;

~~87. toy store;~~

~~88. travel agency;~~

~~89. variety store and shop;~~

~~90.28~~ veterinary clinic, providing all animal runs or observation pens are completely enclosed;

~~91. vocational school;~~

~~92. wallpaper store and shop;~~

~~93. watch repair shop;~~

~~94.29~~ wholesale establishment;

~~95.30~~ essential public utility and public service installation;

C.B. related uses of similar type as determined by the Board of Adjustment;

D.C. Minimum Area of Lot: ~~None~~ 3,750 square feet

E.D. Minimum Width of Lot: 30 feet on public street excepting Main Street where original Town of Lander lots were platted at 25 feet wide.

F.E. Minimum Setback Requirements for Principal Structures:

1. front yard: 8 feet; excepting Main Street where original Town of Lander lots were platted and constructed with no setback

2. side yard

a. on flanking street on corner lot: 8 feet

Commented [RSF10]: Add utility language

a.b. no setback required where there are common wall buildings that meet all currently adopted building codes provided there are no existing or platted utility easements.

~~2.3~~ When a lot or parcel of ground in the district adjoins a residential district, the setback requirements that apply to the yard area of the residential district shall be required, ~~otherwise no setbacks would be required.~~

~~3.4~~ When a parcel of ground or lot adjoins a residential district at the rear yard, a six foot high solid wall/fence or other approved buffer shall be required.

G.F. Maximum Height of Structures: ~~45~~ 55 feet

H.G. Conditional Uses:

1. Recreational vehicle and campground district (see district regulations 4-13-01);

2. gaming (subject to the mandatory conditions et forth in 4-16-1; and the off-street parking requirement of 4-11-10(C);

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- 3. commercial communications towers and antennas;
- 4. Child Care;
- 5. Foster care

~~6.~~ related uses of similar type as approved by the Board of Adjustment
H. Permitted Accessory Uses. Any use which complies with all of the conditions set forth under Section 4-11-8 may be operated as an accessory use to a permitted use;

I. Maximum number of structures containing an accessory use: no limit

1. Commercial Districts are exempt from placement permits under Section 4-11-8, Portable and Temporary Storage Structures.

I-J. Maximum number of structures containing permitted use: no limit

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HISTORY

Amended by Ord. 1023 on 3/14/2000

Amended by Ord. 1152 on 1/13/2009

Amended by Ord. 1198 on 10/27/2015

4-12-5 District Regulations - Manufacturing And Light Industrial District (M-1)

A. Intent. This district is intended to allow a compatible mixture of light industrial uses which do not require intensive land coverage, generate large volumes of traffic or create obnoxious sounds, glare, dust or odors. District regulations insure compatibility with adjacent or nearby residential areas.

B. Permitted Uses. The following uses may be operated as permitted uses in this district:

- 1. airport;
- 2. ~~animal hospital, providing it is completely enclosed in a structure;~~
- 3. assembly or fabrication from component parts or from materials already processed or manufactured into their final usable state;
- 4. armory;
- 5. automobile sales, service and repair;
- 6. ~~bottling plant;~~
- 7-6. structure for material storage or sales (except for ready-mix concrete);
- 8. ~~carpenter, cabinet, plumbing or sheet metal shop;~~
- 9. ~~contractor's yard for vehicles, equipment and supplies;~~
- 10. ~~dry cleaning or laundry plant;~~
- 11-7. fire station;
- 12-8. frozen food locker;
- 13-9. grain elevator and feed mill;
- 14. ~~grain elevator;~~
- 15-10. greenhouse and plant husbandry;

46. 11. laboratory;

47. 12. machinery and implement sales, service and repair;

48. ~~monument making and sales;~~

49. ~~motor vehicle sales, service, repair and storage;~~

- ~~20-13~~ mortuary/crematory
- ~~21-14~~ oil field supply sales and storage;
- ~~22-15~~ office including commercial, industrial and professional;
- ~~23-16~~ police station;
- ~~24- printing and publishing~~;
- ~~25-17~~ parking or storage of vehicles, towing yards not to include crushing and dismantling;
- ~~26-18~~ radio or television transmitting station including communication towers and Antennas permitted as a conditional use;
- ~~27- railway right-of-way~~;
- ~~28-19~~ restaurant, bar, and food establishment;
- ~~29-20~~ storage of used material, auto wrecking, salvage, paper, scrap, bottles or rags;
- ~~30-21~~ truck, bus, or-rail or other transportation terminal;
- ~~31- upholstering shop~~;
- ~~32-22~~ veterinarian clinic,
- ~~33-23~~ vocational or training school;
- ~~34-24~~ warehousing or storage;
- ~~35- welding shop~~;
- ~~36-25~~ wholesaling wholesale establishment;
- ~~37-26~~ public utility and public service installation.
- ~~38-27~~ single Family Dwelling lived in by the owner, caretaker or watchman.

C. Conditional Uses.

1. Commercial Communications Towers and Antennas;
2. Junk Yard
3. Any other manufacturing or industrial use judged by the Board of Adjustment to be no more detrimental to adjacent properties than any of the same type and character as the permitted uses listed above.

D. Permitted Accessory Uses. Any use which complies with all of the conditions set forth under Section 4-11-8 may be operated as an accessory use to a permitted use;

D.E. Maximum number of structures containing an accessory use: no limit

E.F. Minimum Area of Lot: None-3,750 square feet.

F.G. Minimum Width of ~~Lot: None~~ 30 feet.

G.H. Minimum Setback Requirements: Add side yard and utility easement language here when a parcel of ground or lot adjoins a residential district an eight foot high solid fence or other approved buffer shall be required.

H.I. Maximum Height of Structures: None.

I.J. Maximum Number of Structures Containing Permitted Use Per Lot: None

HISTORY

Amended by Ord. 1152 on 1/13/2009

Amended by Ord. 1198 on 10/27/2015

4-12-6 District Regulations - Public Land District (P-L)

A. Intent. This district is intended to provide for the proper location of necessary public utilities, facilities and activities both for the existing and future urban area.

B. Permitted Uses. The following uses may be operated as permitted uses in the district:

- 1. essential public utility and public service installation;
- 2. governmental structures;
- 3. public schools;
- 4. public parks and recreational facilities;
- 5. Healthcare facilities;
- ~~6.~~ Airport;
- ~~6-7.~~ Publicly owned bus, rail, or other transportation terminal
- ~~7-8.~~ Parking lot.

C. Conditional Use.

- 1. Commercial Communications Towers and Antennas
- ~~2. Any other public facility or activity judged by the Board of Adjustment to be in harmony with the intent of the district.~~

~~3-2.~~ Childcare;

~~3.~~ Foster care,

4. Educational facilities

5. Other uses of a similar type as approved by the Board of Adjustments

D. Accessory Use. Any use which complies with all of the conditions set forth under Section 4-11-8 may be operated as an accessory use to a permitted use.

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D.E. Maximum number of structures containing permitted use: No limit

E.F. Minimum Area of Lot: None-3,750 square feet

F.G. Minimum Width of Lot: ~~None~~ 2530 feet

G.H. Minimum Setback Requirements for Principal Structures:

1. front yard: 8 feet;
2. side yard ~~on flanking street on corner lot~~: 8 feet provided that there are no existing or platted utility easements.
3. When a lot or parcel of ground in the district adjoins a residential district, the setback requirements that apply to the yard area of the residential district shall be required, ~~otherwise no setbacks would be required.~~
4. When a parcel of ground or lot adjoins a residential district at the rear yard, an eight foot high solid fence or other approved buffer shall be required.

Commented [RSF11]: Add utility easement language.

H.I. Maximum Height of Principle Structures: None

I.J. Maximum Number of Structures Containing Permitted Use Per Lot: None

HISTORY

Amended by Ord. 1041 on 4/10/2001
 Amended by Ord. 1093 on 4/26/2005
 Amended by Ord. 1152 on 1/13/2009
 Amended by Ord. 1198 on 10/27/2015

4-12-7 Regulating And Restricting The Height Of Structures And Objects In The Vicinity Of Hunt Field Airport

Commented [RSF12]: Use TO suggestions and reference FAA requirements

Intent. This Ordinance is adopted pursuant to the authority conferred upon the City by Section 10-5-301, Wyoming Statutes, 1977, as amended. It is hereby found that an airport hazard endangers the lives and property of users of Hunt Field Airport, a Municipal airport, and property or occupants of land in its vicinity, and also if the obstruction type, in effect reduces the size of the area available for the landing, takeoff, and maneuvering of aircraft, thus tending to destroy or impair the utility of the Hunt Field Airport and the public investment therein. The City of Lander declares that:

- A. that the creation or establishment of an airport hazard is a public nuisance and an injury to the region served by Hunt Field Airport;
- B. that it is necessary in the interest of the public health, public safety, and general welfare that the creation or establishment of airport hazards be prevented; and
- C. that the prevention of these hazards should be accomplished, to the extent legally possible, by the exercise of the police power without compensation;
- D. that both the prevention of the creation or establishment of airport hazards and the elimination, removal, alteration, mitigation, or marking and lighting of existing airport hazards are public purposes for which political subdivision may

raise and expend public funds and acquire land or interest in land;