

Per Ordinance 1011 the Short-Term Rental Code citation should be 16.6.31 (MuniCode put it under 16.3.17.6).

**ORDINANCE NO. 1013**

**AN ORDINANCE AMENDING Table 4-2 AND Table 5.8-2 AND SECTIONS 16.6.31 AND 16.6.24.3(i) OF THE DOUGLAS MUNICIPAL CODE**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF DOUGLAS, WYOMING,** that:

**WHEREAS,** the City of Douglas (City) Council finds and determines that the following changes and clarifications need to be made in regard to the City of Douglas Municipal Code; and

**WHEREAS,** consideration has been given to ensure fairness to all City of Douglas residents and make new regulations reasonable.

**NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF DOUGLAS, WYOMING,** that:

**Section 1.** Table 4-2 of the Douglas Municipal Code is hereby amended to read as follows:

**Table 4-2 Density and Dimensional Standards for all Agricultural, Residential, Manufactured Home, and Mobile Home Standard Zoning Districts.**

Zoning District	Minimum Lot Size/ Maximum Density	Minimum Lot Width in Feet	Minimum Building Setbacks in Feet Principal (Accessory)			Maximum Building Coverage	Maximum Building Height in Feet principal (Accessory) see footnote 5 below)	Maximum Accessory Building Size
			Front	Rear	Side			
<b>A</b>	20 acres	300	50 (50)	25 (25)	25 (25)	25%	35 (35)	3,000 sq. ft. or 75% of the principal building footprint, whichever is larger
<b>RR</b>	2 acres	150	35 (35)	25 (25)	25 (25)	25%	35 (35)	2,000 sq. ft. or 75% of the principal building footprint, whichever is larger
<b>R-1</b>	6,500 sq. ft.	60	15 <sup>1</sup>	<u>7.5</u> (7.5 <sup>1</sup> )	<u>7.5</u> <sup>2</sup> (7.5 <sup>1,2</sup> )	40%	35(18 <sup>1</sup> )	1,000 sq. ft. or 75% of the principal building footprint, whichever is larger
<b>R-2</b>	Single-Family 5,000 sq. ft	60	15	<u>7.5</u> (7.5 <sup>1</sup> )	<u>7.5</u> <sup>2</sup> (7.5 <sup>1,2</sup> )	50%	35 (18 <sup>1</sup> )	1,000 sq. ft. or 75% of the principal building footprint, whichever is larger
	Townhouse/Twin House Unit 3,000 sq. ft	18	15	<u>7.5</u> (7.5 <sup>1</sup> )	<u>7.5</u> <sup>2</sup> (7.5 <sup>1,2</sup> )	60%	35 (18 <sup>1</sup> )	
	Duplex Unit 3,000 sq. ft.	60	15	<u>7.5</u> (7.5 <sup>1</sup> )	<u>7.5</u> <sup>2</sup> (7.5 <sup>1,2</sup> )	50%	35 (18 <sup>1</sup> )	
<b>R-3</b>	Single-Family 5,000 sq. ft	60	15	<u>7.5</u> (7.5 <sup>1</sup> )	<u>7.5</u> <sup>2</sup> (7.5 <sup>1,2</sup> )	50%	50 (18 <sup>1</sup> )	1,000 sq. ft. or 75% of the principal building footprint, whichever is larger
	Townhouse/Twin House Unit 3,000 sq. ft w/ 2,000 sq. ft. of lot area per unit for multiple units on a lot	18	15	<u>7.5</u> (7.5 <sup>1</sup> )	<u>7.5</u> <sup>2</sup> (7.5 <sup>1,2</sup> )	60%	50 (18 <sup>1</sup> )	

Zoning District	Minimum Lot Size/ Maximum Density	Minimum Lot Width in Feet	Minimum Building Setbacks in Feet Principal (Accessory)			Maximum Building Coverage	Maximum Building Height in Feet principal (Accessory) see footnote 5 below)	Maximum Accessory Building Size
			Front	Rear	Side			
	Duplex Unit 3,000 sq. ft. w/ 2,000 sq. ft. of lot area per unit for multiple units on a lot	60	15	<u>7.5</u> (7.5 <sup>1</sup> )	<u>7.5</u> <sup>2</sup> (7.5 <sup>1,2</sup> )	50%	50 (18 <sup>1</sup> )	
	Multi-Family 2,000 sq. ft. of lot area per unit for multiple units on a lot	60	15	<u>7.5</u> (7.5 <sup>1</sup> )	<u>7.5</u> <sup>2</sup> (7.5 <sup>1,2</sup> )	60%	50 (18 <sup>1</sup> )	
<b>R-4</b>	Single-Family 5,000 sq. ft	60	15	<u>7.5</u> (7.5 <sup>1</sup> )	<u>7.5</u> <sup>2</sup> (7.5 <sup>1,2</sup> )	50%	50 (18 <sup>1</sup> )	1,000 sq. ft. or 75% of the principal building footprint, whichever is larger
	Townhouse/Twin House Unit 3,000 sq. ft w/1,800 sq. ft. of lot area per unit for multiple units on a lot	18	15	<u>7.5</u> (7.5 <sup>1</sup> )	<u>7.5</u> <sup>2</sup> (7.5 <sup>1,2</sup> )	60%	50 (18 <sup>1</sup> )	
	Duplex Unit 3,000 sq. ft./1,800 sq. ft. of lot area per unit for multiple units on a lot	60	15	<u>7.5</u> (7.5 <sup>1</sup> )	<u>7.5</u> <sup>2</sup> (7.5 <sup>1,2</sup> )	50%	50 (18 <sup>1</sup> )	
	Multi-Family 1,800 sq. ft. of lot area per unit for multiple units on a lot	60	15	<u>7.5</u> (7.5 <sup>1</sup> )	<u>7.5</u> <sup>2</sup> (7.5 <sup>1,2</sup> )	60%	50 (18 <sup>1</sup> )	
<b>RE</b>	Four (4) times the Main Structure Floor Area, excluding basement, or 20,000, whichever is larger	100	35	20 (10 <sup>1</sup> )	20 <sup>3</sup> (10 <sup>1</sup> )	30%	35 (18 <sup>1</sup> )	1,000 sq. ft. or 75% of the principal building footprint, whichever is larger

Zoning District	Minimum Lot Size/ Maximum Density	Minimum Lot Width in Feet	Minimum Building Setbacks in Feet Principal (Accessory)			Maximum Building Coverage	Maximum Building Height in Feet principal (Accessory) see footnote 5 below)	Maximum Accessory Building Size
			Front	Rear	Side			
MH-1	5,000 sq. ft. (3,000 sq. ft. for lots of record)	50	15	7.5 (7.5 <sup>1</sup> )	7.5 <sup>2</sup> (7.5 <sup>1,2</sup> )	40%	35(18 <sup>1</sup> )	1,000 sq. ft. or 75% of the principal building footprint, whichever is larger
MH-2	<u>Density</u> Maximum of 8 DU/acre	50	MHP 25 foot minimum setback from public right-of-way. 20 feet min. between mobile homes, MHP structures, and single-family residences. 15 feet min. between adjoining single-family residences.			40%	35(18 <sup>1</sup> )	1,000 sq. ft. or 75% of the principal building footprint, whichever is larger
	<u>Minimum Size</u> MHP min. size of 1/2 acre		<u>MHP Residence</u> 25	<u>MHP Residence</u> 10 (7.5 <sup>1</sup> )	<u>MHP Residence</u> 10 (7.5 <sup>1</sup> )			

1. Accessory structures are only allowed in the side or rear yards and if in compliance with the accessory structure setbacks. Accessory structures are not allowed in the front yard. One-story detached accessory buildings used as storage sheds, playhouses, and similar uses are not required to comply with the accessory building setback requirements if the building complies with each of the following: a) the building is 200 square feet or less, b) the building is located in the side or rear yard, and c) the building is not constructed on a permanent foundation.
2. If a side yard fronts a street (e.g., a corner lot), then the side yard setback for the side adjacent to the street shall be 15 feet.
4. The height limits in this section shall not apply to: a) chimneys, conveyors, derricks, flagpoles, radio or television towers, masts and aerials, silos, smokestacks, transmission towers, or power transmission line poles; b) churches, hospitals, sanitariums, schools, or other public buildings provided that the minimum side and rear yard setbacks are increased by an additional foot for each additional foot of height in excess of the maximum height in the respective zoning district; no building shall exceed 50 feet in height; and c) no man-made edifice shall protrude into the minimum requirements for the Converse County Airport approach zones; such minimum requirements shall be delineated by the adopted Converse County Airport obstruction and approach zone map.

**Section 2.** Table 5.8-2 of the Douglas Municipal Code is hereby amended to read as follows:

**Table 5.8-2 Minimum Parking Requirements by Use**

USE	PARKING REQUIREMENTS
All uses located within the CB-1 (Central Business) zoning district	Exempt, unless otherwise required pursuant to Section 5.8.1.C
Art galleries, public libraries, or museums	1 space per 500 square feet of gross floor area
Amusement centers (indoor/outdoor), theatres, athletic or recreational facilities, and similar uses	1 space per 4 seats or per 4 persons of design occupancy
Automobile repair shop	2 spaces per service bay
Automobile sales, with indoor sales or display area	1 standard size space per vehicle on display, plus 1 space per 250 square feet of gross indoor floor area
Banks, financial institutions	1 space per 250 gross square feet of area
Bars or nightclubs	1 space per 3 persons of designed occupancy
Bowling alleys	6 spaces per bowling lane
Educational institution, primary and junior	3 spaces per each classroom and an additional space per 60 square feet of area for office, gymnasium or assembly hall uses
Educational institution, high schools, vocational/trade schools, colleges	1 space per 2 student design occupancy, plus 1 space per 60 square feet of office space, gymnasium or assembly hall uses
Gas station, convenience store	2 spaces per fueling station, plus 1 space per 250 gross square feet of retail area
Hospitals, assisted living	1 space per 2 patient beds
Hotels, motels, bed and breakfast	1 space per guest room, plus 1 space per resident manager
Manufacturing and industrial uses	Sufficient space for all company vehicles and 1 space per non office employee during largest shift. 1 space per 250 square feet of office space
Offices, medical, and professional	1 space per 250 gross square feet of office area
Religious institutions	1 space per 4 seats or 4 persons of design occupancy
Restaurants, drive in only, no seating	1 per 50 square feet of restaurant serving area
Restaurants, with drive-thru	1 space per 3 persons of total design occupancy
Restaurants, without drive-thru, family style	1 space per 3 persons of total design occupancy
Residential, including single and multi-family, travel trailer and mobile home parks	2 spaces per unit or travel trailer or mobile home lot, a garage may be counted for 1 required space
Retail	1 space per 200 gross square feet of retail area
Wholesale commercial	1 space per 600 gross square feet

**Section 3.** Section 16.6.31 of the Douglas Municipal Code is hereby amended to read as follows:

**6.31 - Short-Term Rentals**

**6.31.1 Intent**

This section is intended to provide regulations for short-term rentals in a manner that protects both the quality and the safety of the community, maintains local housing stock, and benefits the local and tourism economy.

**6.31.2 Definitions**

“Short-Term Rental” means the provision of a room or space that is suitable or intended for occupancy for dwelling, sleeping, or lodging purposes, but no provided meal, for a period of fewer than 30 consecutive days, in exchange for a charge for the occupancy.

**6.31.3 Prohibitions**

- a. No short-term rental shall be permitted within 1,000 feet, including public right-of-way, of a school building in which children attend classes measured from the center point of the school building.
- b. No more than two (2) short-term rentals shall be permitted within one block on the same street in any residential zone.
- c. No short-term rental shall be permitted in a multi-family dwelling with more than four (4) units.
- d. No person shall sublet a short-term rental unit.
- e. Short-Term Rental permits are nontransferable.

**6.31.4 Occupancy and Parking**

- a. Occupancy is limited to three (3) persons per sleeping-room listed for rent.
- b. One (1) off-street parking space shall be provided for short-term rentals in residential zones.

**6.31.5 Permit Required**

Approval of a conditional use permit, pursuant to the requirements in Chapter 3 of this Code, shall be required to for the operation of a short-term rental.

**6.31.6 Lodging and Sales Tax**

Short-term rental unit owners are subject to, and responsible for, collecting and remitting all applicable taxes, specifically including the sales and lodging tax.

**6.31.7 Compliance with Building and Fire Codes**

All short-term rental units are subject to the applicable building and fire codes. Properties being renovated to accommodate short-term rentals shall apply for a building permit and are subject to all applicable building and fire codes.

**6.31.8 Safety Inspections**

All short-term rentals are subject to safety inspections as deemed reasonably necessary by the Community Development Department.

**6.31.9 No Separate Utility Meters**

All electric, gas, sewer, and water services to boarding and rooming accommodations shall be interconnected to and indistinguishable from that of the principal residential structure and shall not have separate meters, service lines, or billing.

**6.31.10 Violation, Advertising**

Advertising of a short-term rental without the appropriate City permit shall be considered a violation and shall be subject to the enforcement provisions of Chapter 9 of this Code.

**Section 4.** Douglas Municipal Code Sections 1.04.050, 1.04.060 and 2.08.060, by reference, are incorporated herein and made a part hereof.

**PASSED AND APPROVED ON FIRST READING** this \_\_\_\_ day of \_\_\_\_\_, 2022.

**PASSED AND APPROVED ON SECOND READING** this \_\_\_\_ day of \_\_\_\_\_, 2022.

**PASSED, APPROVED, AND ADOPTED** on Third and Final Reading this \_\_\_\_ day of \_\_\_\_\_, 2022.

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René Kemper, Mayor

**Attest:**

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Chaz Schumacher, City Clerk

Published: \_\_\_\_\_, 2022

**ATTESTATION**

I, Chaz Schumacher, the Clerk of the City of Douglas, Wyoming, do hereby attest and state that the above ordinance was published/posted in the manner required by law and that all procedures required by Wyoming State law were complied with.

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Chaz Schumacher, City Clerk