

CITY OF CODY
PLANNING, ZONING AND ADJUSTMENT BOARD
TUESDAY APRIL 26, 2022
CITY HALL COUNCIL CHAMBERS @ 12:00 NOON

1. Call meeting to order
2. Roll Call, excused members
3. Pledge of Allegiance
4. Approval of Agenda for the April 26, 2022 regular meeting.
5. Approval of Minutes from the April 12, 2022 regular meeting.
6. New Business:
 - A. Public Hearing to consider rezoning 1614, 1626, & 1634 Alger Avenue from Residential (R-3) to Limited Business (D-1). (Note: The owner of 1608 Alger Avenue, who initiated this rezone in coordination with the potential purchaser, has withdrawn the request to rezone that property and withdrawn the associated special exemption related to parking.)
 - B. Review request to rezone 1614, 1626 and 1634 Alger Avenue. (Note: No staff report has been prepared for these remaining properties. Staff recommends no action be taken on the rezone request-allow it to die for lack of motion. Neighbor comments are attached.)
 - C. Public Hearing for the rezone of 2310 and 2302 Mountain View Drive from Industrial (E) to General Business (D-2).
 - D. Rezone request for 2310 and 2302 Mountain View Drive from Industrial (E) to General Business (D-2).
 - E. Review the preliminary plat for the Sunridge 2-lot minor subdivision, located at 1937 29th Street.
 - F. Review the preliminary plat for the McKinney 31st Street 2-lot minor subdivision, located at 1832 31st Street.
7. P & Z Board Matters (announcements, comments, etc.)
8. Council Update
9. Staff Items
10. Adjourn

The public is invited to attend all Planning, Zoning and Adjustment Board meetings. If you need special accommodations to participate in the meeting, please call the City office at (307) 527-7511 at least 24 hours in advance of the meeting.

City of Cody
Planning, Zoning, and Adjustment
Board Meeting April 12, 2022

A meeting of the City of Cody Planning, Zoning and Adjustment Board was held in the Council Chambers of City Hall in Cody, Wyoming on Tuesday, April 12, 2022 at 12:00 pm.

Carson Rowley called the meeting to order at 12:00 pm, followed by the pledge of allegiance.

Present: Carson Rowley; Mathew Moss; Scott Richard; Andrew Murray; Ian Morrison; Council Liaison Andy Quick; City Planner Todd Stowell; Administrative Coordinator Bernie Butler; City Deputy Attorney Sandee Kitchen (present by phone).

Absent: Cayde O'Brien; Karinthia Herweyer

Ian Morrison moved to approve the agenda for the April 12, 2022 regular meeting, seconded by Scott Richard. Vote on the motion was unanimous, motion passed.

Scott Richard moved to approve the minutes from the March 29, 2022 special meeting, seconded by Andrew Murray. Vote on the motion was unanimous, motion passed.

City Planner Todd Stowell reviewed the final plat for the 2-lot Pederson Minor Subdivision, located at 225 Robert Street. The property will divide a 1.5-acre property into two lots. The lot is zoned R-3 medium-high density residential.

The subdivision ordinance requirements were reviewed with the preliminary plat. Todd gave the status of the preliminary plat conditions along with the variances approved.

A pathway improvement plan for the subdivision was included with the final plat. The applicant could make a payment to the City for the estimated cost of the pathway and the City would include its construction as part of a larger project.

The water distribution plan has been approved by Cody Canal. Construction will need to be completed prior to a building permit being issued for Lot 16B or any additional dwelling on Lot 16A, whichever occurs first. The piping of the irrigation ditch has also been approved by Cody Canal.

Scott Richard made a motion, seconded by Mathew Moss to recommend to City Council the approval of the final plat for the 2-lot Pederson Minor Subdivision, with recommendations 1-7 in the staff report. Vote on the motion was unanimous, motion passed.

City Planner Todd Stowell discussed the initial draft amendments to the Zoning Ordinance. The Board members will review the proposed edits, and analyze the accompanying sections of the code to identify any additional modifications that should be made. Discussion of the draft changes will continue at the Planning, Zoning, and Adjustment Board meetings as the agenda allows.

Ian Morrison made a motion, seconded by Andrew Murray to adjourn the meeting. Vote on the motion was unanimous. Chairman Carson Rowley adjourned the meeting at 12:43 pm.

Bernie Butler

Bernie Butler, Administrative Coordinator

Notice to Owners of Neighboring Properties:

Please return your comments by April 19, 2022 to:

Date: March 30, 2022

Cody City Planner

P.O. Box 2200

RE: **REQUEST FOR REZONING**

Cody, WY 82414

Or, send an email to: todds@cityofcody.com

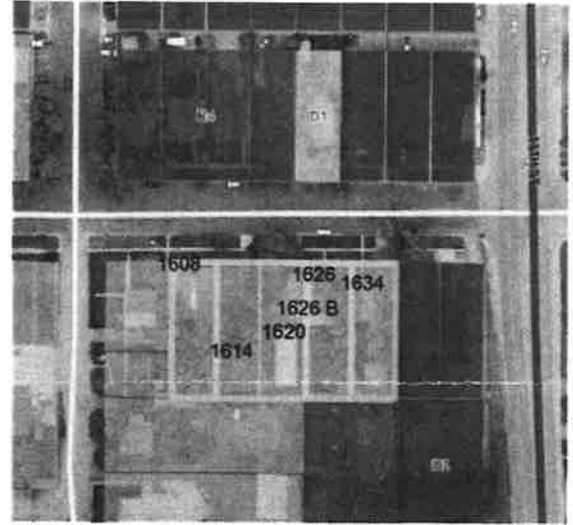
THE CITY OF CODY HAS RECEIVED AN APPLICATION TO REZONE THE PROPERTY IDENTIFIED BELOW. YOUR COMMENTS WOULD BE APPRECIATED.

Applicant Name(s): Bill Blake, Sheron Porter, Linda Johnson

Subject Properties: 1608, 1614, 1626, and 1634 Alger Avenue.

Property is described as Lots 3 through 7,
Block 47, Original Town (now City) of Cody
(Book "E", Page 58).

Description of Request: Rezone the subject property from
Medium-High Density Residential (R-3) to Limited Business (D-1).
To view the zoning and development standards for the D-1 Zone
see Title 10 of the City of Cody Code. <https://codelibrary.amlegal.com/codes/codywy/latest/overview>



This request will be considered at a public hearing held by the City of Cody Planning & Zoning Board at their regularly scheduled meeting on Tuesday, April 26, 2022 at 12:00 p.m. in the City Hall Council Chambers, at 1338 Rumsey Ave. Anyone is welcome to attend and comment at the public hearing. After the public hearing, the Board will make a recommendation for consideration by the City Council at a later date—likely at the Council's May 5, 2022 meeting at 7:00 pm.

Response Letter from Owners of Neighboring Properties within 140 feet of the Subject Property:
(Responses may be submitted in any written format. The following form is provided for your convenience.)

Dear Planning and Zoning Board Members:

I am familiar with the proposed rezone to Limited Business (D-1).

☐ I have NO OBJECTION to the rezone request.

Name _____

Address: _____

Comments: _____

☒ I OBJECT to the rezone request:

Name: Triple B Partnership (Bush family)

Address: 1316 16th Street (and 1320)

Reason for Objection: parking issue (see attached sheet)

If you would like to receive a copy of the Planning and Zoning Board agenda materials for this request, please provide your email address: E-mail address: _____

Response Letter from Owners of Neighboring Properties within 140 feet of the Subject Property:
(Responses may be submitted in any written format. The following form is provided for your convenience.)

Dear Planning and Zoning Board Members:

I am familiar with the proposed rezone to Limited Business (D-1).

☒ I have NO OBJECTION to the rezone request.

Name Sheron L. Porter

Address: 1614 Alger Ave. Cody 587-5645

Comments: I own 3 lots

1614 Alger Ave & 1626 Alger Ave & lot between

☐ I OBJECT to the rezone request:

Name: _____

Address: _____

Reason for Objection: _____

If you would like to receive a copy of the Planning and Zoning Board agenda materials for this request, please provide your email address: E-mail address: _____

Response Letter from Owners of Neighboring Properties within 140 Feet of the Subject Property:
(Responses may be submitted in any written format. The following form is provided for your convenience.)

Dear Planning and Zoning Board Members:

I am familiar with the proposal by for the Special Exemption request described above.

☒ I have NO OBJECTION to the Special Exemption request.

Name Sheron L. Porter

Address: 1614 Alger Ave. Cody

Comments: _____

I own 1614 & 1626 Alger & lot in between.

☐ I OBJECT to the Special Exemption request:

Name: _____

Address: _____

Reason for Objection: _____

If you would like to receive a copy of the Planning and Zoning Board agenda materials for this request, please provide your email address: E-mail address: _____

Notice to Owners of Neighboring Properties:

Date: March 30, 2022

RE: **REQUEST FOR REZONING**

Please return your comments by April 19, 2022 to:

Cody City Planner

P.O. Box 2200

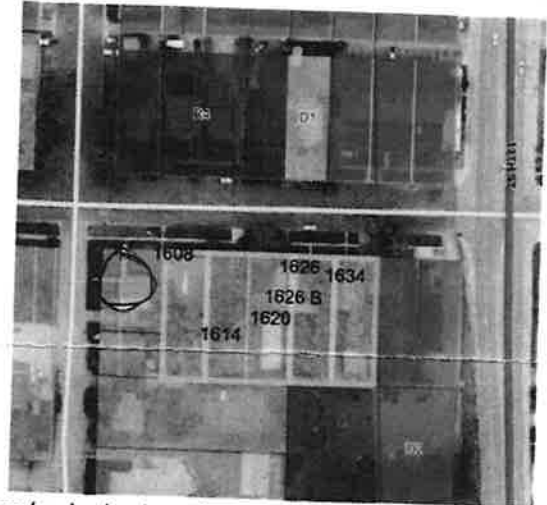
Cody, WY 82414

Or, send an email to: todds@cityofcody.com

THE CITY OF CODY HAS RECEIVED AN APPLICATION TO REZONE THE PROPERTY IDENTIFIED BELOW. YOUR COMMENTS WOULD BE APPRECIATED.

Applicant Name(s): Bill Blake, Sheron Porter, Linda Johnson

Subject Properties: 1608, 1614, 1626, and 1634 Alger Avenue.
Property is described as Lots 3 through 7,
Block 47, Original Town (now City) of Cody
(Book "E", Page 58).



Description of Request: Rezone the subject property from Medium-High Density Residential (R-3) to Limited Business (D-1). To view the zoning and development standards for the D-1 Zone see Title 10 of the City of Cody Code. <https://codelibrary.amlegal.com/codes/codywy/latest/overview>

This request will be considered at a public hearing held by the City of Cody Planning & Zoning Board at their regularly scheduled meeting on Tuesday, April 26, 2022 at 12:00 p.m. in the City Hall Council Chambers, at 1338 Rumsey Ave. Anyone is welcome to attend and comment at the public hearing. After the public hearing, the Board will make a recommendation for consideration by the City Council at a later date—likely at the Council's May 5, 2022 meeting at 7:00 pm.

Response Letter from Owners of Neighboring Properties within 140 feet of the Subject Property:
(Responses may be submitted in any written format. The following form is provided for your convenience.)

Dear Planning and Zoning Board Members:

I am familiar with the proposed rezone to Limited Business (D-1).

☐ I have NO OBJECTION to the rezone request.

Name: _____

Address: _____

Comments: _____

☒ I OBJECT to the rezone request:

Name: Matt Moss

Address: 1602 Alger Ave.

Reason for Objection: There is No Parking for those little lots. Very little ~~off~~ street parking in front of any of these lots. A commercial business next to residential homes, should have off street parking.

If you would like to receive a copy of the Planning and Zoning Board agenda materials for this request, please provide your email address: E-mail address: mmossortho@gmail.com

Notice to Owners of Neighboring Properties:

Please return your comments by April 19, 2022 to:

Date: March 30, 2022

Cody City Planner

P.O. Box 2200

RE: **REQUEST FOR REZONING**

Cody, WY 82414

Or, send an email to: todds@cityofcody.com

THE CITY OF CODY HAS RECEIVED AN APPLICATION TO REZONE THE PROPERTY IDENTIFIED BELOW. YOUR COMMENTS WOULD BE APPRECIATED.

Applicant Name(s): Bill Blake, Sheron Porter, Linda Johnson

Subject Properties: 1608, 1614, 1626, and 1634 Alger Avenue.

Property is described as Lots 3 through 7,
Block 47, Original Town (now City) of Cody
(Book "E", Page 58).

Description of Request: Rezone the subject property from
Medium-High Density Residential (R-3) to Limited Business (D-1).

To view the zoning and development standards for the D-1 Zone

see Title 10 of the City of Cody Code. <https://codelibrary.amlegal.com/codes/codywy/latest/overview>



This request will be considered at a public hearing held by the City of Cody Planning & Zoning Board at their regularly scheduled meeting on Tuesday, April 26, 2022 at 12:00 p.m. in the City Hall Council Chambers, at 1338 Rumsey Ave. Anyone is welcome to attend and comment at the public hearing. After the public hearing, the Board will make a recommendation for consideration by the City Council at a later date—likely at the Council's May 5, 2022 meeting at 7:00 pm.

Response Letter from Owners of Neighboring Properties within 140 feet of the Subject Property:
(Responses may be submitted in any written format. The following form is provided for your convenience.)

Dear Planning and Zoning Board Members:

I am familiar with the proposed rezone to Limited Business (D-1).

☒ I have NO OBJECTION to the rezone request.

Name: Linda Johnson

Address: 35 River Club

Comments: Cody, Wyoming 82414

☐ I OBJECT to the rezone request:

Name: _____

Address: _____

Reason for Objection: _____

If you would like to receive a copy of the Planning and Zoning Board agenda materials for this request, please provide your email address: E-mail address: _____

Notice to Owners of Neighboring Properties:

Please return your comments by April 19, 2022 to:

Date: March 30, 2022

Cody City Planner

P.O. Box 2200

RE: **REQUEST FOR REZONING**

Cody, WY 82414

Or, send an email to: todds@cityofcody.com

THE CITY OF CODY HAS RECEIVED AN APPLICATION TO REZONE THE PROPERTY IDENTIFIED BELOW. YOUR COMMENTS WOULD BE APPRECIATED.

Applicant Name(s): Bill Blake, Sheron Porter, Linda Johnson

Subject Properties: 1608, 1614, 1626, and 1634 Alger Avenue.

Property is described as Lots 3 through 7, Block 47, Original Town (now City) of Cody (Book "E", Page 58).

Description of Request: Rezone the subject property from Medium-High Density Residential (R-3) to Limited Business (D-1).

To view the zoning and development standards for the D-1 Zone

see Title 10 of the City of Cody Code. <https://codelibrary.amlegal.com/codes/codywy/latest/overview>



This request will be considered at a public hearing held by the City of Cody Planning & Zoning Board at their regularly scheduled meeting on Tuesday, April 26, 2022 at 12:00 p.m. in the City Hall Council Chambers, at 1338 Rumsey Ave. Anyone is welcome to attend and comment at the public hearing. After the public hearing, the Board will make a recommendation for consideration by the City Council at a later date—likely at the Council's May 5, 2022 meeting at 7:00 pm.

Response Letter from Owners of Neighboring Properties within 140 feet of the Subject Property:
(Responses may be submitted in any written format. The following form is provided for your convenience.)

Dear Planning and Zoning Board Members:

I am familiar with the proposed rezone to Limited Business (D-1).

☐ I have NO OBJECTION to the rezone request.

Name: _____

Address: _____

Comments: _____

☒ I OBJECT to the rezone request:

Name: ROXANNE & LAYNE EVANS

Address: 1601 ALGER AVE

Reason for Objection: ALL this will do is create a huge parking problem, my husband & mother are disabled, we need our parking out front-

If you would like to receive a copy of the Planning and Zoning Board agenda materials for this request, please provide your email address: E-mail address: _____

Please no diagonal parking in front of our house - would narrow ALGER too much for this on both sides - THANK

Notice to Owners of Neighboring Properties:

Date: March 30, 2022

RE: **REQUEST FOR REZONING**

Please return your comments by April 19, 2022 to:

Cody City Planner

P.O. Box 2200

Cody, WY 82414

Or, send an email to: todds@cityofcody.com

THE CITY OF CODY HAS RECEIVED AN APPLICATION TO REZONE THE PROPERTY IDENTIFIED BELOW. YOUR COMMENTS WOULD BE APPRECIATED.

Applicant Name(s): Bill Blake, Sheron Porter, Linda Johnson

Subject Properties: 1608, 1614, 1626, and 1634 Alger Avenue.

Property is described as Lots 3 through 7,
Block 47, Original Town (now City) of Cody
(Book "E", Page 58).

Description of Request: Rezone the subject property from
Medium-High Density Residential (R-3) to Limited Business (D-1).

To view the zoning and development standards for the D-1 Zone

see Title 10 of the City of Cody Code. <https://codelibrary.amlegal.com/codes/codywy/latest/overview>



This request will be considered at a public hearing held by the City of Cody Planning & Zoning Board at their regularly scheduled meeting on Tuesday, April 26, 2022 at 12:00 p.m. in the City Hall Council Chambers, at 1338 Rumsey Ave. Anyone is welcome to attend and comment at the public hearing. After the public hearing, the Board will make a recommendation for consideration by the City Council at a later date—likely at the Council's May 5, 2022 meeting at 7:00 pm.

Response Letter from Owners of Neighboring Properties within 140 feet of the Subject Property:
(Responses may be submitted in any written format. The following form is provided for your convenience.)

Dear Planning and Zoning Board Members:

I am familiar with the proposed rezone to Limited Business (D-1).

☒ I have NO OBJECTION to the rezone request.

Name: _____

Address: _____

Comments: _____

☐ I OBJECT to the rezone request:

Name: _____

Address: _____

Reason for Objection: _____

If you would like to receive a copy of the Planning and Zoning Board agenda materials for this request, please provide your email address: E-mail address: _____

Notice to Owners of Neighboring Properties:

Please return your comments by April 19, 2022 to:

Date: March 30, 2022

Cody City Planner

P.O. Box 2200

RE: **SPECIAL EXEMPTION REQUEST**

Cody, WY 82414

Or, send an email to: todds@cityofcody.com

**THE CITY OF CODY HAS RECEIVED THE FOLLOWING REQUEST FOR A SPECIAL EXEMPTION.
YOUR COMMENTS WOULD BE APPRECIATED.**

Applicant Name(s): Bill Blake/Plan One Architects

Address of Subject Property: 1608 Alger Avenue

Description of Request: A special exemption to waive the requirement to provide off-street parking for a professional office (Plan One Architects), with up to seven employees. Parking would be allowed to occur on the public streets. (Note: The special exemption, if approved, would only be effective if the accompanying rezone to D-1 is approved.)



This request will be considered at a public hearing held by the City of Cody Planning & Zoning Board at their regularly scheduled meeting on Tuesday, April 26, 2022 at 12:00 p.m. in the City Hall Council Chambers, at 1338 Rumsey Ave. Anyone is welcome to attend and comment at the public hearing.

Response Letter from Owners of Neighboring Properties within 140 Feet of the Subject Property:

(Responses may be submitted in any written format. The following form is provided for your convenience.)

Dear Planning and Zoning Board Members:

I am familiar with the proposal by for the Special Exemption request described above.

☐ I have NO OBJECTION to the Special Exemption request.

Name

Address: _____

Comments: _____

☒ I OBJECT to the Special Exemption request:

Name: Triple B Partnership (Bush family)

Address: 1316 16th Street & 1320 16th Street

Reason for Objection: Proposed parking for seven employees (plus clients!) would spill over into the dead-end gravel part of 16th Street, and would add to the traffic and noise in this area.

If you would like to receive a copy of the Planning and Zoning Board agenda materials for this request, please provide your email address: E-mail address: _____

Notice to Owners of Neighboring Properties:

Date: March 30, 2022

RE: **SPECIAL EXEMPTION REQUEST**

Please return your comments by April 19, 2022 to:

Cody City Planner

P.O. Box 2200

Cody, WY 82414

Or, send an email to: todds@cityofcody.com

**THE CITY OF CODY HAS RECEIVED THE FOLLOWING REQUEST FOR A SPECIAL EXEMPTION.
YOUR COMMENTS WOULD BE APPRECIATED.**

Applicant Name(s): Bill Blake/Plan One Architects
Address of Subject Property: 1608 Alger Avenue

Description of Request: A special exemption to waive the requirement to provide off-street parking for a professional office (Plan One Architects), with up to seven employees. Parking would be allowed to occur on the public streets. (Note: The special exemption, if approved, would only be effective if the accompanying rezone to D-1 is approved.)



This request will be considered at a public hearing held by the City of Cody Planning & Zoning Board at their regularly scheduled meeting on Tuesday, April 26, 2022 at 12:00 p.m. in the City Hall Council Chambers, at 1338 Rumsey Ave. Anyone is welcome to attend and comment at the public hearing.

Response Letter from Owners of Neighboring Properties within 140 Feet of the Subject Property:
(Responses may be submitted in any written format. The following form is provided for your convenience.)

Dear Planning and Zoning Board Members:

I am familiar with the proposal by for the Special Exemption request described above.

☐ I have **NO OBJECTION** to the Special Exemption request.

Name

Address: _____

Comments: _____

☒ I **OBJECT** to the Special Exemption request:

Name: Matt Moss

Address: 1602 Alger Ave.

Reason for Objection: There is very little street parking in front of this lot. To allow a commercial business to have zero off street parking is ridiculous.

If you would like to receive a copy of the Planning and Zoning Board agenda materials for this request, please provide your email address: E-mail address:

mossartha@gmail.com

Notice to Owners of Neighboring Properties:

Please return your comments by April 19, 2022 to:

Date: March 30, 2022

Cody City Planner

P.O. Box 2200

RE: **SPECIAL EXEMPTION REQUEST**

Cody, WY 82414

Or, send an email to: todds@cityofcody.com

**THE CITY OF CODY HAS RECEIVED THE FOLLOWING REQUEST FOR A SPECIAL EXEMPTION.
YOUR COMMENTS WOULD BE APPRECIATED.**

Applicant Name(s): Bill Blake/Plan One Architects

Address of Subject Property: 1608 Alger Avenue

Description of Request: A special exemption to waive the requirement to provide off-street parking for a professional office (Plan One Architects), with up to seven employees. Parking would be allowed to occur on the public streets. (Note: The special exemption, if approved, would only be effective if the accompanying rezone to D-1 is approved.)



This request will be considered at a public hearing held by the City of Cody Planning & Zoning Board at their regularly scheduled meeting on Tuesday, April 26, 2022 at 12:00 p.m. in the City Hall Council Chambers, at 1338 Rumsey Ave. Anyone is welcome to attend and comment at the public hearing.

Response Letter from Owners of Neighboring Properties within 140 Feet of the Subject Property:

(Responses may be submitted in any written format. The following form is provided for your convenience.)

Dear Planning and Zoning Board Members:

I am familiar with the proposal by for the Special Exemption request described above.

☐ I have NO OBJECTION to the Special Exemption request.

Name

Address: _____

Comments: _____

☒ I OBJECT to the Special Exemption request:

Name: ROXANNE + LAYNE EVANS

Address: 1601 ALGER

Reason for Objection: would create A PARKING PROBLEM we ARE RIGHT ACROSS the Street - too many employees to park on Street - will take up our spots - Disabled people in our home

If you would like to receive a copy of the Planning and Zoning Board agenda materials for this

request, please provide your email address: E-mail address: LAYNEEVANS4@Gmail.com

Thank

Notice to Owners of Neighboring Properties:

Date: March 30, 2022

RE: **SPECIAL EXEMPTION REQUEST**

Please return your comments by April 19, 2022 to:

Cody City Planner

P.O. Box 2200

Cody, WY 82414

Or, send an email to: todds@cityofcody.com

**THE CITY OF CODY HAS RECEIVED THE FOLLOWING REQUEST FOR A SPECIAL EXEMPTION.
YOUR COMMENTS WOULD BE APPRECIATED.**

Applicant Name(s): Bill Blake/Plan One Architects

Address of Subject Property: 1608 Alger Avenue

Description of Request: A special exemption to waive the requirement to provide off-street parking for a professional office (Plan One Architects), with up to seven employees. Parking would be allowed to occur on the public streets. (Note: The special exemption, if approved, would only be effective if the accompanying rezone to D-1 is approved.)



This request will be considered at a public hearing held by the City of Cody Planning & Zoning Board at their regularly scheduled meeting on Tuesday, April 26, 2022 at 12:00 p.m. in the City Hall Council Chambers, at 1338 Rumsey Ave. Anyone is welcome to attend and comment at the public hearing.

Response Letter from Owners of Neighboring Properties within 140 Feet of the Subject Property:

(Responses may be submitted in any written format. The following form is provided for your convenience.)

Dear Planning and Zoning Board Members:

I am familiar with the proposal by for the Special Exemption request described above.

☐ I have NO OBJECTION to the Special Exemption request.

Name

Address: _____

Comments: _____

☒ I OBJECT to the Special Exemption request:

Name: Mark McElroy

Address: 1625 Alger

Reason for Objection: Too many street parking spots are

entirely too many. Plus in some he will

have customers stopping by also.

If you would like to receive a copy of the Planning and Zoning Board agenda materials for this

request, please provide your email address: E-mail address: MarkMcElroy53@gmail.com

Notice to Owners of Neighboring Properties:

Please return your comments by April 19, 2022 to:

Date: March 30, 2022

Cody City Planner

P.O. Box 2200

RE: **REQUEST FOR REZONING**

Cody, WY 82414

Or, send an email to: todds@cityofcody.com

THE CITY OF CODY HAS RECEIVED AN APPLICATION TO REZONE THE PROPERTY IDENTIFIED BELOW. YOUR COMMENTS WOULD BE APPRECIATED.

Applicant Name(s): Bill Blake, Sheron Porter, Linda Johnson

Subject Properties: 1608, 1614, 1626, and 1634 Alger Avenue.

Property is described as Lots 3 through 7, Block 47, Original Town (now City) of Cody (Book "E", Page 58).

Description of Request: Rezone the subject property from Medium-High Density Residential (R-3) to Limited Business (D-1).

To view the zoning and development standards for the D-1 Zone see Title 10 of the City of Cody Code. <https://codelibrary.amlegal.com/codes/codywy/latest/overview>



This request will be considered at a public hearing held by the City of Cody Planning & Zoning Board at their regularly scheduled meeting on Tuesday, April 26, 2022 at 12:00 p.m. in the City Hall Council Chambers, at 1338 Rumsey Ave. Anyone is welcome to attend and comment at the public hearing. After the public hearing, the Board will make a recommendation for consideration by the City Council at a later date—likely at the Council's May 5, 2022 meeting at 7:00 pm.

Response Letter from Owners of Neighboring Properties within 140 feet of the Subject Property:
(Responses may be submitted in any written format. The following form is provided for your convenience.)

Dear Planning and Zoning Board Members:

I am familiar with the proposed rezone to Limited Business (D-1).

☐ I have NO OBJECTION to the rezone request.

Name _____

Address: _____

Comments: I have no objection if they buy the corner lot and turn it into a parking lot for the business.

☒ I OBJECT to the rezone request:

Name: Nancy Monnette

Address: 1607 Alger Ave

Reason for Objection: There is not sufficient parking. Employees plus customers will overflow to my side of the street and parking in front of my house. I do not want diagonal parking on my

If you would like to receive a copy of the Planning and Zoning Board agenda materials for this request, please provide your email address: E-mail address: _____

side as it is dangerous to back out when parked next to a van, SUV, or large pickup. They speed down our street so it would be dangerous. My vehicle has been hit twice parallel parked.

Notice to Owners of Neighboring Properties:

Please return your comments by April 19, 2022 to:

Date: March 30, 2022

Cody City Planner

P.O. Box 2200

Cody, WY 82414

Or, send an email to: todds@cityofcody.com

**THE CITY OF CODY HAS RECEIVED THE FOLLOWING REQUEST FOR A SPECIAL EXEMPTION.
YOUR COMMENTS WOULD BE APPRECIATED.**

Applicant Name(s): Bill Blake/Plan One Architects

Address of Subject Property: 1608 Alger Avenue

Description of Request: A special exemption to waive the requirement to provide off-street parking for a professional office (Plan One Architects), with up to seven employees. Parking would be allowed to occur on the public streets. (Note: The special exemption, if approved, would only be effective if the accompanying rezone to D-1 is approved.)



This request will be considered at a public hearing held by the City of Cody Planning & Zoning Board at their regularly scheduled meeting on Tuesday, April 26, 2022 at 12:00 p.m. in the City Hall Council Chambers, at 1338 Rumsey Ave. Anyone is welcome to attend and comment at the public hearing.

Response Letter from Owners of Neighboring Properties within 140 Feet of the Subject Property:

(Responses may be submitted in any written format. The following form is provided for your convenience.)

Dear Planning and Zoning Board Members:

I am familiar with the proposal by for the Special Exemption request described above.

☐ I have NO OBJECTION to the Special Exemption request.

Name

Address: _____

Comments: _____

☒ I OBJECT to the Special Exemption request:

Name: Nancy Monnette

Address: 1607 Alger Ave.

Reason for Objection: There is not sufficient parking on public streets. This jeopardizes my opportunity to park in front of my house when you consider employees plus customers. Down the

If you would like to receive a copy of the Planning and Zoning Board agenda materials for this request, please provide your email address: E-mail address: nancymonnet@yahoo.com

road this property could be sold to a business with a customer per employee and a precedent would be set to allow this. (Example beauty salon, physical therapy etc.) There would be no manner to guarantee parking for me.

CITY OF CODY PLANNING, ZONING AND ADJUSTMENT BOARD STAFF REPORT

MEETING DATE:	APRIL 26, 2022	TYPE OF ACTION NEEDED	
AGENDA ITEM:		P&Z BOARD APPROVAL:	
SUBJECT:	REQUEST TO REZONE PROPERTIES AT 2302 AND 2310 MOUNTAIN VIEW DRIVE FROM INDUSTRIAL (E) TO GENERAL BUSINESS (D-2). FILE: ZON2022-04	RECOMMENDATION TO COUNCIL:	X
PREPARED BY:	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

PROJECT DESCRIPTION:

The City has received an application from Quin Blair Enterprises to rezone their property at 2310 Mountain View Drive from Industrial (E) to General Business (D-2). Because 2302 Mountain View Avenue would become isolated from any contiguous Industrial (E) zoning if the Blair property is rezoned, the City included that property in the proposed rezone area as well.

The existing Industrial (E) zone (pink area on map) allows almost all types of land uses, with the exception of residential uses. The proposed General Business (D-2) zone allows retail and commercial uses as well as all forms of residential use, but no industrial uses.

The existing dwellings on the properties are presently non-conforming uses in the Industrial zone, but would become permitted uses under the proposed D-2 zone. In addition, the Blairs are contemplating development of additional housing on their property at 2310 Mountain View Drive, and the D-2 zone would allow that option. The red areas on this map are currently zoned D-2.



The subject properties total about 1.84 acres in size. 2302 Mountain View Drive contains two residential structures and 2310 contains a single residence.



Neighboring Properties:

<i>DIRECTION</i>	<i>EXISTING USE</i>	<i>ZONING</i>
North	Residential subdivision across Mountain View Drive. Vacant to Northeast.	Residential R-2 for subdivision, General Business (D-2) to northeast.
East	Black Hills Energy office and storage yard.	Industrial E
South	Beck Lake Park.	Residential R-2 across lake.
West	Vacant (also owned by Blairs).	General Business (D-2)

PROCEDURE:

The following section is found in the City of Cody code.

10-5-1: CITY COUNCIL AUTHORITY: The city council may by ordinance at any time, on its own motion or petition, or upon the recommendations by the planning and zoning commission, amend, supplement or change the regulations or districts herein or subsequently established; provided, however, that a public hearing shall first be held in relation thereto, after one publication of notice of the time, place and purpose of such hearing, in an official newspaper, at least fifteen (15) days prior to such hearing.

The public hearing has been scheduled to occur at the Planning and Zoning Board meeting on April 26, 2022. Notice was provided by certified mail to neighboring property owners within 140 feet on April 5, 2022, and by publication in the Cody Enterprise on April 7, 2022.

REVIEW CRITERIA:

Rezoning is a legislative action, subject to the full discretion of the governing body. The Cody zoning ordinance does not have specific criteria outlined for granting or denying rezoning requests. For the purpose of providing guidance, staff will refer to the

following general standards for zoning that are found in Wyoming state law, Section 15-1-601(d). Please note that the standards are in the context of initially adopting an overall zoning plan for a community, yet they can provide guidance for reviewing site specific proposals as well.

(d) All regulations shall be made:

(i) In accordance with a comprehensive plan and designed to:

Staff Comment: The City adopted a new comprehensive plan in March of 2014. Per the master plan "*The Future Land Use Map...will be the guide for future zoning and development within the City.*" The portion of the Future Land Use Map for this area is below, which shows the property as Commercial. The requested General Business (D-2) zoning district is entirely consistent with the comprehensive plan designation, which contemplated this property changing to commercial zoning.



(A) Lessen congestion in the streets;

Staff Comment: Both zones allow uses that could contribute significant traffic. However, Mountain View Drive is a major collector, and former highway, which was designed to take large volumes of traffic and has the capacity to do so, without directing traffic through residential areas.

(B) Secure safety from fire, panic and other dangers;

Staff Comment: Any new construction or use would need to comply with applicable development codes, which codes are intended to ensure that adequate protections occur so as to secure safety from fire, panic, or other physical dangers.

(C) Promote health and general welfare;

Staff Comment: The zone change has the potential to help address the current high demand for housing, while precluding industrial activities from being established that could have much more significant impacts to surrounding properties.

(D) Provide adequate light and air;

Staff Comment: This standard is typically related to providing sufficient open space and setbacks. Current building codes, subdivision regulations, and zoning setbacks/buffers are intended to meet this requirement.

(E) Prevent the overcrowding of land;

Staff Comment: Without a specific development proposal, density and any related judgement as to "overcrowding" would be entirely speculative. With proper utilities, access, and parking, there could be significant development within the standard D-2 regulations.

(F) Avoid undue concentration of population;

Staff Comment: We have no indication that the result of the rezone would create "undue" concentrations of population.

(G) Facilitate adequate provisions for transportation, water, sewerage, schools, parks and other public requirements.

Staff Comment: Needed infrastructure to serve the property will depend on the level of any resulting development. However, all City utilities are already to each property, and can be increased in size (replaced) if needed. Sewer and water mains run along the street frontage, and power lines are in the immediate area.

If residential development were to occur, it, along with other residential development in the City, may cumulatively lead to increased demand for schools or parks. Development of the property would likely not trigger any of the current City requirements for park or open space land. There is a City park just 700 feet to the northwest that can be utilized. The City does not have any regulation to address school impacts.

(ii) With reasonable consideration, among other things, of the character of the district and its peculiar suitability for particular uses;

Staff Comment: The character of the requested D-2 district can be seen in the commercial areas along the Greybull Highway, as well as along 8th Street and 17th Street. It is primarily a commercial zone, but can also contain all forms of residential use. With the availability of City utilities, there will be several options for development. All development would be subject to a site plan and architectural review, to promote development that is compatible with surrounding development, in whatever form that occurs.

(iii) With a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the city or town; and

Staff Comment: The requested rezone would extend an existing D-2 zone 125 feet to the east, as anticipated by the master plan. The land use plan of the master plan was developed with the intent of identifying the most appropriate use of land throughout the City.

(iv) With consideration given to the historic integrity of certain neighborhoods or districts and a view to preserving, rehabilitating and maintaining historic properties and encouraging compatible uses within the neighborhoods or districts, but no regulation made to carry out the purposes of this paragraph is valid to the extent it constitutes an unconstitutional taking without compensation.

Staff Comment: There are no identified historic properties/buildings in the immediate area.

OTHER:

Proximity to Like Zoning:

The subject property abuts other D-2 property to the west. As such, it does not constitute a 'spot zone', but a logical extension of the D-2 zone.

Public Hearing:

Please note that this staff report was prepared without the benefit of the information that will be provided at the public hearing. All public comments need to be considered. As of the time of this staff report, four responses of "no objection" have been received—two of which are from the owners of the land within the rezone area. No objections have been received.

ATTACHMENTS:

Neighbor responses

ALTERNATIVES:

Recommend approval or denial of the requested rezone to the City Council.

RECOMMENDATION:

Staff recommends that the Planning and Zoning Board recommend approval of the requested rezone to the City Council.

Dear Planning and Zoning Board Members:

I am familiar with the proposed rezone.

☒ I have NO OBJECTION to the rezone request.

Name Brad and Andrea McKnight

Address: 2392 (I think) Mountain View Ave

Comments: Our only concern is that the property isn't going to affect ours negatively.

☐ I OBJECT to the rezone:

Name: _____

Address: _____

Reason for Objection: _____

your convenience.

Dear Planning and Zoning Board Members:

I am familiar with the proposed rezone.

☒ I have NO OBJECTION to the rezone request.

Name Webster Enterprises, Inc

Address: 1226 11th St, Cody, WY 82414

Comments: We have no objection.
Er Webster

☐ I OBJECT to the rezone:

Name: _____

Address: _____

Reason for Objection: _____

Dear Planning and Zoning Board Members:

I am familiar with the proposed rezone.

☒ I have NO OBJECTION to the rezone request.

Name Wayne Karlik

Address: 2120 22nd ST Cody

Comments: _____

☐ I OBJECT to the rezone:

Name: _____

Address: _____

Reason for Objection: _____

Dear Planning and Zoning Board Members:

I am familiar with the proposed rezone.

☒ I have NO OBJECTION to the rezone request.

Name TED BLAIR

Address: 2124 MNT. VIEW

Comments: _____

**CITY OF CODY
PLANNING, ZONING AND ADJUSTMENT BOARD
STAFF REPORT**

MEETING DATE:	APRIL 26, 2022	TYPE OF ACTION NEEDED	
AGENDA ITEM:		P&Z BOARD APPROVAL:	
SUBJECT:	PRELIMINARY PLAT FOR THE SUNRIDGE MINOR SUBDIVISION, A 2-LOT SUBDIVISION. SUB 2022-02	RECOMMENDATION TO COUNCIL:	X
PREPARED BY:	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

PROJECT OVERVIEW

The proposal is to divide a 1.88-acre parcel located west of 29th Street, about 400 feet north of Mountain View Drive into two lots, consisting of a 7,515 square foot lot and 1.7-acre lot.

The property is vacant, other than for a couple of small sheds. The property is zoned R-2 residential, which allows single family homes on lots at least 5,500 square feet in size, and duplexes on lots that are at least 10,000 square feet in size. The property owner wants to preserve the ability to divide the large lot (Lot 2) into additional lots in the future, and is providing access and utility easements with that intent, based on the conceptual plan she presented to the Planning and Zoning Board previously. However, only subdivision improvements applicable to the 2-lot subdivision will be applied to the current proposal. The preliminary plat drawing is attached.



SUBDIVISION REGULATIONS

Applicable subdivision ordinance requirements are as follows. Staff comments follow each requirement. When a variance from the standard is involved, it is noted.

11-4-2: STREETS, ALLEYS AND EASEMENTS:

A. Alignment: All proposed streets, alleys and easements shall align horizontally and vertically with existing streets, alleys and easements adjacent to or lying near the subdivision.

Comment- The new access easement/driveway will tie into 29th Street at a proper grade, as will be verified through the standard street encroachment permit process (work within the right-of-way). It is noted that there is a private irrigation box that serves the lot to the north of the easement, which will need to be protected or moved as coordinated with the neighbor. No other streets exist around the property to tie into.

B. Conform to Master Street Plan: All streets shall conform to the city master street plan for size and approximate alignment.

Comments- As has been determined in prior subdivisions along 29th Street, there is adequate right-of-way for 29th Street, at 80 feet wide, to accommodate future street improvements. There are no streets shown in the street master plan through this property.

Items "C" through "O" are standards that relate to construction of new public streets and are not applicable to this subdivision.

P. Alleys: Alleys shall be required in all subdivisions with the minimum width being twenty feet (20')

Comment: A variance to the alley requirement is requested and is justified as there are no adjacent alleys to tie into. All utilities and garbage collection will be along 29th Street at this time.

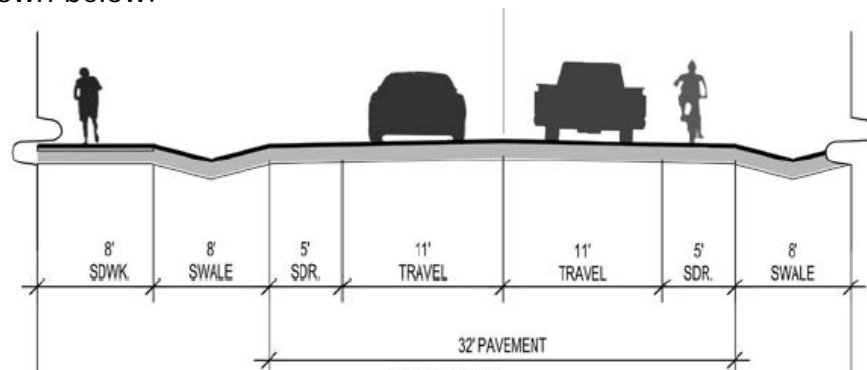
Q. Curb, Gutter, Sidewalk, Paved Streets: Curb, gutter, sidewalk and paved streets shall be required in all proposed subdivisions unless waived in accordance with criteria set out in subsection 11-5-2B of this title by the planning and zoning board, and the city council. All waivers of curb, gutter and sidewalks shall require acknowledgment by the developer on the final plat that future improvement districts for the development of curb, gutter and sidewalks shall be supported by future owners of the lots and be so noted on the final plat. The developer shall be responsible for demonstrating to the city that the grades and location of the proposed improvements shall be compatible with all future development in the area.

Comment: On recent subdivisions on 29th Street and Robert Street, the City has utilized this authority to require an asphalt pathway as an alternative that meets the intent of the sidewalk requirement and can occur without curb and gutter being in place. The plans for a pathway along 29th Street have developed to the point that an engineered design for installation of a pathway has been developed and is in the final stages of editing. Construction is anticipated to occur as soon as this summer (P.W. can provide more detail).

To meet the strict requirement, if the developers wish to submit the final plat for this subdivision before the City constructs the pathway, the developer would be responsible to either commit to install the asphalt pathway along their property frontage or pay the City the anticipated cost to do so. If the property owner made payment to the City, it would reduce the amount of City funds used for the pathway project. For the property owner to avoid the pathway requirement they would have to wait until after the pathway was constructed by the City to submit the final plat.

The City is planning a 10-foot-wide pathway along 29th Street. As the developer is responsible for only an 8-foot-wide pathway (per drawing below, from master plan), contributed cost would be based on that width, but if the developer constructs it themselves, it will need to be 10 feet to match the rest of the pathway project.

In concept, the pathway along 29th Street would be as shown on the rural road standard, shown below.



Items "R" through "T" are standards that relate to new streets and drainage that are not applicable to this project.

U. Lot Requirements:

- 1. Lots shall be sited to meet the requirements of the appropriate zoning.*

Comment: All lot size and dimensional requirements are met except the requirement to provide each lot with 45 feet of frontage on a public street or access easement (per Table 10-6-2). Lot 2 is shown with only 30 feet of frontage on a public street or access easement. However, if any further division of Lot 2 occurs, it will meet this requirement because the access easement will be extended and minimum frontage requirements met. In order to help ensure the access easement can be extended, staff recommends that the easement be drawn to extend to the west boundary of the Keane property. Doing so would also technically provide Lot 2 with more than the 45 feet of frontage required on an easement.

- 2. Every lot shall abut upon or have access to an approved street or cul-de-sac.*

Comment: Met.

- 3. Side lot line shall be at approximately right angles to the street line on which the lot faces.*

Comment: Met.

4. *Strip lots...will be prohibited.*

Comment: Met.

V. *Blocks: Blocks shall be at least three hundred feet (300') long, normally, not to exceed six hundred sixty feet (660') long. All blocks shall normally be of sufficient width to allow for two (2) tiers of lots of approximately equal width and an alley.*

Comment: The development pattern of the surrounding area prohibits compliance. A variance would be appropriate.

Section 11-5-1, DEVELOPMENT AND IMPROVEMENT also includes standards for construction. Applicable sections are listed below.

F. *Sanitary Sewer: ...Each lot within the proposed subdivision shall be connected to a minimum eight-inch (8") diameter sewer main by a minimum four-inch (4") diameter sewer service line. The service lines shall be extended from the sewer main to the property line according to city standards. The use of individual septic systems will not be permitted when a sanitary sewer main is available...*

Comment: Lots 1 and 2 will connect to the City sewer main across 29th Street as required. The sewer services must be installed prior to issuance of a building permit. If the work is not done before the final plat will be recorded a note indicating the outstanding requirement will be required on the final plat.

G. *Storm Sewer...*

Comment: Minor subdivisions are exempt from the storm water policy.

H. *Water: All water mains will be designed and constructed according to city approved specifications and the city standards. The system will connect each lot within the proposed subdivision to a minimum six-inch (6") diameter main by the use of a minimum three-fourths inch (3/4") copper service line. The service lines shall be extended from the main to the property line according to city standards. ...*

Comment: Lots 1 and 2 will connect to the City water main along the west side of 29th Street. One tap fee was paid previously for the existing lot. An additional tap and the two services will need to be installed before issuance of a building permit. As with sewer, if the water services are not provided before the final plat will be recorded, note the requirement on the final plat.

I. *Fire Hydrants...*

Comment: Met. A hydrant is located across 29th Street, about 200 feet north of the property.

J. *Open Drains, Irrigation Ditches: All open drains and irrigation ditches shall be buried or, if possible, eliminated.*

Comment: A McMillin ditch runs along the west property line, and was piped 10-15 years ago. However, the pipe location is west of the existing easement. As noted on the preliminary plat, the easement will be vacated and relocated to capture the existing pipe.

K. Utilities: All utilities (electrical service, natural gas, telephone, cable TV, etc.) shall be installed underground, whenever possible, in the streets, alleys or utility easements shown on the final plat. All buried utilities will be placed before the finished surface is placed on the streets or alleys ... It will be the developer's responsibility to ensure that all utilities necessary or reasonably expected are placed within the proposed subdivision.

Comment: Sewer and water requirements were noted previously. The plan for providing electrical, telecommunication and gas service is not shown on the preliminary plat. That information will need to be added.

For power, the subdivision to the south is installing a junction cabinet near the southeast corner of proposed Lot 1. From that cabinet, a line will need to be run to the 10-foot utility easement on the north side of Lot 1 and a transformer set. The developer is responsible to dig the trench, install the conduit and transformer base, and paying the City for the transformer and cable. The city will install the transformer and cable at no additional cost.

Natural gas is available along the 29th Street frontage, and will need to be coordinated with Black Hills Energy.

The crossings of 29th Street will need to be coordinated to minimize the number of street cuts. A single asphalt patch will be required, unless determined otherwise by public works after review of the utility plan.

N. Public Use Areas: ...

Comment: Minor subdivisions are exempt from this requirement.

Other:

1. The electrical and cable easement in the northeast corner of Lot 2 needs to be expanded to include the guy wire to the south of the pole.
2. A utility easement (likely 5' wide) is anticipated to be needed for the underground electrical that will run to the northeast portion of Lot 1.
3. Vehicle access for Lot 1 will need to be from the access easement to the north of Lot 1. The final plat will need to note this restriction.
4. The preliminary plat shows overhead power lines crossing 29th Street near the northeast corner of Lot 1 and also running along the property frontage. Those are telecommunication lines, not power lines. Also, there is an additional 6" water main in 29th Street that should be shown.
5. The final plat must address surface water rights (e.g. provide an irrigation distribution plan). If water rights are retained, the irrigation distribution plan must be reviewed and approved by both McMillin Irrigation and the Cody Canal District.

RECOMMENDATION:

Recommend that the applicant provide an updated preliminary plat showing the plans for all utilities and extending the access easement to the west end of the Keane property before the preliminary plat is taken to City Council for approval. Once the updated preliminary plat is reviewed and found acceptable by staff, the application would go to City Council with a recommendation for approval with the following variances, and subject to the following conditions:

Subdivision Variances:

1. To waive the alley requirement.
2. To waive the block length requirement.

Conditions of Approval:

1. The developer is responsible to install all subdivision improvements (utilities, etc.) as noted in the staff report and city codes. If any subdivision requirements are not completed before the final plat will be recorded, a note disclosing that there are outstanding construction requirements before building permits will be issued is to be included on the final plat.
2. If the developers submit the final plat for this subdivision before the City constructs the pathway, the developers will be responsible to either commit to install the asphalt pathway along their property frontage (10' wide) or pay the City the anticipated cost to do so (based on an 8-foot-wide pathway). The payment option is preferred by the City, and is likely the less expensive of these two options. If the developers wish to entirely avoid the pathway requirement they would have to wait until after the pathway was constructed by the City to submit the final plat.
3. The water tap fee and the electrical estimate are to be paid before installation and no later than when the final plat is recorded.
4. Installation of the electrical extension to Lots 1 and 2 is required prior to issuance of building permits on the lots.
5. All work within the 29th Street right-of-way requires a street encroachment permit from Public Works, prior to excavation or construction. This includes the utility installations and the driveway approach. A single asphalt patch will be required for the utility crossings, unless determined otherwise by public works after review of the utility plan.
6. The electrical and cable easement in the northeast corner of Lot 2 is to be expanded to include the guy wire to the south of the pole.
7. A utility easement (likely 5' wide) is to be provided for the underground electrical that will run to the northeast portion of Lot 1.
8. Vehicle access for Lot 1 will need to be from the access easement to the north of Lot 1. The final plat will need to note this restriction.
9. The final plat must address surface water rights (e.g. provide an irrigation distribution plan). If water rights are retained, the irrigation distribution plan

must be reviewed and approved by both McMillin Irrigation Company and the Cody Canal Irrigation District.

10. Note on the final plat that depending on the location and elevation of a dwelling on Lot 2, a sewer lift or pump system may be needed.

ATTACHMENTS

Preliminary plat

NOTES

1. BEARINGS ARE BASED ON THE CITY OF CODY COORDINATE SYSTEM, WHICH IS BASED ON THE WYOMING COORDINATE SYSTEM NAD83 WEST CENTRAL ZONE.
2. THERE ARE NO AREAS SUBJECT TO FLOODING OR WETLANDS.
3. TOTAL SUBDIVISION ACREAGE = 1.88 ACRES
4. SUBJECT PARCEL IS MEDIUM-LOW DENSITY RESIDENTIAL (R2)

LEGEND

- FOUND 2" DIA. ALUMINUM CAP, UNLESS OTHERWISE NOTED
- PROPOSED SUBDIVISION LOT LINES.
- SUBDIVISION BOUNDARY
- EASEMENT
- EXISTING OVERHEAD POWER LINE.
- EXISTING BURIED TELEPHONE / FIBER LINE.
- EXISTING BURIED NATURAL GAS LINE.
- EXISTING BURIED TREATED WATER LINE.
- EXISTING BURIED SANITARY SEWER LINE.
- MANHOLE LID, UTILITY AND STRUCTURE TYPES VARY.
- UTILITY PIPE LINE VALVES.
- UTILITY POLE.

LANDOWNER KEY

- 1 HAMILTON, ASHLEY M. & SMITH, ANDREW M., 2901 MARLISA LN, CODY, WY 82414
- 2 RIVER RUN RANCH VENTURES, LLC, POB 9486, SOUTH BURLINGTON, UT 05407
- 3 KLEN, JOHN JOSEPH, 2913 MARLISA LN, CODY, WY 82414
- 4 SHEDY, LILLIAN H., 2919 MARLISA LN, CODY, WY 82414
- 5 KILBY, CLARENCE KEITH, 1902 29TH ST, CODY, WY 82414
- 6 LUTHY PAUL, J. & SANDY M., 1832 29TH ST, CODY, WY 82414
- 7 HOUSE FAMILY TRUST, 1826 29TH ST, CODY, WY 82414
- 8 KEANE, STEPHANIE & LAGRANT, SHARON, 1901 29TH ST, CODY, WY 82414
- 9 DAVIDSON, CROSBY & BROOKE, 1825 29TH ST, CODY, WY 82414
- 10 BLAVLOCK, DONNA C., 1801 29TH ST, CODY, WY 82414
- 11 SZOT, CINDY M. & FRIEDLY, CARMEN A. & O'MARA, BONNIE S., 3315 THOMAS ROAD, CHEYENNE, WY 82009
- 12 INBODY, ADA L. LIVING TRUST, 2620 INA AVE., CODY, WY 82414
- 13 RUBY, MAX L. REVOCABLE TRUST, POB 2195, CODY, WY 82414
- 14 NEWTON, DAVID & COLLEEN JOINT REVOCABLE TRUST, 2619 HOLLER AVE, CODY, WY 82414
- 15 SCHEER RENTALS, LLC, 2132 BEAR CREEK RD, LARAMIE, WY 82221
- 16 NEWTON, MICHAEL D. & JONNA K., 97 ROLLING HILLS DR, CODY, WY 82414
- 17 MOUNTAIN VIEW 29, LLC, 700 E REDLANDS BLVD # U-260, REDLANDS, CA 92373
- 18 ARISMENDI, ADRIANA, 10 FORT DRUM DRIVE, POWELL, WY 82435
- 19 CLOUD, CYNTHIA L. & CHARLES M., 901 16TH STREET, CODY, WY 82414
- 20 FRUSTAGI REVOCABLE LIVING TRUST, 4105 FLAMINGO BLVD, PORT CHARLOTTE, FL 33948
- 21 BALLINGER, SCOTT, 2930 MARLISA LN, CODY, WY 82414

RESURVEY T.52N., R.101W.
CITY OF CODY



VICINITY MAP
1" = 150'

CERTIFICATE OF OWNER

STATE OF WYOMING } SS.
COUNTY OF PARK }
KNOW ALL MEN BY THESE PRESENTS THAT I/WE, THE UNDERSIGNED, HEREBY CERTIFY THAT I/WE ARE OWNERS AND PROPRIETORS OF LOT 2, LOT 61-2 PLANTATION ADDITION, CODY, WYOMING, AS LOCATED IN BOOK "12007" OF PLATS, PAGE 5486, ACCORDING TO THE RECORDS OF THE COUNTY CLERK AND RECORDER OF PARK COUNTY, STATE OF WYOMING, AS EVIDENCED BY THAT WARRANTY DEED RECORDED AS DOCUMENT #2021-659 IN SAID CLERK AND RECORDER'S OFFICE.
THAT WE HAVE CAUSED SAID PROPERTY TO BE SURVEYED AND PLATTED AS SHOWN HEREON AS THE SUNRIDGE MINOR SUBDIVISION LOCATED WITHIN THE CITY OF CODY. THAT THE SUBDIVISION AS APPEARS ON THIS PLAT IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS AND PROPRIETORS, THAT WE HEREBY DESIGNATE EASEMENTS LABELED HEREON TO THE USES SO NOTED; THAT SAID LANDS ARE SUBJECT TO ANY EASEMENTS, RIGHTS-OF-WAY AND MINERAL RIGHTS OR RESERVATIONS ON RECORD.

SHELLY CATE
RYAN SILVA
STATE OF WYOMING } SS.
COUNTY OF PARK }
THE FOREGOING CERTIFICATE OF OWNER WAS ACKNOWLEDGED BEFORE ME BY SHELLY CATE & RYAN SILVA
THIS _____ DAY OF _____, 2022, WITNESS MY HAND AND OFFICIAL SEAL.
MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

CLERK AND RECORDER ACCEPTANCE

THIS PLAT WAS ACCEPTED IN THE OFFICE OF THE CLERK AND RECORDER, PARK COUNTY, WYOMING, AT _____ O'CLOCK _____ AM ON THIS _____ DAY OF _____, 2022, FILED FOR RECORDING IN BOOK OR PLAT CABINET _____ AT PAGE _____ AND RECORDED AS COMPUTER RECORD DOCUMENT NUMBER _____

PARK COUNTY CLERK
BY: _____ DEPUTY.

CITY PLANNING AND ZONING BOARD

APPROVED AS OF _____ DAY OF _____, 2022 BY THE CITY PLANNING AND ZONING BOARD OF CODY, WYOMING.

CHURMAN

CITY COUNCIL APPROVAL

APPROVED AS OF _____ DAY OF _____, 2022 BY THE CITY COUNCIL OF CODY, WYOMING.

MAYOR - MATT HALL

ATTEST: CINDY BAKER
ADMINISTRATIVE SERVICES OFFICER

PRELIMINARY PLAT OF SUNRIDGE MINOR SUBDIVISION

PREPARED FOR: CATE, SHELLY & SYLVIA, RYAN

PREPARED BY: ENGINEERING ASSOCIATES
CONSULTING ENGINEERS & SURVEYORS
902 15TH STREET
CODY, WYOMING 82414



JOB NO. 22002.00
04/06/2022

ATTENTION OF THIS PLAT OTHER THAN BY THE ABOVE CERTIFYING PROFESSIONAL LAND SURVEYOR OR AS OTHERWISE ALLOWED BY LAW MAY AFFECT LIABILITY FOR THE ACCURACY OF SAID PLAT.

CITY OF CODY PLANNING, ZONING AND ADJUSTMENT BOARD STAFF REPORT			
MEETING DATE:	APRIL 26, 2022	TYPE OF ACTION NEEDED	
AGENDA ITEM:		P&Z BOARD APPROVAL:	
SUBJECT:	PRELIMINARY PLAT OF THE 31 ST STREET 2-LOT MINOR SUBDIVISION. SUB 2022-03	RECOMMENDATION TO COUNCIL:	X
PREPARED BY:	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

PROJECT OVERVIEW

The proposal is to divide a 0.46-acre property into two lots. Lot A is proposed at 10,000 square feet and is planned for a duplex. Lot B would be about 9,985 square feet and is planned for a single-family dwelling and accessory dwelling unit. The two mobile homes that are currently on the property would be removed.

The property is located in the residential R-2 Manufactured Home (R-2MH) zoning district. The preliminary plat drawing is attached.



SUBDIVISION REGULATIONS

Applicable subdivision ordinance requirements are as follows. Staff comments follow each requirement. When a variance from the standard is involved, it is noted.

11-4-2: STREETS, ALLEYS AND EASEMENTS:

A. Alignment: All proposed streets, alleys and easements shall align horizontally and vertically with existing streets, alleys and easements adjacent to or lying near the subdivision.

Comment- No new public streets or alleys are proposed.

B. Conform to Master Street Plan: All streets shall conform to the city master street plan for size and approximate alignment.

Comments- No interior streets through this property are identified in the master street plan. 31st Street is classified as a rural road and has the 60-foot right-of-way as required.

Items "C" through "O" are standards that relate to construction of new public streets and are not applicable to this project.

P. Alleys: Alleys shall be required in all subdivisions with the minimum width being twenty feet (20')

Comment: A variance to the alley requirement is requested. There are no adjacent alleys to tie into.

Q. Curb, Gutter, Sidewalk, Paved Streets: Curb, gutter, sidewalk and paved streets shall be required in all proposed subdivisions unless waived in accordance with criteria set out in subsection 11-5-2B of this title by the planning, zoning and board, and the city council. All waivers of curb, gutter and sidewalks shall require acknowledgment by the developer on the final plat that future improvement districts for the development of curb, gutter and sidewalks shall be supported by future owners of the lots and be so noted on the final plat. The developer shall be responsible for demonstrating to the city that the grades and location of the proposed improvements shall be compatible with all future development in the area.

Comment: As noted previously, 31st Street is designated as a rural street, so curb, gutter and sidewalk are not applicable. A separated pathway is identified in the rural street standard, but a variance is requested. Unlike 29th Street and Robert Street, 31st Street does not have a designated pathway shown in the master plan, and due to limited development potential in the neighborhood, a pathway system is not likely anytime soon.

The future improvement district language would not be applicable to the situation due to the rural road standard.

Items "R" through "T" are standards that relate to new streets and drainage that are not applicable to this project.

U. Lot Requirements:

1. Lots shall be sited to meet the requirements of the appropriate zoning.

Comment: The R-2MH zoning allows duplexes (two-family dwellings) on lots that are 10,000 square feet or larger. Lots that are 7,000 square feet or larger may contain a main dwelling and an accessory dwelling. Minimum lot size for a single-family dwelling is 5,500 square feet. Applicable lot size, lot frontage (45 feet), and lot-width-to-depth ratios are met. (Note: Lot 8-B stills shows "duplex", which label needs to be removed per conversations with the applicant's engineer.)

2. Every lot shall abut upon or have access to an approved street or cul-de-sac.

Comment: Both lots have direct access to 31st Street.

3. *Side lot line shall be at approximately right angles to the street line on which the lot faces.*

Comment: Met.

4. *Strip lots...will be prohibited.*

Comment: Met.

5. *Blocks: Blocks shall be at least three hundred feet (300') long, normally, not to exceed six hundred sixty feet (660') long. All blocks shall normally be of sufficient width to allow for two (2) tiers of lots of approximately equal width and an alley.*

Comment: The neighborhood is not configured in a way for this to be accomplished, so there is no way for this lot to meet this requirement. A variance to the standard would be appropriate.

Section 11-5-1, DEVELOPMENT AND IMPROVEMENT also includes standards for construction. Applicable sections are listed below.

F. Sanitary Sewer: ...Each lot within the proposed subdivision shall be connected to a minimum eight-inch (8") diameter sewer main by a minimum four-inch (4") diameter sewer service line. The service lines shall be extended from the sewer main to the property line according to city standards. ...

Comment: There is one exiting service to the property—the service shown on Lot 8-A. If the developer wishes to use the service, it must be inspected by camera and approved by the City. (It should be in good shape as it is PVC installed in 1988.) Lot 8-B must be provided with a new sewer service.

G. Storm Sewer...

Comment: Minor subdivisions are exempt from the storm water policy.

H. Water: All water mains will be designed and constructed according to city approved specifications and the city standards. The system will connect each lot within the proposed subdivision to a minimum six-inch (6") diameter main by the use of a minimum three-fourths inch (¾") service line. The service lines shall be extended from the main to the property line according to city standards. ... All water mains will be designed in accordance with the city plan, state and federal regulations, and designed to provide adequate flow and pressure under all conditions, including major fire conditions..."

Comment: Lot 8-A has an existing ¾" water service. However, a duplex should be provided with a 1" water service. It is recommended that the existing water service be used for Lot 8-B, which would require a small easement to get over to the lot, and a new 1" service be installed for Lot 8A to the west of the existing service.

I. Fire Hydrants...

Comment: Met, with the hydrant about 120 feet to the east.

J. Open Drains, Irrigation Ditches: All open drains and irrigation ditches shall be buried or, if possible, eliminated.

Comment: There are no open ditches on the property. The McMillin ditch serving the property runs in a pipe just east of the property.

K. Utilities: All utilities (electrical service, natural gas, telephone, cable TV, etc.) shall be installed underground, whenever possible, in the streets, alleys or utility easements shown on the final plat. All buried utilities will be placed before the finished surface is placed on the streets or alleys ... It will be the developer's responsibility to ensure that all utilities necessary or reasonably expected are placed within the proposed subdivision.

Comment: Sewer and water were discussed above. Electrical service for the two lots will be provided by running a new underground line from the power pole near the northeast corner of the property, across the north end of Lot 8-B and over to Lot 8-A. Coordinate details with the electric division. The overhead line running from the pole near the middle of the west line of Lot 8-A to the middle of the property will be removed. All other poles shown have existing services (meters) and will need to remain, unless additional work is done voluntarily. In addition, a 10-foot-wide easement for the existing line running to the pole near the middle of the west side of Lot 8-A will need to be provided.

It is noted that this property was split from the property to the east without the benefit of a subdivision review. As a result, there are utility lines that cross this property without formal easements. The City is requiring lines for City facilities (e.g. the power line just noted), but will not require easements for private services that may cross the property, as that is between the affected property owners. However, those services will be required to be shown on the final plat as existing encroachments.

It appears that the gas line serving the lot to the west runs through the back of this property.

M. Street Lighting...

Comment: There is no street light system on 31s Street. A variance to the street lighting requirement is proposed.

N. Public Use Areas: ...

Comment: Minor subdivisions are exempt from this requirement.

Other

1. The final plat application will need to address the surface water (irrigation) rights on the property. The options are either to transfer the water rights to another property in the Cody Canal irrigation district, or to develop a distribution plan to utilize those

water rights. Either option requires approvals from the Cody Canal Irrigation District and the McMillin Irrigation Company.

RECOMMENDATION:

Recommend that the City Council approve the preliminary plat for the 31st Street Minor Subdivision with the following variances, and subject to the following conditions:

Variances:

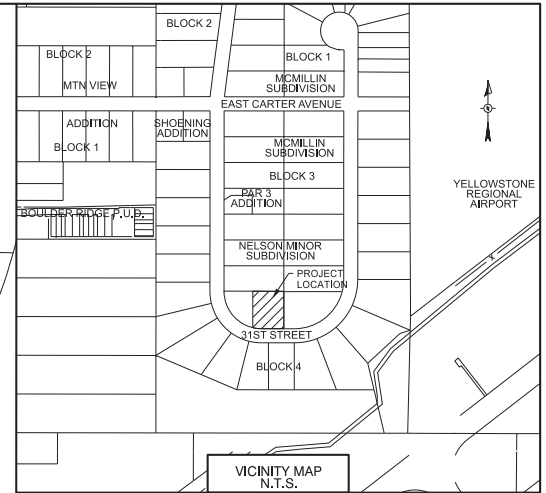
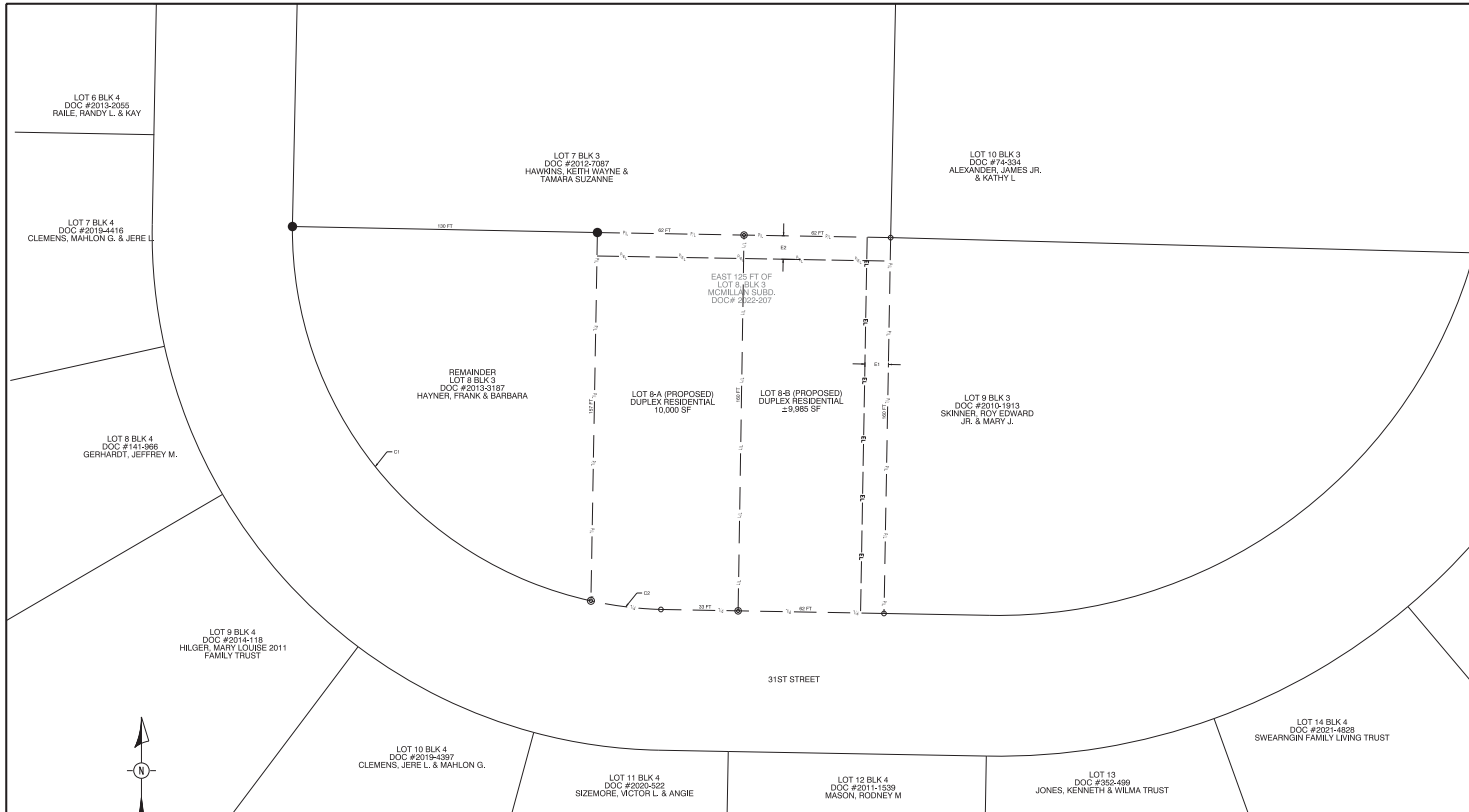
1. Variance to the alley requirement.
2. Variance to the streetlighting requirement.
3. Variance to the block length requirement.

Conditions of Approval:

1. The developer is responsible to install all subdivision improvements (utilities, etc.) as noted in the staff report and city codes. If any subdivision requirements are not completed before the final plat will be recorded, a note disclosing that there are outstanding construction requirements before building permits will be issued is to be included on the final plat. All subdivision improvements are to be installed prior to issuance of building permits. If the developer wishes to use the existing sewer service, it must be inspected by camera and approved by the City.
2. The water tap fee and the electrical estimate are to be paid before installation and no later than when the final plat is recorded. If the recommendation on the water situation is followed, provide the necessary easement.
3. Installation of the electrical extension for the two lots is required prior to issuance of building permits on the lots.
4. Provide a 10-foot utility easement for the electrical line running along the west portion of Lot 8-A.
5. The final plat must address surface water rights (e.g. provide an irrigation distribution plan). If water rights are retained, the irrigation distribution plan must be reviewed and approved by both the McMillin Irrigation Company and the Cody Canal Irrigation District. If easement E2 is used, add "irrigation" to the label.
6. Applicable buildings must be removed before the final plat is recorded so that no setback violations are created by the recording of the plat.
7. All work within the 31st Street right-of-way requires a street encroachment permit from Public Works, prior to excavation or construction.
8. Any private utility services crossing the property and serving other properties without proper easements are to be shown on the final plat as existing encroachments.

ATTACHMENTS

Preliminary plat and site plan



APPROVALS
CITY PLANNING AND ZONING BOARD
RECOMMENDED FOR APPROVAL THIS _____ DAY OF _____, 20____
BY THE CITY PLANNING AND ZONING BOARD OF CODY, WYOMING.

BY CHAIRMAN: _____

CITY COUNCIL
APPROVED THIS _____ DAY OF _____, 20____
BY THE CITY COUNCIL OF CODY, WYOMING.

BY MAYOR: _____
MATT HALL

ATTESTED BY: _____
ADMINISTRATIVE SERVICES DIRECTOR

COUNTY CLERK'S CERTIFICATE
THIS PLAT OF THE WEST AVENUE SUBDIVISION WAS FILED FOR THE PUBLIC
RECORD IN THE OFFICE OF THE CLERK, PARK COUNTY, WYOMING, AT
_____ O'CLOCK _____ P.M. ON THE _____ DAY OF _____,
20____, AND IS DULY RECORDED IN PLAT
CABINET _____ ON PAGE _____, DOC# _____

BY: _____
PARK COUNTY CLERK DEPUTY

- EASEMENT NOTES
- E1. AN EXISTING 10-FT WIDE UTILITY EASEMENT ALONG THE EAST BOUNDARY OF LOT 6-B.
- E2. A 10-FT WIDE UTILITY EASEMENT ALONG THE NORTH BOUNDARY OF THE SUBDIVISION.

CURVE DATA			
NO.	LENGTH	RADIUS	DELTA
C1	220.76 FT	181.86 FT	78°08'42.11"
C2	30.11 FT	161.86 FT	10°39'24.87"

DESCRIPTION OF LANDS
A PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
THE EAST 125 FEET OF LOT 8, BLOCK 3, MCMILLIN SUBDIVISION, CITY OF CODY, PARK COUNTY, WYOMING AS SHOWN ON A PLAT FILED FOR RECORD IN THE PARK COUNTY CLERK'S OFFICE IN BOOK 12 ON PAGE 30.

LEGEND

- — SUBDIVISION BOUNDARY
- — SUBDIVISION LOT LINES
- — EXISTING EASEMENT
- — PROPOSED EASEMENT
- — ADJACENT LOTS
- FOUND 3/4-IN. PIPE
- ⊙ FOUND 1.5-IN. ALUMINUM CAP ON 5/8-IN. REBAR
- FOUND 2-IN. ALUMINUM CAP ON 5/8-IN. REBAR
- (100) INDICATES RECORD DIMENSIONS

CERTIFICATE OF OWNER

KNOW ALL PERSONS BY THESE PRESENTS THAT WE, THE UNDERSIGNED, ALL HEIRS AND/OR ASSIGNS, HEREBY CERTIFY THAT WE ARE THE OWNERS AND PROPRIETORS OF THE EAST 125 FEET OF LOT 8, BLOCK 3, OF THE MCMILLIN SUBDIVISION AS FILED IN PLAT CABINET C, PAGE 30 EVIDENCED BY DOC# 2022-207 ON FILE IN THE OFFICE OF THE PARK COUNTY CLERK; THAT WE HAVE CAUSED SAID LANDS TO BE SURVEYED; THAT THE SUBDIVISION OF SAID LANDS IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS AND PROPRIETORS; THAT WE, THE UNDERSIGNED, HEREBY DEDICATE THE EASEMENTS AND RIGHTS-OF-WAY SHOWN HEREON FOR THE PURPOSES NOTED; THAT SAID LANDS ARE SUBJECT TO ANY EASEMENTS, RIGHTS-OF-WAY AND MINERAL RIGHTS OR RESERVATION OF RECORD; AND, THAT ANY RIGHTS BY VIRTUE OF THE HOMESTEAD EXEMPTION LAWS OF THE STATE OF WYOMING ARE HEREBY RELEASED AND WAIVED.

KEN MCKINNEY, MEMBER - OLD BLACK WAGON 8, LLC

STATE OF WYOMING } SS
COUNTY OF PARK }

THE FOREGOING CERTIFICATE OF OWNER WAS ACKNOWLEDGED BEFORE ME BY KEN MCKINNEY, MEMBER: OLD BLACK WAGON 8, LLC ON THIS _____ DAY OF _____, 20____, WITNESS MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

SURVEY NOTES

- BEARINGS AND DISTANCES SHOWN ON THIS PLAT ARE BASED ON THE WYOMING STATE PLANE COORDINATE SYSTEM NAD 83/83, WEST CENTRAL ZONE, AND HAVE BEEN MULTIPLIED BY A PROJECT FACTOR OF 1.000296488.
- SURVEY WORK WAS PERFORMED TO AN ACCURACY OF 1:15,000.
- LINEAR UNITS ARE U.S. SURVEY FEET. ANGULAR UNITS ARE DEGREES, MINUTES SECONDS.
- TOTAL SUBDIVISION AREA = 0.48 ACRES, MORE OR LESS.
- PROJECT AND ADJACENT ZONING IS R0MH.

CERTIFICATE OF SURVEYOR

I, JESSE FRISBEE, A DULY REGISTERED LAND SURVEYOR IN THE STATE OF WYOMING, DO HEREBY STATE AS FOLLOWS: THE INFORMATION SHOWN HEREON IS BASED ON RECORDS ON FILE IN THE OFFICE OF THE PARK COUNTY CLERK AND ON FIELD SURVEY WORK PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION; THAT THIS FINAL PLAT SHOWS THE DIVISION OF LANDS DESCRIBED IN DOC# 2022-207 ON FILE IN THE PARK COUNTY CLERK'S OFFICE; THAT THE LANDS SURVEYED ARE CORRECTLY DESCRIBED IN THE DESCRIPTION OF LANDS AND THE SUBDIVISION THEREOF IS CORRECTLY SHOWN ON THIS PLAT, WHICH IS DRAWN TO THE SCALE INDICATED; AND THAT THE INFORMATION SHOWN HEREON IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

JESSE FRISBEE
WYOMING REGISTRATION NO. 17010, L.S.

PRELIMINARY PLAT SHEET 1

31ST STREET MINOR SUBDIVISION

BEING A SUBDIVISION OF THE EAST 125 FEET OF LOT 8
BLOCK 3 OF THE MCMILLIN SUBDIVISION

RESURVEY T.52N., R.101W.,
6TH P.M., CITY OF CODY, PARK COUNTY, WYOMING

DEVELOPER / OWNER:

OLD BLACK WAGON 8, LLC
505 SW LEVENS STREET
DALLS, OR 97338

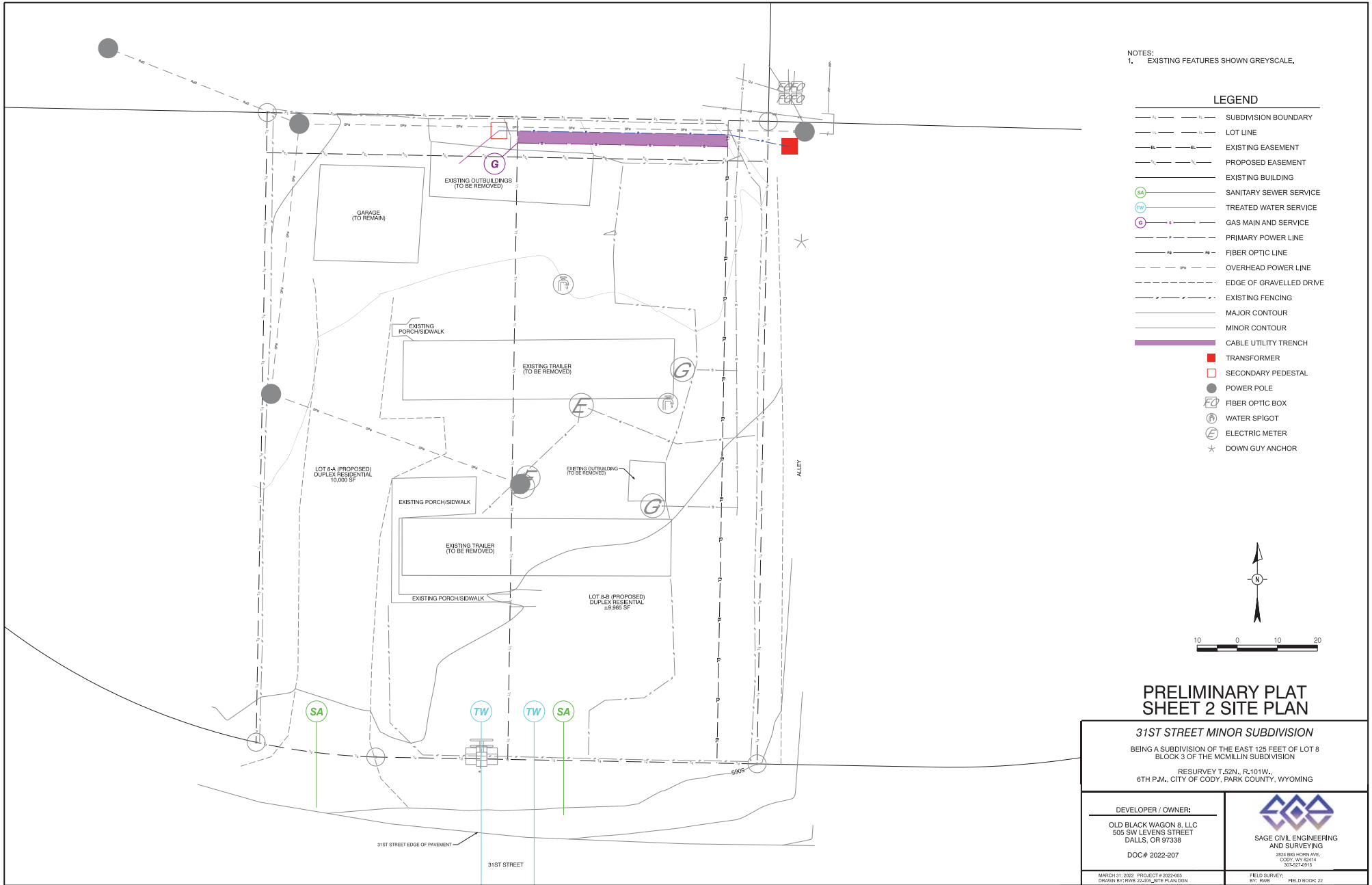
DOC# 2022-207



SAGE CIVIL ENGINEERING
AND SURVEYING
2624 BBS HORN AVE.
CODY, WY 82404
307-527-8915

MARCH 11, 2022 PROJECT # 2022-045
DRAWN BY: RWB 22-005_PLAT.020A

FIELD SURVEY: BVC, JNF DATE: MARCH 2, 2022



NOTES:
1. EXISTING FEATURES SHOWN GREYSCALE.

- LEGEND**
- SUBDIVISION BOUNDARY
 - LOT LINE
 - EXISTING EASEMENT
 - PROPOSED EASEMENT
 - EXISTING BUILDING
 - SANITARY SEWER SERVICE
 - TREATED WATER SERVICE
 - GAS MAIN AND SERVICE
 - PRIMARY POWER LINE
 - FIBER OPTIC LINE
 - OVERHEAD POWER LINE
 - EDGE OF GRAVELLED DRIVE
 - EXISTING FENCING
 - MAJOR CONTOUR
 - MINOR CONTOUR
 - CABLE UTILITY TRENCH
 - TRANSFORMER
 - SECONDARY PEDESTAL
 - POWER POLE
 - FIBER OPTIC BOX
 - WATER SPIGOT
 - ELECTRIC METER
 - DOWN GUY ANCHOR

**PRELIMINARY PLAT
SHEET 2 SITE PLAN**

31ST STREET MINOR SUBDIVISION
BEING A SUBDIVISION OF THE EAST 125 FEET OF LOT 8
BLOCK 3 OF THE MCMILLIN SUBDIVISION
RESURVEY T.52N., R.101W.,
6TH P.M., CITY OF CODY, PARK COUNTY, WYOMING

DEVELOPER / OWNER: OLD BLACK WAGON 8, LLC 505 SW LEVENS STREET DALLS, OR 97338 DOC# 2022-207	 SAGE CIVIL ENGINEERING AND SURVEYING 2824 BEA HORN AVE. CODY, WY 82414 307-527-8915
MARCH 31, 2022 PROJECT # 2022-005 DRAWN BY: RWB 22-005 SITE PLAN.DWG	FIELD SURVEY: BPC, RWB FIELD BOOK: 22