

CITY OF CODY
PLANNING, ZONING AND ADJUSTMENT BOARD
TUESDAY, SEPTEMBER 13, 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 September 13, 2022 meeting.
5. Approval of Minutes from the August 30, 2022 Special meeting.
6. New Business:
 - A. Review the request from Tim and Gina Leonhardt to subdivide, annex and zone 1.85 acres of their property. The location of the property is 14 Jamieson Circle.
 - B. Special Exemption Public Hearing to allow a sound system in the High School Athletic Field Scoreboard Sign at 919 Cody Avenue.
 - C. Review the Special Exemption request to allow a sound system in the High School Athletic Field Scoreboard sign at 919 Cody Avenue.
 - D. Final Plat for the Schoonover Subdivision a 5-Lot subdivision, located at 233 Robert 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 Special Meeting
August 30, 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, August 30, 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; Ian Morrison; Cayde O'Brien; Matt Moss; Scott Richard; Council Liaison Andy Quick; City Attorney Sandee Kitchen; City Planner Todd Stowell; GIS Analyst Utana Dye

Absent: Andrew Murray; Karinthia Herweyer

Ian Morrison moved to approve the agenda for August 30, 2022, seconded by Cayde O'Brien. Vote on the motion was unanimous, motion passed.

Ian Morrison moved to approve the minutes from the August 9, 2022 regular meeting, seconded by Scott Richard. Vote on the motion was unanimous, motion passed.

City Planner Todd Stowell review the request for a height waiver to install a nine-foot-tall privacy fence on the side yard of 2325 Newton Avenue. The purpose of the fence waiver is to hide what the applicant considers an unsightly metal building that their neighbor recently constructed. Six neighbors responded were agreeable to the height waiver.

Bruce McCormack came forward and spoke to the board to have them consider extending the fence further past the line of sight from his window. He would like the fence to be 8-foot in height for the remainder of the side yard and to keep the section of fence that covers the building be the requested fence height waiver of 9-foot-tall.

Scott Richard made a motion, second by Cayde O'Brien to approve the 9-foot-tall fence from the edge of the house to the edge of the shop. Cayde O'Brien, Scott Richard and Matt Moss in favor of the motion. Ian Morrison and Carson Rowley were opposed to the motion. Motion Failed.

Scott Richard made a motion, seconded by Matt Moss to approve as proposed by staff. the fence height waiver to allow a fence up to nine feet in height along that portion necessary to screen the building from the existing back windows of the McCormack and Stuart residences as shown in the sketch by staff. This motion leaves the 8-foot height limit to the south located on the side yard of 2325 Newton Avenue. Cayde O'Brien, Ian Morrison, Scott Richard and Matt Moss were in favor of the motion. Carson Rowley was opposed to the motion. Motion passed.

City Planner Todd Stowell reviewed the site plan application for City Brew. Square 106, LLC. and Beartooth Holding and Construction have submitted a site plan application to develop a City Brew coffee shop at 1562 Sheridan Avenue. The building would be approximately 2,057 square feet in size and have an additional 14' by 21' outdoor seating area and a drive-thru service.

The property is located in the General Business (D-2) zoning district and in the architectural district and the entry corridor overlay zone.

Cayde O'Brien a motion, seconded by Ian Morrison to approve the site plan review for City Brew at 1562 Sheridan Avenue with staff recommendations 1-9 from the staff report. Vote on the motion was unanimous motion passed.

City Planner Todd Stowell reviewed the plat amendment to vacate a 3-Lot Subdivision and associated easements. Robert A. and Frances K. Swander Revocable Trust has submitted an Amended Plat

application to vacate three existing lots and all easements associated with the lots. The property is at 1133 31st Street. The intent is to wipe the property clean of all internal property lines and easements, except a 15-foot utility easement along the south and west boundaries of the property will be reestablished. All of the property, as well as an adjacent lot to the north that has a yard easement on the is property is under the Swander Revocable Trust.

Ian Morrison made a motion, seconded by Cadye O'Brien to recommend to City Council to approve the plat amendment and vacation of the associated easements. Vote on the motion was unanimous motion passed.

P & Z Board Matters: None

Council Updates: First billing on the storm water cycle will be coming out on September 1, 2022.

Staff Items: None

Ian Morrison made a motion, seconded by Matt Moss to adjourn the meeting. Vote on the motion was unanimous. The meeting was adjourned at 12:45 pm.

Utana Dye

GIS Analyst

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

MEETING DATE:	SEPTEMBER 13, 2022	TYPE OF ACTION NEEDED	
AGENDA ITEM:		P&Z BOARD APPROVAL:	
SUBJECT:	PETITION FROM TIM AND GINA LEONHARDT TO SUBDIVIDE, ANNEX AND ZONE 1.85 ACRES OF THEIR PROPERTY. FILE: ANN 2022-01	RECOMMENDATION TO COUNCIL:	X
PREPARED BY:	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

PROJECT DESCRIPTION:

The City of Cody has received a petition from Tim and Gina Leonhardt to annex approximately 1.85 acres of their property into the City of Cody. The 1.85 acres is being subdivided from the balance of their 14.7-acre property, and they request that it be zoned Medium-High Density Residential (R-3). The balance of the property would remain in the County and remain zoned R-H (Residential half-acre).



An annexation report has been prepared pursuant to State statute, and is attached.

PROCEDURE:

The procedures for annexation are outline in Wyoming Statue 15, Article 4. In brief, the process involves a public hearing after proper notice and preparation of an annexation report, followed by consideration of an annexation ordinance and filing of an annexation survey. Because the area being annexed is only a portion of an existing parcel, the subdivision process is also being incorporated. The attached plat of Leonhardt Addition to the City of Cody is for the purpose of dividing the property along the annexation boundary, and establishing the record of the annexation as required by State statute.

The following language regarding zoning of property 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 hearings have been scheduled to occur at the City Council meeting on September 20, 2022. In the public hearing notice, it is mentioned that the Planning and Zoning Board will also review the proposal for a recommendation at their September 13, 2022 meeting.

REVIEW CRITERIA:

Before the land can be annexed, the governing body (City Council) is to make the following findings at the public hearing. Staff comments supporting each finding are noted in italics. They are noted here for Planning and Zoning Board review.

§ 15-1-402. Annexing territories; findings required; when contiguity not deemed affected; annexation report.

(a) Before any territory is eligible for annexation, the governing body of any city or town at a hearing as provided in W.S. 15-1-405 shall find that:

(i) An annexation of the area is for the protection of the health, safety and welfare of the persons residing in the area and in the city or town;

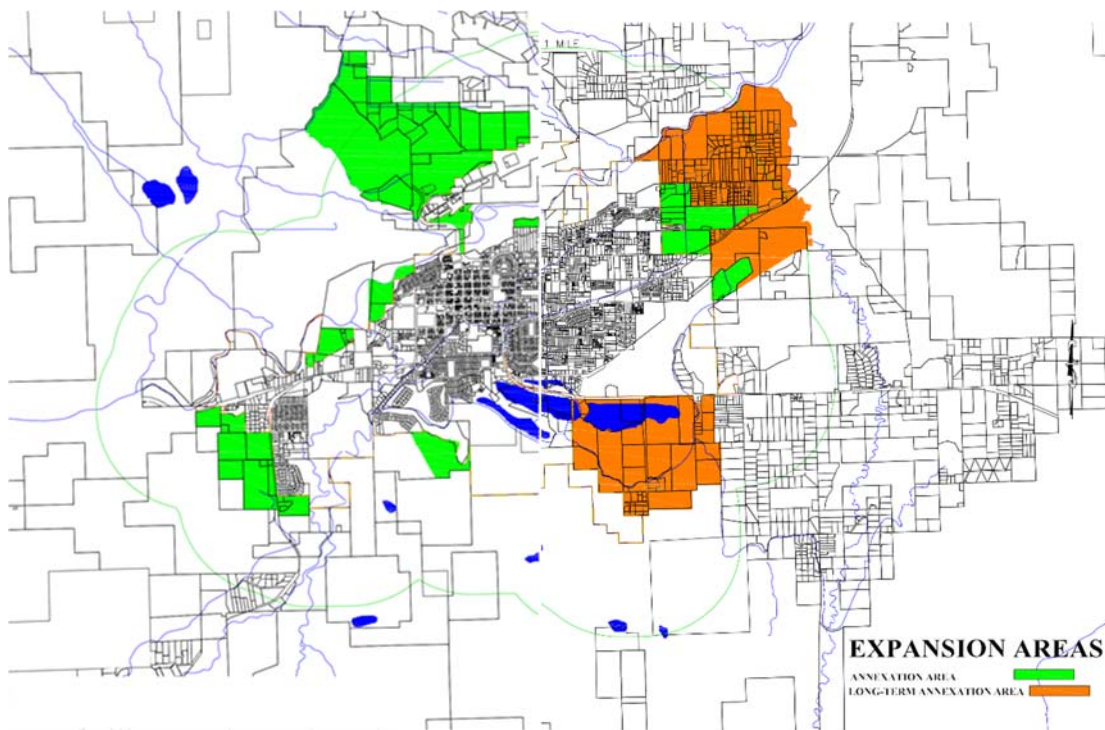
Comment: The annexation allows city services, including utilities and city police services, to be provided to the property, which services can benefit the health, safety and welfare of the future occupants of the property. Timing and availability are outlined in the annexation report.

(ii) The urban development of the area sought to be annexed would constitute a natural, geographical, economical and social part of the annexing city or town;

Comment: The property proposed for annexation is located directly on a state highway and is bordered by the City along the west and north boundary, making it a natural and geographically reasonable extension of the City. Only the portion of the property north of the irrigation lateral is proposed for annexation. Including only this area is logical, as leaving the balance of the property in the County creates a buffer between the annexed area and neighboring properties in the County.

Standard growth and development patterns are typically focused along the main transportation and utility corridors, so it is not surprising that development pressure is occurring in this area. Availability of sufficient land for urban development is necessary to allow economical development options and growth of cities and towns. At least in the perspective of many realtors and would-be developers, Cody needs additional land for urban development, so extending the City limits to include additional areas capable of urban development will allow some of those developments to be realized. From an efficiency perspective, development at an urban level provides opportunities and efficiencies that would not be possible without urban services.

The City's preferred growth areas are identified in the master plan by the following map (shown in green). This property is in the large orange area south of the City. While the green areas are priority annexation areas, the orange areas are identified as long-term annexation areas. Note that the long-term annexation area includes this property, but not properties further east than the Leonhardt's. The annexation map was based on economic factors and natural features.



There has not been a reason identified that the occupants of the annexed property would not be able to form a social part of the City.

(iii) The area sought to be annexed is a logical and feasible addition to the annexing city or town and the extension of basic and other services customarily available to residents of the city or town shall, within reason, be available to the area proposed to be annexed;

Comment: Annexation of the property is logical and feasible due to the benefits just noted in "ii". The extension of basic and other services is planned as outlined in the annexation report, and includes City domestic water, a private sewer connecting to the City system, and City power.

It is noted that the property is currently within the Northwest Rural Water District service area, and that the property cannot be served with City water until the property is de-annexed from Northwest Rural Water. The process to do so is planned to occur concurrently with the annexation, but may take slightly longer than the annexation and zoning. As Northwest rural water cannot easily serve the portion of the property proposed for annexation, their staff is supportive of the request. County staff, which is also involved in the de-annexation process has also indicated support of allowing the City to serve the property with domestic water.

The language that accompanies the expansion area map in the master plan is also applicable and is cited here:

Principle 3.4.b. Annexation Areas. Annexation areas within the growth area are those areas that the City has the most interest in annexing, due to the factors that make urban development most cost-effective. ...It is the intent of the City to plan for extension of City services to these areas, as needed to serve urban density development...

(iv) The area sought to be annexed is contiguous with or adjacent to the annexing city or town, or the area meets the requirements of W.S. 15-1-407;

Comment: The area is contiguous, as defined by the annexation Statute. The intervening highway does not cause the property to not be contiguous to the city limits, per WY Statue 15-1-402(b).

(v) If the city or town does not own or operate its own electric utility, its governing body is prepared to issue one (1) or more franchises as necessary to serve the annexed area pursuant to W.S. 15-1-410; and

Comment: Not applicable, as the City of Cody operates its own electric utility.

(vi) The annexing city or town, not less than twenty (20) business days prior to the public hearing required by W.S. 15-1-405(a), has sent by certified mail to all landowners and affected public utilities within the territory a summary of the proposed annexation report as required under subsection (c) of this section and notice of the time, date and location of the public hearing required by W.S. 15-1-405(a).

Comment: Met. Notice was provided by certified mail to neighboring property owners within 140 feet and affected utility providers on August 17, 2022 and by publication in the Cody Enterprise on August 23 and August 30, 2022.

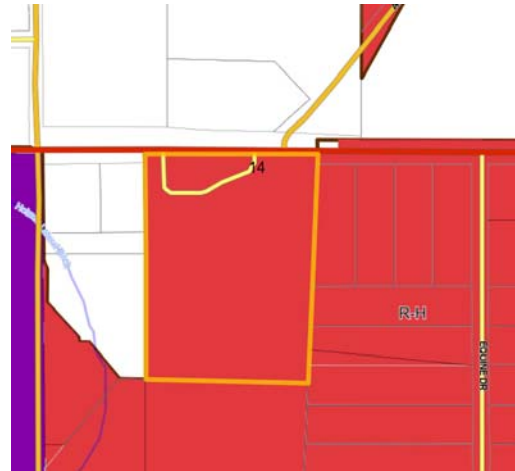
Thirteen neighboring property owners were notified by mail. As of the time of this staff report we have received four responses, one supportive and three expressing some level of objection, either to the proposed zone or both the annexation and zoning. All comments are attached.

Plat

A subdivision plat, complete with an annexation survey and legal description has been prepared and a copy is attached. This staff report will not go through all of the subdivision standards, but will simply point out that no subdivision improvements are triggered other than those identified in the annexation report, and installation of those improvements (utilities) is not required until the time of building permits for development of the property. Applicable notes, subdivision variances, and conditions of the subdivision are included in the recommendation at the end of this report.

ZONING:

The existing zoning maps of the City and County for the area are shown below (City left and County right).



Neighboring Properties:

<i>DIRECTION</i>	<i>EXISTING USE</i>	<i>ZONING</i>
Northwest	WYDOT facility, Park County Animal Shelter property.	Industrial E
East	Applicant's residential lot (12.4 acres).	County R-H
South	Applicant's residential lot.	County R-H
West	Vacant lot-owned by Vet clinic owner.	General Business (D-2)

The existing zoning of the property is "Rural 1/2-acre". The county zoning ordinance defines the zone as follows:

A. Residential 1/2-Acre (R-H): The R-H district allows moderate density (1/2 acre average density) residential housing developments served by public water and sewer.

The City zoning across Highway 120 is the Industrial "E" zone. To the west is the City General Business (D-2) zone in red, and Rural Residential (RR) zone in light green. The proposed R-3 zoning is intended to function as a transition between the more intense E and D-2 zones and the less intense Rural Residential and R-H residential zoning to the south, east and southwest.

As a transition, the City has not historically required any minimum size for the zone, nor viewed the transition as a "spot zone". Several similar one-lot-transitions exist in the City. It is one of many residential zones, located so that it has a density higher than the zone(s) on one side and lower than the zone(s) on the other. (Note: The D-2 zone allows all forms of residential development, with no specific density limit, so long as applicable standards are met.)

The requested R-3 zoning allows residential development of up to four units in a building, at a density of one unit per 4,000 square feet of net lot area. That calculates out to about 18 units on the annexed property. The R-3 zone also allows those units to be utilized for short term rental, without the owner living on or next to the property. This is mentioned as some of the neighbors are concerned about the potential of short-term rental on this property, and refer to it as a "commercial use".

If the Planning and Zoning Board or City Council believe that R-3 results in too much density, the R-2 zone would be the next step down in density. It allows single-family homes or duplexes on individual lots. Minimum lot size for a single-family home in R-2 is 5,500 square feet. A duplex in the R-2 zone requires a lot size of 10,000 square feet. The R-2 zone also allows short-term rental, but only if the owner lives on or immediately next to the property.

Note that the R-3 zone does not limit the number of units on a lot, but the R-2 zone does, so subdivision into individual lots is required in R-2 to have more than two units.

ZONING 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, other than it must be done by ordinance. 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 an updated comprehensive plan (master 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.*" However, the future land use map does not extend beyond the City limits. It is noted that the land is identified in the master plan as within an expansion area (see map above).

(A) Lessen congestion in the streets:

Staff Comment: The property is immediately adjacent to a State highway, so traffic to/from the property will not have to pass through neighborhoods or local streets. Commercial and high-density development along transportation corridors is an efficient layout to reduce congestion in neighborhood streets.

(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. The City has a functioning residential building code enforcement and inspection program applicable to all residential development, whereas the County does not.

(C) Promote health and general welfare:

Staff Comment: The annexation and accompanying zone change has the potential to help address the current high demand for housing. Development would benefit the local economy, provide jobs, and allow opportunity to further improve the community. The ability to utilize City water and sewer, as opposed to a well and septic system has further environmental and safety benefits. No detrimental effects to the public health from the annexation and zoning have been established.

(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: The zoning, building, utility, and other development regulations of the City are intended to ensure such.

(F) Avoid undue concentration of population:

Staff Comment: The current zoning, building, utility, and other development regulations of the City are intended to ensure such.

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

Staff Comment: The R-3 (or R-2) zoning will allow development at a level that will more economically facilitate needed utilities. There is adequate capacity in the City utility systems (water, sewer, and power) that are planned to be extended to the property. The transportation system is already adequate to serve the potential density.

The City's subdivision ordinance would address park impacts if additional subdivision were to occur.

Schools have their own tax revenue, and Wyoming jurisdictions typically do not tie school funding to development. Based on current trends, exceeding school capacity is not a present concern.

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

Staff Comment: The property is at a boundary between commercial development and low-density rural development. The transition character of the requested residential zone seems appropriate for the location.

(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 nearest neighboring residential building to the east would be about 330 feet from any development on the annexed property. To the south and west, the nearest residence would be about 700 feet away. The "buffer" provided by this physical separation, combined with the fact that there are essentially no traffic impacts, would seem to indicate that no significant impacts will occur to neighboring residential properties or agricultural operations.

If density can be added without impacting other residential areas or agricultural operations, the location should be considered for the more intense development contemplated by the zoning requested.

(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:

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 written responses have been received. One in support and three expressing some level of objection to the annexation and/or zoning of the property. All written responses are attached.

ATTACHMENTS:

Subdivision/Annexation Plat

Annexation Report

Neighbor Comments

(Available, but not attached: annexation petition, Clerk's certification of petition, notices, mailing list, title report)

ALTERNATIVES:

Recommend approval or denial of the requested annexation and zoning to the City Council.

RECOMMENDATION:

Staff recommends that the Board recommend approval of the requested annexation.

Staff believes that there is some flexibility in whether R-3 or R-2 zoning is applied to the annexed area. R-2 would be more characteristic of the neighboring low-density residential area, but the transitional location and physical separation from the neighboring low-density residential area is likely sufficient to support the R-3 zoning requested.

Approval of the subdivision is recommended with the following variances, and subject to the following conditions.

Subdivision Variances:

- 1) To the alley requirement.
- 2) To waive the requirement to pipe the irrigation lateral through the property (same variance that was granted for the subdivision across the highway.)
- 3) To allow the water line construction plans to be completed after the plat is recorded.
- 4) To allow the utility fees and electrical estimate to be paid after the plat is recorded.

Conditions of Approval:

1. Prior to the mayor signing the plat, submit a plan view of the utility extensions to the property for review and approval by City Staff.
2. On the plat, provide a public utility easement along the highway frontage, based on the utility layout submitted for Condition #1 and the ability of those utilities to

be extended to the east boundary of the Leonhardt property. It is expected that this easement will be in the range of 20-30 feet wide. (15' currently shown)

3. Obtain approval of the irrigation water distribution plan between the two lots from the Cody Canal Irrigation District prior to recording the plat.
4. The water main extension may be installed, but the annexed property cannot be served with City water until the property is removed from the Northwest Rural Water District. The property owner is responsible to work with the Northwest Rural Water District to complete that process.
5. As outlined in the subdivision ordinance, the utility fees and electrical estimate are to be paid and the subdivision improvements (installation of water main, electrical extension, and sewer service) are to be completed prior to issuance of any building permits on the annexed property. Add a note to the following effect to the plat: "Outstanding subdivision requirements must be completed prior to issuance of any building permits on Lot 1. Contact the community development office for information."



THE ABOVE-DESCRIBED PARCEL CONTAINS 14.289 ACRES, MORE OR LESS.

**LEGAL DESCRIPTION OF LOT 1
(PORTION BEING ANNEXED TO
THE CITY OF CODY)**

THE ABOVE-DESCRIBED PARCEL CONTAINS 1.849 ACRES, MORE OR LESS.

REFERENCES

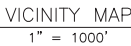
- PLAT OF PADDOCK ESTATES, BLOCK C OF PLATS, PAGE 51, RECORDS OF PARK COUNTY, WYOMING.
- WARRANTY DEED INST. NO. 2003-7623 (TRANSPORTATION COMMISSION OF WYOMING).
- WARRANTY DEED INST. NO. 2014-5857.
- WARRANTY DEED INST. NO. 2015-5637.

BEARING NOTE

THE BEARINGS SHOWN ON THIS SURVEY ARE DERIVED FROM GPS OBSERVATIONS, PROJECTED TO THE WYOMING WEST-CENTRAL ZONE. ALL BEARINGS SHOWN ARE STATE PLANE GRID BEARINGS. ALL DISTANCES ARE GROUND DISTANCES.

DETAIL "C"
SCALE 1" = 10'

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	301.50'	80.11'	15°13'25"	N58°23'52"E	79.87'
C2	590.00'	177.04'	17°11'35"	S59°22'57"W	176.38'
C3	115.00'	43.13'	21°30'36"	N57°02'04"E	42.92'
C4	70.00'	47.97'	39°13'58"	S65°53'45"W	47.00'
C5	40.00'	24.45'	35°01'18"	N68°00'05"E	24.07'
C6	11394.16'	229.90'	10°9'22"	N89°51'17"W	229.90'
C7	11394.16'	46.02'	01°35'22"	S89°57'06"W	46.02'
C8	11459.16'	277.50'	1°23'15"	N89°28'13"W	277.49'



CERTIFICATE OF OWNER

TIMOTHY F. LEONHARDT
GINA L. LEONHARDT

ACKNOWLEDGMENT:

GINA L. LEONHARDT

ACKNOWLEDGMENT:

STATE OF WYOMING

COUNTY OF BARK

THE FOREGOING OWNER(S) CERTIFICATE WAS ACKNOWLEDGED BEFORE ME THIS
DAY OF _____, 2020 BY TIMOTHY F. & GINA L.
LEONHARDT

WITNESS MY HAND AND OFFICIAL SEAL: (WYOMING STATE LAW REQUIRES A NOTARY SEAL TO BE AFFIXED HEREON)

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

CITY PLANNING AND ZONING BOARD

RECOMMENDED FOR APPROVAL THIS _____ DAY OF _____, 2022 BY THE CITY OF
CODY PLANNING AND ZONING BOARD.

CHAIRMAN

CITY COUNCIL

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

ATTEST:

CITY CLERK

MAYC

BOARD OF COUNTY COMMISSIONERS

THIS PLAN IS HEREBY APPROVED AND THE SUBDIVISION PERMIT GRANTED BY THE BOARD OF COUNTY COMMISSIONERS OF PARK COUNTY, WYOMING ON THIS _____ DAY OF _____, 2022.

CHAIRMAN

ATTEST:

CLERK AND RECORDER ACCEPTANCE

THIS PLAT WAS ACCEPTED FOR FILING IN THE OFFICE OF THE PARK COUNTY CLERK AND RECORDER ON
THIS _____ DAY OF _____, 20____, AND FILED FOR RECORD AT _____ M. UNDER
DOCUMENT NUMBER _____, IN PLAT CABINET ____ AT PAGE _____

PARK COUNTY CLERK AND RECORDER

BY: DEPUTY



TO T-O ENGINEERS
502 33RD STREET
CODY, WYOMING 82414
PHONE: (307) 587-3411 WWW.TO-ENGINEERS.COM

SHEET NO. 1 OF 1

ANNEXATION REPORT FOR THE TIMOTHY & GINA LEONHARDT PROPERTY

The proposed annexation to the City of Cody of a portion of a parcel located south of State Highway 14-16-20 (Greybull Highway) approximately 500 feet east of the Beacon Hill Road/ Road 3CXS intersection. The existing parent parcel is approximately 14.78 acres and owned by Timothy and Gina Leonhardt. It has an address of 14 Jamieson Circle, Cody, WY. The portion proposed for annexation and division from the rest of the parent parcel is that portion of the property lying north of the centerline of the Cody Canal Moller Lateral. It is approximately 1.85 acres in size. A map of the proposed annexation is shown in the map below, as outlined in white.



This report was prepared by the City of Cody in accordance with Wyoming Statute 15-1-204(c).

Item 1. The total estimated cost of infrastructure improvements required of all landowners by the annexing municipality related to the annexation;

Estimated Cost: \$94,770

Note: The estimate does not include sewer, water, power or 3rd party utility infrastructure for future development—only what is necessary to make City utilities available for the subject property. Extension beyond the minimum may occur with some utilities to better accommodate future development.

Upon annexation, any development of the property would be required to utilize City utilities, including domestic water, sewer, and power. The design and installation of the utility extensions would be entirely at the cost of the applicant, as the utilities are not designed or anticipated to be used by any other properties in the foreseeable future.

The property owner would also be responsible to obtain easements for the utility extensions. The city needs a utility easement across the lot immediately to the west for the water and power extensions and the property owner needs an easement from both lots to the west for the private sewer line. That property owner, who owns both lots to the west, has indicated a willingness to grant the easements. Staff recommends that the easements be acquired by the applicant before the annexation is completed.

More specifically, City power would be extended from a point approximately 210 feet to the west and brought at least to the northwest corner of the property, if not to a central location that could more readily serve future development of the property. A rough estimate for the electrical extension to the northwest corner of the property is \$18,350. (Includes 210' extension, a 3-phase sectionalizing cabinet, a 25 KVA transformer, and associated materials.) A more accurate electrical estimate is not possible at this time due to the widely fluctuation costs for electrical infrastructure and its limited availability. Availability of some materials are more than a year out, so distributors are not committing to prices.

An 8-inch City water main would be extended from a point approximately 460 feet to the west to an accessible location just within the property. Although the property has never been connected to Northwest Rural Water, the property is currently within the Northwest Rural Water District. In order for the City to serve the property with City water, the property must be removed from the Northwest Rural Water District service area. Staff from both Northwest Rural Water and the County have informally indicated support to allow the City to serve the annexed property with City water, but formal approval must come from their Boards. That process will need to be coordinated with the approval of the annexation. The applicant's engineer provided an estimated construction cost for the water line extension of \$32,300. (Includes 460' of 8" water line, two valves, and a fire hydrant assembly.)

Due to the elevation of the property being below what can be served with an extension of the City's gravity-flow sewer, it will be necessary that the property utilize a private low-pressure grinder pump/lift station for sewage disposal. Sewage would be collected from the future development on the property and pumped to the City sewer system through a private line (likely 1 ½" or 2" diameter) to the manhole located just southeast of the intersection of Beacon Hill Road and Highway 14-16-20. The engineer's estimate for the private grinder pump line is \$21,620. (Includes 460' of 2" line and excavation. Grinder pump costs are not included in this figure as they are typically installed with construction of the dwellings.)

Once constructed to City standards, the electrical infrastructure and water main will be accepted for ownership and maintenance by the City. The grinder pump system and low-pressure sewer line would remain private.

The estimated construction costs for these three utilities (power, water, and private sewer) are \$72,270. An additional \$20,000 was identified by the engineer for easement acquisition, design and construction services by the engineering firm, and \$2,500 for asphalt repair, for a total of approximately \$94,770. The estimate does not include sewer and water connection fees, as those are not due until development of buildings on the property. Other than for power, the estimates above are based on information provided by the applicant's engineer.

The landowner will also likely utilize natural gas from Black Hills Energy and telecommunications from one or more of the providers serving that area (TCT, Spectrum, US West). Connection to those utilities would need to be coordinated directly with those providers.

The property has direct access to Highway 14-16-20, so no street improvements are necessary related to the annexation.

Item 2. A list of basic and other services customarily available to residents of the city or town and a timetable when those services will reasonably be available to the area proposed to be annexed;

Services Customarily Available

Sanitary Sewer

Timetable for availability

The plan is to have the applicant install the necessary private low-pressure sewer line, which would make public sewer available for the property. Timing would be at the property owner's discretion.

Domestic Water

The extension of a City water main to the property would also be at the property owner's discretion.

City Raw Water (Irrigation)	Not available in this area. There are no plans for extension of the City irrigation system to this area. Irrigation water is currently available through the Cody Canal Irrigation District system. An irrigation lateral passes through the property.
Electricity	City of Cody power can be installed upon annexation, subject to availability of materials. Timing is otherwise at the property owner's discretion.
Gas	The property owners will need to work directly with Black Hills Energy if new gas connection is desired. A line runs along the highway. Availability is not affected by the annexation.
Sanitation Collection	Service available upon annexation.
Police	Service available upon annexation.
Fire	Already provided.
Emergency Response	Already provided.

3. A projected annual fee or service cost for services described in #2 above;

Until utility services are utilized, there are no annual/monthly utility fees charged by the City. Current city fees for utility connections are noted below.

<u>Services Customarily Available</u>	<u>Current connection fees and monthly fees.</u>
Sewer	See sewer fee schedule in Exhibit "B", attached hereto. Current one-time fees for a typical single-family dwelling or equivalent use include a \$500 plant investment fee, (\$150 surcharge for being in an area served by a City lift station?), and a \$25 inspection fee. Monthly billing is based on a base fee that relates to the size of the water service, plus water usage at \$1.84 per 1,000 gallons. The current table for monthly billing is below.

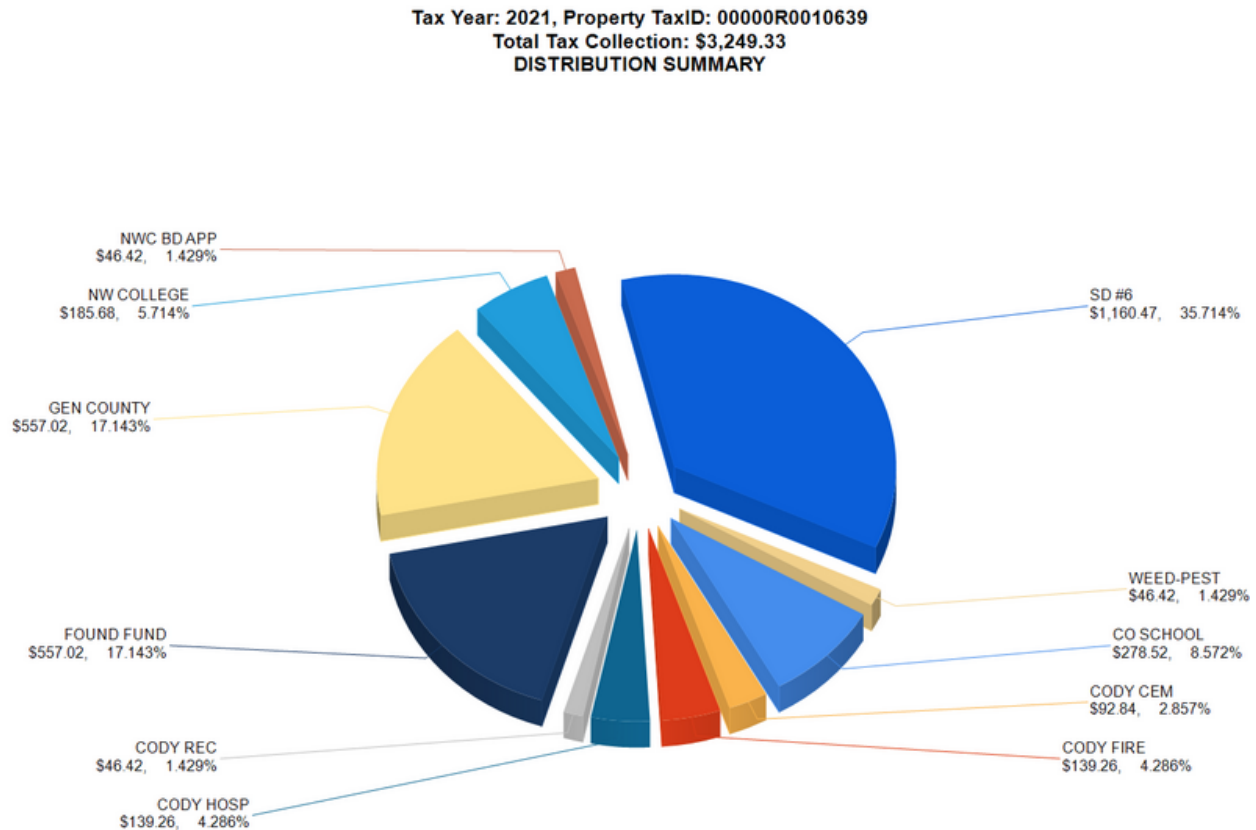
A minimum monthly charge for the water measured through each water meter based upon the size of the water meter as follows:

Meter Size	Minimum Monthly Charge
3/4 inch	\$ 10.14
1 inch	20.28
1 1/2 inch	40.56
2 inch	70.98
3 inch	162.24
4 inch	283.92
6 inch	608.40
Plus \$1.84 per 1,000 gallons per month of water metered	

Water	See adopted fee schedule in “Exhibit C”, attached hereto for current City water connection fees and monthly rates.
Electricity	There is no connection fee for electricity. See adopted City fee schedule in Exhibit “D”, attached hereto, for the monthly billing rates (effective Oct. 1, 2022). Effective October 1, 2022, monthly billing rates for a single residence is \$21.30 for the base fee and \$0.1028 per kilowatt hour.
Gas	No change from existing situation, except individual gas bills would include a franchise fee component (currently 4%) once the property is within the City.
Sanitation Collection	See adopted fee schedule in Exhibit “E”, attached hereto. Sanitation fees for a residential dwelling is \$20.68 per month for one dumpster or roll-out, plus a \$1.35 recycling fee and a \$1.50 Large Item Pickup fee. (\$23.53 per month)
Police	No annual/monthly fee. Paid for through taxes.
Fire	No annual/monthly fee. Paid for through taxes.
Emergency Response	No annual/monthly fee. Paid for through taxes.

4. The current and projected property taxes;

Property taxes for the year 2021 for the entire Leonhardt property were \$3,249.33, which were distributed in the following manner:



The 2021 taxes were based on a market value of \$488,617 for the property and improvements, from which the County Assessor calculated a net taxable value of \$46,418.

As only a portion of the property would be annexed and two lots will exist where there is only one now, the County Assessor will be assigning new valuations to each lot. Two lots are typically of more value than one, even when the total acreage is the same.

For comparison purposes only, if the entire 14.78-acre Leonhardt property were annexed and the same 2021 net taxable value of the property and 2021 mill rates for all other property taxing entities were applied, total property taxes would increase to \$3,481.42 if the entire property were located within the City. That would represent a \$232.09 difference due to the City's general mill levy rate of 5.0 per thousand. However, that is not the proposal. Only 1.85 acres of the Leonhardt property is proposed to be annexed, so the impact to property taxes, assuming all other factors remain unchanged, would be significantly less than the \$232.09 increase noted.

5. The cost of infrastructure improvements required within the existing boundaries of the municipality to accommodate the proposed annexation.

Other than the anticipated infrastructure improvements identified in Item 1 of this report, which are estimated at \$94,770, there are no other needed infrastructure improvements within the City to accommodate the annexation.

PUBLIC HEARING NOTICE

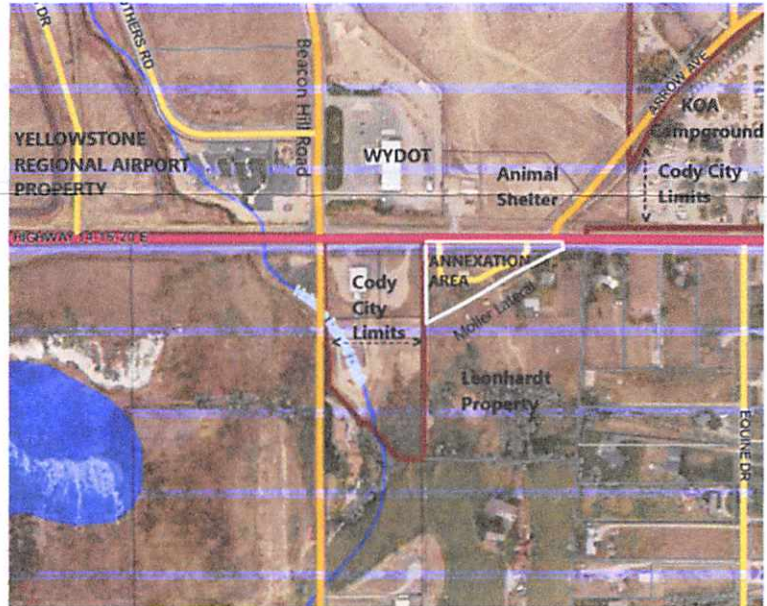
Date: August 19, 2022

Please return comments by Sept. 6, 2020 to:

**RE: TIM & GINA LEONHARDT
ANNEXATION AND ZONING REQUEST**

Community Development
P.O. Box 2200
Cody, WY 82414
Or email: todds@codywy.gov

The Cody City Council will hold a public hearing to consider: annexation to the City of Cody of approximately 1.85 acres owned by Tim and Gina Leonhardt, located south of State Highway 14-16-20 (Greybull Highway), north of the centerline of the Cody Canal Moller Lateral, and approximately 500 feet east of the Beacon Hill Road/ Road 3CXS intersection; and, zoning the annexed property Medium-High Density Residential (R-3). The Entry Corridor Overlay zone may also be applied. An annexation report is available at City Hall or by e-mailing todds@codywy.gov. City water and electric infrastructure extensions are proposed with future development of the property. A private sewer system would be used to pump sewer to the City's sewer main to the west. Upon annexation, the property would be subject to City codes and property taxes. The public hearing will be held on **Tuesday, Sept. 20, 2022, at 7:00 p.m.**, or as soon thereafter as practical, in the Council Chambers at City Hall at 1338 Rumsey Ave., Cody. The Cody Planning and Zoning Board will also review the proposal for a recommendation at their **Sept. 13, 2022** meeting, at noon, at the same City Hall location. The public is invited to attend and provide comments. Contact the City Planner at (307) 527-3472 if you have questions.



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

Dear City Council:

☒ I have **NO OBJECTION** to the annexation and proposed zoning of the subject property.

Name: Scott and Shelly Moore

Address: 1414 10th St Cody, WY 82414

Comments: _____

☐ I **OBJECT** to the annexation and/or zoning of the subject property as proposed.

Name: _____

Address: _____

Reason for Objection: _____

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

PUBLIC HEARING NOTICE

Date: August 19, 2022

Please return comments by Sept. 6, 2020 to:

RE: TIM & GINA LEONHARDT
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Name: _____

Address: _____

Comments: _____

☐ I OBJECT to the annexation and/or zoning of the subject property as proposed.

Name: Oliver J. Guilman

Address: 28 Rd 3CXS

Reason for Objection: "Zoning" Its zoned

Residential, Keep it that way

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

Please return comments by Sept. 6, 2020 to:

Community Development
P.O. Box 2200
Cody, WY 82414

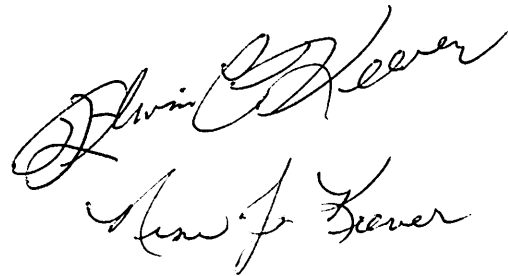
property:

Materials for this request, please provide your email address: _____

AUGUST 6, 2022

ELWIN C & NINA J KEEVER
22 ROAD 3CXS
CODY WY 82414

WE FEEL THE CONTINUED COMMERCIALIZATION OF THE PADDOCK ESTATES SUBDIVISION GOES AGAINST THE ORIGINAL INTENT AND PURPOSE OF THE SUBDIVISION. REQUESTING ANNEXATION AND ZONING CHANGE IS SIMPLY ANOTHER AVENUE TO OBTAIN THEIR OBJECTIVE. WE PURCHASED OUR PROPERTY 42 YEARS AGO AND SPENT TIME AND MONEY TO RETAIN AND DEVELOP IT ACCORDING TO THE ORIGINAL COVENANTS RULES AND REGULATIONS. THE PROPOSED AGENDA WILL UNDERMINE THE REASONS FOR OUR PURCHASING IN THE PADDOCK ESTATES AND OPEN THE GATE FOR FUTURE PROPOSALS FOR COMMERCIAL BUILDING IN THE PADDOCK ESTATES.



Elwin C. Keever
Nina J. Keever

PUBLIC HEARING NOTICE

Date: August 19, 2022

Please return comments by Sept. 6, 2020 to:

RE: TIM & GINA LEONHARDT
ANNEXATION AND ZONING REQUEST

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Dear City Council:

☐ I have NO OBJECTION to the annexation and proposed zoning of the subject property.

Name: _____

Address: _____

Comments: _____

☒ I OBJECT to the annexation and/or zoning of the subject property as proposed.

Name: Justin & Katie Wink

Address: 11 Equine Dr.

Reason for Objection: We are residential only, and this is a business the Leonhardts want to do. The water table is high and now they want to add 8 additional properties, even if they are rentals.

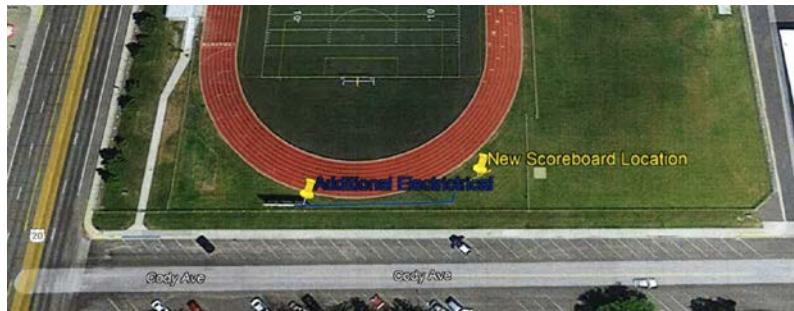
If you would like to receive a copy of the Planning and Zoning Board and City Council agenda materials for this request, please provide your email address: Katiealexander193@hotmail.com

CITY OF CODY PLANNING, ZONING AND ADJUSTMENT BOARD STAFF REPORT

MEETING DATE:	SEPTEMBER 13, 2022	TYPE OF ACTION NEEDED	
AGENDA ITEM:		P&Z BOARD APPROVAL:	X
SUBJECT:	SPECIAL EXEMPTION PUBLIC HEARING: TO ALLOW A SOUND SYSTEM IN THE HIGH SCHOOL ATHLETIC FIELD SCOREBOARD SIGN AT 919 CODY AVE. SUP 2022-09	RECOMMENDATION TO COUNCIL:	
PREPARED BY:	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

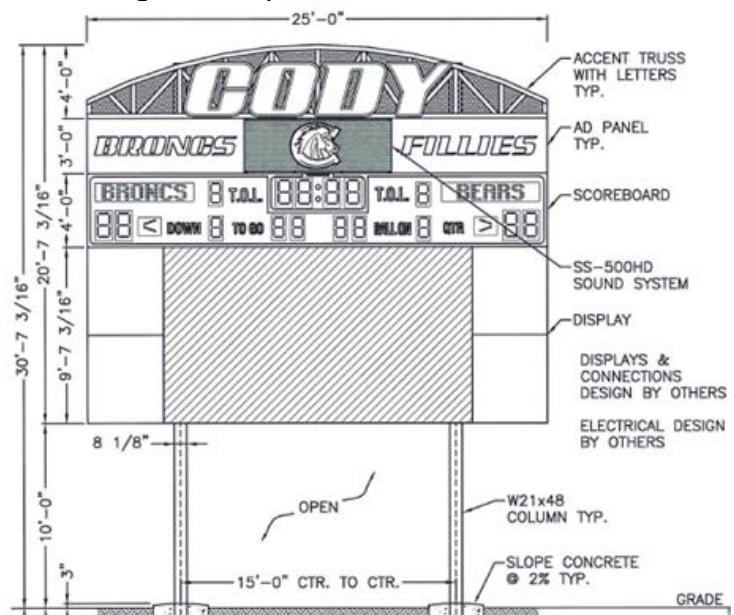
PROJECT DESCRIPTION:

Park County School District #6 is installing a new scoreboard at the high school athletic field. As part of the proposal, they have requested a special exemption to the City's sign code prohibition of a sign containing a sound system, or components that produce sounds [City Code 10-15-6(B)(11)], so that a sound system can be incorporated into the scoreboard sign. The sound system in the scoreboard would replace the current sound system.



Scoreboards are exempt from the much of the sign code, provided certain standards are met. Among those standards are that the sign not contain any sound producing components. That is the subject of the exemption. The sign is otherwise exempt from the sign size, height, and other dimensional standards of the sign code.

It is noted that the scoreboard will be used for commercial advertising during school events held at the field, which is expected. However, it is not authorized as a "billboard" to be operated for off-site advertising outside of school events, as the General Business (D-2) zone in which



the athletic field is located does not permit billboards. The athletic director has been made aware of this distinction and is not proposing utilization of the sign as a billboard.

The public hearing for the request was advertised as required by U.S. mail to neighboring properties within 140 feet of the school property August 15, 2022, and by publication in the newspaper on August 18, 2022.

REVIEW CRITERIA:

Pursuant to Section 10-14-2(B) of the City of Cody Code, the Planning and Zoning Board may consider special exemptions to the City's sign standards. The standards for approval of a special exemption are as follows, with staff comments provided.

No special exemption shall be approved unless the planning and zoning board finds:

- a. The special exemption will not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties;*

Staff Comment: The City's general prohibition that signs not contain sound producing components or contain sound systems is well intentioned and is based on minimizing noise impacts to neighboring properties, but like many regulations, there are situations that do not fit the typical scenario. Nineteen neighboring property owners were notified of the proposal and at the time of this staff report four letters of support and no letters of objection have been received. The fact that so few responded and that none had objection may be interpreted as an indication that there is no significant undesirable change or detriment to neighboring properties from this proposal. (Those that responded were the museum, County, and two property owners on the east side of the high school.)

Because the proposed sound system is replacing an existing sound system, the generation of sound from the facility is not a new impact.

- b. The special exemption is designed to be compatible with adjacent land uses and the area or neighborhood;*

Staff Comment: The new sound system will be directed away from the nearest residential neighborhood, whereas the current system is pointed towards it, which change is definitely welcomed by those neighbors.

No information has been submitted or analyzed regarding the level of sound, or how far it will carry, so we are relying on the operators to be reasonable in the utilization of the system to achieve the intended purpose of the sound system without being excessively loud.

- c. The special exemption is the minimum deviation from the specifications of the zoning ordinance necessary and adequate for the proposed activity, structure or use;*

Staff Comment: The sound system is either allowed to be incorporated into the scoreboard or it is not. There really is not any option in between those two.

- d. The benefit sought by the applicant cannot be achieved by some other method, feasible for the applicant to pursue other than a special exemption;*

Staff Comment: No other options have been identified.

- e. Adequate services and infrastructure are or will be available to serve the proposed activity, structure or use;*

Staff Comment: No additional utility services or public infrastructure improvements are necessary for this project.

- f. The special exemption is consistent with the goals, policies and future land use map of the master plan.*

Staff Comment: The future land use map designation for this area is "Civic", which is consistent with the use of the property. Principle 1.2b of the master plan states that "Permitted signage should have a professional appearance and scale..." The exemption pertains only to the sound production.

ALTERNATIVES:

Approve, deny or approve with conditions.

ATTACHMENTS:

Application materials and neighbor responses.

RECOMMENDATION:

That the Planning and Zoning Board make the following findings:
(Draft, subject to information received at the public hearing.)

1. That proper notice of the special exemption public hearing was provided by advertising in the Cody Enterprise and by U.S. mail to all property owners within 140 feet at least ten days before the hearing.
2. That the Planning and Zoning Board may grant special exemptions that are reasonable and harmless deviations from the zoning ordinance as determined by the standards outlined in Section 10-14-2, City of Cody Code.
3. That the Planning and Zoning Board has held a public hearing as required and has considered all comments pertaining to the request; and,

4. That the points identified in the staff report and at the Board meeting are adequate to set forth the reasoning why the criteria of 10-14-2(B)(2) are met.

AND,

Approve the Special Exemption to allow the scoreboard to contain a sound system, with the understanding that the volume will be managed in a manner that achieves the intended purpose of the sound system without being excessively loud.

The special exemption does not exclude the sound system from compliance with City sound regulations, as outlined in City Code 5-2-24 (unreasonable sound).

Notice to Owners of Neighboring Properties:

Please return your comments by Sept. 1, 2022 to:

Date: August 15, 2022

Cody City Planner

P.O. Box 2200

RE: **SPECIAL EXEMPTION REQUEST**

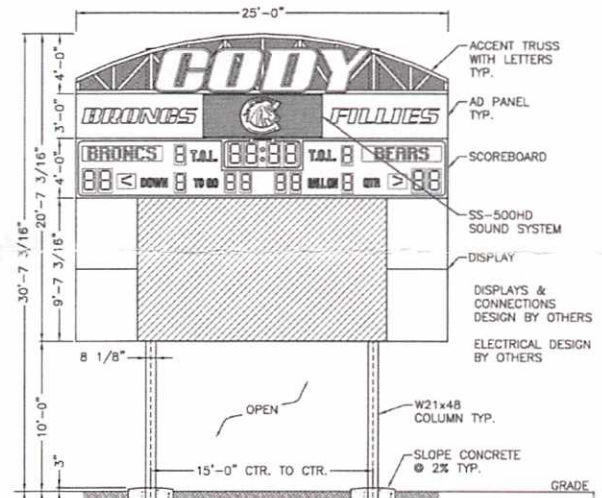
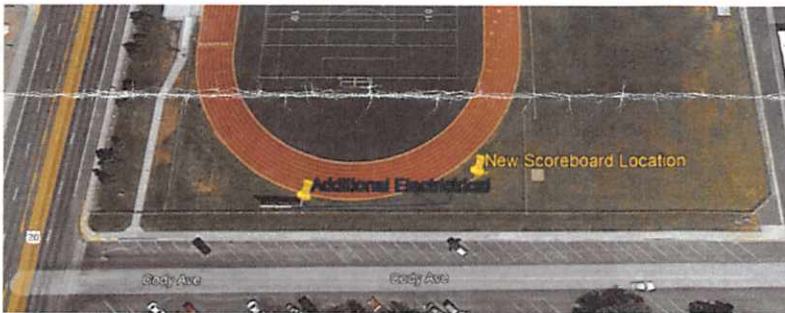
Cody, WY 82414

Or, send an email to: todds@cody-wy.gov

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

Applicant Name(s): Park County School District #6

Address of Subject Property: 919 Cody Avenue (Athletic Field)



Description of Request: An exemption to the general prohibition of a sign containing a sound system or components that produce sounds [City Code 10-15-6(B)(11)], so that a sound system for the athletic field can be incorporated into a new scoreboard sign.

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, September 13, 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 for the Special Exemption request described above.

☒ I have NO OBJECTION to the Special Exemption request.

Name: SUE DUTTON

Address: 890 CODY AVE, CODY WYO. 82414

Comments: SOUND LIKE A GREAT IDEA.

Owner
to South.

☐ 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:

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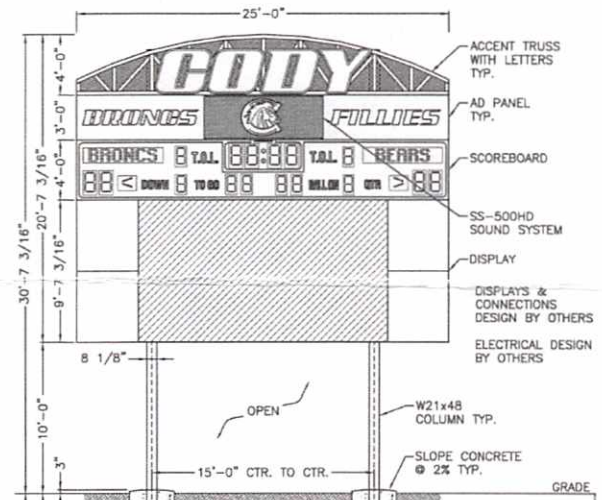
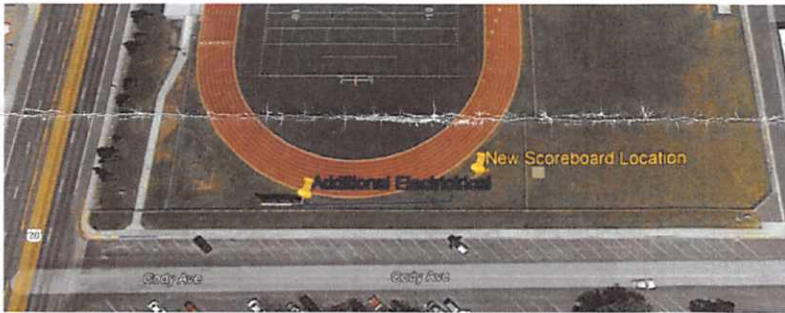
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Dear Planning and Zoning Board Members:

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

☒ I have NO OBJECTION to the Special Exemption request.

Name:

Rebecca West CEO/Executive Director

Address:

770 Sheridan Avenue

Comments:

Please update your mailing list - Charles Kepler is deceased. Send attention to Executive Director.

☐

I OBJECT to the Special Exemption request:

Name:

Address:

Reason for Objection:

Thank you!

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:

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Cody City Planner

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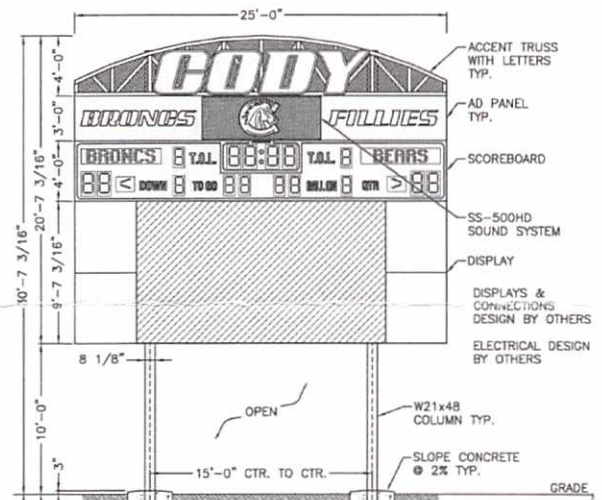
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☒ I have NO OBJECTION to the Special Exemption request.

Name

Address:

Comments:

☐ 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:

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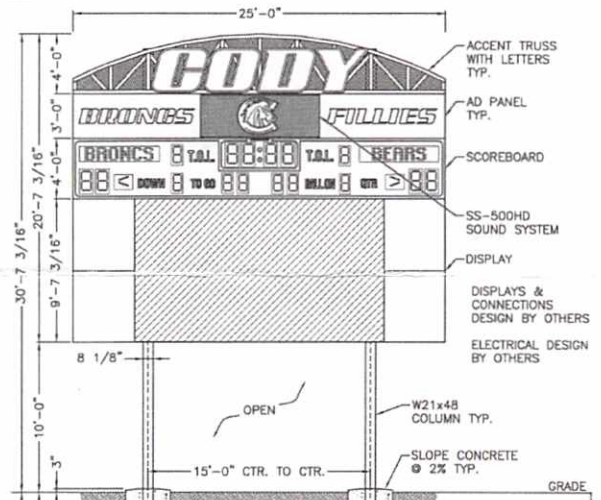
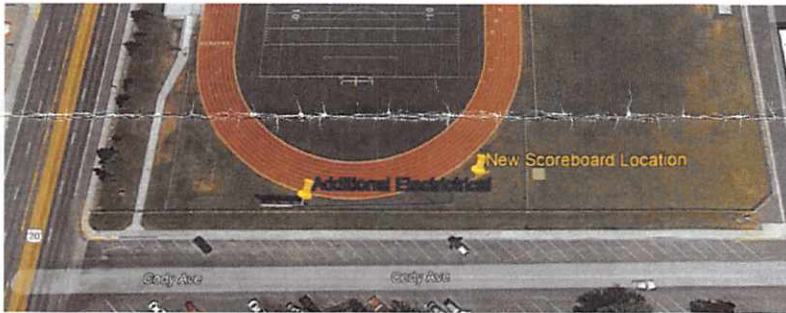
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Name: Scott and Shelley Moore

Address: 1414 10th Street Cody

Comments: _____

☐ 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: _____

CITY OF CODY PLANNING, ZONING AND ADJUSTMENT BOARD STAFF REPORT			
MEETING DATE:	SEPTEMBER 13, 2022	TYPE OF ACTION NEEDED	
AGENDA ITEM:		P&Z BOARD APPROVAL:	
SUBJECT:	FINAL PLAT AND CONSTRUCTION PLANS FOR THE SCHOONOVER 5-LOT SUBDIVISION. SUB 2021-07	RECOMMENDATION TO COUNCIL:	X
PREPARED BY:	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

PROJECT OVERVIEW

Kira Schoonoer has submitted the final plat application and construction plans for her 5-lot subdivision on the west side of Robert Street.

SUBDIVISION REGULATIONS

The general subdivision ordinance requirements were reviewed with the preliminary plat approval. According to 11-3-3 of the subdivision ordinance, the subdivider is to present the final plat and all supplemental materials required according to the subdivision regulations. After an initial review of the materials by staff, the Board is to verify that:



Design of the final plat ...conform[s] to the approved preliminary plat and ...include[s] all changes specified thereon. The commission [P&Z Board] will review the final plat and its attached supplemental materials and make a recommendation of approval, conditional approval or disapproval to the council. When taking action on a proposed plat, the written comments of the utility companies will be reviewed and considered along with comments from any other outside agencies and interested parties. Upon completion of the review, the commission will recommend approval, conditional approval or disapproval of the plat to the council.

The "supplemental materials" mentioned are listed in that same section of code and include information on surface water (irrigation); utility company letters or agreements from all concerned utility companies (telephone, cable TV, gas, electrical, irrigation districts, water, sewer, etc.) that clearly define how the utilities will be installed;

construction plans and specifications that carry the stamp, seal or signature of every agency or company that will be affected by said development and which should have reviewed said plans and specifications; and, covenants for provisions for the perpetual care and maintenance of those portions of the subdivision which are to be of common use or ownership. The status of these items will be noted throughout the report.

With the preliminary plat the City Council granted the following variance and approved the preliminary plat subject to the conditions noted below.

Subdivision Variances:

- a) To waive the alley requirement.
- b) To allow a private street of the design discussed (20-foot-wide paved lane with drainage provisions and radii at the connection to Robert Street)—no curb, gutter, sidewalk, or streetlights.
- c) To the requirement to provide additional right-of-way for Robert Street.
- d) To the block length requirement.
- e) To allow Kira Schoonover to get a building permit for her lot (Lot 1) prior to installation of all of the subdivision infrastructure, subject to a condition requiring completion of the utility infrastructure for Lot 1 prior to occupancy of the house. The street along the south side of the subdivision need only be installed before permits are issued for Lots 2 and 3—The developer (Kira) remains responsible to complete the street improvements.

Status of Preliminary Plat Conditions:

The conditions of the preliminary plat approval are listed below, with the status of each. If the condition is outstanding, it is noted when the improvement must be completed.

Conditions:

1. *Ensure that there is a turnaround at the west end of the paved lane that meets fire code standards. A formal easement is not necessary.*
Status: Pending. The turnaround will need some minor work, which will need to occur with the construction of the street.
2. *Provide a drainage plan for the street, which is to be reviewed and approved as part of the final plat process.*
Status: Partially completed. The plans now show a swale/ditch being added to the north side of the street. Provided the ditch functions as a swale to retain water, rather than as a method to carry water off the property, it will have necessary capacity to retain water runoff from the street. This will need to be accomplished by temporary coffer dams or the permanent driveways. Install the driveways or coffer dams with the street construction.
3. *The street must include a private street name sign, stop sign, and "No Outlet" sign.*
Status: Not shown on the plans—please add. The sign must be installed prior to occupancy of any building on Lots 1, 2, or 3.

4. *A maintenance agreement or homeowner's association must be established for maintenance of the private street and associated stormwater infiltration facilities. Submit the proposed document(s) with the final plat. Also include an explanatory note referencing such on the final plat. The agreement will need to include language that the agreement cannot be rescinded without the approval of the City.*

Status: Not yet submitted. The agreement will need to be submitted to and reviewed by the city attorney as to form. This condition must be met prior to the mayor signing the final plat.

5. *Plans for the sewer main are to be reviewed and approved by the City and WY DEQ. The City will accept ownership and maintenance of the sewer main once it is constructed to City standards.*

Status: The plans have been submitted for review and are proposed for approval by the City council. WY DEQ approval is also required prior to installation.

6. *Approval of the irrigation distribution plan and plans for piping of the ditch along the full property frontage will need to be obtained from Cody Canal and any private ditch company that may have jurisdiction. Following the flow of the water in a north direction, the piping needs to be shifted to the west before it gets to the new street, and be extend all the way to the north property line.*

Status: The shift requested is shown on the plans. The irrigation distribution plans were reviewed by Cody Canal on September 9th but the City has not heard the results. Verification of plan approval must be submitted before the mayor signs the final plat and installation must occur prior to issuance of building permits on Lots 2-5, and prior to occupancy on Lot 1.

7. *Determine the water tap size for Lots 4 and 5.*

Status: The domestic water curb stops to these two duplex lots will be 1" in size. What happens after that—whether the water line continues as a 1" line to serve each duplex or is split into two ¾" services with individual curb stops for each unit is up to the developer and need not be determined until time of building permits. Curb stops for individual ¾" services would be at the cost of the developer and is not included in the utility fee calculation.

8. *On the final plat, include a slope easement for the pathway shoulder by adding the following or similar language to the final plat, "Slope easement granted along the east side of Lots 3, 4, and 5 as necessary to accommodate a 4:1 slope for a pedestrian pathway shoulder."*

Status: Shown in Note 3, however there is a label that identifies it as 3' wide. The label language needs to be coordinated with the note.

9. *Prior to recording the final plat, install an 8-foot-wide asphalt pathway along the entire property frontage of Robert Street or pay the estimated cost to do so to the City.*

Status: Pending. The pathway is shown on the subdivision improvement plan (attached). The details of the path are not extensive, but are likely adequate, provided construction is carefully coordinated with Public Works. For example, there

is a phone pedestal to the east of Lot 3 that may necessitate shifting the pathway slightly to the east in that section, or moving the pedestal. Also, the grading and surfacing between the pathway and Robert Street is not shown. The plans do not address these items, so they need further coordination, which can occur through the street encroachment permit process. Timing is as noted in the condition.

10. Coordinate the garbage collection plan and any improvement of the turnaround with the City before final plat approval.

Status: Pending. Complete no later than starting construction of the street.

11. Follow and incorporate the seven "miscellaneous" items listed at the end of the staff report:

a) The applicant will need to contact the post office for the mail box location(s). City preference is that the boxes be placed along the interior street. The final location must be authorized by both the Post Office and City.

Status: Pending. The location must be approved before the mayor signs the plat. Installation of the common mailbox pedestal and concrete pad must occur before issuance of any building permits on lots 2 through 5.

b) Primary vehicle access for Lot 3 will be limited to the interior street. Include a note on the final plat to notify the lot owner of the restriction.

Status: Note 2 is for this purpose, but should be edited for clarity. Edit before the mayor signs the final plat.

c) The building locations and parking facilities on Lots 4 and 5 must be configured so that vehicles do not back out onto Robert Street, but leave the property in a forward motion. The setback from Robert Street will therefore need to be much more than the zoning minimum. Include a note on the final plat about this requirement. The configuration shown on the preliminary plat is adequate to meet this requirement.

Status: The note is included (Note 5). The layout will be verified at the time of the building permits.

d) Include lot and street survey monumentation on the final plat, per the requirements of the subdivision ordinance.

Status: Shown on plat. Will need to be installed before the mayor signs the plat.

e) Coordinate the street design with the pathway design.

Status: Met.

f) List the variances granted on the final plat.

Status: Met.

g) Include all owners in the Certificate of Owner—missing Noreen.

Status: Met.

12. The final plat application and construction documents (sewer plan, basic street plan, and a pathway plan if the owner will be constructing it) shall otherwise comply with the City ordinances. Utility fees will be addressed with the final plat.

Status: Plans have been provided. Outstanding items will be listed as additional conditions of approval.

Other:

Individual utility services:

As the road and sewer plans do not include the plans for individual utility services to each lot, and the "Subdivision Improvement Plan" does not show them either, it is necessary to clarify that the individual utility services are to be installed to each lot line (or further) per the approved preliminary plat unless the plan is later officially modified. The layout on the preliminary plat was developed to minimize street cuts and repair patches, and to provide the required separation between utility lines.

Extent of Improvements:

The subdivision ordinance states the following:

11-2-2(B) Improvements: No building shall be erected on any lot in any subdivision, nor shall a building permit be issued by the city for a building until all improvements reasonably expected and required by the city, such as streets, curb and gutter, sidewalk, sewer service, water service, etc., have been installed, approved and accepted by the city for the lot upon which the building is to be constructed.

Later in the subdivision ordinance it discusses the requirement that each lot be provided with individual services as part of the subdivision development. As noted, completion is required before a building permit can be installed on the lot.

As the subdivision ordinance also requires all underground utilities to be installed under a street before the street is improved, and any mains must be entirely functional in order for the individual services to be activated, improvements for multiple lots are often necessary to satisfy the requirements to obtain a building permit. For example, in this case, the entire sewer main, all utility services for Lots 1, 2 and 3 and the paving of the street will need to be completed before building permits can be issued for Lots 2 and 3. The relocation of the power pole along Robert Street will need to occur before permits are issued for Lots 4 and 5. Relocation and piping of the entire irrigation ditch must occur before Lots 2-5 can be issued permits, along with the service to the individual lot wanting the building permit. The installation of the pathway (or payment for installation thereof) is required prior to recording the final plat as it functions as a system (or main) that is not an individual service, but functions as a whole and serves the complete subdivision.

Edits to Final Plat:

The final plat needs the following edits. Discuss options with the City planner and modify language accordingly.

- a. Correct the subdivision name in the Certificate of Owner.
- b. Remove "Minor" from the subdivision name.

- c. Indicate the ¾" iron pipes are being replaced with 2" aluminum caps on rebar.
- d. Modify Note 4 to reflect preliminary plat Condition 11b.
- e. Modify Note 2 to the following or similar: "Outstanding subdivision improvements must be completed prior to issuance of any building permits for construction on the lots, as outlined in the final plat approval. Contact the community development department at City Hall for information."

RECOMMENDATION:

It is recommended that the Planning and Zoning Board recommend to City Council the approval of the final plat and construction plans, subject to the following conditions:

- 1. All outstanding preliminary plat conditions shall be met, as outlined in the staff report, no later than at the time noted in each. This includes conditions 1, 2, 3, 4, 5, 6, 8, 10, 11a through 11d, and 12.
- 2. Provide an updated final plat with the edits noted in the staff report.
- 3. Prior to installation of the shallow utilities (telecommunications, gas, and irrigation), obtain written approval of the utility plans from each of the 3rd party utility providers.
- 4. Improvements shall be installed pursuant to the preliminary plat, improvement plan, and plans for roadway and sanitary sewer. The construction must be performed and inspections conducted as required so that upon completion of the sewer main and pathway improvements there can be provided the engineer's certification, the developer's one-year warranty, and other information as necessary to comply with Section 11-5-1(A) of the subdivision ordinance.
- 5. Upon completion, provide a summary to the City finance officer of the value of each public improvement that is being turned over to the City for operation and maintenance (sewer extension, electrical system, and pathway), for contributed capital purposes.
- 6. Except as specifically modified for Lot 1 by the variance granted by City Council with the preliminary plat (copy attached—allows issuance of building permit for Lot 1, subject to conditions), the following requirement of the subdivision ordinance is applicable, as interpreted and outlined in this staff report.

11-2-2(B) Improvements: No building shall be erected on any lot in any subdivision, nor shall a building permit be issued by the city for a building until all improvements reasonably expected and required by the city, such as streets, curb and gutter, sidewalk, sewer service, water service, etc., have been installed, approved and accepted by the city for the lot upon which the building is to be constructed.

The developer shall disclose this requirement and all outstanding improvements to any lot purchaser.

7. All work within the Robert Street right-of-way will need to be covered by a street encroachment permit from Public Works. The contractor(s) doing the work is responsible to obtain the permits before the work is commenced.
8. Obtain approval from the post office and community development for a community mail box location. The concrete pad and community mail box must be installed by the developer prior to occupancy of any dwelling in the subdivision.
9. Prior to the mayor signing the final plat, applicable utility fees must be paid, which include both electrical estimates (distribution system and relocation of pole), and the water tap fees (two 1" and two ¾" taps—Lot 3 tap is existing).

ATTACHMENTS:

Final Plat
Roadway and Sanitary Sewer Construction Plans
Subdivision Improvement Plan
Approved preliminary plat
Water Distribution Plan

ADDITIONAL PROPOSED VARIANCE FOR THE SCHOONOVER SUBDIVISION:

Requirement:

11-2-2 B. Improvements: No building shall be erected on any lot in any subdivision, nor shall a building permit be issued by the city for a building until all improvements reasonably expected and required by the city, such as streets, curb and gutter, sidewalk, sewer service, water service, etc., have been installed, approved and accepted by the city for the lot upon which the building is to be constructed.

Background:

The property owner wants to have their house installed on the property before all of the subdivision improvements to serve the lot can be completed. The utilities, which are one component of the required subdivision improvements, will be installed to serve the house, and will need to be completed prior to occupancy of the house. The property owner simply wants to install the utilities and house at the same time. The house is a modular home that will be ready to install towards the end of September. As there is no lot sale involved in the situation, it has historically been acceptable to allow such a variance, subject to completing all subdivision improvements prior to occupancy of the house.

The applicant is also needing to address the timing of the subdivision requirement to pave the street along the south end of the subdivision. At this point it is unlikely that the owner can get the subdivision construction plans completed, the plans approved, the utilities installed, and the street paved before the asphalt plant closes for the year (typically middle of October), so the typical variance to allow a building permit but no occupancy until all subdivision improvements are completed would not be sufficient to allow occupancy of the house until next April—after the asphalt plant reopens.

Another factor that is noted, but has not previously been presented as justification for a variance to the timing of installation of subdivision improvements is that the requirement to pave the street is triggered by the subdivision and were it not for the fact that the applicant is doing the subdivision at the same time as the construction of her house, occupancy of the house would be able to occur without paving the street. If the house had been placed before the subdivision, it would not be caught in this timing issue of no occupancy before paving of the street.

The combination of the above factors would seem to be sufficient justification to allow a delay of the paving of the street until one of the other two lots along the street is proposed to be developed with a dwelling.

Variance:

To allow issuance of a building permit on Lot 1 for Kira Schoonover (property owner) prior to installation of all of the subdivision infrastructure, subject to the following conditions:

- A) The utility infrastructure for Lot 1 must be completed prior to occupancy of the house on Lot 1; provided, if the components for the electrical system cannot be obtained by the time the other infrastructure is completed, then the house can be served with a temporary electrical service and occupied under a temporary occupancy permit until the electrical components are available, installed and a full occupancy permit issued. If the temporary service is installed, it must be disconnected and the permanent electrical service connected within 60 days of the materials being available.

- B) The street required along the south side of the subdivision is to be installed prior to issuance of any building permit on Lots 2 and 3. The developer (Kira Schoonover) remains responsible to complete the street improvements.

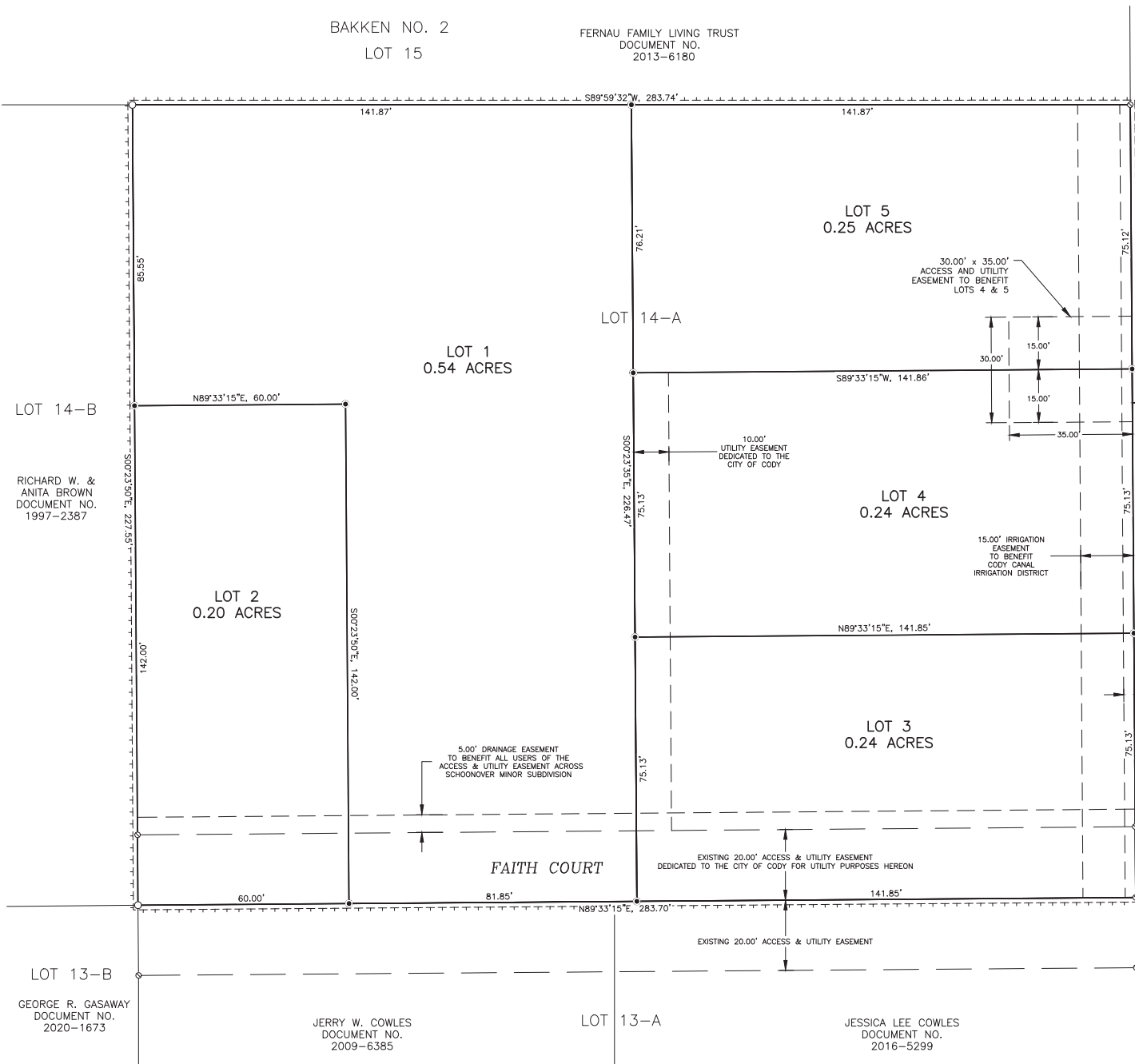
RESURVEY T.53N., R.101W.
CITY OF CODY



VICINITY MAP
1" = 200'

BAKKEN NO. 2
LOT 15

FERNAU FAMILY LIVING TRUST
DOCUMENT NO.
2013-6180



NOTES

- BEARINGS ARE BASED ON THE CITY OF CODY COORDINATE SYSTEM, WHICH IS BASED ON THE WYOMING COORDINATE SYSTEM NAD83 WEST CENTRAL ZONE.
- OUTSTANDING SUBDIVISION IMPROVEMENTS SHALL BE COMPLETED PRIOR TO ISSUANCE OF A BUILDING PERMIT FOR LOT 14-A AND CONSTRUCTION OF ANY ADDITIONAL DWELLING ON LOTS WITHIN THE SCHOONOVER SUBDIVISION. CONTACT COMMUNITY DEVELOPMENT AT CITY HALL FOR INFORMATION.
- SLOPE EASEMENT GRANTED ALONG THE EAST SIDE OF LOTS 3, 4, AND 5 AS NECESSARY TO ACCOMMODATE A 4:1 SLOPE FOR A PEDESTRIAN PATHWAY SHOULDER.
- ACCESS FOR LOT 3 SHALL ONLY UTILIZED BY THE EXISTING SOUTH 20.00' EASEMENT.
- LOTS 4 & 5 BUILDING LOCATIONS AND PARKING FACILITIES MUST BE CONFIGURED FOR LARGER SETBACKS THAN ARE REQUIRED WITHIN THIS ZONING AREA. VEHICLES ARE NOT ALLOWED TO BACK ONTO ROBERT STREET, PARKING MUST BE DESIGNED FOR VEHICLES TO LEAVE THE PROPERTY IN A FORWARD MOTION.

APPROVED VARIANCES

- TO WAIVE THE ALLEY REQUIREMENT.
- TO ALLOW A PRIVATE STREET OF THE DESIGN DISCUSSED (20-FOOT-WIDE PAVED LANE WITH DRAINAGE PROVISIONS AND RADIUS AT THE CONNECTION TO ROBERT STREET) - NO CURB, GUTTER, SIDEWALK, OR STREETLIGHTS.
- TO THE REQUIREMENT TO PROVIDE ADDITIONAL RIGHT-OF-WAY FOR ROBERT STREET.
- TO THE BLOCK LENGTH REQUIREMENT.

CERTIFICATE OF OWNER

STATE OF WYOMING }
COUNTY OF PARK } SS.

KNOW ALL MEN BY THESE PRESENTS THAT I/WE, THE UNDERSIGNED, HEREBY CERTIFY THAT I/WE ARE OWNERS AND PROPRIETORS OF LOT 14-A, BAKKEN SUBDIVISION #2, CODY, WYOMING, AS LOCATED IN BOOK "D" OF PLATS, PAGE 148, 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 #2021-3462 IN SAID CLERK AND RECORDER'S OFFICE;

THAT WE HAVE CAUSED SAID PROPERTY TO BE SURVEYED AND PLATTED AS SHOWN HEREON AS THE PEDERSON 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 DEDICATE 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.

BY: KIRA SCHOONOVER

BY: NOREEN SCHOONOVER

STATE OF WYOMING }
COUNTY OF PARK } SS.

THE FOREGOING CERTIFICATE OF OWNER WAS ACKNOWLEDGED BEFORE ME BY KIRA SCHOONOVER & NOREEN SCHOONOVER, THIS _____ DAY OF _____, 2022, WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

CERTIFICATE OF SURVEYOR

I, LYLE J. CASCIATO, OF ENGINEERING ASSOCIATES, HEREBY CERTIFY THAT THIS PLAT WAS PREPARED USING DOCUMENTS ON FILE IN THE OFFICE OF THE PARK COUNTY CLERK, AND FROM NOTES TAKEN DURING ACTUAL SURVEYS PERFORMED UNDER MY DIRECTION IN AUGUST, 2021 TO AUGUST, 2022; AND, THAT TO MY KNOWLEDGE, THIS MAP SHOWS THE SITUATION ON THE GROUND AT THE TIME OF ITS PREPARATION.



CITY PLANNING AND ZONING BOARD

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

CHAIRMAN

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

CLERK AND RECORDER ACCEPTANCE

THIS PLAT WAS ACCEPTED IN THE OFFICE OF THE CLERK AND RECORDER, PARK COUNTY, WYOMING, AT _____ O'CLOCK _____ M. 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.

- PLAT SHOWING -
SCHOONOVER MINOR SUBDIVISION

LOCATED WITHIN

LOT 14-A OF BAKKEN SUBDIVISION NO. 2,
RESURVEY T.53N., R.101W., 6TH P.M.,
CITY OF CODY, PARK COUNTY, WYOMING

PREPARED FOR: KIRA SCHOONOVER

PREPARED BY: ENGINEERING ASSOCIATES
CONSULTING ENGINEERS & SURVEYORS
902 13TH STREET
CODY, WYOMING 82414



JOB NO. 21100.14
09/06/2022

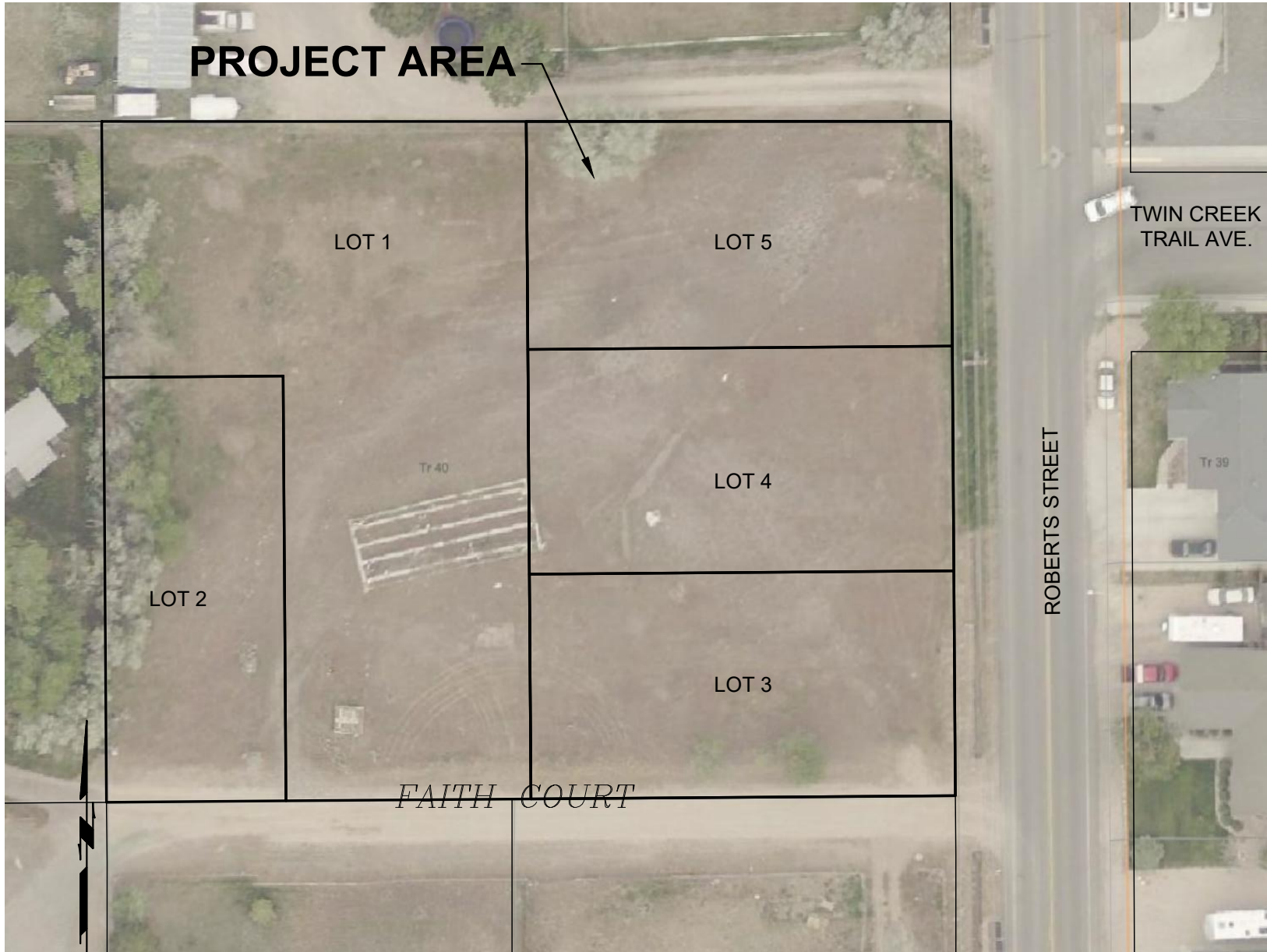
LEGEND

- FOUND 2" DIA. ALUMINUM CAP, OTHERWISE NOTED
- FOUND 3/4" IRON PIPE
- SET 2" ALUMINUM CAP ON 5/8"x24" REBAR

PROPOSED SUBDIVISION LOT LINES.
SUBDIVISION BOUNDARY
EXISTING EASEMENT
EASEMENTS CREATED THIS PLAT

0 10 20 40
SCALE (FT)
1"=20'

P:\2021\Cody 21000.00 - 21199.00\21100.00 - Misc Surveys 2 - North\21100.14 Schoonover MS - Cody\ACAD\21100.14 Schoonover MS_Round 5.dwg 8/31/22 Nick

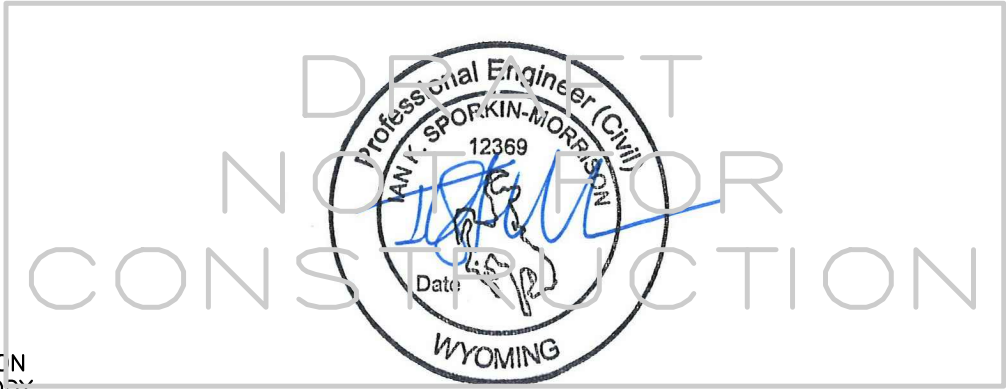


VICINITY MAP
SCALE: 1" = 50'

SCHOONOVER MINOR SUBDIVISION ROADWAY & SANITARY SEWER EXTENSIONS FOR KIRA SCHOONOVER CODY,WY

DRAWING INDEX	
Sheet Number	Sheet Title
1	TITLE SHEET
2	PLAN & PROFILE – SANITARY SEWER
3	PLAN & PROFILE – ROADWAY
7	DETAILS – SANITARY SEWER

NOTE: ALL WORK TO BE COMPLETED IN ACCORDANCE WITH LATEST EDITION OF WYOMING PUBLIC WORKS STANDARD SPECIFICATIONS AND CITY OF CODY STANDARDS.



DATE	DRAWING LOG	BY	CHECKED	APPROVED
8/3/22	ORIGINAL DRAWING	IKSM		

DRAWN BY: IKSM
JOB NO. 21100.14
FIELD BOOK NO. N/A



ENGINEERING ASSOCIATES – CODY, WYOMING
CONSULTING ENGINEERS & SURVEYORS

OWNER:

KIRA SCHOONOVER

PROJECT:

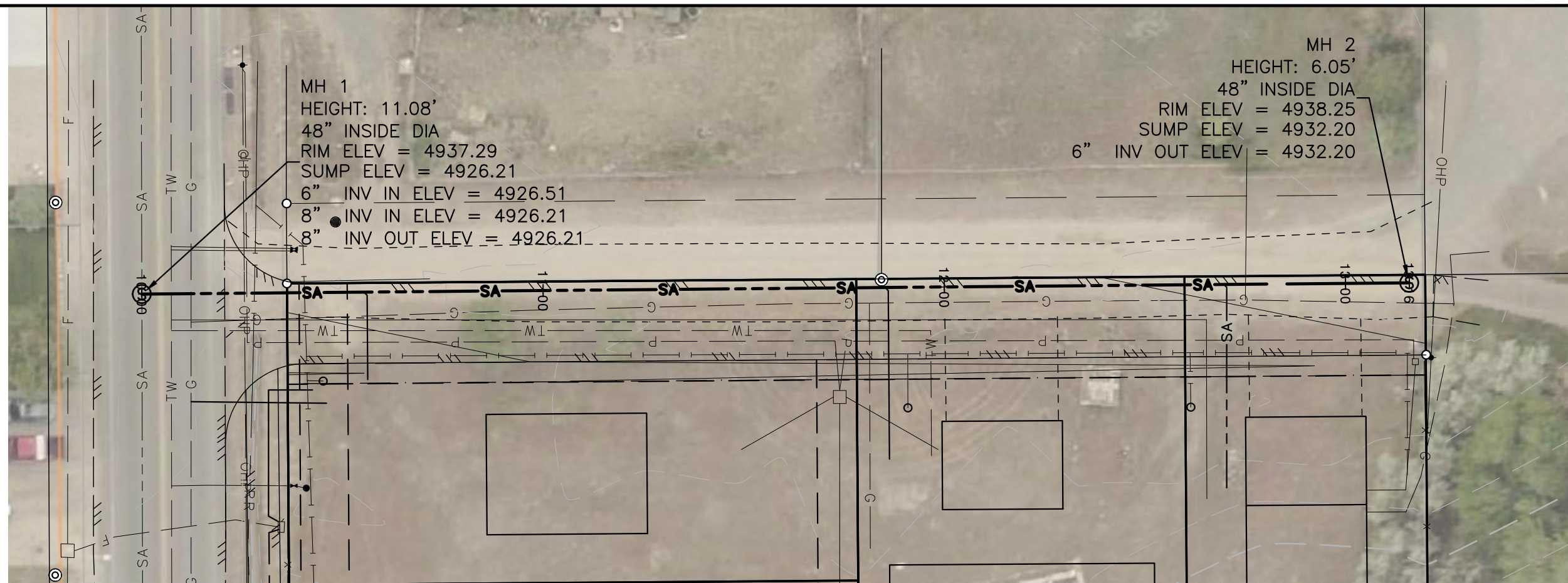
SCHOONOVER MINOR SUBDIVISION

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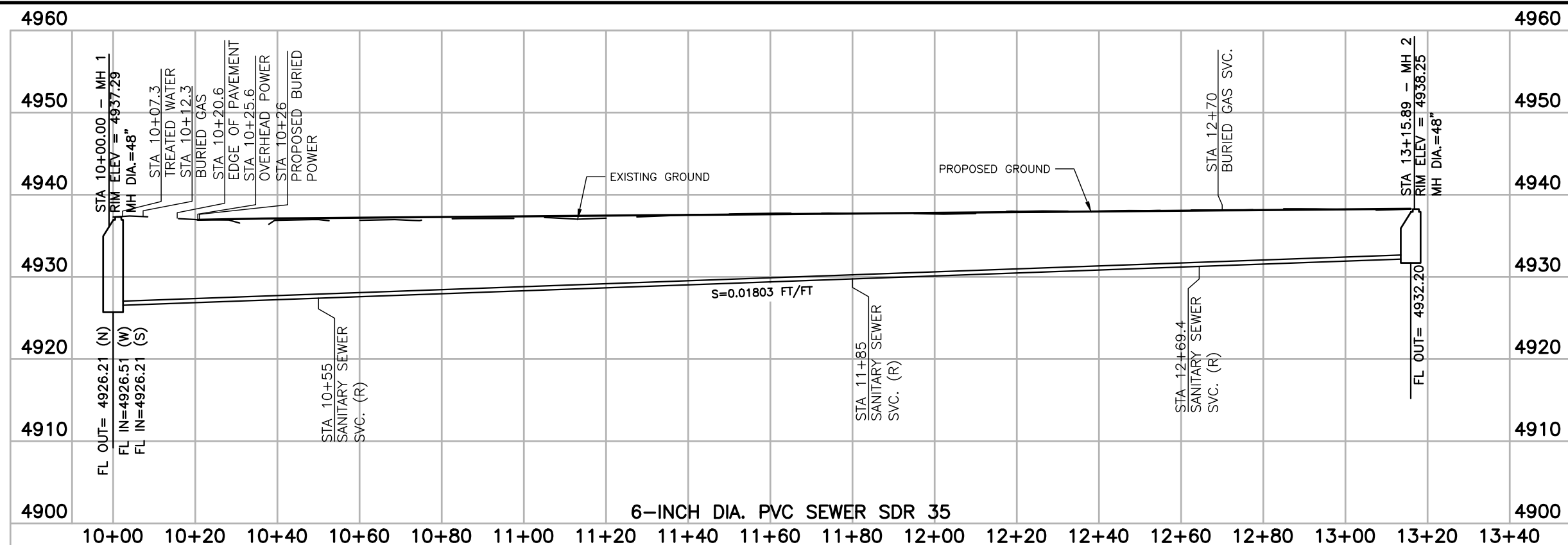
TITLE SHEET

SHEET

1 OF 4



SCALES:
1" = 30' HOR
1" = 10' VERT



DATE	DRAWING LOG	BY	CHECKED	APPROVED	DRAWN BY: JKSM
					JOB NO. 21100.14
8/3/22	ORIGINAL DRAWING	JKSM			FIELD BOOK NO. N/A



ENGINEERING ASSOCIATES – CODY, WYOMING
CONSULTING ENGINEERS & SURVEYORS

OWNER:

KIRA SCHOONOVER

PROJECT:

SCHOONOVER MINOR SUBDIVISION

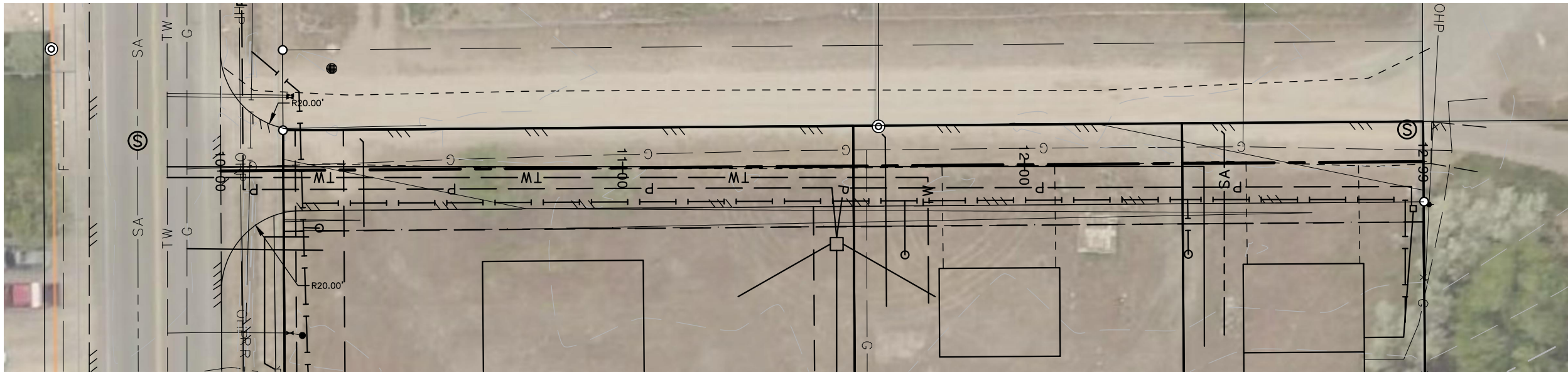
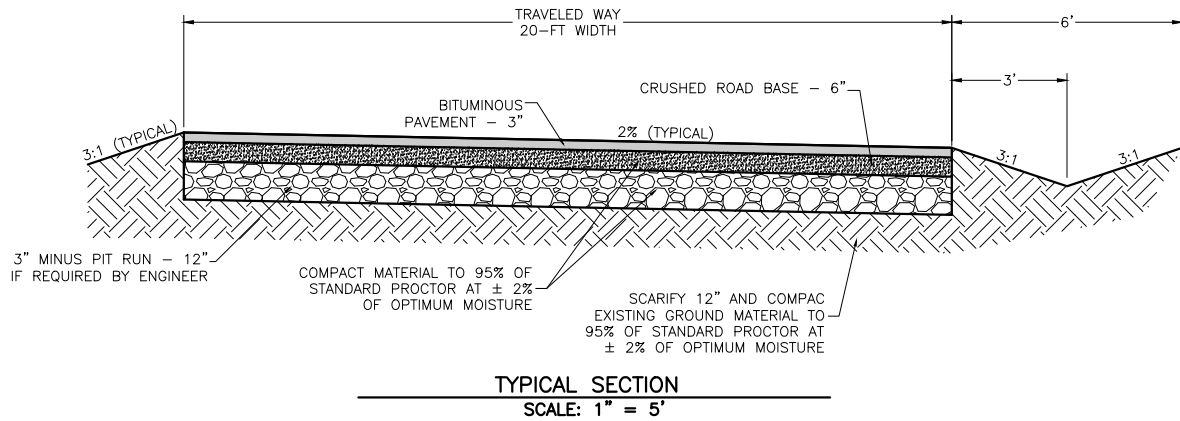
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PLAN & PROFILE – SANITARY SEWER

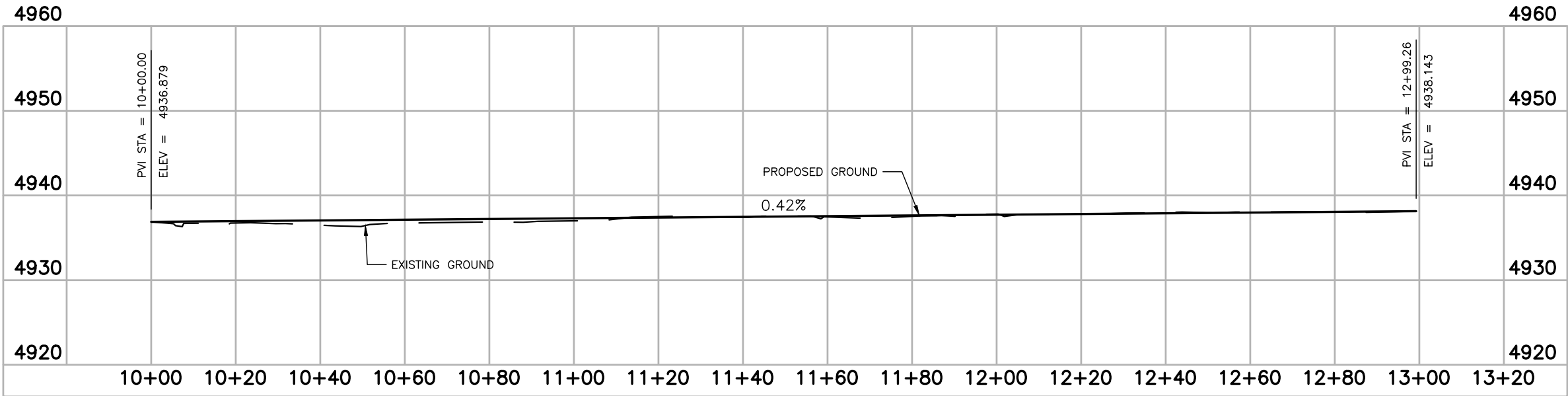
SHEET

2 OF 4

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SCALES:
1" = 30' HOR
1" = 10' VERT



DATE	DRAWING LOG	BY	CHECKED	APPROVED
8/3/22	ORIGINAL DRAWING	IKSM		

DRAWN BY: IKSM
JOB NO. 21100.14
FIELD BOOK NO. N/A



ENGINEERING ASSOCIATES – CODY, WYOMING
CONSULTING ENGINEERS & SURVEYORS

OWNER:

KIRA SCHOONOVER

PROJECT:

SCHOONOVER MINOR SUBDIVISION

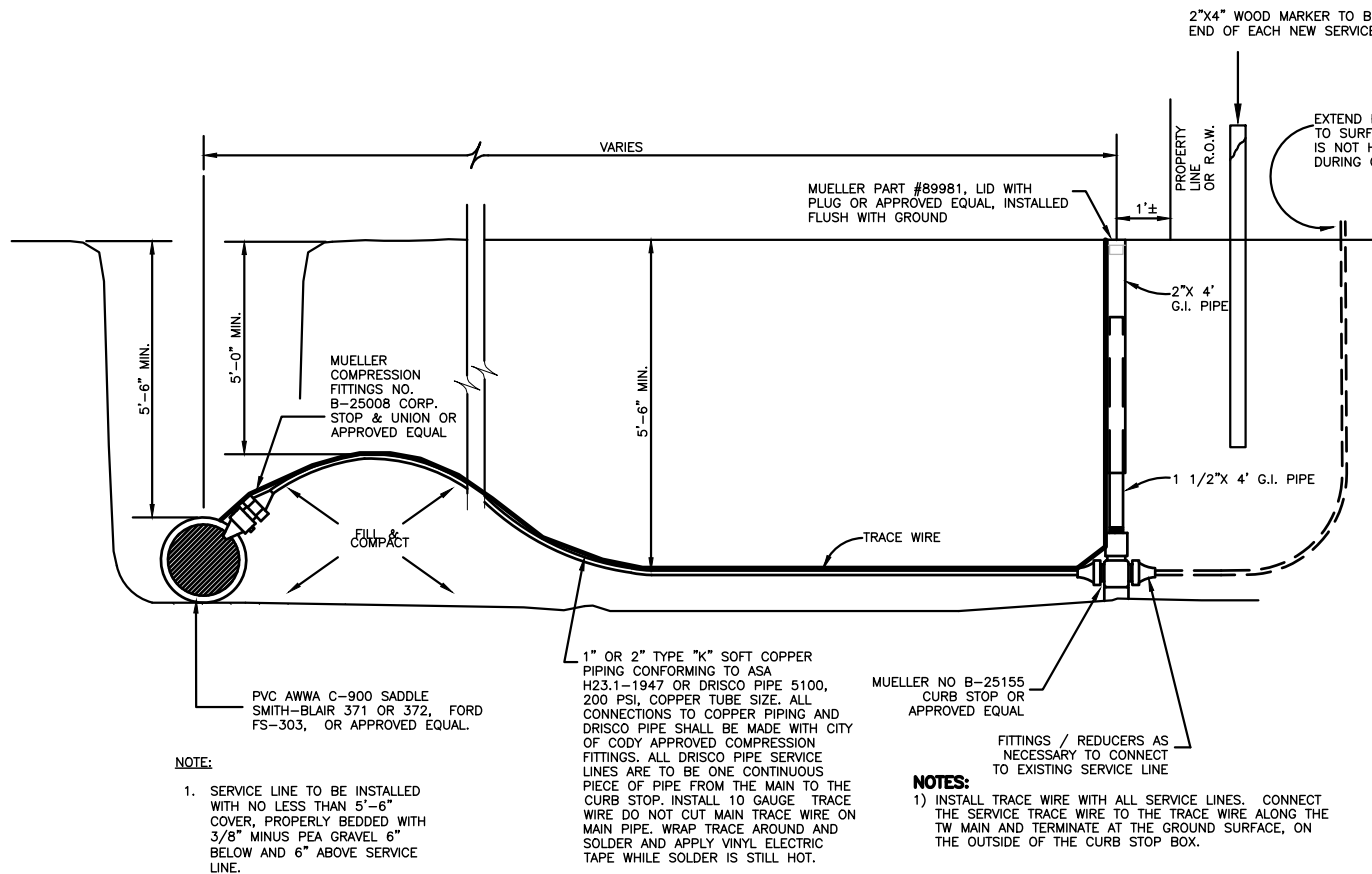
TITLE:

PLAN & PROFILE – ACCESS ROAD "FAITH COURT"

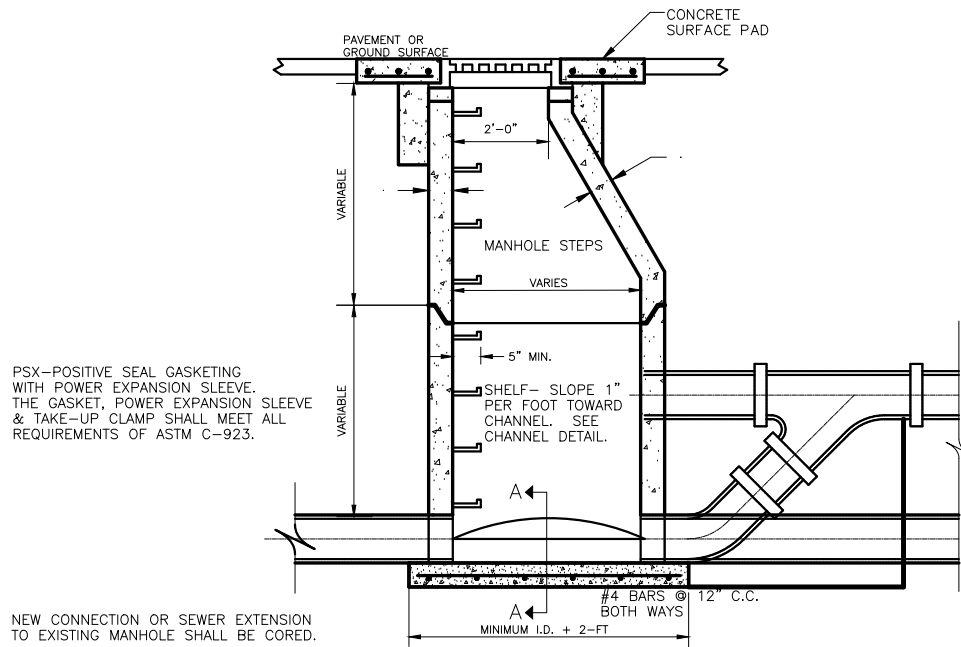
SHEET

3 OF 4

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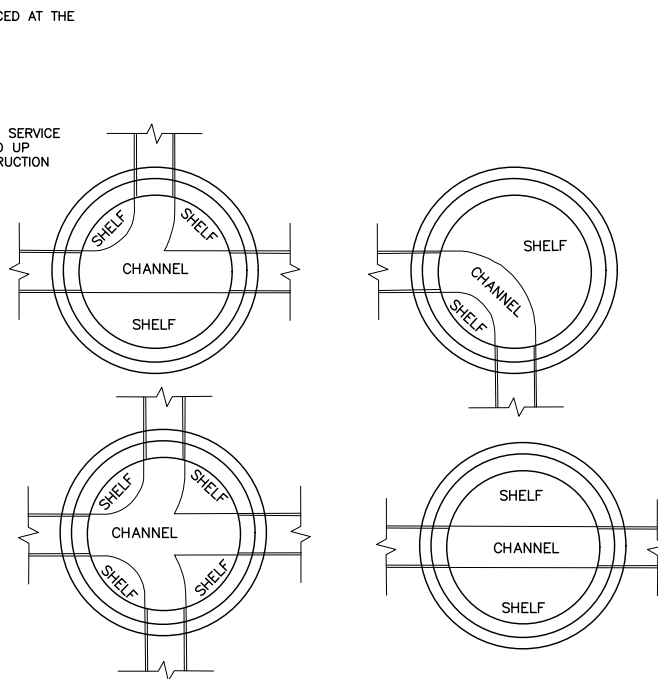


TREATED WATER SERVICE DETAIL



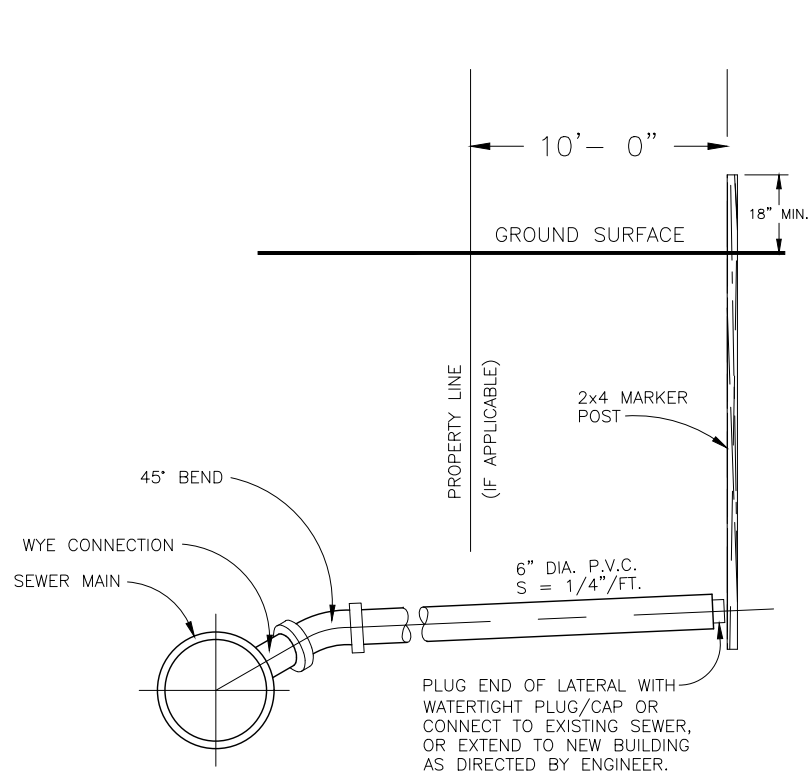
SANITARY SEWER MANHOLE

NOTE: ALL MANHOLES SHALL RECEIVE INTERIOR COATING PER SECTION 09830.

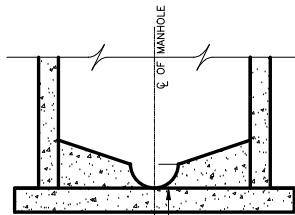


NOTE: 1. SLOPE ALL SHELVES TO CHANNEL AT 1 INCH PER FOOT
2. SEE PLAN-PROFILE SHEETS FOR SLOPE OF CHANNEL.

MANHOLE CHANNELS



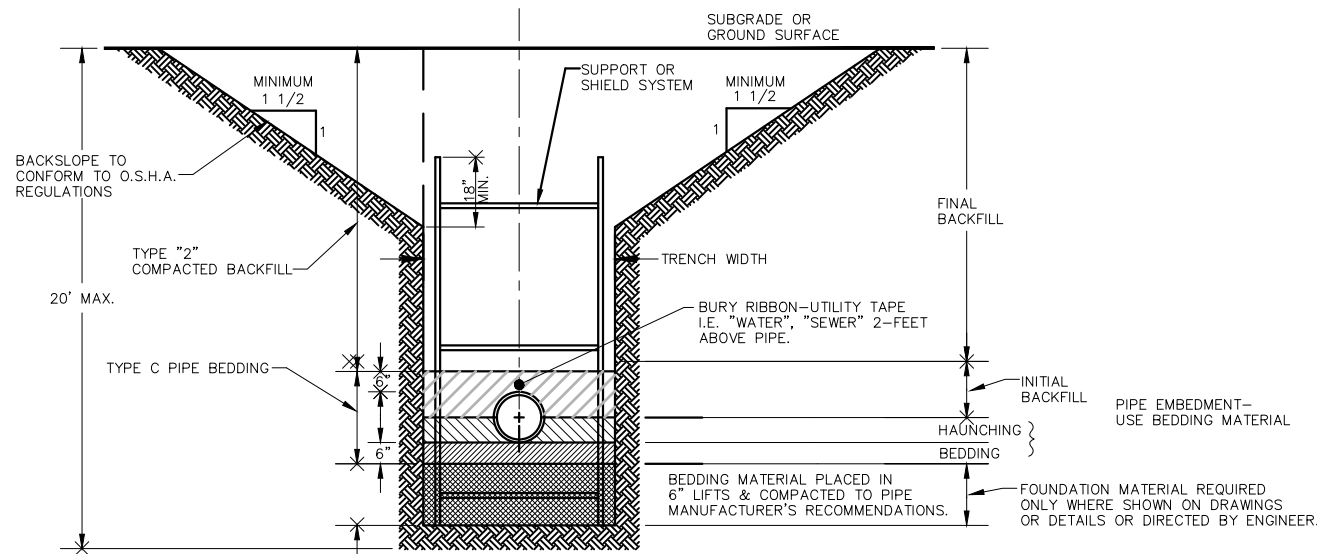
SEWER LATERAL DETAIL



SECTION A-A

NOTE:

- ALL JOINTS BETWEEN MANHOLE SECTIONS, MANHOLE RING & TOP SECTIONS, & AROUND SEWER PIPE INTO MANHOLE SHALL BE WATERTIGHT. JOINTING MATERIAL SHALL BE "RAM-NEK" OR APPROVED EQUAL.
- ALL STEPS SHALL HAVE A MINIMUM OF 12" TO A MAXIMUM OF 16" SPACING, AND SHALL EXTEND OUT A MINIMUM OF 5" FROM THE MANHOLE WALL. STEPS SHALL BE A MINIMUM OF 10" WIDE. THESE REQUIREMENTS ARE IN COMPLIANCE WITH OSHA DIRECTIVE 29 CFR 1910.27.
- STEPS SHALL BE CAST IRON OR STEEL REINFORCED POLYURETHANE STEPS.
- A MINIMUM OF 2" AND A MAXIMUM OF 12" OF ADJUSTING RINGS SHALL BE USED TO MATCH GRADE.



TYPICAL TRENCH DETAIL - SEWER

- NOTES: 1) IF SUPPORT OR SHIELD SYSTEM IS NOT USED, MINIMUM ALLOWABLE SLOPE FOR ALL TRENCHES LESS THAN 20 FT. DEEP WILL BE 1 1/2H : 1V. COMPLY W/ALL APPLICABLE SAFETY REQUIREMENTS
- 2) PROVIDE 6" MINIMUM SPACING BETWEEN OUTSIDE OF PIPELINES AND BETWEEN PIPELINES AND TRENCH WALLS.
- 3) NO STONES GREATER THAN 3" IN DIAMETER SHALL BE WITHIN 2' OF THE PIPE.

DATE	DRAWING LOG	BY	CHECKED	APPROVED
8/3/22	ORIGINAL DRAWING	IKSM		

DRAWN BY: IKSM
JOB NO. 21100.14
FIELD BOOK NO. N/A



ENGINEERING ASSOCIATES - CODY, WYOMING
CONSULTING ENGINEERS & SURVEYORS

OWNER:

KIRA SCHOONOVER

PROJECT:

SCHOONOVER MINOR SUBDIVISION

TITLE:

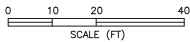
DETAILS

SHEET

4 OF 4

NOTES

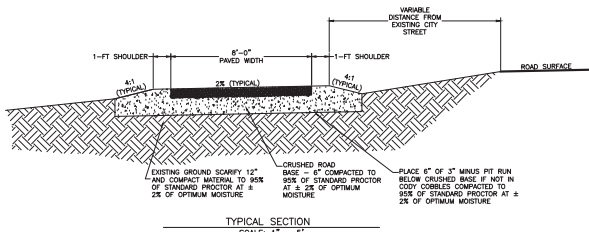
1. BEARINGS ARE BASED ON THE CITY OF CODY COORDINATE SYSTEM, WHICH IS BASED ON THE WYOMING COORDINATE SYSTEM NAD83 WEST CENTRAL ZONE.
2. THE CONTOURS OF THE PROPOSED MINOR SUBDIVISION ARE RELATIVELY LEVEL.
3. THERE ARE NO AREAS SUBJECT TO FLOODING OR WETLANDS
4. TOTAL SUBDIVISION ACREAGE = 1.48 ACRES
5. SUBJECT PARCEL IS MEDIUM-HIGH DENSITY RESIDENTIAL (R3)
6. SEWER SERVICES DO NOT CURRENTLY EXIST ON ANY LOTS AT THE TIME OF THIS PLAT, AND MUST BE INSTALLED PRIOR TO APPROVAL OF A BUILDING PERMIT. DEPENDING ON THE LOCATION AND ELEVATION OF A DWELLING ON LOT 1 AND 2, A SEWER LIFT OR PUMP SYSTEM WILL BE NEEDED.
7. WATER SERVICES DO NOT CURRENTLY EXIST ON LOTS 1, 2, 4, OR 5 AT THE TIME OF THIS PLAT, AND MUST BE INSTALLED PRIOR TO APPROVAL OF A BUILDING PERMIT.



FERNAU FAMILY LIVING TRUST
DOCUMENT NO.
2013-6180

BAKKEN NO. 2
LOT 15 **R3**

TYPICAL CROSS SECTION WALKING PATH



RESURVEY T.53N., R.101W.
CITY OF CODY



VICINITY MAP
1" = 150'



LEGEND

- ⊙ FOUND 3.5" DIA. BRASS CAP
- FOUND 2" DIA. ALUMINUM CAP, OTHERWISE NOTED
- FOUND 3/4" IRON PIPE
- PROPOSED SUBDIVISION LOT LINES.
- SUBDIVISION BOUNDARY
- OHP --- EXISTING OVERHEAD POWER LINE.
- F --- EXISTING BURIED TELEPHONE / FIBER LINE.
- G --- EXISTING BURIED NATURAL GAS LINE.
- TW --- EXISTING BURIED TREATED WATER LINE.
- SA --- EXISTING BURIED SANITARY SEWER LINE.
- F --- PROPOSED BURIED TELEPHONE / FIBER LINE.
- G --- PROPOSED BURIED NATURAL GAS LINE.
- TW --- PROPOSED BURIED TREATED WATER LINE.
- SA --- PROPOSED BURIED SANITARY SEWER LINE.
- MANHOLE LID. UTILITY AND STRUCTURE TYPES VARY.
- × UTILITY PIPE LINE VALVES.
- UTILITY POLE.

IMPROVEMENT PLAN
SCHOONOVER MINOR SUBDIVISION

LOCATED WITHIN

LOT 14-A OF BAKKEN SUBDIVISION NO. 2,
RESURVEY T.53N., R.101W., 6TH P.M.,
CITY OF CODY, PARK COUNTY, WYOMING

PREPARED FOR: KIRA SCHOONOVER

PREPARED BY: ENGINEERING ASSOCIATES
CONSULTING ENGINEERS & SURVEYORS
902 13TH STREET
CODY, WYOMING 82414



JOB NO. 21100.14
09/06/2022

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. THE CONTOURS OF THE PROPOSED MINOR SUBDIVISION ARE RELATIVELY LEVEL.
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0 10 20 40
SCALE (FT)

FERNAU FAMILY LIVING TRUST
DOCUMENT NO.
2013-6180

BAKKEN NO. 2
LOT 15
R3

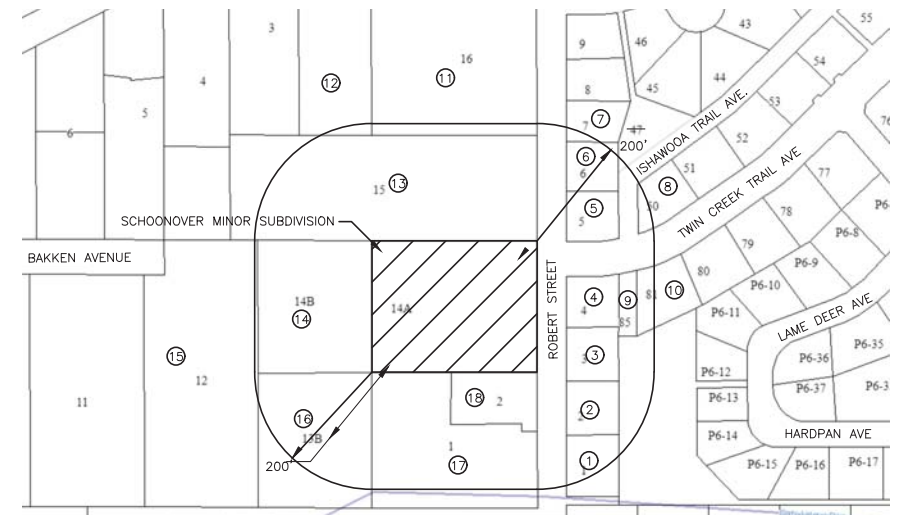
LEGEND

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- SA --- PROPOSED BURIED SANITARY SEWER LINE.
- MANHOLE LID. UTILITY AND STRUCTURE TYPES VARY.
- △ UTILITY PIPE LINE VALVES.
- UTILITY POLE.

LANDOWNER KEY

- 1 HIGBIE FAMILY REVOCABLE LIVING TRUST 213 N 44TH ST, CODY, WY 82414
- 2 RADTKE, CELESTE & CHARLES, 402 LICHEN DRIVE, CODY, WY 82414
- 3 RANDOLPH, KRISTINA D. & STEVEN E., PO BOX 2046, CODY, WY 82414
- 4 GULLICKSON, CRYSTAL N., 232 ROBERT ST., CODY, WY 82414
- 5 WILKERSON, SHAWN, 230 ROBERT STREET, CODY, WY 82414
- 6 ROBERSON, JIMMY M., 228 ROBERT STREET, CODY, WY 82414
- 7 CASTELLANOS, RONALD, 226 ROBERT STREET, CODY, WY 82414
- 8 AVERY & AKOYA SMIEJA, 3007 TWIN CREEK TRAIL AVE., CODY, WY 82414
- 9 TRAILHEAD SUBDIVISION HOMEOWNERS ASSOC., 213 N. 44TH STREET, CODY, WY 82414
- 10 ISMAEL & SAMANTHA GARCIA, 3008 TWIN CREEK TRAIL AVE., CODY, WY 82414
- 11 PEDERSON, MIKEL & RETHA E., PO BOX 3163, CODY, WY 82414
- 12 MCGUFFEY, DONALD & OPAL, P.O. BOX 561, CODY, WY 82414
- 13 FERNAU FAMILY LIVING TRUST, 231 ROBERT STREET, CODY, WY 82414
- 14 BROWN, RICHARD W. & ANITA, 235 ROBERT STREET, CODY, WY 82414
- 15 BENSON, SHIRLEY SHUMWAY TRUST, 2824 BAKKEN AVENUE, CODY, WY 82414
- 16 GASAWAY, GEORGE RICHARD ET AL, PO BOX 2863, CODY, WY 82414
- 17 COWLES, JERRY, 241 B ROBERT ST, CODY, WY 82414
- 18 COWLES, JESSICA LEE, 2831 HIGHWAY 120, CODY, WY 82414

RESURVEY T.53N., 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 14-A, BAKKEN SUBDIVISION #2, CODY, WYOMING, AS LOCATED IN BOOK "10" OF PLATS, PAGE 148, 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 #2021-3462 IN SAID CLERK AND RECORDER'S OFFICE;

THAT WE HAVE CAUSED SAID PROPERTY TO BE SURVEYED AND PLATTED AS SHOWN HEREON AS THE CEDAR VIEW 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 DEDICATE 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.

KIRA SCHOONOVER

STATE OF WYOMING } SS.
COUNTY OF PARK }

THE FOREGOING CERTIFICATE OF OWNER WAS ACKNOWLEDGED BEFORE ME BY KIRA SCHOONOVER

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 _____ M. 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.

CHAIRMAN

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 SCHOONOVER MINOR SUBDIVISION

LOCATED WITHIN

LOT 14-A OF BAKKEN SUBDIVISION NO. 2,
RESURVEY T.53N., R.101W., 6TH P.M.,
CITY OF CODY, PARK COUNTY, WYOMING

PREPARED FOR: KIRA SCHOONOVER

PREPARED BY: ENGINEERING ASSOCIATES
CONSULTING ENGINEERS & SURVEYORS
902 13TH STREET
CODY, WYOMING 82414

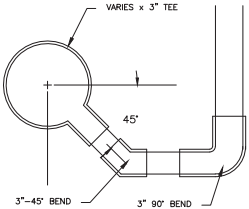


JOB NO. 21100.14
07/18/2022

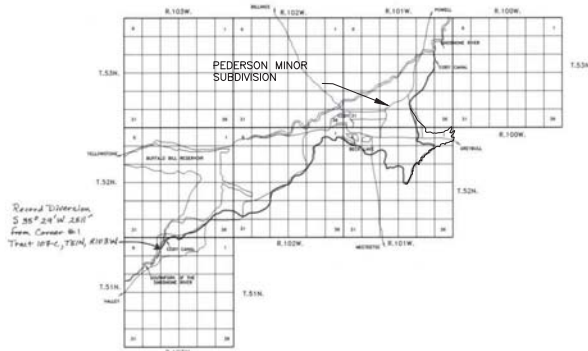
NOTES

1. BEARINGS ARE BASED ON THE CITY OF CODY COORDINATE SYSTEM, WHICH IS BASED ON THE WYOMING COORDINATE SYSTEM NAD83 WEST CENTRAL ZONE.
2. THE CONTOURS OF THE PROPOSED MINOR SUBDIVISION FLOWS FROM THE SOUTHEAST GENERALLY TO THE NORTHWEST
3. CITY OF CODY IS NOT RESPONSIBLE FOR ENSURING PROPER MAINTENANCE OR DISTRIBUTION
4. ALL LOTS SHALL BE SPRINKLE ONLY BY PUMP POINT LOCATIONS. WATER WILL BE SUPPLIED TO THE SCHOONOVER MINOR SUBDIVISION BY MEANS OF PIPE LINE ON THE EAST SIDE OF THE SUBDIVISION ALONG ROBERTS STREET.
5. WATER USERS WILL BE RESPONSIBLE FOR THE INSTALLATION, MAINTENANCE, AND REPAIR OF THEIR IRRIGATION SYSTEM.

IRRIGATED LANDS UNDER SCHOONOVER MINOR SUBDIVISION (ACRES)					
LOT 1	LOT 2	LOT 3	LOT 4	LOT 5	TOTAL
0.54	0.20	0.24	0.24	0.25	1.47

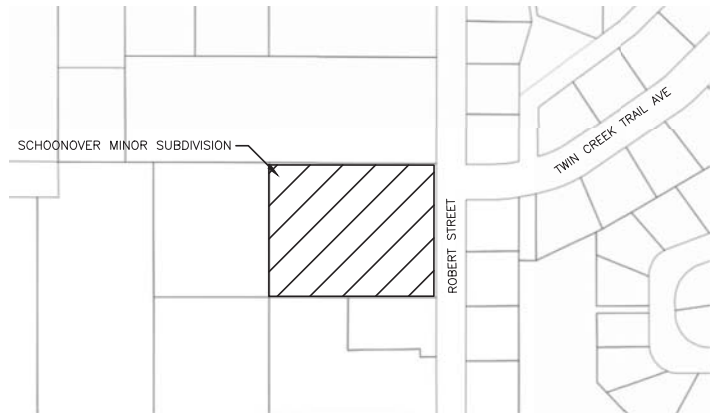


NOTE:
1. TOP OF RISER PIPE TO BE 1\"/>



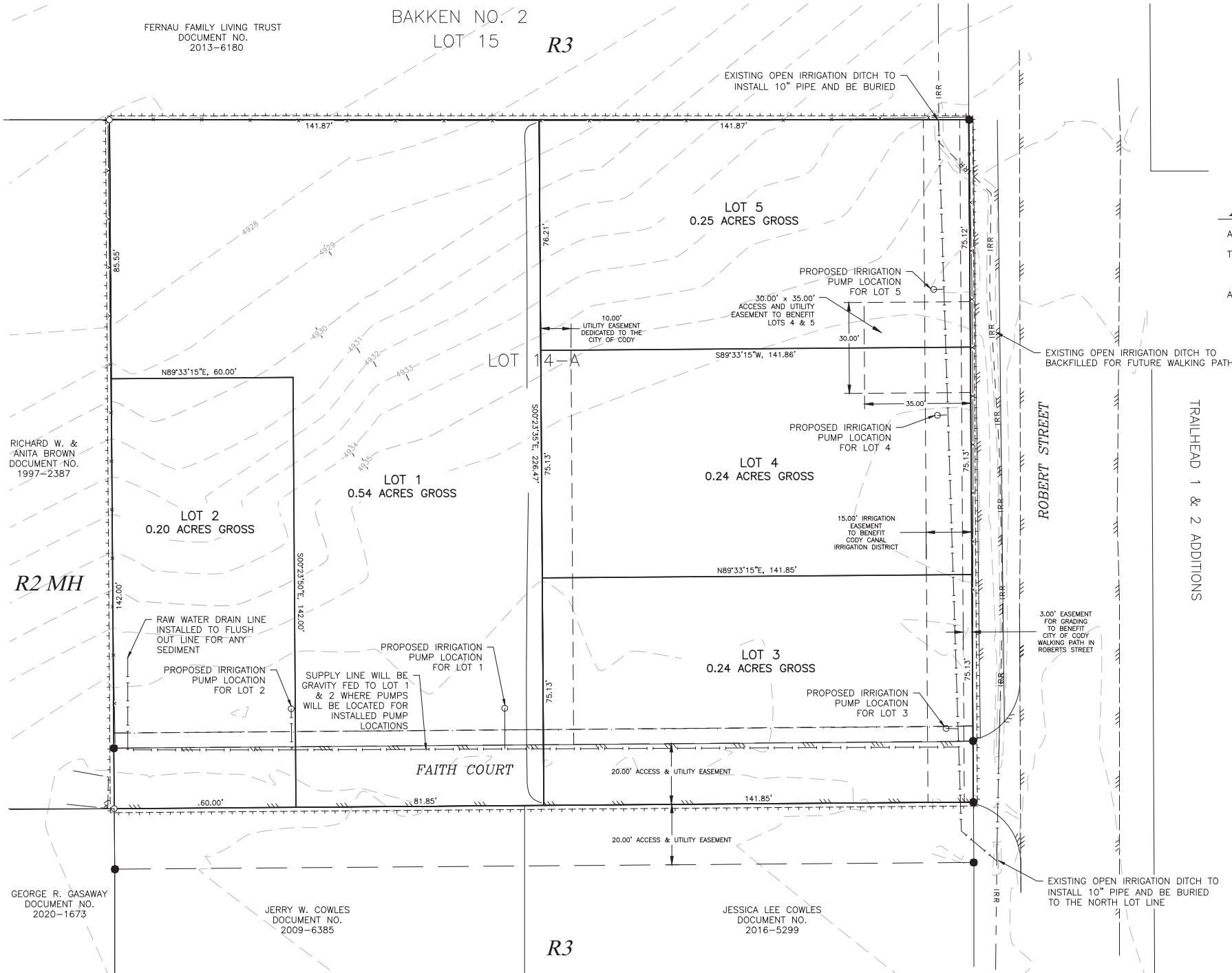
LOCATION MAP

NOT TO SCALE



VICINITY MAP

0 75 150 300
SCALE (FT)



APPROVAL

APPROVED BY THE CODY CANAL IRRIGATION DISTRICT
THIS ____ DAY OF _____, 2022.

ATTEST: _____
DENNIS REED — PRESIDENT

OWNER CONSENT

KIRA SCHOONOVER & NOREEN SCHOONOVER ARE THE OWNERS OF THE SCHOONOVER MINOR SUBDIVISION, AS EVIDENCED BY THAT WARRANTY DEED RECORDED AS DOCUMENT #2021-3462 IN THE PARK COUNTY CLERK'S OFFICE:

DO HEREBY CONSENT TO THE WATER DISTRIBUTION PLAN FOR THE SCHOONOVER MINOR SUBDIVISION AS SHOWN HEREON.

KIRA SCHOONOVER

NOREEN SCHOONOVER

STATE OF WYOMING }
COUNTY OF PARK } SS
THE FOREGOING OWNER'S CERTIFICATE WAS ACKNOWLEDGED BEFORE ME BY KIRA SCHOONOVER & NOREEN SCHOONOVER.

THIS ____ DAY OF _____, 2022.

WITNESS MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC
MY COMMISSION EXPIRES: _____

LEGEND

- ⊙ FOUND 3.5" DIA. BRASS CAP
- FOUND 2" DIA. ALUMINUM CAP, OTHERWISE NOTED
- SET 2.5" DIA. ALUMINUM CAP ON 5/8" DIA. STEEL BAR.
- PROPOSED SUBDIVISION LOT LINES.
- SUBDIVISION BOUNDARY
- EXISTING OPEN IRRIGATION DITCH
- PROPOSED IRRIGATION PIPE
- EXISTING EASEMENT
- PROPOSED EASEMENT
- PROPOSED IRRIGATION TIE-IN POINT / PUMP LOCATION

WATER DISTRIBUTION PLAN
FOR
SCHOONOVER MINOR SUBDIVISION
LOCATED WITHIN

LOT 14-A OF BAKKEN SUBDIVISION NO. 2,
RESURVEY T.53N., R.101W., 6TH P.M.,
CITY OF CODY, PARK COUNTY, WYOMING

PREPARED FOR: KIRA SCHOONOVER

PREPARED BY: ENGINEERING ASSOCIATES
CONSULTING ENGINEERS & SURVEYORS
P.O. BOX 1900
CODY, WYOMING 82414



JOB NO. 21100.14 BOOK NO. 578
09/06/22 P:\21000.46\ACAD\BASE