

CITY OF CODY
PLANNING, ZONING AND ADJUSTMENT BOARD AGENDA
TUESDAY, FEBRUARY 28, 2023
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 February 28, 2023 meeting.
5. Approval of Minutes from the January 24, 2023 regular meeting.
6. New Business:
 - A. Review the Final Plat and Construction Plans for the SunRidge Subdivision—a 5-Lot Subdivision, located at 1937 29th Street.
 - B. Review the Preliminary Plat of the Case Minor Subdivision—a 3-lot subdivision located at 1420 Meadow Lane Avenue.
 - C. Proposed Amendments to the Open Business/Light Industrial (D-3), Industrial (E), and Heavy Industrial (HI) zoning districts. Relating to hazardous materials, environmental impacts, and the architectural and landscaping plan exemption on airport land.
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 Regular Meeting
January 24, 2023

A regular 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, January 24, 2023 at 12:00 pm.

Carson Rowley called the meeting to order at 12:00 pm.

Present: Carson Rowley; Mathew Moss; Ian Morrison; Dan Schein; Josh White; City Attorney Sandee Kitchen; Council Liaison Andy Quick; City Planner Todd Stowell; GIS Analyst Utana Dye.

Absent: Cayde O'Brien, Scott Richard

Carson Rowley led the pledge of allegiance.

Ian Morrison made a motion, second by Dan Schein to add a #7 to introduce Josh White to the Board, and to approve the agenda with the amendment. Vote on the motion was unanimous, motion passed.

Ian Morrison moved to approve the minutes from the January 10, 2023 regular meeting, seconded by Mathew Moss. Vote on the motion was unanimous, motion passed.

Welcome new/reappointed Board members: City Council has appointed the new Board member is Josh White (3-year term).

City Planner Todd Stowell reviewed the Downtown Architectural review for the Yellowstone Outlet awning and signs. The location for the project is 1226 Sheridan Avenue.

Mathew Moss made a motion, seconded by Ian Morrison to approve the awning and sign with the condition that they get the WYDOT permit and building permit prior to installation. Vote on the motion was unanimous, motion passed,

The Board opened the meeting to public comments on the proposed amendments to the zoning ordinance-Chapter 11, Supplement Development Standards for Commercial and Industrial Districts.

Opened for public comment at 12:09 p.m.

No comments were presented.

Closed for public comment at 12:10 p.m.

City Planner Todd Stowell updated the Board on any changes that were made to the proposed amendments to Chapter 11 of the Zoning Ordinance (Supplemental Development Standards for Commercial and Industrial Zoning Districts) since last meeting. Todd made some edits based on the Board discussion at last meeting, including the sections related to the multi-family fencing requirement and the prohibition of short-term rentals in multi-family dwellings. A multi-family dwelling could be converted into a "hotel" (transient lodging facility), which is allowed in the commercial zones, provided it meets or is updated to meet applicable building and fire codes. In such case, the short-term rental provisions of this section would not apply.

Mathew Moss made a motion, second by Ian Morrison to recommend to City Council for adoption for the amendments to Chapter 11 of the Zoning Ordinance (Supplemental Development Standards for Commercial and Industrial Zoning Districts). Vote on the motion was unanimous. Motion passed.

P & Z Board Matters: None

Council Updates: None

Staff Items: Todd told the Board that Cayde O'Brien sent in her resignation. If the Board is aware of any who would like to apply, send their information to City Hall.

Ian Morrison made a motion, seconded by Mathew Moss to adjourn the meeting. Vote on the motion was unanimous. The meeting was adjourned at 12:21 p.m.

Utana Dye

GIS Analyst

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

MEETING DATE:	FEBRUARY 14, 2023	TYPE OF ACTION NEEDED	
AGENDA ITEM:		P&Z BOARD APPROVAL:	
SUBJECT:	FINAL PLAT AND CONSTRUCTION PLANS FOR THE SUNRIDGE SUBDIVISION—AN 5-LOT SUBDIVISION. SUB 2022-04	RECOMMENDATION TO COUNCIL:	X
PREPARED BY:	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

PROJECT OVERVIEW

Shelly Cate and Ryan Silva have submitted the final plat application and construction plans for their 5-lot subdivision identified as the SunRidge Minor Subdivision. The property is zoned R-2 residential and located on the west side of 29th Street.

SUBDIVISION REGULATIONS

The general subdivision ordinance requirements were reviewed with the preliminary plat approval. The following subdivision variances were granted by the City Council:



Subdivision Variances:

1. To waive the alley requirement.
2. To allow use of the street and cul-de-sac design proposed (20' of asphalt, curb and gutter, 80' diameter bulb), subject to providing additional parking on the lots due to no on-street parking being permitted.
3. To require sidewalk on only one side of the street, and not around the cul-de-sac bulb. Width is reduced from 5 feet to 4.
4. Variance to the Public Use Area dedication and cash-in-lieu requirement.

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 the following. The status of each is noted.

Information on surface water (irrigation):

Status: The City Council authorized a variance on September 6, 2022, to allow the surface water rights to be transferred to a 3rd party. Cody Canal has also given their permission for the transfer to a 3rd party. The transfer application was assembled and submitted to the Board of Control (State Engineer's Office). The Board of Control stated that a couple of brief edits were needed on the application and that resubmittal was necessary. That is currently still in process, and has not been completed only due to a delay in obtaining the signature of the grantee of the water rights.

The current state statute, which was passed last year, requires verification from the Board of Control that they have a complete application to transfer the water rights before the plat is fully approved (signed) by the City.

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:

Signatures lines are provided on the plans, but the signatures remain to be obtained. In practice, utility company signatures are obtained after the City reviews the plans, but before the mayor signs the final plat.

Utility company letters or agreements from all concerned utility companies (e.g. telephone, cable TV, gas, electrical, irrigation districts, Wyoming highway department, water, sewer, etc.) that clearly define how the utilities will be installed:

Status: The utility companies applicable to this project are telecommunications, natural gas, and City electric, sewer, water, and raw water. City utilities are coordinated and Black Hills Energy, TCT, and Bresnan/Charter are aware of the project and capable of serving the lots. However, the outside utility providers do not have installation agreements with the developer yet. This is typically the case at the time of final plat review. In practice, installation agreements are not entered into until the utility is about ready to be installed. It is proposed that this requirement be covered by a condition that the agreements be provided no later than at the time of the pre-construction meeting.

Covenants for provisions for the perpetual care and maintenance of those portions of the subdivision which are to be of common use or ownership; and,

Status: Covenants have been provided for the private maintenance of the storm water detention pond, retaining wall along the north side of the street, and sidewalk. They are acceptable to the City attorney and staff.

Evidence of ownership. Status: Met.

Status of Preliminary Plat Conditions:

The conditions of the preliminary plat approval are listed below, with the status of each.

Conditions:

1. *If City raw water is required as recommended, modify the street and right-of-way width or the utility easement width as necessary. Coordinate with Public Works.*

Status: Met. Public Works has determined that the right-of-way width is sufficient to accommodate the raw water line.

2. *If City raw water is to be provided, the McMillin surface water rights are to be transferred to the City pursuant to the subdivision ordinance.*

Status: As noted above, a variance was granted by the City council to allow this subdivision, and a few other small subdivisions, to transfer their surface water rights to a 3rd party. The transfer application has been assembled and is only awaiting the grantees signature and resubmittal to the Board of Control for verification of completeness.

3. *Follow and incorporate all "miscellaneous" items listed in the staff report to the P&Z Board.*

Status: Met, at least the intent of each, as follows:

- a) *The applicant will need to contact the post office for mail box location(s). Preference is that the boxes be placed along the south side of the interior street. Final location must be authorized by both the Post Office and City. Provide a mailbox easement if needed.* Met—A common mailbox is shown near the west end of the proposed sidewalk, which is acceptable to staff.
- b) *The street name of "Sierra Vista Court has been approved by the street name committee.* Met, and added to the documents.
- c) *Primary vehicle access for Lot 5 will be limited to the interior street. Include a note on the final plat to notify the lot owner of the restriction.* Met—see Note 2 on Final Plat.
- d) *Add a note to the final plat about each lot providing at least two additional parking spaces above the minimum, due to the restriction of no on-street parking.* Met---see Note 3 on Final Plat.
- e) *Include lot and street survey monumentation on the final plat, per the requirements of the subdivision ordinance.* Met.
- f) *Label adjacent subdivisions on the final plat.* Met.

- g) *It is recommended that the stormwater infiltration facility be located in a common area tract or the street right-of-way, rather than on a private lot. It remains on a private lot, but within a dedicated easement. If located in a common area tract, it would necessitate a HOA, which the owner is avoiding.*
 - h) *Provide a cross section detail for the street and utilities. Met—see Sheets 2 and 8-12.*
 - i) *In order to avoid having to dig under the dry utilities to connect to the water service stubs, extend a "pigtail" from the curb stop at the back of the sidewalk (or curb if no sidewalk) under the dry utility trench. Include a detail in the construction plans. Met—see Sheet 8.*
 - j) *Include all utilities on the construction plans, and approval signature lines for each utility provider. Met.*
 - k) *If raw water is provided, it will affect either the street and right-of-way width or the utility easement width, depending on where the raw water main is installed. If run in the street, the asphalt and right-of-way will need to be widened two feet. If run in the utility easement, at least five feet of additional width will be needed. Coordinate with Public Works. Each has its advantages and disadvantages. Met in intent—Public Works has identified that the original right-of-way width is adequate.*
 - l) *Shifting the existing irrigation easement along the west line is acceptable to the City, but should also be clearly authorized by the McMillin ditch company. It is recommended that a consent statement and signature be included on the final plat for McMillin Irrigation, and language included in the owner's statement as well. Met in intent—signature lines are added, but are for Cody Canal, as that is who the original easement was dedicated to.*
 - m) *Coordinate the street design with the pathway design. Met---see Sheet 7 of plans.*
 - n) *List the variances granted on the final plat. Not met—need to add.*
 - o) *Correct all typos on the final plat (extraneous labels on vicinity map, and legal description in Certificate of Owner) Met.*
4. *The street must include a street sign, stop sign, "No Outlet" sign, and "No Parking Fire Lane" signage spaced as specified by the fire marshal.*
Status: Met—shown on plans, with the exception of the "No Outlet". It can be placed on the back side of the Stop sign.
5. *If the public use area cash-in-lieu requirement is not waived, payment of \$7,819 to the City is required with the final plat (before mayor signs).*
Status: Met—the requirement was waived by City Council.
6. *Install an 8-foot-wide asphalt pathway along the property frontage of 29th Street or pay that amount to the city prior to recording the final plat.*
Status: Not met. The current plan is to have the pathway installed when the internal street is paved. So long as the pathway along the subdivision frontage is installed before the rest of the 29th Street pathway to the north is installed by the City, there will be no gap in the pathway. To allow the applicant the option

of having their contractor complete the paving, it is proposed that they make a security deposit in the estimated cost to the City to hold as assurance that the completed as planned. The deposit would be provided before the first building permit is issued in the subdivision (anticipated to be to the owner, for Lot 2). As long as the pathway construction is completed by the subdivider as specified and before the City project commences, the funds would be returned. If it is not completed before the City project commences, the City would do the work and the security deposit would be claimed by the City as payment for the portion of the project along the subdivision frontage. The security deposit has been calculated to be \$2,600.00.

7. *Provide an engineer's stormwater report and drainage plan for the subdivision, which is to be reviewed and approved as part of the final plat process.*

Status: Met. The drainage calculations and plan are acceptable to Public Works.

8. *A maintenance agreement and/or homeowner's association shall be established for maintenance of the storm water infiltration facilities. Submit the proposed documents with the final plat. Also include an explanatory note referencing such on the final plat.*

Status: A maintenance agreement has been submitted and found acceptable. It will need to be signed and recorded with the final plat.

9. *The final plat application and construction documents shall otherwise comply with the City subdivision ordinance.*

Status: As otherwise noted in report.

Other:

1. The design of Sierra Vista Court now includes a retaining wall along the north side of the right-of-way. The retaining wall is necessary because the developer was unable to acquire a slope easement from the adjoining neighbor. The street is elevated as much as 2 ½ feet above the property to the north, so that sufficient cover can be provided over the sewer line that is below the street. The elevation of the sewer line cannot be further adjusted. Besides being an additional upfront cost to the developer, the retaining wall represents a significant ongoing maintenance cost, which Public Works is not willing to accept. Shifting the street to the south would have too much of an impact on the buildable areas of Lots 4 and 5, and have additional engineering cost. The developer has agreed to have the lot owners in the subdivision be responsible for the ongoing maintenance and repair of the retaining wall and sidewalk that adjoins it, as evidenced by the proposed maintenance agreement. Staff believes this to be an appropriate solution.
2. The plans include installation of a raw water distribution system that will be fed from the City's raw water system. The pipeline to feed the raw water system is not fully installed or completed. While Public Works intends that all components will be

installed and active in 1-2 years, the City makes no warranties regarding a date of completion.

3. Applicable utility connection fees need to be paid prior to the mayor signing the final plat (electrical estimate and water tap fees). The electrical estimate has already been paid.
4. The developer requests an additional variance. The variance would be to the requirement that all subdivision improvements be completed prior to issuance of a building permit (City Code 11-2-2(B)), so that a building permit may be issued to the owner for construction of their own residence on Lot 2 prior to the subdivision improvements being completed and accepted. The variance would be subject to the following conditions/commitments:
 - a) The property owner agrees to no lot sales, no building permits other than for Lot 2, and to restrict access to the owner's contractors only, until the subdivision improvements are completed and accepted by the City of Cody. The developer remains responsible to complete the improvements; and,
 - b) The utilities for Lot 2 must be completed prior to occupancy of the owner's residence on Lot 2.

Staff supports the variance request, as it reflects what the City Council has authorized recently in similar situations. If the plat is recorded prior to all subdivision improvements being completed, which is expected for financing purposes, the following note should be included on the plat: *"Any outstanding subdivision improvements must be completed prior to issuance building permits, except as authorized for Lot 2. See the Community Development Department for details."*

RECOMMENDATION:

It is recommended that the Planning and Zoning Board recommend to City Council the approval of the additional variance relating to issuance of building permits to the owner for Lot 2, subject to the following conditions:

- a) The property owner agrees to no lot sales, no building permits other than for Lot 2, and to restrict access to the owner's contractors only, until the subdivision improvements are completed and accepted by the City of Cody. The developer remains responsible to complete the improvements; and,
- b) The utilities for Lot 2 must be completed prior to occupancy of the owner's residence on Lot 2.

And, recommend approval of the SunRidge final plat and construction plans, subject to the following conditions:

Prior to the mayor signing the final plat:

1. Provide a copy of the construction plans with approval signatures of the 3rd party utility providers (BHE, TCT and Charter) and the electric division.
2. Note the variances granted on the final plat. They include:
 - a. To waive the alley requirement.
 - b. To allow use of the street and cul-de-sac design proposed, subject to providing additional parking on the lots due to no on-street parking being permitted.
 - c. To only require sidewalk on one side of the street, and not around the cul-de-sac bulb. Sidewalk width is reduced from 5 feet to 4.
 - d. To waive the Public Use Area dedication and cash-in-lieu requirement.
 - e. To authorize a building permit for the owner's house on Lot 2, subject to conditions.
3. Add the following note to the final plat, if applicable: "Any outstanding subdivision improvements must be completed prior to issuance building permits, except as authorized for Lot 2. See the Community Development Department for details."
4. The water right transfer application must be accepted by the Board of Control.
5. On the construction plans, add a drain to the raw water main in 29th Street, or otherwise address the situation with Public Works.

Other:

6. Pay applicable utility connection fees. (Coordinate with public works.)
7. The maintenance agreement is to be recorded at the time the final plat is recorded.
8. The utility installation agreements with the 3rd party utility providers are to be provided no later than at the time of the pre-construction meeting.
9. Install the pathway as designed prior to issuance of the first building permit (owner's residence on Lot 2), or provide the security deposit in the amount of \$2,600.00, with an agreement to relinquish the funds to the City if construction of the pathway will not be completed prior to the City awarding the contract for construction of the pathway to the north of this property.
10. Include the "No Outlet" sign installation.
11. Perform the construction and inspections as required so that upon completion of the improvements there can be provided the engineer's certification, the developer's one-year warranty on the improvements, and other information as necessary to comply with Section 11-5-1(A) of the subdivision ordinance.
12. Upon completion of the subdivision improvements, provide a summary to the City finance officer of the value of each of the public improvements by general

category (street, sewer, water, power) for contributed capital accounting purposes.

13. All subdivision improvements must be completed and accepted by the City prior to issuance of building permits, except as authorized by the variance for Lot 2.

ATTACHMENTS:

Final Plat
Construction Plans
Maintenance Agreement
Drainage Report
Cody Canal Letter
Board of Control letter

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 2 OF LOT 61-2 PLANTATION ADDITION, CITY OF CODY, PARK COUNTY, WYOMING, AS EVIDENCED BY THAT WARRANTY DEED RECORDED AS DOCUMENT #2021-659 IN THE OFFICE OF THE PARK COUNTY CLERK;
THAT WE HAVE CAUSED SAID PROPERTY TO BE SURVEYED AND PLATTED AS SHOWN HEREON AS THE SunRidge MINOR SUBDIVISION LOCATED WITHIN THE CITY OF CODY; THAT THE SUBDIVISION AS APPEARS ON THIS PLAT IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS AND PROPRIETORS; THAT WE HEREBY DEDICATE SIERRA VISTA COURT TO THE CITY OF CODY AS A PUBLIC RIGHT-OF-WAY, THAT ALL UTILITY EASEMENTS ARE DEDICATED FOR PUBLIC USE, AND ALL OTHER EASEMENTS LABELED HEREON ARE DEDICATED FOR THE USES SO NOTED; THAT SAID LANDS ARE SUBJECT TO ANY EASEMENTS, RIGHTS-OF-WAY AND MINERAL RIGHTS OR RESERVATIONS ON RECORD.

SHELLY CATE RYAN SILVA
STATE OF }
COUNTY OF } SS.
THE FOREGOING CERTIFICATE OF OWNER WAS ACKNOWLEDGED BEFORE ME BY SHELLY CATE AND RYAN SILVA.
THIS _____ DAY OF _____, 2023, WITNESS MY HAND AND OFFICIAL SEAL.
MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

CERTIFICATE OF VACATION OF EASEMENT

STATE OF WYOMING }
COUNTY OF PARK } SS.
KNOW ALL MEN BY THESE PRESENTS THAT I/WE, THE UNDERSIGNED, HEREBY CERTIFY THAT I/WE HEREBY VACATE AND EXTINGUISH THE 20 FOOT IRRIGATION FACILITIES EASEMENT AS CREATED BY THE PLAT OF LOT 61-2 PLANTATION ADDITION AS FILED IN PLAT CABINET "J" AT PAGE 34 IN THE OFFICE OF THE PARK COUNTY CLERK, TO BE REPLACED BY THE 20 FOOT IRRIGATION FACILITIES EASEMENT BEING THE WESTERLY 20.00 FEET OF LOT 2 AND LOT 3 OF SunRidge MINOR SUBDIVISION AS SHOWN HEREON.

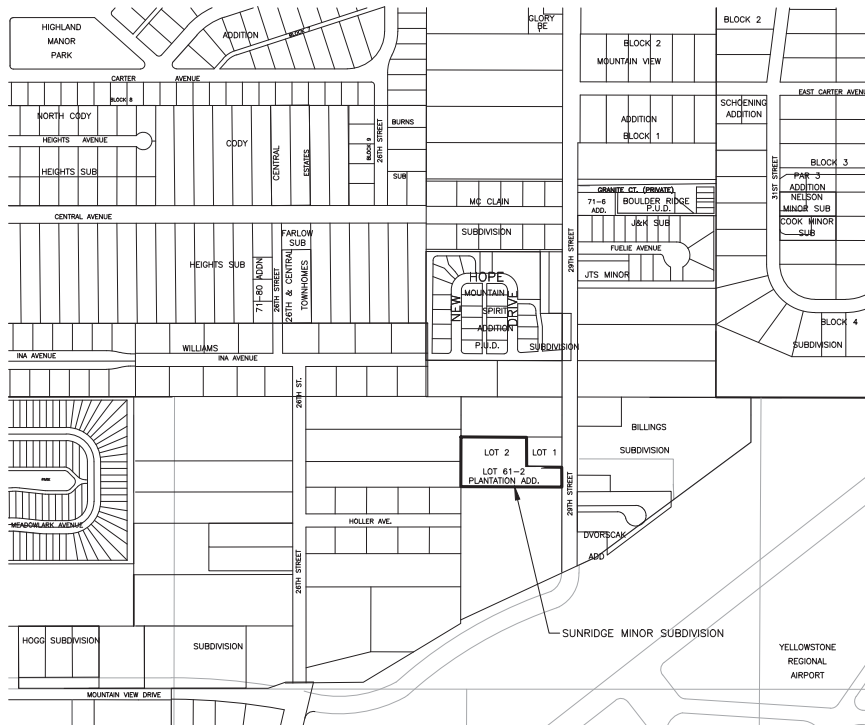
PRESIDENT
CODY CANAL
STATE OF WYOMING }
COUNTY OF PARK } SS.
THE FOREGOING CERTIFICATE OF OWNER WAS ACKNOWLEDGED BEFORE ME BY _____
THIS _____ DAY OF _____, 2023, WITNESS MY HAND AND OFFICIAL SEAL.
MY COMMISSION EXPIRES: _____
NOTARY PUBLIC

NOTES

- BEARINGS ARE BASED ON THE CITY OF CODY COORDINATE SYSTEM, WHICH IS BASED ON THE WYOMING COORDINATE SYSTEM NAD83 WEST CENTRAL ZONE.
- PRIMARY VEHICLE ACCESS FOR LOT 5 IS LIMITED TO SIERRA VISTA COURT.
- DUE TO THE RESTRICTION OF NO ON-STREET PARKING, EACH LOT IS REQUIRED TO PROVIDE TWO PARKING SPACES MORE THAN THE MINIMUM OTHERWISE REQUIRED.
- THE DRAINAGE FACILITY WITHIN THE 10' DRAINAGE EASEMENT WITHIN LOT 2 IS SUBJECT TO A STORM WATER DETENTION FACILITY REPAIR AND MAINTENANCE AGREEMENT WITH THE CITY OF CODY.
- MAINTENANCE OF THE SIERRA VISTA COURT SIDEWALK AND RETAINING WALL IS THE JOINT RESPONSIBILITY OF ALL FIVE LOT OWNERS AND IS SUBJECT TO A MAINTENANCE AGREEMENT WITH THE CITY OF CODY.
- DUE TO ELEVATION LIMITATIONS, LOTS 1, 2 AND 3 REQUIRE INDIVIDUAL SEWER PUMPS.

CERTIFICATE OF SURVEYOR

I, LYLE J. GASCIATO, 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 DECEMBER, 2021 AND MAY, 2022; AND, THAT TO MY KNOWLEDGE, THIS MAP SHOWS THE SITUATION ON THE GROUND AT THE TIME OF ITS PREPARATION.



LOCATION MAP

SCALE: 1" = 400'

LEGEND

- FOUND 2.5" DIA. ALUMINUM CAP, UNLESS OTHERWISE NOTED.
- FOUND 2" DIA. ALUMINUM CAP, OTHERWISE NOTED.
- SET 2" DIA. ALUMINUM CAP ON 5/8" DIA. STEEL BAR.
- SET 3-1/4" DIA. BRASS CAP ON 2-1/2" x 30" GALVANIZED PIPE.
- SET 3-1/2" DIA. BRASS TABLET IN SQUARE CONCRETE COLLAR.
- SUBDIVISION BOUNDARY.
- SUBDIVISION LOT LINES.
- EXISTING EASEMENT.
- EASEMENTS CREATED BY THIS PLAT.
- EASEMENTS VACATED/EXTINGUISHED BY THIS PLAT.
- RECORD DIMENSIONS FROM PLAT OF LOT 61-2 PLANTATION ADDITION "J-34" IN PARENTHESES.

CITY PLANNING AND ZONING BOARD

APPROVED AS OF _____ DAY OF _____, 2023 BY THE CITY PLANNING AND ZONING BOARD OF CODY, WYOMING.

CHAIRMAN

CITY COUNCIL APPROVAL

APPROVED AS OF _____ DAY OF _____, 2023 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 _____, 2023, FILED FOR RECORDING IN BOOK OR PLAT CABINET _____ AT PAGE _____ AND RECORDED AS COMPUTER RECORD DOCUMENT NUMBER _____

PARK COUNTY CLERK
BY: _____, DEPUTY.

- PLAT SHOWING -
SunRidge MINOR SUBDIVISION

LOCATED WITHIN

LOT 2 OF LOT 61-2 PLANTATION ADDITION,
CITY OF CODY, PARK COUNTY, WYOMING

OWNER: SHELLY CATE AND RYAN SILVA
1305 NE NEWHALL ROAD
NEWBERG, OR 97132

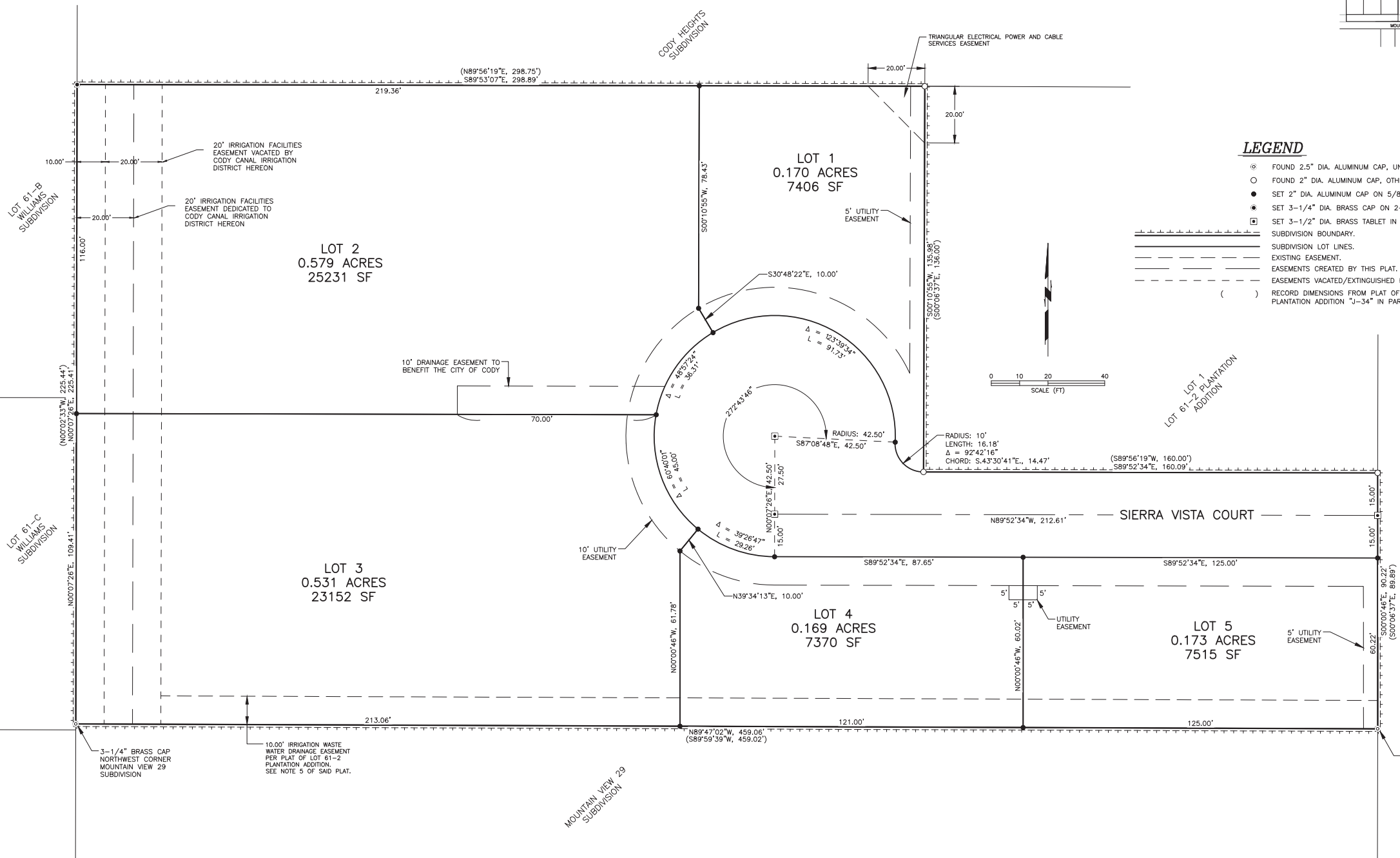
PREPARED BY: ENGINEERING ASSOCIATES
CONSULTING ENGINEERS & SURVEYORS
902 13TH STREET
CODY, WYOMING 82414



JOB NO. 22002
01/26/2023

SHEET 1 OF 1

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



P:\2022\Cody 22000.00 - 22199.00\22002.00 - SunRidge Subdivision - City of Cody\ACAD\22002.00 SunRidge MS_8-29-22 REVISED.dwg 2/8/23 lan



VICINITY MAP

SCALE: 1" = 100'

NATURAL GAS PLAN ACCEPTED AND APPROVED FOR UTILITY PURPOSES BY: BLACK HILLS ENERGY

ELECTRICAL PLAN ACCEPTED AND APPROVED FOR UTILITY PURPOSES BY: CITY OF CODY ELECTRICAL DEPARTMENT

TELECOMMUNICATON PLAN ACCEPTED AND APPROVED FOR UTILITY PURPOSES BY: _____

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
1/18/23	FINAL EDITS	IKSM		
5/5/22	ORIGINAL DRAWING	IKSM	LJC	IKSM

DRAWN BY: IKSM
JOB NO. 22002.00
FIELD BOOK NO. 593



ENGINEERING ASSOCIATES – CODY, WYOMING
CONSULTING ENGINEERS & SURVEYORS

OWNER:
SHELLY CATE & RYAN SILVA

PROJECT: SUNRIDGE MINOR SUBDIVISION
TITLE: TITLE SHEET

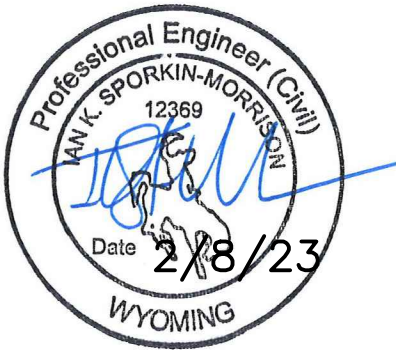


SHEET
1 OF 12

SUNRIDGE MINOR SUBDIVISION
ROADWAY, TREATED WATER &
SANITARY SEWER
EXTENSIONS
FOR
SHELLY CATE & RYAN SILVA
CODY,WY

DRAWING INDEX

Sheet Number	Sheet Title
1	TITLE SHEET
2	PLAN & PROFILE – ROADWAY
3	PLAN & PROFILE – TREATED WATER
4	PLAN & PROFILE – SANITARY SEWER
5	PLAN & PROFILE – RAW WATER main
6	PLAN & PROFILE – RAW WATER
7	PLAN & PROFILE – PATHWAY
8	UTILITY SHEET
9	DETAILS – TREATED WATER
10	DETAILS – SANITARY SEWER
11	DETAILS – ROAD
12	DETAILS – DRAINAGE



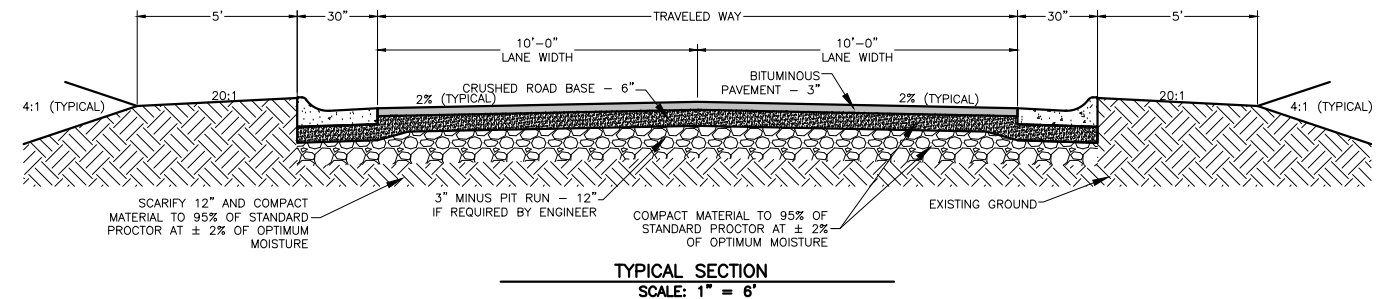
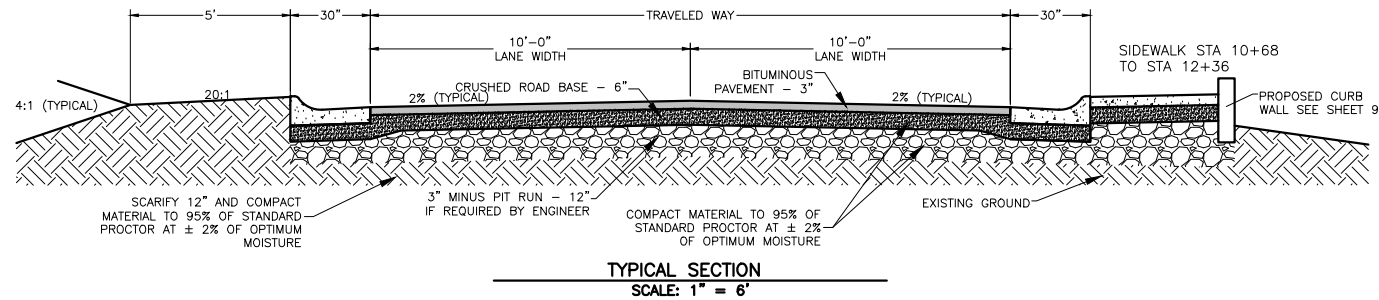
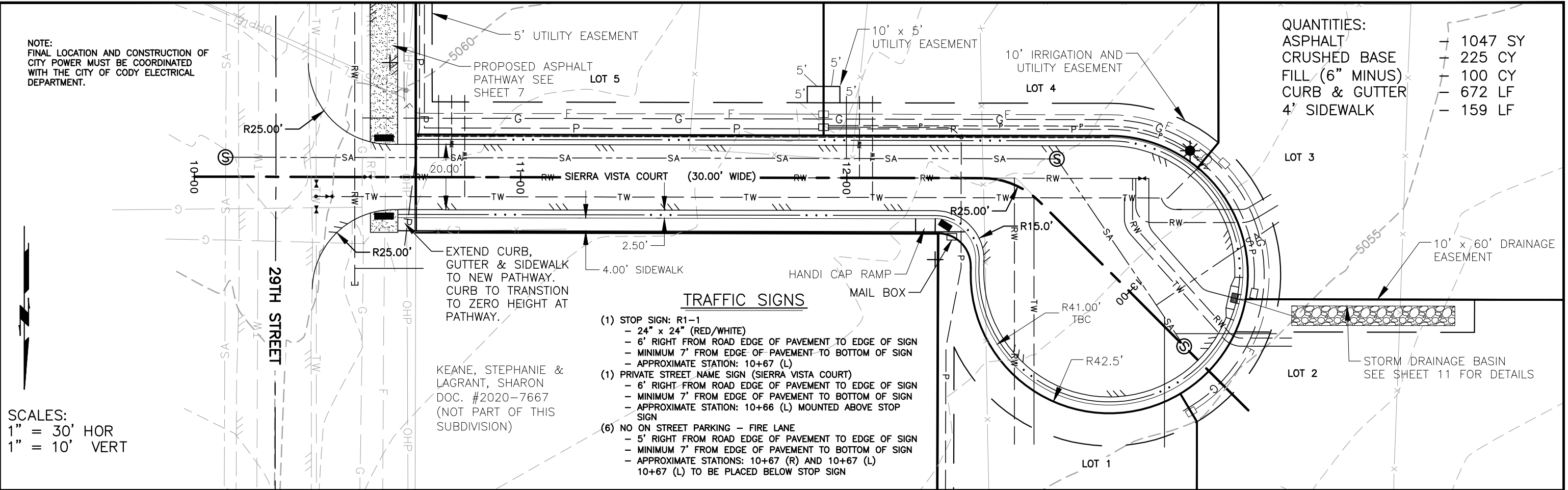
P:\2022\Cody 22000.00 - 22199.00\22002.00 - SunRidge Subdivision - City of Cody\ACAD\22002.00 SunRidge MS_8-29-22 REVISED.dwg 2/8/23 lan

NOTE:
FINAL LOCATION AND CONSTRUCTION OF
CITY POWER MUST BE COORDINATED
WITH THE CITY OF CODY ELECTRICAL
DEPARTMENT.

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

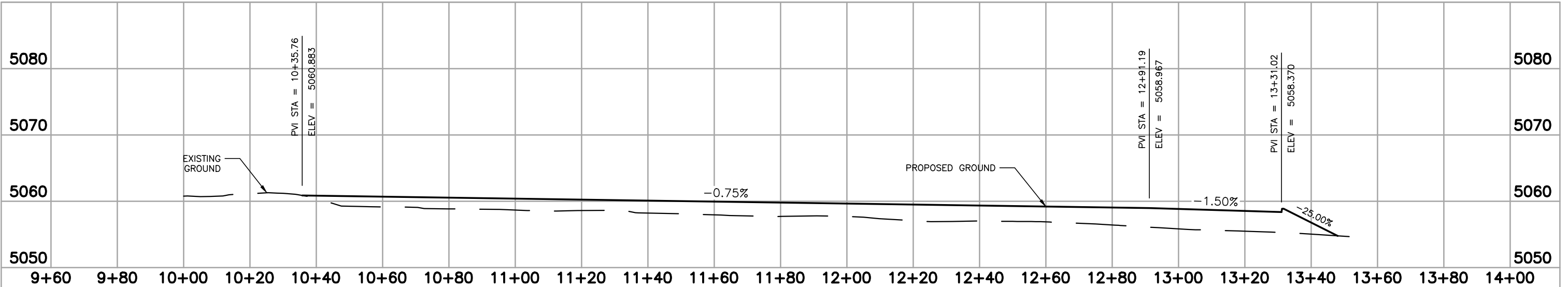
QUANTITIES:
ASPHALT
CRUSHED BASE
FILL (6" MINUS)
CURB & GUTTER
4' SIDEWALK

+ 1047 SY
+ 225 CY
+ 100 CY
- 672 LF
- 159 LF



5090

5090



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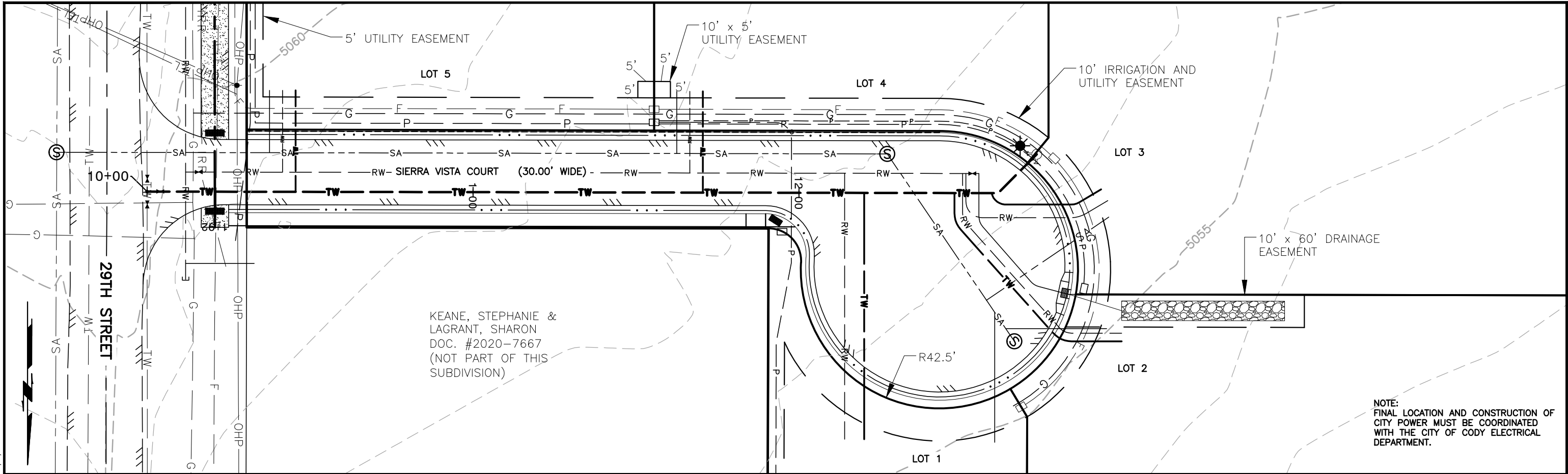
ENGINEERING ASSOCIATES - CODY, WYOMING
CONSULTING ENGINEERS & SURVEYORS

OWNER:
SHELLY CATE & RYAN SILVA

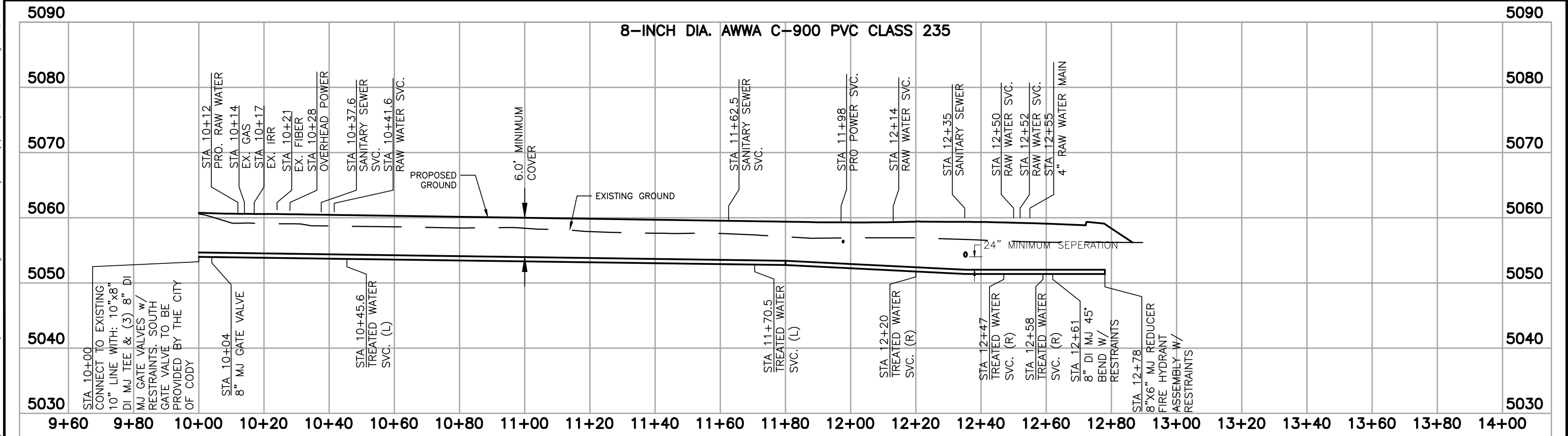
PROJECT: SUNRIDGE MINOR SUBDIVISION
TITLE: PLAN & PROFILE - ROADWAY

SHEET
2 OF 11

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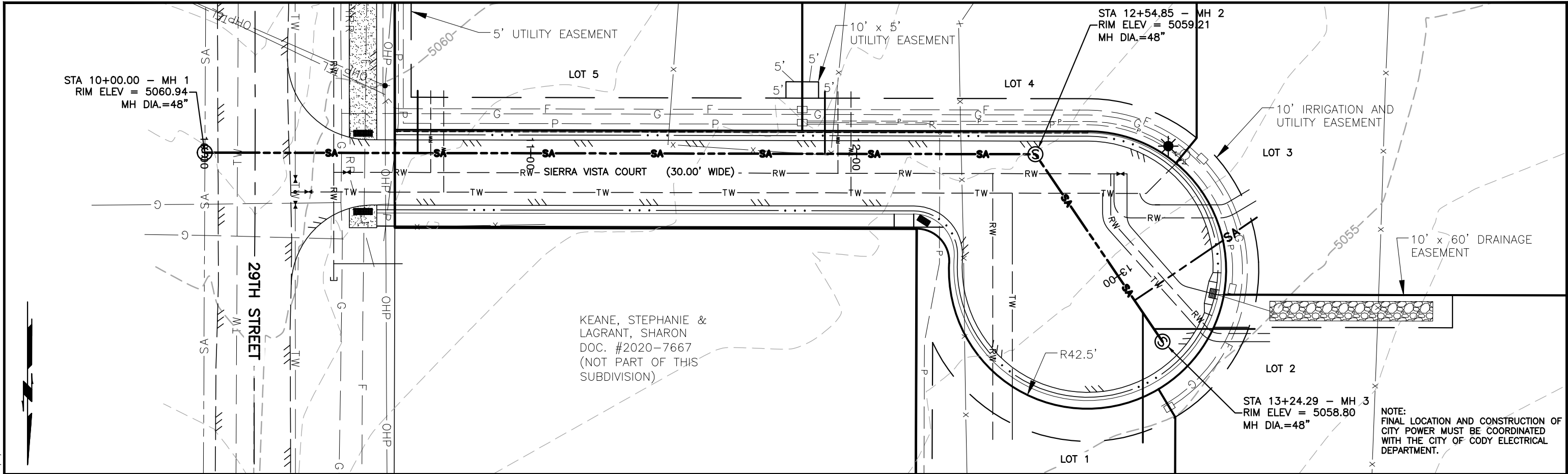


SCALES:
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1" = 10' VERT

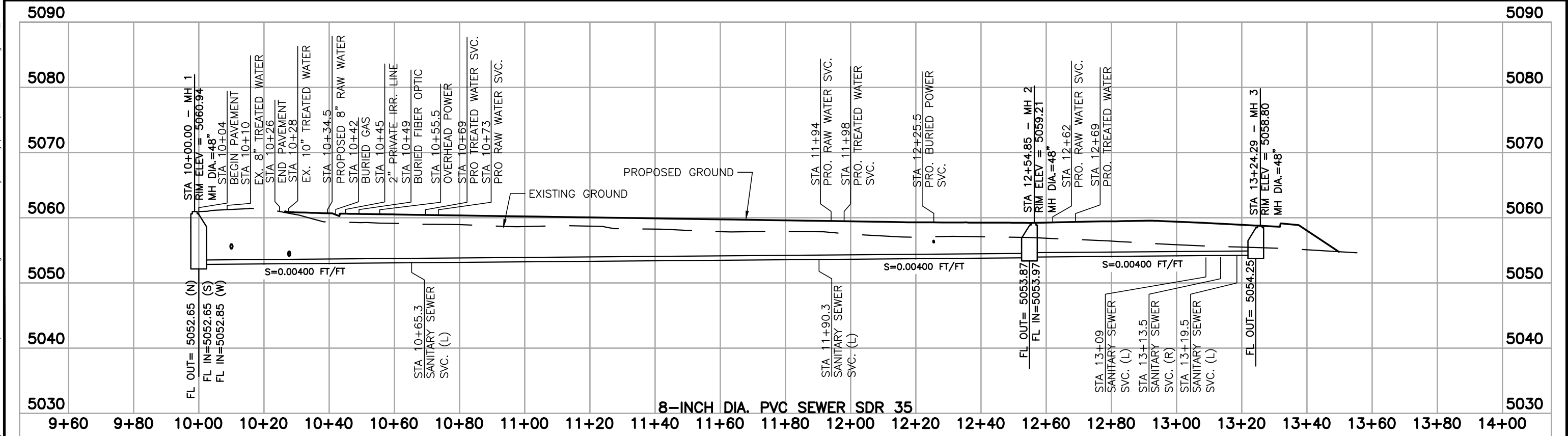


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							JOB NO. 22002.00			SHELLY CATE & RYAN SILVA		SUNRIDGE MINOR SUBDIVISION			
							FIELD BOOK NO. 593					TITLE:		PLAN & PROFILE – TREATED WATER	
5/5/22		ORIGINAL DRAWING		IKSM										3 OF 11	

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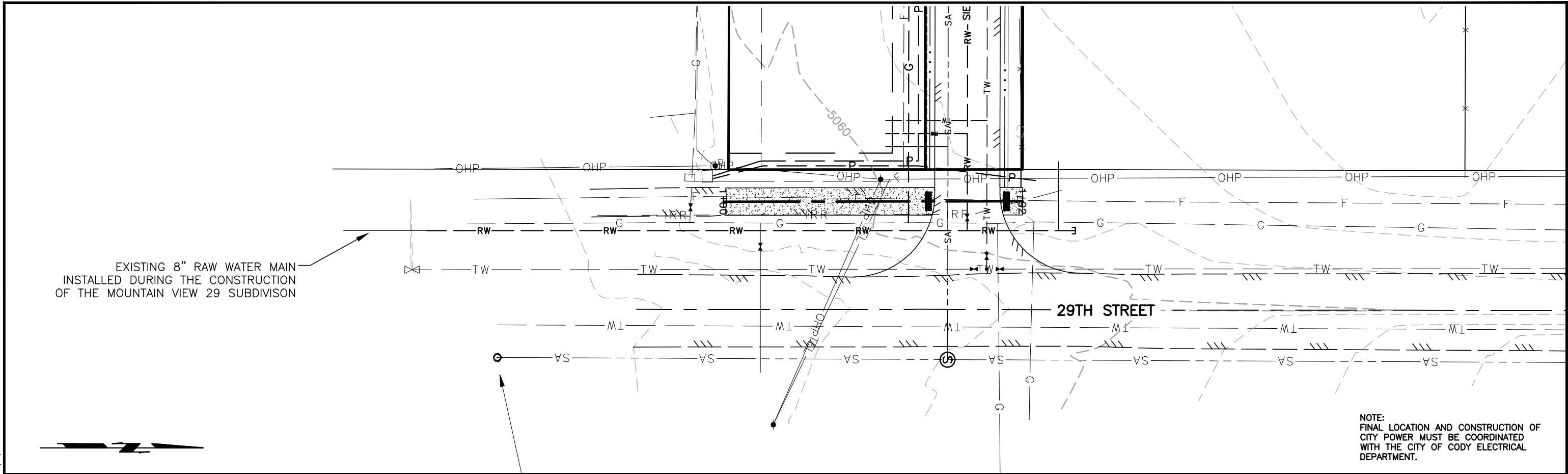
SCALES:
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1" = 10' VERT



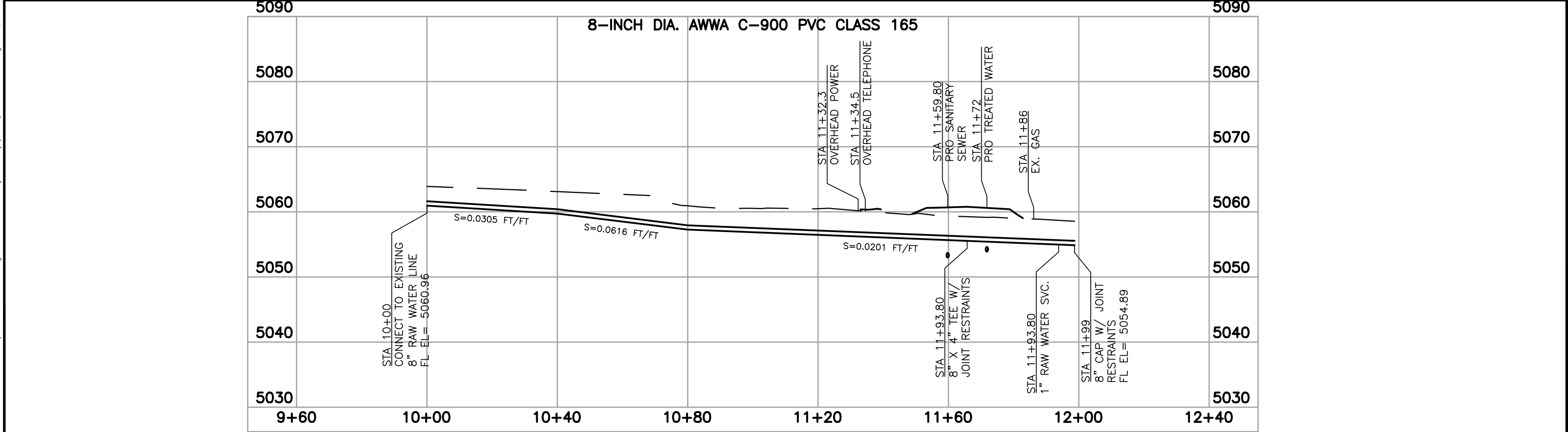
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5/5/22					ORIGINAL DRAWING					IKSM																													

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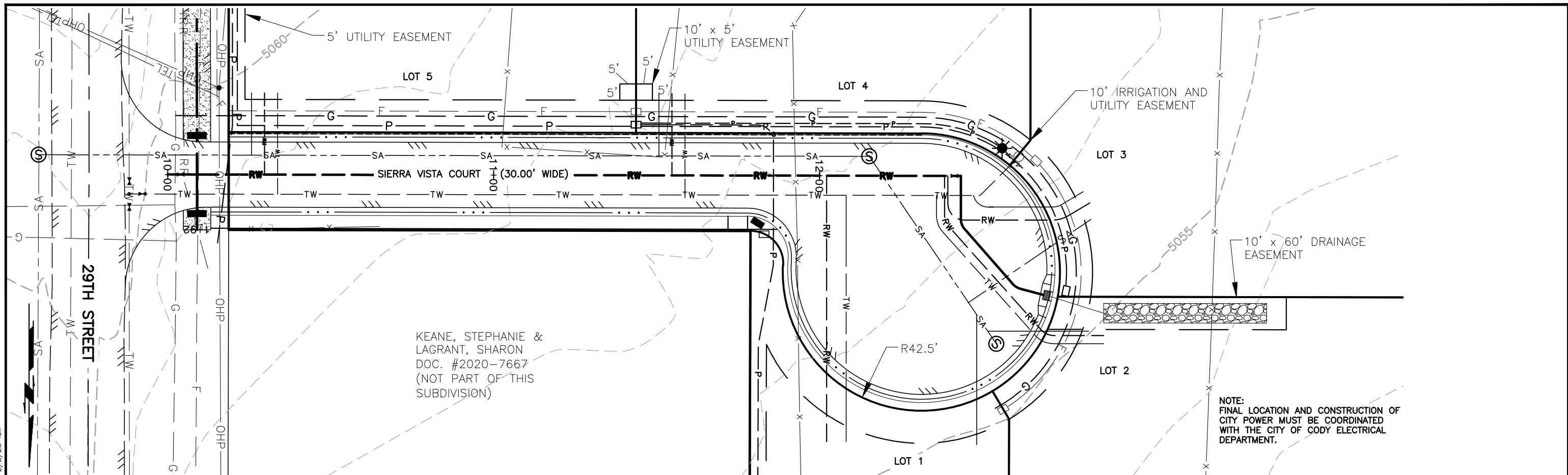
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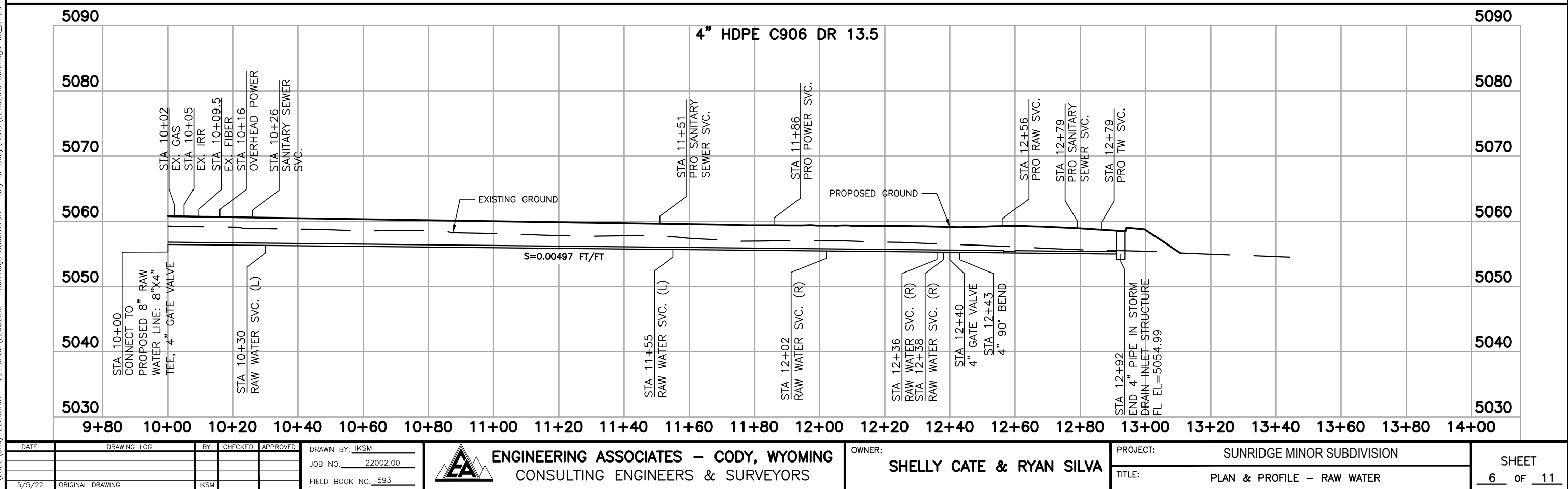
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1" = 10' VERT



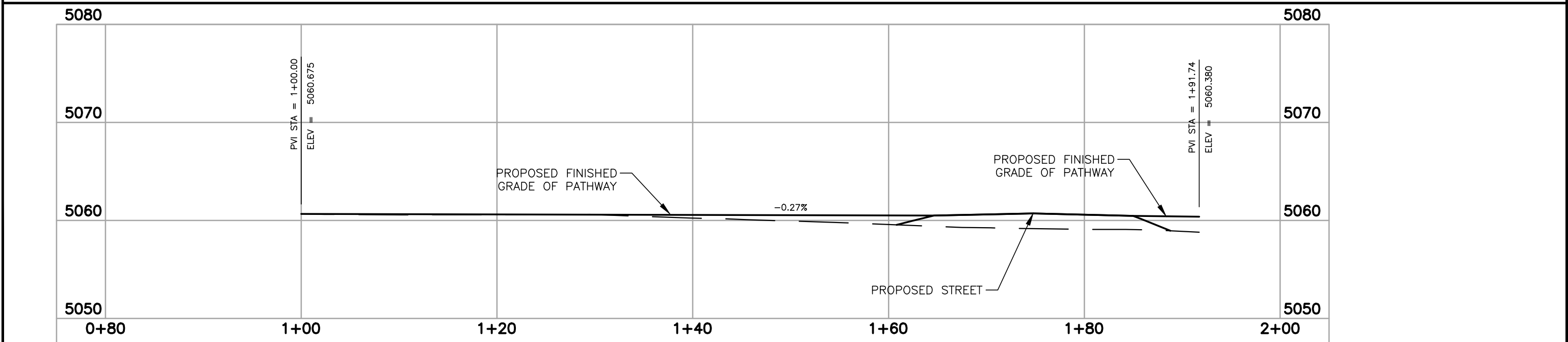
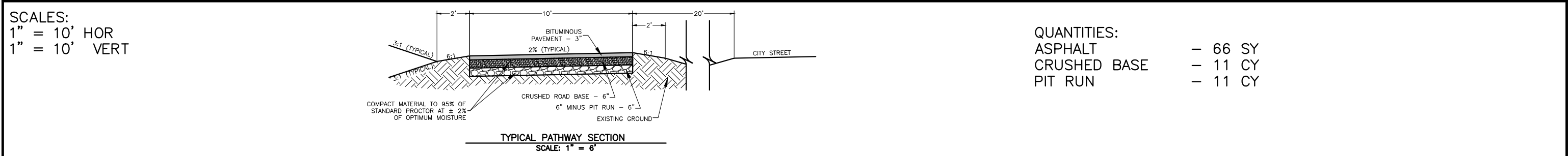
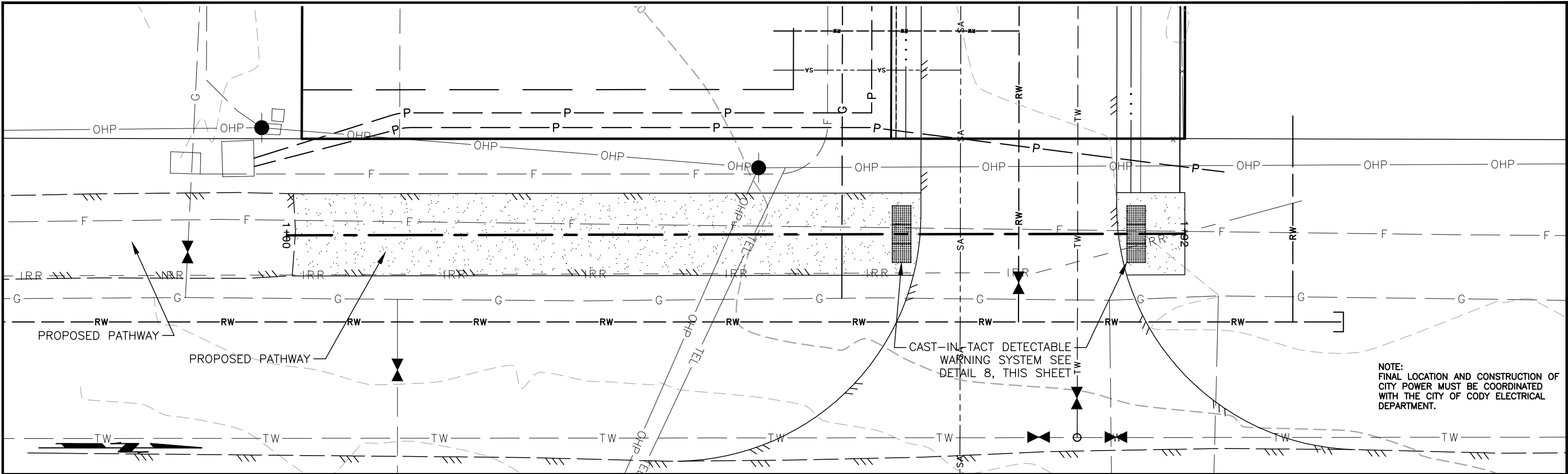
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					JOB NO. 22002.00					
5/5/22	ORIGINAL DRAWING	IKSM			FIELD BOOK NO. 593					



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



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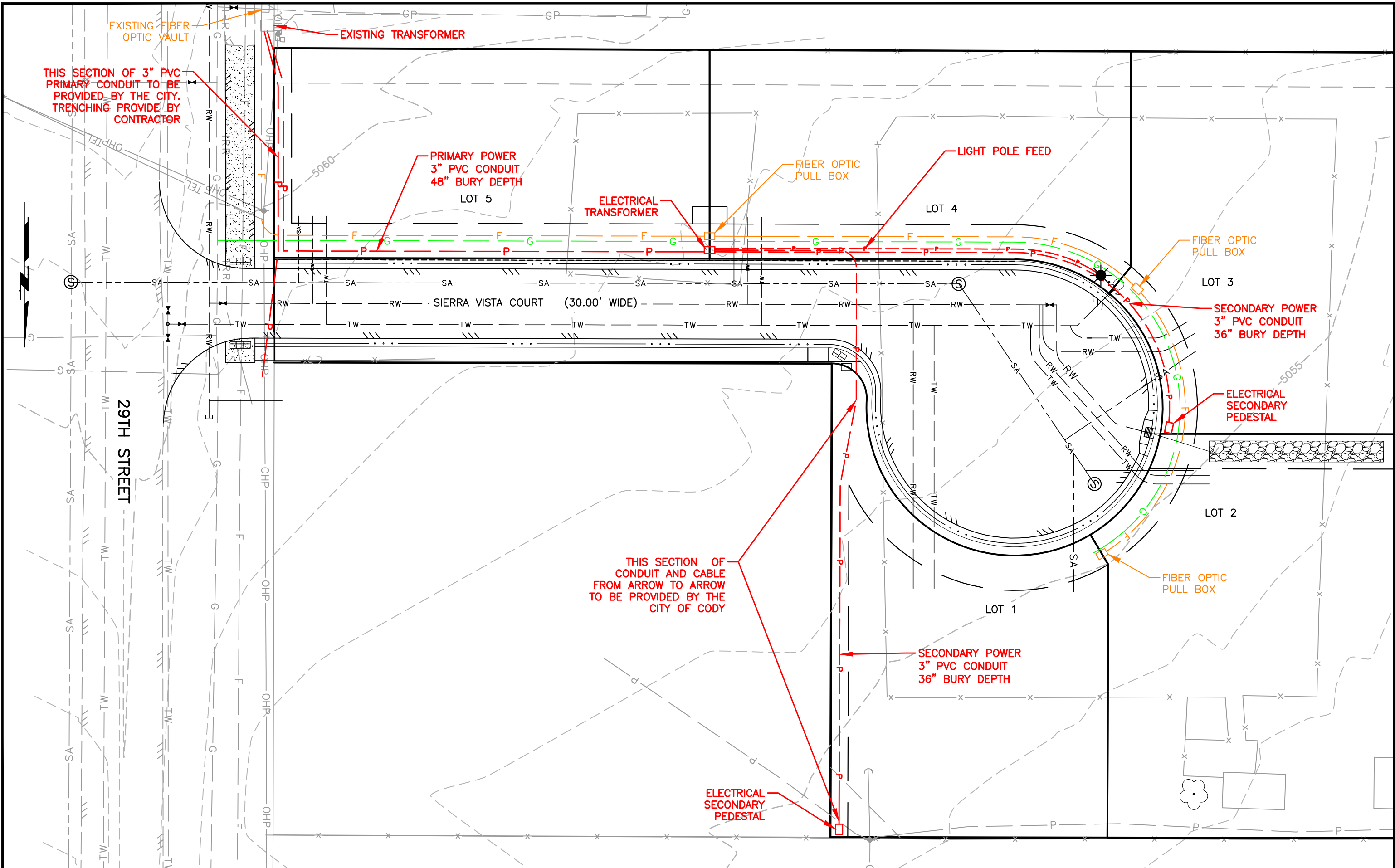


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5/5/22	ORIGINAL DRAWING	IKSM			JOB NO. 22002.00	SHELLY CATE & RYAN SILVA	SUNRIDGE MINOR SUBDIVISION	7 OF 11
					FIELD BOOK NO. 593		PLAN & PROFILE - PATHWAY	



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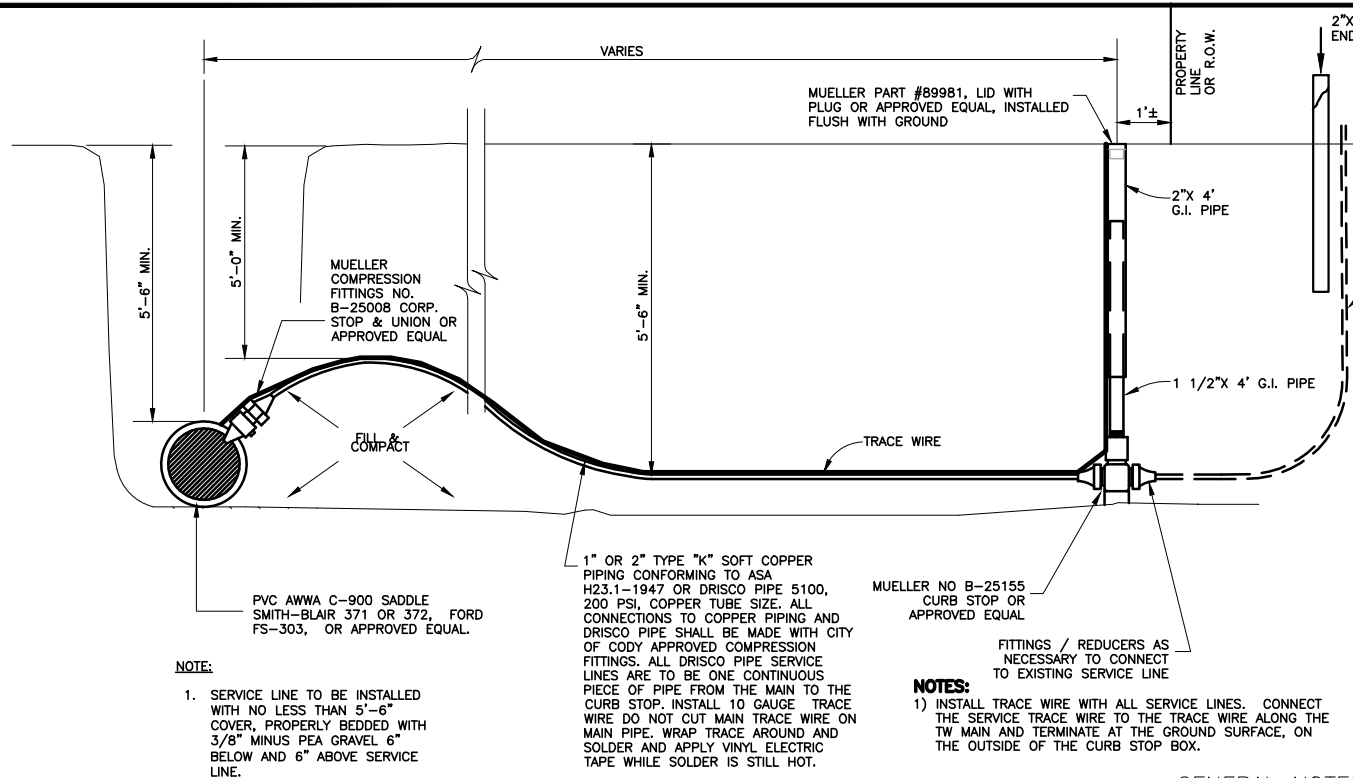
 **ENGINEERING ASSOCIATES – CODY, WYOMING**
CONSULTING ENGINEERS & SURVEYORS

OWNER:
SHELLY CATE & RYAN SILVA

PROJECT: **SUNRIDGE MINOR SUBDIVISION**
TITLE: **UTILITY LAYOUT**

SHEET
8 OF **12**

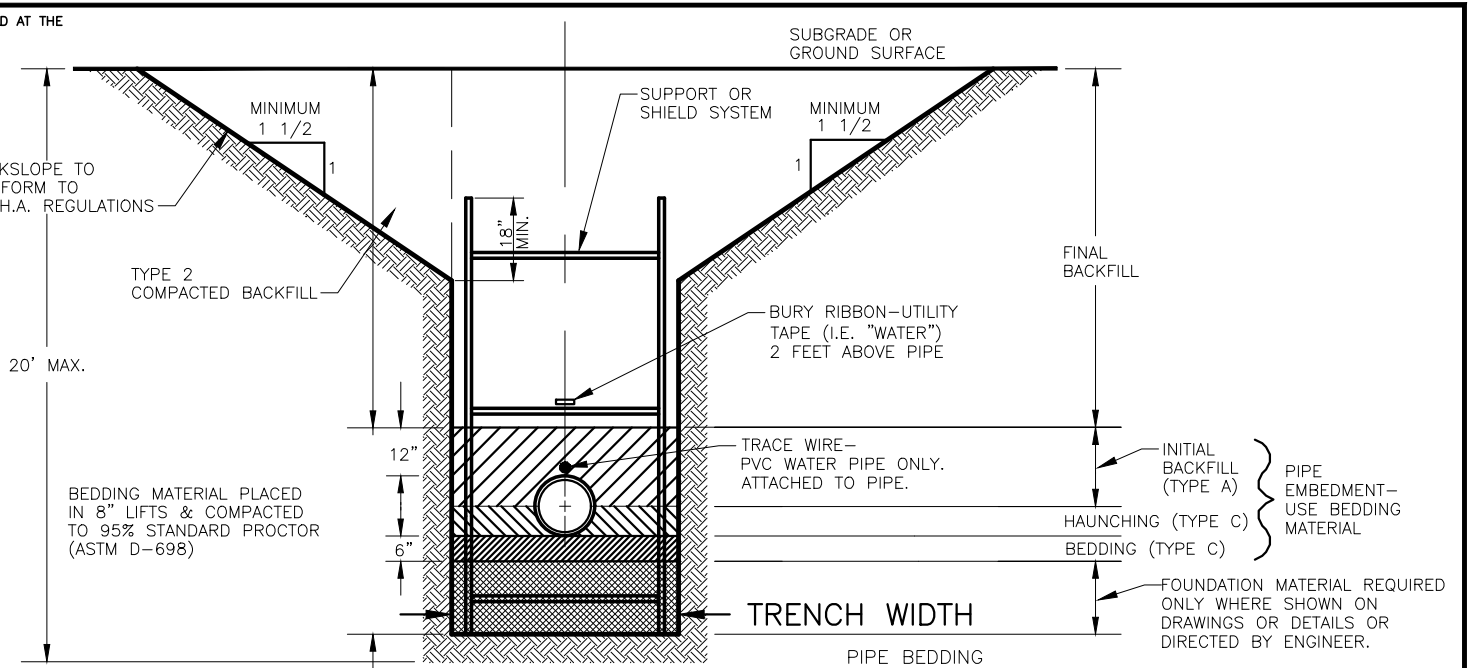
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TREATED WATER SERVICE DETAIL

GENERAL NOTES:

- JOINT RESTRAINTS TO BE PROVIDED ON ALL MJ FITTINGS, UNLESS OTHERWISE NOTED. SUBSIDIARY TO OTHER BID ITEMS.



TYPICAL TRENCH DETAIL

NOT TO SCALE

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

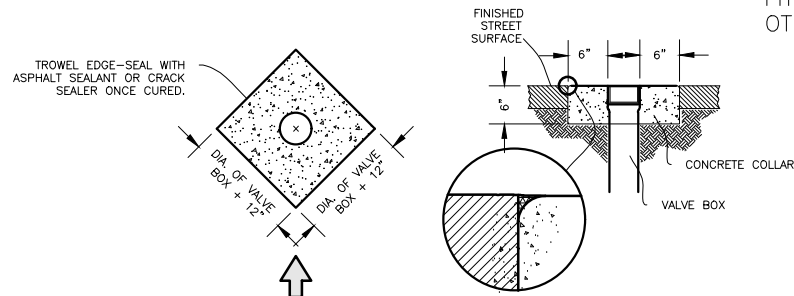
PIPE BEDDING

TYPE A - WELL GRADED MATERIAL WITH A MAXIMUM SIZE OF 3/4 INCH; MAXIMUM PLASTICITY INDEX OF 6, AS DETERMINED BY AASHTO DESIGNATIONS T-89 AND T-90.

TYPE B - NONPLASTIC; GRADING B DRAIN GRAVEL

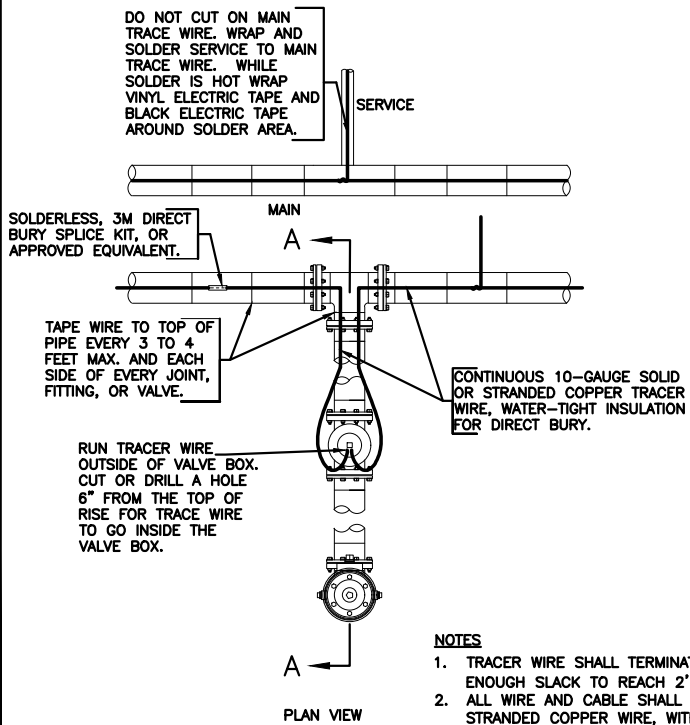
TYPE C - NONPLASTIC; MAX SIZE 1 INCH; 0-5% PASSING NO. 4 SIEVE
COMPACTED BACKFILL

TYPE 2 - NATIVE MATERIAL; 8-INCH LIFTS.



GATE VALVE SURFACE PAD FOR GATE VALVES

NOT TO SCALE

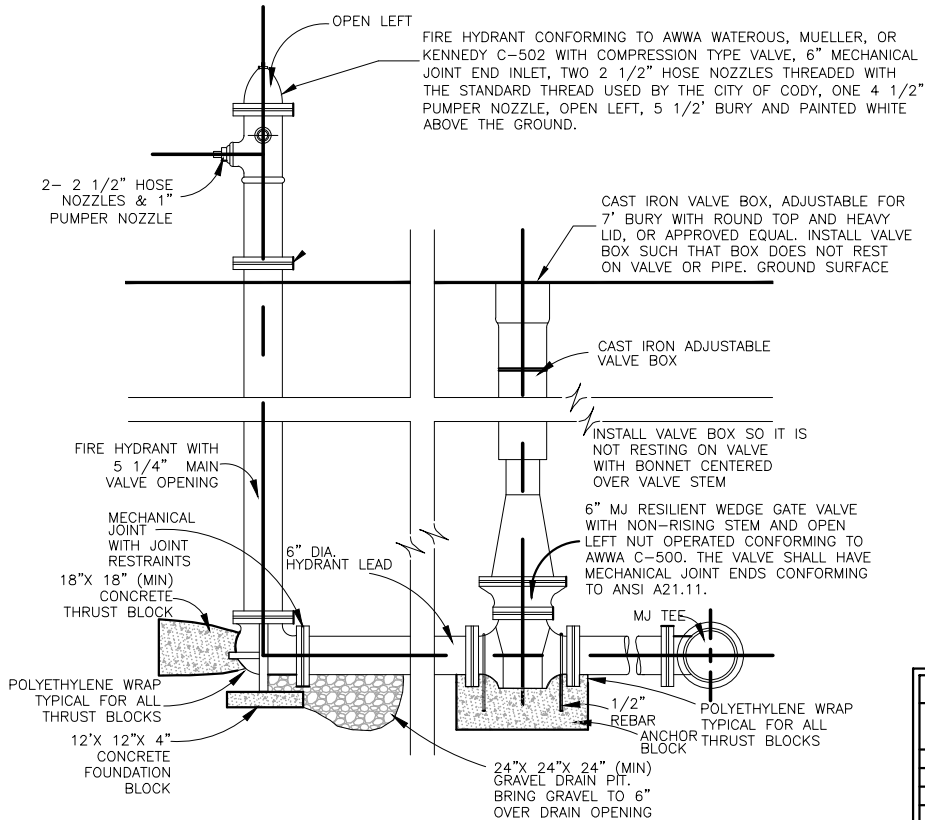


NOTES

- TRACER WIRE SHALL TERMINATE INSIDE VALVE BOX WITH ENOUGH SLACK TO REACH 2' ABOVE GROUND SURFACE.
- ALL WIRE AND CABLE SHALL BE 10-GAUGE SOLID OR STRANDED COPPER WIRE, WITH 600 VOLT RATED HIGH MOLECULAR WEIGHT POLYETHYLENE (HMWPE) INSULATION.

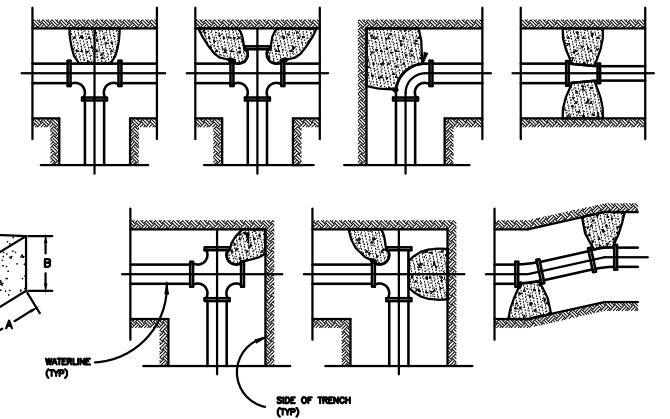
TRACER WIRE DETAIL N.T.S.

NOT TO SCALE



FIRE HYDRANT, VALVE & THRUST BLOCK DETAIL

NOT TO SCALE



CONCRETE THRUST BLOCKS

NOT TO SCALE

- NOTES:
- FITTINGS TO BE SEPARATED FROM BLOCKS WITH AN APPROVED BOND BREAKER, SUCH AS POLY WRAP.
 - ALL BLOCKS TO BEAR AGAINST UNDISTURBED MATERIAL.
 - DESIGN IS BASED ON 165 PSI MAIN PRESSURE AND 2000 PSF SOIL BEARING CAPACITY.

MINIMUM DIMENSIONS FOR THRUST BLOCKING											
FITTING SIZE	TEES & PLUGS		90° BENDS		45° BENDS & WYES		REDUCERS & 22 1/2° BENDS		11 1/4° BENDS		
	A	B	A	B	A	B	A	B	A	B	
4"	1'-7"	1'-2"	1'-9"	1'-6"	1'-8"	0'-10"	1'-7"	0'-6"	0'-8"	0'-6"	
6"	2'-0"	1'-11"	2'-5"	2'-2"	1'-10"	1'-7"	1'-9"	0'-10"	1'-0"	0'-8"	
8"	2'-8"	2'-6"	3'-2"	3'-0"	2'-5"	2'-1"	1'-9"	1'-6"	1'-0"	1'-0"	
10"	3'-4"	3'-3"	4'-0"	3'-10"	3'-0"	2'-9"	2'-2"	1'-11"	1'-6"	1'-0"	
12"	4'-0"	3'-10"	4'-8"	4'-6"	3'-8"	3'-3"	2'-7"	2'-3"	2'-0"	1'-0"	
14"	5'-5"	3'-10"	6'-6"	4'-11"	4'-9"	3'-5"	3'-5"	2'-5"	2'-0"	1'-6"	
20"	5'-0"	5'-0"	6'-0"	5'-0"	5'-0"	4'-0"	3'-0"	3'-0"	3'-0"	2'-0"	
24"	6'-0"	6'-0"	7'-0"	7'-0"	5'-0"	5'-0"	4'-6"	3'-0"	3'-0"	3'-0"	
30"	7'-6"	7'-6"	8'-0"	8'-0"	6'-3"	6'-3"	4'-8"	4'-6"	3'-3"	3'-3"	

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CONSULTING ENGINEERS & SURVEYORS

OWNER:

SHELLY CATE & RYAN SILVA

PROJECT:

SUNRIDGE MINOR SUBDIVISION

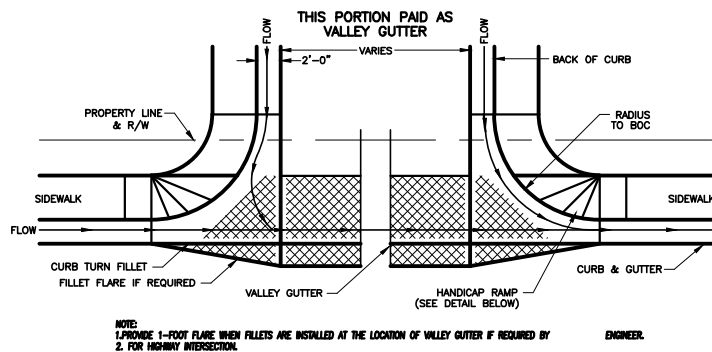
TITLE:

DETAILS - TREATED WATER

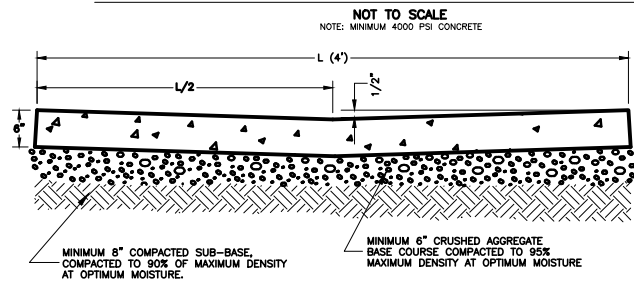
SHEET

8 OF 11

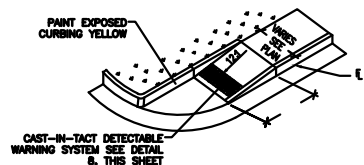
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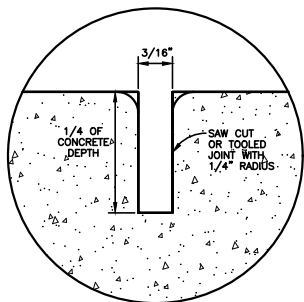
TURN FILLET, SIDEWALK & VALLEY GUTTER



TYPICAL VALLEY GUTTER AND DOUBLE GUTTER SECTION

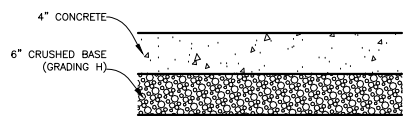


HANDICAP RAMPS - DEPRESSED CORNER



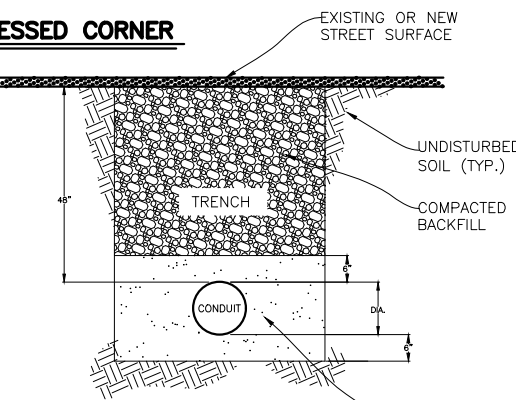
CONTROL JOINT DETAIL

NOT TO SCALE



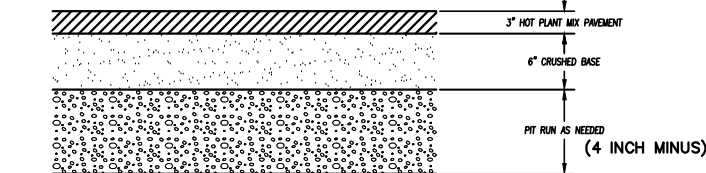
NEW SIDEWALK (OTHER THAN IN ALLEY APRON)

NOT TO SCALE

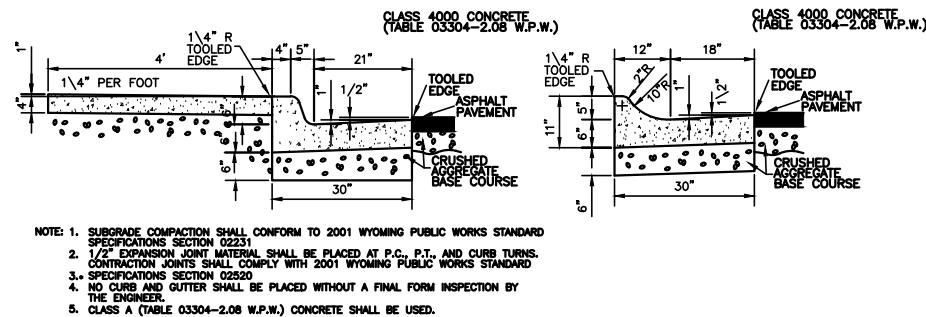


CONDUIT DETAIL

NOT TO SCALE

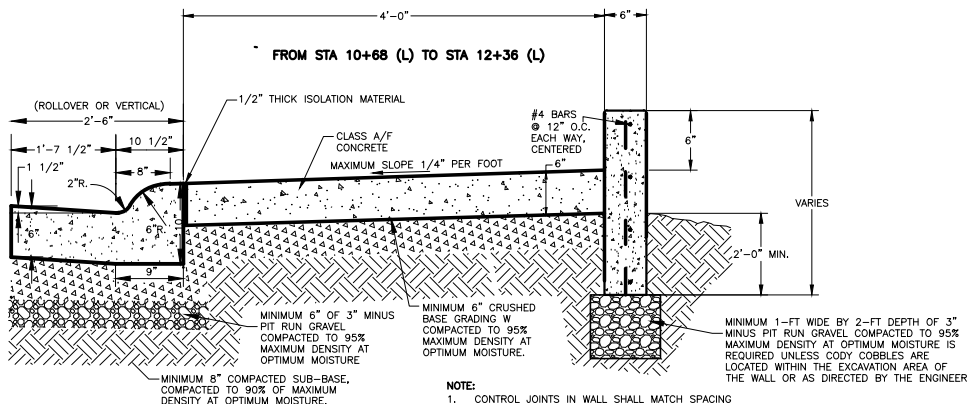


PAVEMENT SECTION PERMANENT RESURFACING FOR UTILITY CUTS



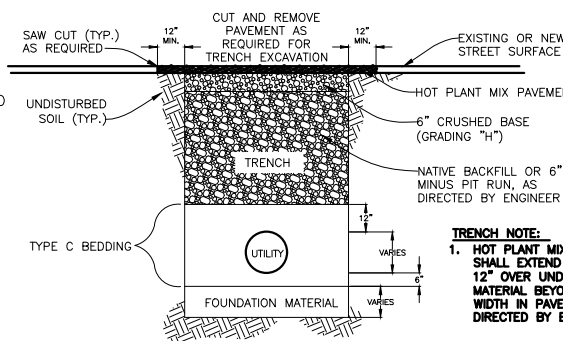
TYPICAL CURB, GUTTER, & SIDEWALK SECTION

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



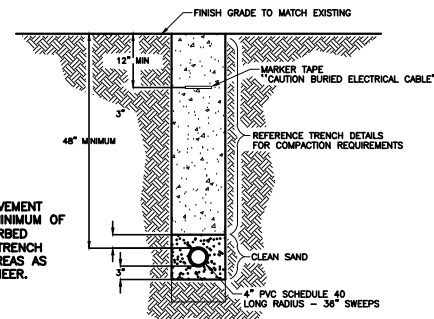
CURB, GUTTER & SIDEWALK SECTION WITH RETAINING WALL

NOTE: MATCH EXISTING CURB AND GUTTER DIMENSIONS



TYPICAL PUBLIC STREETS, CROSSINGS AND PAVED ALLEYS

NOT TO SCALE



TYPICAL ELECTRICAL TRENCH SECTION

NOT TO SCALE

- ALL SUBBASES AND BASE COURSES SHALL BE COMPACTED TO 95% OF MAXIMUM DENSITY AT OPTIMUM MOISTURE AS DETERMINED IN ACCORDANCE WITH AASHTO 180.
- CRUSHED BASE COURSE
 - THE MATERIAL PRODUCED SHALL BE UNIFORMLY GRADED COARSE TO FINE AND SHALL NOT VARY FROM THE HIGH LIMIT ON ONE SIEVE TO THE LOW LIMIT ON AN ADJACENT SIEVE OR VICE VERSA.
 - THE PERCENTAGE PASSING THE NO. 200 SIEVE SHALL NOT EXCEED ONE HALF OF THE PERCENTAGE PASSING THE NO. 40 SIEVE.
 - THE MATERIAL PASSING THE NO. 40 SIEVE SHALL HAVE A LIQUID LIMIT NOT GREATER THAN 25 AND A PLASTICITY INDEX NOT GREATER THAN 6, EXCEPT WHEN THE PLASTICITY INDEX IS 0 (ZERO), THE LIQUID LIMIT SHALL NOT EXCEED 30.
 - ALL CRUSHED BASE COURSE MATERIAL SHALL MEET THE FOLLOWING GRADATION WHEN TESTED IN ACCORDANCE WITH AASHTO T-27 & T-11:

SIEVE	% PASSING
1"	100
3/4"	90-100
1/2"	60-85
No. 4	45-65
No. 8	33-53
No. 200	3-12

- AGGREGATE FOR HOT PLANT PAVEMENT MIX : IN ACCORDANCE WITH WYOMING TRANSPORTATION DEPARTMENT STANDARD SPECIFICATIONS-LATEST EDITION.
 - FOR COMPACTED THICKNESSES 3" OR LESS, USE WYDOT 1/2-INCH MAXIMUM AGGREGATE.
 - FOR COMPACTED THICKNESSES GREATER THAN 3", USE WYDOT 3/4-INCH MAXIMUM AGGREGATE FOR FIRST LIFT. SECOND LIFT SHALL BE A MINIMUM COMPACTED THICKNESS OF 1-1/2 INCHES, 1/2-INCH MAXIMUM AGGREGATE.
 - MINERAL FILLER: FINELY GROUND PARTICLES OF LIMESTONE, HYDRATED LIME OR OTHER MINERAL DUST, FREE OF FOREIGN MATTER.
- PRIMER: A CUT-BACK LIQUID ASPHALT OF THE MEDIUM CURING TYPE, GRADE ,C-70, AND SHALL COMPLY WITH THE REQUIREMENTS OF ASTM D2027. BITUMINOUS HOT MIX PAVEMENT SHALL BE APPROVED BY THE CITY ENGINEER BEFORE ANY WORK MAY.
- TACK COAT: A CATIONIC SLOW SET EMULSIFIED ASPHALT MIXED WITH A N EQUAL AMOUNT OF WATER, GRADE CSS-1H, AND SHALL COMPLY WITH THE REQUIREMENTS OF ASTM D244. OTHER GRADES OF EMULSIFIED ASPHALT WILL BE CONSIDERED TESTING OR EXPERIENCE THAT ANOTHER GRADE IS MORE SUITABLE.
- MIX DESIGN: A COMPLETE MIX DESIGN MEETING THE REQUIREMENTS OF AI MS-2 COMPLETED WITHIN THE LAST 24 MONTHS FOR THE SPECIFIC MATERIALS TO BE USED SHALL BE SUBMITTED FOR APPROVAL PRIOR TO BEGINNING WORK.

AI MS-2 ESTABLISHES THE FOLLOWING REQUIREMENTS FOR THE ASPHALT CEMENT CONCRETE FOR A MEDIUM TRAFFIC VOLUME:

STABILITY (LB. MINIMUM)	1200
FLOW, (0.01 IN.)	8 TO 16
PERCENT AIR VOIDS (%)	3 TO 5
VOIDS IN MINERAL AGGREGATE (%. MINIMUM)	15

- CONCRETE SPECIFICATIONS
 - CEMENT SHALL BE PORTLAND CEMENT, TYPE II CONFORMING TO THE REQUIREMENTS OF ASTM C-150 (IF SPECIAL CONDITIONS WARRANT IT, THE USE OF A DIFFERENT TYPE OF CEMENT MAY BE APPROVED BY THE CITY ENGINEER).
 - AGGREGATE GENERAL - GRAVEL, CRUSHED SLAG, CRUSHED STONE, OR OTHER INERT MATERIALS, COMPOSED OF HARD, STRONG, DURABLE PARTICLES FREE OF INJURIOUS COATINGS.
 - FINE AGGREGATE
 - THE MAXIMUM PERCENTAGE OF DELETERIOUS SUBSTANCES SHALL NOT EXCEED THE FOLLOWING PERCENTAGES BY WEIGHT:

COAL AND LIGNITE	.3%
CLAY LUMPS	.5%
OTHER DELETERIOUS SUBSTANCES	2.0%
 - THE FINE AGGREGATE SHALL BE FREE FROM INJURIOUS AMOUNTS OF ORGANIC IMPURITIES.
 - THE FINE AGGREGATE SHALL BE GRADED COARSE TO FINE MEETING THE FOLLOWING GRADATION:

SIEVE	% PASSING
3/8"	100
No. 4	95-100
No. 8	80-100
No. 16	50-85
No. 30	25-60
No. 50	5-30
No. 100	0-10
No. 200	0-4
- COARSE AGGREGATE
 - THE MAXIMUM PERCENTAGES OF DELETERIOUS SUBSTANCES SHALL NOT EXCEED THE FOLLOWING PERCENTAGES BY WEIGHT:

SOFT FRAGMENTS:	1%
COAL AND LIGNITE	0.3%
CLAY LUMPS	0.3%
OTHER DELETERIOUS SUBSTANCES	2.0%
 - WHEN TESTED IN ACCORDANCE WITH THE LOS ANGELES RATTLER METHOD, THE COARSE AGGREGATE SHALL NOT SHOW A WEAR IN EXCESS OF 40%.
 - THE AGGREGATE SHALL BE GRADED COARSE TO FINE MEETING THE FOLLOWING GRADATION:

SIEVE	% PASSING
1 1/2"	100
1"	95-100
1/2"	25-60
No. 4	0-10
No. 8	0-5
No. 200	0-2

- AD MIXTURES AND AIR-ENTRAINING AGENTS SHALL BE APPROVED BY THE ENGINEER AS RECOMMENDED WITHIN THE REQUIRED MIX DESIGN AS PREPARED BY A QUALIFIED TESTING LABORATORY.
- ALL CONCRETE PLACED SHALL HAVE A SLUMP OF BETWEEN 1" AND 4" WHEN TESTED IN ACCORDANCE WITH AASHTO T-119.
- ALL CONCRETE PLACED SHALL MEET THE FOLLOWING MINIMUM STRENGTH REQUIREMENTS WHEN TESTED IN ACCORDANCE WITH ALL APPLICABLE ASTM STANDARDS:

LABORATORY MIXED SAMPLE	7 DAYS	2860 P.S.I.
	28 DAYS	4000 P.S.I.
- GENERAL - ALL WORK ASSOCIATED WITH THE DETAILS SHOWN ON THIS PAGE SHALL BE ACCOMPLISHED IN ACCORDANCE WITH THE WYOMING PUBLIC WORKS STANDARD SPECIFICATIONS, UNLESS OTHER SPECIFICATIONS ARE PROVIDED IN THE PROJECT MANUAL.

DATE	DRAWING LOG	BY	CHECKED	APPROVED
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FIELD BOOK NO. 593



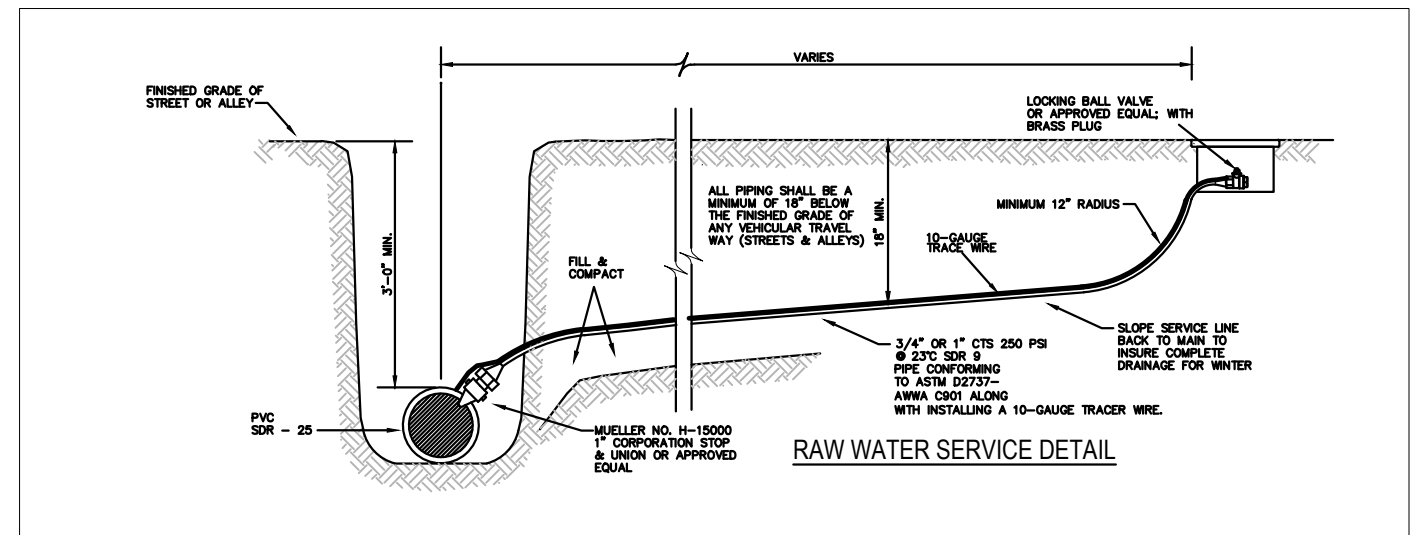
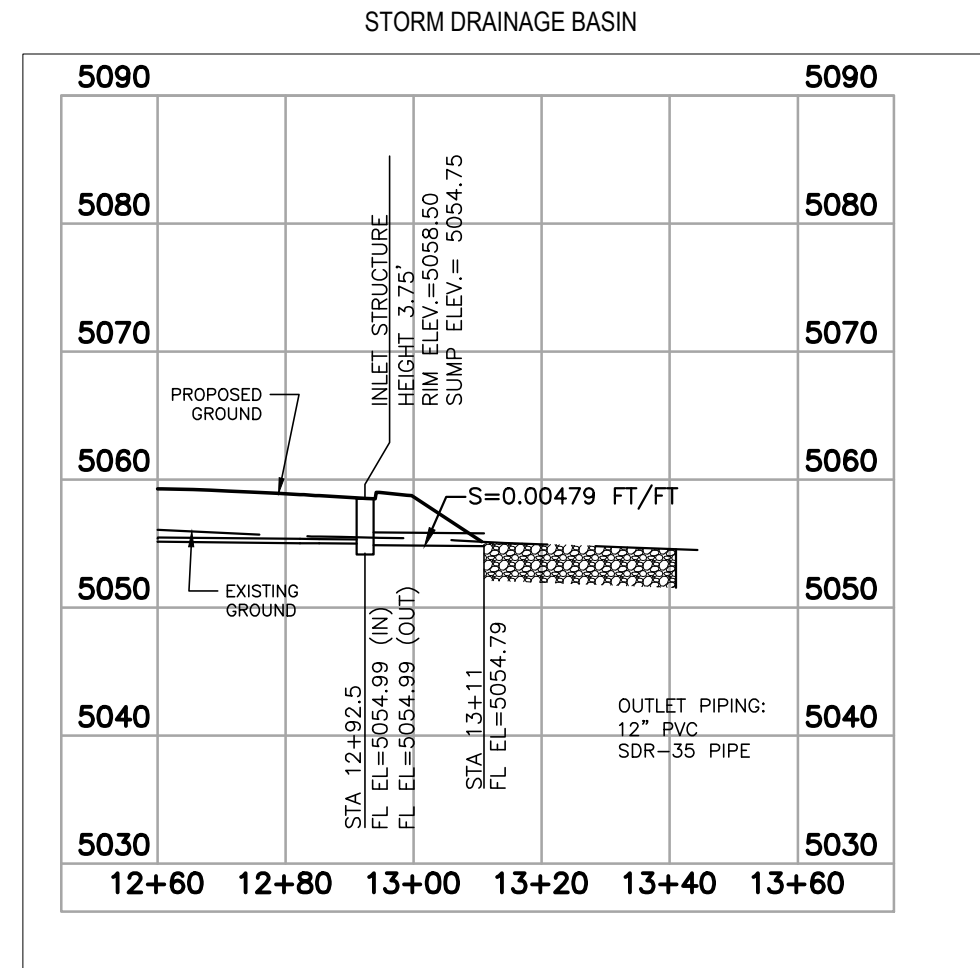
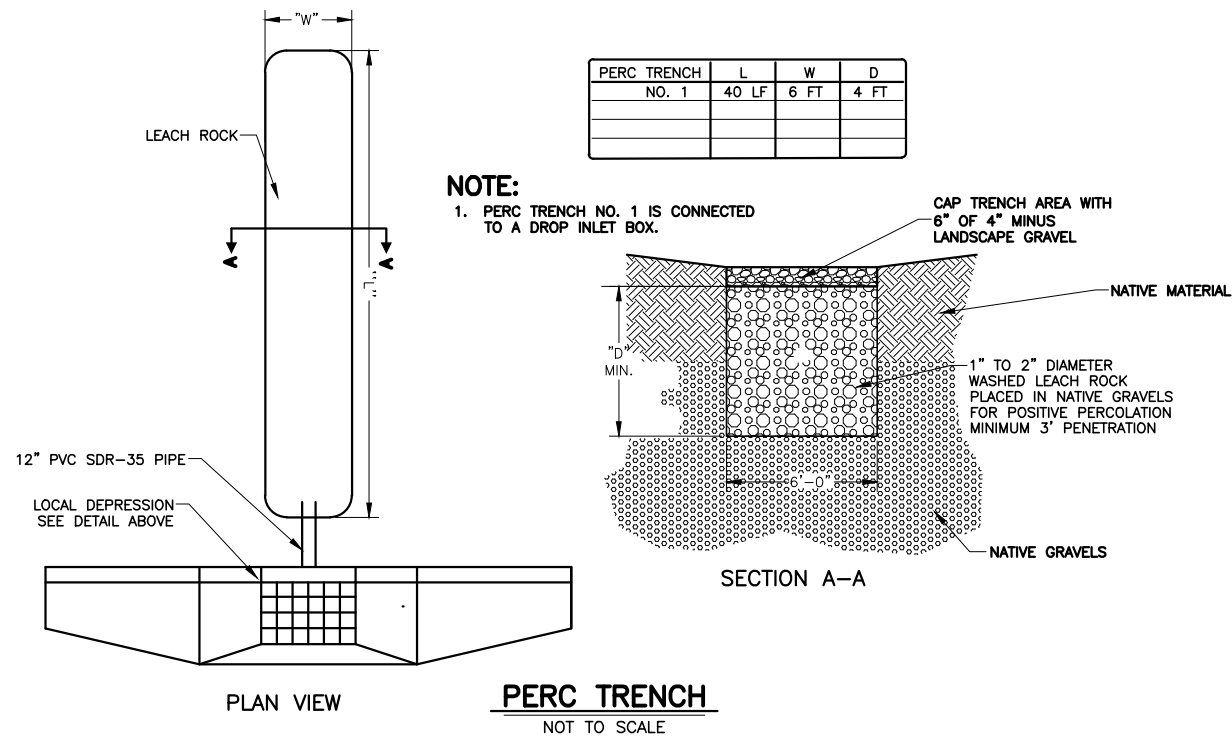
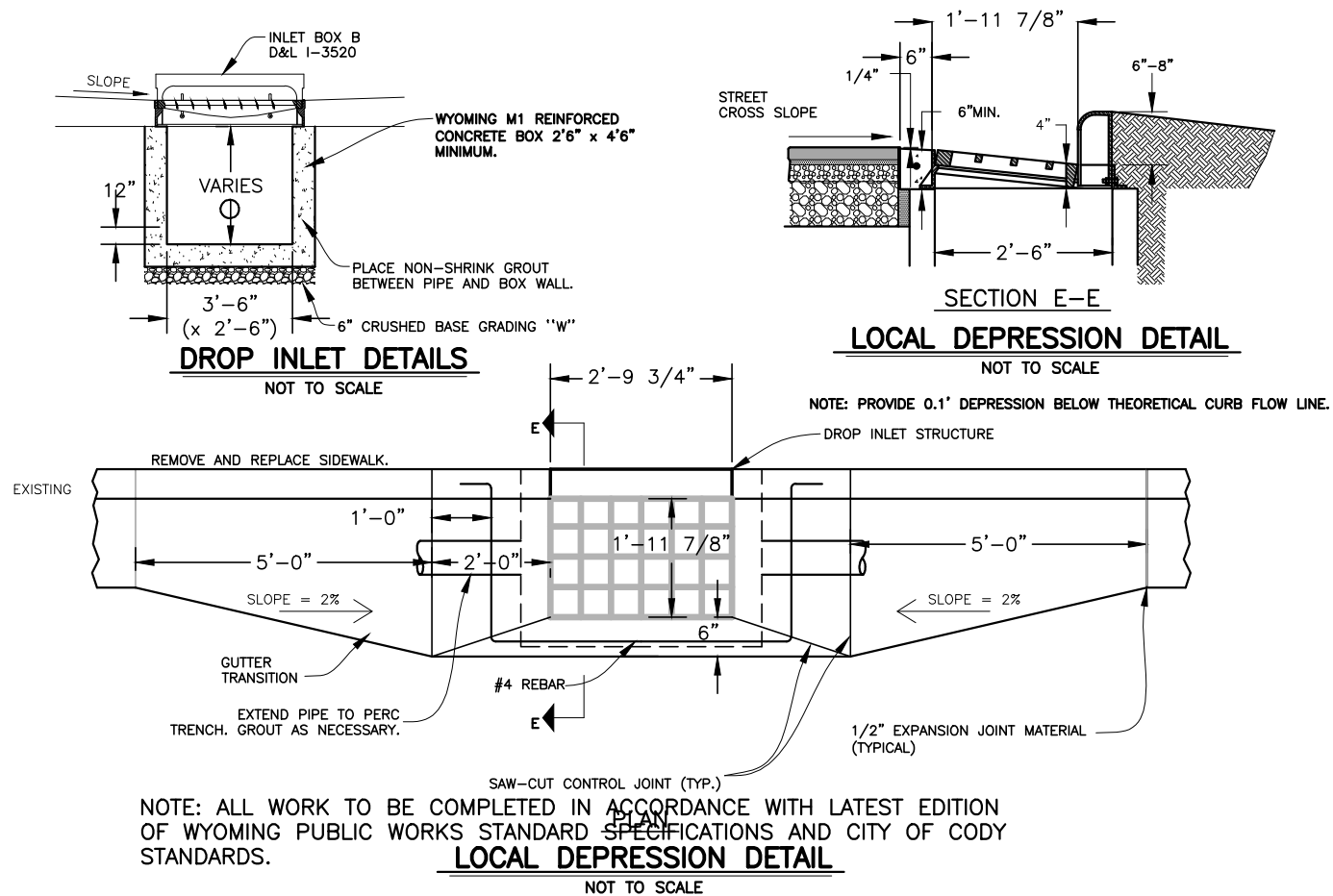
ENGINEERING ASSOCIATES - CODY, WYOMING
CONSULTING ENGINEERS & SURVEYORS

OWNER:
SHELLY CATE & RYAN SILVA

PROJECT: SUNRIDGE MINOR SUBDIVISION
TITLE: DETAILS - ROADWAY

SHEET
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ENGINEERING ASSOCIATES - CODY, WYOMING
CONSULTING ENGINEERS & SURVEYORS

OWNER:
SHELLY CATE & RYAN SILVA

PROJECT: **SUNRIDGE MINOR SUBDIVISION**
TITLE: **DETAILS - DRAINAGE & RAW WATER**

SHEET
11 OF **11**

SunRidge Subdivision
Operation, Repair and Maintenance Agreement for the
Sierra Vista Court Sidewalk, Retaining Wall, and Storm Water Detention Basin

This agreement is here by entered into on this _____th day of _____, 202__, between property owners of the SunRidge Minor Subdivision and the City of Cody, located in Park County, Wyoming.

Lots Included in This Agreement:

This agreement is binding on Lots 1, 2, 3, 4, and 5 of the SunRidge Minor Subdivision, as recorded in Book _____ of Plats, Page _____, records of the Park County, Wyoming Clerk and Recorder.

a.k.a.

Lot 1: 2807 Sierra Vista Court Cody, Wyoming 82414

Lot 2: 2743 Sierra Vista Court Cody, Wyoming 82414

Lot 3: 2742 Sierra Vista Court Cody, Wyoming 82414

Lot 4: 2808 Sierra Vista Court Cody, Wyoming 82414

Lot 5: 2826 Sierra Vista Court Cody, Wyoming 82414

Location:

The improvements that are the subject of this agreement are the Sierra Vista Court sidewalk, retaining wall, and storm water detention basin, as shown and depicted on the construction plans approved through the SunRidge Minor Subdivision review process, and located within the SunRidge Minor Subdivision.

The stormwater basin is located within the 10-foot-wide drainage easement along the southeast portion of Lot 2. The sidewalk and retaining wall are located along the north side of the road (Sierra Vista Court) extending from 29th Street to the southeast portion of Lot 1.

Requirements:

The improvements that are the subject of this agreement shall be maintained in a manner that maintains their functionality, safety, and general appearance, which maintenance shall include but not be limited to: weed control, the physical removal of silt or other materials that affect the required minimum capacity of the detention basin, performing snow removal on the sidewalk, repairing any portions of the retaining wall and sidewalk that are cracked and deformed to the point of causing a safety hazard; and preventative maintenance actions such as crack sealing.

The property owners of lots one through five shall be equally responsible for any and all costs associated with the repair and maintenance of the subdivisions storm water detention basin, sidewalk and retaining wall. The need for maintenance or repair shall be determined in conformance with this section by either the owners of the majority of lots determining that such maintenance is necessary, or upon the professional judgment of the City Public Works Director.

Prior to performing any maintenance or repair work exceeding \$2,500.00, three bids shall be obtained from licensed and bonded contractors. The selection of the contractor shall be by majority vote, with each lot representing one vote. Once the work is completed, immediate payment in full is required of each lot owner.

This agreement further authorizes the lot owners to mutually agree to establish an account for the assessment of funds to be used for the purposes stated in this agreement. Such account shall require two signatories.

Enforcement:

Property owners with any unpaid amounts shall acquire a lien against their lot, and may be foreclosed upon for nonpayment, which may include reasonable attorney fees associated with the collection of the unpaid invoice.

Should any part of this agreement be deemed ineffective or unenforceable, only that specific provision shall be invalid and unenforceable, without affecting or invalidating any of the remaining provisions.

Duration:

This agreement shall be a covenant attached and binding to the land of all five lots listed above. It shall continue to remain in full force and effect in perpetuity, and shall be binding on the heirs, successors and assigns of the property owners. If the City of Cody were to assume the responsibility of the repair and maintenance of the detention basin, sidewalk, and/or retaining wall, as evidenced by action of the governing body, the corresponding component(s) of this agreement would automatically terminate.

Consent:

By acceptance of a deed conveying title to any of the above five lots, the purchaser and grantee accepts and consents to all provisions stated in this agreement.

Agreement Amendment:

If this agreement needs to be amended for any reason, it shall require signatures from owners representing the majority of lots in the subdivision, and the City of Cody.

DATED this _____ day of _____, 2023.

City of Cody

Matt Hall, Mayor

Property Owners

Shelly Cate

Ryan Silva

STATE OF WYOMING)
)SS.
COUNTY OF PARK)

SUBSCRIBED and sworn to before me by _____ this _____ day of _____,
2023.
WITNESS my hand and official seal.

NOTARY PUBLIC

(S E A L)

My commission expires:



ENGINEERING ASSOCIATES
CONSULTING ENGINEERS & SURVEYORS
ENGINEERINGWYOMING.COM

Mr. Todd Stowell, AICP
Community Development Director
P.O. Drawer 2200
Cody, WY 82414

RE: SunRidge Subdivision

Dear Todd,

Shelly Kate is proposing a new five lot subdivision off of 29th Street. The proposed development encompasses 1.88 acres. This lot historically has drained off site to the northwest. Average slope of the existing site is 2.67% and is currently vegetated. This drainage report includes historical drainage of the lot and for the proposed subdivision improvements.

Historic Run-Off

Complete site

Lt Veg/Gravel = 1.88 acres

Total = 1.88 acres

$C_{ave} = 0.30$

10-year, 2-hour storm Flow Rate:

Rainfall Intensity, $I = 0.53$ inches/hour

Total Historic Run-off

$$Q = C_{ave}IA = 0.30 (0.53) (1.88) = \mathbf{0.30 \text{ cfs}}$$

Historic Volume: $(0.30)(60)(60)(2) = 2160 \text{ cf} = 80 \text{ cy}$

Developed Run-off

Roadway = $10927.5 \text{ sf} = 0.25 \text{ acres}$

$C_{ave} = 0.95$

10-year, 2-hour Storm Flow Rate:

Rainfall Intensity, $I = 0.53$ inches/hour

Total Developed Run-off

$$Q = C_{ave}IA = 0.95(0.53) (0.25) = \mathbf{0.13 \text{ cfs}}$$

Developed Volume: $(0.13)(60)(60)(2) = 936 \text{ cf} = 34.66 \text{ cy}$



ENGINEERING ASSOCIATES
CONSULTING ENGINEERS & SURVEYORS
ENGINEERINGWYOMING.COM

Proposed run off from the proposed roadway will be collected in a drop inlet located near the common line of lots 2 and 3. The water will then be piped to a rock infiltration basin that straddles the lot line. The infiltration basin is designed to allow the water a direct path to the existing Cody Cobbles that are below the site. Please see the attached drawing depicting the details for the basin and connection to the drop inlet. The infiltration basin was sized using calculations for a buried perch trench rather than a detention or retention basin because of the way it will operate. The infiltration basin was also oversized as a factor of safety for the development. These additional calculations are attached. The remainder of the site will continue to drain as it has done historically.

Sincerely,

ENGINEERING ASSOCIATES

Ian Morrison, PE

Encl

cc: 21026.00

SUN RIDGE SUBDIVISION
CODY, WY
Infiltration Basin-No. 1 Sizing

Project No. 15152

YELLOW - INPUT FIELDS

Area = 0.25 ac
 C = 0.95 weighted average
 I = 0.53 in/hr (25-yr, 2-hr storm)

Pit Dimensions:

W = 6 ft
 H = 3 ft
 L = 40 ft Trench size to be used = 6 x 3 x 40 ft

Percolation Outflow Rate $Q = k \times H/2 \times (L+W)^2$:

[wall perc only]

k = 0.033 ft/sec (hydraulic conductivity)

[based on existing soil type]

Q = 4.554 cf/sec

Porosity = 0.2 Uniform Size Drain Gravel

[based on storage gravel type used]

STORM DURATION (MIN)	25-YR RAINFALL INTENSITY (IN/HR)	RUNOFF VOLUME (CF) ¹	OUTFLOW VOLUME (CF) ²	VOLUME STORED (CF) ³	NEEDED TRENCH VOLUME (CF) ⁴	NEEDED TRENCH LENGTH (FT) ⁵
5	4.18	297.8	1366.2	-1068.4	-5341.9	-296.8
10	3.24	461.7	2732.4	-2270.7	-11353.5	-631
15	2.74	585.7	4098.6	-3512.9	-17564.6	-976
30	1.90	812.3	8197.2	-7385.0	-36924.8	-2051
60	1.20	1026.0	16394.4	-15368.4	-76842.0	-4269
120	0.66	1128.6	32788.8	-31660.2	-158301.0	-8795

¹Runoff Volume = (K x Cave x I x A) x Storm Duration x 60

[based on City's trapezoid area for modified rational calculation.]

²Outflow Volume = Q x Storm Duration x 60

³Volume Stored = Runoff Volume - Outflow Volume

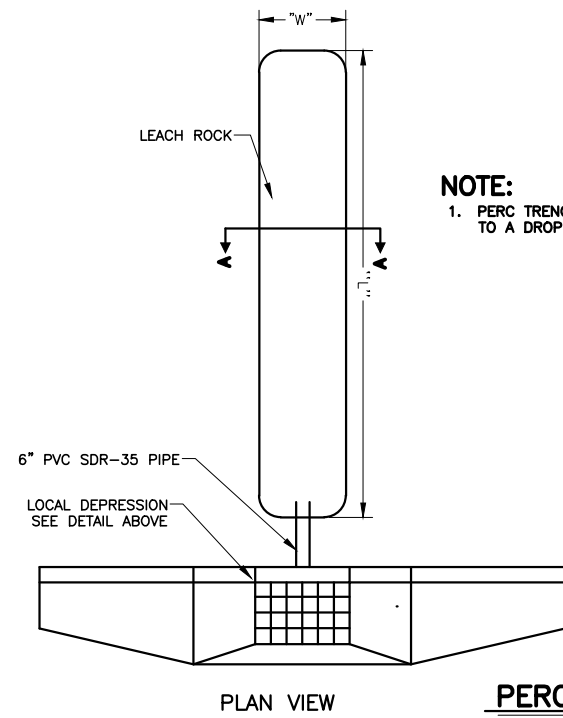
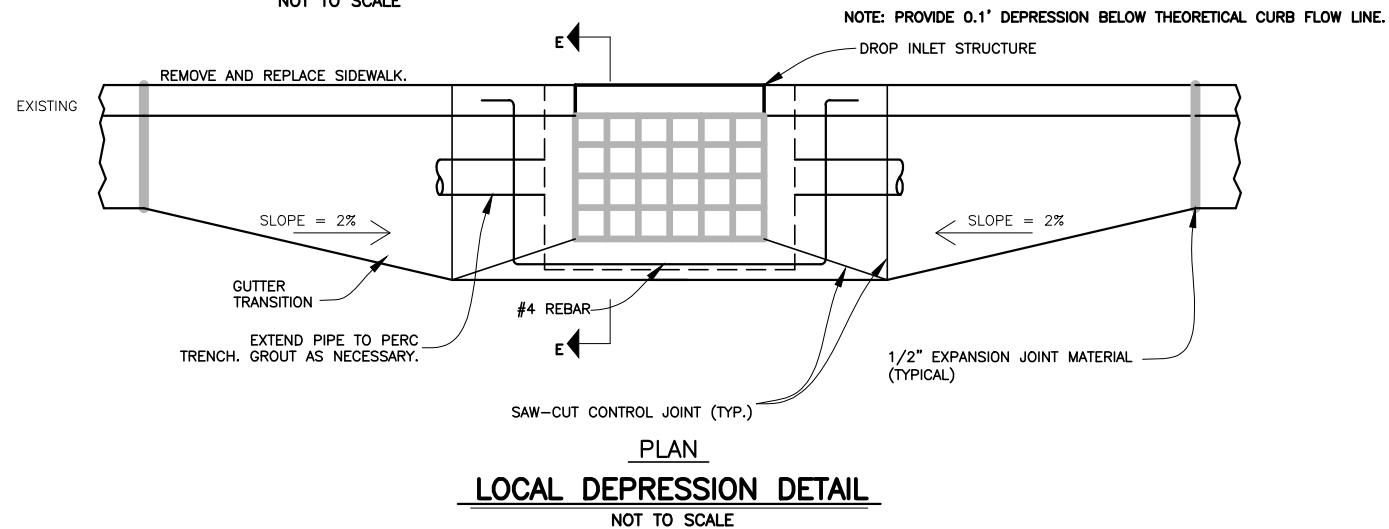
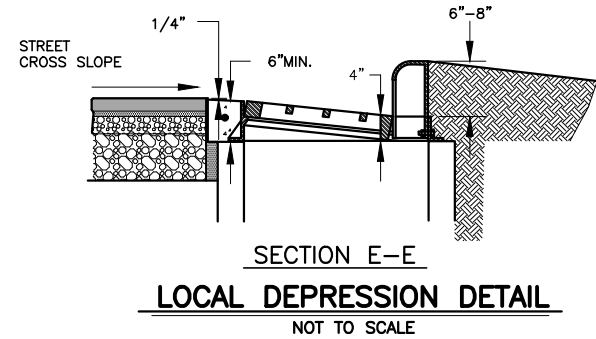
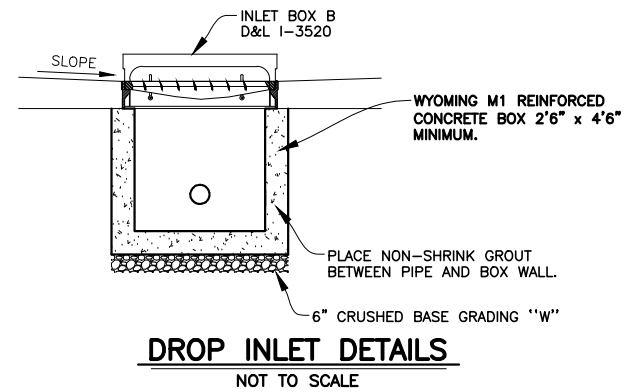
⁴Needed Trench Volume = Volume Stored/Porosity

⁵Needed Trench Length = Needed Trench Volume/(H x W)

perc rate (min/in)	soil	k= (ft/sec)	porosity, n = Vv/V x 100%
1 to 5	gravel/s	0.03	0.2 pit run gravel
6 to 10	sand/si	0.02	0.25 sand
11 to 20	sandy l	0	0.3 graded gravel, 3/4" max
21 to 30	loam	0	0.3 crushed or blasted rock
31 to 60	silty/clo	0	0.4 gravel - washed, uniform size

Reference: URBAN RUNOFF QUALITY MANAGEMENT - ASCE - MANUAL NO. 87, 1998
 Pages 203 - 210

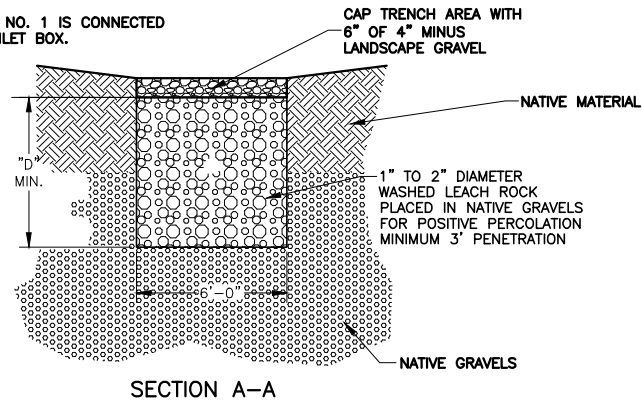
P:\2022\Cody 22000.00 - 22199.00\22002.00 - SunRidge Subdivision - City of Cody\ACAD\22002.00 SunRidge MS.dwg 7/29/22 ton



NOTE:

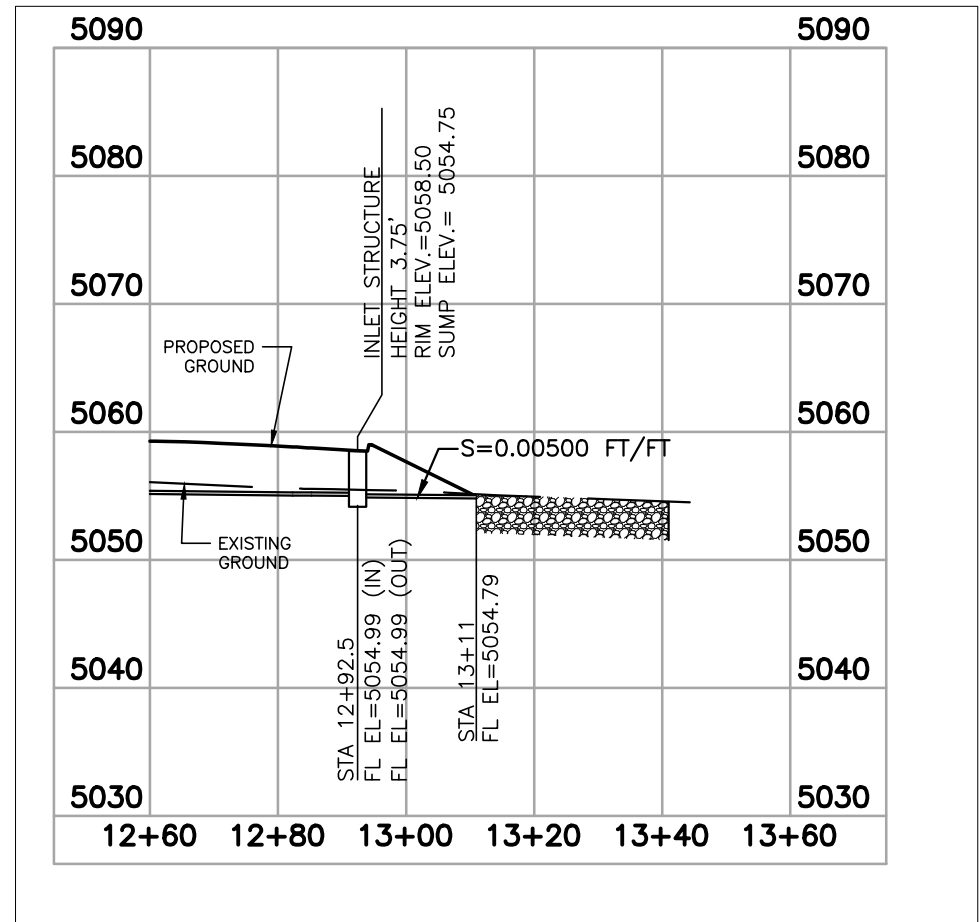
1. PERC TRENCH NO. 1 IS CONNECTED TO A DROP INLET BOX.

PERC TRENCH	L	W	D
NO. 1	40 LF	6 FT	4 FT



PERC TRENCH NOT TO SCALE

STORM DRAINAGE BASIN



DATE	DRAWING LOG	BY	CHECKED	APPROVED
5/5/22	ORIGINAL DRAWING	IKSM		

DRAWN BY: IKSM
JOB NO. 22002.00
FIELD BOOK NO. 593



ENGINEERING ASSOCIATES - CODY, WYOMING
CONSULTING ENGINEERS & SURVEYORS

OWNER:

SHELLY CATE & RYAN SILVA

PROJECT:

SUNRIDGE MINOR SUBDIVISION

TITLE:

DETAILS - ROADWAY

SHEET

9 OF 9

CONSENT FORM

The following individuals are Commissioners of the Cody Canal Irrigation District, P. O. Box 1418, Cody, Wyoming 82414, owner of the Cody Canal, Louis W. Pearson, et al. Appropriation, diverting water from the South Fork Shoshone River, through the Cody Canal, Permit No. 1042, priority date August 7, 1895, for irrigation of the following described lands:

Lot 2 of Lot 61-2, Plantation Addition within Lot 61, Resurvey, Township 52 North, Range 101 West, 6th P.M., Park County, Wyoming.

Each of the following individuals gives his consent to the Authorization to Detach Water Rights for Change of Use or Place of Use and Petition for Voluntary Abandonment of Water Rights between Sunridge Minor Subdivision of 1303 NE Newall Road, Newberg, Oregon 97132, as owner of the above described lands, and Jeremy Livingston, 36 Ross Road, Cody, Wyoming 82414.


This consent is conditional upon and subject to JEREMY LIVINGSTON of 36 Ross Road, Cody, Wyoming 82414, the owner of the real property located at Lot 1, Ross Subdivision, according to the plat recorded in Book "E" of Plats, page 77, in the office of the Park County Clerk and Recorder, Park County, Wyoming, entering into an Agreement to Allow Irrigation of Lands within the Boundaries of Cody Canal Irrigation District with the CODY CANAL IRRIGATION DISTRICT.

Notices of all actions regarding the above stated Detachment shall be provided to the Cody Canal Irrigation District, P.O. Box 1418, Cody, Wyoming 82414.

DATED this 10 day of November, 2022.

CODY CANAL IRRIGATION DISTRICT

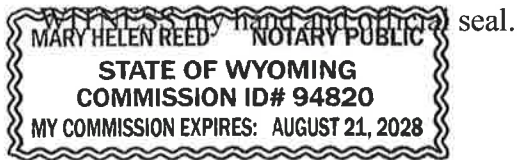
By: 
DENNIS REED, President

By: 
MATT BELL, Vice President

By: _____
DAWNE JENSEN, Treasurer

STATE OF WYOMING)
) ss.
COUNTY OF PARK)

The foregoing instrument was acknowledged before me this 10th day of November, 2022, by DENNIS REED, MATT BELL and ~~DAWNE JENSEN~~, Commissioners of CODY CANAL IRRIGATION DISTRICT.



Mary Helen Reed
Notary Public

My commission expires: Aug 21, 2028

THE STATE



OF WYOMING

Board of Control

MARK GORDON
GOVERNOR

BRANDON L. GEBHART, P.E.
STATE ENGINEER

2W, HERSCHLER BUILDING
CHEYENNE, WYOMING 82002

TELEPHONE NO. (307) 777-6178
FAX NO. (307) 777-5451

CHERYL TIMM
ADJUDICATION OFFICER

CORY B. RINEHART, P.G., SUPERINTENDENT
WATER DIVISION NO. 1
DAVID SCHROEDER, SUPERINTENDENT
WATER DIVISION NO. 2
JOSHUA FREDRICKSON, SUPERINTENDENT
WATER DIVISION NO. 3
KEVIN PAYNE, SUPERINTENDENT
WATER DIVISION NO. 4

January 17, 2023

Lyle Casciato
Engineering Associates
P. O. Box 1900
Cody, Wyoming 82414

Re: BOC #2233-309-01: Salmo Trutta Subdivision Authorization for the Detachment of
Water Rights

Dear Mr. Casciato:

This letter is in regard to the Authorization for Detachment of Water Rights you filed on behalf of Shelly Cate and Ryan Silva for a portion of the Louisa M. Cody Appropriation diverting from South Fork Shoshone River through the Cody Canal with priority of August 7, 1895. A search of the State Engineer's records in that area revealed the following irrigation water rights:

<u>Proof</u>	<u>Permit</u>	<u>Facility</u>	<u>Priority</u>
16190	1042	Cody Canal	August 7, 1895

These are the adjudicated irrigation water rights of record in the State Engineers Office, and may or may not reflect the actual situation on the ground. Failure to exercise a water right, for 5 years when water is available, may constitute grounds for forfeiture.

We have reviewed the materials provided and find the following:

1. Please re-execute the ADWR document with the correct appropriation name and include the Certificate of Record reference.
 - a. Please also include "Lot 2" as part of the land description under the Original Survey (as shown on the CR).

Once all outstanding issues have been resolved to the satisfaction of Joshua Fredrickson, Superintendent of Division III, Philip Beamer, Assistant Superintendent, Division III, and Jared Despain, Hydrographer/Commissioner, District 9, the ADWR will be presented to the State Board of Control for acceptance at the next regularly scheduled Board meeting, which will commence on February 6, 2023.

If you have any questions or we may be of further assistance in this matter please feel free to contact us.

Sincerely,



Karen Mumper
Natural Resources Analyst
karen.mumper@wyo.gov
(307) 777-3448

cc: Joshua Fredrickson, Superintendent
Division III

Philip Beamer, Assistant Superintendent
Division III

Jared Despain, Hydrographer/Commissioner
Division III, District 9

Shelly Cate & Ryan Silva
1303 NE Newall Road
Newberg, Oregon 97132

Cody Canal Irrigation District
113 6Qs Rd
Cody, WY 82414

Park County Planning & Zoning Department
1002 Sheridan Ave., Suite 109
Cody, WY 82414

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

MEETING DATE:	FEBRUARY 23, 2023	TYPE OF ACTION NEEDED	
AGENDA ITEM:		P&Z BOARD APPROVAL:	
SUBJECT:	PRELIMINARY PLAT OF THE CASE MINOR SUBDIVISION— A 3-LOT SUBDIVISION. SUB 2023-01	RECOMMENDATION TO COUNCIL:	X
PREPARED BY:	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

PROJECT OVERVIEW

Jessica Case has submitted a preliminary plat application for a 3-lot subdivision of her property. She intends to construct a new house on proposed Lot 1, which is the south end of the property. Proposed Lot 2 contains her current house. Lots 1 and 2 are zoned residential R-2. Lot 3 is vacant and zoned General Business. Lot 3 is actually an existing lot that is being reduced in size. The current subdivision creates three lots from two. See the attached preliminary plat drawings for the lot configuration and additional information.



Access to Lot 1 will be across City property to 14th Street. The City Council indicated their willingness to consider allowing access over the City property at a workshop last year. It is also anticipated that the access will be used by existing Tract B (Greenway property), located between Lot 1 and 14th Street, as they have an existing driveway over a portion of that area. While the access to Lot 1 can technically be considered a street, staff recommends reducing the extent of the “street” to reflect more of the infill subdivision access standard, and to allow it to be privately maintained, rather than City maintained. The recommended access improvements would consist of a paved approach at least 25 feet in length off of 14th Street, and a 20-foot-wide lane that continues to the east as either

a gravel or paved surface, which is the fire code standard. To be sure this modification to the street standard is properly acknowledged, it is noted as a variance to the typical street standard throughout this report.

SUBDIVISION REGULATIONS

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

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

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

Comment: The design of the access road to Lot 1 will be developed by the applicant's engineer and presented with the final plat application.

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

Comment: The infill street standard is not found in the master plan, thus the requested variance. There are no future streets identified in the street master plan that pass through this property.

C. Jogs Prohibited: Street jogs shall be prohibited unless, because of very unusual conditions, the commission and council determine that the offset is justified.

Comment: There are no significant internal street jogs.

D. Topography: Streets shall have a logical relationship to the topography.

Comment: The street to Lot 1 seems to be the most logical location. Details regarding the profile of the street will be provided in the construction plans with the final plat.

E. Intersections: Intersections shall be at or near right angles whenever possible.

Comment: Construction plans for the street will include improvement of the skewed connection to 14th Street, but a right (90-degree) angle will not be able to be accomplished due to topography restraints.

F. Local Streets: Local streets will be designed to discourage through traffic.

Comment: Met.

G. Cul-De-Sacs: Cul-de-sacs shall be permitted, providing they are no longer than five hundred feet (500'), including the area at the end of said cul-de-sac; and further providing, that the property line to property line diameter of the cul-de-sac be at least one hundred feet (100'). Design specifications for curb, gutter, sidewalk and distance from property line to sidewalk shall be in accordance with the typical section of a "residential street", as defined by the master street plan. Surface drainage shall be

towards the intersecting streets whenever possible, but may be out of the cul-de-sac through a drainage easement as a last alternative.

Comment: The length of the proposed access to Lot 1 is about 180 feet. It does not have a cul-de-sac bulb, which reflects the variance request to use the access design proposed. A turnaround per fire code requirements, which is much less significant, would be adequate. Different configurations may be used. Additional detail can be determined and discussed as part of the final plat application. Gravel surfacing would be adequate.

Drainage from the access will naturally flow to the marsh/wetland area on Lot 1 without impacting any neighboring properties.

H. Dead End Streets, Alleys: Dead end streets and alleys (with the exception of cul-de-sacs) shall be prohibited, unless they are designed to connect with future streets or alleys on adjacent lands that have not been platted...

Comment: Interpreted as met, as "cul-de-sacs" are the exception, and the infill access with a fire code turnaround would meet the intent.

I. Half Streets: Half streets will be prohibited...

Comment: Not applicable.

J. Reverse Curves: Reverse curves on...residential and marginal streets and alleys shall have at least one hundred feet (100') of tangent length between reverse curves

Comment: None proposed.

K. Widths and Grades: Street, alley and easement/right of way widths and grades shall be as follows:

	<i>Minimum Right Of Way Width</i>	<i>Minimum Grade</i>	<i>Maximum Grade</i>
<i>Arterial street</i>	<i>100 feet</i>	<i>0.3 percent</i>	<i>7.0 percent</i>
<i>Collector street</i>	<i>80 feet</i>	<i>0.3 percent</i>	<i>7.0 percent</i>
<i>Residential street</i>	<i>60 feet</i>	<i>0.3 percent</i>	<i>7.0 percent</i>
<i>Marginal street</i>	<i>46 feet</i>	<i>0.3 percent</i>	<i>10.0 percent</i>

Comment: Again, the variance to allow the infill access standard is requested.

*L. Vertical Curve Length: The minimum length of vertical curves shall be as follows...
Arterial, collector and residential streets: 15 times the algebraic difference in the rate of grade.*

Comment: Not applicable to infill access standards.

M. Visibility: Clear visibility, measured along the centerline of the street shall be as follows...Residential street 200 feet

Comment: Met.

N. Curvature Radius: The minimum radius of curvature on the centerline of a street shall be as follows...Residential street 200 feet

Comment: Not applicable to infill access standards.

O. Streets with Interior Angles: ...For street intersections with an interior angle greater than seventy degrees (70°), the curb shall be rounded by a radius of nine and one-half feet (9½').

Comment: Curb and gutter is not applicable to infill access standards.

P. Alleys: Alleys shall be required in all subdivisions with the minimum width being twenty feet (20'), unless extreme conditions preclude the feasibility of alleys... Alleys shall be constructed with a minimum of six inches (6") of crushed aggregate base course for the finished surface. The specification for the gradation of the crushed aggregate base course may be obtained from the city engineer.

Comment: There is an existing improved alley along the northwest 400 feet of the property. There is additional right-of-way and easement for the alley to continue along the rest of the west boundary of the subdivision, but no improved surface. Public Works does not see a need to construct an alley in the easement at this time. A variance to the alley construction requirement is requested until such time as Lot 2 is further divided (if applicable). Garbage collection for Lot 1 will be with a roll-out container, or the owner hauling trash to a dumpster in the existing alley.

Q. Curb, Gutter, Sidewalk, Paved Streets: Curb, gutter, sidewalk and paved streets shall be required in all proposed subdivisions unless waived in accordance with criteria set out in subsection 11-5-2B of this title by the planning, zoning and adjustment board, and the city council. ...

Comment: The same access variance is requested. There is curb and gutter along 14th Street.

R. Street Cross Section: The minimum typical street cross section for each type of street shall be as shown on the master street plan. Details of the city standards for typical paving, curb, gutter, sidewalk, alley aprons and valley gutter sections may be obtained from the city engineer.

Comment: The variance to allow the infill access standard is requested.

S. Valley Gutters: The use of valley gutters in areas where storm sewer facilities exist or are proposed will be discouraged.

Comment: None proposed.

T. Drainage: ...Minor subdivisions shall be exempt from this requirement.

Comment: Not applicable.

U. Lot Requirements: All lots within a proposed subdivision will meet the following requirements:

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

Comment: All lots meet minimum size and dimensional requirements for the R-2 or D-2 zone as applicable.

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

Comment: Will be met as proposed. Lot 3 has direct access to Meadow Lane Avenue. Lot 2 has legal access to an existing street to the east (unnamed). Lot 1 will need an access easement from the City to have access to 14th Street. The plan is to have the applicant and City negotiate the language of the easement and present it with the final plat for review.

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

Comment: Met, with consideration to topography.

4. Strip lots established with the intent of restricting access to streets or alleys will be prohibited.

Comment: Met.

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

Comment: A variance to the requirement is recommended, as this is not a typical subdivision due to environmental constraints that make development of small lots and the street network contemplated by the requirement infeasible.

Section 11-5-1, DEVELOPMENT AND IMPROVEMENT also includes standards for construction. Only those that warrant discussion at this point are noted below.

D. Street Design, Construction: Streets shall be designed and constructed according to accepted engineering practices and construction standards with the minimum cross section being the city standard.

Comment: The street will be designed by an engineer and construction plans provided, but the minimum cross section will reflect a private infill standard.

E. Street Name Signs: Street name signs shall be installed at all intersections.

Comment: The house on Lot 1 will be addressed off of 14th, so no street sign is necessary for the new access.

F. Sanitary Sewer: Sanitary sewer shall be constructed according to city approved specifications and city construction standards, and shall connect to the city system. It shall also be approved by all appropriate state and/or federal agencies. Each lot within the proposed subdivision shall be connected to a minimum eight-inch (8") diameter sewer main by a minimum four-inch (4") diameter sewer service line. The service lines shall be extended from the sewer main to the property line according to city standards. The use of individual septic systems will not be permitted when a sanitary sewer main is available...

Comment: Sanitary sewer exists to Lots 2 and 3. Due to elevation constraints, Lot 1 will need to pump their sewer to the sewer main in 14th Street. That involves a 1 ½ or 2" private pressurized line. A plumbing permit and road encroachment permit will be the permit processes for that to be installed.

H. Water Mains: All water mains will be designed and constructed according to city approved specifications and the city standards. The system will connect each lot within the proposed subdivision to a minimum six-inch (6") diameter main by the use of a minimum three-fourths inch (¾") copper service line. The service lines shall be extended from the main to the property line according to city standards. These mains will be connected to the city system. All water mains will be designed in accordance with the city plan, state and federal regulations, and designed to provide adequate flow and pressure under all conditions, including major fire conditions... It will be the developer's responsibility to ensure that the water piping system for the proposed subdivision is connected to the city system. The development of private or community wells for potable water will not be allowed within the corporate limits of the city.

Comment: A 1" water service line to Lot 1 is proposed. It will connect to the water main in 14th Street. A plumbing permit and road encroachment permit will be the required permit processes for the installation.

I. Fire Hydrants: Fire hydrants shall be installed at intervals not to exceed five hundred feet (500') between hydrants and provided with standard hose connections as specified by the fire department.

Comment: Not met. The subdivision requirement noted here is intended to provide fire hydrant coverage, as specified by the fire code. The fire code requires all portions of a residence to be within 600 feet of a fire hydrant, as the fire hose would lay.

Unfortunately, even the closest portion of the proposed home on Lot 1 is about 800 feet from the nearest hydrant. The fire truck would run out of hose before it made it to the house. Options are either to install a fire hydrant near the intersection of 14th Street, or obtain a variance from the fire marshal based on installing a 13d fire sprinkler system in the house. If a fire hydrant is to be installed, coordinate location, design, and permitting with Public Works.

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

Comment: No formal irrigation ditches or drains exist on the property.

K. Utilities: All utilities (electrical service, natural gas, telephone, cable TV, etc.) shall be installed underground, whenever possible, in the streets, alleys or utility easements shown on the final plat. All buried utilities will be placed before the finished surface is placed on the streets or alleys. Written agreements between the subdivider and each utility company, copies of which will be presented to the city with the construction specifications, shall be drawn up stating who will install the utilities and how the costs for their installation shall be covered... It will be the developer's responsibility to ensure that all utilities necessary or reasonably expected are placed within the proposed subdivision.

Comment: All utility services are already into Lot 2. Lot 3 has all utility services except raw water. An easement should be provided over the owner's Parcel 6-A to provide Lot 3 with access to the raw water main along Meadow Lane Avenue. The general plan for serving Lot 1 with power, sewer, treated water, raw water, gas, and telecommunications is indicated on the preliminary plat, and acceptable to City staff. The final plat application will need to include the gas and telecommunication agreements noted for Lot 1. The utility easement to access the power pole for Lot 1's electrical service will also need to be provided.

It is noted that an unpressurized raw water pipe at the south end of the property will no longer be used for this property, as provisions for pressurized raw water service to each lot are now provided.

L. Other Improvements: Any other improvements, such as bridges, culverts, etc., not specifically mentioned herein but found necessary by the city due to conditions found on the site shall be constructed.

Comment: Staff can't quite tell if the phone pedestal near the southwest corner of Lot 1 is in the way of the proposed access road. Verify the situation and coordinate any relocation of the phone pedestal with the utility provider as needed.

M. Street Lighting: Street lighting shall be installed according to the standards and requirements established by the city electrical commissioner, the cost of which will be borne by the subdivider.

Comment: Street lighting is not required on private infill streets.

N. Public Use Areas: ...Minor subdivisions shall be exempt from this requirement.
Comment: N/A

OTHER:

1. Construction on Lot 3 will require installation of a transformer. Due to supply constraints, transformers can take more than a year to obtain. If development of Lot 3 is contemplated in the near future, plan accordingly.
2. If surface water rights exist on the property, they need to be removed, as land cannot have both City raw water and Cody canal water. The water rights may be transferred to a 3rd party, rather than the City. If transfer is necessary, the application must be prepared, submitted to, and accepted by the Board of Control office before the final plat can be signed.
3. List the variances granted on the final plat.

VARIANCES:

The variances noted are to be reviewed under the following standard of 11-5-2(B):

If during the approval process of a proposed subdivision it can be shown that strict compliance with the requirements of this title will result in extraordinary hardship to the subdivider due to unusual topography or other similar land conditions, or where the subdivider can show that variances will make a greater contribution to the intent and purpose of this title, the commission and council may, upon written request and proper justification, grant a variance to this title so that substantial justice may be done and the public interest secured; provided, that any such variance will not have the effect of nullifying the intent and purpose of this title.

Planning staff would recommend approval of the variances noted in the staff report, as they result in a level of improvement sufficient to meet the intent of the subdivision ordinance, while recognizing the development constraints of Lot 1 related to the wetlands, presence of multiple utility easements, and topography.

POTENTIAL MOTION:

Recommend that the City Council grant the variances noted and approve the preliminary plat for the proposed subdivision, subject to the listed conditions:

Subdivision Variances:

1. To waive the requirement to construct the alley, until Lot 2 is further divided.
2. To reduce the street requirement to consist of a minimum 20-foot-wide paved approach, extending at least 25 feet off of 14th Street, with a minimum 20-foot-wide gravel or paved lane from the approach to Lot 1.

3. To allow any surface water rights on the property to be transferred to a 3rd party, rather than to the City.

Conditions:

1. The applicant's engineer is to provide a design of the entrance road for review and approval with the final plat. The design must reasonably improve the angle where the road meets 14th Street. If the phone pedestal is in the way, coordinate relocation with the utility provider and Public Works.
2. Provide easement documents for the access road and utilities to Lot 1. (Two easements—the main easement and the electrical easement to the east).
3. Coordinate with the fire marshal and City Public Works on how the fire hydrant requirement will be met—install a hydrant at 14th Street, or install a fire sprinkler system in the house on Lot 1 and obtain a variance from the fire marshal for the distance from the hydrant.
4. Confirm with the fire marshal, and if applicable, add a note to the plat that development of Lot 1 is to include a turnaround to the fire marshal's standards when a house is constructed on the lot. (Fire sprinklers may affect applicability of the requirement.)
5. If surface water rights exist on the property, they need to be removed. If applicable, the application must be prepared and accepted by the State Board of Control office before the final plat can be signed.
6. Provide a raw water easement to Lot 3.
7. List the variances granted on the final plat.
8. Applicable utility fees are to be paid as part of the final plat process. (Water taps for Lot 1.)
9. The final plat application and construction documents shall otherwise comply with the City subdivision ordinance.

ATTACHMENTS:

Preliminary Plat



LANDOWNER KEY

- DUANE J. & MARY C. WIENER, 1920 15TH ST., CODY, WY. 82414
- AMY L. WILTHROW, 1501 MEADOW LANE AVE., CODY, WY. 82414
- ROBERT P. & MELODIE L. FERRI, 2107 NEWTON AVE., CODY, WY. 82414
- SHARIE BRANDES PAQUETTE, LIVING TRUST, 900 SKYLINE DRIVE, CODY, WY. 82414
- JESSICA CASE, LIVING TRUST ATTN: ABDOLG, ANGELA, 1 ROCKEFELLER PLAZA FL 25, NEW YORK, NY 10020
- NEST GENERATION PROPERTIES OF NEBRASKA, LLC, 1800 ZENITH DR, SIOUX CITY, IA 51103
- MOUNTAIN HOLDING, INC., 1825 BIGHORN AVE., CODY, WY. 82414
- LEGEND TOWERS, LLC, PO BOX 1210, CODY, WY. 82414
- CITY OF CODY, 1338 RUMSEY AVE., CODY, WY. 82414
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- GARY LANE & NANCY ANN ARTHLIM, 2201 CEDAR LANE, CODY, WY. 82414
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- LYLE REID CHRISTIE TRUST & GINGER CHRISTIE LIVING TRUST, PO BOX 2345, CODY, WY. 82414
- JOYCE FAY SKORIC TRUST, PO BOX 305, CODY, WY. 82414

CERTIFICATE OF OWNERS

STATE OF WYOMING } SS.
COUNTY OF PARK }
KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED, HEREBY CERTIFY THAT WE ARE OWNERS AND PROPRIETORS OF THE LANDS SHOWN HEREON, CONSISTING OF TWO LOTS OF RECORD THAT WE HAVE CAUSED SAID LANDS TO BE SURVEYED THAT THE SUBDIVISION OF SAID LANDS IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS AND PROPRIETORS THAT SAID LANDS ARE SUBJECT TO ANY COVENANTS, EASEMENTS, RIGHTS-OF-WAY AND MINERAL RIGHTS OF RECORDS ON RECORD THAT THE PURPOSE OF THE SUBDIVISION OF PARCEL A-2, BEING A PART OF TRACT A OF THE AMENDED WESTBECK ADDITION, RECORDED AT THE PARK COUNTY CLERKS OFFICE IN PLAT CABINET "P" PAGE 68, AND LOT 5 OF BECK LAKE PLAZA INTO THREE LOTS AS SHOWN HEREON.

JESSICA C. CASE, TRUSTEE
JESSICA CASE LIVING TRUST DATED MARCH 12, 1997
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COUNTY OF PARK }
THE FOREGOING CERTIFICATE OF OWNER WAS ACKNOWLEDGED BEFORE ME BY JESSICA C. CASE
THIS _____ DAY OF _____, 20____, WITNESS MY HAND AND OFFICIAL SEAL.
MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

LEGEND

- FOUND 1" & 2" ALUMINUM CAPS, OTHERWISE NOTED
- SET 2" DIA. ALUMINUM CAP ON 5/8" DIA. STEEL BAR.
- SUBDIVISION BOUNDARY
- PROPOSED SUBDIVISION LOT LINES
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- EXISTING EASEMENTS
- PROPOSED EASEMENTS

CITY PLANNING AND ZONING BOARD

RECOMMENDED APPROVAL AS OF _____ DAY OF _____, 2023 BY _____

CHAIRMAN

NOTES

- BEARINGS ARE BASED ON THE CITY OF CODY COORDINATE SYSTEM, WHICH IS BASED ON THE WYOMING COORDINATE SYSTEM NAD83 WEST CENTRAL ZONE.
- THE CONTOURS OF THE PROPOSED MINOR SUBDIVISION ARE SHOWN ON THE PLAT WITH MAJOR CONTOURS EVERY 10.00'.
- THERE ARE AREAS OF WETLANDS ON THE EAST SIDE OF PROPOSED LOT 1.
- TOTAL SUBDIVISION ACREAGE = 11.86 ACRES.
- SUBJECT PARCEL, CITY OF CODY ZONING IS MEDIUM-LOW DENSITY RESIDENTIAL (R2) & GENERAL BUSINESS (GB).

CERTIFICATE OF SURVEYOR

I, LYLE A. GAGNARD, OF ENGINEERING ASSOCIATES, HEREBY CERTIFY THAT THIS MAP 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 JANUARY OF 2022 AND THAT TO MY KNOWLEDGE, THIS MAP SHOWS THE SITUATION ON THE GROUND AT THE TIME OF ITS PREPARATION.

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



VICINITY MAP

0 100 200 400
SCALE (FT)

CLERK AND RECORDER ACCEPTANCE

THIS PLAT WAS ACCEPTED IN THE OFFICE OF THE CLERK AND RECORDER, PARK COUNTY, WYOMING, AT _____ O'CLOCK _____ A.M. ON THIS _____ DAY OF _____, 2023, FILED FOR RECORDING IN BOOK OR PLAT CABINET _____ AT PAGE _____ AND RECORDED AS COMPUTER RECORD DOCUMENT NUMBER _____

PARK COUNTY CLERK
BY: _____ DEPUTY.

CITY COUNCIL APPROVAL

APPROVED AS OF _____ DAY OF _____, 2023 BY THE CITY COUNCIL OF CODY, WYOMING.

MAYOR - MATT HALL

ATTEST: CHADY BAKER
ADMINISTRATIVE SERVICES OFFICER

PRELIMINARY PLAT OF CASE MINOR SUBDIVISION

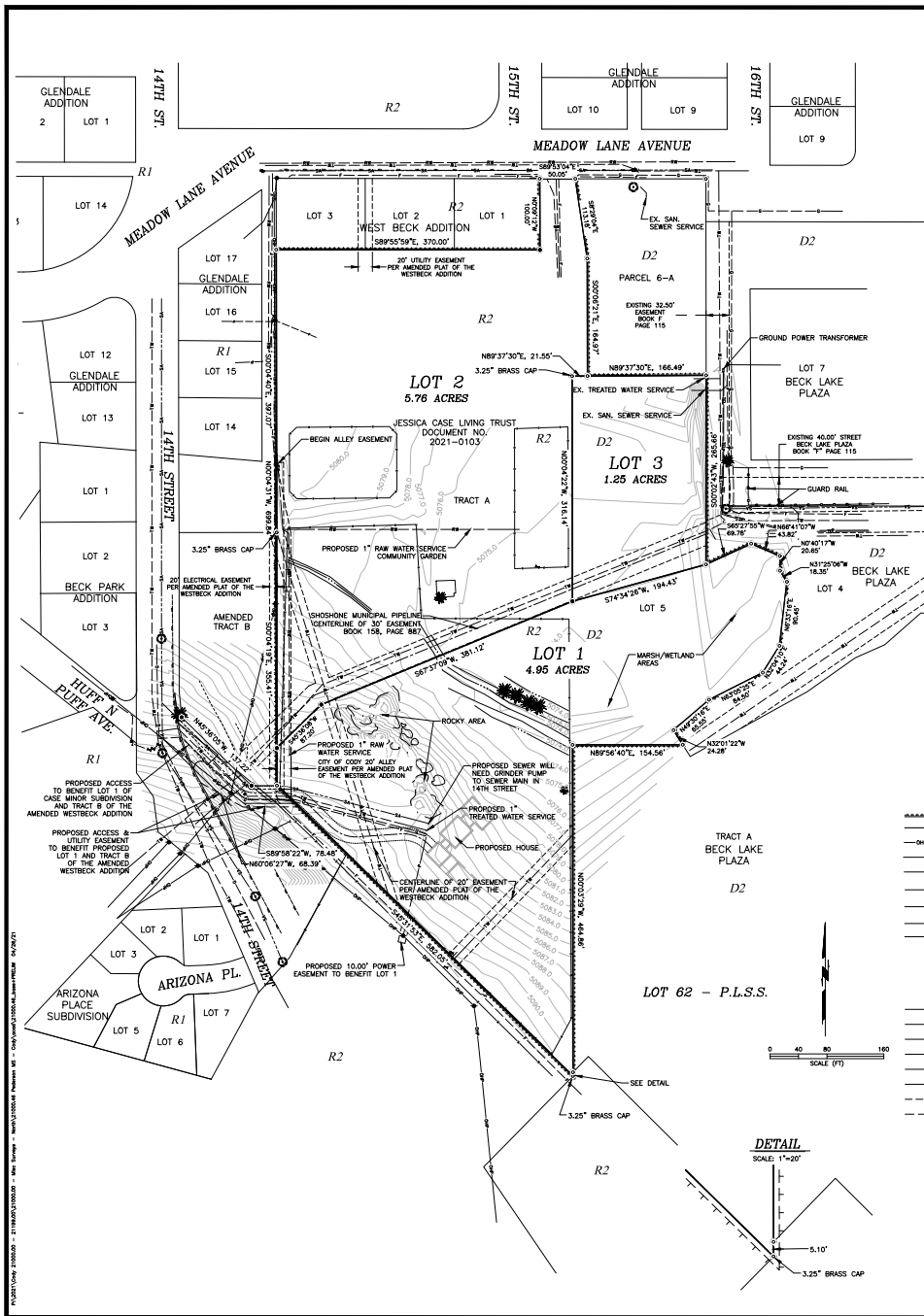
LOCATED WITHIN
PARCEL A-2, BEING A PART OF TRACT A OF THE
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AS EVIDENCE IN PLAT CABINET "P" PAGE 68,
AND LOT 5 OF BECK LAKE PLAZA
RESURVEY T.52N., R.102W., 6TH P.M.,
CITY OF CODY, PARK COUNTY, WYOMING

PREPARED FOR: JESSICA CASE
1420 MEADOW LANE AVE
CODY, WY 82414

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

JOB NO. 22000.23 BOOK NO. 595
02/23/2023 P:\22000.23\ACAD\BASE





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CITY PLANNING AND ZONING BOARD

RECOMMENDED APPROVAL AS OF _____ DAY OF _____, 2023 BY _____

CHAIRMAN

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



VICINITY MAP

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SCALE (FT)

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PARK COUNTY CLERK
BY: _____ DEPUTY.

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MAYOR - MATT HALL

ATTEST: CHADY BAXTER
ADMINISTRATIVE SERVICES OFFICER

PRELIMINARY PLAT OF CASE MINOR SUBDIVISION

LOCATED WITHIN
PARCEL A-2, BEING A PART OF TRACT A OF THE
AMENDED WESTBECK ADDITION
AS EVIDENCE IN PLAT CABINET "P" PAGE 68,
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P.O. BOX 1900
CODY, WYOMING 82414

JOB NO. 22000.23 BOOK NO. 595
02/23/2023 P:\22000.23\ACAD\BASE



CITY OF CODY PLANNING, ZONING AND ADJUSTMENT BOARD STAFF REPORT			
MEETING DATE:	FEBRUARY 22, 2023	TYPE OF ACTION NEEDED	
AGENDA ITEM:		P&Z BOARD APPROVAL:	
SUBJECT:	INTRODUCTION TO PROPOSED AMENDMENTS TO THE OPEN BUSINESS/LIGHT INDUSTRIAL (D-3), INDUSTRIAL (E), AND HEAVY INDUSTRIAL (HI) ZONING DISTRICTS.	RECOMMENDATION TO COUNCIL:	
PREPARED BY:	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	X

INTRODUCTION:

The proposed amendments address three main topics. The first is to fix some language in the Open Business/Light Industrial (D-3) and Industrial (E) chapters that relates to whether a use can include the storage or handling hazardous materials. The proposed language better defines and limits the hazardous materials restriction to “bulk” storage and handling situations, so that retail amounts are not precluded. In the D-3 zone, those uses that involve the bulk storage or handling of hazardous materials would continue to be prohibited, while in the Industrial E zone they would be classified as “conditional uses”. The Heavy Industrial zone would not have the restriction at all. The building code has a clear distinction between the two categories, so that is the method used by reference in the proposed zoning ordinance language. The referenced citation in the proposed code contains link goes directly to the online building code, and is also provided here: [Section 307.1](#).

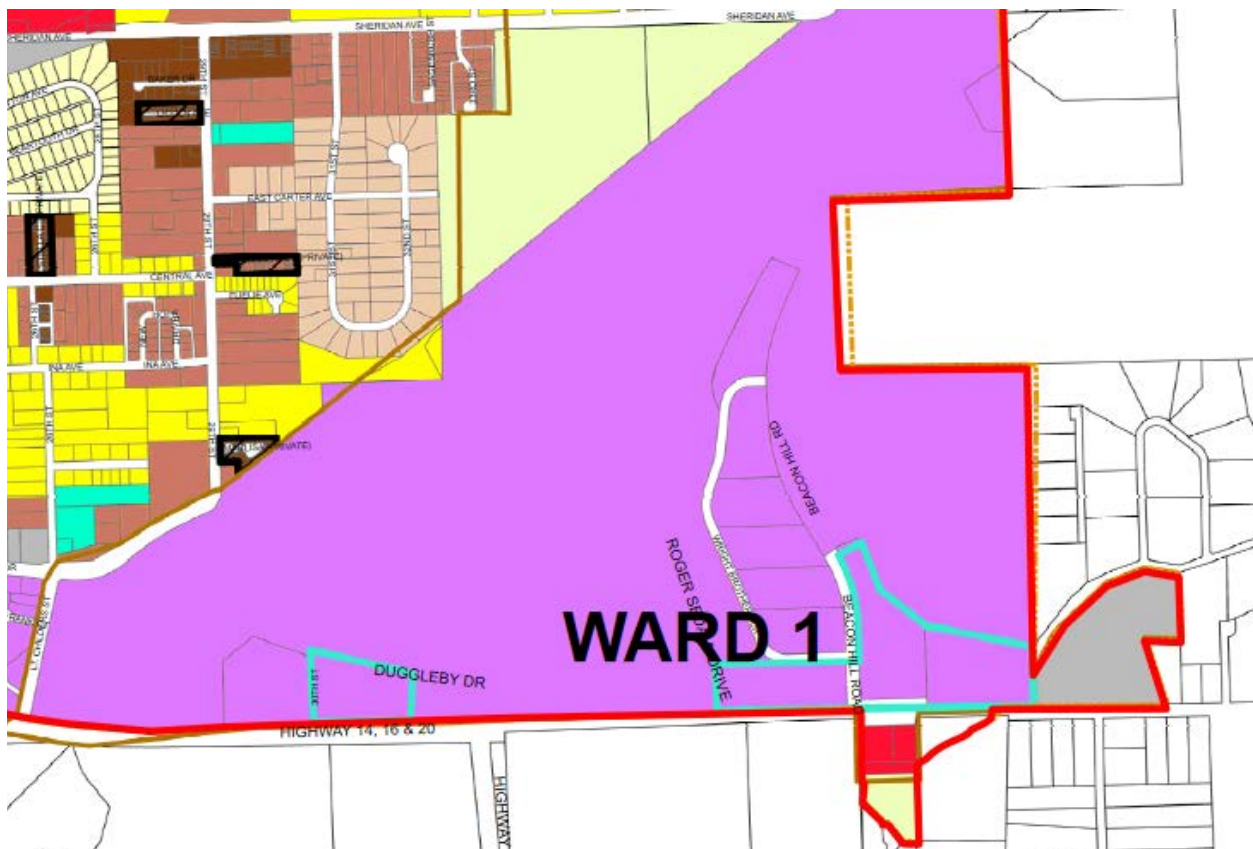
Staff drafted the proposed amendment related to hazardous materials in an attempt to resolve the poor language that has plagued us in the past, and to structure the permitted/unpermitted determination and level of review based on the intended intensity of each zone.

The second topic is to add a provision related to environmental impacts of uses to each of the three industrial zones. The proposed language would require a use that is otherwise permitted in the zone to be classified as a “conditional use” if the proposed use involves regular and ongoing air quality, odor, or groundwater quality impacts.

Staff drafted this proposed language based on the concept that a conditional use review requires neighbor notice and a public hearing, which allows opportunity for neighbor review and input in the permitting process. The conditional use review also provides increased authority for the City to require mitigation of the listed environmental

impacts. In particular, staff is concerned that the “anything goes” nature of the industrial zoning districts could result in significant adverse environmental impacts to large portions of the community, if we do not adopt a more structured method to address those listed impacts.

A third topic, clarifies that development on airport land still requires a general site plan review, even if it qualifies for an exemption to the architectural and landscaping plan review. Site plan review considers grading, drainage, utilities, access, parking, lighting, etcetera, is still applicable. Also, language is added to note that the airport architectural and landscaping plan exemption is not applicable if the project is located in an Entry Corridor Overlay zone, or it involves development for non-airport/non-aviation purposes. The Entry Corridor Overlay in the area of the airport is shown below with the bright blue lines.



A final change, found in 10-10C-2(C) simply corrects the code reference and name of the process required if one of the specified uses is located in the airport overlay.

All proposed amendments are shown in the attached documents using “track changes” in a blue color.

At the February 28th meeting, the Board will be introduced to the proposal and is invited to have discussion on the amendments and determine whether to proceed with the formal public review process. Staff would like to move these amendments forward quickly, if the Board is fully supportive of the amendments.

The anticipated schedule would involve having the P&Z Board okay the advertisement of a public hearing for the amendments with City Council; provide an “informal” opportunity for the public to comment on the amendments at the next P&Z Board meeting on March 14th; receive a Board recommendation for approval, or approval as amended, at the March 14th meeting; and, proceed with the formal public hearing before City Council and 1st reading of the ordinance at their March 21st meeting.

RECOMMENDED MOTION:

After making any changes to the proposal that the Board may have, direct staff to proceed with the public review process as outlined.

ATTACHMENTS:

Proposed amendments to Title 10, Chapter 10, Article C (D-3 zone), Article E (E zone), and Article F (HI zone).

ARTICLE C. OPEN BUSINESS/LIGHT INDUSTRIAL D-3 DISTRICTS
SECTION:

10-10C-1: PURPOSE AND INTENT:

It is the intent that the Open Business/Light Industrial D-3 District shall provide a zone for the conduct of commercial and business services not permitted within the D-2 Zone, and certain small light industrial uses. (1960 Compilation § 26-109; amd. Ord. 78-19; Ord. 80-20; Ord. 82-29; Ord. 87-3; Ord. 89-15; Ord. 91-2; Ord. 93-8; Ord. 97-15)

10-10C-2: USES PERMITTED:

No building or land shall be used and no building shall be erected or structurally altered within an Open Business/Light Industrial (D-3) District unless otherwise permitted herein, except for one (1) or more of the following uses:

A. Any use permitted in the D-2 District.

B. Subject to 10-10C-3, A animal boarding kennels; boat building and repairs; cabinet shops; cleaning plants; cosmetic manufacturing; dairy product processing; heavy equipment sales and storage; livestock feed sales (no processing or manufacturing); contractor yards; animal hospitals; taxidermist shops; wireless communication facilities. Other similar uses may be permitted.

C. Subject to 10-1C-3, D drive-in theaters; manufacturing of electronic components, instruments, jewelry, games, toys and pharmaceuticals; cold storage plants, meat processing plants, motion picture production studios, and furniture manufacturing or assembly facilities; provided, however, such uses in an area lying within the Airport Overlay Zone shall be subject to section 10-14-3, "Airport Overlay Special Use Permits" ~~10-10C-6, "Conditional Uses"~~, of this article. (1960 Compilation § 26-109; amd. Ord. 78-19; Ord. 80-20; Ord. 82-29; Ord. 87-3; Ord. 89-15; Ord. 91-2; Ord. 93-8; Ord. 97-15; Ord. 2017-10, 4-13-2017)

10-10C-3: PROHIBITED AND CONDITIONAL USES:

A. Uses and accessory uses specifically prohibited within a D-3 District ~~are include~~ grain elevators; and, the bulk storage and/or handling of explosives, caustics, oxidizers, unstable flammable liquids, toxic or hazardous materials or substances. For the purposes of this provision, "bulk" shall mean quantities of such hazardous materials that would cause the activity to be classified as a "High Hazard Group H Occupancy", pursuant to the International Building Code (see IBC Section 307.1). (1960 Compilation § 26-109; amd. Ord. 78-19; Ord. 80-20; Ord. 82-29; Ord. 87-3; Ord. 89-15; Ord. 91-2; Ord. 93-8; Ord. 97-15)

B. Uses listed under 10-10C-2(B) and (C) that are anticipated to have regular and ongoing air quality, odor, or groundwater quality impacts, shall be deemed Conditional Uses, subject to the provisions of section 10-14-1, Conditional Uses. For purposes of this provision, regular and ongoing, shall mean a component of the use that occurs as part of the normal operational activities on the property. Air quality impact shall mean any situation that triggers a WY DEQ air quality permit, or that involves the airborne discharge of heat, fumes, spray, gas or smoke in such quantities so as to be irrigating or injurious to the health or safety of persons or properties located outside of the site boundaries. Odor impact shall include any substance that activates the sense of smell of any human, detected beyond the site boundary, other than those resulting from the operation of a motor vehicle.

Groundwater quality shall mean any potential contamination to groundwater, other than registered and permitted stormwater facilities permitted by WY DEQ and/or pursuant to the City of Cody Stormwater Management Policy.

10-10C-4: BUFFER ZONE:

Where any business or commercial district is adjacent to any residential district, there shall be provided on the business or commercial district a buffer zone with a visual screen. (1960 Compilation § 26-109; amd. Ord. 78-19; Ord. 80-20; Ord. 82-29; Ord. 87-3; Ord. 89-15; Ord. 91-2; Ord. 93-8; Ord. 97-15)

10-10C-5: ARCHITECTURE AND LANDSCAPING:

All structures within the district shall be architecturally compatible. Architectural and landscaping plans shall be submitted to the Planning and Zoning Commission for approval. Architectural and landscaping details shall be maintained as shown by the approved plans. (1960 Compilation § 26-109; amd. Ord. 78-19; Ord. 80-20; Ord. 82-29; Ord. 87-3; Ord. 89-15; Ord. 91-2; Ord. 93-8; Ord. 97-15)

~~**10-10C-6: CONDITIONAL USES:**~~

~~In accordance with chapter 14 of this title, the following uses shall be allowed only with the approval of a conditional use permit for all area lying within the Airport Overlay Zone: Drive-in theaters; manufacturing of electronic components, instruments, jewelry, games, toys, and pharmaceuticals; cold storage plant; meat processing plant; motion picture production studio; furniture manufacturing or assembly facilities; and other similar uses. (1960 Compilation § 26-109; amd. Ord. 78-19; Ord. 80-20; Ord. 82-29; Ord. 87-3; Ord. 89-15; Ord. 91-2; Ord. 93-8; Ord. 97-15)~~

ARTICLE E. INDUSTRIAL E DISTRICTS

10-10E-1: USES PERMITTED:

No building or land shall be used and no building erected or structurally altered within an Industrial E District unless otherwise permitted herein, except for ~~one (1) or more of~~ the following uses:

- A. Subject to 10-10E-2, ~~Any~~ use permitted in the D-3 Districts under 10-10C-2, except residential uses.
- B. Subject to 10-10E-2, ~~A~~airports; feed manufacturing; pressure treating of wood products; wireless communication facilities; ~~and, O~~other similar uses, not herein named, that are not more objectionable or hazardous ~~may be permitted~~.

~~Certain uses, otherwise permitted in this zone, are prohibited in the Airport Overlay Zone: towers, stable flammable liquid storage and liquefied petroleum gas storage.~~ (1960 Compilation § 26-110; amd. Ord. 80-20; Ord. 82-29; Ord. 87-3; Ord. 93-8; Ord. 99-2; Ord. 2017-10, 4-13-2017)

10-10E-2: ~~PROHIBITED-CONDITIONAL~~ USES:

- A. Use ~~is~~ and accessory uses which include specifically prohibited within an E District for the bulk storage and/or handling of explosives, caustics, oxidizers, unstable flammable liquids, or toxic or hazardous materials or substances, shall be deemed Conditional Uses, subject to the provisions of section 10-4-1, Conditional Uses. For the purposes of this provision, “bulk” shall mean quantities of such hazardous materials that would cause the activity to be classified as a “High Hazard Group H Occupancy”, pursuant to the International Building Code (see IBC Section 307.1). (1960 Compilation § 26-110; amd. Ord. 80-20; Ord. 82-29; Ord. 87-3; Ord. 93-8; Ord. 99-2)
- B. Uses listed under 10-10E-1 that are anticipated to have regular and ongoing air quality, odor, or groundwater quality impacts, shall be deemed Conditional Uses, subject to the provisions of section 10-14-1, Conditional Uses. For purposes of this provision, regular and ongoing, shall mean a component of the use that occurs as part of the normal operational activities on the property. Air quality impact shall mean any situation that triggers a WY DEQ air quality permit, or that involves the airborne discharge of heat, fumes, spray, gas or smoke in such quantities so as to be irritating or injurious to the health or safety of persons or properties located outside of the site boundaries. Odor impact shall include any substance that activates the sense of smell of any human, detected beyond the site boundary, other than those resulting from the operation of a motor vehicle. Groundwater quality shall mean any potential contamination to groundwater, other than registered and permitted stormwater facilities permitted by WY DEQ and/or installed pursuant to the City of Cody Stormwater Management Policy.

10-10E-3: ARCHITECTURE AND LANDSCAPING:

All structures within the district shall be architecturally compatible. Architectural and landscaping plans shall be submitted to the Planning and Zoning Commission for approval. Architectural and landscaping details shall be maintained as shown by the approved plans; ~~p~~Provided, however, this section shall not apply to any property situated within the boundaries of the Yellowstone Regional Airport (YRA) that will be utilized by the airport, or their lessee,

primarily for airport operations and/or aviation purposes (e.g. terminal, hangers, flight instruction services), unless located within an Entry Corridor Overlay zone. This exemption to the architectural and landscaping plan review does not supersede the site plan review required pursuant to section 9-2-3, or other reviews required pursuant to this code (e.g., parking plans).
(1960 Compilation § 26-110; amd. Ord. 80-20; Ord. 82-29, Ord. 87-3; Ord. 93-8; Ord. 99-2)

ARTICLE F. HEAVY INDUSTRIAL DISTRICTS

10-10F-1: PURPOSE:

The purpose of the Heavy Industrial Zoning District is to maintain and preserve an area for intensive industrial uses that are best operated in isolation from other less intensive land uses, due to potential environmental hazards and/or production of odors, dust, noise, vibration, heavy truck traffic or other impacts detectable beyond the property. Industrial uses include, but are not limited to, those that produce goods from extracted and raw materials or from recyclable or previously prepared materials, including the design, storage, and handling of these products and the materials from which they are produced. (Ord. 2013-18, 1-21-2014)

10-10F-2: PERMITTED AND CONDITIONAL USES:

A. Permitted Uses: The permitted uses in the Heavy Industrial Zoning District are:

1. Subject to 10-10F-2(B), All uses permitted in the D-3 Zoning District; except residential uses, lodging facilities, healthcare facilities, and public schools.
 2. Caretaker/watchmen living quarters when accessory to and within an industrial or commercial building.
 3. Subject to 10-10F-2(B), Intensive industrial uses, including, but not limited to: ammunition manufacturing, asphalt plants, bulk storage tanks and stockpiles, concrete plants, explosive manufacturing and storage, feed and fertilizer manufacturing, manufacturing of gypsum products, hazardous material storage and handling, hazardous waste recycling and treatment (not disposal), industrial and commercial composting, pharmaceutical manufacturing plants, railroad and freight terminals, recycling processing plants, refineries, rock quarrying and processing, sewage treatment plants and lagoons, slaughterhouses ~~(see also title 4, chapter 5 of this Code)~~, solid waste transfer stations, wrecking yards, and uses determined by the Planning and Zoning Board to be similar in character and intensity.
 4. Motorized vehicle racing tracks.
 5. Subject to 10-10F-2(B), Oil field services and other mining related industries.
 6. Sexually oriented businesses, subject to all regulations set forth in title 3, chapter 6 of this Code.
- ~~Wireless communication facilities.~~ (Ord. 2013-18, 1-21-2014; amd. Ord. 2017-10, 4-13-2017)

B. Conditional Uses: Uses listed under 10-10F-2(A) that are anticipated to have regular and ongoing air quality, odor, or groundwater quality impacts, shall be deemed Conditional Uses, subject to the provisions of section 10-14-1, Conditional Uses. For purposes of this provision, regular and ongoing, shall mean a component of the use that occurs as part of the normal operational activities on the property. Air quality impact shall mean any situation that triggers a WY DEQ air quality permit, or that involves the airborne discharge of heat, fumes, spray, gas or smoke in such quantities so as to be irritating or injurious to the health or safety of persons or properties located outside of the site boundaries. Odor impact shall include any substance that activates the sense of smell of any human, detected beyond the site boundary, other than those resulting from the operation of a motor vehicle. Groundwater quality shall mean any potential contamination to groundwater, other than registered and permitted stormwater facilities permitted by WY DEQ and/or installed pursuant to the City of Cody Stormwater Management Policy.

10-10F-3: MINIMUM DISTRICT SIZE:

The minimum size of any Heavy Industrial Zoning District shall be twenty (20) contiguous acres. (Ord. 2013-18, 1-21-2014)

10-10F-4: MINIMUM LOT SIZE:

There is no minimum lot size in the Heavy Industrial Zoning District. (Ord. 2013-18, 1-21-2014)

10-10F-5: HEIGHT LIMITATION:

Maximum building and structure height is one hundred feet (100'), with any exception to be considered through the special exemption process. (Ord. 2013-18, 1-21-2014)

10-10F-6: YARDS:

Each building and structure shall observe the following minimum setbacks:

- A. Setback from public streets: Twenty five feet (25') from the street right-of-way.
- B. Interior property lines: Zero feet (0'), but not on or across lot lines.
- C. Abutting Residential Zoning Districts (AA, A, B, C, F-1, F-2, RR and County R-H):

Twenty five feet (25'). (Ord. 2013-18, 1-21-2014)

10-10F-7: BUFFER ZONE:

When development occurs in the Heavy Industrial Zoning District adjacent to a Residential District (AA, A, B, C, F-1, F-2, RR and County R-H) there shall be provided on the heavy industrial property along such residential district a buffer zone with a visual screen; provided the Planning and Zoning Board may waive such requirement, or portion thereof, when they determine the buffer and/or visual screen will not be effective due to topographic features between the proposed use and adjacent residential area. (Ord. 2013-18, 1-21-2014)

10-10F-8: DISTRICT REGULATIONS:

Uses established or conducted within this district shall comply with the following standards:

A. Compliance With State, Federal And Local Requirements: Evidence of compliance with applicable State, Federal, and Local permitting requirements shall be provided with all applications for new or expanded intensive industrial uses in the following manner. An outline of necessary State, Federal, and Local permits for the proposed use and the status of those applications shall be provided by the applicant for the Planning and Zoning Board site plan review outlined in section [10-10F-9](#) of this article. Potential permits will typically relate to air quality, stormwater, and hazardous waste storage and handling. All such required permits shall be obtained prior to issuance of a certificate of occupancy, or as otherwise directed by the Planning and Zoning Board.

B. Emergency Response Plans: All intensive industrial uses shall submit emergency response plans to the Park County Fire Marshal for review and approval prior to receiving a certificate of occupancy and conducting such operations.

C. Sound Level: The day-night average sound level (Ldn), measured at the property line, shall not exceed fifty five (55) decibels (dB) where the adjacent property is zoned residential (AA, A, B, C, F-1, F-2, RR, and County R-H) or sixty five (65) decibels (dB) where the adjacent property is zoned commercial, industrial, or agricultural; provided, the board may authorize a louder

threshold when a sound easement is granted by the owner(s) of the property where the sound threshold would be exceeded. The board may require sound testing to verify compliance at the time a new or expanded use is established.

D. Landscaping And Screening: New uses, and existing uses which expand in building size or outdoor use area by more than fifty percent (50%), shall be provided with landscaping near the entrance to the property and/or building and along any collector or arterial street frontage, in the following manner:

1. Provide a landscaped area at least two hundred (200) square feet in size near the property entrance and/or building and include vegetation such as decorative grasses, planted trees, shrubs, flowers, lawn, or ground cover. Incorporating the business signage into the landscaped area is encouraged.

2. Provide landscaping along any collector or arterial street frontage, consisting of a minimum of one (1) tree per fifty (50) linear feet of such frontage (rounded to the nearest whole number) and decorative rock or ground cover at each tree. Provided, the Planning and Zoning Board may consider alternative landscaping methods when tree placement cannot occur due to the restrictions of title 7, chapter 4 of this Code.

3. Required landscaped areas shall be watered and maintained, with replacement of dead vegetation as needed so that at least ninety percent (90%) of the trees and ninety percent (90%) of the other landscape vegetation initially required are living.

E. Height Of Open Storage: Storage of materials outside of buildings or containers shall be no higher than eight feet (8') plus one foot (1') in height for every additional two feet (2') of setback from a property line.

F. View Obscuring Barriers: When the use of the property is a wrecking yard or similar use that stockpiles scrap or junk materials, site screening fences up to eight feet (8') tall and/or additional landscaping sufficient to form a view obscuring barrier shall be provided to screen those activities from major roads and residential areas. (Ord. 2013-18, 1-21-2014)

10-10F-9: SITE PLAN REVIEW:

As required by this Code, all new or expanded development in the Heavy Industrial Zoning District shall be subject to site plan review by the Planning, Zoning, and Adjustment Board prior to issuance of any building permit or establishment of such use. [If a conditional use permit review is required, the site plan review shall be combined with the conditional use permit process.](#) The board shall review the site plan for the following:

- A. Compliance with the specific provisions of this title.

- B. General site plan conditions and layout, including access and traffic flow (as related to public safety), commercial signage, parking, landscaping, lighting, site grading, stormwater facilities, and utilities. Consideration of adjacent uses shall be made in respect to the location of specific activities within the site, so as to reduce any potential conflicts from odors, dust, noise, vibration, glare, visual impacts, and stormwater runoff.

- C. Assurance of compliance with applicable State and Federal safety and environmental standards pertaining to hazardous materials.

The board may specify conditions as necessary to ensure compliance with applicable standards. The issuance of a development permit shall be contingent upon the applicant receiving an affirmative vote from the majority of the board that the applicant has satisfied the above requirements. (Ord. 2013-18, 1-21-2014)