

CITY OF CODY
PLANNING, ZONING AND ADJUSTMENT BOARD
TUESDAY, MARCH 11, 2014
CITY HALL COUNCIL CHAMBERS @ 12:00 NOON

AGENDA

1. Call to Order by Chair Justin Lundvall
2. Roll Call, excused members
3. Pledge of Allegiance
4. Approval of Agenda
5. Approval of Minutes of the February 11, 2014 –Regular Meeting and for the 12:00 p.m. March 4, 2014- Master Plan Public Hearing.
6. NEW BUSINESS:
 - A. Minor Commercial Review-Seasonal Winter Shelter at 1192 Sheridan Avenue (Irma Hotel).
 - B. Architecture and Landscaping Review- Relocate existing Rocky Mountain Mudd Coffee Kiosk from 330 Yellowstone Avenue to 601 Yellowstone Avenue.
 - C. Sign Plan Review- Treasured Memories wall sign to be located at 1280 Sheridan Avenue.
 - D. Resolution to Adopt the City of Cody Master Plan and forward a certified copy to the City Council.
7. APPROVED SIGN APPLICATIONS:
 - A. Majestic Lube freestanding electronic reader board sign.
 - B. E&H Enterprises (Fast Eddy's) freestanding sign.
8. P&Z Board Matters (announcements, comments, etc.)
9. Council Update: Steve Miller
10. Staff Items:
11. 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
Tuesday, February 25, 2014

A regular meeting of the Cody Planning, Zoning and Adjustment Board was held in the Council Chambers of City Hall in Cody, Wyoming on Tuesday, February 25, 2014 at 12:00 PM

Present: Justin Lundvall, Chairperson; Justin Ness, Vice Chairperson; Buzzy Hassrick; Brad Payne; Bob Senitte; Mark Musser, Steve Miller, Council Liaison; Sandra Kitchen, Deputy City Attorney; Todd Stowell, City Planner; Utana Dye, Certified Engineering Technician II.

Absent: Kim Borer

Chairperson Justin Lundvall called the meeting to order at 12:00PM, followed by the pledge of allegiance.

Justin Ness made a motion seconded Mark Musser to approve the agenda. Vote on the motion was unanimous, motion carried.

Buzzy Hassrick made a motion seconded by Justin Ness to approve the minutes for February 11, 2014. Vote on the motion was unanimous, motion carried.

Justin Ness made a motion seconded by Mark Musser to remove the minutes for January 28, 2014 from the table. Vote on the motion was unanimous, motion carried.

Brad Payne made a motion seconded by Buzzy Hassrick to approve the minutes for January 28, 2014. Vote on the motion was unanimous, motion carried.

PRESENTATION OF COMMUNICATIONS:

Todd Stowell presented the Zoning Ordinance Amendment to Accessory Dwelling Units. Review draft ordinance amending City of Cody Code 11-1-1, Definitions, and adding a new section 10-11-2, Accessory Dwelling Units. He went through and discussed each of the new requirements of An Accessory Dwelling Units.

Justin Ness made a motion second by Buzzy Hassrick to recommend to City Council to add a paragraph to the ordinance to monitor the Accessory Dwelling Units and to recommend and to review and draft. With the tracking requirements

Vote on the motion was unanimous, motion carried.

Todd Stowell presented the Master Plan with changes to the future land use map, the expansion area map and the street map. He went over the changes made and asked for comments and recommendations from the board.

Harold Musser spoke on the Master Plan. He asked that changes be made to the expansion area map. He would like to see the east boundary stop at Sage Creek.

Todd presented the Hanger Clinic Sign that was approved by staff.

P&Z Board Matters- None

Council Update by Steve Miller- two meetings week from today

Staff Items: None

Mark Musser made a motion seconded by Justin Ness to adjourn the meeting. Vote on the motion was unanimous, motion carried.

There being no further business to come before the board, Chairperson Justin Lundvall adjourned the meeting at 1:03PM.

Utana L. Dye
Certified Engineering Technician II

DRAFT

City of Cody
Planning, Zoning and Adjustment Board
Tuesday, March 4, 2014

A regular meeting of the Cody Planning, Zoning and Adjustment Board was held in the Council Chambers of City Hall in Cody, Wyoming on Tuesday, March 4, 2014 at 12:00 PM

Present: Justin Lundvall, Chairperson; Justin Ness, Vice Chairperson; Buzzy Hassrick; Brad Payne; Bob Senitte; Bud McDonald; Kim Borer; Steve Miller, Council Liaison; Todd Stowell, City Planner; Utana Dye, Certified Engineering Technician II.

Absent: Mark Musser, Sandra Kitchen, Deputy City Attorney

Chairperson Justin Lundvall called the meeting to order at 12:01PM, followed by the pledge of allegiance.

Justin Ness made a motion seconded Kim Borer to approve the agenda. Vote on the motion was unanimous, motion carried.

The meeting was open to the public for comments.

Linda Raynolds thanked everyone on the work they have done. She also wanted to thank everyone for including the arts component in the Master Plan. She was not clear on the relationship between former zoning and the propose zoning.

Todd spoke on the background of the master plan. He went over the future land use map of the Master Plan. He also spoke on the zoning map.

Jolene Osborne spoke on the work that was put into the plan. Hopes that developers see it as an idea book. She is asking as a citizen and representative of several developers that the city continues working forward and promulgating ordinances that reflect these ideas making things clear for developers and staff.

The chairman closed the public hearing.

Justin Ness mention the two letters that were received by Rafter Reverse Four Ranch LLC. and Musser Bros. Inc. He wanted to go over the letters. He wanted to discuss the boundaries of the expansion area that was mentioned in the letters.

Todd presented to the board the staff report on the Master Plan and he also went through each of the items of Musser Bros. Inc.'s. letter.

Justin Lundvall mention that at the last meeting there was a discussion about decreasing the boundary in the South Fork area.

Kim Borer comment on the 29th Street area and where the church is and the zoning on that property. She feels the mixed use would make more sense. Her comment is to continue to keep the property as is currently laid out.

Justin Ness was asking questions about Musser's property on 29th Street. He is fine with changing the use for that property. Then the properties south of Musser's property and the church should be kept residential use. Everything else in that area should stay residential.

Bob Senitte has a question about the properties to the east of the church property. He was wondering if it should be a mixed use rather than high density residential use.

Todd stated that the area in question is a high density use currently so it was kept the same use.

Justin Lundvall asked that Mr. Musser is okay with then change the use to his property.

Justin Ness asked about item 3e the land behind the rodeo grounds to Light Industrial. The current zoning is heavy industrial. He thought that light industrial should be fine. He asked if it would allow for the current use.

Todd spoke on that comment. He stated that they plan to mine it for some time, as long as the zoning is done in a way that allows them to continue. So light industrial would work.

Bob Senitte asked about item 1B Bring the orange area (Long-term Annexation Area) south of the Powell Highway at least back to Sage Creek, as this is a major topographical restraint. Bring it back all the way to the crest of the hill between East Cooper Lane and Beacon Hill Road. That would not include anything north of the highway.

Todd explained that the boundary would follow sage creek. He explained that all the pink would be eliminated and the orange would be brought back to the boundary to sage creek.

Justin Ness would support in leaving at Sage Creek get rid of the pink and bring the annexation back to Sage Creek and leaving it there so that it is consistent along both sides of the highway.

Buzzy Hassrick spoke about an email that she had sent to the board members on some ideas. She would like to recognize the Shoshone River as an amenity for the City. On page 21 of the Master Plan. She recommends a principle 2.2.f Shoshone River. Recognized the Shoshone River Corridor as an amenity for residence and visitors alike encourage compatible development. She also recommended on page 43 of the Master Plan she would like to continue the river theme. She would like to add the Shoshone River corridor under the objective 13.1. She feels that the river qualifies as a scenic landmark and should be noted in the Master Plan.

Justin Ness asked if the Shoshone River stated anywhere else in the Master Plan.

Buzzy Hassrick mention that on page 42, Objective 11.2.d. River Access. Support increased public access to the Shoshone River corridor.

Bud McDonald spoke and said that any of his concerns that he had been considered and dealt with. He felt that the overall Master Plan that is here with some minor corrections that are in there, that it is a good document that the city needs to move forward with and has already been said in this meeting today. That when this has been adopted then we need to move into the ordinances and start looking into each zoning district to make sure that they follow this document.

Justin Lundvall want to remind everyone that there will be another public hearing at 7:00 pm tonight here in the Council Chambers.

Justin Ness made a motion seconded by Kim Borer for staff to recommend the changes as shown on the recommended changes in the staff report for the following changes:

1. Page 26 & 27, Expansion Area Map:
 - a. Remove all of the pink area (Potential Future Annexation Area), as it is not discussed in the plan.
 - b. Bring the orange area (Long-term Annexation Area) south of the Powell Highway at least back to Sage Creek, as this is a major topographical restraint. Perhaps bring it back all the way to the crest of the hill between East Cooper Lane and Beacon Hill Road.
 - c. Color the triangle area next to Road 2AC as orange.
2. Page 35, Neighborhood Mixed Use description. The “nine-to-five” language was meant to refer to a typical workday, not necessarily those specific hours of operation. Here is a modified version provided with the intent to clarify.
“Neighborhood Mixed Use: The neighborhood mixed use designation is intended to provide a mix of residential and low-intensity neighborhood support services, including small-scale professional office, personal service, child care, educational, business service, and other ~~“nine-to-five”~~ daytime, weekday-only services that do not interfere with adjacent residential uses. Extended hours or days of operation may be appropriate in some locations. Retail and manufacturing uses are not intended for the neighborhood mixed use zone, but may be considered through a conditional use process when the scale of the use is comparable to a home-based business and the ~~“nine-to-five”~~ weekday daytime/weekday-only limitation will be followed. Neighborhood mixed use These areas may also include single-family detached, attached or mixed-use housing types. Mixed use areas should be pedestrian and bicycle friendly and directly linked to surrounding neighborhoods.”
3. Page 39, Future Land Use Map.
 - a. Map the former Sunset elementary property as “Civic”.
 - b. Map the recent Reesy Road rezone area as “Heavy Industrial”.
 - c. Extend the commercial area on the west side of Beacon Hill Road 250 feet to the south.
 - d. Change the area north of Pioneer Avenue and east of the Cedar Mountain Apartments to Commercial Mixed use.
 - e. Rodeo Grounds to be zoned Light Industrial.
 - f. Cougar Avenue--Willow Creek minor subdivision/apartments and lot to east to be changed to High Density Residential.
 - g. The Neighborhood Mixed Use on 29th Avenue, shall include Mr. Musser and the church property only. The remaining properties be High Density Residential.
4. Page 52. Reduce the sidewalk widths on the Local and Minor Residential Street cross sections (Option B) from six feet to five feet.
5. Page 56, Master Street Plan.
 - a. Modify the future local street in the Holm View subdivision to reflect the approved preliminary plat (a cul-de-sac layout).
 - b. Delete the future Minor collector from the area west of the South Fork Highway.
6. To add the Shoshone River corridor comments in items 2.2.f and 13.1.c as assessed by a fellow board member.

Vote on the motion was unanimous, motion carried.

Councilman Miller wanted to invite everybody again to the meeting tonight at 7:00PM.

Buzzy Hassrick made a motion seconded by Brad Payne to adjourn the meeting. Vote on the motion was unanimous, motion carried.

There being no further business to come before the board, Chairperson Justin Lundvall adjourned the meeting at 12:40PM.

Utana L. Dye
Certified Engineering Technician II

DRAFT

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

MEETING DATE:	MARCH 11, 2014	TYPE OF ACTION NEEDED	
AGENDA ITEM:		P&Z BOARD APPROVAL:	X
SUBJECT:	IRMA HOTEL SEASONAL ENCLOSURE, DOWNTOWN ARCHITECTURAL DISTRICT REVIEW SPR 2014-05	RECOMMENDATION TO COUNCIL:	
PREPARED BY:	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

PROJECT DESCRIPTION:

John Darby of C.I.H. Inc. as owner of the Irma Hotel has submitted an application to authorize a seasonal enclosure on the east porch of the Irma Hotel. Based on verbal conversation with the applicant, the enclosure is intended to be in place only during the winter months. The structure is an uninsulated, wood-framed and sheathed enclosure with plastic "windows". Photos are below. It primarily serves as a smoking area and is posted 18+ years of age only.



REVIEW CRITERIA:

Section 10-10B-4 of the zoning regulations states:

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.

The project is also within the Downtown Architectural District established by Section 9-2-2 of the Cody City Code. Pursuant to Subsection B of 9-2-2, *"The planning, zoning and adjustment board shall examine and evaluate applications and plans involved in building and sign permits insofar as they pertain to the exterior of commercial buildings*

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

MEETING DATE:	MARCH 11, 2014	TYPE OF ACTION NEEDED	
AGENDA ITEM:		P&Z BOARD APPROVAL:	X
SUBJECT:	SITE PLAN REVIEW: ROCKY MOUNTAIN MUDD COFFEE STAND SPR 2014-04	RECOMMENDATION TO COUNCIL:	
PREPARED BY:	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

PROJECT DESCRIPTION:

Riki Westbrook of Rocky Mountain Mudd, LLC has submitted an application for placement of a drive-thru coffee stand on the north side of West Yellowstone Avenue, between Majestic Lube to the west and Pinnacle Bank to the east. The coffee stand is currently located at 330 W. Yellowstone Avenue (future location of the Tractor Supply Company store) and is planned to be moved to this property. The existing signs are also requested to be used at the new location.

The one-acre property is currently vacant of any buildings, but contains asphalt surfacing from the former Walmart parking lot and a rocked planter strip along the street frontage. The coffee stand is proposed to be placed on an existing concrete pad, which allows drive-thru access from each direction. The site will be leased. The owner has plans for future development that would necessitate removal or relocation of the coffee stand, but the timing of such development has not been determined. Therefore, the situation has a somewhat temporary component.

The property is in the Open Business/Light Industrial (D-3) zoning district which permits retail businesses.

Existing coffee stand and sign:



Proposed Location:



REVIEW CRITERIA:

Section 10-10C-5 of the zoning regulations states:

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.

STAFF COMMENTS:

The surrounding area is as follows:

<i>DIRECTION</i>	<i>EXISTING USE</i>	<i>ZONING</i>
North	Cody Labs.	D-3
East	Pinnacle Bank branch.	D-3
South	Car wash and vacant restaurant across highway.	D-3
West	Majestic Lube and car wash.	D-3

Architecture:

The architecture of the coffee stand is shown in the photo. The use of log-style siding and a brown and green color scheme provide a western/rustic flavor to the structure. The exterior of the coffee stand appears neat and well maintained.

Landscaping:

No landscaping plan is included with the application. As shown in the photo above, the current landscaping includes a few unmaintained juniper bushes, a scrub tree and a couple bushes of unknown nature. The decorative rock along the street frontage is largely contaminated with sand and dirt to the extent that it has lost its decorative effect. The city has received complaints about the condition of the landscaping in the vicinity of Cody Labs, which many think includes this lot.

If indeed the coffee stand is a temporary situation that is only in place a year or two, then staff is not as concerned with the lack of landscaping as would be the case if this becomes a long-term situation. If the Board shares the same sentiment, they may wish to grant a temporary approval and require a landscaping plan to be submitted if the situation extends beyond a specified timeframe (2 years?). Discussion with the applicant on this matter is recommended.

It is noted that the coffee kiosk is self-contained as far as water and wastewater are concerned, such that connection to city water or city sewer is not proposed.

Parking:

Sufficient area for parking is available and the length of the queue lanes in the drive-thru can accommodate multiple vehicles. The entrances are paved and at locations approved by WYDOT.

Exterior Lighting

The only exterior lighting is decorative (light strings).

Neighborhood Compatibility, Setbacks and Buffers, and Height Requirements

There are no specified zoning setbacks or height limits in this zone. No buffers are required for this proposal.

Storm Water Plan/Snow Storage:

No increase in impervious area will result, so no storm water retention is required. Sufficient area exists on the lot for snow storage.

Utility Services

The only utility to be utilized is electricity, which will simply require connection to the existing transformer. The work must be completed by a licensed electrician. The city crews will make the physical connection to the transformer.

Easements

The coffee stand and sign are within city utility easements. As required by the city, neither object is allowed, or proposes, a foundation that extends into the ground. A couple of metal stakes are used to anchor the sign, which will necessitate utility locates and careful placement so that no utility lines are damaged. The situation is acceptable to public works.

Signs

The coffee stand has multiple wall signs, which are of a size and location that meet city requirements. The freestanding sign is 5'6" tall by 8' wide (44 sq. ft.), which is of a size and height that meets city requirements. The location of the freestanding sign is requested to be at least ten feet behind the sidewalk to preserve sight distance along Yellowstone Avenue.

It is noted that the abandoned Walmart sign on this lot has been the source of complaints and is illegal. Last year the city had conversations with the property owner to remove or use the sign in a legal manner. Any use of the sign support is subject to meeting current sign code requirements. The last staff has heard, the owner is working with Chuck's Signs to lower the sign support to 25 feet and install a billboard sign advertising the property as the future home of Moss Orthodontics. The location meets the City's requirements for a billboard, but a sign application has not yet been submitted.

Garbage

Garbage collection will be required. The applicant will need to coordinate with the solid waste division on type, size, and placement.

ATTACHMENT:

Site plan.

ALTERNATIVES:

Table, approve, or deny the site plan with or without changes.

RECOMMENDATION:

It is recommended that the Planning and Zoning Board approve the project subject to the following:

1. The Rocky Mtn. Mudd freestanding sign must be located at least ten feet behind the sidewalk.
2. If the coffee stand is to remain on the property after March 15, 2016, the business owner and/or property owner must submit a landscape plan for review and approval by the Planning and Zoning Board.

within the downtown district as herein described and shall make recommendations and suggestions to the applicants, property owners or occupants.

It is noted that the Irma Hotel is on the National Register of Historic Places. This does not prohibit modifications to the building; provided, if federal funds have been utilized on the building the Advisory Council on Historic Preservation must be given the opportunity to comment on the project. This would be the applicant's responsibility to determine.

Architecture:

The exterior of the Irma Hotel is an anchor of the downtown's architectural character. Its' sandstone and cobble rock walls have been duplicated in several old buildings in the downtown area. The woodwork of the cornice and balustrade represent the work of skilled tradesmen and provide ornamental detail to the historic building. The enclosure on the other hand lacks any significant architectural features. Nevertheless, the 12'4" by 16' structure only occupies a portion of the building elevation and would not be in place during the primary tourist season. The brown color and the black riveted window perimeters have a western flavor, although the brown color does not clearly match the rest of the hotel.

Development Standards:

Storm Water

There is no increase in impervious area, so no storm water requirements are applicable.

Parking

The Irma Hotel is located in the downtown parking district and the enclosure does not include sleeping rooms or dining area, so no additional parking is required.

Setbacks

The location is within the property boundaries and meets applicable zoning and building setbacks. There is sufficient room on the porch to walk around (rather than through) the enclosure if desired.

Lighting

No new exterior lighting is indicted.

Landscaping

No landscaping is proposed.

Signs

No additional signage is proposed at this time.

ATTACHMENTS:

Application.

ALTERNATIVES:

Approve or deny the project.

RECOMMENDATION:

Approve the installation of the seasonal enclosure to be in place during the winter season approximately October 31 (?) through April 1 (?) (5 months) subject to the following:

1. That the necessary building/electrical permits be obtained and any required corrections be made as determined by the building official.
2. That use of the enclosure comply with any applicable liquor license requirements.

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

MEETING DATE:	MARCH 11, 2014	TYPE OF ACTION NEEDED	
AGENDA ITEM:		P&Z BOARD APPROVAL:	X
SUBJECT:	"TREASURED MEMORIES" SIGN, DOWNTOWN ARCHITECTURAL DISTRICT REVIEW. SGN 2014-09	RECOMMENDATION TO COUNCIL:	
PREPARED BY:	TODD STOWELL	DISCUSSION ONLY:	

PROJECT DESCRIPTION:

An application has been submitted by Sandy Gray to install a wall sign at 1280 Sheridan Avenue. The sign is for her "Treasured Memories" business that is moving to the Sheridan Avenue location. The business and proposed sign has been located in the mini-mall south of the signal in front of Walmart.

The sign measures nine feet wide and three feet tall (27 sq. ft.), which is slightly larger than depicted the photo rendering below. (For reference the storefront is 25' wide).



**Treasured Memories current sign
Sign is cabinet style measuring 108" x 36" x 8"
Red and White lettering.
Moved to new location 1280 Sheridan Ave**

REVIEW CRITERIA:

The property is within the Downtown Architectural District established by Section 9-2-2 of the Cody City Code. Pursuant to Subsection B of 9-2-2, within the downtown Architectural District, *"The planning, zoning and adjustment board shall examine and evaluate applications and plans involved in building and sign permits insofar as they pertain to the exterior of commercial buildings within the downtown district as herein described and shall make recommendations and suggestions to the applicants, property owners or occupants"*.

STAFF COMMENTS:

The proposed sign is in the downtown sign district, which allows 1.5 square feet of wall signage per foot of frontage. The building has 25 feet of street frontage, which allows 37.5 square feet of wall signage. Twenty-seven square feet of wall signage is proposed.

The sign is plastic, mounted in a metal box with internal illumination. Due to lack of power where the sign will be mounted it may not initially be illuminated, but could be sometime in the future.

The purpose of the Downtown Architectural District is understood to be the promotion of architectural compatibility and preservation of historic features.

ALTERNATIVES:

Approve the sign, with or without making suggestions.

**PLANNING COMMISSION
RESOLUTION NO. 2014-1**

**A RESOLUTION ADOPTING IN WHOLE THE CITY OF CODY
MASTER PLAN, PURSUANT TO WYOMING STATE STATUTE
15-1-503 THROUGH 505**

WITNESSETH

WHEREAS, the Governing Body for the City of Cody, Wyoming adopted the last City of Cody Master Plan on the 6th Day of October, 1997, which plan is now proposed to be replaced with a new City of Cody Master Plan;

WHEREAS, the proposed City of Cody Master Plan (Master Plan), like the 1997 Master Plan before it, is for the purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the City of Cody which will best promote the general welfare as well as efficiency and economy in the process of development;

WHEREAS, the development of the new Master Plan involved numerous opportunities for public comment, including but not limited to interviews, an online community survey, community choices workshops; open houses on the draft of the Master Plan, a two-month comment period, and two public hearings, all of which contributed to the final document and helped result in a comprehensive analysis of the existing conditions and probable future growth of the city;

WHEREAS, the City of Cody Planning Commission (a.k.a. City of Cody Planning, Zoning and Adjustment Board) held two properly advertised public hearings for the purpose of receiving public comments on the draft plan, which hearings were held at 12:00 p.m. and 7:00 p.m. on Tuesday, March 4, 2014, and gave full consideration to all comments received; and,

WHEREAS, based on the review of the final draft plan, the Planning Commission has directed modifications, which modifications have been completed and included in the attached City of Cody Master Plan.

**NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND
ZONING COMMISSION AND ADJUSTMENT BOARD OF THE CITY OF
CODY, WYOMING THAT:**

- 1) The entire City of Cody Master Plan, consisting of the attached 77-page document entitled "Cody Master Plan, March 2014" is hereby adopted in whole; including, but not limited to, the maps, summaries, and descriptions therein. The appendices referenced therein are not adopted.
- 2) The Chairman is directed to certify a copy of the attached City of Cody Master Plan to the governing body.

PASSED, APPROVED AND ADOPTED THIS 11th day of March, 2014.

Justin Lundvall, Planning Commission Chair