

CITY OF CODY  
PLANNING, ZONING AND ADJUSTMENT BOARD  
TUESDAY, AUGUST 25, 2015  
CITY HALL COUNCIL CHAMBERS @ 12:00 NOON

**REVISED AGENDA**

1. Call to Order by Chairman Justin Lundvall
2. Roll Call, excused members
3. Pledge of Allegiance
4. Approval of Agenda
5. Approval of Minutes of the August 11, 2015 Regular Meeting
6. NEW BUSINESS:
  - A. Downtown Sign Review: Bright Futures Mentoring wall sign at 961 12<sup>th</sup> Street.
  - B. Downtown Sign Review: Rocky Mountain Discount Sports sign package at 1526 Rumsey Avenue.
  - C. Downtown Sign Review: Yellowstone Gift sign at 1237 Sheridan Avenue.
7. P&Z Board Matters (announcements, comments, etc.)
8. Council Update: Steve Miller
9. Staff Items
10. Discuss potential amendments to the City of Cody Zoning Ordinance.
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, August 11, 2015**

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, August 11, 2015 at 12:00 PM

Present: Justin Lundvall-Chairperson; Brad Payne; Buzzy Hassrick; Curt Dansie; Reese Graham; Sandra Kitchen, Assistant City Attorney; Steve Miller, Council Liaison; Todd Stowell, City Planner.

Absent: Mark Musser; Justin Ness

Chairperson Justin Lundvall called the meeting to order at 12:02 PM, followed by the pledge of allegiance.

Buzzy Hassrick made a motion, seconded by Reese Graham, to approve the agenda. Vote on the motion was unanimous, motion carried.

Brad Payne made a motion, seconded by Reese Graham, to approve the minutes for the July 28, 2015 meeting. Vote on the motion was unanimous, motion carried.

Approved Signs:

- A. Wells Fargo at 1825 17<sup>th</sup> Street (Albertson's Building)

P&Z Board Matters: None

Council Update: None

Staff Items: None

Todd Stowell directed a discussion with the board regarding potential amendments to the City of Cody Zoning Ordinance.

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

There being no further business to come before the board, Chairperson Lundvall adjourned the meeting at 12:36 PM.

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Todd Stowell  
City Planner

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

<b>MEETING DATE:</b>	AUGUST 25, 2015	<b>TYPE OF ACTION NEEDED</b>	
<b>AGENDA ITEM:</b>		P&Z BOARD APPROVAL:	X
<b>SUBJECT:</b>	BRIGHT FUTURES SIGN DOWNTOWN SIGN REVIEW. SGN 2015-17	RECOMMENDATION TO COUNCIL:	
<b>PREPARED BY:</b>	TODD STOWELL	DISCUSSION ONLY:	

**PROJECT DESCRIPTION:**

Michael Fink, representing Bright Futures Mentoring, has submitted a sign application to install a 3-foot by 5-foot wall sign at 961 12<sup>th</sup> Street. The proposed sign is depicted below. It would be located directly above the doorway to the business (middle door in photo).

Existing:



Proposed Sign:



**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, *"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."*

The signs must also meet the size, location and other requirements of the sign code.

**STAFF COMMENTS:**

The sign type, location, and dimensions meet the requirements for the D-2 sign district in which the property is located. (Note: While the property is in the downtown architectural district it is not in the downtown sign district, but the D-2 sign district.)

Other wall signs on the building include Q&M Appraisals, Hill Real Estate, Allstate Insurance, and a Barber Shop. The total square footage of all the wall signs is well within the allowable limit of 300 square feet.

The purpose of the Downtown Architectural District is understood to be the promotion of architectural compatibility and preservation of historic features. While the sign is quite "bright", it is not overly large but simply adequate to display the message.

The prior sign measured 4' by 8', and its removal has exposed discolored and cracking paint. The Board may want to recommend that the owner paint the area before the new sign is installed. There is another patch on the south side of the building that could also be painted.

**RECOMMENDATION:**

Approve the wall sign for Bright Futures Mentoring as proposed.

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

<b>MEETING DATE:</b>	AUGUST 25, 2015	<b>TYPE OF ACTION NEEDED</b>	
<b>AGENDA ITEM:</b>		P&Z BOARD APPROVAL:	X
<b>SUBJECT:</b>	ROCKY MOUNTAIN DISCOUNT SPORTS DOWNTOWN SIGN REVIEW. FILE NO: SGN 2015-18	RECOMMENDATION TO COUNCIL:	
<b>PREPARED BY:</b>	TODD STOWELL	DISCUSSION ONLY:	

**PROJECT DESCRIPTION:**

Troy Koster of Rocky Mountain Sports Inc. has submitted a sign application for the Rocky Mountain Discount Sports store at 1526 Rumsey Avenue. The proposal is to:

- 1) Install a new 160 square foot sign over the main entrance to the business;
- 2) Relocate the 96 square foot sign that was on the front of the store to the north side of the store where there was a "Discount Sports" sign; and,
- 3) Keep the eight wall signs on the north side of the building that indicate "Ammo", "600 Guns", "Maps", "Archery", "Camping", "Hunting", "Fishing", and "Licenses".

The former signs on the north side of the building that had several firearm-related logos have just been permanently removed, pending approval of the sign application.

Prior Condition:



Existing Condition:



Proposed Entry Sign:  
(Next Page)



**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, *“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.*

The signs are also subject to the size and location requirements of the sign code, which in the D-2 sign district allows any individual wall sign to be up to 150 square feet in size, and for up to 300 square feet of wall signage on the property. (Note: While the property is in the downtown architectural district it is not in the downtown sign district, but the D-2 sign district.)

**STAFF COMMENTS:**

Existing signage on the property was installed either under a prior version of the sign code, or prior to the city having a sign code. The amount of pre-existing wall signage on the property exceeds that permitted by the current sign code, thereby creating a nonconforming situation. The applicant indicates that the removal of the logo signs represents about 2,000 square feet of signage. Unfortunately, even with the removal of those signs, the current proposal would result in approximately 360 square feet of wall signs, whereas the current sign code has a 300 square foot limit.

It is further noted that the former “Family Dollar” portion of the building will likely be occupied by a use that will also want wall signage. If the Rocky Mountain Discount Sports store utilizes all allowable signage, that sets up problems for the future tenant of

the currently vacant space. Staff recommends addressing the overall situation at this time.

The nonconforming situation clearly grants the owner the right to keep the signs on the building. However, he has an interest in upgrading the signage. Some of the more complete sign codes have ratios for allowing the replacement of nonconforming signs with new signs—unfortunately our does not. Staff recommends that the Board realize the unique nature of the situation and try to set some parameters that allow flexibility for replacement, while moving significantly closer to compliance. Due to the non-conforming status of the situation, staff does not feel a special exemption application is needed due to the rights inherently recognized by the courts for non-conforming situations. Staff would present the following:

- 1) Allow the main sign to be 160 square feet, as proposed (exceeds max. size by 10 sq. ft.), based on the recent “Family Dollar” sign that was about 164 sq. ft. in size.
- 2) Allow the other wall signs requested, resulting in a total of approximately 360 square feet of wall signs for the Rocky Mountain Discount Sports portion of the building.
- 3) Allow the property owner to reserve the right for 300 square feet of wall signage on the former “Family Dollar” portion of the building. The Board should specify how long the right would be reserved, as non-conforming rights that are abandoned cannot be reestablished. The usual term for abandonment by non-use is one year, although 18 months, or some other specified term could be an option. (Note: Staff hopes to have completed some amendments to the sign code within the next year, which would better address these large-lot, multi-tenant situations.)

The above proposal would reduce overall signage by several hundred square feet, while allowing the owner and future tenant(s) the opportunity to accomplish what they would like to do.

The Board utilized this same thought process for changing out non-conforming signs once before on a Walmart application.

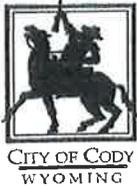
The purpose of the Downtown Architectural District is understood to be the promotion of architectural compatibility and preservation of historic features. The signs are of professional quality and should match well with the recent renovations.

**RECOMMENDATION:**

Approve the sign proposal as submitted, based on the permanent removal of all wall signs not noted in the application; and, allow up to 300 square feet total (150 square

feet per sign face) of wall signage on the portion of the building formerly occupied by “Family Dollar”. Authorization of the 300 square feet of wall signage is valid for 18 months, after which any new sign proposal will be subject to the size limitations of the sign code then in effect.

(Note: Wall signs on the former “Family Dollar” portion of the building will require future application and review—only the allowable size is specified at this time.)



COMMUNITY DEVELOPMENT DEPARTMENT  
SIGN PLAN REVIEW APPLICATION

STAFF USE  
File #: SGN2015-\_\_\_\_\_  
P&Z Invoice:\_\_\_\_\_  
Date Submitted:\_\_\_\_\_

Applicant's Name: Althea Stringari Business Name: Yellowstone Gift  
Applicant's Address: 1237 Sheridan Ave. City: Cody State: WY Zip: 82414  
Phone: 307-587-4611 Cell: 307-899-3204 Email: ygs@bresnan.net  
Project Address: 1237 Sheridan Avenue Cody, WY Zoning: \_\_\_\_\_  
Property Owner's Name: Althea Stringari Phone/Cell: 307-899-3204  
Property Owner's Mailing Address: 1237 Sheridan Ave City: Cody State: WY Zip: 82414  
Sign Installer (Commercial signs require a licensed installer): \_\_\_\_\_

- Types of Signs:  Attached Wall  Projecting  Awning  Banner (Temporary)  Inflatable (Temporary)  
 Freestanding  Monument  Electronic Message Board  Temporary A-Frame  
 Other (Marquee, Suspended, Bulletin, Billboard, Subdivision, etc.)—Please describe \_\_\_\_\_

Is the sign in the Downtown Sign District? (1/2 block each side of Sheridan Avenue, from 9<sup>th</sup> St. to 16<sup>th</sup> St.)  No  Yes

Will an existing sign be replaced by the proposed sign(s)?  No  Yes (If yes, note which sign in description below.)

Brief Description of Proposal: Erection of "SOUVENIR S", "SHIRTS", "KNIVES", "JEWELRY", and "GIFTS" signs in configuration shown in photos and drawing accompanying

Property Owner: Althea Stringari 08/19/15 OR  Letter of authorization from property owner  
Signature Date

FEE SCHEDULE:

Each application for a sign review shall be accompanied by a review fee as set forth by Title 10 Chapter 15 of the city code.

- Off-Premise Temporary A-Frame Signs No Fee  
 Sign Application Submitted with Commercial Site Development Application No Additional Fee\*  
 Attached wall, projecting, awning, inflatable, freestanding on existing supports \$25.00\*  
 Freestanding requiring new base structure, electronic message board \$50.00\*

\* A building permit fee, based on the valuation of the sign, is required in addition to the fee noted above. The building permit fee is calculated and collected when the permit is ready to be issued.

**MATERIAL REQUIRED FOR SUBMITTAL & REVIEW**

- Two\* copies of a drawing or graphic rendering of the proposed sign(s) that indicate the sign content, design, colors, dimensions, area per sign face, materials, lighting and anchoring/mounting details. (\* 12 copies if Planning and Zoning Board Review needed.)  
 Identify any existing signs that will be removed or replaced by the proposed signs.  
 If the proposed sign is under the general category of "freestanding" (not attached to a building), submit:  
• A site plan that identifies the location of the freestanding sign and its distance to all property lines and utility easements in proximity.  
• The dimensions and square footage of any freestanding sign that will remain on the premises.  
 If the proposed sign is attached to a building or something on a building, submit:  
• Drawings or photo renderings depicting the sign(s) on the building elevation(s).  
• If the sign is permanent (>120 days), note the dimensions and square footage of any existing signs that will remain on the building(s).  
 A Building Permit Application for installation of the sign(s).

If applicable, please provide any additional information pertaining to the specific sign type as necessary to demonstrate compliance with the city sign code (Chapter 10-15). Some of the requirements for specific sign types include:

- Banners must be displayed as a wall sign or attached to railings, and must be securely fastened so that it may not be blown down, in whole or in part. Any other location for display of a banner or advertising flag must be approved through the planning, zoning and adjustment board.
- Advertising flags must be securely fastened.
- Banners and advertising flags must be of professional quality construction and appearance pursuant to the definition in section 10-15-2.
- If the banner/advertising flag becomes damaged or detached, it must be removed or repaired within 48 hours.
- Banners are subject to the 120-day time limit for temporary/seasonal signs.

**Electronic Message Boards and Animated Signs:**

- Not more than one electronic message board sign may be permitted per zoning lot.
- The sign shall not display off-premise commercial advertising.
- They are not permitted in residential sign districts.
- The leading edge of the sign must be a minimum distance of 100 feet from an abutting residential zoning district.
- Electronic message boards must utilize an automatic dimmer control so as to not exceed a maximum luminance of 5,000 nits from sunrise to sunset, and a maximum luminance of 500 nits from sunset to sunrise.
- The use of audio speakers is prohibited in association with a sign.
- Electronic message boards and animated signs shall be permitted only in the following sign districts: D-2, D-3, and E industrial. In addition, electronic message boards and animated signs may be permitted in the downtown business district, but must have special approval by the planning and zoning board. Approval will be based on consideration of adjacent signage, the size of the proposed signage, and compliance with applicable sign requirements of WYDOT.

**Temporary A-frame Signs:**

- Each organization and/or business may receive one permit per year, which will be valid for up to 7 consecutive days.
- Dates requested: \_\_\_\_\_
- No more than 5 permits will be issued for the same 7-day period. Permits are issued on a first come first served basis.
- No signs shall be placed within the public right of way except as otherwise allowed by the City Code with Council ok.
- No applicant is allowed to place more than 6 temporary A-frame signs. Please provide a site plan of the locations.
- Provide a signature or letter of authorization from each property owner.

Address	Signature

Address	Signature

**Billboards:** Applications must also include:

- Legal lease between the property owner and the billboard company which addresses the removal of the billboard (both the sign itself and the support structure for the billboard) at the termination of the lease.
- Bond suitable in value to cover the removal of all portions of the sign and support structure at the end of the lease.

**Inflatable Signs:** Applications must also include:

- Design and construction details to demonstrate compliance with City wind load requirements.
- How the electricity will be supplied to the inflatable.
- Demonstrate that the anchoring mechanisms will not present a danger to the public.
- Site plan showing existing structures, power poles, trees, street and pedestrian paths and all other features which may be impacted.
- Sign Height: \_\_\_\_\_

Yellowstone Dept Shop  
1237 Sheridan Ave  
Cody  
front of Building above Marquee  
9.9 high & 50 ft Long

Stained Glass  
Yellowstone  
45 sq ft

SOUVENIRS  
7 ft long  
11 ft 10" high

Shirts  
6.6 ft long  
2 ft high

11 mirrors  
6 ft 3 inches  
1 ft 11 inches high

5 candles  
7 ft 9" long  
1 ft 11" high

5.5 long  
11 ft 11" high

Billboard sign

2 billboard signs  
5.5 long  
1 ft 11" high

Billboard sign

Yellowstone Gift Shop  
1237 Sheridan Ave  
Cody  
front of Building above Marquee  
9.9 high + 50 ft Long

Stained Glass  
Yellowstone  
45 sq ft

Souvenirs  
7 ft long  
4 ft 10 in high

5 shirts  
6.6 ft long  
2 ft high

Uniforms  
6 ft 3 inches  
1 ft 11 inches high

5 uniforms  
2 ft 9 in long  
1 ft 11 in high

5.5 long  
4 ft 11 in high

Gift Sign

2 Gift Signs  
5.5 Long  
1 ft 11 in high

Gift Sign

