

# City of Cody City Council

## AGENDA

Tuesday, February 21, 2017 – 7:00 p.m. (Pre-Meeting to begin at 6:30 p.m.)  
Meeting Place: City of Cody Council Chambers – 1338 Rumsey Avenue, Cody, WY

---

Meeting Called to Order  
Pledge of Allegiance  
Moment of Silence  
Roll Call  
Agenda Review and Approval  
Mayor's Recognitions and Announcements

Introduction & Oath of Office – Officer Jason Potter

1. Consent Calendar

All items under the consent calendar will be acted upon in one motion unless a Councilmember or member of the public requests that an individual item be taken up under Conduct of Business.

- a. Approval of Minutes - Regular Minutes from February 7, 2017.
- b. Approve Vouchers and Payroll in the amount of \$1,625,177.35.
- c. Authorize the Mayor to enter into and sign a revised lease agreement between the City of Cody and Wyoming Sport & Fitness LLC as it relates to gymnastics equipment.
- d. Consider a request from the Cody Events Committee to close Sheridan Avenue between 9<sup>th</sup> and 14<sup>th</sup> Streets on Saturday, March 11<sup>th</sup> for the annual St. Patrick's Day Parade, with the street closure beginning at 10:30 a.m. contingent upon approval from WYDOT for this event, the City sponsor other associated staffing and equipment cost in the amount of \$1,810.39 to be funded out of the Lodging Tax fund and authorize the closure of 12<sup>th</sup> Street between Beck and Sheridan Avenues from 10:30 a.m. to 4:30 p.m., as well as, authorize the closure of 12<sup>th</sup> Street between Sheridan to the alley on the north side of Sheridan with conditions outlined by staff.
- e. Authorize the Cody Pride Softball organization to hold a 5K/10K run on Saturday, April 1, 2017 utilizing a route within the City Limits, with the start and finish at the Cody Softball Complex – noting no street closures will be required.

2. Public Comments: The City Council welcomes input from the public. In order for everyone to be heard, please limit your comments to five (5) minutes per person. The Guidelines for the Conduct of City Council Meetings do not allow action to be taken on public comments.

3. Public Hearing

4. Conduct of Business

- a. Consider a request from Molly Gould to coordinate a Saturday Farmers Market in the Bob Moore Parking Lot from February 25<sup>th</sup> to May 13, 2017.  
Staff Reference: Rick Manchester
- b. Approve the development plan and preliminary plat of the Trailhead 3 PUD, Phase 7 subdivision  
Staff Reference: Todd Stowell, City Planner
- c. ORDINANCE 2017-01 – SECOND READING  
AN ORDINANCE REPEALING PORTIONS OF TITLE 10, ZONING REGULATIONS, OF THE CITY OF CODY MUNICIPAL CODE.  
Staff Reference: Todd Stowell, City Planner
- d. ORDINANCE 2017-02 – SECOND READING AS AMENDED  
AN ORDINANCE AMENDING AND ADOPTING REGULATIONS UNDER TITLE 10, ZONING REGULATION, OF THE CITY OF CODY MUNICIPAL CODE.  
Staff Reference: Todd Stowell, City Planner
- e. ORDINANCE 2017-03 - SECOND READING  
AN ORDINANCE AMENDING TITLE 9, CHAPTER 6, ARTICLE III, SECTION 27 OF THE CITY OF CODY MUNICIPAL CODE.  
Staff Reference: Todd Stowell, City Planner
- f. ORDINANCE 2017-04 - SECOND READING  
AN ORDINANCE AMENDING TITLE 9, CHAPTER 1, SECTION 2 OF THE CITY OF CODY CODE: BUILDING CONTRACTORS' EXAMINATION BOARD; ESTABLISHED; COMPOSITION; MEETINGS; APPOINTMENT AND TERMS OF OFFICE.  
Staff Reference: Steve Payne, Public Works Director
- g. ORDINANCE 2017-05 - SECOND READING  
AN ORDINANCE AMENDING TITLE 9, CHAPTER 3, SECTION 7 OF THE CITY OF CODY CODE: CONTRACTORS' LICENSE INACTIVE STATUS.  
Staff Reference: Steve Payne, Public Works Director

- 5. Tabled Items
- 6. Matters from Staff Members
- 7. Matters from Council Members

8. Adjournment

**Upcoming Meetings:**

**February 23, 2017 – Thursday – Work Session 4:15 p.m.**

**March 7, 2017 – Tuesday – Regular Council Meeting 7:00 p.m.**

**City of Cody**  
**Council Proceedings**  
**Tuesday, February 7, 2017**

A pre-meeting was held at 6:30 p.m. to discuss the agenda for the Regular Meeting. No action was taken.

A regular meeting of the Cody City Council was held in the Council Chambers at City Hall in Cody, Wyoming on Tuesday, February 7, 2017 at 7:00 p.m.

Present: Mayor Hall, Council Members Karen Ballinger, Landon Greer, Jerry Fritz, Glenn Nielson and Stan Wolz, City Administrator, Barry Cook, City Attorney Scott Kolpitzke and Administrative Services Officer, Cindy Baker

Absent: Council Member Donny Anderson

Council Mayor Hall called the meeting to order at 7:00 p.m.

Council Member Greer made a motion seconded by Council Member Fritz to approve the agenda as amended to move item “g” from the consent calendar to item “g” to conduct of business. Vote was unanimous.

Mayor Hall and the Council recognized the following board members for their services as noted:

Cody Tree Board – Bobbie Holder, Bruce Lyman and Randy Spiering  
Contractors’ Board – Paul Sandbak and Gerald Stroh  
Planning, Zoning & Adjustment Board – Justin Ness and Brad Payne  
Veterans Memorial Park – Russ Francis  
Urban Systems Board – Kathy Crofts and Kathy McDonald

Council Member Greer made a motion seconded by Council Member Fritz to approve the consent calendar which includes approval of Minutes – Special Meeting Minutes from January 19, 2017, January 27, 2017 and Regular Minutes from January 17, 2017; approve Vouchers and Payroll in the amount of \$641,420.38; approve a request from Jeremy Johnston, on behalf of the Buffalo Bill Center of the West, to close Coe Circle in front of the Statute for approximately 30 minutes on Friday, February 24, 2017 for the Annual FFA wreath laying ceremony and allow traffic to be directed north through West Park Hospital’s small parking lot; authorize the Mayor to enter into and sign a lease agreement between the City of Cody and Yellowstone Recreations, LLC as it relates to the lease of the City of Cody bus; authorize the Mayor to enter into and sign a lease agreement between the City of Cody and Wyoming Sport & Fitness LLC as it relates to gymnastics equipment; approve and authorize the Mayor to sign a grant application to the Office of Justice Programs and the Bureau of Justice Assistance for Police Officer Body Cameras in an amount up to \$50,000, contingent upon review and approval by the City Attorney; Vote was unanimous.

At 7: 09 p.m. Mayor Hall entered into Public Hearing to see if it is in the best interest of the public to consider zoning regulation changes. After calling for comments three times and there being none Mayor Hall closed the public hearing at 7:16 p.m.

Council Member Ballinger made a motion seconded by Council Member Wolz to appoint Ray Lozier (Licensed Electrician), Andy Cowan (Member at Large) and Ron Couture (Licensed Plumber) to the Contractors’ Board for a three-year term ending December 31, 2019. Vote was unanimous.

ORDINANCE 2017-01 – FIRST READING  
AN ORDINANCE REPEALING PORTIONS OF TITLE 10, ZONING REGULATIONS, OF THE CITY OF CODY MUNICIPAL CODE. Council Member Fritz made a motion seconded by Council Member Ballinger to approve Ordinance 2017-01 on First Reading. Vote was unanimous.

ORDINANCE 2017-02 – FIRST READING  
AN ORDINANCE AMENDING AND ADOPTING REGULATIONS UNDER TITLE 10, ZONING REGULATION, OF THE CITY OF CODY MUNICIPAL CODE. Council Member Wolz made a motion seconded by Council Member Fritz to approve Ordinance 2017-02 on First Reading. Vote was unanimous.

ORDINANCE 2017-03- FIRST READING

AN ORDINANCE AMENDING TITLE 9, CHAPTER 6, ARTICLE III, SECTION 27 OF THE CITY OF CODY MUNICIPAL CODE. Council Member Nielson made a motion seconded by Council Member Ballinger to approve Ordinance 2017-03 on First Reading. Vote was unanimous.

ORDINANCE 2017-04- FIRST READING

AN ORDINANCE AMENDING TITLE 9, CHAPTER 1, SECTION 2 OF THE CITY OF CODY CODE: BUILDING CONTRACTORS' EXAMINATION BOARD; ESTABLISHED; COMPOSITION; MEETINGS; APPOINTMENT AND TERMS OF OFFICE. Council Member Greer made a motion seconded by Council Member Ballinger to approve Ordinance 2017-04 on First Reading. Vote was unanimous.

ORDINANCE 2017-05 – FIRST READING

AN ORDINANCE AMENDING TITLE 9, CHAPTER 3, SECTION 7 OF THE CITY OF CODY CODE: CONTRACTORS' LICENSE INACTIVE STATUS. Council Member Greer made a motion seconded by Council Member Nielson to approve Ordinance 2017-05 on First Reading. Vote was unanimous.

Council Member Ballinger made a motion seconded by Council Member Wolz to approve and authorize the Mayor to enter into and sign a professional services contract between the City of Cody and Sage Engineering for an amount not-to-exceed \$20,000 as it relates to the Trailhead Open Space contingent upon review and approval by the City Attorney.

There being no further action Mayor Hall adjourned the meeting at 7:41 p.m.

---

Matt Hall  
Mayor

---

Cindy Baker  
Administrative Services Officer

Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid
<b>ALBINA FUEL</b>				
<b>126559</b>				
0254158-IN	ASPHALT RELEASE AGENT	01/27/2017	830.00	.00
Total :			830.00	.00
Total 126559:			830.00	.00
<b>AMERICAN FAMILY LIFE ASSUR</b>				
<b>550</b>				
753835	AFLAC PREMIUM	02/03/2017	2,078.76	2,078.76
Total :			2,078.76	2,078.76
Total 550:			2,078.76	2,078.76
<b>AMERICAN WELDING &amp; GAS, INC.</b>				
<b>128592</b>				
04578775	WELDING RENTAL	01/31/2017	25.38	.00
04578776	SUPPLIES	01/31/2017	58.24	.00
04578777	CYLINDER RENTAL	01/31/2017	25.38	.00
Total :			109.00	.00
Total 128592:			109.00	.00
<b>ANIXTER INC</b>				
<b>130622</b>				
3410335-02	WASTEWATER TREATMEANT FACILITY PROJECT	01/25/2017	473.35	.00
3410335-02	WASTEWATER TREATMEANT FACILITY PROJECT	01/25/2017	559.41	.00
3410335-02	WASTEWATER TREATMEANT FACILITY PROJECT	01/25/2017	1,118.83	.00
3462027-00	SYSTEM MAINTENANCE	01/27/2017	655.38	.00
Total :			2,806.97	.00
Total 130622:			2,806.97	.00
<b>BAILEY ENTERPRISES INCORPORATED</b>				
<b>130546</b>				
013117	Unleaded	02/08/2017	494.10	.00
013117	Unleaded	02/08/2017	81.16	.00
013117	Unleaded	02/08/2017	1,015.01	.00
013117	Diesel	02/08/2017	194.19	.00
013117	Unleaded	02/08/2017	194.26	.00
013117	Unleaded	02/08/2017	63.61	.00
013117	Unleaded	02/08/2017	28.31	.00
013117	Diesel	02/08/2017	2,230.14	.00
013117	Unleaded	02/08/2017	126.09	.00
013117	Diesel	02/08/2017	2,108.52	.00
013117	Unleaded	02/08/2017	47.84	.00
013117	Diesel	02/08/2017	133.50	.00
013117	Unleaded	02/08/2017	242.46	.00
013117	Diesel	02/08/2017	104.08	.00
013117	Unleaded	02/08/2017	213.82	.00
013117	Diesel	02/08/2017	423.92	.00
013117	Unleaded	02/08/2017	226.68	.00

Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid
Total :			7,927.69	.00
Total 130546:			7,927.69	.00
<b>BLACK HILLS ENERGY</b>				
<b>130509</b>				
20617	UTILITIES	02/06/2017	560.62	.00
20617	UTILITIES	02/06/2017	1,156.69	.00
20617	UTILITIES	02/06/2017	1,600.79	.00
20617	UTILITIES	02/06/2017	2,112.32	.00
20617	UTILITIES	02/06/2017	6,336.95	.00
20617	UTILITIES	02/06/2017	1,130.24	.00
20617	UTILITIES	02/06/2017	291.12	.00
20617	UTILITIES	02/06/2017	1,187.28	.00
20617	UTILITIES	02/06/2017	171.25	.00
20617	UTILITIES	02/06/2017	297.29	.00
20617	UTILITIES	02/06/2017	511.65	.00
Total :			15,356.20	.00
Total 130509:			15,356.20	.00
<b>BRUCO, INC</b>				
<b>1550</b>				
356610	VAC BAGS	12/20/2016	57.57	.00
Total :			57.57	.00
Total 1550:			57.57	.00
<b>CARQUEST AUTO PARTS</b>				
<b>10200</b>				
2874-IC-31901	credit repair parts - VM	01/06/2017	22.00-	.00
2874-IC-31914	credit repair parts - VM	01/09/2017	22.00-	.00
2874-IC-31921	credit repair parts - VM	01/10/2017	27.67-	.00
2874-IC-32050	credit repair parts - VM	01/30/2017	172.36-	.00
2874-ID-31871	repair parts - VM	01/03/2017	123.83	.00
2874-ID-31871	shop supplies - VM	01/03/2017	115.80	.00
2874-ID-31872	repair parts - VM	01/03/2017	18.96	.00
2874-ID-31872	repair parts - VM	01/03/2017	17.30	.00
2874-ID-31879	repair parts - VM	01/03/2017	22.75	.00
2874-ID-31899	repair parts - VM	01/06/2017	46.27	.00
2874-ID-31900	repair parts - VM	01/06/2017	117.13	.00
2874-ID-31912	repair parts - VM	01/09/2017	3.04	.00
2874-ID-31912	repair parts - VM	01/09/2017	146.62	.00
2874-ID-31913	repair parts - VM	01/09/2017	20.14	.00
2874-ID-31915	repair parts - VM	01/09/2017	113.11	.00
2874-ID-31920	repair parts - VM	01/10/2017	3.04	.00
2874-ID-31923	repair parts - VM	01/10/2017	3.04	.00
2874-ID-31924	repair parts - VM	01/10/2017	5.67	.00
2874-ID-31928	repair parts - VM	01/11/2017	973.00	.00
2874-ID-31931	repair parts - VM	01/11/2017	47.08	.00
2874-ID-31931	repair parts - VM	01/11/2017	25.83	.00
2874-ID-31933	repair parts - VM	01/11/2017	15.63	.00
2874-ID-31935	repair parts - VM	01/11/2017	22.01	.00
2874-ID-31948	repair parts - VM	01/13/2017	28.94	.00
2874-ID-31959	repair parts - VM	01/16/2017	24.50	.00

Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid
2874-ID-31967	repair parts - VM	01/17/2017	24.50	.00
2874-ID-31967	repair parts - VM	01/17/2017	3.04	.00
2874-ID-31972	repair parts - VM	01/17/2017	48.23	.00
2874-ID-31973	repair parts - VM	01/17/2017	17.10	.00
2874-ID-31978	repair parts - VM	01/18/2017	13.12	.00
2874-ID-31987	repair parts - VM	01/19/2017	24.50	.00
2874-ID-31989	repair parts - VM	01/19/2017	78.38	.00
2874-ID-31991	repair parts - VM	01/19/2017	7.69	.00
2874-ID-32006	repair parts - VM	01/23/2017	3.50	.00
2874-ID-32009	repair parts - VM	01/23/2017	33.94	.00
2874-ID-32027	shop supplies - VM	01/26/2017	21.15	.00
2874-ID-32034	repair parts - VM	01/27/2017	5.32	.00
2874-ID-32046	repair parts - VM	01/30/2017	3.43	.00
2874-ID-32050	repair parts - VM	01/30/2017	22.40	.00
Total :			1,955.96	.00
Total 10200:			1,955.96	.00
<b>CITY OF CODY</b>				
<b>2260</b>				
020617	RESTITUTION FROM TIMOTHY ROBERTS MC-1605	02/06/2017	200.00	.00
20617	RESTITUTION FROM RAY CARPENTER MC-1611-00	02/06/2017	200.00	.00
Total :			400.00	.00
Total 2260:			400.00	.00
<b>CLARK, RONALD W</b>				
<b>131046</b>				
22117	TIPSY TAXI VOUCHERS	02/21/2017	203.00	.00
Total :			203.00	.00
Total 131046:			203.00	.00
<b>CODY INVESTMENTS PROPERTIES</b>				
<b>131019</b>				
14.7520.25	REFUND CREDIT BALANCE	01/01/2017	3.00	.00
Total :			3.00	.00
Total 131019:			3.00	.00
<b>CODY'S TOWN TAXI</b>				
<b>129972</b>				
020617	RESTITUTION FROM HOLLY HOUSER MC-1611-032	02/06/2017	8.00	.00
Total :			8.00	.00
Total 129972:			8.00	.00
<b>COPENHAVER KATH KITCHEN KOLPITCKE LLC</b>				
<b>3140</b>				
020117	LEGAL SERVICES	02/01/2017	6,907.92	.00
Total :			6,907.92	.00

Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid
Total 3140:			6,907.92	.00
<b>DIVISION OF VICTIM'S SERVICES</b>				
<b>124470</b>				
020617	CRIME VICTIMS COMP - JAN 2017	02/06/2017	140.00	.00
Total :			140.00	.00
Total 124470:			140.00	.00
<b>ECOLAB INC</b>				
<b>128686</b>				
9035375	PEST CONTROL - AUDITORIUM	01/17/2017	78.73	.00
9035376	PEST CONTROL - CITY HALL	01/17/2017	56.24	.00
Total :			134.97	.00
Total 128686:			134.97	.00
<b>ENGINEERING ASSOCIATES</b>				
<b>4140</b>				
3701013	WASTE WATER TREATMENT FACILITY PROJECT	01/19/2017	2,548.15	.00
3701013	WASTE WATER TREATMENT FACILITY PROJECT	01/19/2017	3,011.45	.00
3701013	WASTE WATER TREATMENT FACILITY PROJECT	01/19/2017	6,022.90	.00
3701014	WASTE WATER TREATMENT FACILITY PROJECT	01/19/2017	8,151.50	.00
Total :			19,734.00	.00
Total 4140:			19,734.00	.00
<b>EPPERSON, ED</b>				
<b>130258</b>				
14.3550.15	REUFND UTILITY DEPOSIT	02/07/2017	50.11	.00
Total :			50.11	.00
Total 130258:			50.11	.00
<b>FORWARD CODY WYOMING, INC</b>				
<b>127450</b>				
012617	MEMBERSHIP EXPENSE	01/26/2017	40.00	.00
Total :			40.00	.00
Total 127450:			40.00	.00
<b>GOODE, LAUREN</b>				
<b>131127</b>				
10.0730.31	DEPOSIT REFUND	02/01/2017	88.56	.00
Total :			88.56	.00
Total 131127:			88.56	.00
<b>HARRIS TRUCKING AND CONSTRUCTION</b>				
<b>129345</b>				
004928	HAUL RECYCLING TRAILER TO BILLINGS	01/24/2017	475.00	.00

Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid
Total :			475.00	.00
Total 129345:			475.00	.00
<b>INDUSTRIAL SYSTEMS INC</b>				
<b>5200</b>				
37991	CHARTS	01/30/2017	112.98	.00
Total :			112.98	.00
Total 5200:			112.98	.00
<b>JENSEN, SEAN W</b>				
<b>129455</b>				
7234	REPAIR TO REC CENTER SHOWERS	01/26/2017	130.00	.00
Total :			130.00	.00
Total 129455:			130.00	.00
<b>KEEGAN, KRISJANSONS &amp; MILES, PC</b>				
<b>130778</b>				
1056	COURT APPT. ATTORNEY FEES - MICHAEL YOFR	01/30/2017	225.00	.00
Total :			225.00	.00
Total 130778:			225.00	.00
<b>KITCHEN, SCOTT</b>				
<b>129803</b>				
13117	REIMBURSE FOR MILEAGE	02/02/2017	26.59	.00
Total :			26.59	.00
Total 129803:			26.59	.00
<b>LONG BUILDING TECHNOLOGIES INC</b>				
<b>125191</b>				
SRVCE008167	HEATER MAINTENANCE	01/31/2017	299.25	.00
Total :			299.25	.00
Total 125191:			299.25	.00
<b>MANCHESTER, RICK</b>				
<b>128126</b>				
12517	MILEAGE REIMBURSEMENT OUTDOOR REC TASK	01/25/2017	419.44	.00
Total :			419.44	.00
Total 128126:			419.44	.00
<b>MORRISON-MAIERLE INC</b>				
<b>130985</b>				
174166	SUNSET BLVD WATERLINE	01/27/2017	5,317.74	.00

Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid
Total :			5,317.74	.00
Total 130985:			5,317.74	.00
<b>MSPS</b>				
<b>127866</b>				
INV3666	Irton 100W ERT, W/PLUG	01/31/2017	1,944.00	.00
INV3666	Kamstrup 5/8" x 3/4" meter	01/31/2017	2,300.00	.00
INV3666	SHIPPING	01/31/2017	50.09	.00
Total :			4,294.09	.00
Total 127866:			4,294.09	.00
<b>NCPERS WYOMING</b>				
<b>125412</b>				
013117	PREMIUM	02/03/2017	384.00	384.00
Total :			384.00	384.00
Total 125412:			384.00	384.00
<b>NORCO, INC.</b>				
<b>128948</b>				
20375253	SUPPLIES	01/31/2017	12.15	.00
Total :			12.15	.00
Total 128948:			12.15	.00
<b>NYFFLER, RHONDA</b>				
<b>130698</b>				
20617	RESTITUTION FROM JENNIFER WEINGARTNER M	02/06/2017	100.00	.00
Total :			100.00	.00
Total 130698:			100.00	.00
<b>ONE-CALL OF WYOMING</b>				
<b>127665</b>				
43946	ONE CALL FEES - JAN 2017	02/06/2017	13.83	.00
43946	ONE CALL FEES - JAN 2017	02/06/2017	13.83	.00
43946	ONE CALL FEES - JAN 2017	02/06/2017	13.84	.00
Total :			41.50	.00
Total 127665:			41.50	.00
<b>PADDOCK, JOHN</b>				
<b>131130</b>				
6.0660.32	DEPOSIT REFUND	02/08/2017	122.83	.00
Total :			122.83	.00
Total 131130:			122.83	.00

Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid
<b>PARK COUNTY</b>				
<b>7670</b>				
164	LEC CONTRACT - DISPATCH	02/01/2017	25,985.95	.00
164	LEC CONTRACT - CONSOLE	02/01/2017	3,184.96	.00
164	LEC CONTRACT - UTILITIES	02/01/2017	1,355.48	.00
Total :			30,526.39	.00
Total 7670:			30,526.39	.00
<b>PARK COUNTY ANIMAL SHELTER</b>				
<b>5120</b>				
20117	ANIMAL SERVICE CONTRACT	02/01/2017	3,750.00	.00
Total :			3,750.00	.00
Total 5120:			3,750.00	.00
<b>PARK COUNTY LANDFILL</b>				
<b>129053</b>				
013117	LANDFILL CHARGES	01/31/2017	51,865.38	.00
Total :			51,865.38	.00
Total 129053:			51,865.38	.00
<b>PARK COUNTY SHERIFF</b>				
<b>7740</b>				
013117	INCARCERATION - JAN 2017	01/31/2017	150.00	.00
Total :			150.00	.00
Total 7740:			150.00	.00
<b>PAVEMENT MAINTENANCE INC</b>				
<b>7825</b>				
17-10	SNOW REMOVAL	01/03/2017	1,540.00	.00
Total :			1,540.00	.00
Total 7825:			1,540.00	.00
<b>PELIS, RYAN</b>				
<b>130580</b>				
20617	RESTITUTION FROM MC-1504-021 RHIANNON THO	02/06/2017	100.00	.00
Total :			100.00	.00
Total 130580:			100.00	.00
<b>PIAZZA, NICK</b>				
<b>131131</b>				
489951	REC CENTER REFUND	02/08/2017	65.00	.00
Total :			65.00	.00
Total 131131:			65.00	.00

	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid
<b>POSTELL, CONSUELA</b>					
<b>130772</b>					
	20617	RESTITUTION FROM KYM D ERWIN MC-1601-003	02/06/2017	100.00	.00
Total :				100.00	.00
Total 130772:				100.00	.00
<b>POTTER, JASON</b>					
<b>129691</b>					
	MTN WEST	REIMBURSEMENT FOR UNIFORM EMBROIDERY	02/01/2017	49.50	.00
Total :				49.50	.00
Total 129691:				49.50	.00
<b>PROFORCE LAW ENFORCEMENT</b>					
<b>127755</b>					
	300203	TASERS/HOLSTERS/PPM'S	01/25/2017	3,856.20	.00
	300203	TASERS/HOLSTERS/PPM'S	01/25/2017	171.12	.00
	300203	TASERS/HOLSTERS/PPM'S	01/25/2017	256.47	.00
Total :				4,283.79	.00
Total 127755:				4,283.79	.00
<b>PROVIDENT LIFE &amp; ACCIDENT INS</b>					
<b>128033</b>					
	013117	UNUM OPTIONAL POLICIES PREMIUM	02/03/2017	167.06	167.06
Total :				167.06	167.06
Total 128033:				167.06	167.06
<b>RENEY, MIKE</b>					
<b>131128</b>					
	A00575	REIMBURSEMENT FOR ICE MELT PURCHASED	12/23/2016	34.99	.00
Total :				34.99	.00
Total 131128:				34.99	.00
<b>SAFETY SOLUTIONS, INC.</b>					
<b>130842</b>					
	709	SAFETY SUPPLIES	02/01/2017	310.00	.00
Total :				310.00	.00
Total 130842:				310.00	.00
<b>SHOSHONE MUNICIPAL PIPELINE</b>					
<b>9130</b>					
	20117	SMP WATER PURCHASES - JAN 2017	02/01/2017	106,685.00	.00
Total :				106,685.00	.00
Total 9130:				106,685.00	.00

Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid
<b>SOUTHFORK ELECTRIC</b>				
<b>126460</b>				
5697	REPAIR ON HEATER	02/01/2017	653.96	.00
5698	REPAIR SUPPLY FAN ON ROOF OF PUMP STATION	02/02/2017	355.50	.00
Total :			1,009.46	.00
Total 126460:			1,009.46	.00
<b>SYSTEMS GRAPHICS INC</b>				
<b>129162</b>				
13551	CYCLE 2 OUTSOURCE BILLS	01/23/2017	1.80	.00
13551	CYCLE 2 OUTSOURCE BILLS	01/23/2017	21.55	.00
13551	CYCLE 2 OUTSOURCE BILLS	01/23/2017	30.53	.00
13551	CYCLE 2 OUTSOURCE BILLS	01/23/2017	12.57	.00
13551	CYCLE 2 OUTSOURCE BILLS	01/23/2017	113.12	.00
13559	CYCLE 3 OUTSOURCE BILLS	01/30/2017	4.02	.00
13559	CYCLE 3 OUTSOURCE BILLS	01/30/2017	48.26	.00
13559	CYCLE 3 OUTSOURCE BILLS	01/30/2017	68.37	.00
13559	CYCLE 3 OUTSOURCE BILLS	01/30/2017	28.15	.00
13559	CYCLE 3 OUTSOURCE BILLS	01/30/2017	253.36	.00
13572	CYCLE 4 OUTSOURCE BILLS	02/06/2017	2.32	.00
13572	CYCLE 4 OUTSOURCE BILLS	02/06/2017	27.85	.00
13572	CYCLE 4 OUTSOURCE BILLS	02/06/2017	39.45	.00
13572	CYCLE 4 OUTSOURCE BILLS	02/06/2017	16.24	.00
13572	CYCLE 4 OUTSOURCE BILLS	02/06/2017	146.19	.00
Total :			813.78	.00
Total 129162:			813.78	.00
<b>TWO TOUGH GUYS SERVICES, LLC</b>				
<b>126515</b>				
22676	SNOW REMOVAL	01/31/2017	11,220.00	.00
Total :			11,220.00	.00
Total 126515:			11,220.00	.00
<b>U S BANK PURCHASE CARD</b>				
<b>129981</b>				
021417	employee recognition	02/06/2017	22.39	.00
021417	employee recognition, YOS, supplies	02/06/2017	42.22	.00
021417	supplies - break room -	02/06/2017	280.33	.00
021417	Office supplies	02/06/2017	22.14	.00
021417	Toner cartridges, deposit bags, file folders	02/06/2017	455.53	.00
021417	1099 Forms	02/06/2017	44.30	.00
021417	1099 envelopes	02/06/2017	17.50	.00
021417	supplies - postage machine ink	02/06/2017	87.54	.00
021417	supplies - case of caclulator tape	02/06/2017	101.70	.00
021417	safety equipment -	02/06/2017	12.99	.00
021417	safety equipment	02/06/2017	64.00	.00
021417	safety equipment	02/06/2017	13.51	.00
021417	utilities - tct	02/06/2017	835.90	.00
021417	long distance phone charges - WCS BCN	02/06/2017	146.56	.00
021417	phone - TCT	02/06/2017	835.61	.00
021417	cell phones - verizon	02/06/2017	65.27	.00
021417	advertising	02/06/2017	2,224.09	.00

Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid
021417	Advertising	02/06/2017	314.94	.00
021417	Risk assessments	02/06/2017	208.12	.00
021417	Server KVM switch interface adapters	02/06/2017	404.99	.00
021417	computer equipment	02/06/2017	63.69	.00
Total Administrative Services:			6,263.32	.00
021417	chemicals	02/06/2017	391.00	.00
021417	pool chemicals	02/06/2017	298.78	.00
021417	pool chemicals	02/06/2017	1,081.56	.00
021417	pool chemicals	02/06/2017	86.86	.00
021417	co2	02/06/2017	174.00	.00
021417	co2	02/06/2017	150.00	.00
021417	co2	02/06/2017	174.00	.00
021417	pool chemicals	02/06/2017	5.00	.00
021417	pool chemicals	02/06/2017	5.02-	.00
021417	pool chemicals	02/06/2017	142.13	.00
021417	chemicals	02/06/2017	582.00	.00
021417	chemicals	02/06/2017	105.00	.00
021417	co2	02/06/2017	174.00	.00
021417	co2	02/06/2017	174.00	.00
021417	pool reagents	02/06/2017	670.98	.00
021417	misc. supplies including chemicals, duct tape, plumber	02/06/2017	185.42	.00
021417	safety supplies	02/06/2017	66.05	.00
021417	chemical sensor calibration	02/06/2017	40.00	.00
021417	chemical sensor calibration	02/06/2017	20.00	.00
021417	cardstock for programs	02/06/2017	10.86	.00
021417	turtle tales	02/06/2017	9.67	.00
021417	b-day partys	02/06/2017	10.65	.00
021417	eggs for xtravaganza	02/06/2017	1,283.90	.00
021417	b-day cakes	02/06/2017	49.98	.00
021417	b-day partys	02/06/2017	37.85	.00
021417	b-day partys	02/06/2017	41.29	.00
021417	programs	02/06/2017	100.54	.00
021417	programs	02/06/2017	27.98	.00
021417	program fees	02/06/2017	36.18	.00
021417	b-day party supplies	02/06/2017	285.61	.00
021417	candy for lessons	02/06/2017	9.99	.00
021417	programs	02/06/2017	15.43	.00
021417	repairs to equipment	02/06/2017	45.99	.00
021417	fix pool vacuum	02/06/2017	192.90	.00
021417	timers for the spa	02/06/2017	54.85	.00
021417	sensors for pool controllers	02/06/2017	469.92	.00
021417	dielectric compound for starting blocks	02/06/2017	38.43	.00
021417	training	02/06/2017	81.00	.00
021417	training	02/06/2017	70.00	.00
021417	training	02/06/2017	27.00	.00
021417	other training materials	02/06/2017	524.25	.00
021417	new lifeguarding materials	02/06/2017	798.64	.00
021417	VSI hosting service May - June 2016	02/06/2017	293.25	.00
Total Aquatics:			9,031.92	.00
021417	cell phones - verizon	02/06/2017	49.43	.00
021417	Dues - Rotary	02/06/2017	120.00	.00
Total City Administrator:			169.43	.00

Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid
021417	Office Supplies	02/06/2017	12.32	.00
021417	cell phones - verizon	02/06/2017	255.22	.00
021417	Anti-Glare Screen Protectors	02/06/2017	31.88	.00
Total Community Development:			299.42	.00
021417	Random Testing	02/06/2017	36.00	.00
021417	FR Jeans	02/06/2017	1,501.27	.00
021417	FR Clothing	02/06/2017	1,406.83	.00
021417	Welding Equipment	02/06/2017	45.24	.00
021417	insulated digging bars	02/06/2017	197.00	.00
021417	Office supplies	02/06/2017	15.33	.00
021417	Shop Supplies	02/06/2017	87.84	.00
021417	Shop supplies	02/06/2017	39.51	.00
021417	First Aid Supplies - shop and vehicles	02/06/2017	166.83	.00
021417	Shipping Costs for Rubber Glove Testing	02/06/2017	260.31	.00
021417	MIG Welder to replace old unit	02/06/2017	2,569.27	.00
021417	Equipment Supplies	02/06/2017	50.71	.00
021417	Equipment Repair Material	02/06/2017	15.41	.00
021417	Streetlight Conduit - 8th & Allen	02/06/2017	22.79	.00
021417	utilities - tct	02/06/2017	86.19	.00
021417	phone - TCT	02/06/2017	86.18	.00
021417	cell phones - verizon	02/06/2017	299.92	.00
021417	Utilities - Century Link	02/06/2017	38.25	.00
021417	computer equipment	02/06/2017	12.98	.00
Total Electric:			6,937.86	.00
021417	meeting expenses	02/06/2017	45.40	.00
021417	Lodging Winter WAM	02/06/2017	187.00	.00
021417	Lodging Winter WAM	02/06/2017	187.00	.00
021417	meeting expense	02/06/2017	100.00	.00
021417	Expenses - credit will appear	02/06/2017	500.00	.00
021417	credit	02/06/2017	500.00-	.00
021417	meeting expenses	02/06/2017	45.53	.00
021417	meeting expenses	02/06/2017	180.00	.00
021417	meeting expense	02/06/2017	18.59	.00
021417	plaques - Board Recognition	02/06/2017	101.00	.00
021417	legal fees	02/06/2017	552.00	.00
Total Mayor-Council:			1,416.52	.00
021417	Uniforms	02/06/2017	32.00	.00
021417	Lights for Canal Park	02/06/2017	8.99	.00
021417	Chainsaw supplies	02/06/2017	39.47	.00
021417	Supplies	02/06/2017	4.79	.00
021417	Supplies	02/06/2017	62.28	.00
021417	Supplies	02/06/2017	9.27	.00
021417	Supplies	02/06/2017	7.98	.00
021417	Flag supplies	02/06/2017	938.71	.00
021417	Supplies	02/06/2017	17.48	.00
021417	Flag supplies	02/06/2017	209.70	.00
021417	Supplies	02/06/2017	26.98	.00
021417	Supplies	02/06/2017	24.07	.00
021417	Supplies	02/06/2017	15.98	.00
021417	Supplies	02/06/2017	6.99	.00
021417	Materials	02/06/2017	8.48	.00
021417	coffee for rec center and aquatics	02/06/2017	67.35	.00

Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid
021417	Office supplies	02/06/2017	4.97	.00
021417	Supplies	02/06/2017	2.99	.00
021417	Ice cleats	02/06/2017	120.00	.00
021417	Greenhouse cooling pads	02/06/2017	917.50	.00
021417	Cutting edge skid steer	02/06/2017	174.42	.00
021417	Plow shoes & hydro fluid	02/06/2017	90.16	.00
021417	Plow truck supplies	02/06/2017	25.98	.00
021417	Mower tire	02/06/2017	120.00	.00
021417	JD mower wiper	02/06/2017	14.59	.00
021417	City Park RR	02/06/2017	1.20	.00
021417	Stock	02/06/2017	13.98	.00
021417	utilities - tct	02/06/2017	510.75	.00
021417	phone - TCT	02/06/2017	85.85	.00
021417	cell phones - verizon	02/06/2017	101.88	.00
021417	VSI hosting service May - June 2016	02/06/2017	138.00	.00
Total Parks Maintenance:			3,802.79	.00
021417	C07 Bullet Proof Billings MT	02/06/2017	229.00	.00
021417	Random Testing	02/06/2017	81.00	.00
021417	Portable radio holder C21	02/06/2017	68.62	.00
021417	Uniform for C09	02/06/2017	286.93	.00
021417	Flashlight & holder and nameplates C09	02/06/2017	109.98	.00
021417	Shirt & pants for C09	02/06/2017	114.98	.00
021417	Duty Holster & Magazine Pouch C22	02/06/2017	133.70	.00
021417	Sewing Charges C16	02/06/2017	137.00	.00
021417	Handcuff case X 2 for C07	02/06/2017	103.25	.00
021417	Magazine Pouch C07	02/06/2017	31.73	.00
021417	Duty Holster C07	02/06/2017	99.99	.00
021417	Travel to autopsy case 17-118 C14	02/06/2017	33.37	.00
021417	Keys for bomb truck and trailer	02/06/2017	14.58	.00
021417	Sweet Feed - Deer Management	02/06/2017	10.79	.00
021417	Cracked Corn and Sweet Feed	02/06/2017	39.36	.00
021417	Large garbage bags and tarp - Deer management	02/06/2017	16.50	.00
021417	Cracked Corn - Deer Management	02/06/2017	8.89	.00
021417	Silencer, optic, mount & parts for deer management	02/06/2017	1,166.00	.00
021417	Assessment Center Training Lunch C01	02/06/2017	54.12	.00
021417	Heel Trax C01	02/06/2017	32.10	.00
021417	Document Frame	02/06/2017	8.39	.00
021417	100 Cups/Sleeves for Coffee w/a Cop	02/06/2017	162.40	.00
021417	Office/Squad room supplies	02/06/2017	134.63	.00
021417	Banker boxes, flash drives, CD labels and Tape Dispen	02/06/2017	167.15	.00
021417	Toner	02/06/2017	67.60	.00
021417	Lunch for Assessment Center	02/06/2017	34.00	.00
021417	Chips, plates for assessment center	02/06/2017	11.49	.00
021417	Cellphone Charger Chargers and C09 Notebooks C01	02/06/2017	35.63	.00
021417	Dividers, batteries, file boxes scissors	02/06/2017	104.74	.00
021417	Part for Car Case 17-48	02/06/2017	36.34	.00
021417	Dodge Journey windshield	02/06/2017	295.00	.00
021417	A09 ABS module	02/06/2017	593.01	.00
021417	Car Wash C23	02/06/2017	9.00	.00
021417	Car Wash C11	02/06/2017	10.00	.00
021417	C11 Car Wash	02/06/2017	10.00	.00
021417	C11 Car wash	02/06/2017	2.36	.00
021417	Car wash C24	02/06/2017	6.68	.00
021417	Car wash C03	02/06/2017	9.00	.00
021417	Car Wash C07	02/06/2017	11.00	.00
021417	Shop Trijicon Sight for Warranty repair	02/06/2017	24.56	.00

Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid
021417	Evidence Shipping	02/06/2017	9.71	.00
021417	Evidence Shipping	02/06/2017	19.42	.00
021417	Evidence Shipping	02/06/2017	9.71	.00
021417	Evidence Shipping	02/06/2017	9.71	.00
021417	Evidence Shipping	02/06/2017	9.71	.00
021417	Evidence Shipping	02/06/2017	9.71	.00
021417	Car Wash C07	02/06/2017	9.00	.00
021417	utilities - tct	02/06/2017	56.45	.00
021417	phone - TCT	02/06/2017	56.45	.00
021417	cell phones - verizon	02/06/2017	1,451.20	.00
021417	Utilities - Century Link	02/06/2017	38.25	.00
021417	Drug test kits	02/06/2017	234.02	.00
021417	Drug kits	02/06/2017	79.80	.00
021417	FBI National Academy Associates	02/06/2017	80.00	.00
021417	Towing Case 17-48	02/06/2017	110.00	.00
021417	2 phones - squad room and a spare	02/06/2017	297.96	.00
021417	printer - PD	02/06/2017	665.00	.00
021417	Chamber of Commerce - \$10.00 Cody Bucks	02/06/2017	110.00	.00
021417	15 Tactical Vests W/Plates	02/06/2017	7,499.85	.00
021417	15 sets police patches (front/back)	02/06/2017	213.99	.00
Total Police Department:			15,474.81	.00
021417	tools for repairs	02/06/2017	9.77	.00
021417	ink cartridge for printer at Aud.	02/06/2017	102.46	.00
021417	supplies for auditorium	02/06/2017	131.19	.00
021417	custodial supplies	02/06/2017	718.96	.00
021417	custodial supplies	02/06/2017	1,062.46	.00
021417	custodial supplies	02/06/2017	32.83	.00
021417	custodial supplies	02/06/2017	1,348.34	.00
021417	custodial supplies	02/06/2017	65.00	.00
021417	cleaner for rec center	02/06/2017	5.99	.00
021417	custodial supplies	02/06/2017	15.10	.00
021417	custodial supplies	02/06/2017	4.99	.00
021417	batteries for rec center	02/06/2017	30.36	.00
021417	cleaning supplies	02/06/2017	4.72	.00
021417	cleaning supplies	02/06/2017	14.99	.00
021417	custodial supplies/ hand sanitizer	02/06/2017	36.39	.00
021417	cleaning supplies for aud.	02/06/2017	28.98	.00
021417	cleaning supplies	02/06/2017	37.96	.00
021417	caulk for Aud.	02/06/2017	3.98	.00
021417	paint for auditorium	02/06/2017	95.17	.00
021417	paint for Aud	02/06/2017	32.79	.00
021417	post to hold up chamber porch	02/06/2017	59.40	.00
021417	post to hold up chamber porch	02/06/2017	73.88	.00
021417	repair showers and air supply at Rec Center	02/06/2017	955.70	.00
021417	valve for rec. center	02/06/2017	11.81	.00
021417	Rec Shelving	02/06/2017	478.80	.00
021417	clocks for aud. and rec center	02/06/2017	17.98	.00
021417	shims for cody cupboard	02/06/2017	2.49	.00
021417	repairs to cody cupboard	02/06/2017	38.57	.00
021417	repairs to stoves at Aud.	02/06/2017	257.00	.00
021417	keys for hoops at rec.	02/06/2017	5.96	.00
021417	utilities - tct	02/06/2017	91.15	.00
021417	phone - TCT	02/06/2017	91.15	.00
021417	cell phones - verizon	02/06/2017	61.59	.00
021417	VSI hosting service May - June 2016	02/06/2017	138.00	.00
021417	rugs and towels for rec center	02/06/2017	20.67	.00

Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid
021417	rugs at aud.	02/06/2017	117.36	.00
021417	rugs at city hall	02/06/2017	73.34	.00
021417	alarm panel at rec not functioning properly	02/06/2017	157.50	.00
021417	printers (3)	02/06/2017	128.00	.00
Total Public Facilities:			6,562.78	.00
021417	Outdoor Rec Task Force	02/06/2017	288.15	.00
021417	Outdoor Rec Task Force	02/06/2017	16.65	.00
021417	office supplies	02/06/2017	4.47	.00
021417	office supplies	02/06/2017	46.77	.00
021417	office supplies	02/06/2017	24.26	.00
021417	Paper and labels at rec.	02/06/2017	546.34	.00
021417	rec center id cards, and printing ribbon.	02/06/2017	123.25	.00
021417	coffee for rec center and aquatics	02/06/2017	202.05	.00
021417	ice cleats for walking to library	02/06/2017	65.81	.00
021417	youth program expenses, Kleenex and supplies	02/06/2017	38.95	.00
021417	program expenses	02/06/2017	21.93	.00
021417	program expenses	02/06/2017	162.19	.00
021417	Snow celebration supplies	02/06/2017	64.96	.00
021417	corn hole for middle school life sports program	02/06/2017	269.85	.00
021417	horseshoe and pickle ball sets for Middle school life sp	02/06/2017	236.28	.00
021417	shirts for 3rd and 4th grade basketball league	02/06/2017	958.54	.00
021417	ping pong and pool equipment	02/06/2017	99.90	.00
021417	pickle ball thrower	02/06/2017	899.99	.00
021417	Pickleball equipment	02/06/2017	126.95	.00
021417	utilities - tct	02/06/2017	466.92	.00
021417	phone - TCT	02/06/2017	466.92	.00
021417	cell phones - verizon	02/06/2017	110.04	.00
021417	advertising	02/06/2017	586.20	.00
021417	VSI hosting service May - June 2016	02/06/2017	293.25	.00
021417	Spotify for spin classes	02/06/2017	9.99	.00
021417	rugs and towels for rec center	02/06/2017	102.50	.00
021417	printers (3)	02/06/2017	128.00	.00
021417	wrench for bike pedals	02/06/2017	12.69	.00
Total Recreation Center:			6,373.80	.00
021417	C04 window	02/06/2017	429.60	.00
021417	Random Testing	02/06/2017	40.50	.00
021417	tools and tool box	02/06/2017	51.98	.00
021417	grease gun	02/06/2017	59.98	.00
021417	marking pens	02/06/2017	17.24	.00
021417	nuts and bolts	02/06/2017	3.58	.00
021417	nitrile gloves	02/06/2017	33.98	.00
021417	propane	02/06/2017	25.20	.00
021417	propane	02/06/2017	20.10	.00
021417	propane	02/06/2017	19.50	.00
021417	propane	02/06/2017	20.40	.00
021417	propane	02/06/2017	21.90	.00
021417	propane	02/06/2017	25.20	.00
021417	propane	02/06/2017	24.00	.00
021417	cable ties and rake	02/06/2017	12.99	.00
021417	tire chains for bobcat	02/06/2017	164.95	.00
021417	batteries	02/06/2017	9.98	.00
021417	safety glasses x12	02/06/2017	63.90	.00
021417	DEF fluid	02/06/2017	136.95	.00
021417	utilities - tct	02/06/2017	84.68	.00

Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid
021417	phone - TCT	02/06/2017	84.68	.00
021417	cell phones - verizon	02/06/2017	49.43	.00
Total Solid Waste:			1,400.72	.00
021417	Random Testing	02/06/2017	40.50	.00
021417	nuts and bolts , drill bits	02/06/2017	119.99	.00
021417	employee recognition, YOS, supplies	02/06/2017	28.38	.00
021417	return for tax	02/06/2017	12.17	.00
021417	credit return for tax	02/06/2017	12.17-	.00
021417	nuts and bolts	02/06/2017	11.70	.00
021417	gloves	02/06/2017	66.17	.00
021417	first aid supplies	02/06/2017	53.62	.00
021417	Security System	02/06/2017	25.12	.00
021417	fire alarm upgrades	02/06/2017	406.75	.00
021417	J45 parts	02/06/2017	1,160.62	.00
021417	Cutting edges cat blade	02/06/2017	962.36	.00
021417	grader blades	02/06/2017	285.60	.00
021417	Roller guide snow blower	02/06/2017	38.38	.00
021417	Snow blower parts	02/06/2017	2,408.20	.00
021417	chains for D13 tailgate	02/06/2017	59.23	.00
021417	Hyd adapter snow plow	02/06/2017	5.44	.00
021417	deicer parts	02/06/2017	29.04	.00
021417	utilities - tct	02/06/2017	166.72	.00
021417	phone - TCT	02/06/2017	166.72	.00
021417	cell phones - verizon	02/06/2017	101.04	.00
021417	Parts to repair loader	02/06/2017	3,371.20	.00
021417	Credit on part for loader	02/06/2017	2,011.49-	.00
021417	Parts	02/06/2017	148.65	.00
021417	Radiator for John Deer Equipment	02/06/2017	3,210.09	.00
Total Streets:			10,854.03	.00
021417	Random Testing	02/06/2017	4.50	.00
021417	Ted shirts	02/06/2017	270.48	.00
021417	Shipping Costs	02/06/2017	22.77	.00
021417	Delivery from billings	02/06/2017	22.77	.00
021417	Grinding disks	02/06/2017	67.66	.00
021417	nuts and bolts , drill bits	02/06/2017	41.49	.00
021417	shop towels and cable ties	02/06/2017	76.46	.00
021417	first aid supplies	02/06/2017	53.61	.00
021417	Security System	02/06/2017	25.13	.00
021417	fire alarm upgrades	02/06/2017	406.75	.00
021417	utilities - tct	02/06/2017	42.94	.00
021417	phone - TCT	02/06/2017	42.94	.00
021417	cell phones - verizon	02/06/2017	40.01	.00
021417	Arms inventory	02/06/2017	92.25	.00
021417	D03 wiper control	02/06/2017	130.01	.00
021417	D03 wiper arms	02/06/2017	102.20	.00
021417	B03 power steering pump and hose	02/06/2017	269.49	.00
021417	C05 filters	02/06/2017	112.89	.00
021417	C04 cover	02/06/2017	248.24	.00
021417	A17 and A03 hangers	02/06/2017	32.31	.00
021417	B03 Gasket and seal	02/06/2017	12.46	.00
021417	B19 power outlets	02/06/2017	27.98	.00
021417	Filters	02/06/2017	83.92	.00
021417	C05 pedal	02/06/2017	228.67	.00
021417	Seals and gaskets	02/06/2017	151.44	.00

Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid
021417	C02 Seal	02/06/2017	56.31	.00
021417	B32 fuel pump and filters	02/06/2017	280.77	.00
021417	G06 elbow	02/06/2017	1.19	.00
021417	oil filters	02/06/2017	42.78	.00
021417	Hydraulic fittings	02/06/2017	29.69	.00
021417	B14 plow nut	02/06/2017	5.01	.00
021417	insulator	02/06/2017	15.00	.00
021417	credit	02/06/2017	15.00-	.00
021417	G08 latch and G05 pads	02/06/2017	449.00	.00
021417	Tires B01	02/06/2017	652.00	.00
021417	toggle switch	02/06/2017	5.67	.00
021417	Credit parts return	02/06/2017	5.67-	.00
021417	B32 beacon lights	02/06/2017	31.34	.00
021417	Packer cylinder inventory	02/06/2017	5,186.42	.00
021417	printers (3)	02/06/2017	128.00	.00
Total Vehicle Maintenance:			9,471.88	.00
021417	Random Testing	02/06/2017	13.50	.00
021417	water for lab	02/06/2017	52.80	.00
021417	cleaning solution	02/06/2017	29.28	.00
021417	rubber belt	02/06/2017	7.65	.00
021417	rivets	02/06/2017	9.99	.00
021417	Security System	02/06/2017	25.12	.00
021417	fire alarm upgrades	02/06/2017	407.45	.00
021417	rubber belt	02/06/2017	5.66	.00
021417	fuses	02/06/2017	39.80	.00
021417	lift station repair parts	02/06/2017	12.98	.00
021417	utilities - tct	02/06/2017	17.68	.00
021417	phone - TCT	02/06/2017	17.68	.00
021417	cell phones - verizon	02/06/2017	95.78	.00
021417	Scada part shipping	02/06/2017	18.72	.00
Total Wastewater:			754.09	.00
021417	training materials and CEU's for distribution 2	02/06/2017	113.00	.00
021417	Random Testing	02/06/2017	22.50	.00
021417	random testing	02/06/2017	30.00	.00
021417	Generator	02/06/2017	1,700.00	.00
021417	ladder	02/06/2017	78.00	.00
021417	pipe cutter cutting wheels	02/06/2017	31.35	.00
021417	employee recognition, YOS, supplies	02/06/2017	6.74	.00
021417	marking flags	02/06/2017	20.00	.00
021417	ice melter	02/06/2017	19.98	.00
021417	tape, magnifying glass	02/06/2017	8.94	.00
021417	ice melt	02/06/2017	3.67	.00
021417	cable ties and rake	02/06/2017	8.49	.00
021417	welding gas	02/06/2017	45.42	.00
021417	spray paint and primer	02/06/2017	9.98	.00
021417	flex coupler	02/06/2017	7.99	.00
021417	first aid supplies	02/06/2017	107.23	.00
021417	Security System	02/06/2017	25.13	.00
021417	fire alarm upgrades	02/06/2017	407.00	.00
021417	lids. valves, corps, curbs, sleeve	02/06/2017	2,358.76	.00
021417	water sample shipping	02/06/2017	51.44	.00
021417	water sample shipping	02/06/2017	51.44	.00
021417	utilities - tct	02/06/2017	25.26	.00
021417	phone - TCT	02/06/2017	25.56	.00

Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid
021417	cell phones - verizon	02/06/2017	119.96	.00
Total Water:			5,277.84	.00
Total 129981:			84,091.21	.00
<b>UNUM LIFE INSURANCE - LIFE</b>				
<b>127935</b>				
013117	PREMIUM	02/03/2017	1,686.12	1,686.12
Total :			1,686.12	1,686.12
Total 127935:			1,686.12	1,686.12
<b>VETERANS OF FOREIGN WARS</b>				
<b>131129</b>				
012517	SHOP FLAGS	01/25/2017	107.00	.00
Total :			107.00	.00
Total 131129:			107.00	.00
<b>WEAD, JUSTON</b>				
<b>126194</b>				
BUFFALO WIL	REIMBURSEMENT FOR MEALS TRAINING IN CASP	10/23/2016	14.27	.00
Total :			14.27	.00
Total 126194:			14.27	.00
<b>WESCO RECEIVABLES CORP</b>				
<b>10480</b>				
075444	STYSTEM MAINTENANCE	01/25/2017	979.20	.00
Total :			979.20	.00
Total 10480:			979.20	.00
<b>WESTERN UNITED ELECTRIC SUPPLY</b>				
<b>10605</b>				
4091602	WASTEWATER TREATMENT PROJECT	01/23/2017	203.14	.00
4091602	WASTEWATER TREATMENT PROJECT	01/23/2017	240.07	.00
4091602	WASTEWATER TREATMENT PROJECT	01/23/2017	480.14	.00
4091780	CABINET, 3 PHASE FUSE 600 AMP	01/25/2017	5,755.32	.00
4091780	WASTEWATER TREATMENT PROJECT	01/25/2017	1,541.17	.00
4091780	WASTEWATER TREATMENT PROJECT	01/25/2017	1,821.38	.00
4091780	WASTEWATER TREATMENT PROJECT	01/25/2017	3,642.77	.00
4091836	tools	01/27/2017	425.86	.00
4091956	Cutout, non-loadbreak 100 amp 15KV	01/25/2017	71.41	.00
4091956	SYSTEM UPGRADE AND MAINTENANCE	01/25/2017	665.20	.00
4091956	FREIGHT	01/25/2017	32.87	.00
4092206	WASTEWATER TREATMENT PROJECT	02/02/2017	298.16	.00
4092206	WASTEWATER TREATMENT PROJECT	02/02/2017	352.37	.00
4092206	WASTEWATER TREATMENT PROJECT	02/02/2017	704.74	.00
Total :			16,234.60	.00

Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid
Total 10605:			16,234.60	.00
<b>WRIGHT, ERIC</b>				
<b>129387</b>				
ZAXBYS	REIMBURSEMENT FOR MEALS - HUNTSVILLE AL	10/21/2016	9.80	.00
Total :			9.80	.00
Total 129387:			9.80	.00
<b>WYOMING CONFERENCE OF MUNICIPAL COURTS</b>				
<b>127688</b>				
020817	MUNICIPAL COURT CONF FEES - JUDGE AND CLE	02/08/2017	150.00	.00
Total :			150.00	.00
Total 127688:			150.00	.00
<b>WYOMING DEPARTMENT OF WORKFORCE SERVICES</b>				
<b>10670</b>				
013117	VOLUNTEERS PD	02/03/2017	8.75	8.75
013117	CONTRIBUTIONS	02/03/2017	6,271.48	6,271.48
Total :			6,280.23	6,280.23
Total 10670:			6,280.23	6,280.23
<b>10810</b>				
123116	UNEMPLOYMENT FOR 4th QTR	02/03/2017	3,102.24	3,102.24
123116	UNEMPLOYMENT FOR 4th QTR	02/03/2017	34.61-	34.61-
Total :			3,067.63	3,067.63
Total 10810:			3,067.63	3,067.63
<b>WYOMING MUNICIPAL POWER AGENCY</b>				
<b>10920</b>				
22517	POWER PURCHASE - JAN 2017	02/01/2017	914,779.14	.00
Total :			914,779.14	.00
Total 10920:			914,779.14	.00
<b>WYOMING RETIREMENT SYSTEM</b>				
<b>10950</b>				
136439-41	CONTRIBUTIONS -	02/03/2017	70,220.42	70,220.42
Total :			70,220.42	70,220.42
Total 10950:			70,220.42	70,220.42
<b>YELLOWSTONE REGIONAL AIRPORT</b>				
<b>11150</b>				
20117	AIRPORT FUNDING	02/01/2017	16,114.50	.00
Total :			16,114.50	.00

---

<u>Invoice Number</u>	<u>Description</u>	<u>Invoice Date</u>	<u>Net Invoice Amount</u>	<u>Amount Paid</u>
Total 11150:			16,114.50	.00
Grand Totals:			1,397,196.75	83,884.22
		Payroll 02/08/17	227,980.60	
			1,625,177.35	

---

Report Criteria:

- Detail report.
  - Invoices with totals above \$0 included.
  - Paid and unpaid invoices included.
-

**LEASE  
(Gymnastics Equipment)**

THIS LEASE is made and entered into this \_\_\_\_ day of February, 2017, by and between the City of Cody, a Wyoming municipal corporation, hereinafter referred to as CITY, and Wyoming Sport and Fitness, LLC, a Wyoming limited liability company, hereinafter referred to as LESSEE:

WITNESSETH

For good and valuable consideration, including but not limited to the promises and covenants herein made by each party below, the CITY hereby leases to LESSEE the following-described equipment, to-wit:

See attached Exhibit "A", List of Gymnastics Equipment, which Exhibit is incorporated as part of this lease.

1. TERM OF LEASE. LESSEE shall be entitled to use the equipment described above commencing on March 1, 2017, and continuing through February 28, 2019.

2. OPTION TO RENEW. If at the expiration of the above-mentioned term of this Lease, the LESSEE has complied in all respects with the agreements, conditions and terms of this Lease, the parties may agree to extend the term of this Lease for two additional two-year periods upon the same terms and conditions described in this Agreement.

3. RENT.

A. LESSEE shall pay to the City the amount of \$100 per year, which shall be payable in advance on or before the first day of March of each year, beginning March 1, 2017.

4. CONDITION OF EQUIPMENT. LESSEE acknowledges that they have examined and know the condition of the equipment, and accept such equipment and agree to use such equipment in its condition "as is, where is", and that the CITY makes no representations or warranties of any kind whatsoever as to the condition or repair thereof.

LESSEE agrees to use the equipment at its own risk. If LESSEE at any time notices or becomes aware of any defect, weakness, flaw or other problem with the leased equipment, LESSEE shall immediately cease using such equipment, and shall report such problem to the CITY. The parties shall discuss what, if any attempts will be made to repair or replace such equipment.

5. MAINTENANCE AND REPAIR. At the expiration of this Lease or upon termination as herein provided, the LESSEE shall surrender the leased PROPERTY in as good condition as it was in at the beginning of the term, reasonable wear and tear excepted. All costs maintenance and repairs to the equipment shall at all times be the responsibility of LESSEE. This provision shall survive the termination of this lease.

6. USE OF PREMISES. LESSEE agrees that the equipment is leased for the purpose of providing gymnastics lessons and instruction to youth in Park County, Wyoming. LESSEE agrees that they will not make any other use or unlawful use of the PROPERTY.

7. COMPLIANCE WITH LAWS. LESSEE shall comply at all times with all federal, state, county and municipal statutes, laws, ordinances, rules, regulations and requirements concerning the use of the leased equipment, and shall save the CITY harmless from all fines, penalties, costs, claims, liabilities, loss or damage for violation or noncompliance with the same. LESSEE shall provide appropriate supervision and safety equipment by personnel trained to engage in such activities.

8. LIABILITY FOR INJURY OR DAMAGE. The CITY shall not be liable for injury or damage to any person or property arising out of LESSEE's use of the equipment. LESSEE agrees to indemnify, save and hold harmless CITY from any and all claims for personal injury or property damage that arise from the use of the leased equipment, including, but not limited to, injuries to employees, agents, servants, guests, customers or invitees of LESSEE. Provided further, that if CITY shall be required to pay a sum of money for property damage or personal injury resulting from LESSEE's use of the equipment, or resulting from any negligent act, error or omission of LESSEE or LESSEE's employees, agents, servants, customers, guests or invitees, the amounts paid by CITY, together with all costs, damages and reasonable attorney's fees, shall be paid by

LESSEE to CITY within 30 days of CITY making written demand for such payment, and in no case later than the expiration of this lease. LESSEE agrees to have each and every individual who will use the equipment sign a "Waiver of Liability" (which shall conform to the attached Exhibit "B") prior to allowing such individual use the leased equipment. If an individual is under the age of 18, the LESSEE shall have the parent or legal guardian of the individual sign the waiver. The obligations of this provision shall survive the termination of this agreement.

9. INSURANCE. LESSEE shall secure and maintain at LESSEE's cost and expense during the full term of this Lease and any extension or renewal thereof, liability insurance issued by an insurance company approved by CITY, against all liabilities arising on account of injuries to all persons caused directly or indirectly by the use, disuse, operation or maintenance of the leased equipment by LESSEE or LESSEE's employees, agents, customers and invitees, in an amount not less than One Million Dollars (\$1,000,000) per occurrence and Three Million Dollars (\$3,000,000) in the aggregate. Beginning not later than March 1, 2018, LESSEE shall obtain insurance in an amount not less than Two million Dollars (\$2,000,000) per occurrence and Three Million (\$3,000,000) in the aggregate. The proper evidence thereof shall be submitted by LESSEE to CITY when and at such times as such policies are issued and renewed.

10. DEFAULT. LESSEE agrees that in the event that LESSEE shall fail to strictly comply with the any condition and covenants herein contained, or shall file a petition in bankruptcy, or shall have a petition in bankruptcy filed against LESSEE, or shall make an assignment of the benefit of creditors, such act or acts shall constitute a default hereunder. Upon the occurrence of any such default, CITY may, at its option terminate this Lease by delivering written notice to LESSEE specifying the date of termination, which date shall be no earlier than twenty (20) days after delivery of said written notice. LESSEE shall have twenty (20) days after delivery of such notice to cure default.

11. REMEDIES. Upon termination of this Lease, LESSEE shall:

A. Peacefully surrender the leased equipment to CITY. If it should become necessary for either party to employ an attorney to enforce the terms of this Agreement in the event of an alleged default hereunder, the

non-prevailing party shall pay the reasonable attorney's fees incurred by the prevailing party in bringing or defending any action.

B. No waiver at any time of the right to terminate this Lease shall impair the right of CITY to insist upon such termination in the event of the CITY subsequently acquiring such right, nor shall the acceptance of rent at any time constitute such waiver or waiver of damages.

12. MODIFICATION. No provision of this Lease shall be waived, altered amended or modified except by written agreement signed by CITY and LESSEE.

13. NOTICES. Any notice given under the terms of this Lease shall be deemed given five (5) days after depositing said notice in United States Postal Service or when hand delivery of such notice is made. For the purposes of delivery, CITY's address is 1338 Rumsey Avenue, Cody, Wyoming 82414.

14. This Lease binds upon and inures to the benefit of the successors and assigns successors of CITY and LESSEE. LESSEE may not assign or transfer its rights under this lease to any other party without first obtaining the written consent of the CITY.

15. Nothing in this agreement shall be construed to act as a waiver of the CITY's sovereign immunity and governmental immunity provided to the CITY under federal and state law. Nor shall this agreement be construed as a waiver of the protections, limitations and defenses available to CITY under the law. The CITY expressly reserves the right to assert immunity as a defense to any claim arising under this agreement, and to any claim arising out of LESSEE's use of the equipment.

---

**THE REST OF THIS PAGE IS LEFT INTENTIONALLY BLANK**

---

EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

LESSOR:

**CITY OF CODY, WYOMING**  
A Wyoming Municipal Corporation

ATTEST:

\_\_\_\_\_  
Matt Hall, Mayor

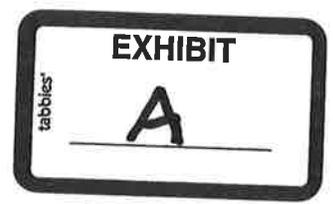
\_\_\_\_\_  
Cynthia D. Baker  
Administrative Service Officer

LESSEE:

Wyoming Sport & Fitness, LLC,  
A Wyoming limited liability company:

By: \_\_\_\_\_

Title: Member / Manager



<b>EQUIPMENT DESCRIPTION</b>	<b>PRICE NEW</b>
18 foot adjustable balance beam	\$3,000
pads for beam legs	\$200
8 foot low balance beam	\$300
Airtrack- inflatable mat	\$1,700
Single training bar with mat	\$600
2 regular spring boards (\$900 each)	\$1,800
1 light weight spring board	\$400
3 Accordion Mats (\$100 each)	\$300
3 20 cm thick "Landing" mats (\$600 each)	\$1,800
Foam Mat	\$800
<b>TOTAL</b>	<b>\$10,900</b>



High beam + leg pads

Foam Mat



TS&V



blower for  
Air Track



carpet covered  
low beam



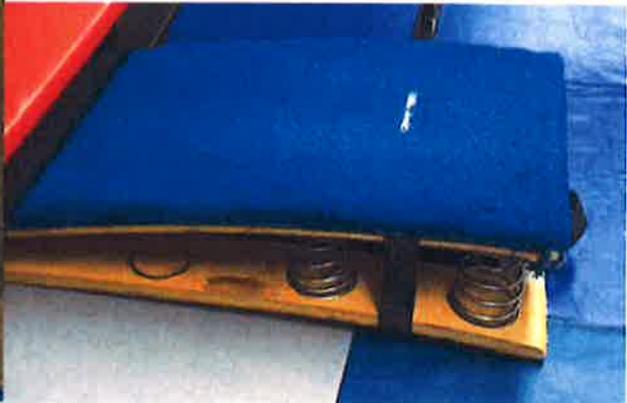
← Single Training bar  
+ mat



inflatable  
Airtrack



Accordion mats (3) on top



Springboard (2) reg.  
+ one lightwt. - all  
carpet covered



← Name?



← low beam

**EXHIBIT "B"**

**To Lease Agreement Between**

**City of Cody and Wyoming Sports And Fitness, LLC**

**WAIVER OF LIABILITY**

In consideration of the City of Cody, Wyoming, providing gymnastics equipment for my own use, or for the use and benefit of my children or ward, I forever waive any and all claims I may have, whether now or in the future, against the City of Cody, Wyoming, its elected officials, agents, representatives, employees and officers (collectively "the City") arising out of my use, or my children's or ward's use of the gymnastics equipment provided by the City to Wyoming Sports And Fitness, LLC. I sign this waiver on behalf of myself, my children, wards, heirs, successors and assigns. **I FOREVER WAIVE ALL CLAIMS OF ANY KIND, INCLUDING BUT NOT LIMITED TO, CLAIMS FOR NEGLIGENCE, LOSS, HARM, PERSONAL INJURY, DEATH, NEGLIGENCE AND ALL OTHER DAMAGES OF ANY KIND ARISING OUT OF THE USE OF GYMNASTICS EQUIPMENT** provided by the City to Wyoming Sports And Fitness, LLC. I understand that by signing below, I represent, promise and covenant that **I WILL NOT SUE THE CITY FOR ANY CLAIMS OF ANY KIND, INCLUDING BUT NOT LIMITED TO NEGLIGENCE, LOSS, HARM, PERSONAL INJURY OR DEATH ARISING OUT OF MY CHILD'S / WARD'S USE OF THE GYMNASTICS EQUIPMENT PROVIDED BY THE CITY.** I understand that the City has provided the gymnastics equipment to Wyoming Sports And Fitness, LLC for a modest rental rate, which allows for greater participation by individuals, families and others in the programs offered by Wyoming Sports And Fitness, LLC, and that my family and I are benefiting from the City's equipment, and that I am signing this waiver and release in consideration for the City making such equipment available in this manner.

Dated this \_\_\_ day of \_\_\_\_\_, 201\_\_\_\_.

\_\_\_\_\_

(Name of participant in program)

\_\_\_\_\_

Name of parent / guardian (if participant is under 18 years old)

\_\_\_\_\_

Signature of participant (or parent if participant is under 18 years old)

MEETING DATE: FEBRUARY 21,2017

DEPARTMENT: ADMINISTRATIVE SERVICES

PREPARED BY: CINDY BAKER

PRESENTED BY:CINDY BAKER

## AGENDA ITEM SUMMARY REPORT

### **REQUEST FROM CODY EVENTS COMMITTEE – STREET CLOSURE FOR ST PATRICK’S DAY CELEBRATION – SATURDAY, March 11, 2017.**

#### **ACTION TO BE TAKEN:**

Cody Events Committee is asking permission to close the Sheridan Ave. from 9<sup>th</sup> Street to 14<sup>th</sup> Street on Saturday, March 11<sup>th</sup> from 10:30 PM to about 11:30 PM for the annual St. Patrick’s Day Parade and requests the City of Cody to sponsor the event by assisting with the street closure, to provide signs for the closure, to provide traffic control and a detour route for the event, with costs in the amount of \$1,810.39 to be funded out of the Lodging Tax fund. Similar to last year the Events Committee is asking that 12<sup>th</sup> Street between Sheridan and Beck be closed from 10:30 to 4:30 pm. for the Spring Fling Activities, as well as, a **NEW CLOSURE REQUEST** – 12<sup>th</sup> Street between Sheridan to the alley on the north side of Sheridan (the alley on 12<sup>th</sup> Street would be open, as well as, the remainder of the block to Rumsey Ave.) for the same time period as the south side of 12<sup>th</sup> Street.

#### **SUMMARY OF INFORMATION:**

Over the past several years the Cody Events Committee has organized and the Council has approved the street closure associated with a St Patrick’s Day Parade. In the past they have been required to obtain the proper paperwork from the State of Wyoming Department of Transportation and will submit it for approval once the City of Cody has authorized the event, as well as, provide liability insurance for the event. During the budget process is estimated that it will cost the City about \$1,810.39 in labor and equipment costs to assist with the event.

Similar to last this year the Events Committee is requesting the closure of 12<sup>th</sup> Street between Beck and Sheridan Avenue from 10:30 to 4:30 p.m. for additional activities associated with the Spring Fling. This request is an extension of 1 ½ hours earlier than last years’ event, as well as, ending time is 1 ½ hours later than the previous year. Additionally, the Events Committee is requesting 12<sup>th</sup> Street between Sheridan to the alley on the north side of Sheridan (the alley on 12<sup>th</sup> Street would be open, as well as, the remainder of the block to Rumsey Ave.) for the same time period as the south side of 12<sup>th</sup> Street. The Committee will be contacting business along this section of 12<sup>th</sup> Street, but it is noted most of these businesses are closed on Saturdays so potentially little if any impact should result in the closure.

The City would be providing additional barricades for this closure. The Events Committee has contacted the Irma and will be utilizing the barricades that are used for the nightly Gun Fighters’ show, with the City only providing additional barricades for the east and west ends of the alley on 12<sup>th</sup> Street. The City will work with the Events Committee in the placement of these barricades. The Events Committee will be responsible for the set up and tear down of all barricades associated with the 12<sup>th</sup> Street Closure.

**AGENDA ITEM NO. \_\_\_\_\_**

Another change in this request is the parade would be 10:30 – 11:30 – where in the past it was mid afternoon.

**FISCAL IMPACT**

Cost estimated during the budget process is \$1,810.39 in labor and equipment cost for the City to assist in this proposal and were budgeted in the Lodging Tax Fund line.

**ALTERNATIVES**

Options Available

1. Deny the Request
2. Approve the Request.
3. Approve the Request with modifications.

**RECOMMENDATIONS**

Staff recommends the approval of the request, labor and equipment cost in the amount of \$1,810.39 be sponsored out of the Lodging Tax Fund. Require the Events Committee to obtain authorization from WYDOT, as well as, provide proof of liability insurance for this event. Require the Events Committee set up and take down the barricades associated with the 12<sup>th</sup> Street Closure utilizing the barricades that have been provided for the nightly gun fighters’ show, with the City providing additional barricades and guidance for the closure 12<sup>th</sup> Street.

**ATTACHMENTS**

Agenda Request Form

**AGENDA & SUMMARY REPORT TO:**

Tina Hoebelheinrich, [exec@codychamber.org](mailto:exec@codychamber.org)

Kenny Lee – Cody Events Committee

# City of Cody Agenda Request Form

In order to fully prepare the Council for their meetings, individuals wishing to appear before the Council are asked to complete the following information prior to placement on the agenda. You may be notified by mail, telephone or e-mail of the date you have been scheduled to appear. You may also be contacted by City staff prior to the meeting to see if your concerns can be addressed without appearing before the Council.

Please provide the following detailed information relating to your concern or request. This form (and any relevant attachments) is due no later than seven days prior to a Council meeting to allow sufficient time for internal review. Council packets are prepared the Wednesday prior to the Tuesday meetings. Meetings are held the first and third Tuesday of each month. Please complete the following information in full and return to City of Cody PO Box 2200 Cody, WY 82414 (Fax 307-527-6532)

\*\*\*\*\*

Name of person to appear before the Council Consent agenda  
Organization Represented Cody Events Committee / Chamber of Commerce  
Date you wish to appear before the Council March 7, 2017  
Mailing Address 8316 Sheridan Ave Telephone 307.587.2777  
E-Mail Address exec@codychamber.org  
Preferred form of contact: Telephone either E-Mail \_\_\_\_\_  
Names of all individuals who will speak on this topic  
Kenny Lee / Tina Hebelheinrich (if necessary)  
Event Title (if applicable) St. Patrick's Day Parade  
Date(s) of Event (if applicable) March 11, 2017  
Full description of topic to be discussed (include all relevant information, attach additional sheet if necessary) Traditional St. Patrick's Day celebration w/ activities, we are asking for the closure of 12<sup>th</sup> Street at 10:30 am to 4:30 pm one block North and one block south of Sheridan Ave  
Which City employee(s) have you spoken to about this issue? none

Signature Tina Hebelheinrich Date 2/3/17

# City of Cody Agenda Request Form

In order to fully prepare the Council for their meetings, individuals wishing to appear before the Council are asked to complete the following information prior to placement on the agenda. You may be notified by mail, telephone or e-mail of the date you have been scheduled to appear. You may also be contacted by City staff prior to the meeting to see if your concerns can be addressed without appearing before the Council.

Please provide the following detailed information relating to your concern or request. This form (and any relevant attachments) is due no later than seven days prior to a Council meeting to allow sufficient time for internal review. Council packets are prepared the Wednesday prior to the Tuesday meetings. Meetings are held the first and third Tuesday of each month. Please complete the following information in full and return to City of Cody PO Box 2200 Cody, WY 82414 (Fax 307-527-6532)

\*\*\*\*\*

Name of person to appear before the Council Consent Agenda  
Organization Represented Cody Events Committee / Chamber of Commerce  
Date you wish to appear before the Council March 7, 2017  
Mailing Address 836 Sheridan Ave Telephone 307. 587. 2777  
E-Mail Address exec @ cody chamber.org  
Preferred form of contact: Telephone 587. 2777 E-Mail exec @ cody chamber.org  
Names of all individuals who will speak on this topic \_\_\_\_\_  
Kenny Lee / Tina Hoebelheinrich  
Event Title (if applicable) St. Patrick's Day Parade  
Date(s) of Event (if applicable) March 11, 2017  
Full description of topic to be discussed (include all relevant information, attach additional sheet if necessary) Traditional St. Patrick's Day celebration w/ activities. We are asking for the closure of Sheridan Ave from 9th Street to 14th Street for the parade. From 10:30 - 11:30  
Which City employee(s) have you spoken to about this issue? None

Signature Tina Hoebelheinrich Date 2/3 /17



Event Name St. Patrick's Day Parade Event Date 03/11/17  
 Type of Event: Parade  
 Event Director or Organizer Tina Hoebelheinrich Telephone 307.587.2777  
 Address 836 Sheridan Ave Email exec@codychamber.org  
 Club Affiliation or Sponsor Cody Country Chamber of Commerce Estimated Number of Participants 1-1000

Course Information:  Total closure  Partial closure  Remain open to traffic (Check appropriate box(s) (Explain in Event Description))

I (we) Cody Chamber of Commerce/Cody Events Committee hereby make application for a special permit upon the right-of-way of:

highway 14/16/20 between milepost 51.69 9th Street and milepost 52.18 14th Street  
 highway \_\_\_\_\_ between milepost \_\_\_\_\_ and milepost \_\_\_\_\_  
 highway \_\_\_\_\_ between milepost \_\_\_\_\_ and milepost \_\_\_\_\_  
 highway \_\_\_\_\_ between milepost \_\_\_\_\_ and milepost \_\_\_\_\_  
 on Saturday March 11, 2017 between 10:30am and 11:30am  
Date Time Time

I (we) agree to strictly conform to the exhibits attached hereto, subject to all terms, conditions, agreements, stipulations and provisions contained in the application and permit, in Chapter XXIII rules and regulations of the Wyoming Department of Transportation, and any other applicable regulations, laws or ordinances.

EVENT DESCRIPTION (Attach event map): The closure is for our annual St. Patrick's Day/Spring Fling Parade. We usually have 15-20 entries. The parade has become a Cody tradition. Entries will liine up on 9th street, turn onto Sheridan and turn off of Sheridan at 14th Street.

Prior to the event, I (we) agree to review the course to determine potential problems that could endanger participants and equipment and to notify the participants of them. If I (we) determine the problems to be severe, I (we) agree to cancel the event.

Permittee must provide a certificate of insurance as evidence of an existing Comprehensive or Commercial General Liability Policy, including contractual liability coverage, with limits not less than \$500,000.00 combined single limit for all claims arising out of a single accident or occurrence.

THE PERMITTEE SHALL DEFEND, HOLD HARMLESS AND INDEMNIFY THE STATE OF WYOMING, DEPARTMENT OF TRANSPORTATION AND ITS OFFICERS, AGENTS, EMPLOYEES AND MEMBERS FROM ALL SUITS OR ACTION WHICH MAY RESULT FROM ANY ACTIVITY BY THE PERMITTEE, ITS OFFICERS, SUBCONTRACTORS, AGENTS OR EMPLOYEES.

Tina Hoebelheinrich

Name (Please Print)  
*Tina Hoebelheinrich*  
Signature  
2-3-2017

Date (Minimum of 60 days prior to event)

836 Sheridan Ave

Address  
Cody, Wy 82414  
City, State and Zip  
307-587-2777  
Telephone

Approval must be obtained from the city, town or county government if the closure restricts the use of any road, street or highway of the affected jurisdiction.

Approved by city or town if applicable

Approved by county if applicable

Name/Title (Please Print)  
Signature/Title  
Date  
Address  
City, State and Zip  
Telephone

Name/Title (Please Print)  
Signature/Title  
Date  
Address  
City, State and Zip  
Telephone

MEETING DATE: FEBRUARY 21, 2017  
DEPARTMENT: PARKS, RECREATION &  
PUBLIC FACILITIES  
PREPARED BY: MIKE FINK  
PRESENTED BY: RICK MANCHESTER

**Cody Pride Softball 5K / 10K**  
**City council agenda item summary report**  
**Softball run 4-1-2017**

**ACTION TO BE TAKEN:**

The Cody Pride Softball organization is requesting City Council permission to hold a 5K/10K run on Saturday April 1, 2017. The race will not require any street closures and will begin and finish at the Cody Softball Complex.

**SUMMARY OF INFORMATION:**

The race will start and end at the softball fields. The Cody Pride Girls Softball Association will be in charge of the walk/run. They will set up directional signs and have their own check points around the route. They are not requiring any City assistance with street closures or intersections. The only assistance they would require from us is the use of our signs such as "Runner on Course". The event is being held to help generate funding for their softball program.

**FISCAL IMPACT**

The Recreation Department has a Special Event Permit of \$25.00 for the use of directional & caution signs.

The Cody Pride organization will provide proof of insurance to the Recreation Department for this event.

**ALTERNATIVES**

1. Approve
2. Approval with conditions
3. Deny the request.

**ATTACHMENTS**

Map showing course

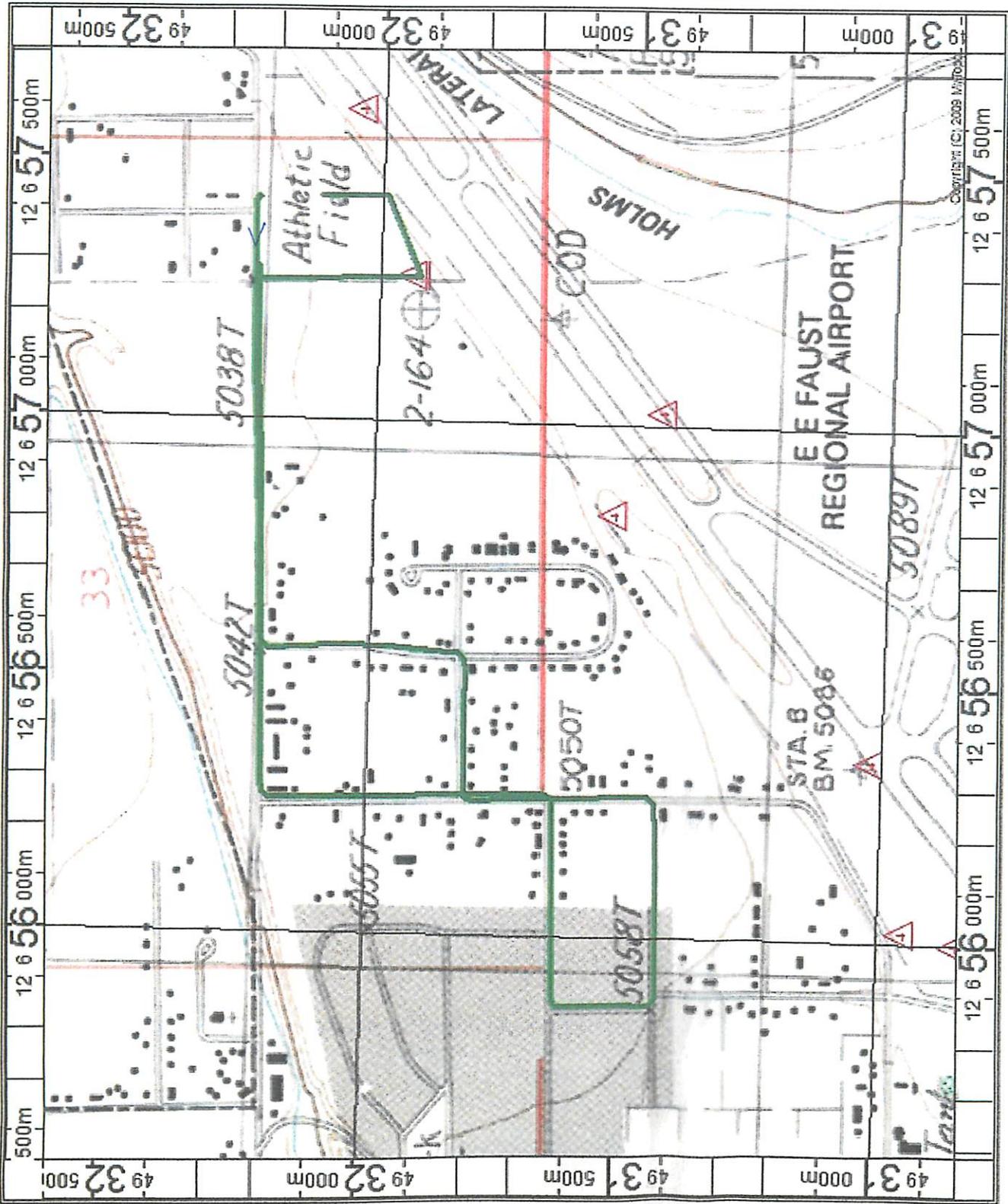
**AGENDA & SUMMARY REPORT TO:**

Rick Manchester, Parks, Recreation & Public Facilities Director (307) 587-0400  
Mike Fink, Public Facilities and Recreation Superintendent (307) 587-0400  
Jennifer Brainerd 307-213-0205 Cody Pride representative

**AGENDA ITEM NO. \_\_\_\_\_**

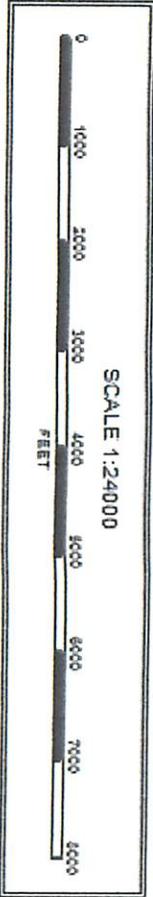
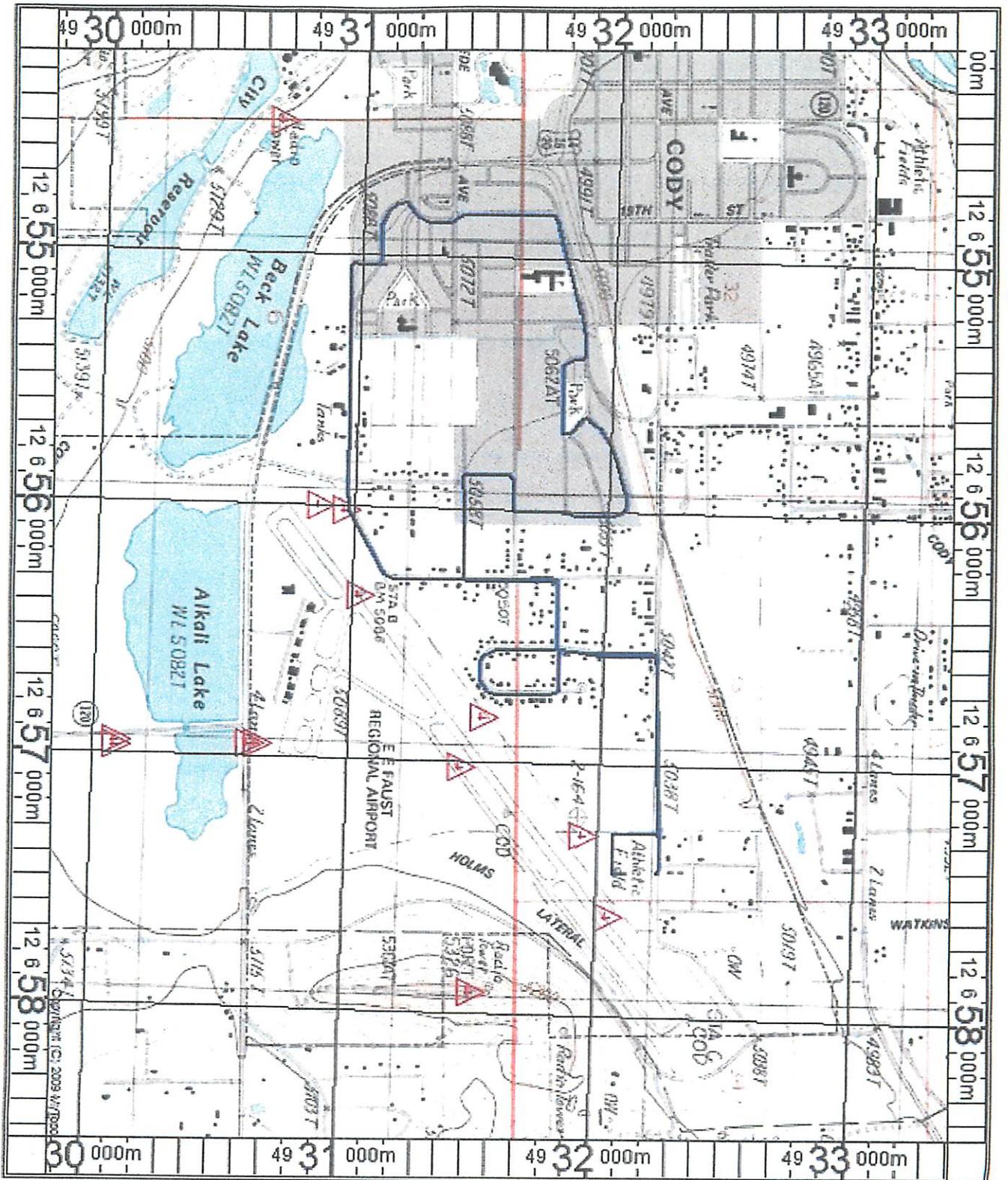
# **5K**

- **Begin at softball fields**
- **Left on 31<sup>st</sup> St.**
- **Left on 29<sup>th</sup> St.**
- **Cross to west side of 29<sup>th</sup> at Ina Ave.**
- **Right onto Central Ave.**
- **Left on 29<sup>th</sup> St.**
- **Right on Sheridan Ave**
- **Around “B” field to concession area/ finish line**



# **10K**

- **Begin at softball fields**
- **Left on 31<sup>st</sup> St.**
- **Cross to west side of 29<sup>th</sup> at Ina Ave.**
- **Continue South to Mountain View Drive**
- **Right on 21<sup>st</sup>**
- **Left on Shoshone Trail South**
- **Right on Goodturn Drive**
- **Left on Stampede Ave**
- **Cross Stampede Ave. to 19<sup>th</sup> St.**
- **Right on Newton Ave.**
- **Right on Carter Ave.**
- **Left on 25<sup>th</sup> St.**
- **Loop around 26<sup>th</sup> St.**
- **Left on Central Ave.**
- **Left on 26<sup>th</sup> St.**
- **Left on Ina Ave.**
- **Left on 29<sup>th</sup> St.**
- **Right on East Carter Ave.**
- **Right around 31<sup>st</sup>/ 32<sup>nd</sup> St. Loop**
- **Right on 31<sup>st</sup>**
- **Right on Sheridan Ave.**
- **Around field to concession area/ finish line**



MEETING DATE: FEBRUARY 21, 2017

DEPARTMENT: PARKS, REC, AND PUBLIC FACILITIES

PREPARED BY: RICK MANCHESTER, DIRECTOR *rick*

PRESENTED BY: MOLLY GOULD, WINTER FARMERS MARKET

**AGENDA ITEM SUMMARY REPORT**  
**Bob Moore Parking Lot**  
**Farmers Market**

**ACTION TO BE TAKEN**

Request that City Council permits Molly Gould, to coordinate a Saturday Farmers Market in Bob Moore Parking Lot from February 25 to May 13, 2017. Ms. Gould will follow all City sign ordinances by placing signs in parking lot only on event day Saturdays, and not on the corner in front of the memorial at any time.

At the end of the season, Ms. Gould will collect and pay the City \$25 per vendor fee for each market vendor. Electricity is not included and if it is made available will cost the vendor an additional \$50/month for electric use. The promoter can charge vendors additional fees above \$25 to be part of the market if so desired.

**SUMMARY OF INFORMATION**

Molly Gould would like to coordinate an outdoor Farmers Market in the Bob Moore Parking Lot. The Farmers Market is scheduled to be held on Saturday mornings from 9am-12pm weekly. See attached drawing for area requested. If there are additional City costs, or additional requirements such as garbage the charges incurred will be billed and paid by the market promoter.

Market promoter must provide proof of liability insurance. Promoter must also complete a vendor permit from the parks and recreation department on an annual basis.

**FISCAL IMPACT**

The City will receive revenue from the vendor permits estimated at \$250-\$500 per year.

**ALTERNATIVES**

1. Direct the Parks and Rec Director to issues a \$25 vendor permit for each vendor. Additional fees can be charged by promoter but \$25 is paid to the City.
2. Do not allow the market to take place at Bob Moore Parking Lot.

**STAFF RECOMMENDATION**

Alternative #1

**ATTACHMENTS**

1. Parking Lot Sketch
2. Agenda Request
3. Draft Vendor Permit

**AGENDA ITEM NO. \_\_\_\_\_**

**AGENDA & SUMMARY REPORT TO**

Invite the following to the Council meeting:

Whole Foods Trading Co.

938 Rumsey Ave

Cody WY 82414

(307) 527-6338 or (307) 587-3213

Sean Sheehan

1313 South Fork Road

Cody WY 82414

(307) 250-0251

Molly Gould

Winter Farmers Market

PO Box 293

Frannie WY 82423

(307) 254-8732

2/15/17

Entry ←

Exit →

Whole Foods  
Trading  
Existing Building

←  
Entry

Exit →

—80'— Barricades

7  
parking  
spaces

7  
parking  
spaces

100' x 100' Area  
Bob Moore Parking Lot  
Proposed Saturday Farmers  
Market Location

6 parking spaces



# City of Cody Agenda Request Form

In order to fully prepare the Council for their meetings, individuals wishing to appear before the Council are asked to complete the following information prior to placement on the agenda. You may be notified by mail, telephone or e-mail of the date you have been scheduled to appear. You may also be contacted by City staff prior to the meeting to see if your concerns can be addressed without appearing before the Council.

Please provide the following detailed information relating to your concern or request. This form (and any relevant attachments) is due no later than seven days prior to a Council meeting to allow sufficient time for internal review. Council packets are prepared the Wednesday prior to the Tuesday meetings, however Agenda Request Forms must be submitted no later than the Monday of the previous week for consideration at the Tuesday Meetings. Meetings are held the first and third Tuesday of each month. Please complete the following information in full and return to City of Cody PO Box 2200 Cody, WY 82414 (Fax 307-527-6532)

\*\*\*\*\*

Name of person to appear before the Council Molly Gould

Organization Represented WINTER FARMERS MARKET

Date you wish to appear before the Council AS SOON AS POSSIBLE

Mailing Address P.O. BOX 293 FRANK WYO. Telephone 307-254-8932  
82103 FLANNIE

E-Mail Address \_\_\_\_\_

Preferred form of contact: Telephone 307-254-8730 E-Mail \_\_\_\_\_

Names of all individuals who will speak on this topic Molly Gould

Event Title (if applicable) WINTER MARKET

Date(s) of Event (if applicable) FEB 25-2017

Full description of topic to be discussed (include all relevant information, attach additional sheet if necessary) USE OF PARKING LOT AT WHOLESALE FOODS FOR WINTER MARKET ON SATURDAYS UNTIL MAY 10-2017

Which City employee(s) have you spoken to about this issue? FRONT DESK

Signature Molly Gould Date 2-14-2017

**DRAFT**

# 2015 VENDOR PERMIT AGREEMENT

## CITY OF CODY PARKS, RECREATION & PUBLIC FACILITIES

### AGREEMENT

This contract agreement is for a City of Cody Right of Way and Park Vendor Permit at City parks made this \_\_\_\_\_ day of \_\_\_\_\_, 2015 between the **City of Cody** and \_\_\_\_\_.

Annual Fee: **\$25** (Must be paid before start date)

Electrical Connection: **\$50** (One time annual electric fee.)

Electricity Requested - **YES** or **NO**

Vendor Name: \_\_\_\_\_

Vending Dates Requested: \_\_\_\_\_

Name of representative: \_\_\_\_\_

Legal Guardian: \_\_\_\_\_  
If under 18 years

Mailing Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

Email Address: \_\_\_\_\_

Taxpayer ID Number: \_\_\_\_\_

**Please sign this form & return to:**

**Rick Manchester, Director  
Cody Parks & Recreation  
PO Box 2200  
Cody, WY 82414  
307-587-0400 (office)  
307-527-3484 (direct)**

### SPECIAL CONDITIONS OF THE AGREEMENT:

1. The \$25 fee covers vending operations by this entity from May 1, 2015 to December 31, 2015. This fee includes space **ONLY**, and does not include equipment. If you also will be utilizing electricity, there is an additional fee of \$50 for the season. Please remit payment to this address prior to vending start date stated above:

**City of Cody  
Attn: Rick Manchester, Director  
PO Box 2200  
Cody, WY 82414**

2. Vendors are responsible for all necessary equipment, supplies, expenses, permits, licenses and insurance. If you are planning to sell prepared food or drinks, you must obtain a temporary food permit from the Consumer Health Services Division of the State of Wyoming Department of Agriculture.

*The local contact for this permit is (307) 587-2736.*

If applicable, please include a copy of this permit with your payment. This permit applies to commercial as well as non-profit vendors.

3. Out-of-Park County vendors are required to purchase a transient merchant license for \$300 at:

*City Hall (1338 Rumsey Avenue; Cody, WY 82414).*

Out-of-Park County vendors are *not* required to pay the additional \$25 vendor fee.

4. City staff will assign each vendor space within the confines of City parks and public right-of-way. All booths or carts must be free standing and ground stakes are not permitted. The vendor is responsible for all set up, break down and proper cleanup of the space during each vending event. Vehicles and/or trailers are not allowed inside the park area and must be kept on the street.
5. **The permit is approved for** \_\_\_\_\_ **.( DESCRIPTION OF AREA)**
6. Other vendors may be permitted to share space; this permit does not grant exclusive use of any area.
7. Vendors not fulfilling their contractual responsibilities as outlined above or discussed may have their vending opportunities suspended or revoked without a refund.
8. Minimum of one million dollar liability insurance is required.
9. The City may temporarily or permanently revoke this permit and close the vending operation with a 7-day notice. The City is able to revoke this permit and close the vending operation with a 24 hour notice. The City may temporarily or permanently revoke this permit and close the vending operation without prior notice and vendor must comply immediately.
10. Please notify the City (Rick) regarding changes to the submitted business plan that is attached to this permit.

**\*Make check payable to City of Cody.**

\_\_\_\_\_  
Rick Manchester  
Director of Parks, Recreation & Public Facilities  
City of Cody

\_\_\_\_\_  
Vendor Signature

\_\_\_\_\_  
Legal guardian if vendor is under 18 years old

\_\_\_\_\_  
Date

MEETING DATE:	FEBRUARY 21, 2017
DEPARTMENT:	COMMUNITY DEVELOPMENT
PREPARED BY:	TODD STOWELL
CITY ADM. APPROVAL:	_____
PRESENTED BY:	TODD STOWELL

## **AGENDA ITEM SUMMARY REPORT**

### **The Development Plan and Preliminary Plat of Trailhead 3 PUD, Phase 7**

#### **ACTIONS TO BE TAKEN**

Request to approve the development plan and preliminary plat of the Trailhead 3 PUD, Phase 7 subdivision.

#### **RECOMMENDATION:**

The Planning and Zoning Board recommends that the Council approve the updated development plan and preliminary plat subject to a number of conditions.

#### **PROJECT OVERVIEW**

Ed Higbie has submitted the development plan and preliminary plat applications for the final phase of the Trailhead Planned Unit Development (PUD). The plat would create 58 residential lots and four common area tracts. All lots in this phase would be for detached, single-family dwellings.

The preliminary plat, landscaping plan, preliminary utility plan, drainage plan, and narrative outline the proposal and are attached. A public hearing to consider the current development plan was held by the Planning and Zoning Board, with no comments being submitted.

#### **“Major Adjustment” to PUD / Updated Development Plan:**

The updated development plan (a.k.a. major adjustment) includes an increase in lots, an updated landscaping and trail plan, and authorization of the overall layout of the subdivision. With this phase, the total number of building lots in the Trailhead PUD (2 and 3) would be increased to 218, while the original concept plan included only 209 lots. Part of the increase in lots is through the replatting of Lots 95-98 of Phase 4 & 5 into smaller lots. Part is through shrinking the common area down to the minimum required and associated lot reconfigurations/additions. The general layout remains the same.

In addition, the designated uses of the common areas need to be formally authorized. In early conceptual discussions (apparently not in the context of an approved application), the plan was to establish along the south edge of the property a storage area for residents of the PUD, where RV's, trailers, ATVs, etc. could be stored, instead of on the subdivision streets. The current request is to allow the area (Lot P7-31) to be used for storm water basins and be landscaped with native grasses. Pursuant to the PUD code, the following items are analyzed for the major adjustment request:

Interrelationship of PUD to conditions on and off the property:

**AGENDA ITEM NO. \_\_\_\_\_**

The additional lots are not expected to have any conflicts with neighboring properties, in that the residential lots will still have the appearance of a suburban residential neighborhood. The change of Lot P7-31 from a storage lot to an open space/drainage collection area is thought to be a benefit to the neighbors as such a use is typically more visually acceptable than an outdoor storage facility.

Conformance to Cody Master Plan:

The Cody Master Plan anticipates this area to continue to develop as a low-density residential area. The proposed development plan is within that level of density. The street layout complies with the original PUD plan and the Cody master street plan.

Zoning/Land Use: The increase in density from a zoning perspective is effectively of no concern as the lots in this phase are still well above the minimum lot size of the underlying zones (Residential A and B), and the lots in this phase remain designated for single-family use.

Pedestrian and vehicular access: Pedestrian access will be provided by sidewalks along both sides of each street, and pathways to and from the common open space areas. Vehicle access was previously reviewed and determined acceptable. Interconnection of pedestrian access to lands outside of the PUD is not specifically identified, but is not precluded either since much of the perimeter is common area that could easily interconnect if adjacent owners would grant access.

Street Capacity: The increase is small enough that the internal and immediately surrounding street system can still function at an acceptable level of service.

Architectural Design: This phase will have the same private covenants as the rest of the development, which include requirements for roof variations and quality siding materials to promote quality architecture.

Landscaping: The landscaping plan is found on Sheet 2 of 3 of the preliminary plat application. Landscaping of individual lots is not addressed in the development plan. Note 1 indicates that the landscaping of the common areas is to be completed after all other improvements. The applicant has noted that it will be completed no later than one year after the street system is installed and accepted.

Open Space/Common area: The PUD ordinance requires at least 20% of the development to be maintained in open space. The increase in lots does not reduce the total open space area below the 20% minimum (20.15% provided).

The storage area concept in the south common area was originally presented as one of the justifications for the narrower streets, as RVs and trailers would not need to be parked on the street. Without the storage area, residents will need to keep such vehicles on their own lots, or at a commercial storage facility, as the private covenants include the prohibition of no RV and trailer parking on the streets. Staff is not overly concerned with an outcome of no storage area, provided that there was no legally binding commitment otherwise made by the developer to lot purchasers that the storage area would be provided. There is no evidence found in the file that such a commitment was provided.

Public Use Area: The subdivision ordinance requires dedication of public use area based on the ratio of 1.0 acre per 50 dwelling units. The 5.4 acres previously dedicated covers the minimum required for the entire subdivision (Trailhead 1, 2 and 3, and all phases of each).

Utility Capacity: The increase in density is small enough that the planned water, sewer, and electrical systems can still accommodate the anticipated total demand.

Land Use Regulations and Development Standards:

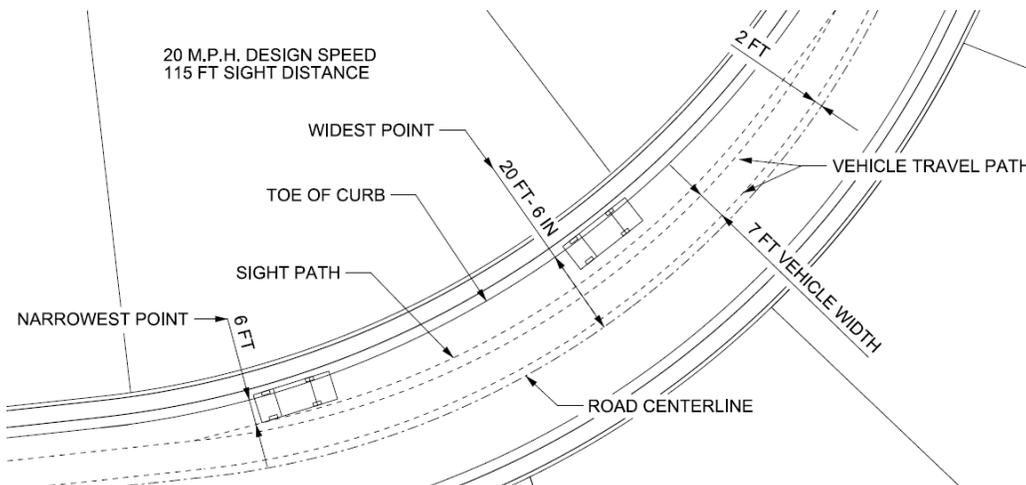
The PUD development plan is reflected on the preliminary plat in notes 2, 3, 5, 6, and 8. Those notes indicate that all lots are for single-family detached homes, what the building setback requirements are, that ownership and maintenance of the common areas will be by the HOA, and that any land use not specified hereon is to be regulated by the underlying zoning.

Drainage:

The application includes the conceptual drainage plan, and how it will address drainage from the streets and lots. Note 7 indicates the intent to grant an easement to the City for the street drainage into the common areas. That language will be incorporated into the dedication statement on the final plat. In addition, easements for the city storm water pipes in the common areas will be dedicated, as noted by easement note 6.

**SUBDIVISION REGULATIONS**

The preliminary plat has been reviewed for compliance with the subdivision ordinance development standards. The PUD ordinance indicates that the subdivision should either meet city standards or show that the intent of the standard is achieved. Most of the standards are met. The standards not strictly met by this application include: street and right-of-way widths, the requirement for alleys, and block length exceeding 660'. Effectively, the variances for lack of alleys and the extended block length were determined previously with the PUD concept plan. However, there is one change to the streets in this phase, which should be an improvement. At the curves in the street system, the streets are widened on the inside of the corner to provide better sight-distance and maneuverability, which is needed when vehicles are parked on the street. The typical straight sections of street continue to have a 29-foot width of asphalt, while at the corners the street tapers out to a width of 35 feet. Here is the engineer's diagram showing the new design, with cars parked along the curb:



**AGENDA ITEM NO. \_\_\_\_\_**

**OTHER:**

1. Utilities are shown to each lot, and their locations appear to avoid internal conflicts with each other and the subdivision improvements. A more detailed review will occur with the construction plans that are submitted with the final plat.
2. Street names are acceptable to the street name committee (city, county, emergency providers).
3. The legal description also needs to refer to document 2012-141, as 2009-7774 does not include all of the property. The surveyor will make the correction on the final plat.

**RECOMMENDED MOTION:**

The Planning and Zoning Board recommends that the City Council authorize the development plan and preliminary plat for Trailhead 3 P.U.D., Phase 7 subject to the following conditions:

1. The subdivision shall be subject to the same homeowner's association management and covenants as the other common areas in the Trailhead PUD. The CC&Rs for this phase shall be submitted with the final plat application.
2. The common areas shall be landscaped in accordance with the landscaping plan within one year of acceptance of the public improvements in the subdivision. After the landscaping of the common areas is completed, the developer will need to quit claim deed the common areas to the HOA.
3. Provide a trail connection in the common area between Lots 7 and 8, to connect Hardpan Avenue and the trail within the Lot 22 common area.
4. Utility fees applicable to the project will be determined with the final plat, and must be paid prior to construction.
5. Construction plans for all subdivision improvements shall be submitted for review with the final plat application, in compliance with all provisions of City of Cody Code, except as modified by the approved development plan.
6. The final plat application shall otherwise contain and comply with the approved development plan and City subdivision ordinance.

**ATTACHMENTS:**

Application Materials

**AGENDA & SUMMARY REPORT TO:**

Ed Higbie

Sage Civil Engineering

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED WITHIN A PORTION OF TRACT 39L-A AND 39K-A WITHIN TRACT 39, RESURVEY T.53N., R.101W., 6TH P.M., PARK COUNTY, WYOMING, SAID LANDS BEING DESCRIBED IN DOC# 2012-7774 ON FILE IN THE OFFICE OF THE PARK COUNTY CLERK AND RECORDER, SAID LANDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 39L-A, SMD CORNER BEING MONUMENTED BY A 3-INCH BRASS CAP FOUND IN PLACE THIS SURVEY; THENCE S 89°59'37" W FOR A DISTANCE OF 300.29 FEET TO THE SOUTHWEST CORNER OF TRAILHEAD 3 P.L.D., PHASE 6; THENCE N 00°02'24" W FOR A DISTANCE OF 12.00 FEET; THENCE N 18°34'59" W FOR A DISTANCE OF 168.70 FEET; THENCE N 27°19'30" E FOR A DISTANCE OF 131.71 FEET; THENCE N 52°24'33" E FOR A DISTANCE OF 58.36 FEET; THENCE N 22°33'35" E FOR A DISTANCE OF 80.01 FEET TO A TANGENT CURVE TO THE RIGHT; THENCE ON AND ALONG SAID CURVE FOR A DISTANCE OF 18.74 FEET, SAID CURVE HAVING A RADIUS OF 178 FEET AND A DELTA ANGLE OF 6°01'53"; THENCE N 33°03'41" E FOR A DISTANCE OF 136.53 FEET; THENCE N 63°30'03" W FOR A DISTANCE OF 38.89 FEET; THENCE N 33°36'17" E FOR A DISTANCE OF 83.35 FEET; THENCE N 20°30'46" E FOR A DISTANCE OF 44.00 FEET; THENCE N 69°27'13" W FOR A DISTANCE OF 40.52 FEET TO A TANGENT CURVE TO THE LEFT; THENCE ON AND ALONG SAID CURVE FOR A DISTANCE OF 7.27 FEET, SAID CURVE HAVING A RADIUS OF 222 FT AND A DELTA ANGLE OF 1°52'31"; THENCE N 10°05'54" E FOR A DISTANCE OF 92.28 FEET; THENCE S 75°19'42" E FOR A DISTANCE OF 106.41 FEET; THENCE S 14°15'22" E FOR A DISTANCE OF 21.20 FEET; THENCE S 73°37'49" E FOR A DISTANCE OF 75.02 FEET; THENCE S 89°27'52" E FOR A DISTANCE OF 85.46 FEET; THENCE N 05°08'54" E FOR A DISTANCE OF 65.33 FEET; THENCE N 26°39'32" E FOR A DISTANCE OF 46.39 FEET; THENCE S 84°45'25" E FOR A DISTANCE OF 40.53 FEET; THENCE S 81°11'10" E FOR A DISTANCE OF 84.49 FEET TO A TANGENT CURVE TO THE LEFT; THENCE ON AND ALONG SAID CURVE FOR A DISTANCE OF 27.21 FEET, SAID CURVE HAVING A RADIUS OF 180 FEET AND A DELTA ANGLE OF 08°39'40"; THENCE S 67°41'24" E FOR A DISTANCE OF 44.00 FEET; THENCE S 75°50'13" E FOR A DISTANCE OF 84.27 FEET; THENCE S 10°53'52" W FOR A DISTANCE OF 12.02 FEET; THENCE S 10°53'52" W FOR A DISTANCE OF 73.32 FEET; THENCE S 44°53'35" E FOR A DISTANCE OF 50.33 FEET; THENCE N 68°45'54" E FOR A DISTANCE OF 106.60 FEET; THENCE N 82°49'43" E FOR A DISTANCE OF 115.39 FEET; THENCE N 12°08'59" E FOR 10.93 FEET; THENCE N 82°49'43" E FOR A DISTANCE OF 138.97 FEET TO A TANGENT CURVE TO THE LEFT; THENCE ON AND ALONG SAID CURVE FOR A DISTANCE OF 21.78 FEET, SAID CURVE HAVING A RADIUS OF 216 FEET AND A DELTA ANGLE OF 05°46'06"; THENCE S 16°53'38" E FOR A DISTANCE OF 55.31 FEET; THENCE N 73°04'22" E FOR A DISTANCE OF 44.00 FEET; THENCE N 16°55'38" W FOR A DISTANCE OF 55.31 FEET TO A TANGENT CURVE TO THE RIGHT; THENCE ON AND ALONG SAID CURVE FOR A DISTANCE OF 21.78 FEET, SAID CURVE HAVING A RADIUS OF 216 FEET AND A DELTA ANGLE OF 05°46'06"; THENCE N 89°36'18" E FOR A DISTANCE OF 339.47 FEET; THENCE S 00°12'01" E FOR A DISTANCE OF 10.00 FEET; THENCE N 89°36'18" E FOR A DISTANCE OF 39.50 FEET; THENCE S 00°10'31" E FOR A DISTANCE OF 281.23 FEET; THENCE S 69°59'23" W FOR A DISTANCE OF 255.66 FEET; THENCE S 03°14'50" E FOR A DISTANCE OF 428.80 FEET; THENCE S 89°59'31" W FOR A DISTANCE OF 1,058.97 FEET TO THE TRUE POINT OF BEGINNING, SAID PARCEL OF LAND CONTAINING 21.19 ACRES.

SUBDIVISION NOTES

- 1. REFERENCE UTILITY PLAN AND LANDSCAPE PLAN FOR ADDITIONAL INFORMATION.
2. LOTS P7-1 TO P7-21, P7-22 TO P7-30, P7-32 TO P7-51, P7-53 TO P7-61 ARE SINGLE FAMILY RESIDENCE LOTS. LOTS P7-22, P7-31, P7-52, AND P7-62 ARE COMMON AREA.
3. BUILDING SETBACKS:
a. FROM STREET PROPERTY LINE, PROVIDE A MINIMUM OF 15 FT, EXCEPT FOR THE SIDE OF THE GARAGE WITH THE VEHICLE DOOR WHICH WILL HAVE A MINIMUM SETBACK OF 25 FT.
b. FROM REAR PROPERTY LINES, PROVIDE A MINIMUM OF 15 FT FOR THE DWELLING AND 5 FT FOR ANY DETACHED ACCESSORY BUILDINGS.
c. FROM SIDE PROPERTY LINES ADJACENT TO OTHER LOTS, PROVIDE A MINIMUM OF 5 FT.
4. ADJACENT ZONING IS B, A, F2, D3, AND P.U.D.
5. COMMON AREAS WILL BE DEEDED TO THE TRAILHEAD SUBDIVISION HOA.
6. COMMON AREAS, COMMON AREA IRRIGATION FACILITIES, AND COMMON DETENTION FACILITIES TO BE MAINTAINED BY THE HOA.
7. A RIGHT TO DRAIN IS HEREBY GRANTED TO THE CITY OF CODY FOR THE PURPOSE OF DISPOSAL OF STORM WATER FROM STREETS TO PERCOLATION TRENCHES LOCATED IN COMMON AREAS SHOWN.
8. ANY PROPOSED LAND USE NOT SPECIFIED HEREON SHALL BE REGULATED PURSUANT TO THE CITY OF CODY ZONING ORDINANCE. STANDARDS FOR DEVELOPMENT ON THE LOTS SHALL BE ACCORDING TO THE STANDARDS HEREON, TOGETHER WITH THE STANDARDS OF THE UNDERLYING ZONING DISTRICT FOR ANY STANDARD NOT HEREON SPECIFIED. AT THE TIME OF SUBDIVISION, THIS PROPERTY IS ZONED RESIDENTIAL "A" & "B" WITH A PUD DESIGNATION.
9. NO WETLAND AREAS AND NO AREAS SUBJECT TO FLOODING EXIST WITHIN THE PROJECT AREA.
10. LOTS 95, 96, 97, AND 98 OF THE AMENDED FINAL PLAT TRAILHEAD PUD, PHASE 4 & 5 ARE VACATED AND THE AREA REPLATTED AS SHOWN HEREON.
11. LOTS P7-56 THROUGH P7-61 HEREBY AGREE TO PROMOTE AND PARTICIPATE IN AN IMPROVEMENT DISTRICT FOR CURB, GUTTER, AND SIDEWALK ON "WEST COOPER LANE" WHEN DEEMED NECESSARY BY THE CITY OF CODY.
12. NO RECREATIONAL VEHICLE AND/OR TRAILER ON STREET PARKING.

SURVEY NOTES

- 1. BEARING BASE FOR THIS SURVEY IS GEODETIC BASED ON NAD83(2011) WYOMING WEST CENTRAL ZONE.
2. BENCH MARK: BRASS CAP WITNESS CORNER AT COOPER LANE AND BIG HORN AVENUE. ELEVATION: 4922.40 (CITY OF CODY DATUM)
3. PROPERTY CORNERS ARE TO BE SET AFTER CONSTRUCTION IS COMPLETE.
4. ALL SURVEY WORK WAS COMPLETED TO AN ACCURACY OF 1:15,000.
5. TOTAL SUBDIVISION AREA IS 21.19 ACRES MORE OR LESS.
6. RECORD EASEMENTS AND RIGHTS-OF-WAY SHOWN HEREON ARE BASED ON PARK COUNTY TITLE POLICY NO. SV-3300375. DURING THE COURSE OF THIS SURVEY, NO ADDITIONAL APPARENT EASEMENTS OR RIGHTS-OF-WAY WERE OBSERVED. THE LANDS LOCATED WITHIN PHASE 7 OF THE TRAILHEAD 3 PUD ARE SUBJECT TO ANY VALID EASEMENT OR RIGHTS-OF-WAY THAT MAY EXIST.

EASEMENT NOTES

- 1. ALL STREET AND CUL-DE-SAC UTILITY EASEMENTS SHALL BE 10 FEET WIDE (LABELED E1).
2. LOTS 12, 26, 27, 43, AND 49 HAVE PUBLIC SIGHT DISTANCE EASEMENT ALONG HARDPAN AVENUE AND SHALL BE 16 FEET WIDE (LABELED E2). THESE EASEMENTS MUST BE KEPT CLEAR OF ALL VISUAL OBSTRUCTIONS OVER 12 INCHES IN WIDTH, BETWEEN THE HEIGHTS OF 3 FEET TO 10 FEET ABOVE CURB LEVEL. THIS INCLUDES PARKED VEHICLES.
3. A DRAINAGE EASEMENT (LABELED E3) 5 FEET WIDE ON LOTS P7-21 AND P7-7. NO FENCES OR BUILDINGS ALLOWED IN EASEMENT.
4. A PERMANENT 12 FEET WIDE PUBLIC UTILITY INGRESS/EGRESS ACCESS EASEMENT ALONG THE SOUTH LINE OF LOT P7-31 (LABELED E4).
5. A UTILITY EASEMENT (LABELED E5) 10 FEET WIDE AND 15 FEET LONG ON LOT P7-57. THIS UTILITY EASEMENT WILL BE USED TO BENEFIT LOT P7-56.
6. CITY OF CODY UTILITY AND ACCESS EASEMENTS OVER ALL COMMON AREAS.



CERTIFICATE OF SURVEYOR
I, BRETT J. FARMER, OF CODY, WYOMING, BEING A DULY LICENSED SURVEYOR IN THE STATE OF WYOMING, HEREBY STATE THE FOLLOWING: THE LANDS BEING SUBDIVIDED AS SHOWN HEREON ARE LOCATED WITHIN A PORTION OF TRACT 39, RESURVEY T.53N., R.101W.; THAT THIS IS A PRELIMINARY PLAT DEPICTING THE PROPOSED LAYOUT OF PHASE 7 OF THE TRAILHEAD 3 P.U.D.; THAT I AM FAMILIAR WITH CITY AND STATE SUBDIVISION REGULATIONS AND BELIEVE THE INFORMATION SHOWN HEREON IS IN COMPLIANCE TO THE BEST OF MY KNOWLEDGE.



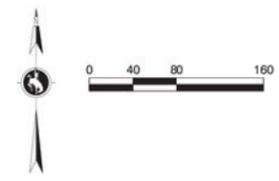
BRETT J. FARMER
WYOMING REGISTRATION NO. 15644, L.S.

Table with 3 columns: CURVE, LENGTH, RADIUS, DELTA. Lists curve data for C1 through C13.

Legend table defining symbols for Phase 7 Boundary, Road Centerline, Proposed Lot Lines, Proposed Easement Line, and Adjacent Property Line.

Common Area Summary table showing acreage for Phase 3, Phase 4&5, Phase 6, Lot P7-22, Lot P7-31, Lot P7-52, Lot P7-62, and a Total of 13.78 Acres.

TOTAL ACREAGE 68.39 ACRES
TOTAL COMMON AREA PERCENTAGE 20.15%



DEVELOPER: TRAILHEAD. TRAILHEAD DEVELOPMENT, INC. 1143 SHERIDAN AVE. CODY, WY 82414. PHONE: (307) 527-5844. DOC# 2012-7774.

ENGINEER: SAGE CIVIL ENGINEERING AND SURVEYING. 2824 BIG HORN AVENUE, CODY, WY 82414. PHONE: (307) 527-0915. 2725 W MAIN ST, P.O. BOX 1153, RIVERTON, WY 82501. PHONE: (307) 527-0916.

PRELIMINARY PLAT PHASE 7, TRAILHEAD 3 P.U.D. LOCATED WITHIN A PORTION OF TRACT 39L-A & 39K-A RESURVEY T.53N., R.101W., 6TH P.M., CITY OF CODY, PARK COUNTY, WYOMING. PREPARED: FEBRUARY 8, 2017. DRAWN BY: DT, GW, BF, CHK BY: BF. FIELD SURVEY: JAN 2014 - MAY 2014. FIELD BOOK: 18372 PAGES 1-70. PRJ #2015-65.

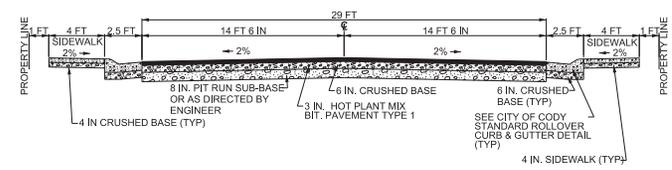
**LEGEND**

PROJECT BOUNDARY	
COMMON AREA (NATIVE GRASSES)	
COMMON AREA (PLANTED GRASS)	
PAVEMENT	
STORM WATER DISPOSAL AREA- SMALL PORTIONS TO BE COBBLE. EXACT DIMENSIONS TO BE DETERMINED AND DOCUMENTED IN THE DRAINAGE REPORT.	
PATHWAY	
SIDEWALK/CURB & GUTTER	
PROPOSED TREE	

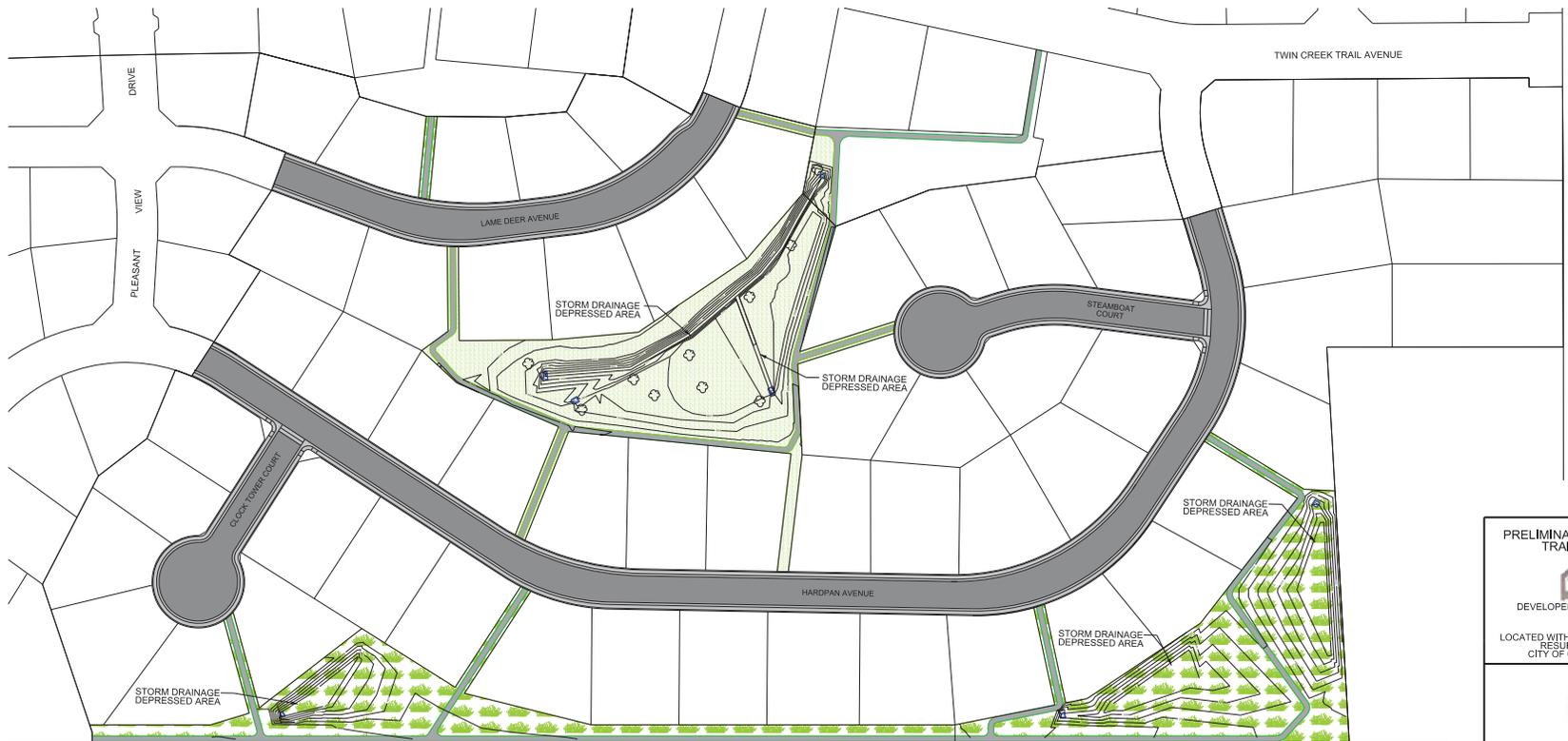
**NOTES**

1. LANDSCAPING TO BE COMPLETED AFTER ALL OTHER IMPROVEMENTS.
2. COMMON AREAS TO BE IRRIGATED USING TREATED WATER SERVICES.
3. MINIMUM LANDSCAPING REQUIREMENTS SHOWN.

**TYPICAL SECTION - LAME DEER/HARDPAN/EAGLE CREEK COURT/CLOCKTOWER COURT**



**PATHWAY TYPICAL SECTION**



**PRELIMINARY PLAT - LANDSCAPE PLAN  
TRAILHEAD PUD, PHASE 7**

DEVELOPER: TRAILHEAD DEVELOPMENT, INC.  
1143 SHERIDAN AVE.  
CODY, WY 82414

LOCATED WITHIN A PORTION OF TRACT 39L-A & 39K-A  
RESURVEY T.529L, S.1011W, 6TH P.M.  
CITY OF CODY, PARK COUNTY, WYOMING

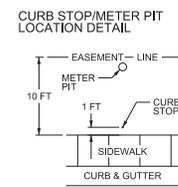
**ENGINEER**

2824 BIG HORN AVENUE  
CODY, WY 82414  
PHONE: (307) 527-0915  
FAX: (307) 527-0916  
scg@spachlerhighsmith.com

2735 W MAIN ST  
PO BOX 1152  
RUBENSON, WY 82501  
PHONE: (307) 240-5915

FEBRUARY 2, 2017      2 OF 3

LEGEND	
SUBDIVISION BOUNDARY/LOT LINES	—
PHASE 7 SUBDIVISION BOUNDARY	—
EASEMENT LINE	- - -
ROAD CENTERLINE	- - - - -
NOTE: PROPOSED SHOWN AS BLACK/COLOR EXISTING SHOWN AS GRAY	
SANITARY SEWER	—
TREATED WATER	—
STORM SEWER	—
PRIMARY POWER	—
SECONDARY POWER	—
LIGHT POWER	—
GAS LINE	—
TELEPHONE LINE	—
TELEVISION LINE	—
CABLE UTILITY TRENCH	—
TREATED WATER SERVICE	○
TREATED WATER TEE	+
FIRE HYDRANT	⊕
SANITARY SEWER MANHOLE	⊙
SANITARY SEWER SERVICE	⊕
STORM SEWER INLET	⊕
STORM SEWER MANHOLE	⊙
STORM SEWER FLARED END	⊕
ELECTRICAL VAULT	■
TRANSFORMER PAD	⊕
SECONDARY PEDISTAL	⊕
STREET LIGHT	⊕
TELEPHONE PEDISTAL	⊕
TELEVISION PEDISTAL	⊕
PROPOSED GAS METER	⊕

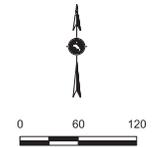
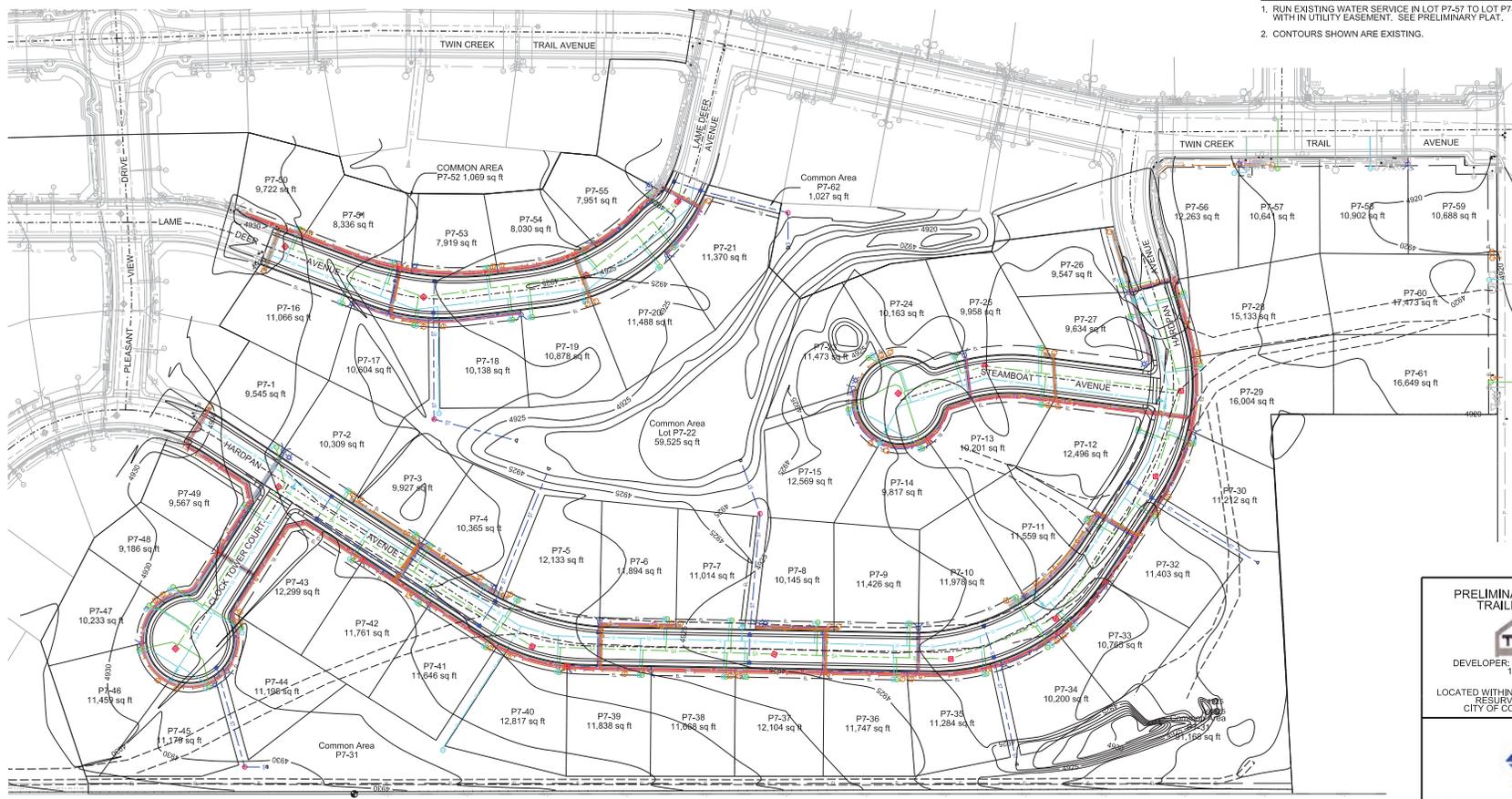


**UTILITIES**

EXISTING LOCATIONS BASED ON:  
 CITY OF CODY - TREATED WATER LINE - PER PLANS 8 INCH PVC 5.5 FT MIN. DEPTH  
 CITY OF CODY - SANITARY SEWER - PER PLANS 8 FT MIN. DEPTH  
 CITY OF CODY - ELECTRICAL - BLACK HILLS ENERGY - GAS LINE AND CHARTER - TELEPHONE LINE IN ACCORDANCE WITH THE CITY OF CODY ELECTRICAL DIVISION ELECTRICAL DISTRIBUTION STANDARDS POLICY

PROPOSED:  
 SANITARY SEWER - 8 INCH PVC MAIN AND 4 INCH SERVICES - TYPICAL  
 TREATED WATER - 8 INCH PVC MAIN AND 3/4 INCH SERVICES TO LOTS - TYPICAL  
 STORM SEWER - 18 & 24 INCH RCP

- NOTES**
1. RUN EXISTING WATER SERVICE IN LOT P7-57 TO LOT P7-56 WITH IN UTILITY EASEMENT. SEE PRELIMINARY PLAT.
  2. CONTOURS SHOWN ARE EXISTING.



**PRELIMINARY PLAT - UTILITY PLAN  
 TRAILHEAD PUD, PHASE 7**

DEVELOPER: TRAILHEAD DEVELOPMENT, INC.  
 1143 SHERIDAN AVE.  
 CODY, WY 82414

LOCATED WITHIN A PORTION OF TRACT 39L-A & 39K-A  
 RESERVE VY T-5301, S. 101W, 6TH P.M.  
 CITY OF CODY, PARK COUNTY, WYOMING

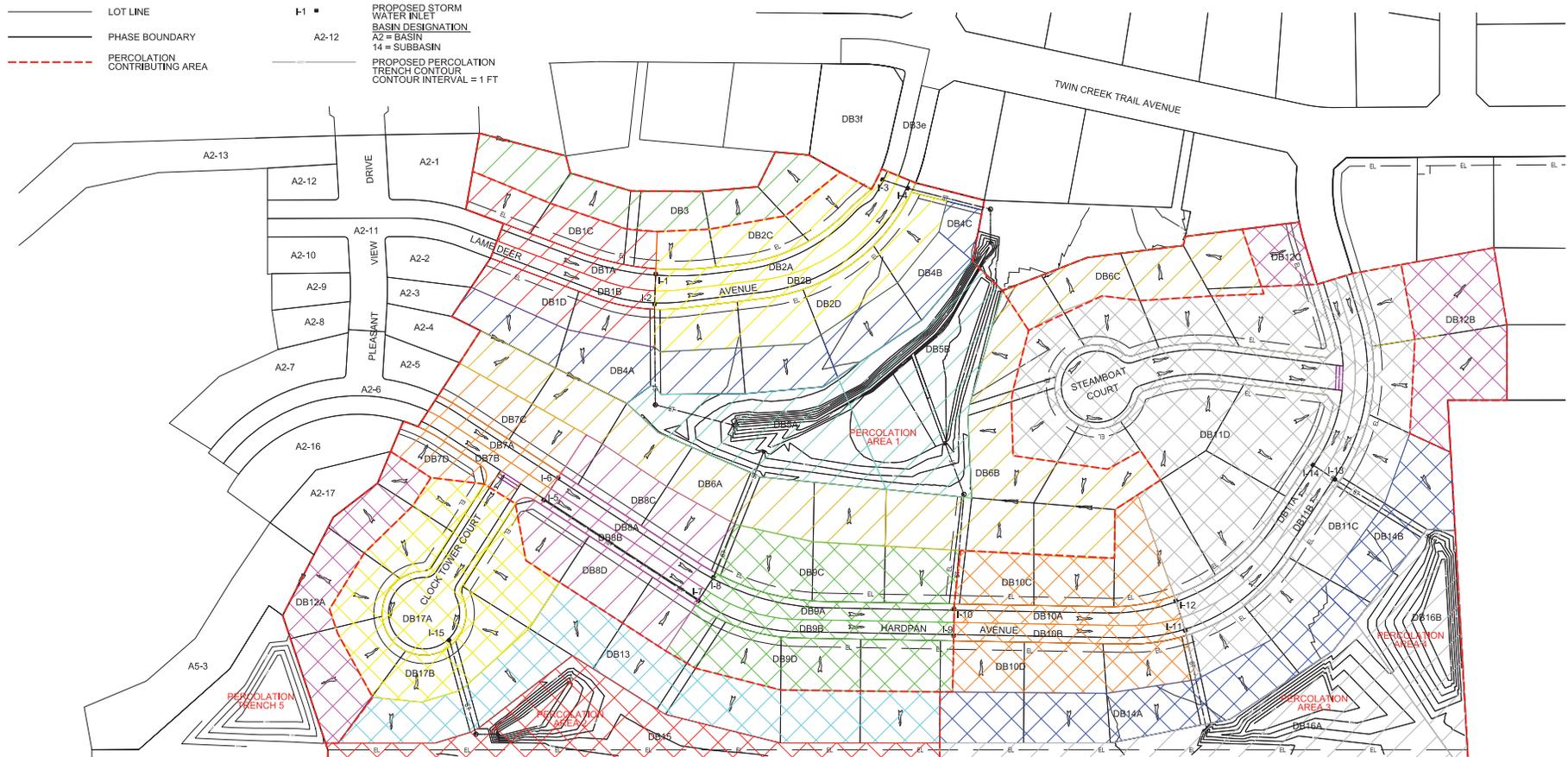
**ENGINEER**

2824 BIG HORN AVENUE  
 CODY, WY 82414  
 PHONE: (307) 527-0915  
 FAX: (307) 527-0916  
 sce@sagecivilengineers.com

2735 W MAIN ST  
 P.O. BOX 1152  
 ROBERTSON, WY 82501  
 PHONE: (307) 240-5915

FEBRUARY 2, 2017 3 OF 3

- EL — EASEMENT LINE
- ST — PROPOSED STORM WATER COLLECTION PIPE
- LOT LINE
- PHASE BOUNDARY
- - - PERCOLATION CONTRIBUTING AREA
- I-1 ■ PROPOSED STORM WATER INLET
- A2-12 ■ BASIN DESIGNATION  
A2 = BASIN  
14 = SUBBASIN
- PROPOSED PERCOLATION TRENCH CONTOUR  
CONTOUR INTERVAL = 1 FT



	DRAINAGE BASIN 1		DRAINAGE BASIN 4		DRAINAGE BASIN 7		DRAINAGE BASIN 10		DRAINAGE BASIN 13		DRAINAGE BASIN 16
	DRAINAGE BASIN 2		DRAINAGE BASIN 5		DRAINAGE BASIN 8		DRAINAGE BASIN 11		DRAINAGE BASIN 14		DRAINAGE BASIN 17
	DRAINAGE BASIN 3		DRAINAGE BASIN 6		DRAINAGE BASIN 9		DRAINAGE BASIN 12		DRAINAGE BASIN 15		

PRELIMINARY PLAT - DRAINAGE PLAN  
TRAILHEAD PUD, PHASE 7



DEVELOPER: TRAILHEAD DEVELOPMENT, INC.  
1143 SHERIDAN AVE.  
CODY, WY 82414  
LOCATED WITHIN A PORTION OF TRACT 39L-A & 39K-A  
RESURVEY T.53N., R.101W., 6TH P.M.  
CITY OF CODY, PARK COUNTY, WYOMING

ENGINEER



SAGE CIVIL ENGINEERS  
SURVEYORS

2824 BIG HORN AVENUE  
CODY, WY 82414  
PHONE: (307) 527-2915  
scc@sagecivilengineers.com

2725 W MAIN ST  
P.O. BOX 1133  
RIVERFORD, WY 82501  
PHONE: (307) 240-6915

FEBRUARY 2, 2017



January 3, 2016

Todd Stowell  
City Planner  
City of Cody  
1338 Rumsey Avenue

Subject: Trailhead 3 P.U.D.

Dear Todd:

The purpose of this letter is to detail the deviations from the original phasing plan initially submitted with the Trailhead 3 PUD application per your request. It is to accompany the Trailhead 3 Phase 7 Preliminary Plat Submittal as requested.

Trailhead 1 Addition (Subdivision):

The planning and development of this property began in 2002. Due to the long-term nature of this development, it may be helpful to provide some background. In 2002/2003 a comprehensive plan was proposed for the property. The PUD requirements were relatively new and few developments had been proposed utilizing those rules. In addition, several design features were proposed for the development that had not been used within the City of Cody. For a community the size of Cody, the proposed development was large and everyone wanted to get the plan correct. Since the approval process was going to require some time and the developer wanted to begin recouping some of his investment, it was decided with input from City personnel that the comprehensive plan application be temporarily abandoned and a smaller, more traditional development be completed. The result was the Trailhead 1 Addition comprised of 9 lots approved under the subdivision regulations.

Trailhead 2 Addition (P.U.D.):

Shortly after Phase 1 was completed, a second comprehensive application was submitted for the remainder of the property. The overall layout was similar to the one ultimately approved as the Trailhead 3, P.U.D. but did have a few important differences. One of the biggest desires of the developer was to incorporate traffic calming into the development to discourage through traffic and to minimize speeds. Input from residents in other parts of town indicated that a major drawback within their neighborhoods was speed. As evidenced by the survey recently



completed in preparation for the master plan, it is still considered an issue. The problem is that drivers will go the speed they feel comfortable driving regardless of the posted speed limit. Wide straight streets result in higher speeds.

Based on the Institute of Traffic Engineer's guidelines for low volume local roads, there are several ways to do this. One of the primary ways to accomplish this goal is with narrower pavement widths. The second is to reduce the centerline radii. The proposed plan included narrow rights-of-way, with less paved width and sidewalks and parking on only one side of the street. The 20% common space required as part of the P.U.D. requirements was incorporated into the design to accommodate and encourage pedestrian traffic away from the street network to increase safety and add to the character of the development. The result was a layout incorporating a 36 ft street right-of-way on the local roads with street sections meeting the full width City standards for Pleasant View Ave. from E Ave. to Twin Creek Trail (at that time Thorofare Trail) and Twin Creek Trail. The proposed layout has two long term benefits, the first is reduced infrastructure costs allowing more affordable lots. The second is significantly reduced street maintenance for the life of the project. One unique feature included in the plan was a storage area located in the southeast corner of the property for the members of the homeowner's association.

As with the first submittal, it became apparent the approval process would take more time than available. To keep the development progressing, it was again decided to pare the project back and complete a smaller portion, this time as a P.U.D. The initial comprehensive application was again pulled and the new development known as Trailhead 2, P.U.D. was submitted and subsequently approved. The common area was adjusted to maintain the requirement of 20% by including a small parcel on the east side of Pleasant View where the developer included a future park.

#### Trailhead 3 Addition P.U.D.:

After the Trailhead 2 Addition was completed, the conceptual plan for the remainder of the development was submitted for approval as the Trailhead 3 P.U.D. For this submittal, the previous plan was used and the concerns voiced about the project during the previous attempts at approval were addressed. In addition, Trailhead 2 had been constructed and had houses beginning to be built so we could critique that design also. The following changes were made:

1. Addition of sidewalks on both sides of the street.
2. Increased the radii
3. Increased the street width.
4. Eliminated the storage area.

Many locales do not have sidewalks on either side of the street. Including sidewalk on one side and providing additional pathways for pedestrian routes through the development was deemed adequate at the time Trailhead 2 P.U.D. was approved. However, after the subdivision was in place and in use, sidewalks on only one side of the street proved inconvenient at best. Consequently, for the Trailhead 3, P.U.D. and subsequent phases, sidewalks were added on both sides of the streets.

As discussed above, reducing the centerline radii of the streets was desired to provide a design to encourage slower speeds on the neighborhood streets. The proposal to reduce these radii and effectively reduce the design speed, was dropped and the radii were maintained at the subdivision standard.

Again, after Trailhead 2 was completed, it became apparent a slight modification to the street widths would improve the overall development. Enforcement of the parking prohibition proved difficult, and the need to park construction equipment and trailers on the street during housing construction exacerbated the problem. To accommodate the additional sidewalk and wider street widths, the right-of-way width for the neighborhood streets was increased by 8 feet. The Twin Creek Trail and Pleasant View Avenue right-of-way widths remained 60 feet. Except for the southwest portion of the property which had 15 ft. setbacks, the setbacks were proposed at 20 – 25 feet which could allow additional off street parking by virtue of extended driveways. These setbacks are 5 – 10 feet greater than Trailhead 2 setbacks, which were 15 feet.

The proposed storage area was eliminated prior to submittal of the conceptual plat for the Trailhead 3 P.U.D. The area available in the original Trailhead 2 concepts was marginal so not every lot owner could have a space. To keep the benefit equitable, the spaces would have to be rented rather than have all the homeowners pay equally for their spots. Configuring the home owner's association to manage rent collection, etc. was considered an obstacle and impractical. Based on the previous feedback from both the Planning and Zoning Board and the City staff, additional requirements for buffers, fencing, etc. would increase the cost of this proposal significantly. The additional 8 ft. of right-of-way width and corresponding increase in storm water runoff, etc. required the lot and common area layout to be reconfigured which reduced the space available in that location further. Ultimately, there was not enough room to adequately accommodate the storage area due to the other changes required as the layout was refined.

Since the Trailhead 3, P.U.D. and phasing plan were initially approved only a few changes have been made to the plan. These are:

1. The original plan included a total of 170 lots in a mix of multi and single family residential. The number of lots provided with Phases 3 through 6, and proposed for Phase 7 are as shown in the table below:

Phase 3	35
Phase 4 and 5	44
Phase 6	47
Phase 7	61
<hr/>	
Total Number of Lots as Proposed and Constructed	183

The resulting increase in the total number of lots is 7.6%. The number of duplex/town home lots was increased slightly in the last phase to reflect perceived needs of the community.

2. Several phases were combined and built simultaneously. They were renumbered at that point as shown above. The first phase of the Trailhead 3 P.U.D. to be constructed was labeled Phase 3 in the hope that confusion between it and the previous developments would be eliminated.

In summary, there was a 7.6% increase in the number of lots from the original concept. Several of those are in this final phase and are the result of splitting the very large (one lot approximately ½ acre) lots on the east side into smaller lots to make them more saleable.

Sincerely,



Jim Evans,  
P.E.

MEETING DATE:	FEBRUARY 21, 2017
DEPARTMENT:	COMMUNITY DEVELOPMENT
PREPARED BY:	TODD STOWELL
CITY ADM. APPROVAL:	_____
PRESENTED BY:	TODD STOWELL

## **AGENDA ITEM SUMMARY REPORT**

### **Ordinances to Amend the Cody Zoning Regulations and Map, 2<sup>nd</sup> Reading**

**ACTIONS:**

Second Readings of:

Ordinance 2017-01 to repeal several chapters from Title 10—Zoning;

Ordinance 2017-02 to adopt several chapters in Title 10, including a modified zoning map; and,

Ordinance 2017-03 to modify Title 9, Chapter 6, Article III, Section 27—Required Setbacks, Buffer Strips and Screening (Mobile Home Park section affected by changes in Title 10).

**BACKGROUND:**

The Council had the public hearing and first readings of the three ordinances at their February 7, 2017 meeting. No additional public comments have been received since that time. However, in the last two months since Planning and Zoning completed their review, staff has identified a few changes to Ordinance 2017-02 that we would like to request, as follows:

**Airport Overlay Boundary:**

The zoning map has historically shown the airport overlay as extending outside of the city limits, yet in practice it has not been applied outside of the city limits. The airport overlay triggers airport board and planning and zoning board review of certain uses within the overlay area. It is proposed that the boundary of the airport overlay be redrawn to exclude all properties outside of the city limits, to reflect proper applicability. Please note that the airport overlay is not based on the FAA airport protection areas that will continue to be part of both the city and county codes (City Code Title 7, Ch. 3).

**Delete Unused Definitions:**

When the Planning and Zoning Board removed two uses from the draft residential land use table, we forgot to remove the corresponding definitions. It is proposed that the following definitions be deleted from Chapter 2: “Private Country Club” and “Temporary Real Estate Sales Office”.

**Minimum Dwelling Size:**

To clarify that minimum dwelling size does not include garage area, it is proposed to add “, excluding garage” to that standard in Table 10-6-2.

**Parking for Home Occupations:**

Staff would like to modify item “k” of the home occupation supplemental development standards—both the small-scale and large-scale categories, as follows:

- “k. On-street parking that is available along the property frontage may be authorized to satisfy needed customer/visitor parking, when such will not create a significant safety concern. If more customer/visitor parking is needed than can

**AGENDA ITEM NO. \_\_\_\_\_**

~~be provided along the property frontage, it must be provided on site. Vehicle traffic associated with the home occupation shall not be of an amount that would cause, or add to, any parking congestion problems.~~

Clarify exemption under Small-scale home occupation.

To clearly spell out that home occupations are not meant to regulate hobby tinkering on a vehicle, or car sharing /rental of the owner's personal vehicle, add the following to the small-scale home occupation language (red language added).

3. The following uses are not permitted as small-scale home occupations, due to their non-residential character, failure to meet home occupation standards, and/or potential impacts to neighboring properties.
  - ... g. Vehicle or heavy equipment alteration, repair (including body, engine and chassis), painting, sales, rental, service, impound, or storage. This provision does not prohibit; mobile mechanic services that provide repair services only at the customer's residence or place of business, hobby work on not more than one vehicle per year, and rental/car sharing of no more than two personal vehicles of the property owner or tenant.

Grammatical error on page 18.

In the note for the definition of "Lot Area, Net" there are extra two words that need deleted (to refer).

**FISCAL IMPACT**

No direct fiscal impacts to the City budget are anticipated other than the typical ordinance publication and codification costs.

**ALTERNATIVES**

Approve, Deny, or Amend Ordinances 2017-01, 2017-02 and 2017-03.

**RECOMMENDED MOTIONS**

Approve 2017-01 on 2<sup>nd</sup> reading.

Approve 2017-02 on 2<sup>nd</sup> reading, with the changes noted in the staff report.

Approve 2017-03 on 2<sup>nd</sup> reading.

**ATTACHMENTS**

Ordinances 2017-01, 2017-02, and 2017-03, with exhibits.

**ORDINANCE NO. 2017-01**

**AN ORDINANCE REPEALING PORTIONS OF TITLE 10, ZONING REGULATIONS, OF THE CITY OF CODY MUNICIPAL CODE**

WHEREAS, notice of a public hearing to consider this action was published in the Cody Enterprise on January 10, 2017;

WHEREAS, a public hearing was held on February 7, 2017 before the City Council at their regular meeting, as advertised, at which meeting the City Council heard comments from all persons wishing to speak for or against the proposed ordinance;

WHEREAS, the Cody City Council has thoroughly reviewed the matter and deems that it is in the best interest of the public and the City of Cody to approve the proposed ordinance;

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CODY, PARK COUNTY, WYOMING:**

1. Chapter 1 (Definitions),  
Chapter 2 (General Provisions),  
Chapter 3 (Administration and Enforcement),  
Chapter 6 (Districts Established),  
Chapter 7 (Residential Districts),  
Chapter 8 (Mobile Home Districts),  
Chapter 9 (Transitional and Rural Residential Districts)  
Chapter 11 (Supplemental Development Standards), and  
Chapter 14 (Conditional Use Permit and Special Exemptions)  
of Title 10, Zoning Regulations, are repealed in their entirety.
2. The repeal of these regulations is contingent on the passage of Ordinances 2017-02 and 2017-03.

This Ordinance shall become effective at the final passage and publication in the Cody Enterprise as required by law.

PASSED ON FIRST READING: 2/7/17  
PASSED ON SECOND READING: \_\_\_\_\_  
PASSED ON THIRD READING: \_\_\_\_\_

\_\_\_\_\_  
Matt Hall, Mayor

Attest:

\_\_\_\_\_  
Cynthia Baker  
Administrative Services Director

**ORDINANCE NO. 2017-02**

**AN ORDINANCE AMENDING AND ADOPTING REGULATIONS  
UNDER TITLE 10, ZONING REGULATIONS, OF THE CITY OF CODY  
MUNICIPAL CODE**

WHEREAS, notice of a public hearing to consider this action was published in the Cody Enterprise on January 10, 2017;

WHEREAS, a public hearing was held on February 7, 2017 before the City Council at their regular meeting, as advertised, at which meeting the City Council heard comments from all persons wishing to speak for or against the proposed ordinance;

WHEREAS, the Cody City Council has thoroughly reviewed the matter and deems that it is in the best interest of the public and the City of Cody to approve the proposed ordinance;

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CODY,  
PARK COUNTY, WYOMING:**

1. The following chapters, as found in Exhibit A, are hereby adopted as part of Title 10, Zoning Regulations:

Chapter 1 General Provisions

Chapter 2 Definitions

Chapter 6 General Development Standards for Residential Zoning Districts

Chapter 7 Residential Zoning District Land Uses

Chapter 8 Supplemental Development Standards for Residential Zoning Districts; and,

Chapter 14 Conditional Uses, Special Exemptions, and Airport Overlay Special Use Permits.

2. The Official City of Cody Zoning Map is hereby amended to reflect the residential zoning designations and entry corridor overlay boundary depicted in Exhibit B. [Note: Properties within the City limits that are not colored (i.e. white) retain their current zoning.]

This Ordinance shall become effective at the final passage and publication in the Cody Enterprise as required by law.

PASSED ON FIRST READING: 2/7/17

PASSED ON SECOND READING: \_\_\_\_\_

PASSED ON THIRD READING: \_\_\_\_\_

\_\_\_\_\_  
Matt Hall, Mayor

Attest:

\_\_\_\_\_  
Cynthia Baker  
Administrative Services Director

TITLE 10  
ZONING REGULATIONS

TABLE OF CONTENTS

CHAPTER 1	GENERAL PROVISIONS .....	<b>1</b>
CHAPTER 2	DEFINITIONS .....	<b>9</b>
CHAPTER 3	(RESERVED)	
CHAPTER 4	PLANNING AND ZONING COMMISSION <i>(No changes to existing chapter)</i>	
CHAPTER 5	CHANGES AND AMENDMENTS <i>(No changes to existing chapter)</i>	
CHAPTER 6	GENERAL DEVELOPMENT STANDARDS FOR RESIDENTIAL ZONING DISTRICTS .....	<b>27</b>
CHAPTER 7	RESIDENTIAL ZONING DISTRICT LAND USES.....	<b>30</b>
CHAPTER 8	SUPPLEMENTAL DEVELOPMENT STANDARDS FOR RESIDENTIAL ZONING DISTRICTS .....	<b>34</b>
CHAPTER 9	(RESERVED)	
CHAPTER 10	BUSINESS, INDUSTRIAL AND MANUFACTURING DISTRICTS <i>(No changes to existing chapter)</i>	
CHAPTER 11	(RESERVED)	
CHAPTER 12	(RESERVED)	
CHAPTER 13	NONCONFORMING LOTS, STRUCTURES, AND LAND USES <i>(No changes to existing chapter)</i>	
CHAPTER 14	CONDITIONAL USES, SPECIAL EXEMPTIONS, AND AIRPORT OVERLAY SPECIAL USE PERMITS .....	<b>49</b>
CHAPTER 15	SIGNS <i>(No changes to existing chapter)</i>	
CHAPTER 16	OFF STREET PARKING <i>(No changes to existing chapter)</i>	
CHAPTER 17	ENTRY CORRIDOR OVERLAY DISTRICT <i>(No changes to text. Boundary modification on zoning map.)</i>	
ZONING MAP	(Note: Only residential zones shown for clarity).....	<b>EXHIBIT</b>

# TITLE 10

## ZONING REGULATIONS

### CHAPTER 1 GENERAL PROVISIONS

10-1-1 TITLE

10-1-2 SCOPE AND PURPOSES

10-1-3 COMPLIANCE REQUIRED

10-1-4 RULES OF INTERPRETATION

10-1-5 ENFORCEMENT

10-1-6 PROCESSING FEES, NOTICE COSTS, AND REFUNDS

10-1-7 DISTRICTS ESTABLISHED

10-1-8 ZONING LOTS

### CHAPTER 1 GENERAL PROVISIONS

10-1-1 TITLE:

The provisions of this Title shall be known and may be cited as the Zoning Ordinance of the City of Cody, Wyoming.

10-1-2 SCOPE AND PURPOSES:

This title is in pursuance of the authority conferred by Wyoming Statutes sections 15-1-601 through 15-1-611, and shall apply to all properties and developments within the Cody city limits, except those that are federally exempted.

The purpose of this title is to promote the health, safety, morals and general welfare of the inhabitants of the city by:

- A. Preserving the character of the City of Cody and its neighborhoods;
- B. Conserving the value of buildings;
- C. Encouraging the most appropriate use of land;
- D. Encouraging compatible uses within the neighborhoods or districts;
- E. Lessening congestion in the streets;
- F. Securing safety from fire, panic and other dangers;
- G. Ensuring provisions for adequate light and air;
- H. Preventing the overcrowding of land;
- I. Avoiding undue concentration of population; and
- J. Facilitating adequate provisions for transportation, water, sewerage, schools, parks and other public requirements.

This title is implemented in accordance with the City of Cody Master Plan (a.k.a. comprehensive plan).

### 10-1-3 COMPLIANCE REQUIRED

No land shall be used, or structure constructed, except in accordance with the regulations and requirements of this Title, including the requirement to obtain applicable approvals and permits prior to the development of the property. No application for the development of land shall be approved unless the application is determined to be in conformance with the requirements of this Title and all applicable development regulations, including any standards, plans or policies that have been adopted by the City so as to have a regulatory effect. All development applications filed on or after the effective date of this Title, as initially adopted and subsequently amended, whether for new development or for the expansion or alteration of existing development, shall be processed in accordance with the standards, requirements and procedures established herein.

### 10-1-4 RULES OF INTERPRETATION

In interpreting the language of this Title, the rules set out in this Section shall be observed unless the interpretation would be inconsistent with the express language of this Title.

#### A. Minimum Requirements:

In interpreting and applying the provisions in this title, they shall be held to be the minimum requirements for the protection of health, safety, morals, comfort, convenience or the general welfare. In case of conflict between this title and any other laws that exercise control over the same feature, the more stringent regulation shall apply.

#### B. Meaning and Intent

All provisions, terms, phrases and expressions contained in this Title shall be liberally construed in order to carry out the intent of the governing body. Words and phrases shall be construed according to the common and approved usage in the language, but technical words and phrases that may have acquired a peculiar and appropriate meaning in the law shall be construed and understood according to that meaning. Such terms, words, and phrases used in this Title, when defined herein or elsewhere in the City of Cody Code, shall have the meaning noted. Terms, words and phrases not defined by the City of Cody Code shall have the meanings prescribed by Wyoming Statutes Annotated for the same terms, when defined therein. Any term, word or phrase not specifically defined or prescribed in this City of Cody Code or Wyoming Statute shall have the ordinary meaning ascribed to it in a dictionary of common usage.

#### C. Text Controls

In case of any conflict between the text of this Title and any figure or table, the text shall control.

#### D. Computation of Time

The time within which an act is to be performed shall be computed by excluding the first day and including the last day. If the last day is a Saturday, Sunday, legal holiday or other day that the

City offices are officially closed to the public, that day shall be excluded. The following time-related words shall have the meanings ascribed below:

“Day” means a calendar day unless otherwise stated. “Week” means seven calendar days. “Month” means one calendar month. “Year” means a calendar year, unless a fiscal year is indicated.

#### E. Other Clarifications

1. Headings. The headings contained in this Title are for convenience only and do not limit or modify the intent or meaning of the provisions.
2. Tense. Unless clearly indicated to the contrary, words used in the present tense shall include the future, words used in the plural shall include the singular, words used in the singular shall include the plural, and words of one gender shall include the other.
3. Use of Certain Words. The words “shall,” “must,” and “will” are always mandatory. The words “may” and “should” are discretionary.
4. Written Information. References to “written” information shall mean any representation of words, letters or figures whether by printing or other form or method of writing.
5. Conjunctions. Unless the context clearly indicates the contrary, conjunctions shall be interpreted as follows:  
“And” indicates that all connected items or provisions apply; and  
“Or” indicates that the connected items or provisions may apply singularly or in any combination.

#### F. Private Covenants or Deed Clauses

No provision of this Title is intended to interfere with or abrogate or annul any easement, private covenants, deed restriction or other agreement between private parties. In cases in which this Title imposes a greater restriction upon the use of land or structures, the provisions of this Title shall prevail and control. The City has no power or authority to enforce private deed covenants, conditions or restrictions to which it is not a party. Private covenants or deed restrictions which impose conditions more restrictive than those imposed by this Title, or which impose restrictions not covered by this Title, are not implemented nor superseded by this Title.

#### G. Limitations on City Action

The issuance or granting of a building permit or approval of plans or specifications under the authority of the Building Code shall not be construed to be a permit for, or an approval of, any violation of any provisions of this Title or any amendments thereto, or of any other law. No permit, approval, representation, action or inaction on the part of a City officer or employee which purports, or could be interpreted, to authorize the violation or cancellation of any of the provisions of this Title shall limit the City’s authority to enforce the provisions of this Title or

any other provision of the Municipal Code. Any permit, license or other approval which is issued in error in conflict with this Title is voidable by order of the City.

#### H. Other Permits

Nothing in this title shall eliminate the need for obtaining any other required permits, including, but not limited to building permits; plumbing, electrical, or mechanical permits; grading permits; or any permit, approval, or entitlement required by other titles of this code, other political subdivisions of the state of Wyoming, or agencies of the state of Wyoming.

#### I. Other Limitations

No provision in this Title amounts to a guarantee, warranty or promise that any particular type of construction will be free from defect, will perform in a certain manner, or will be exempt from other legal requirements applicable thereto. The issuance of a permit, or the inspection or approval of any permit, plans or work under this Title, shall in no way constitute a guarantee, warranty or promise that any particular material, labor or construction will be free from defect, or perform in a certain manner, or will be durable, safe or fit for a particular purpose or use. Compliance with this Title is not intended to substitute for the performance of any private duty, nor to reduce or eliminate any private liability on the part of an owner, developer or permittee.

#### J. Severability

If for any reason any part, section, subsection, sentence, clause or phrase of this Title, or the application thereof to any person or circumstance, is declared to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Title.

### 10-1-5 ENFORCEMENT

#### A. General

1. Purpose. Enforcement of the provisions of this Title shall be pursued in order to provide for its effective administration, to ensure compliance with any condition of development approval, to promote the City's planning efforts, and to protect the public health, safety and general welfare.
2. Responsibility. The provisions of this Title and any conditions of development approval which have been imposed thereunder may be enforced by the City administrator, City planner, City building official, City code enforcement officer, City police department, and any other City officer or employee designated by the City Administrator to do so. Any structure or use which is established, operated, erected, moved, altered, enlarged, or maintained contrary to the provisions of this Title shall be subject to the remedies and penalties set forth in this Title. A building permit, subdivision, and other land development application may be denied for failure to comply with this Title, including any condition or standard imposed on any application granted under this Title.

3. Stop Work Order. A “Stop Work Order” may be issued by any of the persons identified in paragraph 2 above with respect to any construction which is in violation of this Title or in violation of any condition which has been imposed on a permit or other approval under this Title. The “stop work order” shall identify the property location, briefly describe the reason for the stop work order, be signed and dated by the individual issuing the order, and contain information on how to contact the community development department about the apparent violation.

## B. Violations

Pursuant to Wyoming Statute §15-1-610, if any building or structure is erected, constructed, reconstructed, altered, repaired, converted or maintained, or if any building, structure or land is used in violation of this Title or other regulation made under its authority, the proper authorities of the city, in addition to other remedies prescribed by ordinance, may institute any appropriate action to prevent the violation; the occupancy of the building, structure or land; or, any illegal act, conduct, business or use in or about the premises.

### 1. Misdemeanor

A violation of this Title, or any permit issued in accordance therewith, whether such violation was caused by disobedience, omission, neglect, or refusal to comply, constitutes a misdemeanor, as follows.

- a. It is unlawful for any person, whether acting as a principal, agent or employee, to violate any provision of this Title, or of any condition or requirement imposed upon any permit or authorization granted hereunder, including but not limited to those specified in a Conditional Use Permit, Site Development Authorization (Plan Review), Special Exemption, Variance, Administrative Deviation, Home Occupation Permit, Sign Permit, or a Temporary Use Permit.
- b. It is unlawful for the owner, general agent, lessee or tenant of a building or premises or for any other person to cause, permit or assist in the occurrence or commitment of a violation of any provision of this Title, or of any condition or requirement imposed upon a permit or authorization granted hereunder, including but not limited to those specified in a Conditional Use Permit, Site Development Authorization (Plan Review), Special Exemption, Variance, Administrative Deviation, Home Occupation Permit, Sign Permit, or a Temporary Use Permit.

Upon conviction, said person shall be punished as provided in City of Cody Code Section 1-4-1. Each day that a violation is permitted to exist after notice has been given by a city representative noted in 10-1-5(A)(2) shall constitute a separate offence.

2. Administrative Action. For any violation of this Title, or of any approval granted or condition of approval imposed hereunder, the City may pursue administrative action to:
  - a. Review, modify, suspend, or revoke an approval or permit issued hereunder;
  - b. Require the discontinuance of a use operating as a conditional use or special use under City of Cody Code (add Section); or

- c. As an alternative to requiring discontinuance under Subparagraph (b) of this Paragraph (2), require that a use operating as a conditional use or special use under City of Cody Code (add Section) comply with additional conditions or limitations.
3. Nuisance. Any building or structure set up, erected, built, moved, or maintained or any use of property contrary to the provisions of this Title shall be, and is declared to be, unlawful and a public nuisance and the City Attorney shall, upon order of the City Administrator or City Council, immediately commence actions or proceedings for the abatement, removal and enjoinder of it in a manner provided by law and shall take such other steps and shall apply to the court as may have jurisdiction to grant relief to abate or remove the building, structure or use, and restrain and enjoin any person from setting up, erecting, building, moving, or maintaining any building or structure, or using any property contrary to the provisions of this Title.
  4. Remedies Cumulative. All remedies provided herein shall be cumulative and not exclusive.
  5. Violations Continue. Any violation of a former version of the Zoning Code, or portion thereof, shall continue to be a violation under this Title and be subject to penalties and enforcement under this Section, unless the use, development, construction, or other activity complies with the current provisions of this Title.

#### 10-1-6 PROCESSING FEES, NOTICE COSTS, AND REFUNDS

- A. Payment of Processing Fee Required. The governing body shall establish and maintain a fee schedule for the processing of applications required pursuant to this Title. The fee schedule may be adopted by resolution. No application shall be processed without payment of the required fee.
- B. Applications requiring fees shall include, but not be limited to: site plan reviews, planned unit developments, rezones, text amendments, administrative deviations, special exemptions, conditional use permits, special use permits, variances, sign permits, architectural and landscaping reviews, and any other review conducted by the Planning and Zoning Board.
- C. Costs for publishing public notices in the newspaper and costs for mailing required notices shall be paid by the applicant, and are in addition to the City's processing fee.
- D. Applications that are withdrawn prior to receiving a decision may be eligible for a partial refund as follows. The City planner shall have the discretion to authorize a partial refund based upon the application fee paid minus the approximate costs of processing the application incurred to date.
- E. Refunds are not available for applications that have been processed to the point of receiving a decision from the reviewing official.

#### 10-1-7 DISTRICTS ESTABLISHED

##### A. Adoption of Official Zoning Map

To bring about the purposes of this title and provide for regulations that are customized to the different character districts and neighborhoods of the City, the City is divided into zoning

districts. The boundaries of each zoning district are delineated and shown on the Official Zoning Map of the City of Cody. The Official Zoning Map, together with all notations, references, dimensions, designations and other information shown on the map is adopted and made part of this title by reference. The Official Zoning Map shall be stored, maintained, and kept current by the Community Development Department.

**B. Establishment of Zones**

1. The residential zoning districts established by this title are as follows and shall be known and cited as:

<b>Abbreviated Designation</b>	<b>Zoning District Name</b>
RR	Rural Residential
R-1	Single Family Residential
R-2	Medium-Low Density Residential
R-2MH	Medium-Low Density Manufactured Home
R-3	Medium-High Density Residential
R-4	High Density Residential
MHP	Mobile Home Park

2. The commercial and industrial zoning district established by this title are as follows and shall be known and cited as:

<b>Abbreviated Designation</b>	<b>Zoning District Name</b>
D-1	Limited Business
D-2	General Business
D-3	Open Business/Light Industrial
D-4	High Tech/Data Processing/Light Manufacturing
E	Industrial
HI	Heavy Industrial

3. The special area zoning districts established by this title are as follows and shall be known and cited as:

<b>Abbreviated Designation</b>	<b>Zoning District Name</b>
PUD	Planned Unit Development

4. The overlay districts established by this title are as follows and shall be known and cited as:

<b>Abbreviated Designation</b>	<b>Zoning District Name</b>
A-O	Airport Overlay
DA-O	Downtown Architectural Overlay
DP-O	Downtown Parking Overlay
E-O	Entry Corridor Overlay

**C. Amendments**

1. No change to the Official Zoning map shall be authorized without the approval of a rezoning application, which approval shall be in the form of an ordinance approved by the governing body.
2. The Official Zoning Map shall show the dates and ordinance numbers of all amendments approved hereafter.

#### D. Rules for Interpretation of Zoning District Boundaries

The following presumptions shall apply in determining boundaries of a district as shown on the Official Zoning Map:

1. Where a boundary follows a public street, the centerline of the street shall be the boundary. When there are two or more adjacent streets, the centerline of the street with the higher classification shall be the boundary (e.g. use centerline of highway instead of frontage road).
2. Where a boundary follows a lot line, the lot line shall be the boundary.
3. Where a property is split by a boundary, the boundary shall be determined by the context of the situation when possible, which methods may include, for example: review of the legal description of a former rezone ordinance, the extension of an adjacent property line, the presence of a physical feature such as a canal or stream, a line between two known points, and an elevation contour. When the context is not sufficiently clear to determine the precise location of the district boundary, the boundary shall be determined by scaling the location from the zoning map.
4. Where a public right-of-way is officially vacated or abandoned, the boundary shall automatically be shifted, if necessary, to follow the new property boundary, which is typically, but not always, the former centerline of the vacated right-of-way.

#### 10-1-8 ZONING LOTS

The City of Cody contains some developments and land uses that encompass multiple lots and parcels, without respect to zoning setbacks, building code regulations, or other development regulations. A property consisting of more than one lot or parcel, which is developed and/or utilized in such a manner as to constitute a single development, of which no individual lot or parcel could be excluded without causing the development to violate an applicable provision of the building code, fire code, zoning ordinance, or other adopted City development code shall be treated as a single lot for purposes of this title, which lot is termed a “zoning lot”. No new zoning lots shall be created, except pursuant to City of Cody Code Section 11-6(B), Lot Consolidations.

## CHAPTER 2 DEFINITIONS

### 10-2-1 DEFINITIONS

#### 10-2-1 DEFINITIONS:

**ACCESSORY BUILDING.** A building or structure subordinate to the principal building on the same lot and used for purposes customarily incidental to those of the main building. Cargo containers and similar portable structures that remain in place more than 30 days shall be considered buildings (either accessory or primary, depending on situation) for purposes of this Title, except while utilized in conjunction with permitted construction on the property on which it is located.

**ACCESSORY DWELLING UNIT (ADU).** An independent, self-contained dwelling unit within or attached to a detached single-family dwelling or building accessory thereto. An ADU that complies with the zoning ordinance is considered a separate land use for purposes of zoning definition and classification, such that it shall not individually constitute a single-family dwelling or cause a single-family dwelling in which it is located to be considered a two-family dwelling (duplex), as the ADU shall be clearly subordinate to the primary dwelling unit, both in use and appearance. Mobile homes, manufactured homes, recreational vehicles and temporary structures shall not be used as accessory dwelling units.

**ACCESSORY USE.** A use incidental or secondary to the principal use of a lot, building or structure and located on the same lot as the principal use. The intensity and level of activity in an accessory use is less than that of the primary use.

**ADJACENT.** To be separated by a common property line or lot line; or, to be located directly across a street, private street or access easement, alley, or right-of-way (other than a state highway) from the subject property.

**ALLEY.** A private or public way that affords only a secondary means of access to abutting property and that is not intended for general travel or circulation. Alleys are not considered a type of street.

**AMENITY.** A natural or created feature that enhances the aesthetic quality, visual appeal or attractiveness of a particular property, place or area.

**ANTENNA.** Any exterior apparatus that is mounted on a structure and is used for transmitting or receiving communications, including electromagnetic waves, digital signals, analog signals, radio frequencies (excluding radar signals), wireless communication signals or other communication signals.

**ANTENNA TOWER.** A pole or other structure, including any supporting elements, that is used to support one or more wireless communication antennas. The term includes a pole or other structure that supports a wireless communication antenna, including those attached to a trailer or other portable support.

**ANTENNA TOWER ALTERNATIVE STRUCTURE.** A structure such as a flagpole, man-made tree, clock tower, steeple, or similar alternative-design mounting structure that substantially camouflages or conceals the presence of wireless communication antennas or antenna towers.

**APARTMENT HOUSE.** See definition of Dwelling, Multi-Family.

**ASSISTED LIVING APARTMENTS.** A multi-family building in which personal care services are provided to elderly residents for daily living needs. Such services may include, but are not limited to, preparation and service of meals, housekeeping, laundry, monitoring of rooms, monitoring of medication, or assistance with bathing. The term includes commercial uses that are ancillary to an assisted living apartment complex as long as the total amount of floor space dedicated to such uses does not exceed 5% of the total gross floor area of the complex and there is no external signage for, nor external access to, the commercial uses. The term does not include a convalescent care facility/nursing home or other medical facility that is specifically defined in this Chapter.

**AUXILIARY KITCHEN.** A second kitchen in a single-family detached dwelling that is:

1. Intended solely for use by members of the household for private dinner parties or social gatherings; and
2. Not located within an accessory structure and is directly accessible from the rest of the dwelling.

**BASEMENT.** A story, as defined herein, which is partly or completely below finished grade. A basement shall be counted as a story for purposes of height measurement when the basement has more than one-half of its height above finished grade.

**BED AND BREAKFAST INN.** A private single-family detached home that is used to provide temporary overnight lodging accommodations for a charge to the public with not more than four lodging units or not more than a daily average of eight persons per night during any thirty-day period and in which one but no more than two family-style meals are offered to the guests per 24-hour period. Total guest occupancy of a bed and breakfast inn shall not exceed ten persons. (Facilities with a guest occupancy greater than 10 persons shall be classified as hotels under this title.) Bed and breakfast inns differ from the short-term rental land use categories in that they allow the sleeping rooms to be individually rented and a meal service to be provided.

**BUFFER ZONE.** A minimum fifteen foot (15') wide strip of land, to be landscaped and maintained, on a commercially zoned property to separate it from any adjacent land that is zoned residential.

**BUILDING.** A structure having a roof supported by columns or walls, for the shelter or enclosure of persons, animals, or property. Such term shall include "structure."

**BUILDABLE AREA.** That portion of a building site, exclusive of the required setback areas, in which a structure or building improvements may be erected.

**BUILDING COVERAGE.** The percentage of the net lot area that is covered by buildings, and measured to the exterior wall surfaces at the ground floor. Building coverage also includes uncovered horizontal structures such as decks, stairways and entry bridges that are more than 6 feet above grade. Eaves are not included in building coverage.

**BUILDING, DETACHED.** One building on one building lot surrounded by yards or open space; or buildings in a building group that are physically detached one from the other.

**BUILDING ELEVATION.** The exterior face of a building, including all vertical elements of the building facing in the same general direction.

**BUILDING FACADE.** That portion of any exterior elevation of a building extending from grade to top of parapet, wall, or eaves, together with the entire width of the building elevation.

**BUILDING HEIGHT.** Building height refers to the vertical distance between the average finished grade along the front of a building and either 1) the highest point of the coping of a flat roof; 2) the deck line of a mansard roof; or 3) the height of a point midway between the eaves of the main roof and the highest ridge line of a gable, hip or gambrel style roof. For structures without a roof, building/structure height is the vertical distance from the average finished grade to the highest point of the structure, except those projections otherwise exempted or specified in this Title. Note: Sign Height is as measured pursuant to the sign code.

**BUILDING LINE.** A line running parallel to a lot line, that is the same distance from the lot line as the closest portion of a building on the site.

**BUILDING, MAIN.** A building devoted to the principal use of the lot on which it is situated. On any lot in a residential district, the term refers to the principal building, whether a single-family or multi-family building, located on that lot.

**CARPORT.** A roofed structure for vehicle parking that is open on at least two sides. If less than two sides are open, the structure shall be classified as a garage.

**CHILD CARE.** A business service provided by an individual, partnership, corporation or other business entity to keep or care for any minor child for a period of less than 24 hours, at the request of the parents, legal guardians or an agency which is responsible for the child; and which is required to be regulated as a child care facility by the Wyoming Department of Family Services.

**CHILD CARE CENTER.** A business operating in a non-residential building that provides child daycare for sixteen (16) or more children. Maximum size is fifty (50) children when located in a residential zoning district.

**CHILD CARE, Family Child Care Center Category.** A business providing child daycare for up to fifteen (15) children at any one time in a residential or commercial type structure. If located within a residential zone, the facility must be located in the primary home of the child care provider.

**CHILD CARE, Family Child Care Home Category.** A business providing child daycare for up to ten (10) children at any one time. The facility must be located in the primary home of the child care provider.

**CHURCH, AND HOUSE OF WORSHIP.** Any building used for religious worship services, religious education, and fellowship activities and programs of a religious organization. The term does not include a for-profit daycare center, general education school, thrift shop, homeless shelter, or commercial activity—such uses are regulated independently.

**CITY.** The City of Cody, Wyoming.

**CITY COUNCIL (COUNCIL).** The Mayor and City Council of the City of Cody, Wyoming.

**CITY STANDARDS.** In their most recent editions and with the most recent amendments, any engineering, development or design standards and specifications adopted by the City Council. The term includes standards for public improvements and standards for private improvements required pursuant to City of Cody Code.

**COMMERCIAL VEHICLE.** A vehicle customarily used as part of a business for the transportation of goods or people.

**COMMUNITY CENTER, PRIVATE (ACCESSORY).** A privately owned and maintained facility associated with a planned residential development, neighborhood organization, or multi-family development which provides for community activities for residents of the development.

**COMMUNITY GARDEN.** An area of land established and used for gardening by a community-based organization or other group of people with the intent of harvesting produce for personal consumption or for sales or distribution to the community on a limited basis. The term does not include a garden that is incidental to a residential use and whose products are primarily intended for consumption or use by those residing on the property.

**COMMUNITY RESIDENCE FOR THE DISABLED.** A residential family-like living arrangement for up to ten unrelated individuals with disabilities who are in need of the mutual support furnished by other residents, as well as the support services, if any, provided by the operator of the Community Residence. Residents may be self-governing or supervised by a sponsoring entity or its staff that furnishes habilitative or rehabilitative services related to the needs of the residents. Interrelationships among residents are an essential component of a Community Residence. A Community Residence shall be considered a residential use of property for purposes of all zoning and building codes. However, the Fire Marshal, pursuant to and consistent with the City’s Fire Code, may require enhanced fire protection, including the installation of fire sprinklers and other mitigating measures, where one or more residents has a lessened ability to ambulate adequately. Prior to authorization of a community residence for more than five residents, the applicant shall provide a certification from a qualified medical practitioner that the number of disabled residents proposed is necessary to provide the mutual support and interrelationships required for treatment. The use does not include any of the following:

1. Senior Citizen Apartment (a.k.a. “housing for older persons” under the provisions of Federal law);
2. Child or Adult Daycare;
3. Convalescent Care Facility/Nursing Home;
4. Facility for Transitional Living for Released Offenders;
5. Facility to Provide Testing, Treatment, or Counseling for Drug and Alcohol Abuse;
6. Hospice;

7. Sex Offender Counseling Facility;
8. Boarding House or Rooming House;
9. Any other group living arrangement for unrelated individuals who are not disabled; and,
10. Any of the following:
  - a. Facilities for the Treatment of Drug and Alcohol Abuse;
  - b. Modified Medical Detoxification Facilities;
  - c. Transitional Living Facilities for Released Offenders;
  - d. Facility for the Treatment of Narcotics; or
  - e. Community Triage Center.

**CONDOMINIUM.** A multi-family dwelling or a commercial building within which the occupied area is owned individually and the structure, land, common open space areas and facilities are owned by all of the owners on a proportional, undivided basis. See Wyoming Statute Title 34, Chapter 20, Condominium Ownership Act.

**CONVALESCENT CARE FACILITY/NURSING HOME.** A building or structure designed, used, or intended to be used to house and provide care for persons who have a chronic physical or mental illness or infirmity, but who do not need medical, surgical or other specialized treatment normally provided by a hospital. The term includes a rest home and nursing home, but does not include an assisted living apartment, hospital, or other medical facility that is specifically defined in this Chapter.

**COUNTRY CLUB, PRIVATE.** A facility available for use on a membership basis for recreational or athletic purposes, and where use of the facility is primarily restricted to members and their guests. The term includes accessory uses, such as a clubhouse; and, restaurant and accessory retail facilities that do not have separate exterior signage.

**CUL-DE-SAC.** A local street with only one connection to other streets (dead end) and with an approved method of termination at the closed end.

**CURB.** A stone, concrete or other improved border that is typically used to mark the edge of a roadway or paved surface.

**CURB CUT.** The opening constructed in the curb line of a street at which point vehicles may enter or leave the roadway to access adjacent property.

**DEVELOPABLE ACREAGE (DEVELOPABLE ACRES).** The total area within the lot lines of a property of a lot or parcel of land before public streets or other areas to be dedicated or reserved for a public use are deducted from such lot or parcel through the subdivision process. The term does not include any property that:

1. Has already been dedicated or reserved for such purposes;
2. Contains slopes in excess of 33 percent for a horizontal distance of at least 20 feet, measured up/down the slope;
3. Is below the ordinary high water mark of a waterbody; or,
4. Is within a protected wetland.

**DORMITORY.** A building other than a single-family dwelling that is used for non-transient group sleeping accommodations either in one room or a series of closely associated rooms for persons not constituting a family, and which building is under single management. Dormitories may include common dining, cooking, recreation, and bathing facilities. A single-family dwelling may be converted into a dormitory pursuant to the requirements of the adopted building code in order to meet this definition. Sorority and fraternity houses fall within this category.

**DWELLING.** A building, structure, or portion thereof, designed or used exclusively for residential occupancy as a separate living quarter, with sleeping, cooking and sanitary facilities provided. Dwellings may be further classified by their number of dwelling units (e.g., two-family dwelling) and configuration (attached or detached).

**DWELLING, ATTACHED.** A single-family dwelling attached to one or more single-family dwellings by common vertical walls, with each dwelling on a separate lot. Attached dwellings are required to share a common or abutting wall for at least 25 percent of the length of the side of the dwelling.

**DWELLING, MULTI-FAMILY.** A building or group of buildings that contain at least three attached dwelling units, and may be configured so that the dwelling units are stacked one over another.

**DWELLING, SEMIDETACHED SINGLE-FAMILY.** A residential building containing two attached single-family dwelling units totally separated from each other by an unpierced wall extending from ground to roof, with each dwelling unit on a separate lot. In other words, a single-family attached dwelling that is attached to only one other single-family attached dwelling.

**DWELLING, SINGLE-FAMILY DETACHED.** A dwelling unit:

1. That is not attached to any other dwelling by any means;
2. That is located on a separate and individually owned lot;
3. That is surrounded by open space or yards;
4. That is for the exclusive use of a single family maintaining a household;
5. That has no more than one kitchen with full kitchen facilities; and
6. In which all rooms used for human habitation have interior access to one another.

Nothing in this definition, however, prohibits the construction or use of an accessory dwelling unit in accordance with this Title, or the construction or use of an auxiliary kitchen as defined in this Chapter.

**DWELLING, SITE-BUILT.** A dwelling that is primarily constructed on the lot on which it is intended to be occupied, in accordance with the standards of the City's adopted building codes. The term includes modular homes as defined herein, and "stick built" homes. The term does not include mobile homes, manufactured homes, and similar factory-built structures.

**DWELLING, TOWNHOUSE.** A row or cluster of at least three single family attached dwelling units in which each dwelling unit is located on a separate lot; each unit is separated by one or more common vertical walls; each unit has its own front and rear yard access; and no unit is located over another unit. A townhouse complex may include common open space and recreational areas and facilities which are owned by all owners on a proportional, undivided basis.

**DWELLING, TWO-FAMILY (a.k.a. DUPLEX).** A residential building containing two dwelling units that share a common vertical fire wall, with both dwelling units located on the same lot or parcel.

**DWELLING UNIT.** A residential unit providing complete and independent living facilities for the exclusive use of a single family maintaining a household, including lawful facilities for living, cooking, eating, sleeping and sanitation. Except where authorized otherwise by the land use table and/or supplemental development standards, occupancy of a dwelling unit is limited to one family.

**EASEMENT.** A grant of one or more property rights by a property owner that allows others to use the owner's land for a specific purpose, such as for access or to locate utilities, as defined by the granting document.

**EGRESS.** An exit.

**ENGINEER.** A person currently registered as a professional engineer to practice in the state of Wyoming.

**ESTABLISHMENT.** A use, building, structure or premises used for business, office, or commercial purposes.

**FAMILY:** Any number of persons living and cooking together on the premises as a single housekeeping unit, but not including a group of more than five (5) individuals not related by blood or marriage.

**FUNCTIONAL CLASSIFICATION.** A classification system that defines the purposes and hierarchy of all streets and highways. See also the Master Street Plan.

**FRONTAGE (Street).** The portion of a property that borders a street right of way, measured along the property line.

**GARAGE.** A building enclosed on more than two sides, or a portion of an enclosed building, which is used for the parking of vehicles.

**GARAGE, REAR-LOAD.** A private garage with the overhead door(s) accessed from the rear of the lot.

**GARAGE, SIDE-LOAD.** A private garage where the overhead door(s) are oriented perpendicular to the front lot line.

**GOVERNING BODY.** The City Council of the City of Cody.

**GRADE, FINISHED.** The average proposed level of the finished surface of the ground adjoining a building after all site development work has been completed.

**GRADING.** Any stripping, cutting, filling, or stockpiling of earth or land, including the land in its cut or filled condition, to create new grades.

**GROSS FLOOR AREA.** The sum of the gross horizontal areas of all the floors of a building or

structure measured from the exterior face of exterior walls, but excluding basements with less than six feet eight inches (6'8") ceiling height and any other area where the floor-to-ceiling height is less than five feet.

**HAZARDOUS MATERIAL.** A substance or material, including a hazardous substance, which has been determined by the United States secretary of transportation under title 49 of the code of federal regulations to be capable of posing an unreasonable risk to health, safety and property and which has been so designated; and, nuclear or radioactive materials or waste; and, chemicals listed in Title III List of Lists Chemicals Subject to Reporting Under Title III of the Superfund Amendments and Reauthorization Act (SARA) of 1986, published July, 1987, U.S. Environmental Protection Agency.

**HAZARDOUS WASTE.** Any material that is subject to the hazardous waste manifest requirements of the United States environmental protection agency as specified in 40 CFR part 262; or which is regulated by the Wyoming hazardous waste rules and regulations pursuant to the Wyoming environmental quality act, Wyoming Statutes 35-11.

**HOME OCCUPATION.** A business activity conducted from a residential dwelling unit pursuant to the standards of this Title, with the intent of generating income. Home Occupations are further classified as follows:

**LARGE-SCALE.** A business or professional enterprise operated out of a residential dwelling or accessory building by a resident of the household and potentially up to two non-resident employees, which is of a scale and character that does not alter or detract from the residential character of the property or neighborhood, and is incidental and accessory to the primary use of the property for residential purposes. Large-Scale home occupations shall meet the standards outlined in the supplemental development standards.

**SMALL-SCALE.** A business or professional enterprise operated out of a residential dwelling by a resident of the household, which is of a scale and character that does not alter or detract from the residential character of the dwelling or neighborhood, and is incidental and accessory to the primary use of the dwelling for residential purposes. Small-scale home occupations shall meet the standards outlined in the supplemental development standards.

**IMPROVEMENT.** Any building, structure, utility, landscaping, or other object constituting a physical betterment of real property, or any part of such betterment.

**INDIVIDUAL CARE CENTER.** A commercial facility that provides 24-hour personal care and related services to more than ten children or dependent adults in a supervised, protective, congregate setting. Such a use is subject to the care-related regulations and standards of the State of Wyoming Department of Health. Services typically offered in conjunction with dependent adult care include social and recreational activities, training, meals, and personal daily living care. See also Individual Care—Family Home for a list of uses not included in this definition.

**INDIVIDUAL CARE – FAMILY HOME.** A residential dwelling used primarily as a residence where 24-hour personal care and related services is provided to a maximum of five children or dependent adults living as a single household, for compensation. Such a use is subject to the care-related regulations and standards of the State of Wyoming Department of Health Aging Division, under their category of “boarding home”. Services typically offered in conjunction with dependent adult care

include social and recreational activities, training, meals, and personal daily living care. The following uses are not included in any of the Individual Care categories:

1. Facility for Transitional Living for Released Offenders;
2. Facility to Provide Testing, Treatment, or Counseling for Drug and Alcohol Abuse;
3. Hospice;
4. Sex Offender Counseling Facility;
5. Any of the following:
  - a. Facilities for the Treatment of Drug and Alcohol Abuse;
  - b. Modified Medical Detoxification Facilities;
  - c. Transitional Living Facilities for Released Offenders;
  - d. Facility for the Treatment of Narcotics;
  - e. Community Triage Center; or
  - f. Habilitative or nursing care.

**INDIVIDUAL CARE – GROUP HOME.** A facility that provides 24-hour personal care and related services to a minimum of six children or dependent adults and a maximum of ten children or dependent adults living as a single household, for compensation. When located on a single-family residential lot, the provision of care shall take place in a dwelling used primarily as a residence. When located on a parcel developed with multi-family housing, the provision of care shall take place within a structure not used as a residence. In any case, such a use is subject to the care-related regulations and standards of the State of Wyoming Department of Health Aging Division. Services typically offered in conjunction with dependent adult care include social and recreational activities, training, meals, and personal daily living care. See also Individual Care—Family Home for a list of uses not included in this definition.

**INGRESS.** Access or entry.

**INTENSITY OF USE.** The number of dwelling units per acre for residential development and floor area ratio for nonresidential development.

**KENNEL:** An establishment where five or more dogs, cats or other domestic household pets age six months or older, are bred, raised, trained, or boarded, for compensation.

**KITCHEN.** That portion of a dwelling unit devoted to the cooking or preparation of food for the purpose of consumption by residents of the dwelling unit. The term includes a “kitchenette,” “wet bar” or any area equipped with items such as a counter-top hot plate, counter-top grill, or microwave oven, together with an under-counter refrigerator and sink. “Full Kitchen Facilities” indicates the presence of complete cooking facilities (i.e., stove, oven or microwave oven, refrigerator, and sink). The presence within any food preparation area of a ventilation hood, gas stub, two-hundred-twenty-volt electrical outlet or wiring, or any combination thereof, shall be considered “full kitchen facilities.”

**LANDSCAPING.** The combination of natural elements such as trees, shrubs, ground covers, and other organic and inorganic materials that are installed for purposes of creating an attractive and pleasing outdoor environment.

**LIVING AREA.** For Accessory Dwelling Unit purposes, living area is calculated by excluding the following from the gross square footage of the building:

1. The exterior walls;
2. Garages;
3. Basements with less than six feet eight inches (6'8") ceiling height; and
4. Other areas with ceiling height less than five feet (5').

**LODGING UNIT/ROOM.** A lodging unit or lodging room is a room with one or more beds, bunks or other facilities for sleeping purposes.

**LONG-TERM RENTAL.** A residential dwelling unit rented for periods of 30 days or more to one family.

**LOT.** In its' strictest sense, "Lot" is a plot, tract, or portion of a subdivision or addition or other parcel of land whose existence, location and dimensions have been defined either by a legally authorized and recorded subdivision map (plat); or as a government lot or tract in a United States public land survey subdivision. However, for purposes of applying zoning regulations, "Lot" is typically used generically to refer to any legally created piece of divided land, whether technically a platted lot, government lot, lot of record, tract, plot, or parcel. The use of "Lot" in this manner avoids needless repetition (lot area, plot area, parcel area, etc.).

When it is necessary to distinguish between types of lots, such as often occurs in the realm of surveying and subdivision regulation, the term "Lot" is typically limited to the strict definition, and the terms tract, lot of record, deeded parcel, etc. carry their respective meanings. Due to the potential for misinterpretation, the reviewing official has the authority to determine the proper interpretation of "Lot" consistent with the language of this title, so that its use does not inadvertently preclude applicability of any particular regulation.

**LOT AREA.** That area of a horizontal plane bounded by the front, side and rear property lines of a lot, including any portion of an easement which may exist within such property lines but exclusive of rights-of-way for street purposes.

**LOT AREA, NET.** As of the date of adoption of this ordinance, "Net Lot Area" means the area of a lot (lot area) minus any portion thereof that:

1. Is dedicated or reserved for a public or private street;
2. Contains slopes in excess of 33 percent for a horizontal distance of at least 20 feet, measured up/down the slope;
3. Is below the ordinary high water mark of a waterbody;
4. Is within a protected wetland; or,
5. Is in the "pole" portion of a flag lot.

[Note: Historically, some plats used the term "Net Lot Size" to refer to differentiate between the size of a lot after right-of-way dedication through the plat process, from its size before. The terms are not interchangeable.]

**LOT, CORNER.** A lot situated at the intersection of two or more streets, with frontage on at least two streets.

**LOT DEPTH.** The length of a line connecting the mid-point of the front and rear property lines of a lot.

**LOT, DOUBLE FRONTAGE.** A lot (not a corner lot) that adjoins two streets that are parallel or within forty-five degrees of being parallel to each other.

**LOT, FLAG.** A lot with two distinct parts: The “flag,” which is the only building site; and is located behind another lot; and the “pole,” which connects the flag to the street and provides the only street frontage for the lot. Flag lots are prohibited, except as may be authorized through the subdivision variance or PUD process. A lot that is at least as wide, at all points, as the minimum frontage required for the lot, or 40 feet, whichever is greater, shall not be considered a flag lot, regardless of its appearance.

**LOT FRONTAGE.** The portion of the lot that fronts on a street or drive.

**LOT, IMPROVED.** A lot provided with the infrastructure and utilities required for a building to be authorized to be constructed and occupied thereon; or, a lot with existing buildings or structures.

**LOT, INTERIOR.** A lot other than a corner lot.

**LOT LINE.** For purposes of this title, “Lot Line” means a line that divides one lot from another lot, or from a street right-of-way or easement, or any other area reserved or dedicated for public use. In situations where underlying property ownership extends under a street or highway right-of-way or easement, the lot line shall be considered to be at the boundary of the right-of-way or easement.

**LOT LINE, CORNER.** The lot line abutting a street or drive, other than a front lot line.

**LOT LINE, FRONT.** The lot line separating the lot frontage from a street right-of-way or access easement. On corner lots, the front lot line will typically be the line with the narrowest frontage. However, if the lot will contain only one dwelling, or if neither street is a collector or arterial, then the property owner may choose which of the two lot frontages shall be considered the front lot line for setback purposes, and all other setbacks shall be applied accordingly. In the case of a through lot, either frontage may be considered the “front,” except in cases where deed restrictions, regulations, or plat notes prohibit access from one street, in which case said restricted frontage may be considered a rear property line. Notwithstanding the above, the City may specify the curb cut/driveway location to any city street.

**LOT LINE, REAR.** The property line opposite and most distant from the front property line. In the case of a triangular or otherwise irregularly shaped lot with no clear rear lot line, a line 10 feet in length entirely within the lot, parallel to and at a maximum distance from the front property line shall constitute the rear lot line for setback purposes.

**LOT LINE, SIDE.** Any property line which is not a front lot line, rear lot line or corner lot line. A side lot line is roughly perpendicular to a front or rear property line.

**LOT OF RECORD.** A plot, tract, or parcel of land that:

1. Was not created through an approved subdivision, or as a government lot or tract in a United States Public Land survey; and,

2. Was created by a deed or legal instrument other than a plat, which was executed before December 4, 1989, and which has been recorded in the County Clerk's office.

**LOT, REVERSE CORNER.** A corner lot, the rear of which abuts the side of another lot.

**LOT SIZE, MINIMUM.** The smallest area permissible for any lot that is to be created or modified in size; and, the smallest lot on which a use or structure may be located, except as may be authorized pursuant to Section 10-13-3, Legal Nonconforming Lots. For any lot created after adoption of this ordinance, minimum lot size shall meet the "minimum net lot area" standard. Unmanned public utility facilities are exempt from minimum lot size requirements.

**LOT, SUBSTANDARD.** A lot that has less than the minimum area or minimum dimensions required by the zoning district in which the lot is located.

**LOT, THROUGH.** A lot that fronts upon two parallel streets or that fronts upon two streets that do not intersect at the boundaries of the lot. Also known as "Lot, Double-Frontage".

**LOT, TRANSITION.** A lot in one zoning district which abuts another zoning district.

**LOT WIDTH.** The mean horizontal distance between the side lot lines.

**LOT, ZONING.** A property consisting of more than one lot, which is developed and/or utilized in such a manner as to constitute a single development, of which no individual lot could be excluded without causing the development to violate an applicable provision of the building code, fire code, sign code, parking code, zoning ordinance, or other adopted development code. A zoning lot shall be considered a single lot for purposes of this title. New zoning lots shall not be created except pursuant to Section 11-6(B), Lot Consolidations.

**MAINTENANCE (ALSO MAINTAINED).** The upkeep of a property, building, structure, amenity, parking facility, landscaping or lot including repair, painting, trimming, pruning, watering, weeding, and other on-going activities that are associated with property maintenance.

**MANUFACTURED HOME.** A structure built to the Federal Manufactured Home Construction and Safety Standards (HUD Code effective June 15, 1976) and that displays an official red certification label indicating such on the exterior of each transportable section. Manufactured homes are built in a plant and are transported in one or more sections on a permanent chassis. Manufactured homes are further classified as follows:

1. "Multi-wide" (A.K.A. double-wide or triple-wide manufactured home) has a minimum width of more than eighteen feet as measured at all points perpendicular to the length of the manufactured home;
2. "Single-wide," has a width of eighteen feet or less as measured at any point perpendicular to the length of the manufactured home.

**MOBILE HOME.** A dwelling on one or more chassis for towing to the point of use, which dwelling does not meet the Federal Manufactured Home Construction and Safety Standards (HUD Code effective June 15, 1976). Mobile homes are further classified as follows:

1. “Multi-wide” (A.K.A. double-wide mobile home) has a minimum width of more than eighteen feet as measured at all points perpendicular to the length of the mobile home;
2. “Single-wide,” has a width of eighteen feet or less as measured at any point perpendicular to the length of the mobile home.

This definition does not include manufactured homes, modular homes, commercial coaches, recreational vehicles or motor homes.

**MOBILE HOME PARK.** A lot used for the placement of three or more mobile and/or manufactured homes, which are used as dwellings. The term does not include unoccupied mobile or manufactured homes in a sales lot or commercial storage lot.

**MOBILE HOME SPACE.** That portion of a mobile home park designated, used, or designed for the occupancy of not more than one mobile or manufactured home and includes that area set aside or used for associated automobile parking, carports, awnings, accessory buildings or other structures, and the yard area as required herein for each space.

**MODULAR HOME.** A residential dwelling constructed of pre-made parts and/or modules manufactured at a facility, which parts and modules are transported to a fixed site, placed by crane, and permanently affixed to and supported by a perimeter foundation. A modular home shall be constructed in accordance with the City’s adopted building code, as opposed to a HUD code. Manufactured homes, and other dwellings with a permanent chassis designed for purposes of transporting and supporting the structure, cannot qualify as modular homes, as defined herein. A modular home is considered equivalent to a site-built home for zoning purposes.

**NON-TRANSIENT.** Occupancy of a dwelling or sleeping room for 30 days or more.

**OCCUPANCY OR OCCUPIED.** With respect to a structure, refers to the residing of one or more individuals in a dwelling or to the storage or use of equipment, merchandise, or machinery in any public, commercial, or industrial building.

**OFF-SITE PARKING.** Parking provided for a specific use but located on a lot other than the one on which the specific use is located.

**OPEN SPACE.** Any parcel or area of land or water essentially unimproved and set aside, dedicated, designated, or reserved for public use or enjoyment.

**OPEN SPACE, COMMON.** Land within or related to a development that is designed and intended for the common use or enjoyment of the residents of the development and their guests.

**OPEN SPACE, PRIVATE.** Open space which is normally owned by and limited to the use of the occupants of a building or property that abuts such open space.

**OPEN SPACE, PUBLIC.** Open space owned and maintained by a public agency for the use and enjoyment of the general public.

**OUTDOOR STORAGE.** The commercial or industrial use of an area outside of an enclosed building for the long term retention (more than forty-eight hours) of materials, machinery or equipment, regardless of whether the materials, machinery or equipment are to be bought, sold, repaired, stored, incinerated, or discarded. The term does not include new or used motor vehicle sales and rental display, nor does it include accessory and incidental parking of vehicles for residents, guests, customers or employees in connection with a principal use.

**OVERLAY ZONE.** A zoning district that may be imposed on one or more underlying base zoning districts, which provides additional requirements and standards beyond those required by the underlying zoning district.

**OWNER.** An individual, firm, association, syndicate, partnership or corporation having sufficient proprietary interest to seek development of land.

**OWNER-OCCUPIED.** A property or building where the owner is living at the time the regulated activity takes place.

**PERMITTED USE.** Any use allowed in a zoning district as a matter of right if it is conducted in accordance with the restrictions applicable to that district. Permitted uses are designated in the Land Use Table by the letter "P."

**PERSON.** An individual, firm, partnership, corporation, company, association, joint stock association, governmental entity, trustee, receiver, assignee or similar representative of any of them.

**PLANNED UNIT DEVELOPMENT, RESIDENTIAL.** A residential subdivision authorized pursuant to City of Cody Code Title 11, Chapter, 7.

**PLANNING AND ZONING BOARD.** The Board appointed as such by the mayor with the consent of the governing body. The Planning and Zoning Board serves as the Planning Commission as authorized by W.S. § 15-1-502, the Zoning Commission as authorized by W.S. § 15-1-604, and the Board of Adjustment as authorized by W.S. § 15-1-605; and has the powers and duties as prescribed by state law and city ordinances.

**PRINCIPAL BUILDING.** The building in which the principal use of the lot is conducted. Lots with multiple uses may have multiple principal buildings. The term does not include storage buildings, garages or other buildings which normally are considered accessory buildings.

**PRINCIPAL USE.** The purpose for which land, premises or building is designed, arranged or constructed.

**PROHIBITED USE.** A use that is not permitted by any means in a particular zoning district.

**PROPERTY.** A lot, parcel, or tract of land together with the building and structures located thereon.

**PUBLIC PARK OR PLAYGROUND.** A park, playground, swimming pool, reservoir, golf course, or athletic field owned, operated and maintained by a local or State level governmental entity.

**PUBLIC UTILITY.** A regulated enterprise with a franchise for providing to the public a utility service deemed necessary for the public health, safety and welfare.

**RECEPTION FACILITY.** A property other than a church at which formal parties, weddings, receptions, or social gatherings are held, for compensation.

**RECREATIONAL VEHICLE (RV).** A vehicle towed, or self-propelled on its own chassis, or attached to the chassis of another vehicle, which is designed or used for temporary living accommodations, typically in a recreational, camping and/or traveling situation. For zoning purposes, the term includes, but is not limited to, travel trailers, pickup/truck campers, camping trailers, motorhomes, camper vans, tiny houses on wheels, and converted trucks or buses.

**RECREATIONAL VEHICLE PARK.** Any lot or tract of land used, or intended to be used, for renting of space to accommodate one or more recreational vehicles. The definition does not include vehicle storage. RV Parks may also offer tent camping, cabin rental, and accessory support services such as laundry, bath houses, and an on-site store.

**REVIEWING OFFICIAL.** The person, board, or governing body responsible for issuing the permit, authorization, or approval that has been requested.

**ROOMING HOUSE.** An owner-occupied dwelling with no more than five guest lodging rooms where, for compensation, individual furnished rooms are provided for no more than five non-transient persons who are not members of the immediate family occupying such building, and no more than two such persons occupy any guest lodging room. (Note: "Rooming house" falls within the definition of lodging house in the International Residential Code.)

**SETBACK.** The minimum required separation distance between the nearest wall or support of a structure and the lot line.

**SETBACK, GARAGE ENTRANCE.** A setback that is measured from a street lot line to the entrance of a garage or carport. It is essentially a minimum driveway length.

**SETBACK AREA, CORNER SIDE.** A yard area of which the width is measured between the side street property line and the required corner side yard setback line; and the depth is measured between the front yard setback line and the rear yard setback line.

**SETBACK AREA, FRONT.** A yard area of which the width is measured the entire length of the front property line between the side property lines; and the depth is measured as the distance between the street right-of-way line and the required front setback line.

**SETBACK AREA, REAR.** A yard area of which the width is measured the entire length of the rear property line between the side property lines; and the depth is measured as the distance between the rear property line and the required rear yard setback line.

**SETBACK AREA, SIDE.** A yard area of which the width is measured between the side property line and the required side yard setback line; and the depth is measured between the front yard setback line and the rear yard setback line.

**SETBACK LINE.** A line established by measuring from the property line, perpendicularly and into the property a distance equal to the required setback. No part of a building shall project into the area between the property line and the setback line except as otherwise provided in this Title.

**SHORT-TERM RENTAL:** The use of a residential dwelling, or portion thereof, in which lodging, but no meal, is provided to guests in exchange for compensation and any individual guest rents or occupies the dwelling or portion thereof for a period of less than thirty (30) consecutive days. Capacity of a short-term rental is limited to five or fewer lodging units and 10 or fewer guests.

**SIDE STREET:** A street running along a side property line of a corner lot.

**SPOT ZONING.** The rezoning of a lot or parcel of land to benefit an owner for a use incompatible with surrounding land uses and that does not further the General Plan. The fact that an individual lot is zoned differently from adjacent properties shall not automatically mean the situation constitutes spot zoning. Additional factors such as the relationship to the adjacent zones, size of the property, and characteristics of the proposed zone must also be considered.

**STORAGE.** A space or place where goods, materials or personal property is placed and kept for more than forty-eight consecutive hours.

**STORY.** That portion of a building between the surface of any floor and the surface of the floor next above it; or if there is no floor above it, then the space between the floor and the ceiling next above.

**STREET.** A thoroughfare which affords a principal means of access to abutting property. The term does not include an “alley” as that term is defined in this title.

**STRUCTURE.** Any object constructed or installed, the use of which requires location in or on the ground, or attached to something having a permanent location in or on the ground. “Structure” includes but is not limited to buildings, decks, fences, towers, flag poles, signs, and other similar objects. “Structure” does not include paved areas, or vegetative landscaping materials.

**TEMPORARY REAL ESTATE SALES OFFICE.** A temporary office operating at a fixed location within an existing model home, trailer or commercial structure that is used for the purpose of selling real estate in the development in which it is located. The office is to be removed once the development is sold out.

**TRACT.** A piece of land created and designated as part of a land division that is not a lot, lot of record, or a public right-of-way. Tracts are created and designed for a specific purpose. Land uses within a tract are restricted to those uses consistent with the stated purpose as described on the plat, or in the maintenance agreements, or through Conditions, Covenants and Restrictions (CC&Rs). Examples include storm water management tracts, private alley tracts, and open space tracts. Note: The term

“tract” has not consistently been applied in this manner in the past—e.g. some plats label open space or storm water basins as lots.

**USE.** The purpose (type and extent) for which land or a building is arranged, designed, or intended; or for which either land or a structure is occupied or maintained.

**USED FOR RESIDENTIAL PURPOSES.** A lot that is two acres or less in area and contains a residential dwelling unit.

**UTILITY INFRASTRUCTURE SITE.** Includes electric substations, domestic water treatment and storage facilities, natural gas regulator stations, fiber optic booster stations, outdoor pumping stations, and similar large-scale utility infrastructure sites.

**VISUAL SCREEN.** A fence or evergreen hedge at least six feet (6') in height and of sufficient density or construction to prevent visual contact from opposite sides. If the option for an evergreen hedge is used, it must be of sufficient size at planting to achieve the required height within two years.

**WALL HEIGHT.** For purposes of accessory building setback regulation, the vertical distance from the building floor to the top plate of the wall.

**WIND ENERGY SYSTEM, SMALL.** A wind energy conversion system consisting of a wind turbine, a tower or supporting structure, and associated control or conversion electronics, which has a rated capacity sized for on-site electric usage (typically 10 kW or less for a single-family dwelling) and which is primarily intended to reduce on-site consumption of utility power. For purposes of this Title, the use shall not be deemed an accessory use.

**WIRELESS COMMUNICATION ANTENNA.** An antenna that transmits and/or receives wireless communication signals. The term does not include any device, such as a radio antenna, telephone antenna, television antenna, satellite dish antenna or amateur radio antenna, that is accessory or incidental to a residential use and is employed by an ultimate user to receive radio, television or other communication signals.

**WIRELESS COMMUNICATION FACILITY.** An antenna tower, wireless communication antenna, or any associated structure or equipment, or combination thereof, that is intended for commercial or institutional use in connection with the transmission or reception of wireless communication signals.

**WIRELESS COMMUNICATION FACILITY, NON-STEALTH DESIGN.** A wireless communication facility that does not qualify as a stealth design wireless communication facility.

**WIRELESS COMMUNICATION FACILITY, SLIM-LINE DESIGN POLE.** A wireless communication facility, consisting of a pole and one or more antennas, on which the antenna panels are narrow and closely spaced with one another atop the pole and extend no more than one foot beyond the circumference of the pole.

**WIRELESS COMMUNICATION FACILITY, STEALTH DESIGN.** A wireless communication facility that is screened or designed to blend into the surrounding environment such that it is not readily seen or

discernable as a wireless communication facility to a casual passerby. Examples include roof-mounted antennas with architectural screening; panel antennas mounted against the wall of an existing building and painted or finished to match the existing structure; antennas integrated into architectural elements such as steeples or cupolas; and antennas and antenna structures designed to look like streetlight poles or flagpoles.

**WIRELESS COMMUNICATION FACILITY, MICRO-CELL.** The portion of a wireless network that is a low-powered transmitter/receiver or repeater (base station) connected to the phone network via the internet, and typically used to improve mobile phone reception within a particular area (usually a range of 300-1000 meters).

**WIRELESS COMMUNICATION SIGNALS.** Communication signals, including electromagnetic waves, analog signals, digital signals and other spectrum-based communication signals, that operate within the range of frequencies from 100KHz to 300GHz. The term does not include television broadcast signals; direct broadcast signals; direct broadcast satellite services; multi-channel, multi-point distribution services; or amateur radio signals.

**YARD.** The areas on a lot that are unoccupied by structures, except for projections and the specific accessory structures allowed in those areas under the provisions of this Title.

**YARD, CORNER SIDE.** The yard of a corner lot extending from the front yard to the rear yard and between the side street and the primary structure.

**YARD, FRONT.** The yard area extending along the entire length of the front property line and the depth between the street right-of-way line and the primary structure. (See also Lot Line, Front.)

**YARD, REAR.** The yard area extending along the entire length of the rear property line and the depth between the rear property line and the primary structure.

**YARD, SIDE.** The yard area extending from the front yard to the rear yard and between the side property line and the primary structure.

**ZONING DISTRICT.** An area designated on the Official Zoning Map in which certain uses are permitted and certain others are not permitted, all in accordance with this Title.

**CHAPTER 6 GENERAL DEVELOPMENT STANDARDS FOR RESIDENTIAL ZONING DISTRICTS**

**10-6-1: Applicability**

This chapter applies to each of the residential zoning districts, except as follows:

- 1) Properties within the Mobile Home Park zoning district shall be subject to the development standards of Chapter 9-6.
- 2) Properties that are approved and developed as a Planned Unit Development shall be subject to the development standards authorized and used for the Planned Unit Development.

**10-6-2: Table**

Zoning District→	RR Zoning District	R-1 Zoning District	R-2 Zoning District	R-2MH Zoning District	R-3 Zoning District	R-4 Zoning District
Standard↓						
<b>LOT DIMENSION AND DENSITY REQUIREMENTS:</b>						
Minimum Lot Area* <sup>1</sup>	.40 acres	<i>N/A (Use Minimum Net Lot Area or Developable Acreage per Dwelling, as applicable.)</i>				
Minimum Net Lot Area* <sup>1</sup>	N/A	7,000 sq. ft.	5,500 sq. ft. for Single-Family Dwelling; 10,000 sq. ft. for duplex.	5,500 sq. ft. for Single-Family Dwelling; 10,000 sq. ft. for duplex.	3,200 sq. ft. for detached*, semi-detached*, and attached* single-family dwellings only. <i>(For Multi-unit dwellings see next row.)</i>	N/A <i>(Use Developable Acreage per Dwelling Requirement)</i>
Developable Acreage per Dwelling*	N/A				4,000 sq. ft. for multi-unit dwellings, including those in condominium ownership; also, for dwellings in residential subdivisions with yards in common area.	1,800 sq. ft.

<sup>1</sup> Must be served with public sewer and public water to qualify for the sizes noted. If public sewer and public water are not available, minimum lot area is 1.0 acre.

\* Means term is defined. *(Italics)* – Language italicized and within parenthesis are instructions for utilizing the table.

Zoning District→ Standard↓	RR Zoning District	R-1 Zoning District	R-2 Zoning District	R-2MH Zoning District	R-3 Zoning District	R-4 Zoning District
Minimum Lot Width*	100 feet	50 feet	50 feet	50 feet	30 feet for interior lot, 40 feet corner lot.	20 feet for interior lot, 30 feet corner lot.
Maximum Lot Depth to Width Ratio	3:1	3:1	3.5:1	3.5:1	5:1	5:1
Minimum Frontage on Street/Access Easement	80 feet	45 feet <sup>2</sup>	45 feet <sup>2</sup>	45 feet <sup>2</sup>	30 feet	20 feet for up to 5 dwelling units; 30 feet for >5 dwelling units.
<b>BUILDING HEIGHT, PLACEMENT, AND SIZE REQUIREMENTS:</b>						
Number of Main Buildings* on a Lot	One	One	One	One	N/A	N/A
Maximum Building Coverage*	30%	40%	50%	50%	65%	85%
Maximum Building Height*	Two stories and 30' above grade.	Two stories and 30' above grade.	Three stories and 40' above grade. <sup>3</sup>			
Minimum Size of Dwelling in Gross Floor Area	1,000 sq. ft.	1,000 sq. ft.	864 sq. ft.	720 sq. ft.	720 sq. ft.	240 sq. ft.
Minimum Garage Entrance Setback from Front Lot Line*,	35 feet	25 feet <sup>4</sup>	25 feet <sup>4</sup>	25 feet <sup>4</sup>	20 feet; and 25 feet from any arterial or major collector R/W. <sup>4</sup>	20 feet; and 25 feet from any arterial or major collector R/W. <sup>4</sup>

<sup>2</sup> Lots located entirely along the circular portion of a cul-de-sac bulb or outside knuckle of a street corner may be reduced to a minimum of 30 feet, provided the lot width requirement is met.

<sup>3</sup> Buildings taller than two stories and 30' shall be set back from any adjoining residential property in a RR, R-1, R-2, R-2MH, R-3, or MHP zone at least 40 feet.

<sup>4</sup> Park strip option: When the yard of the property abuts an improved street right of way with an existing park strip (a.k.a. planting strip - an area between the back of the curb and the sidewalk) that is at least 5 feet wide, the minimum yard setback requirement is 10 feet, provided any garage opening shall be not less than 22 feet from the back of the public sidewalk in this situation.

Zoning District→ Standard↓	RR Zoning District	R-1 Zoning District	R-2 Zoning District	R-2MH Zoning District	R-3 Zoning District	R-4 Zoning District
(...continued) applicable to direction of approach						
Minimum Garage Entrance Setback from Corner Lot Line*, applicable to direction of approach	30 feet	22 feet; and 25 feet from any arterial or major collector R/W. <sup>4</sup>	22 feet; and 25 feet from any arterial or major collector R/W. <sup>4</sup>	22 feet; and 25 feet from any arterial or major collector R/W. <sup>4</sup>	22 feet; and 25 feet from any arterial or major collector R/W. <sup>4</sup>	22 feet; and 25 feet from any arterial or major collector R/W. <sup>4</sup>
Minimum Front Yard Setback (see also minimum garage entrance setback)	35 feet	25 feet <sup>4</sup>	20 feet; and 25 feet from any arterial or major collector R/W. <sup>4</sup>	20 feet; and 25 feet from any arterial or major collector R/W. <sup>4</sup>	15 feet; and 25 feet from any arterial or major collector R/W. <sup>4</sup>	10 feet; and 25 feet from any arterial or major collector R/W. <sup>4</sup>
Minimum Side Yard Setback from Side Street <sup>5</sup> (Corner Lot Line)	30 feet	15 feet <sup>4</sup>	15 feet <sup>4</sup>	15 feet <sup>4</sup>	15 feet <sup>4</sup>	10 feet
Minimum Side Yard Setback from Neighboring Lot	15 feet	5 feet	5 feet; Except 0' at a common wall	5 feet; Except 0' at a common wall	5 feet; Except 0' at a common wall	5 feet; Except 0' at a common wall
Minimum Rear Yard Setback	15 feet	15 feet	15 feet	15 feet	15 feet	10 feet
Minimum Setback from Utility Easement	Edge of Easement, and no overhang unless authorized otherwise by the easement grantee.					
Minimum Separation between Main Buildings* within Lot	N/A	N/A	N/A	N/A	10 feet	10 feet
<b>Reduced Setbacks for Accessory Buildings (exceptions to above setbacks):</b>						

<sup>5</sup> See "Lot Line, Front" Definition for options on selecting the front yard on corner lots. See also minimum garage entrance setback.

Zoning District→ Standard↓	RR Zoning District	R-1 Zoning District	R-2 Zoning District	R-2MH Zoning District	R-3 Zoning District	R-4 Zoning District
From Neighboring Lot, when wall height* of accessory bldg. is 10'6" or less	15 feet (No reduction)	5 feet	3 feet <sup>6</sup>	3 feet <sup>6</sup>	3 feet <sup>6</sup>	3 feet <sup>6</sup>
From Adjacent Alley or Common Open Space (O.S.)	5 feet	5 feet	3 feet; 0' if no doorway (garage/ person) in wall next to alley/ O.S.—no overhang permitted.	3 feet; 0' if no doorway (garage/ person) in wall next to alley/ O.S.—no overhang permitted.	3 feet; 0' if no doorway (garage/person) in wall next to alley/O.S.—no overhang permitted.	3 feet; 0' if no doorway (garage/person) in wall next to alley/O.S.—no overhang permitted.
<b>MULTI-FAMILY DEVELOPMENT STANDARDS:</b>						
Multi-Family Development with >4 dwelling units.	N/A				See Supplemental Development Standards, "Multi-Family Development"	

<sup>6</sup> Placing a structure closer than five (5) feet from an adjacent lot triggers fire resistant construction requirements pursuant to the adopted building code. If the structure is not constructed to such fire resistant standards, the minimum setback requirement is five (5) feet.

CHAPTER 7 RESIDENTIAL ZONING DISTRICT LAND USES

10-7-1 LAND USE CLASSIFICATIONS

10-7-2 RESIDENTIAL LAND USE TABLE

10-7-1 LAND USE CLASSIFICATIONS

A. Buildings, structures and land shall be used only in accordance with the uses permitted in the following Land Use Table, and subject to all other applicable requirements of this Title.

B. Interpretation of the Residential Land Use Table. The symbols and letters in the Residential Land Use Table have the following meanings.

<u>Symbol:</u>	<u>Meaning:</u>
P	The use is permitted in that zoning district by right.
A	The use is permitted as an accessory use only. An accessory use cannot be established on a property unless it is in conjunction with a permitted use.
C	The use may be considered through the Conditional Use review process. See Section 10-14-1.
N	The use is not permitted in that zoning district.
*	The use is subject to requirements applicable specifically to that use, as listed in Chapter 10-8, Residential Supplemental Development Standards.

See Note. Refer to the corresponding Residential Supplemental Development Standards, found in Chapter 10-8.

C. Planned Unit Developments shall be subject to the land use regulations of the underlying zoning district, unless specified otherwise in the Planned Unit Development authorization.

10-7-2 RESIDENTIAL LAND USE TABLE

LAND USES	Rural Zoning District	R-1 Zoning District	R-2 Zoning District	R-2-MH Zoning District	R-3 Zoning District	R-4 Zoning District	MH Park (See Title 9, Ch. 6)
Accessory Buildings and Uses, not otherwise listed.	A	A	A	A	A	A	A
Accessory Dwelling Unit.*	C	C	A	A	A	A	A
Amateur Radio Antenna.*	See Note.	See Note.	See Note.	See Note.	See Note.	See Note.	See Note.
Assisted Living Apartments/Facility.*	N	N	N	N	C	P	N
Bed and Breakfast Inn.*	N	N	C	C	C	P	N
Churches and Houses of Worship.*	C	C	P	P	P	P	C
Community Center, Private.	C	C	A	A	A	A	A
Community Gardens.*	P	P	P	P	P	P	P
Community Greenhouses.*	See Note.	See Note.	See Note.	See Note.	See Note.	See Note.	See Note.
Community Residence for the Disabled.*	P	P	P	P	P	P	P
Convalescent Care Facility/Nursing Home.	N	N	N	N	C	C	N
Child Care, Family Home category. (Up to 10 children, in home.)	A	A	A	A	A	A	A
Child Care, Family Center category. (Up to 15 children.)	N	N	C	C	P	P	C
Child Care Centers and Preschools, when located within an existing church, public school, or similar existing building.	A	A	A	A	A	A	A
Child Care Centers and Preschools-not listed above.* (Maximum 50 children.)	N	N	N	N	C	C	N
Dormitories.*	N	N	N	N	C	C	N
Home Occupation, Large-scale.*	C	N	C	C	C	C	C
Home Occupation, Small-scale.*	A	A	A	A	A	A	A
Horticulture, cultivation of crops.	P	P	P	P	P	P	P
Hospice Center.	N	N	N	N	N	C	N
Individual Care-Family Home Category.	A	A	A	A	A	A	A
Individual Care-Group Home Category.*	C	N	C	C	C	P	C
Individual Care-Center.*	N	N	N	N	C	C	N
Long-Term Rental.*	P	P	P	P	P	P	P
Mobile Home park. (Refer to Title 9, Ch. 6)	N	N	N	N	N	N	P

LAND USES	Rural Zoning District	R-1 Zoning District	R-2 Zoning District	R-2-MH Zoning District	R-3 Zoning District	R-4 Zoning District	MH Park (See Title 9, Ch. 6)
Museums, when located at an existing historic site.	C	C	C	C	C	C	C
Outdoor Recreational Facilities: Parks, Playgrounds, Playfields, Pathways, Golf Courses (including clubhouse), and similar recreation facilities. Not including stadiums, amphitheaters, and commercial amusement facilities.	P	P	P	P	P	P	P
Reception facility.*	C	C	C	C	C	C	C
Rooming House, 2 to 5 lodging rooms.*	N	N	N	N	P	P	N
RV, Temporary—while constructing/remodeling single-family dwelling.*	A	N	A	A	A	A	A
School, Public or Private.*	C	C	C	C	P	P	C
Short-Term Rental, Owner-Occupied, 1-3 guest sleeping rooms.*	N	N	A	A	P	P	N
Short-Term Rental, Owner-Occupied, 4-5 guest sleeping rooms.*	N	N	C	C	P	P	N
Short Term Rental, Not Owner-Occupied.*	N	N	N	N	P	P	N
Solar Energy Panel System.	P	A	A	A	A	A	A
Utility Infrastructure Site.	C	C	C	C	C	C	C
Wireless Communication Facility—Microcell.*	C	C	C	P	P	P	P
Wireless Communication Facility—Non-Stealth Design.	N	N	N	N	N	N	N
Wireless Communication Facility—Stealth Design.*	N	N	N	N	C	C	C
Wind Energy System, Small.*	See Note.	See Note.	See Note.	See Note.	See Note.	See Note.	See Note.
<b>RESIDENTIAL DWELLING CATEGORIES:*</b>							
<b>Single-Family Detached Dwelling Categories:</b>							
Dwelling Moved onto Lot.*	C	N	C	P	C	P	P

LAND USES	Rural Zoning District	R-1 Zoning District	R-2 Zoning District	R-2-MH Zoning District	R-3 Zoning District	R-4 Zoning District	MH Park (See Title 9, Ch. 6)
Manufactured Home, New Multi-wide; and meeting Residential Architectural Standards*	N	N	N	P	P	P	P
Manufactured Home, New Single-wide; and meeting Residential Architectural Standards*	N	N	N	P	C	C	P
Manufactured Home, Used; and meeting Residential Architectural Standards*	N	N	N	P	N	C	P
Manufactured home that does not meet Residential Architectural Standards*	N	N	N	C	N	N	P
Mobile home.*	N	N	N	N	N	N	P
Modular home.*	P	P	P	P	P	P	P
Site-built home, New.	P	P	P	P	P	P	P
<b>Attached Dwelling Categories:</b>							
Semidetached Single-Family Dwelling	N	N	P	P	P	P	N
Townhouse Dwellings, 3 or 4 attached dwelling units <i>(*If development &gt;4 units, see also Multi-Family category in supplemental development standards)</i>	N	N	N	N	P	P	N
Townhouse Dwellings, 5 or more attached dwelling units*	N	N	N	N	N	P	N
<b>Multi-Unit Dwelling Categories:</b>							
Two-Family dwelling (a.k.a. Duplex)	N	N	P	P	P	P	N
Multi-family dwelling, with 3 or 4 dwelling units per building. <i>(*If development &gt;4 units, see also Multi-Family category in supplemental development standards)</i>	N	N	N	N	P	P	N
Multi-family dwelling, with 5 or more dwelling units per building.*	N	N	N	N	N	P	N

LAND USES	Rural Zoning District	R-1 Zoning District	R-2 Zoning District	R-2-MH Zoning District	R-3 Zoning District	R-4 Zoning District	MH Park (See Title 9, Ch. 6)
-----------	-----------------------	---------------------	---------------------	------------------------	---------------------	---------------------	------------------------------

Residential Condominium	<p><i>Note: Condominium refers to a form of ownership only—not a type of use or method of construction. Conversion to condominium ownership requires review by the City and filing of a condominium plat.</i></p>						
-------------------------	---	--	--	--	--	--	--

## CHAPTER 8 SUPPLEMENTAL DEVELOPMENT STANDARDS FOR RESIDENTIAL ZONING DISTRICTS

### 10-8-1 APPLICABILITY

### 10-8-2 SUPPLEMENTAL DEVELOPMENT STANDARDS

#### 10-8-1 APPLICABILITY

The land uses that are identified with an asterisk (\*) in the Residential Land Use Table are subject to the corresponding regulations of this chapter, which regulations are in addition to other applicable sections of this title and any conditions that may be imposed pursuant to a conditional use permit review. The standards of this chapter shall apply unless waived or altered pursuant to the zoning variance process; provided, those standards identified herein with “(SE)”, may be waived or altered pursuant to the Special Exemption process of Section 10-14-2. In no case shall any of the following standards be waived or modified to the extent that the result is tantamount to a rezone or the use no longer meets the specified definition thereof.

#### 10-8-2 SUPPLEMENTAL DEVELOPMENT STANDARDS

The supplemental development standards are listed by use, in alphabetical order.

(A) “A” Uses.

#### **Accessory Dwelling Units (ADUs):**

1. Location: An accessory dwelling unit, where permitted, may be located only in one of the following manners:
  - a. Within a detached single-family dwelling, either initially at time of construction, or any time thereafter.
  - b. Within an addition to a detached single-family dwelling.
  - c. Above or within a residential garage or other building accessory to a detached single-family dwelling.
  - d. Within an accessory building on the same parcel as a detached single-family dwelling unit.
2. Lot Area, Dwelling Size, and Density: The minimum lot size required for an accessory dwelling unit (ADU) is seven thousand (7,000) square feet. Accessory dwelling units are not subject to the minimum dwelling size requirement of the zoning ordinance and are not included in the density calculations for a lot.
3. Number: Only one accessory dwelling unit (ADU) per lot may be permitted and the ADU must be accessory to a detached single-family dwelling. A lot already occupied by two (2) or more dwellings is not permitted to have an accessory dwelling unit.
4. Height and Setbacks: A single-story ADU that does not exceed fifteen feet (15') in building height is subject to the setback standards applicable to private garages. ADU structures that are taller than fifteen feet (15') in building height shall conform to setback standards applicable to a primary residence. (SE)

5. Lot Coverage: The footprint of a proposed building containing an ADU that is structurally detached from the primary residence may cover up to twenty percent (20%) of the lot. *(SE)*
6. Living Area: The total living area of an ADU may not exceed seventy-five percent (75%) of the living area of the primary dwelling, or eight hundred (800) square feet, whichever is less, with the following exception: When the ADU will be located on one level of an existing building (e.g., basement) and it is not feasible to utilize the area remaining on that level as part of the primary dwelling, then the reviewing official may authorize the ADU to occupy the entire level.
7. Type of Construction: Within the RR, R-1, R-2 and R-3 zoning districts, ADUs are to be of conventional site-built construction, be assembled and inspected on site, and meet the requirements of the adopted building code for residential dwellings. Provided; a new modular home may be authorized as an ADU in these zones through the Conditional Use Permit process when the home compliments, rather than detracts from, the architectural character of the neighborhood. Within the R-2MH, R-4, and all commercial and light industrial zoning districts, manufactured homes and modular homes may be utilized as ADUs when placed on a traditional concrete or masonry foundation, and the home is no more than fifteen (15) years old at time of installation *(SE)*. Mobile homes, manufactured homes except as noted above, recreational vehicles, and temporary or seasonal structures (e.g. units on skids, yurts, and tents) shall not be used as ADUs.
8. Bedrooms: An ADU may not contain more than two (2) bedrooms/sleeping areas.
9. Parking: An ADU must have a minimum of one off street parking space, when located outside of the downtown parking district. *(SE)* The required parking space shall meet the standards of Chapter 16, "Off Street Parking", of this title. Any required existing parking may not be displaced by the ADU, unless such parking is replaced elsewhere on the lot.
10. Owner Occupancy: Within the RR, R-1, and R-2 zoning districts, the owner of the property must utilize the primary dwelling unit or ADU as their primary residence; the dwellings shall not both be occupied unless this is the case.
11. Short-Term Rental: An ADU may be utilized as a short-term rental when located in an R-2, R-2MH, R-3, or R-4 zoning district, provided applicable short-term rental requirements are met, which includes an owner-occupancy requirement in the R-2 and R-2MH zones.
12. Utilities: Both the primary dwelling and the ADU must be connected to public sewer and public water, and be served with a functional fire hydrant meeting applicable requirements for distance to the dwellings. Both dwelling units are to be serviced from a single water meter and a single electric meter. *(SE)*
13. Home Occupations: Any home occupation within an ADU shall be limited to the small-scale home occupation standards.
14. Addressing: The ADU will be assigned an individual address, which must be posted as required by code.

**Amateur radio antennas (e.g. ham radio antennas):**

1. Within residential districts, towers supporting amateur radio antennas that do not exceed the maximum building height limit for the district in which they are located shall be deemed an accessory use. Towers supporting amateur radio antennas that exceed 50 feet or the building height limit for the district in which they are located shall require a conditional use permit, with the intent of minimizing visual impacts.

2. Towers and other structures supporting amateur radio antennas shall comply with building setback requirements. (*SE*)

(B) “B” Uses.

### **Bed & Breakfast Inns:**

1. The bed and breakfast inn must meet the definition set forth in Chapter 2.
2. The owner must be living on the property at the time the bed and breakfast is in operation.
3. Total guest occupancy of a bed and breakfast inn property is limited to no more than ten persons. (Establishments exceeding ten persons fall within the zoning classification of “hotel”.) The Planning and Zoning Board may further limit total guest occupancy (e.g. beds and/or guest rooms) of a proposed bed and breakfast inn based on lack of parking and other neighborhood impacts identified in the review process.
4. Vehicle access must comply with the requirements of the International Fire Code, Appendix D, or other established standard acceptable to the Fire Marshal.
5. Cooking facilities in guest rooms are not permitted.
6. The facility must pass a fire and life safety inspection before it may be used as a bed and breakfast inn. At a minimum, the bed and breakfast inn shall be equipped with functional smoke detectors and a carbon monoxide alarm, and each sleeping room provided with code compliant means of egress. Fire extinguishers, posted emergency contact numbers, and evacuation route diagrams are recommended. The authority having jurisdiction (i.e. fire marshal and/or building official) may have additional requirements pursuant to the adopted fire and/or building code.
7. Individual guest occupancy is limited to temporary periods of less than 120 consecutive days, and less than 120 days in any one-year period.
8. Bed and Breakfast Inns shall not be used as “reception facilities” as defined in this ordinance, unless such use is otherwise permitted in the zoning district in which the property is located and authorization for such has been granted by the reviewing official.
9. The bed and breakfast must maintain compliance with the WY Department of Revenue licensing requirements, including payment of lodging taxes.
10. All bed and breakfasts must maintain compliance with the Wyoming Food Safety Rule (WY Department of Agriculture) and related licensing requirements.
11. Unless otherwise exempted or authorized by this Title, one off-street guest parking space shall be provided for every two lodging units or fraction thereof. The guest parking shall be in addition to the two spaces required for the owners/manager.
12. All bed and breakfast inns, whether existing or proposed, shall register with the City of Cody, pass the fire safety inspection, and provide evidence of compliance with the Wyoming Food Safety Rule. The community development department is authorized to create application form(s) and procedures as necessary to manage and enforce these provisions, both for the initial authorization and for ongoing compliance. Authorized bed and breakfast inns shall post a document issued by the City identifying such authorization in a manner that is visible from the public way.

(C) “C” Uses.

### **Child Care Centers and Preschools-not listed above:**

1. If located in a residential zone, access to the child care center shall be by means of a collector street or larger. *(SE)*
2. The site shall be designed so that all discharging or loading of passengers from a vehicle is accomplished on the site. The layout of driveways, circulation patterns and parking must be approved by the City Engineer.
3. When located within or adjacent to a residential zoning district, outdoor recreation shall be limited to daylight hours, and not earlier than 8:00 a.m. or later than 8:00 p.m. *(SE)*

#### **Churches:**

1. Churches with a seating capacity for services of 500 persons or more shall be located adjacent to an arterial or major collector street, so as to minimize traffic impacts to the residential area. *(SE)*

#### **Community Gardens:**

1. Community gardens must be managed and actively tended so as to avoid weeds, odors, or other characteristics that would constitute a nuisance or detriment to neighboring property values.
2. In the Rural Residential and R-1 zoning districts, the community garden must be located in the back yard of a property, or located so that it is screened from the public way.

#### **Community Greenhouses:**

1. One greenhouse, up to 120 square feet in size, and of typical frame and ridged panel (e.g. glass, acrylic, or polycarbonate) construction is permitted as an accessory use to a community garden. A larger or additional community greenhouse, or one of other construction, shall be reviewed as a conditional use.
2. In the Rural Residential and R-1 zoning districts, the community greenhouse must be located in the back yard of a property, or located so that it is screened from the public way.

#### **Community Residence for the Disabled:**

1. Prior to authorization of the community residence, the applicant shall provide a certification from a qualified licensed medical practitioner that the number of disabled residents proposed is necessary to provide the mutual support and interrelationships required for treatment.
2. A community residence is considered a residential use of property for purposes of zoning and building codes. However, the Fire Marshal, pursuant to and consistent with the adopted Fire Code, may require enhanced fire protection, including the installation of fire sprinklers and other mitigating measures, where one or more residents has a lessened ability to ambulate adequately.

#### **(D) "D" Uses.**

#### **Dormitories.**

1. The minimum lot area shall be 6,000 square feet for the first five occupants of the building's designed occupancy and 900 square feet for each additional residential occupant, up to a maximum of ten occupants.
2. Parking shall be provided at a rate determined through the conditional use process.

### **Dwelling Moved onto Lot.**

The dwelling must be of conventional stick built construction and compliment, rather than detract from, the architectural character of the neighborhood. The reviewing official may require exterior maintenance, repair, or enhancements (e.g. painting, roof repair, residing) that are needed to achieve architectural compatibility prior to occupancy of the dwelling, or require a financial security from the owner to ensure completion of such within eight months of building placement.

(E) “E” Uses. (Reserved)

(F) “F” Uses. (Reserved)

(G) “G” Uses. (Reserved)

(H) “H” Uses.

### **Home Occupation, Large-Scale.**

The purpose of the “Large-scale home occupation” land use category is to provide an option for consideration of businesses or professional enterprises that somewhat exceed the limitations of the “Small-scale home occupation” category, but that still maintain such characteristics and/or are located such that they are able to operate in a manner that does not interfere with the residential character of the neighborhood.

1. In addition to the conditional use permit criteria of City of Cody code, large-scale home occupations shall meet the following requirements:
  - a. The home occupation must be clearly incidental and accessory to the residential use.
  - b. All on-premise work and storage areas must be conducted within the home, garage, or an accessory structure.
  - c. All on-premise activities related to the home occupation are to be conducted only by members of the household, provided up to two non-resident employees may work on the premises, when authorized through the conditional use permit review.
  - d. No structural alteration or addition may be made to accommodate the home occupation, unless it is made in such a manner that the area would be suitable for typical residential purposes if it were not occupied by the home occupation.
  - e. No equipment shall be installed, no products shall be stored, and no activities shall be conducted in the dwelling or attached garage that would violate the fire or building code limitations for a non-rated wooden structure (Construction Type V-B), regardless of the construction type of the dwelling. Any accessory structure used in the home occupation shall meet the fire and building code requirements applicable to its use.
  - f. No offensive noise, vibration, smoke, dust, odor, glare, electrical interference, or other detriments to neighboring properties or dwelling units shall be produced.
  - g. There shall be no exterior indication of the home occupation, other than those indications complying with #h through #l below.
  - h. No more than a total of four vehicles/trailers associated with the home occupation (including employee vehicles) shall be at the premises at any time. *(SE)*
  - i. Any vehicle or trailer associated with the home occupation that is not a typical passenger car or pickup must be parked off-street. Furthermore, vehicles and trailers are not to occupy any area within the front yard that is not designed for parking (e.g. no parking on the front lawn).

- j. The combined number of customer and employee visits to the property shall not typically exceed eight (8) per day, and they shall not typically occur earlier than 7:00 a.m., nor later than 7:00 p.m. For calculation purposes, each customer or employee visit shall count as one visit. In situations where a person is dropped off and later picked up, it shall count as only one visit, as the customer is the person visiting, not the one dropping off and picking up (e.g. a parent dropping off a child at music lessons and later picking them up). *(SE)*
  - k. Vehicle traffic associated with the home occupation shall not be of an amount that would cause, or add to, any parking congestion problems.
  - l. Signage must comply with the provisions set forth in City of Cody sign code. *(SE)*
2. Examples of possible large-scale home occupations include: small-scale manufacturing or fabrication in an accessory building (no use of production line or automated equipment); contractors not meeting the small-scale home occupation requirements; and, small-scale repair services.
  3. The following uses are not permitted as large-scale home occupations, due to their non-residential character, failure to meet home occupation standards, and/or potential impacts to neighboring properties.
    - a. Animal kennel, stable, daycare, and training;
    - b. Barber or beauty parlors, with more than one (1) chair;
    - c. Equipment rental;
    - d. Funeral home or crematorium;
    - e. On-premise bookstores or entertainment establishments;
    - f. Restaurants/drinking establishments;
    - g. Slaughter and meat processing services;
    - h. Storage facilities (a.k.a. mini-storage);
    - i. Towing services;
    - j. Vehicle or heavy equipment repair (including body, engine and chassis), impound, and dismantling/wrecking. This provision does not prohibit mobile mechanic services that provide repair services only at the customer's residence or place of business.
  4. Any large-scale home occupation may be subject to inspection and review at any reasonable time for purposes of verifying compliance with the requirements of this section and the conditional use permit. If, at any time, any of the large-scale home occupation requirements are not met, enforcement action may be taken pursuant to Section 10.1.5, Enforcement.

**Home Occupation, Small-Scale:**

1. A small-scale home occupation permit may be authorized when the business meets all of the following requirements:
  - a. The home occupation must be clearly incidental and accessory to the residential use. Only residents of the home may participate in any business activity on the premises.
  - b. All on-premise work and storage must occur within the main residence or attached garage. The home occupation shall not occupy more than 500 sq. ft. of the residence and attached garage.
  - c. All on-premise activities related to the home occupation are to be conducted only by members of the household.

- d. No structural alteration or addition may be made to accommodate the home occupation, unless it is made in such a manner that the area would be suitable for typical residential purposes if it were not occupied by the home occupation.
  - e. No equipment shall be installed, no products shall be stored, and no activities shall be conducted that would violate the fire or building code limitations for a non-rated wooden structure (Construction Type V-B), regardless of the construction type of the dwelling.
  - f. No offensive noise, vibration, smoke, dust, odor, glare, electrical interference, or other detriments to neighboring properties or dwelling units shall be produced.
  - g. There shall be no exterior indications of the home occupation, other than those indications complying with #h through #l below.
  - h. No more than a total of two vehicles/trailers associated with the home occupation shall be at the premises at any time. In addition, the vehicle(s) shall not be larger than a typical passenger van or 1-ton pickup and the trailer(s) no more than 20 feet long (overall length). Box-style cargo vans, semi tractors/trailers, heavy equipment, and similar vehicles are not authorized.
  - i. Any vehicle or trailer associated with the home occupation that is not a typical passenger car or pickup must be parked off-street. Furthermore, vehicles and trailers are not to occupy any area within the front yard that is not designed for parking (e.g. no parking on the front lawn).
  - j. Within the R-1 zoning district, on-site customers and employee visits are not permitted. In the other residential zoning districts, the combined number of customer and employee visits to the property shall not typically exceed six (6) per day (*SE*), and they shall not typically occur earlier than 7:00 a.m., nor later than 7:00 p.m. each day. In situations where a person is dropped off and later picked up, it shall count as only one visit, as the customer is the person visiting, not the one dropping off and picking up (e.g. a parent dropping off a child at music lessons and later picking them up).
  - k. Vehicle traffic associated with the home occupation shall not be of an amount that would cause, or add to, any parking congestion problems.
  - l. Signage must comply with the provisions set forth in City of Cody sign code. (*SE*)
2. Examples of possible small-scale home occupations include: artist; consultant; computer work (accountant, architect, drafter, engineer, typist); internet sales (off-site delivery); music instructor; photographer; seamstress/tailor; and, personal teacher/tutor.
  3. The following uses are not permitted as small-scale home occupations, due to their non-residential character, failure to meet home occupation standards, and/or potential impacts to neighboring properties.
    - a. All uses prohibited as large-scale home occupations.
    - b. Any use generating, storing or utilizing hazardous materials in amounts measurably greater than a typical household.
    - c. Machining, welding, or metal shop;
    - d. Pawn shop;
    - e. Retail storefronts;
    - f. Small engine repair; and
    - g. Vehicle or heavy equipment alteration, repair (including body, engine and chassis), painting, sales, rental, service, impound, or storage. This provision does not prohibit mobile mechanic services that provide repair services only at the customer's residence or place of business.

4. A small-scale home occupation may be subject to inspection and review at any reasonable time for purposes of verifying compliance. If, at any time, any of the small-scale home occupation requirements are not met, enforcement action may be taken pursuant to Section 10.1.5, Enforcement.

(I) “T” Uses

**Individual Care-Group Home Category.**

1. When located on a single-family residential lot, the provision of care shall take place in a dwelling used primarily as a residence.
2. When located on a parcel developed with multi-family housing, the provision of care shall take place within a structure not used as a residence.
3. When located within or adjacent to a residential zoning district, outdoor recreation shall be limited to daylight hours, and not earlier than 8:00 a.m. or later than 8:00 p.m. (SE)

**Individual Care Center Category.**

1. Access to the individual care center shall be by means of a collector street or larger. (SE)
2. The site shall be designed so that all discharging or loading of passengers from a vehicle is accomplished on the site. The layout of driveways, circulation patterns and parking must be approved by the City Engineer prior to the issuance of any building permits.
3. Where the facility structures or play areas have residential adjacency:
  - a. A 6-foot high solid fence shall be installed along the common property line. (SE)
  - b. Vehicle access shall be oriented away from residential uses on local streets. (SE)
4. When located within or adjacent to a residential zoning district, outdoor recreation shall be limited to daylight hours, and not earlier than 8:00 a.m. or later than 8:00 p.m. (SE).

(J) “J” uses. (Reserved)

(K) “K” uses. (Reserved)

(L) “L” uses.

**Long-Term Rental:**

Occupancy of a residential dwelling unit is limited to one “family”, except as otherwise permitted under this Title (e.g. community residence for the disabled, dormitory, rooming house, short-term rental).

(M) “M” uses.

**Manufactured Home:**

1. All manufactured homes placed outside of a mobile home park must be “attached” to the property so as to be taxed as real property (i.e. title elimination process).
2. In addition to any restriction of a specific zoning district, no more than two manufactured homes shall be placed on a single lot, unless the property is developed in accordance with the mobile home park/manufactured home park standards of the City code.
3. The above restrictions shall not apply to manufactured homes displayed on a commercial sales lot, or stored in a commercial manufactured home production or storage facility.

**Mobile Home:**

All mobile homes and manufactured homes located in a mobile home park shall:

1. Be placed and anchored per the manufacturer's installation instructions or per the design of a professional engineer or architect licensed in Wyoming;
2. Maintain a minimum crawl space of 18 inches under the entire unit;
3. Have the axle(s) removed;
4. Have skirting or sidewalls installed to enclose all areas between the lower edge of the outside walls and the ground;
5. Have steps or inclined ramps affixed to all entrances;

**Modular Home:**

The home must meet the definition of "modular home" as found in this title. Manufactured homes are not modular homes. Refer to the definitions for proper classification. It is recommended that you refer to the publication "Builder's Guide to Modular Home Set-up and Completion", by the National Modular Housing Council. The document can be found on their website [modularhousing.org](http://modularhousing.org)

**Multi-Family Development:**

This section shall apply to all multi-family developments containing more than four dwelling units. A multi-family development project that includes multiple lots shall be considered as one property or development for purposes of implementing the standards set forth in this section.

1. Purpose:
  - a. To create multi-family housing that is safe and convenient and that enhances the quality of life of its residents.
  - b. To create quality buildings and designs for multi-family development that will enhance the visual character of the community.
  - c. To create building and site design in multi-family development that is sensitive to, and well-integrated with, the surrounding neighborhoods.
  - d. To create open space areas that contribute to the aesthetics of the community, provide an attractive setting for buildings, and provide safe, interesting outdoor spaces for residents.
2. Site Design:
  - a. Multi-family housing developments shall be separated from any abutting single-family housing (attached or detached) by a six-foot tall fence, of traditional construction (e.g. vinyl, wood, block), that provides a solid visual barrier to a height of at least five feet. Provided, the reviewing official may waive all or part of the fence requirement when the design and characteristics of the multi-family housing development otherwise provide reasonable privacy for abutting single-family housing. *(SE)*
  - b. All waste storage facilities (e.g. dumpsters) shall be located in an area not readily visible from a public street, or shall be screened from view from a public street. *(SE)*
  - c. Provide a central mailbox, including provisions for parcel mail, which is located to provide safe pedestrian and/or vehicular access and complies with U.S.P.S. standards.
  - d. A minimum of sixty (60) square feet of private, usable open space shall be provided for, and immediately adjacent to, each dwelling unit. This requirement can be satisfied through porches, patios, decks, and/or enclosed yards. Common open space, building entryways, stairs, and parking areas shall not count towards this requirement. *(SE)*
  - e. Multi-family developments with twenty (20) units or more shall provide the following:

- i. A property management office; or signage indicating a phone number for the property manager.
  - ii. A directory and map of the development at an entrance or convenient location for those entering the development.
- 3. Common Open Space Requirements:
  - a. A minimum area of outdoor common open space shall be provided and maintained as follows:
    - i. One hundred fifty (150) square feet for each dwelling unit containing five hundred (500) square feet or less of living area.
    - ii. Two hundred fifty (250) square feet for each dwelling unit containing more than five hundred (500) square feet and up to one thousand two hundred (1,200) square feet of living area.
    - iii. Three hundred fifty (350) square feet for each unit containing more than one thousand two hundred (1,200) square feet of living area.
  - b. Common open space may be located in multiple areas; provided, each area shall be not less than four hundred (400) square feet in size and shall have minimum length and width dimensions of twenty feet (20') at all points. *(SE)*
  - c. In phased developments, common open space shall be provided in each phase of the development consistent with the requirements for the size and number of dwelling units. *(SE)*
  - d. Common open space areas shall not be immediately adjacent to collector or arterial streets, unless separated from the street by a berm or constructed barrier at least four feet (4') in height. *(SE)*
- 4. Amenities:
  - a. All multi-family developments shall provide and maintain amenities to meet the particular needs of the residents. The types of amenities are listed in item 2 below. The number of amenities shall depend on the size of multi-family development as follows:
    - i. For multi-family development with four (4) to ten (10) units, one amenity shall be provided from one of the categories. (The categories are: Landscaping/Play Area, Recreation, and Quality of Life.)
    - ii. For multi-family developments with eleven (11) to twenty (20) units, two (2) amenities shall be provided from two (2) separate categories.
    - iii. For multi-family development between twenty (20) and seventy-five (75) units, three (3) amenities shall be provided, with one amenity from each category.
    - iv. For multi-family development with seventy-five (75) units or more, four (4) amenities shall be provided, with at least one from each category.
    - v. For multi-family developments with more than one hundred (100) units, the decision-making body shall require additional amenities commensurate to the size of the proposed development.
  - b. Types of Amenities. The following categories list the menu of amenities available to satisfy item #1 above. The reviewing official is authorized to consider other options for amenities, provided that the requested improvement provides a similar level of benefit.
    - i. Landscaping/Play Area:
      - 1. Open lawn of at least fifty feet by one hundred feet in size.
      - 2. Community garden.
      - 3. Ponds or water features.

- 4. Plaza.
- ii. Recreation:
  - 1. Sports courts.
  - 2. Walking trails.
  - 3. Children's play structures.
  - 4. Pool.
- iii. Quality of life:
  - 1. Clubhouse.
  - 2. Fitness facilities.
  - 3. Enclosed bike storage.
  - 4. Public art, such as a statue.
- 5. Architectural Character:
  - a. All multi-family building elevations shall have a portion of the elevation devoted to architectural features designed to provide articulation and variety. These features shall include, but are not limited to: windows, bays, offsetting walls, and multiple siding finishes/materials.
  - b. Main entrances, which are the primary point(s) of entry where the majority of building users will enter and leave, shall be designed as an obvious entrance and focal point of the building through architectural treatment, lighting, and address identification.
  - c. Roof forms shall include variety and detail when viewed from the street and/or front elevation. Roofs shall have at least one variation in the roof (e.g. gabled wing or overbuild, dormer, pitch break) for every four units, or fraction thereof, in the building.
  - d. All roof mounted mechanical, electrical, communications, and service equipment should be screened from public view from the adjacent public streets and residential properties by the use of parapets, walls, enclosures, or other suitable means.
- 6. Landscaping:
  - a. All street-facing building elevations shall have landscaping along their foundation. The foundation landscaping shall meet the following minimum standards:
    - i. The landscaped area shall be at least three feet (3') wide.
    - ii. For every four (4) linear feet of foundation, a shrub, perennial, or tree having a minimum mature height of twenty-four inches (24") shall be planted.
    - iii. Ground cover (plants or decorative rock) shall cover the remainder of the landscaped area.

(N) "N" uses. (Reserved)

(O) "O" uses. (Reserved)

(P) "P" uses. (Reserved)

(Q) "Q" uses. (Reserved)

(R) "R" uses.

### **Reception Facility.**

- 1. Minimum lot area shall be at least 1.0 acre.
- 2. A reception facility shall only be permitted in association with a detached single-family dwelling and its grounds.

3. Seating capacity shall not exceed that which can be accommodated by parking available on site, along the property frontage, and in any shared parking lot available through an off-site parking agreement authorized pursuant to Section 10-16-7.
4. Unless otherwise specified by the Planning and Zoning Board, events shall end by 9:00 p.m. during September thru May, and 10:00 p.m. during June through August.

### **Residential Dwelling Categories.**

1. All residential dwellings shall comply with applicable Residential Architectural Standards, as specified in this chapter. (*SE*)
2. Within the RR, R-1, R-2, and R-2MH zoning districts, no more than one principal residential building shall be located on a single lot.
3. In addition to any restriction of a specific zoning district, no more than two manufactured and/or mobile homes, or combination thereof, shall be placed on a single lot, unless developed in accordance with the mobile home park/manufactured home park standards of the City code.
4. The commercial use of a residential dwelling unit for dwelling, lodging or sleeping purposes, wherein any individual guest rents or occupies the unit for a period of less than thirty consecutive calendar days is prohibited, except as otherwise permitted under this Title (e.g. bed and breakfast, short-term rental).
5. Occupancy of a residential dwelling unit is limited to one “family”, except as otherwise permitted under this Title (e.g. community residence for the disabled, dormitory, rooming house, short-term rental).

### **Residential Architectural Standards.**

Within all residential zoning districts except the mobile home park (MHP) zone, all dwellings constructed after the effective date of this ordinance shall be constructed in the following manner(*SE*); provided, manufactured homes not meeting these standards may be considered as specified in the land use table:

1. Roof pitch shall average at least 4:12 in steepness.
2. Eaves shall extend at least 12 inches from the building.
3. The building shall be constructed or placed on a permanent foundation of concrete, masonry, or material of similar appearance and durability approved by the building official.
4. The structure shall have at least one story above ground level (i.e. no basement houses).

### **Rooming House.**

1. No more than two persons shall occupy any individual lodging room.
2. Unless otherwise exempted or authorized by this Title, one off-street parking space shall be provided for each guest lodging room. The guest parking shall be in addition to the two spaces required for the owner(s).

### **RV, Temporary.**

The Community Development Department may authorize the owner of a residential lot, and their household, to live in an on-site recreational vehicle (RV) while constructing or remodeling a residence on the property. The permit shall be valid for up to 12 months, and only during such time as a valid building permit is in effect and construction activity is ongoing at the site. Appropriate provisions for sewer, power, and water shall be made while the RV is occupied.

(S) “S” Uses.

### **School, Public or Private.**

It is anticipated that due to coordination between the City and the School District that existing schools and planned school sites will be located within a civic zoning district, as permitted uses. However, the option to establish a public or private school elsewhere is provided as outlined in the land use table. Careful consideration shall be given to avoid potential impacts associated with traffic, off-site parking, pedestrian/bicycle access, drop off/pick up areas, noise sources, and lighting associated with sporting events.

### **Short-Term Rental.**

1. Authorized owner-occupied methods of short-term rental are limited to:
  - a. Rental of a portion of the owner’s dwelling (room rental), while the owner is living in the dwelling.
  - b. Rental of an accessory dwelling unit while the owner is living in the main dwelling.
  - c. Rental of the main dwelling while the owner is living in the accessory dwelling unit.
  - d. Rental of a dwelling while the owner is living on a lot immediately next door.
2. Within the residential zoning districts, the short-term rental may be operated out of any form of dwelling except a multi-family dwelling. In addition, short-term rental shall not be offered by a renter of the property—i.e. a sublet situation.
3. Occupancy of a dwelling used for short-term rental is limited to the lesser of 2.6 guests per guest sleeping room (total rounded to nearest whole number) or a total of 10 guests. In addition, short-term rental dwellings shall only be rented to only one group at any one time—a single booking. Separate dwellings on a property may be booked individually.
4. Use or conversion of an existing dwelling to an owner-occupied short-term rental shall require one off-street guest parking space meeting the requirements of Chapter 16 (Parking) for every two guest sleeping rooms or fraction thereof, unless otherwise exempted or authorized by this Title. The guest parking shall be in addition to the spaces required for the owners. A non-owner-occupied short-term rental does not require additional parking to be provided.
5. Prior to use of the dwelling as a short-term rental, the dwelling shall be inspected for fire and life safety items. At a minimum, the short-term rental shall be equipped with functional smoke detectors and a carbon monoxide alarm, and each sleeping room provided with code compliant means of egress. Fire extinguishers, posted emergency contact numbers, and evacuation route diagrams are recommended. The authority having jurisdiction (i.e. fire marshal and/or building official) may have additional requirements pursuant to the adopted fire and/or building code. Notwithstanding the above, short-term rentals existing at the date of adoption of this provision shall have until June 30, 2017 to obtain their inspection and until December 31, 2017 to correct any fire and life safety items; no short-term rental activity shall occur if the dwelling is not in compliance with these deadlines.
6. Short-term rentals are classified as lodging facilities by the State. As such, the owner of the short-term rental must register the lodging facility business with the WY Department of Revenue and pay lodging tax as required.
7. All short-term rental facilities, whether existing or proposed, shall register with the City of Cody, provide evidence of compliance with this section, and pass the Fire/Safety inspection. The community development department is authorized to create application form(s) and procedures as necessary to manage and enforce these provisions, both for the initial authorization and for ongoing compliance.

Authorized short-term rental facilities shall post a document issued by the City identifying such authorization in a manner that is visible from the public way.

- (T) “T” Uses.
- (U) “U” Uses. (Reserved)
- (V) “V” Uses. (Reserved)
- (W) “W” Uses.

### **Wind Energy System, Small.**

1. No small wind energy system shall be erected on any lot less than 1.0 acre in size. *(SE)*
2. Total height may be up to 50 feet; provided, properties five acres or greater are allowed up to 80 feet. *(SE)*
3. The minimum height of the lowest extent of a turbine blade/rotor shall be 20 feet above the ground, if on a horizontal axis turbine. There is no minimum rotor height for a vertical-axis turbine, provided the blades/rotor must be located or isolated (e.g. fenced) such that they are not easily accessible to anyone but maintenance personnel.
4. The small wind energy system shall have a maximum rotor speed of less than 500 RPM (revolutions per minute) at the manufacturer’s rated wind speed. *(SE)*
5. No tower shall have a climbing apparatus within 10 feet of the ground.
6. Small wind energy systems shall be finished and maintained as manufactured.
7. Every small wind energy system shall be equipped with an automatic over speed control and a manual brake.
8. The small wind energy system shall be set back from any public road right-of-way and overhead communication or electrical line at least 1.5 times its total height.
9. The following two standards apply, provided an affected neighboring owner(s) may grant an easement or written agreement to reduce or eliminate the requirement as applicable to the protection of their property. The document must be recorded in the office of the county clerk before a building permit for the wind energy system is issued.
  - a. A small wind energy system shall be set back from the nearest neighbor’s property line at least 1.5 times its total height.
  - b. The small wind energy system shall be located and maintained such that sound levels do not exceed 50 dBA as measured at any neighbor’s residentially zoned property, or 45 dBA as measured at any neighbor’s habitable building, assuming a wind speed of 12 m/s (26.8 mph). If the sound rating for the wind energy system is known for a given distance, the method of deducting 6 dB for every doubling of distance shall be sufficient to demonstrate compliance with the sound limitation. (See NREL Wind Testing website for data on some models.) If the sound rating is not known, the applicable setback from any neighboring residential property shall be 125 feet, and 220 feet from any neighbor’s habitable building.

### **Wireless Communication Facility, Microcell.**

1. Within the residential zoning districts, a microcell must be mounted on an existing building or existing utility pole, and extend no more than three feet horizontally or five feet vertically from the building or utility pole on which it is mounted.
2. Within the Downtown Architectural District, the proposed facility must be reviewed by the Planning and Zoning Board.

3. The proposal shall clearly demonstrate that the microcell mounting location is one of the least visually obtrusive options in the area.

**Wireless Communication Facility, Stealth Design.**

1. No residential use may exist on the property.
2. Within the Downtown Architectural District, the proposed facility must be reviewed by the Planning and Zoning Board.
3. The design and location of the proposed facility must be deemed by the reviewing official to be compatible with surrounding uses, and the facility must include appropriate screening and landscaping to ensure such compatibility.

(X) "X" Uses. (Reserved)

(Y) "Y" Uses. (Reserved)

(Z) "Z" Uses. (Reserved)

CHAPTER 14 CONDITIONAL USES, SPECIAL EXEMPTIONS, AND AIRPORT OVERLAY SPECIAL USE PERMITS

10-14-1: CONDITIONAL USES:

10-14-2: SPECIAL EXEMPTIONS:

10-14-3: AIRPORT OVERLAY SPECIAL USE PERMITS

*(NOTE: The “track changes” feature was utilized for the “Airport Overlay Special Use Permits” and “Special Exemptions” sections. The primary change to this chapter is the addition of the conditional use process. This first section is renamed, renumbered and moved to 10-14-3)*

~~10-14-34: AIRPORT OVERLAY SPECIAL USE PERMITS~~CONDITIONAL USE PERMIT:

Within the airport overlay zone, the governing body is empowered to grant Airport Overlay Special conditional use permits (hereinafter Special Use Permit) for specific uses as designated in the affected land use classifications.

The purpose of a conditional special use permit shall be to assure that the maximum degree of land use compatibility shall be attained in the airport overlay zone, to minimize noise impacts of aircraft, and to provide for the protection of public safety and welfare.

- A. Approval Required Prior to Development: Any person proposing to develop a conditional special use in the Airport Overlay shall apply for and obtain approval for a conditional special use permit prior to beginning development.
- B. Application: The application for a conditional special use permit shall be filed upon the prescribed form with the city planner, or designee, who shall review it for completeness, and the form shall include:
  1. The name and address of the owner and applicant.
  2. A legal description and address for site identification.
  3. A statement of the precise nature of the proposed use.
  4. A site plan showing the relationship of the proposed development to existing streets, structures, open spaces, height and use of each structure, including proposed structures, parking areas and landscaping.
- C. Fee: A fee for the filing and processing of applications for all permits required by this section shall be paid at the time an application is submitted. The amount of the fee shall be set forth by the governing body, and may be amended or changed by resolution by the governing body.
- D. Review Procedures Generally: The Yellowstone regional airport board shall have an opportunity to review and make a formal recommendation on proposed conditional special use permits. The planning, zoning and adjustment board shall then review the application and supporting material. Within ten (10) days after the action of the planning, zoning and adjustment board, the recommendation shall be transmitted to the governing body. Within thirty (30) days following receipt of the planning, zoning and adjustment board recommendations, the governing body shall approve or disapprove the conditional special use permit request by a majority vote of the governing body.

- E. Public Hearing: Upon receipt of a complete application, the planning, zoning and adjustment board shall schedule a public hearing and provide adequate notice as follows:
1. Notice to Neighboring Properties: The applicant shall notify by certified mail, return receipt required, all property owners within one hundred forty feet (140') of the perimeter of the subject property (excluding streets and rights of way) of the public hearing at least ten (10) days prior to the hearing. The applicant shall submit a list of the notified property owners, a copy of the notification letter, and mail receipts to the city planner, or designee, for verification of notification. The return receipts (green cards) shall include the city address for direct return of the receipts to the city planner, or designee (e.g., City Planner, City of Cody, P.O. Box 2200, Cody, WY 82414). The notice shall be in a standard form prescribed by the city planner, or designee. The notice shall contain a brief description of the application and proposed use, the address or a description of the location, the applicant's name, and the date, time and place of the hearing. The notice shall include a space where the property owner shall be allowed to state whether he or she objects or does not object to the proposed conditional special use permit, and space to explain their objection or lack thereof. The notice shall also describe the other methods by which the recipient may provide input prior to the public hearing, such as by e-mail, or by correspondence delivered to the city planner, or designee.
  2. Published Legal Notice: The applicant shall, at his expense, cause a legal notice to be published in the city's official newspaper at least ten (10) days prior to the hearing in a standard form prescribed by the city planner, or designee.
  3. Decision of Planning, Zoning and Adjustment Board: Following the public hearing, the planning, zoning and adjustment board shall recommend to the governing body denial of the conditional special use permit, approval of the conditional special use permit, or approval with conditions.
  4. Action of Governing Body: After the planning, zoning and adjustment board has conducted the public hearing and made its recommendation, the application shall go to the governing body at its next regularly scheduled meeting. The governing body shall consider the application, along with the recommendation of the planning, zoning and adjustment board, and shall take action to approve, approve with conditions or reject the application. At the meeting where the governing body considers the application, the governing body may hear and consider other comments and input from the staff and public.
  5. Approval; Recording: If the governing body approves the conditional special use permit, the governing body shall prepare a recordable document stating that the governing body approves the conditional special use permit, the date the conditional special use permit was approved, and stating any conditions, limitations and restrictions imposed on such permit. That document shall be signed by the mayor, and recorded with the Park County clerk and recorder's office in the real estate records.
- F. Nature of Review: When considering an application for a conditional special use permit, the planning, zoning and adjustment board and governing body shall consider the applicable standards, including the airport obstruction regulations, and may impose specific conditions precedent to establishing the use. Conditions may include, but are not limited to, the following:

1. Limitations upon the proposed use.
2. Stipulation as to the exact location of the proposed use as a means of minimizing noise impacts and aviation obstructions.
3. Requirement that structural features and vegetation be restricted in height.
4. Reduction of site density.
5. Compliance with approved engineering plans and specifications.
6. Requirement for minimum open space.
7. Stipulation that certain uses will be prohibited, specifically:
  - a. Aboveground storage of flammable materials.
  - b. Smoke or steam pollution sources and open burning.
  - c. Radio/transmitting sources which might interfere with aircraft radio/navigation equipment.
  - d. Any use which would tend to initiate or increase bird population.
  - e. Aboveground power lines, windmills, towers.
  - f. Places of public assembly or with high residential densities shall be discouraged.

G. Burden of Proof Rests with Applicant: In all cases, the applicant must demonstrate compatibility with aviation use and that potential conflicts or negative impacts will be mitigated.

H. Effectiveness of Conditional Special Use Permit:

1. A conditionalspecial use permit approval shall cease effectiveness if the use is not completely developed within two (2) years of the date of approval unless the applicant or owner requests, and the governing body provides for, a longer period of effectiveness, based on a finding that the use is a phased development requiring a longer period of development, not to exceed six (6) years, with said phases and time deadlines clearly spelled out in the application.
2. The governing body may extend the original approval for one additional year. No later than forty-five (45) days prior to the termination of the initial approval period, the city planner, or designee, shall inform the applicant and owner in writing by mail of the termination date. If the applicant or owner has not submitted to the city planner, or designee, a written request for extension of the approval period by the termination date, effectiveness of the conditionalspecial use permit shall be invalid, and further development of the project shall immediately cease.

The governing body may approve the request for extension if it finds that substantial progress has been made toward completion of the development and that said progress is in compliance with applicable regulations and standards, and any condition that is a part of the conditionalspecial use approval. The governing body shall deny the extension request if it finds that substantial progress has not been made on the project.

I. Amendment: A conditionalspecial use permit may be amended in the same manner as required for the approval of the permit.

J. Duration of Approval: A conditionalspecial use permit shall run with the land; compliance with the conditions of such permit is the responsibility of the current owner of the property,

whether that is the original owner or a successor. The use may continue indefinitely, regardless of ownership; provided, that the use or operation is consistent with the permit and conditions of the permit.

K. Reciprocal Requirements: When a zone (i.e., zone ~~BD-3~~) allows all uses permitted in another zone (i.e., zone ~~AD-2~~), all airport overlay restrictions ~~applying to zone A~~ shall remain applicable in both zones.~~also apply to zone B.~~

~~L. Marking and Lighting: The owner of any existing nonconforming structure or tree is hereby required to permit the installation, operation and maintenance thereon of such markers and lights as shall be deemed necessary by the Yellowstone regional airport board to indicate to the operators of aircraft in the vicinity of the airport the presence of such airport obstructions. Such markers and lights shall be installed, operated and maintained at the expense of the owner.~~

~~M. Regulations Not Retroactive: The regulations prescribed by this section shall not be construed to require the removal, lowering, or other changes or alterations of any structure or tree not conforming to the regulations as of the effective date hereof, or otherwise interfere with the continuance of a nonconforming use. Nothing contained herein shall require any change in the construction, alteration or intended use of any structure, the construction or alteration of which was begun prior to the effective date hereof, and is diligently prosecuted.~~

#### 10-14-1: CONDITIONAL USES: *(NOTE: Entire section is new.)*

A. Purpose: The purpose of this section is to establish the procedures and criteria for the review of conditional uses, as identified in the land use table(s). Conditional uses have been determined to have such characteristics that a discretionary, site-specific review by the Planning and Zoning Board is necessary to evaluate whether the particular use, as proposed, is compatible, or can be made compatible, with neighboring land uses and other uses permitted in the zoning district. Conditional uses may not be appropriate at all locations within a zoning district.

B. Application Required: Any person desiring to establish a conditional use shall complete a conditional use application, which application shall be filed with the community development department on a form prescribed by the city planner. Notwithstanding the content of the application form, the Planning and Zoning Board may require additional information as necessary to obtain a complete description of the project and identify potential impacts. No person shall begin development or operation of a conditional use without first applying for and obtaining a conditional use permit, as outlined herein. An application fee, as specified pursuant to Chapter 1(?), Section 6 shall accompany the application. Consultation with the city planner regarding the preparation of the application is recommended.

C. Notice and Public Hearing: The Planning and Zoning Board is the decision-making body for conditional use permits. The Board shall conduct a public hearing to obtain information

pertaining to the request and the appropriateness of the conditional use permit. Notice of the hearing is required as follows:

1. Notice of the public hearing shall be given at least ten (10) days prior to the hearing by publication in the city's official newspaper and by USPS first class mail to the owners of all properties within one hundred forty feet (140') of the subject property. The notices must identify the date, time, location, and purpose of the public hearing. The property owner list shall be based on the ownership data from the Park County MapServer program (or equivalent) on the day of application.
2. The person sending the notices by mail shall complete an affidavit of mailing which identifies the document, the property owners to which it was sent, and the date mailed.
3. The city planner is granted authority to require or perform optional notice to inform other property owners, lessees, utility providers, or others that may be affected by the conditional use, of the public hearing. Optional notice is not subject to the 10-day requirement, may take any form, and is completely discretionary. Optional notice, or lack thereof, shall not be grounds for appeal.

D. Standards of Review: The Board has authority to approve, impose conditions on, or deny conditional use applications. The Board shall base its determination upon the following considerations. Negative impacts shall be justification to impose conditions on or deny the application.

1. Is the site large enough to accommodate the proposed use and meet all of the dimensional standards and development regulations of the zoning district in which the project is located?
2. Is the use, at the scale or density proposed, compatible with all other uses in the immediate area and with permitted uses that may be established in the area?
3. Does the proposed use involve activities, processes, materials, equipment, hours of operation, or any other operational characteristics that would be materially detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, dust, glare, odors, hazards, or similar impacts?
4. Does the proposal include provisions for necessary and desired public utilities and facilities such as potable water, fire hydrants, sewer, electrical power, streets, storm water facilities, and sidewalks/pathways?
5. Will the proposed use create excessive additional costs for public facilities and services that would be materially detrimental to the economic welfare of the community?
6. Will the proposed use result in the destruction, loss or damage of a natural, scenic or historic feature considered to be of significant importance?

7. Is the proposed use consistent with the applicable provisions of the Cody Master Plan?
- E. Conditioning Authority: The Board is authorized to impose conditions on the proposed use as necessary to ensure compliance with the provisions of this title and to mitigate or avoid negative impacts to neighboring properties or the general public health, safety and welfare of the community. Examples of such conditions may include, but are not limited to:
1. Limiting the size, height, location, or scale of the project or any component thereof.
  2. Limiting the hours of operation of the use, or any component thereof;
  3. Requiring sound-reduction methods;
  4. Requiring screening of loading areas, storage areas, and other unsightly features;
  5. Requiring dust control or surfacing improvements;
  6. Limiting the duration of the conditional use permit to give opportunity for future review as the surrounding area becomes more developed;
  7. Requiring the provision of on-site or off-site public facilities or services to serve the use.
- F. Outstanding Violations: The Board may withhold or delay issuance of a conditional use permit if there is an outstanding zoning violation that exists on the subject property, until the violation is remedied.
- G. Filing of Permit: If the conditional use is authorized by the Board, the City shall prepare a conditional use permit in a recordable format. The permit document is to include the date the conditional use was approved by the Board; a description of what was approved; any conditions, limitations and restrictions imposed on such conditional use; and, the “time limitations and expiration” language found below. The permit shall be signed by the Chair of the Planning and Zoning Board and recorded with the Park County clerk and recorder's office within fifteen (15) days, or as otherwise specified by the Board. Recording cost is at the applicant’s expense.
- H. Time Limitations and Expiration:
1. Unless specified otherwise by the Board, development of a permitted conditional use shall commence within two years of the granting of the conditional use permit, or the authorization shall expire. If the conditional use is associated with a building, commencing development shall be in the form of obtaining a building permit and starting construction on the project. If no building is associated with the conditional use, the conditional use activity shall commence within the specified deadline.
  2. If a conditional use has been discontinued for one year or more, the conditional use permit shall automatically become null and void and the activity shall not be reestablished except in accordance with the provisions and procedures of this title.

- I. Transfers: Conditional use permits are an entitlement to the specific property for which the approval was granted and upon property sale the entitlement, if not otherwise revoked or expired pursuant to this section, transfers to the new owner(s) without further application or approval, provided, however, the new owner(s) shall be bound by the same time limits and conditions of approval as the original permit holder(s). A conditional use permit is not transferable from one property to another.
- J. Modifications: A request to modify, expand, or otherwise change an approved conditional use permit in a manner that is not in substantial conformance with the approved site plan and permit shall be processed as a new application.
- K. Revocation, Suspension or Modification by Board:
  - 1. A conditional use permit may be revoked, suspended, or modified by the Board for cause upon notice to the permit holder and public hearing, for either a breach or violation of any condition of approval or limitation of the permit; or, if the conditional use is operated in a manner so as to create a public nuisance as defined and regulated by the City code.
  - 2. If the Board desires to revoke, suspend, or modify a conditional use permit, either on its own action or after a formal complaint, the Board shall notify the permit holder of its intention and provide the permit holder with the opportunity to contest the revocation, suspension, or modification in the context of a public hearing.
  - 3. Notice of the public hearing shall be mailed to the property owner by certified, return receipt mail, at least fourteen days before the public hearing. Notice shall also be provided to neighbors and the public in the same manner set forth for application of a conditional use permit.
  - 4. The Board shall make findings of fact and conclusions of law if they decide to revoke, suspend, or modify the conditional use permit. If the Board does not decide to take such action, no findings of fact and conclusions of law shall be made.

#### 10-14-2: SPECIAL EXEMPTIONS:

Pursuant to Wyoming Statutes section 15-1-608, the planning and zoning board, in their capacity as the Board of Adjustment, is authorized to hear and decide special exemptions from the terms of this chapter title, as specified herein. It is the intent of these special exemption provisions to provide necessary flexibility in this chapter without requiring applicants to provide proof of hardship. ~~Certain activities, structures and uses that are essential or desirable for the welfare of the city and not incompatible with other uses in the zoning district or neighborhood are eligible for special exemptions.~~ Special exemptions may be entirely appropriate but not at every location or without conditions being imposed by reason of special problems the use presents. The planning and zoning board may grant those special exceptions that are reasonable and harmless deviations from the zoning ordinance as determined by the following standards and procedures:

- A. Application Procedures:
  - 1. Optional Pre-Application Conference with Planning and Zoning Board: The pre-application conference is optional and is scheduled at the applicant's request. The conference allows the applicant to obtain information regarding the special exception

process and to identify likely concerns regarding the proposal. No application fee is required and the planning and zoning board takes no formal action or decision concerning the proposal.

2. Filing of Applications:
  - a. Application Contents: The application for a special exemption shall include the following information:
    - (1) The proposed use or project;
    - (2) A plot plan showing the major details of the proposal such as location of buildings and structures, parking areas, means of vehicular access, signs, landscaping, fencing and screening, easements, utilities and pedestrian areas;
    - (3) A time schedule for development, if applicable;
    - (4) Such other information as the board shall by rules of practice require; and
    - (5) Any other information the applicant believes will support the request.
  - b. Filing Period: Applications shall be filed at least twenty-one (21) days prior to the anticipated date of public hearing.
3. Payment of Application Fees: At the time the application for a special exemption is submitted to the city, the application fee, as set by resolution of the city council, shall be paid by the applicant.
4. Notice of Public Hearing Requirements:
  - a. Public Hearing: The Board shall conduct a public hearing to obtain information pertaining to the request and the appropriateness of the special exemption. Proper notice of the hearing is prerequisite to conducting the public hearing.
  - b. After receipt of a complete application, the city planner shall cause the applicant to provide notice of the public hearing. Notice of a public hearing shall be given at least ten (10) days prior to the hearing by publication in the city's official newspaper and by USPS first class mail to the owners of all properties within one hundred forty feet (140') of the subject property. The notices must identify the date, time, location, and purpose of the public hearing. The property owner list shall be based on the ownership data from the Park County MapServer program (or equivalent) on the day of application.
  - c. The person sending the notices by mail shall complete an affidavit of mailing which identifies the document, the property owners to which it was sent, and the date mailed.
  - d. The city planner is granted authority to require or perform optional notice to inform other property owners, lessees, utility providers, or others that may be affected by the exemption, of the public hearing. Optional notice is not subject to the 10-day requirement, may take any form, and is completely discretionary. Optional notice, or lack thereof, shall not be grounds for appeal.
- ~~a. Notice to Neighboring Properties:  
Upon receipt of a complete application, the director of public works, hereinafter referred to as director (or chairperson of the planning and zoning board) shall schedule a public hearing on the application. At least ten (10) days prior to the hearing, the applicant shall notify by certified mail all property owners within one hundred forty feet (140') of the perimeter of the subject property of the hearing. The notice shall be in a standard form prescribed by the director of public works. The notice shall contain a brief description of the project, the address or a description of~~

~~the location, applicant's name, and the date, time and place of the hearing. The applicant shall provide the board with post office receipts as proof of notification.~~  
b. ~~Published Legal Notice: The applicant shall cause a legal notice to be published in the city's official newspaper at least ten (10) days prior to the hearing in a standard form prescribed by the director.~~

- B. Applicability: Applicants may request, and the planning and zoning board may consider, special exemptions from certain numerical specifications and for uses that are similar to permitted uses as specified below:
1. Exemption from Numerical Specifications: The following types of numerical standards may be waived or modified by special exemption:
    - a. Hour of business operation limits in D-1 district;
    - b. Any of the dimensional standards of the zoning districts, except those establishing density, minimum lot area, and number of main buildings on a lot (exceptions to those standards requires a variance). Examples of dimensional standards are Setbacks, and yard requirements;
    - ~~e. Height limits, lot coverage, and dwelling size requirements;~~
    - c. Supplemental Development Standards identified as eligible for special exemption;
    - d. Parking standards of chapter 16 of this title;
    - ~~e. Lot area;~~
    - ~~f. Lot coverage;~~
    - ~~eg.~~ Sign standards;
    - ~~h. Limitations on the number of employees; and~~
    - fi. Other numerical specifications not specifically listed above, provided approval of the special exemption would not be tantamount to rezoning the subject property, or conflict with the classification method of the supplemental development standards.
  2. Exemption for Use Similar to Permitted Uses: Special exemptions may be granted to allow uses not listed in the zoning ordinance when the planning and zoning board determines that such use is similar to a permitted use within the zoning district of the subject property. The determination on similarity shall be made in consideration of the size, intensity, noise, traffic, burden on infrastructure, and purposes of the use in question.
  3. Relation to Rezoning, Planned Unit Development and Variances: The planning and zoning board shall not approve a special exemption application when the application would be more properly considered as a rezoning, planned unit development, or variance application.
- C. Planning and Zoning Board Decision:
1. Public Hearing Procedures: The chairperson of the planning and zoning board shall conduct the public hearing in accordance with the board hearing rules, if any have been adopted. In addition, city staff shall have any opportunity to present the application and any staff reports and recommendations to the board. The applicant and those favoring the application shall follow and be allowed to speak and present any information to the board. Opponents shall then be allowed to speak and present information to the board. The board shall have the opportunity to question any speaker or ask any speaker to answer or respond to questions posed by other speakers.

2. Approval Standards: No special exemption shall be approved unless the planning and zoning board finds:
  - a. The special exemption will not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties;
  - b. The special exemption is designed to be compatible with adjacent land uses and the area or neighborhood;
  - c. The special exemption is the minimum deviation from the specifications of the zoning ordinance necessary and adequate for the proposed activity, structure or use;
  - d. The benefit sought by the applicant cannot be achieved by some other method, feasible for the applicant to pursue other than a special exemption;
  - e. Adequate services and infrastructure are or will be available to serve the proposed activity, structure or use; and
  - f. The special exemption is consistent with the goals, policies and future land use map of the master plan.
3. Conditions: In approving a special exemption, the planning and zoning board may impose any reasonable conditions or modifications pertaining to operational or physical features of the proposal to ensure conformance with the approval standards of subsection C2 of this section. The board is further authorized to set time limits for renewal or expiration of special exemptions and to require financial guarantees, such as a performance bond or irrevocable letter of credit, to ensure completion of required improvements.
4. Time Limit for Decision: The planning and zoning board shall make a decision within thirty (30) days of the public hearing. This time limit may be extended with the consent of the applicant.
5. Record of Decision: The planning and zoning board decision shall be set forth in the board minutes, specifying the name of the applicant, the property address ~~and or~~ legal description, the exact nature of the special exemption, and any added conditions, modifications, requirements or limitations.
6. Terms of Approval or ~~Conditional~~Special Approval; Limits on Modification of Use or Structure: No activity, use or structure allowed by a special exemption may be modified, increased in intensity or extent, structurally enlarged, or expanded in land area, unless:
  - a. Such is specifically allowed by terms of the approval; or
  - b. The planning and zoning board so amends the exemption following the procedures applicable to new applications for special exemptions.
7. Duration: Duration shall be one of the following:
  - a. In the event the planning and zoning board limits the duration of the special exemption, the exemption shall not run with the land and renewal shall be required at the time specified in the board decision.
  - b. In the event the planning and zoning board does not limit the duration of special exemption, the exemption shall run with the land and the current property owner shall be responsible for compliance with the terms of approval. Said exemption shall be recorded in the office of the Park County clerk at the expense of the applicant within ten (10) days of the granting of the special exemption, or as otherwise specified by the Board.
8. Expiration: If activities allowed by special exemption have not been established within one year of the approval or have ceased to occur for at least one year after having been

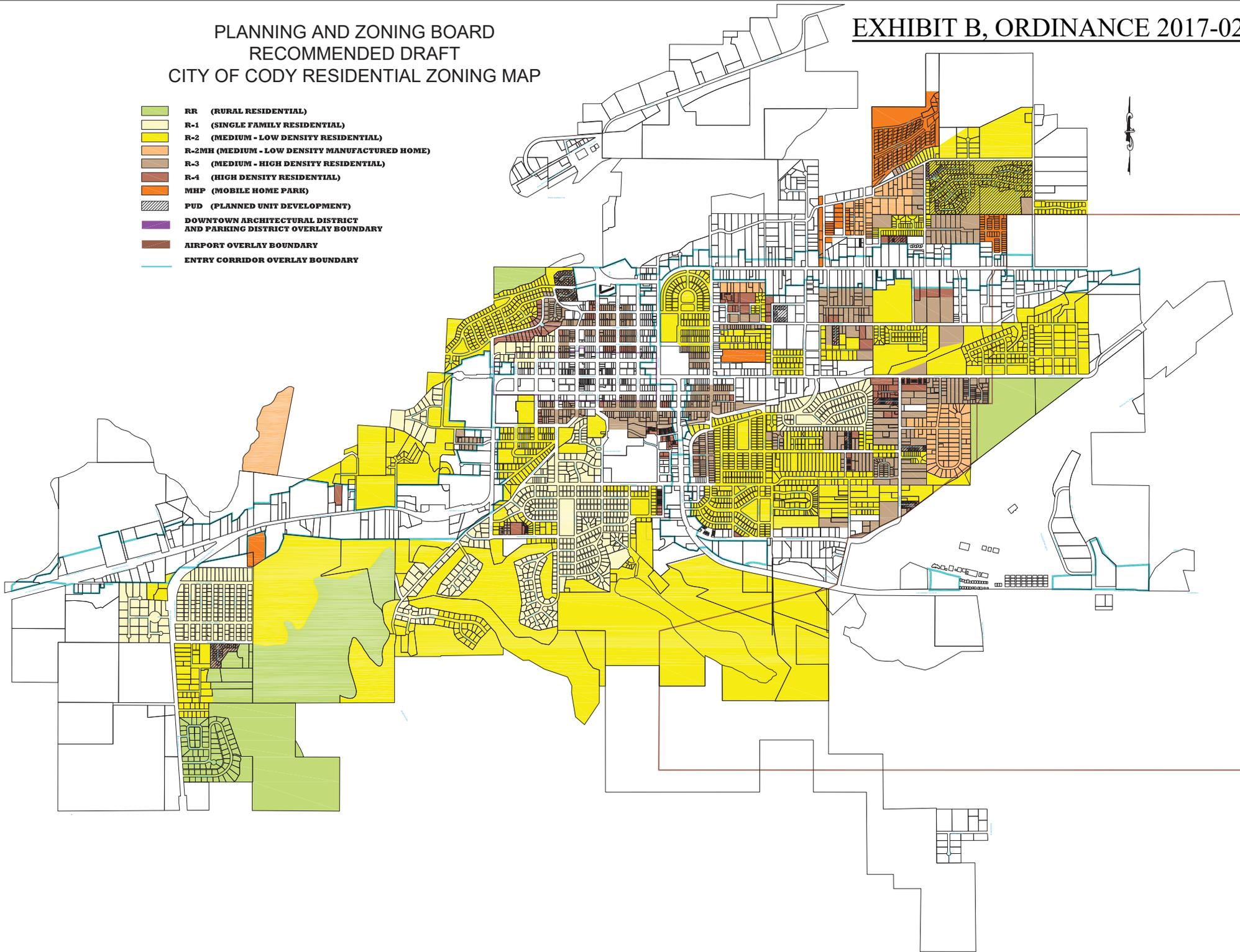
established, the exemption shall expire and not resume unless an application is filed and approved in accordance with the procedures for review of new special exemptions.

9. Revocation for Noncompliance: The planning and zoning commission shall have continuing jurisdiction over all special exemptions and may revoke, modify or suspend the approval of the special exemption, after a public hearing and notice given in the same manner as for new applications, under the following conditions:
  - a. The exemption was obtained by fraud or misrepresentation, or the public hearing had inadequate notice;
  - b. The exemption has been exercised contrary to the conditions of approval; or
  - c. The activity, structure or use permitted by the exemption has been exercised so as to be detrimental to the public health, safety or welfare, or as to constitute a nuisance.
10. Other Legal Remedies: In cases of noncompliance with the conditions of approval for special exemptions, the city may elect any other remedy provided by law for violations of this chapter. In cases warranting immediate abatement, the city may pursue such other legal remedies without delay and it shall not be necessary for the planning and zoning commission to have first revoked the exemption.

PLANNING AND ZONING BOARD  
RECOMMENDED DRAFT  
CITY OF CODY RESIDENTIAL ZONING MAP

EXHIBIT B, ORDINANCE 2017-02

-  RR (RURAL RESIDENTIAL)
-  R-1 (SINGLE FAMILY RESIDENTIAL)
-  R-2 (MEDIUM - LOW DENSITY RESIDENTIAL)
-  R-2MH (MEDIUM - LOW DENSITY MANUFACTURED HOME)
-  R-3 (MEDIUM - HIGH DENSITY RESIDENTIAL)
-  R-4 (HIGH DENSITY RESIDENTIAL)
-  MHP (MOBILE HOME PARK)
-  PUD (PLANNED UNIT DEVELOPMENT)
-  DOWNTOWN ARCHITECTURAL DISTRICT  
AND PARKING DISTRICT OVERLAY BOUNDARY
-  AIRPORT OVERLAY BOUNDARY
-  ENTRY CORRIDOR OVERLAY BOUNDARY



**ORDINANCE NO. 2017-03**

**AN ORDINANCE AMENDING TITLE 9, CHAPTER 6, ARTICLE III,  
SECTION 27 OF THE CITY OF CODY MUNICIPAL CODE**

WHEREAS, notice of a public hearing to consider this action was published in the Cody Enterprise on January 10, 2017;

WHEREAS, a public hearing was held on February 7, 2017 before the City Council at their regular meeting, as advertised, at which meeting the City Council heard comments from all persons wishing to speak for or against the proposed ordinance;

WHEREAS, the Cody City Council has thoroughly reviewed the matter and deems that it is in the best interest of the public and the City of Cody to approve the proposed ordinance;

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CODY,  
PARK COUNTY, WYOMING:**

Title 9, Chapter 6, Article III, Section 27 of the City of Cody Code is hereby amended to read as found in Exhibit A.

This Ordinance shall become effective at the final passage and publication in the Cody Enterprise as required by law.

PASSED ON FIRST READING:                        2/7/17      
PASSED ON SECOND READING:                                      
PASSED ON THIRD READING:                                    

\_\_\_\_\_  
Matt Hall, Mayor

Attest:

\_\_\_\_\_  
Cynthia Baker  
Administrative Services Director

## EXHIBIT A, ORDINANCE 2017-03

### AMENDMENTS TO MOBILE HOME PARK CHAPTER

*(Necessary due to reformatting of residential zones—moving requirements from F-2 district to Mobile Home chapter. Amendments shown with “track changes” feature.)*

#### 9-6-27: REQUIRED SETBACKS, BUFFER STRIPS, ~~AND~~ SCREENING AND HEIGHT LIMITS:

A. All mobile homes shall be located at least twenty-five feet (25') from any park property boundary line abutting upon a public street or highway, and at least ~~fifteen~~ fifteen feet (~~15~~) from other park property boundary lines.

B. There shall be a minimum distance of ten feet (10') between the mobile home stand and the abutting park street.

C. The mobile home shall maintain a minimum distance of ten feet (10') from the side and rear lines of a mobile home space.

D. Accessory buildings may be located at least five feet (5') from the rear and side lines of a mobile home space, and must be at least 20 feet (20') from a front line and 10 feet (10') from a corner line.

~~E.~~ All mobile home developments located adjacent to industrial or commercial land uses shall be provided with screening, such as fences or natural growth along the property boundary line separating the development and such adjacent nonresidential uses. (Ord. 84-9)

F. Mobile homes are limited to a maximum height of twenty feet. Other structures in the mobile home park are limited to two stories, and 30 feet.

**ORDINANCE NO. 2017 - 04**

**AN ORDINANCE AMENDING TITLE 9, CHAPTER 1, SECTION  
2, OF THE CITY OF CODY CODE: CONTRACTORS'  
EXAMINATION BOARD**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF  
CODY, PARK COUNTY, WYOMING:**

Title 9, Chapter 1, Section 2, of the City of Cody Code, shall be amended as follows:

9-1-2: Buildings Contractors' Examination Board; Established; Composition; Meetings; Appointment and Terms of Office.

- A. There is hereby established a contractors' examination board, also to act as the board of appeals and referred to herein as "the board".
- B. The board shall consist of ten (10) members. One member shall be an at large member who is a resident of the city; one member shall be an architect or civil engineer; one member shall be a licensed HVAC contractor; one member shall be a city council member; two (2) members shall be licensed building contractors; two (2) members shall be licensed plumbing contractors; and two (2) members shall be licensed electrical contractors.
- C. Each member of the board must be:
  1. An individual who is a licensed contractor within the specialty he or she is designated to represent on the board; or
  2. A certified journeyman electrician, certified journeyman plumber or certified journeyman HVAC installer who is not individually licensed, but is employed by a licensed contractor that is licensed within the specialty the employee designated to represent on the board. If a member of the board who is not individually licensed, and is serving as an employee of a licensed contractor, resigns, terminates, severs or otherwise loses his or her employment with such licensed contractor, then he or she may continue to serve as a member of the board until the end of his or her term. If the board member, at the end of his or her term, is not individually licensed in the specialty he or she is designated to represent, or is not employed by a licensed contractor, then he or she cannot serve as a member of the board, and the mayor and governing body shall appoint a new member who is licensed to fill the vacancy as described below.
- D. The members of the board shall each be appointed by the mayor with the approval of the governing body, for a three (3) year term. Terms of members shall begin on January 1 and shall be staggered, with no more than four (4) members reaching the end of their term at the end of each calendar year. Subsequent appointments shall be for three (3) years each unless to fill an unexpired term. Members appointed to fill vacancies shall serve until the end of the term which they were appointed to fulfill, and may be reappointed for successive three (3) year terms. At the discretion of the governing body, members may be appointed for more than one term.

- E. The board shall meet at such intervals as necessary for the proper performance of its duties, but in any case, shall meet not less than twice each year.

This Ordinance shall become effective at the final passage and publication in the Cody Enterprise.

PASSED ON FIRST READING: \_\_FEBRUARY 7, 2017\_\_

PASSED ON SECOND READING: \_\_\_\_\_, 2017

PASSED ON THIRD READING: \_\_\_\_\_, 2017

\_\_\_\_\_  
Matt Hall, Mayor

ATTEST:

\_\_\_\_\_  
Cynthia D. Baker, Administrative Services Director

**ORDINANCE NO. 2017-05**

**AN ORDINANCE ADDING TITLE 9, CHAPTER 3, SECTION 7,  
TO THE CITY OF CODY CODE: INACTIVE STATUS**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF  
CODY, PARK COUNTY, WYOMING:**

Title 9, Chapter 3, Section 7, of the City of Cody Code, shall be added as follows:

9-3-7: Inactive Status

- A. A category A, B, or C licensed contractor may elect to designate his or her license as “Inactive” by submitting a written statement to the Building Official. The following conditions shall apply to every contractor who is designated as “inactive”:
1. Inactive licensees shall pay the appropriate annual renewal fees required for licensed contractors.
  2. Inactive licensees shall not be required to comply with the insurance requirements that otherwise apply to licensed contractors under this code.
  3. Inactive licensees shall not perform work that must be performed by a licensed contractor under this Code, and may not receive any permits to perform work under this Code, except for work on the licensee’s own residence.
  4. Inactive licensees shall not be eligible to serve on the Contractors’ Examination Board.
  5. If an inactive licensee wishes to change status of his license to active so that he may perform work and receive permits to do work, he shall first obtain liability insurance as required by this Code, and must provide satisfactory evidence of such insurance to the Building Official, and deliver a written statement to the Building Official stating that he or she wishes to change his license to active. Upon receiving such written statement, and satisfactory evidence that the licensee has obtained insurance that complies with the Code, the Building Official shall designate the licensee as active.

This Ordinance shall become effective at the final passage and publication in the Cody Enterprise.

PASSED ON FIRST READING: \_\_\_\_\_ 2/7 \_\_\_\_\_, 2017  
PASSED ON SECOND READING: \_\_\_\_\_, 2017  
PASSED ON THIRD READING: \_\_\_\_\_, 2017

\_\_\_\_\_  
Matt Hall, Mayor

ATTEST:

\_\_\_\_\_  
Cynthia D. Baker, Administrative Services Director