

CITY OF CODY
PLANNING, ZONING AND ADJUSTMENT BOARD
TUESDAY, JUNE 13, 2017
CITY HALL COUNCIL CHAMBERS @ 12:00 NOON

AGENDA

1. Call to Order by Chairman, Steve Miller
2. Roll Call, excused members
3. Pledge of Allegiance
4. Approval of Agenda
5. Approval of Minutes of the May 23, 2017 regular meeting.
6. NEW BUSINESS:
 - A. Minor Subdivision – Champlain Subdivision, a 2-lot Subdivision, located at 314 Road 2AB, which is outside of City limits, but within the one mile area of joint subdivision review.
 - B. Downtown Architectural District Sign Review– Cody Custom Designs, located at 1371 Sheridan Avenue.
 - C. Conditional Use Permit – Install a single-wide manufactured home that does not meet the residential architectural standards at 240 C Street.
7. P&Z Board Matters (announcements, comments, etc.).
8. Council Update:
9. Staff Items:
10. Adjourn

The public is invited to attend all Planning, Zoning and Adjustment Board meetings. If you need special accommodations to participate in the meeting, please call the City office at (307) 527-7511 at least 24 hours in advance of the meeting.

City of Cody
Planning, Zoning and Adjustment Board
Tuesday, May 23, 2017

A regular meeting of the Cody Planning, Zoning and Adjustment Board was held in the Council Chambers of City Hall in Cody, Wyoming on Tuesday, May 23, 2017 at 12:00 pm.

Present: Steve Miller, Chairman, Kayl Mitchell, Buzzy Hassrick, Heidi Rasmussen, Sandra Kitchen, City Deputy Attorney, Todd Stowell, City Planner; Bernie Butler, Administrative Assistant.

Absent: Richard Jones, Curt Dansie, Reese Graham, Glenn A, Nielson

Chairman, Steve Miller called the meeting to order at 12:04 pm, followed by the pledge of allegiance.

Heidi Rasmussen made a motion, seconded by Buzzy Hassrick, to approve the agenda for May 23, 2017. Vote on the motion was unanimous, motion carried.

Buzzy Hassrick made a motion, seconded by Kayl Mitchell, to approve the minutes for the May 09, 2017 meeting. Vote on the motion was unanimous, motion carried.

NEW BUSINESS:

- A. Todd Stowell presented a site plan review for West Park Hospital Cancer Treatment Center addition, located at 1025 9th Street. The addition will be 8,600 square feet on the west side of the existing building, into the parking lot area. Tim Waldner and Doug McMillan of West Park Hospital answered questions from the Board.

Buzzy Hassrick made a motion, seconded by Kayl Mitchell, to approve the project, subject to the following items:

1. Provide the anticipated peak electrical demand calculations to the City electrical engineer, and address any capacity issues as necessary (Note: none anticipated).
2. Applicable city utility fees are to be prior to building permit issuance.
3. The exit lane must be marked "No Stopping or Parking" in the vicinity of the main entrance.
4. Add Note 3 of Sheet C600, or a more specific note about coordinating the sewer main work, to the demolition plan (Sheet C100).
5. Obtain any necessary WY DEQ approval of the sewer main relocation/extension.
6. The canopy lighting must be angled and/or shielded such that it does not create glare impacts to drivers on the highway.
7. The project must otherwise comply with the site plan and applicable building, fire, and electrical codes.
8. A building permit must be obtained within two years or this authorization will expire.
9. The new landscape will match the existing landscape.
10. Work with staff on reducing the lighting / glare in the area to the north of the building.

Vote on the motion was unanimous, motion carried.

P & Z Board Matters – none

Council Updates – none

Staff Items – none

Heidi Rasmussen made a motion, seconded by Kayl Mitchell to adjourn the meeting. Vote on the motion was unanimous, motion carried.

There being no further business to come before the board, Chairman Miller adjourned the meeting at 12:33 p.m.

Bernie Butler, Administrative Assistant

DRAFT

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

MEETING DATE:	JUNE 13, 2017	TYPE OF ACTION NEEDED	
AGENDA ITEM:		P&Z BOARD APPROVAL:	
SUBJECT:	PRELIMINARY AND FINAL PLAT OF THE CHAMPLAIN SUBDIVISION. A 2-LOT COUNTY SUBDIVISION. SUB 2017-01	RECOMMENDATION TO COUNCIL:	X
PREPARED BY:	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

BACKGROUND:

GDA Engineers, representing Richard, Sheila and Donald Lipps, has submitted a subdivision application to divide a 9.7-acre property into two lots. The property is located at 314 Road 2AB, which is located outside of the City limits, but within the one-mile area of joint subdivision review specified by State and City codes. The subdivision requires approval by both the county and the city.

As shown on the preliminary plat, Lot 1B would be a 1.25 are lot with an existing house and outbuildings, and accessed by a 20-foot wide private easement over the existing driveway. Lot 1A also contains an existing residence and outbuildings.

Cody Master Plan:

The property is not within an identified "annexation area", as established by the Cody Master Plan. Effectively this means that the City does not intend to pursue annexation of this area. Therefore, County subdivision standards should be deemed sufficient for development of the property. If the Board and Council agree with this position, it is noted that several variances to the City subdivision standards will be needed, since by default the subdivision would be subject to full compliance with City standards.

SUBDIVISION REGULATIONS

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

Frontage Requirement:

City Code requires all lots to have direct frontage on a public street. A variance to this requirement would be needed, as Lot 1B does not have direct frontage.

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

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

Staff Comment- No new public streets are proposed.

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

Staff Comment- No master planned streets cross this property.

Items C through O are standards that relate to construction of new public streets and are not applicable to this project as proposed or recommended.

P. Alleys: Alleys shall be required in all subdivisions with the minimum width being twenty feet (20'), unless extreme conditions preclude the feasibility of alleys. ...

Staff Comment: An alley is not necessary for this situation. A variance would be appropriate.

Q. Curb, Gutter, Sidewalk, Paved Streets: Curb, gutter, sidewalk and paved streets shall be required in all proposed subdivisions unless waived in accordance with criteria set out in subsection 11-5-2B of this title by the planning, zoning and board, and the city council. All waivers of curb, gutter and sidewalks shall require acknowledgment by the developer on the final plat that future improvement districts for the development of curb, gutter and sidewalks shall be supported by future owners of the lots and be so noted on the final plat. The developer shall be responsible for demonstrating to the city that the grades and location of the proposed improvements shall be compatible with all future development in the area.

Staff Comment: Road 2AB is a full-width paved road, within the required right-of-way. Curb, gutter and sidewalk are not appropriate for the rural situation. A variance is appropriate. Since annexation is not contemplated, an agreement for future participation in a city street project to improve Road 2AB is not pertinent.

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

Staff Comment: As noted above, a variance would be appropriate here.

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

Staff Comment: The City would classify this as a minor subdivision, which is exempt from this requirement.

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

- 1. Lots shall be sized to meet the requirements of the appropriate zoning.*
- 2. Every lot shall abut upon or have access to an approved street or an approved cul-de-sac.*
- 3. Side lot lines shall be at approximate right angles to the street line on which the lot faces.*
- 4. Strip lots established with the intent of restricting access to streets or alleys will be prohibited.*

Staff Comment: All of the four above items are met by this proposal.

OTHER:

Section 11-5-1, DEVELOPMENT AND IMPROVEMENT also includes standards. Applicable standards are listed below.

F. Sanitary Sewer: ...

Staff Comment: Public sanitary sewer is not available. Both lots are on individual septic systems. The council will need to verify the septic system situation is appropriate.

H. Water Mains: ...The system will connect each lot within the proposed subdivision to a minimum six-inch (6") diameter main by the use of a minimum three-fourths inch (¾") copper service line. ...

Staff Comment: Water is provided by Northwest Rural Water. The homes currently share a single tap. By Northwest Rural Water policy, a new tap is necessary so that the homes on the separate lots have their own water service. The tap must be provided as part of the subdivision process.

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

Staff Comment: The northwest rural water system does not include fire hydrants in the area of these lots. A variance to the standard is requested.

N. Public Use Areas: ...

Staff Comment: Minor subdivisions are exempt from this requirement.

OTHER:

1. It would seem that additional easements would need to be established for irrigation, domestic water, and electrical service to Lot 1B.
2. The requirement in the subdivision code relating to an agreement to annex has been discussed in the last few County subdivisions. Council has waived the requirement in those situations and staff presumes they will do so again here, since the property is not contiguous to the city limits, and is not in an identified "annexation area".

RECOMMENDED ACTIONS:

Recommend that the City Council:

1. Grant the variances noted in the staff report. (A list of conditions has been prepared, based on the variances being granted. If any of the requested variances are not granted, additional conditions will be needed.)
2. Approve the preliminary and final plat of the Champlain Subdivision subject to the following conditions:
 - A. Comply with applicable County requirements.
 - B. Prior to the Mayor signing the final plat, add easements as required by the utility providers and verify water service for both lots in accordance with County/Northwest Rural Water requirements.

ATTACHMENTS:

Preliminary and Final Plat

T.53N., R.101W., 6TH P.M.
(RESURVEY)

CERTIFICATE OF DEDICATION

KNOW ALL PERSONS BY THESE PRESENTS, THAT RICHARD, SHEILA, AND DONALD LIPPS, BEING THE OWNERS OF THE LAND DESCRIBED IN CORRECTIVE WARRANTY DEED DOC #1999-3162, IN THE OFFICE OF THE PARK COUNTY CLERK AND RECORDER, PARK COUNTY, WYOMING, HAVE LAID OUT, PLATTED AND SUBDIVIDED AS SHOWN ON THIS AMENDED PLAT, AND BY THESE PRESENTS DO HEREBY DEDICATE TO THE COUNTY OF PARK, STATE OF WYOMING, FOR THE USE BY THE PUBLIC, THE RIGHT-OF-WAY AS SHOWN HEREON FOR USE AS SUCH. IT IS UNDERSTOOD THAT DEDICATION OF PUBLIC RIGHTS-OF-WAY FOR ROADS DOES NOT NECESSARILY RESULT IN ACCEPTANCE OF ROADS CONSTRUCTED THEREIN FOR MAINTENANCE BY THE COUNTY OF PARK, AND DO HEREBY DEDICATE ALL EASEMENTS SHOWN HEREON FOR USE AS DESCRIBED AND UNTO WHOM STATED ON THIS PLAT.

IN WITNESS WHEREOF, THE SAID OWNERS RICHARD, SHEILA AND DONALD LIPPS, WITH FREE CONSENT AND IN ACCORDANCE WITH THEIR DESIRES, HAVE CAUSED THEIR NAMES HEREON TO BE SUBSCRIBED THIS _____ DAY OF _____, 2017.

RICHARD LIPPS _____ SHEILA LIPPS _____ DONALD LIPPS _____

ACKNOWLEDGMENT:

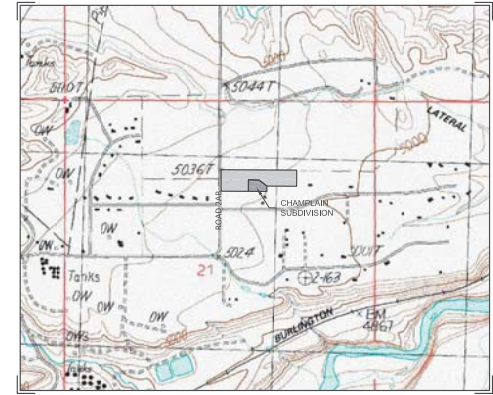
STATE OF WYOMING,)
)SS
COUNTY OF PARK,)

THE FOREGOING OWNER(S) CERTIFICATE WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2017 BY RICHARD, SHEILA AND DONALD LIPPS, WITNESS MY HAND AND OFFICIAL SEAL. (WYOMING STATE LAW REQUIRES A NOTARY SEAL TO BE AFFIXED HEREON)

NOTARY PUBLIC _____

MY COMMISSION EXPIRES: _____

NO PUBLIC WATER SUPPLY SYSTEM PROPOSED.
NO PUBLIC SEWAGE DISPOSAL SYSTEM PROPOSED.
NO PUBLIC MAINTENANCE OF STREETS OR ROADS.



VICINITY MAP
SCALE= 1:1000

RECORDER'S ACCEPTANCE

THIS PLAT WAS ACCEPTED FOR FILING IN THE OFFICE OF THE PARK COUNTY CLERK AND RECORDER ON THIS _____ DAY OF _____, 2017, AND FILED FOR RECORD AT _____ M. UNDER DOCUMENT NUMBER _____ IN PLAT CABINET _____ AT PAGE _____

PARK COUNTY CLERK AND RECORDER _____

BY: _____
DEPUTY

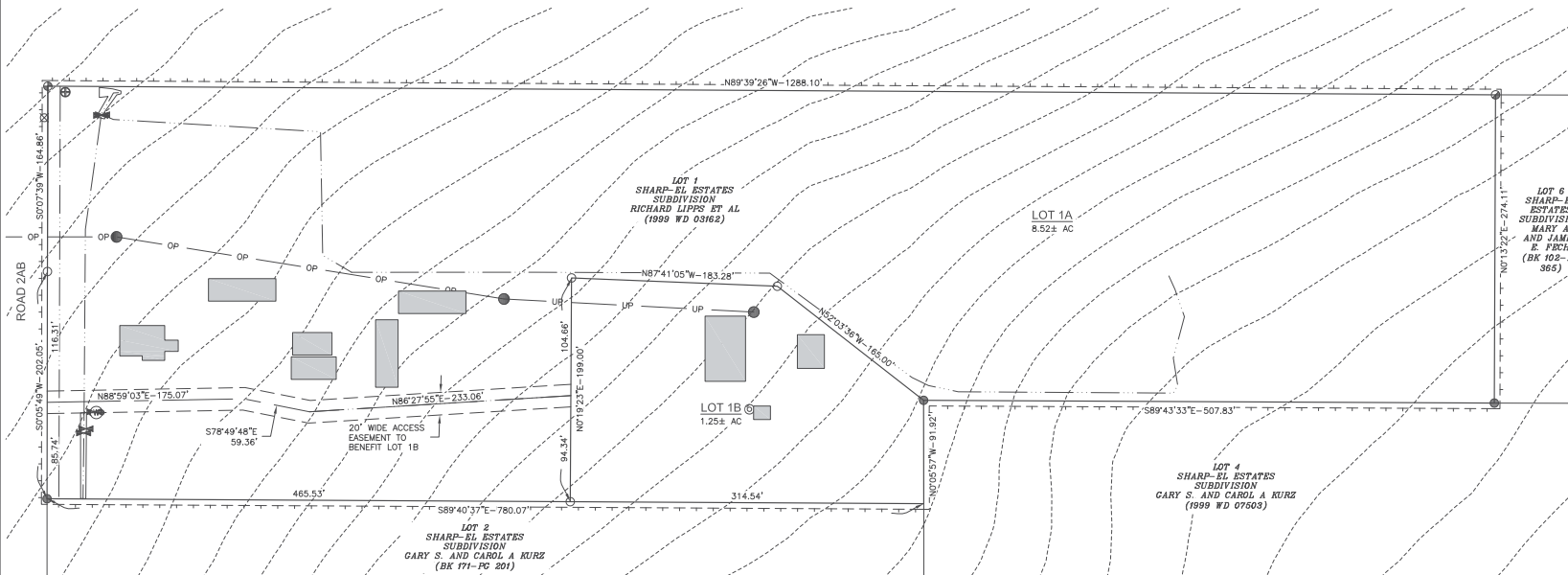
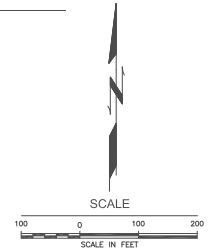
BOARD OF COUNTY COMMISSIONERS
APPROVAL AND SUBDIVISION PERMIT

THIS PLAT IS HEREBY APPROVED AND THE SUBDIVISION PERMIT GRANTED BY THE BOARD OF COUNTY COMMISSIONERS OF PARK COUNTY, WYOMING, THIS _____ DAY OF _____, 2017.

CHAIRMAN _____

ATTEST: _____
PARK COUNTY CLERK

DATE: _____



LEGEND

SUBDIVISION BOUNDARY	-----
NEW LOT LINE	-----
NEW EASEMENT LINE	-----
FOUND ALUMINUM CAP	●
FOUND IRON PIPE	⊙
FOUND REBAR	⊗
FOUND SPIKE	⊘
SET 5/8"x24" REBAR WITH 2 1/2" ALUMINUM CAP	⊗
MEASURED DATA	S.89°40'37"E-780.07'

PLATTING CONDITIONS

- RIGHT-OF-WAY. THE RIGHT-OF-WAY FOR INGRESS AND EGRESS FOR SERVICE AND EMERGENCY VEHICLES IS GRANTED OVER, ACROSS, ON, AND THROUGH ANY AND ALL PRIVATE ROADS AND DRIVES NOW OR HERINAFTER ESTABLISHED.
- COUNTY, STATE AND OTHER REGULATIONS. TO THE EXTENT THAT APPLICABLE COUNTY OR OTHER GOVERNMENTAL REGULATIONS, RULES, OR LAWS ARE MORE RESTRICTIVE THAN THE PARAGRAPHS HEREIN CONTAINED, SUCH APPLICABLE REGULATIONS SHALL SUPERSEDE AND GOVERN AT ALL TIMES.
- ROAD CONSTRUCTION AND ACCEPTANCE. THE COUNTY SHALL NOT ACCEPT THE MAINTENANCE OF ANY ROAD AND BRIDGE WITHIN THE BOUNDARIES OF THIS SUBDIVISION UNTIL AND UNLESS THE ROAD OR BRIDGE MEETS ALL COUNTY ROAD AND BRIDGE SPECIFICATIONS AND ALL REQUIREMENTS OF THE STATUTES OF THE STATE OF WYOMING REGARDING ESTABLISHMENT OF A PUBLIC ROAD IN EFFECT AT THE TIME A PETITION FOR ACCEPTANCE IS FILED WITH THE BOARD OF PARK COUNTY COMMISSIONERS. THE BOARD SHALL HAVE SOLE AUTHORITY TO DETERMINE WHETHER OR NOT TO ACCEPT MAINTENANCE. NOTHING SHALL REQUIRE THE BOARD TO ASSUME MAINTENANCE.
- AGRICULTURAL NOTICE. THIS PROPERTY IS IN AN AREA OF HISTORIC AGRICULTURAL USE AND LIES WITHIN THE AGRICULTURAL OVERLAY DISTRICT. THIS USE IS PRESERVED BY THE WYOMING RIGHT TO FARM AND RANCH ACT OF 1991. (W.S. §11-44-101 THROUGH 103). HISTORIC AGRICULTURAL USE MAY CAUSE NOISE, ODORS, DUST, FLEES AND OTHER FACTORS THAT ARE CONSEQUENCES OF ACCEPTED AGRICULTURAL PRACTICES. THIS SUBDIVISION AND ITS LOTS AND NEIGHBORING LANDS ARE LOCATED IN AN AREA THAT HAS BEEN USED HISTORICALLY FOR FLOOD IRRIGATED CROP PRODUCTION. HISTORIC FARMING PRACTICES (INCLUDING FLOOD IRRIGATION OF CROPS AND THE USE OF DITCHES TO MOVE WATER) MAY CAUSE A SIGNIFICANT RISE IN THE WATER TABLE IN THE AREA. THE WATER TABLE IN THE AREA MAY RISE DRAMATICALLY DURING IRRIGATION SEASON. PURCHASERS OF SUBDIVISION LOTS SHOULD MAKE THIS FACTOR AN IMPORTANT CONSIDERATION WHEN BUILDINGS ARE CONSTRUCTED ON SUBDIVISION LOTS.
- MINERAL ESTATE. THE SURFACE ESTATE OF THE LAND TO BE SUBDIVIDED IS SUBJECT TO THE FULL AND EFFECTIVE DEVELOPMENT OF THE MINERAL ESTATE.

CERTIFICATE OF SURVEYOR

I, RICHARD T. MUSCIO, BEING A REGISTERED LAND SURVEYOR IN THE STATE OF WYOMING, DO HEREBY CERTIFY THAT THIS FINAL PLAT AND FIELD SURVEY WERE MADE BY ME OR UNDER MY SUPERVISION AND THAT BOTH ARE ACCURATE TO THE BEST OF MY KNOWLEDGE AND IN COMPLIANCE WITH ALL STATE AND COUNTY STATUTORY PROVISIONS AND REGULATIONS. THIS FINAL PLAT WAS CREATED FROM AN ACTUAL FIELD SURVEY PERFORMED ON MARCH 9, 2017.



RICHARD T. MUSCIO
WYOMING PLS 6827

BASIS OF BEARINGS

WYOMING STATE PLANE COORDINATES
WYOMING WEST CENTRAL ZONE, NAD 83(2011) GEOID 128
GROUND COORDINATES SCALE FACTOR 1.002951470

SURVEY STARTING POSITION WAS DERIVED USING OPUS SOLUTION

BROUGHT TO GROUND AT
LATITUDE: 44°33'41.49636"N
LONGITUDE: 109°01'38.87075"W
HEIGHT: 4992.487'
NORTHING: 1480244.247
EASTING: 18996187.656
ELV: 5032.11'

SURVEY COMPLETED
DATE: 3/9/2017
BY: RAR

REVIEWED BY: RTM

PRELIMINARY PLAT

SHOWING
CHAMPLAIN SUBDIVISION
WITHIN
LOT 1 OF SHARP-EL ESTATES SUBDIVISION,
NW1/4NE1/4 AND SW1/4NE1/4 OF SECTION 21,
RESURVEY,
T.53N., R.101W., 6TH P.M.,
PARK COUNTY, WYOMING
RICHARD LIPPS ET AL, CODY, WY

PROJECT NO: 171209



ENGINEERING • SURVEYING • PLANNING
802 319D ST., CODY, WYOMING 82414

T.53N., R.101W., 6TH P.M.
(RESURVEY)

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RICHARD LIPPS _____ SHEILA LIPPS _____ DONALD LIPPS _____

ACKNOWLEDGMENT:

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COUNTY OF PARK,) SS

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NOTARY PUBLIC _____

MY COMMISSION EXPIRES: _____

CITY PLANNING AND ZONING BOARD

APPROVED AS OF THE _____ DAY OF _____, 2017 BY THE PLANNING AND ZONING BOARD, CITY OF CODY, WYOMING.

CHAIRMAN _____

CITY COUNCIL

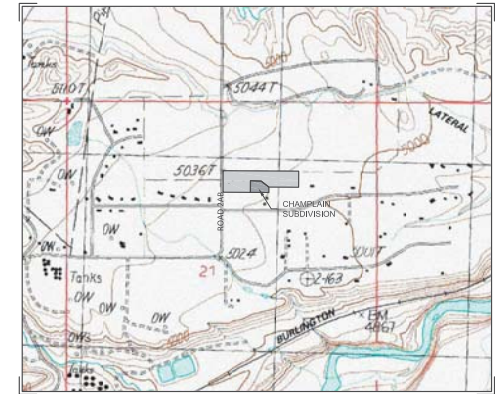
APPROVED AS OF THE _____ DAY OF _____, 2017 BY THE CITY COUNCIL OF CODY, WYOMING.

ATTEST: _____ CITY CLERK _____ MAYOR _____

NO PUBLIC WATER SUPPLY SYSTEM PROPOSED.

NO PUBLIC SEWAGE DISPOSAL SYSTEM PROPOSED.

NO PUBLIC MAINTENANCE OF STREETS OR ROADS.



VICINITY MAP
SCALE= 1:1000

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PARK COUNTY CLERK AND RECORDER _____

BY: _____ DEPUTY

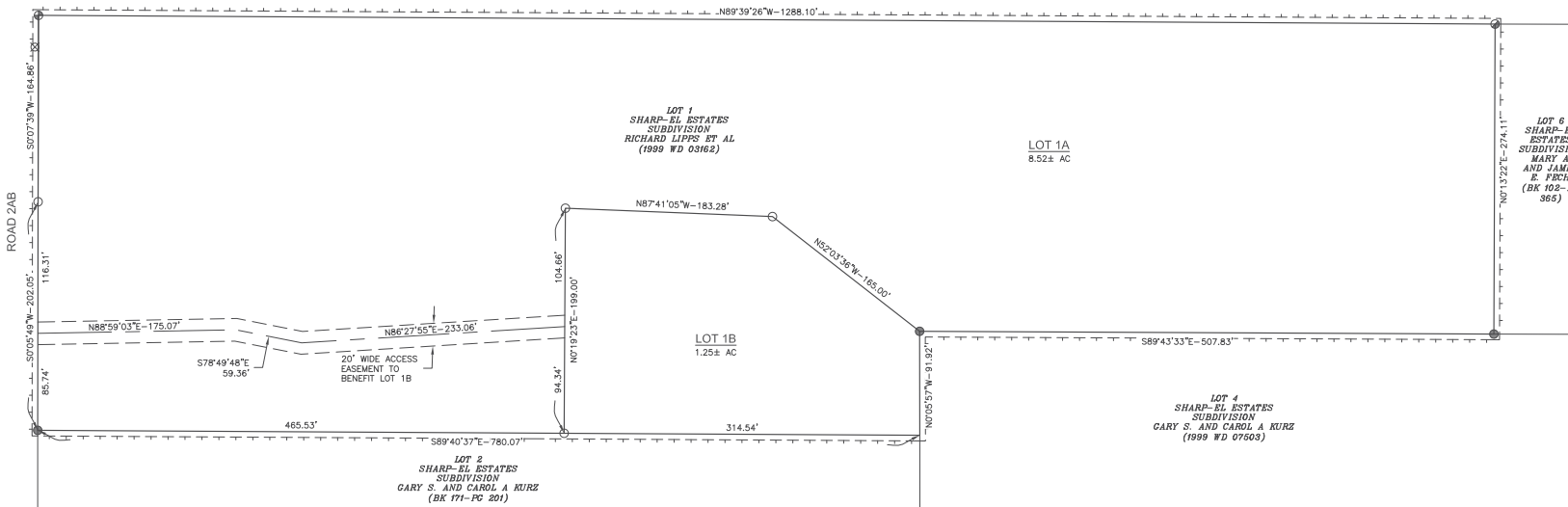
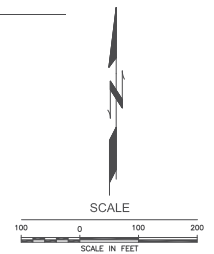
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CHAIRMAN _____

ATTEST: _____ PARK COUNTY CLERK

DATE: _____



LEGEND

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NEW LOT LINE	---
NEW EASEMENT LINE	---
FOUND ALUMINUM CAP	●
FOUND IRON PIPE	⊙
FOUND REBAR	⊗
FOUND SPIKE	⊘
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RICHARD T. MUSCIO
WYOMING PLS 6827

BASIS OF BEARINGS

WYOMING STATE PLANE COORDINATES
WYOMING WEST CENTRAL ZONE, NAD 83(2011) GEOID 12B
GROUND COORDINATES SCALE FACTOR 1.0002951470

SURVEY STARTING POSITION WAS DERIVED USING OPUS SOLUTION

BROUGHT TO GROUND AT
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ELV: 5032.11'

SURVEY COMPLETED
DATE: 3/9/2017
BY: RTR

REVIEWED BY: RTR

FINAL PLAT

SHOWING
CHAMPLAIN SUBDIVISION

LOT 1 OF SHARP-EL ESTATES SUBDIVISION,
NW1/4NE1/4 AND SW1/4NE1/4 OF SECTION 21,

RESURVEY,
T.53N., R.101W., 6TH P.M.,
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PROJECT NO: 171209



ENGINEERING • SURVEYING • PLANNING
602 318D ST., CODY, WYOMING 82414

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

MEETING DATE:	JUNE 13, 2017	TYPE OF ACTION NEEDED	
AGENDA ITEM:		P&Z BOARD APPROVAL:	X
SUBJECT:	CODY CUSTOM DESIGNS SIGNAGE: DOWNTOWN ARCHITECTURAL DISTRICT REVIEW. SGN 2017-14	RECOMMENDATION TO COUNCIL:	
PREPARED BY:	TODD STOWELL	DISCUSSION ONLY:	

PROJECT DESCRIPTION:

Rami Aflalo of Cody Custom Designs, located at 1371 Sheridan Avenue, has submitted an application to install a wall sign, and discuss options for other displays on the building that could be classified as signs. The situation at the time of the staff report is shown in the photo.



However, the grid racks on the front of the building, on which the t-shirts are hung are being removed. (WYDOT does not allow structural items for the display of merchandise in the right-of-way, and the grid racks extend into the right-of-way.) The proposal is to modify the existing temporary banner to be a permanent sign, and install display boards that contain samples of the designs that can be placed on the t-shirts or other clothing. The display boards are requested to be about twelve inches wide and eight feet tall.

REVIEW CRITERIA:

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

The sign(s) must also comply with applicable provisions of the sign code.

STAFF COMMENTS:

In a 2014 sign review, it was determined that what would otherwise be classified as a banner, if it is wrapped around a rigid framework and mounted on the wall of a building could be considered a wall sign.

The definitions that led to that interpretation are below.

Banner Definition: "A strip of cloth, plastic or similar material with copy and/or graphics produced in a professional manner and intended to be hung or suspended without a rigid enclosing framework, and affixed to a building or railing which is located outdoors. Banners shall be displayed pursuant to section 10-15-9 of this chapter." (Note: 10-15-9 has a 120-day time limit for display.)

Wall Sign Definition: "An on premises sign affixed to or painted on the wall of any building and completely in contact with the building throughout its greatest dimension, which does not extend beyond the main wall of the building more than fifteen inches (15") except in accordance with these regulations. A painted work of art or mural is not considered a wall sign. A window sign is considered a wall sign."

The size limits of each type of sign are listed here:

Banner Size Limit:

32 square feet per banner in the downtown sign district.

Wall Sign Size Limit:

1.5 square feet of wall sign per linear foot of street frontage. The property has 25 linear feet of street frontage which would allow 37.5 square feet of wall sign. The downtown sign district allows "one sign per face of storefront, one per street frontage, not to exceed two signs per establishment". That language is interpreted to mean two signs, that total no more than 37.5 square feet in size.

The existing banner is 38.5 square feet in size, but would be reduced to less than 37.5 square feet due to wrapping it around a solid framework (plywood).

The purpose of the Downtown Architectural District is understood to be the promotion of architectural compatibility and preservation of historic features. The design is of professional construction, and will meet applicable code requirements if wrapped on a solid structure.

Display Boards:

The applicant has presented the idea of installing display boards, approximately twelve inches wide and eight feet tall, on the brick areas between the windows (four total). The display boards would show available screen print designs on fabric.

Staff believes the display boards would appropriately be classified as signs. The definition for a sign is:

SIGN: Any object, device, display or structure or part thereof situated outdoors which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, motion, illumination or projected images. The term "sign" includes, but is not limited to, every projecting sign, ground sign, pole sign, window sign, vehicle sign, awning, canopy, marquee, changeable copy sign, illuminated sign, flashing sign, animated sign, temporary sign, portable sign, pennant, banner, streamer, or any other attention getting device or other display whether affixed to a building or separate from a building. For the purpose of removal, "sign" shall also include all sign structures.

Therefore, if the display boards are mounted on the wall, they would be wall signs. The banner conversion to a wall sign utilizes the available square footage, so additional signage (display boards) would not be an option. If mounted as "projecting signs" the display boards would not meet the requirement for eight feet of clearance below the sign.

What would seem to comply with the sign code would be to make the display boards of a size that they could fit and be displayed in the windows from the inside of the building (signage within a building is exempt). Alternatively, they could be made into A-frame signs, up to 2-feet wide and 4 feet tall, which could be located on the Sheridan Avenue sidewalk, if placed within two feet of the building (authorized by City of Cody Code 7-2-7 below, and WYDOT policy).

7-2-7: OBSTRUCTIONS; BUILDINGS, FENCES, SIGNS, ETC.:  

No person shall erect, build or set up in the city, in whole or in part, any fence, signpost, shop or any other building or obstruction whatever, in or upon any street, alley, sidewalk or other public place, provided, however, merchandise, A-frame signs, merchandising props and flowerpots may be placed on the sidewalk by a merchant in front of its business as long as the same does not impede pedestrian traffic or interfere with parked cars or passengers exiting same. No A-frame sign shall be larger than two feet by four feet (2' x 4'). No sign, awning or other obstruction shall be suspended from any building into or over any sidewalk, street or alley, so as to obstruct or interfere with the pedestrian traffic or vehicle traffic, nor shall any sign, awning or other obstruction be suspended in or over any portion of the street other than the sidewalk line.

ALTERNATIVES:

Approve the one wall sign (convert banner), with or without making recommendations and suggestions.

RECOMMENDATIONS:

Approve the conversion of the existing banner to a wall sign, with the condition that the conversion occur by July 13, 2017.

Deny the display board request, due to it exceeding the amount of wall signage permitted for the property. (Denial does not prevent display in an otherwise legal manner, such as a window display inside the building, or as an A-Frame sidewalk sign.)