

CITY OF CODY  
PLANNING, ZONING AND ADJUSTMENT BOARD  
TUESDAY, FEBRUARY 13, 2018  
CITY HALL COUNCIL CHAMBERS @ 12:00 NOON

1. Call to Order by Steve Miller, Chairman
2. Roll Call, excused members
3. Pledge of Allegiance
4. Approval of Agenda
5. Approval of Minutes of the January 23, 2018 regular meeting.
6. NEW BUSINESS:
  - A. Site Plan Review for Wyoming Legacy Meats, Cold Storage Building, located at 74 Road 2AB.
  - B. Site Plan Review for Legend Towers, Office Expansion (Radio Station), located at 1949 and 2001 Mountain View Drive.
  - C. Site Plan Review for Blossoms Up, seasonal greenhouse, located at 626 Yellowstone Avenue.
  - D. Review Ordinance to add Short Term Rental Registration requirements to Commercial Zoning Districts.
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, January 23, 2018**

A meeting of the Cody Planning, Zoning and Adjustment Board was held in the Council Chambers of City Hall in Cody, Wyoming on Tuesday, January 23, 2018 at 12:00 pm.

Present: Steve Miller, Chairman; Heidi Rasmussen, Buzzy Hassrick, Richard Jones, Curt Dansie, Sandra Kitchen, City Deputy Attorney; Glenn A. Nielson, Council Liaison; Todd Stowell, City Planner; Bernie Butler, Administrative Secretary.

Absent: Kayl Mitchell, Curt Dansie

Chairman Steve Miller, called the meeting to order at 12:00 pm, followed by the pledge of allegiance.

Chairman Steve Miller welcomed Erynne Selk to the board, as appointed by the City Council.

Buzzy Hassrick made a motion, seconded by Heidi Rasmussen, to approve the agenda for January 23, 2018. Vote on the motion was unanimous, motion carried.

Richard Jones made a motion, seconded by Heidi Rasmussen, to approve the minutes for the January 9, 2018 meeting. Vote on the motion was unanimous, motion carried.

**NEW BUSINESS:**

A. Todd Stowell presented a request for a 14-foot fence/netting at the City of Cody Recycling Center, located at 531 15<sup>th</sup> Street.

Heidi Rasmussen made a motion, seconded by Richard Jones to approve the fence/netting for the City of Cody Recycling Center. Vote on the motion was unanimous, motion carried.

B. Todd Stowell presented a Downtown Architectural Review, for the Josh Allison townhouses, located at 1138 12<sup>th</sup> Street, in an existing building.

Buzzy Hassrick made a motion, seconded by Heidi Rasmussen, to approve the townhouses, with the staff recommendation. Vote on the motion was unanimous, motion carried.

C. Todd Stowell presented Site Plan Review for Rattlesnake Mountain Investments Medical Office Building, located at 3030 Big Horn Avenue.

Buzzy Hassrick made a motion, seconded by Heidi Rasmussen, to approve the site plan with the following recommendations:

1. Any applicable city utility fees (water, sewer, electrical) are to be paid prior to building permit issuance—coordinate with Public Works.
2. If the applicant verifies the intent to extend the water main to the Cougar Avenue line (loop the line), then the City will maintain the water line. In such case, provide a utility easement to the City for the water line.
3. The sewer main will remain private, at least for now. If the applicant wants to enter into an agreement for the City to perform maintenance on the private line, work with the Public Works Department.
4. If the overhead power line is used for this project, provide a 10-foot utility easement to the City along the west property line.
5. Provide an updated plan for the electrical service, prior to issuance of the building permit. The plan must be acceptable to Public Works, and show the sign outside of the utility easement.
6. Obtain necessary permits from WYDOT for the new/modified entrance from Big Horn Avenue and removal of the existing residential approach.
7. Provide copies of the WY DEQ applications (UIC and main line extensions) to the City.
8. Enhance the landscaping around the building and in the landscape islands. Bushes and/or perennials are recommended.
9. Indicate on the plans the method of irrigating the landscape areas.
10. Reduce the intensity of the exterior lighting as discussed with the Board. Provide updated plans for the exterior lighting.
11. If applicable: (Provide lighting for the south parking lot, as discussed with the Board.)
12. Once constructed, the applicant's engineer is to certify that the storm water system was constructed as designed, or equivalent.
13. Once constructed, provide "as-builts" of the sewer and water main extensions.
14. The project must otherwise comply with the site plan and applicable building, fire, and electrical codes.
15. A building permit must be obtained within three years or this authorization will expire.

Vote on the motion was unanimous, motion carried.

D. The Public Hearing for the Special Exemption to reduce the setback requirements at 239 C Street, began at 12:34 p.m.

There were no comments from the public.

The Public Hearing for a Special Exemption to reduce the setback requirements at 239 C Street, was closed at 12:35 p.m. with no additional public comments submitted.

E. Todd Stowell presented a request for a Special Exemption from Ed Higbie, to reduce the setback requirements at 239 C Street. Chairman Steve Miller reviewed the standards (a-f) for approval of a special exemption. The Board agreed this special exemption met the requirements.

Richard Jones made a motion, seconded by Buzzy Hassrick, to approve the Special Exemption, located at 239 C Street, with both set back reductions as requested, along with the following recommendations;

1. That proper notice of the special exemption public hearing was provided by advertising in the Cody Enterprise and by mail to all property owners within 140 feet at least ten days before the hearing.
2. That the Planning and Zoning Board may grant special exemptions that are reasonable and harmless deviations from the zoning ordinance as determined by the standards outlined in Section 10-14-2, City of Cody Code.
3. That the Planning and Zoning Board has held a public hearing as required and has considered all comments pertaining to the request; and,
4. That the points identified in the staff report and at the Board meeting are adequate to set forth the reasoning why the criteria of 10-14-2(C)(2) are met.

Vote on the motion was unanimous, motion carried.

F. Todd Stowell presented a Site Plan Review for WY Thai Food vendor, to develop a food vendor trailer, and associated structures, located at 1928 Big Horn Avenue.

Heidi Rasmussen made a motion, seconded by Richard Jones, to approve the site plan with the following recommendations:

1. Retain the swale along the east property line, or submit a drainage plan for review.
2. The gravel parking area shall meet all City standards (WYDOT Grading H crushed base course, parking blocks, and lighting if open after dark.)
3. Obtain any permit required from WYDOT for the approach, and comply with any construction requirements they may have.
4. Provide a method of irrigating the landscaping.
5. Paint the frame of the reader board sign per discussion with the Board.
6. Coordinate the location of the reader board sign with staff, per the staff report.
7. The storage area below the gooseneck is to be enclosed with materials that match the rest of the food trailer.
8. All exterior lighting is to be full cut-off (can lights okay), or low intensity so as to avoid glare impacts.
9. Obtain building permits, as specified by the Building Official (canopy construction, electrical, plumbing, etc.)
10. The project must otherwise comply with the site plan and applicable building, fire, and electrical codes. The utility work is required to be done by licensed contractors and requires city permits.
11. All improvements must be completed prior to operation of the business, provided the asphalt approach may be delayed if weather or availability of asphalt precludes installation, until asphalt is available, if the applicant provides a financial security to the City in an amount equal to the remaining value of construction.
12. Necessary building permits must be obtained within two years or this authorization will expire.

Vote on the motion was unanimous, motion carried.

P & Z Board Matters – None.

Council Updates – None.

Staff Items – Todd asked the Board Members to let him know if they were interested in attending the Wyoming Planning Association conference.

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

There being no further business to come before the Board, Chairman Steve Miller adjourned the meeting at 1:07 p.m.

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Bernie Butler, Administrative Assistant

DRAFT

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

<b>MEETING DATE:</b>	FEBRUARY 13, 2018	<b>TYPE OF ACTION NEEDED</b>	
<b>AGENDA ITEM:</b>		P&Z BOARD APPROVAL:	X
<b>SUBJECT:</b>	SITE PLAN REVIEW: WYOMING LEGACY MEATS COLD STORAGE BUILDING SPR 2018-09	RECOMMENDATION TO COUNCIL:	
<b>PREPARED BY:</b>	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

**PROJECT DESCRIPTION:**

Schmidt Realty Investments, LLC has submitted an application to construct a 1,132 square foot metal building on their property at 74 Road 2AB (Wyoming Legacy Meats). The building would be used for a meat locker (freezer) and storage of hides. The site plan, floor plan, and building elevations are attached.



**Existing Conditions:**



**REVIEW CRITERIA:**

The property is located within the Heavy Industrial (HI) zoning district, which permits slaughterhouses, and accessory buildings thereto. Pursuant to City of Cody Code 10-10F-9, all new or expanded development in the Heavy Industrial Zoning District shall be subject to site plan review by the Planning, Zoning, and Adjustment Board prior to issuance of any building permit or establishment of such use. The board shall review the site plan for the following:

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

- B. General site plan conditions and layout, including access and traffic flow (as related to public safety), commercial signage, parking, landscaping, lighting, site grading, storm water facilities, and utilities. Consideration of adjacent uses shall be made in respect to the location of specific activities within the site, so as to reduce any potential conflicts from odors, dust, noise, vibration, glare, visual impacts, and storm water runoff.
- C. Assurance of compliance with applicable State and Federal safety and environmental standards pertaining to hazardous materials.

The board may specify conditions as necessary to ensure compliance with applicable standards. The issuance of a development permit shall be contingent upon the applicant receiving an affirmative vote from the majority of the board that the applicant has satisfied the above requirements.

Section 9-2-3 is as follows:

*Before the issuance of any permit under the international building code for commercial buildings situated within the city, the applicant, property owner and occupant shall meet with the planning, zoning and adjustment board to review the application and plans insofar as they pertain to the exterior of a commercial building and site plan conditions. The issuance of a permit shall be conditioned upon the applicant receiving an affirmative vote of a majority of the planning, zoning and adjustment board members in attendance at said meeting.*

**STAFF COMMENTS:**

The subject property is 2.0 acres and contains a 5,568 square foot slaughterhouse and cold storage warehouse. The surrounding area is as follows.

	Land Use	Zoning
North	Log yard, future rock processing/asphalt plant.	Heavy Industrial
East and South	Vacant, owned by Forward Cody and Bureau of Reclamation	Heavy Industrial, Industrial
West	Western Area Power	Heavy Industrial

Below are the specific provisions for the Heavy Industrial Zone, with staff comment.

*A. Compliance with State, Federal and Local Requirements: Evidence of compliance with applicable State, Federal, and Local permitting requirements shall be provided with all applications for new or expanded intensive industrial uses...*

Comment: Applicable state and federal permits for the accessory building appear to be limited to the food safety requirements of the state and federal level. No state or federal air quality, storm water or hazardous waste storage/handling permits are applicable. Local permits simply consist of applicable building and zoning permits.

The accessory building will be inspected for its USDA certification. The main facility is currently USDA certified.

*B. Emergency Response Plans...*

Comment: Not applicable.

*C. Sound Level: The day-night average sound level (Ldn), measured at the property line, shall not exceed...sixty five (65) decibels (dB) where the adjacent property is zoned commercial, industrial, or agricultural...*

Comment: As this is an average as opposed to peak sound level, it is not expected to be exceeded. Primary noises will be limited to the refrigeration equipment and occasional vehicles.

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

Comment: Not applicable, as the expansion is only 20%.

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

Comment: No outdoor storage is identified.

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

Comment: No outdoor stockpiles of scrap or junk material are proposed.

GENERAL SITE PLAN CONDITIONS AND LAYOUT:

Access and traffic flow

No change to the existing access to Road 2AB is proposed. A driveway to the building will be provided. The maneuvering of trucks will be able to occur fully within the property, so as to not disrupt traffic on Road 2AB. With recent snow melt, it is evident that additional gravel is needed at the road approach to Road 2AB and the vehicle maneuvering area east of the building, so as to avoid significant mud trackout onto Road 2AB.

The minimal additional traffic from this building is not believed to be sufficient to justify the 25-foot asphalt approach requirement. The situation will be improved with the placement of additional gravel.

### Commercial signage

No new signage is included with the proposal.

### Parking

The building technically triggers the requirement for one or two parking spaces. It appears that adequate parking spaces exist to accommodate the additional parking demand from the accessory building. However, during the site visit there were some vehicles parked outside of the fenced property on the shoulder of Road 2AB, at 90-degrees to the road. It may be that those vehicles were there because of the mud issues associated with entering the fenced area. In any case, sufficient improved parking needs to be provided on the property, so that parking does not need to occur along the road.

### Lighting

Exterior lighting is limited to two 26-watt (3,475 lumen) LED, full cut-off style fixtures, located on the north side of the building. The amount, style, and location of the lighting appears suitable.

### Site grading/Storm water

A properly sized and designed swale is proposed to meet City storm water requirements. Storm water from the building will be collected through a gutter system and piped to the swale.

### Utilities

The building will need electricity, but not sewer, water, or gas. The applicant indicates that power will come from the existing service, so all electrical work will be the responsibility of the applicant.

### Snow Storage

Snow storage area is available in various areas of the property.

### Setbacks / Buffers

Applicable zoning setbacks are met (25-foot front setback). There are no buffer requirements for the building.

### **ATTACHMENTS:**

Site plan and elevation drawings.

### **ALTERNATIVES:**

Approve or deny the site plan application, with or without changes.

### **RECOMMENDATION:**

Approve the application as presented, subject to the following requirements:

- 1) Surface the vehicle maneuvering areas with crushed road base, or similar, so as to minimize mud track out onto Road 2AB.
- 2) Encourage employees to park within the property boundaries, as opposed to the shoulder of Road 2AB, and expand the gravel parking area as needed to accommodate the parking demand.
- 3) The project must otherwise comply with the site plan and applicable building, fire, and electrical codes.
- 4) A building permit must be obtained within three years or this authorization will expire.



PRECISION PLAN AND DESIGN INC.

A CUSTOM PLAN SERVICE

930 12TH STREET  
CODY, WYOMING 82414

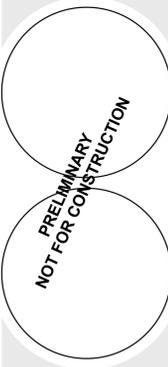
307.587.6227 | 307.272.5709

@PRECISIONPLANANDDESIGN@GMAIL.COM

MEMBER I.L.B.A. no. 1271

PROJECT LOCATION  
CODY, WY

**WYOMING LEGACY MEATS**  
74 ROAD 2 AB  
SCHMIDT REALTY INVESTMENTS, LLC  
720 LINDSAY LANE SUITE C  
CODY WYOMING 82414



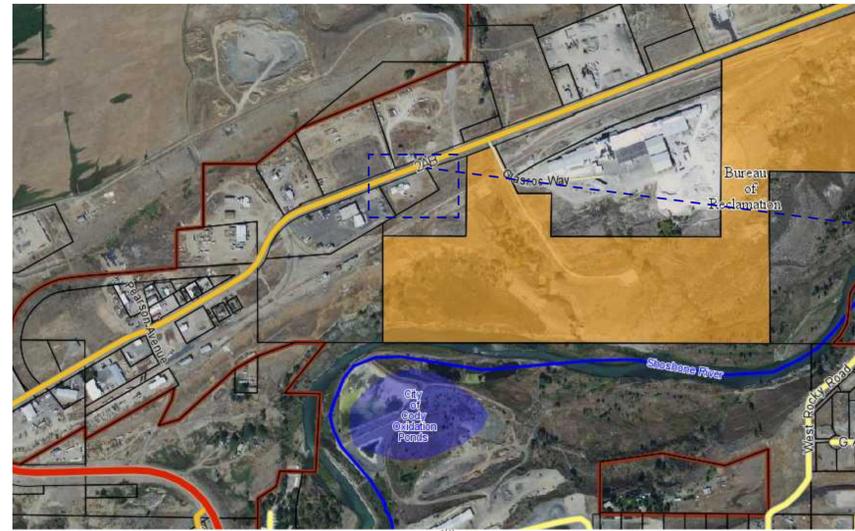
**NOTE:** ALTHOUGH GREAT CARE AND EFFORT HAVE GONE INTO THIS PLAN TO CREATE A PRECISE INTERPRETATION OF THE FINISHED PROJECT, IT IS IMPOSSIBLE TO GUARANTEE THAT THIS PLAN IS WITHOUT IMPERFECTIONS. THEREFORE PRECISION PLAN AND DESIGN INC AND/OR ASSOCIATES ASSUMES NO LIABILITY FOR ANY PROJECT CONSTRUCTED FROM THIS PLAN. THE BUILDER/OWNER MUST VERIFY ALL DIMENSIONS. THIS PLAN IS SUBJECT TO CHANGE PER ENGINEER AND/OR LOCAL CODES AND STANDARDS.

DATE: 1.31.18  
REVISION: 1

PROJECT NO.  
**1497**

SHEET #  
**C1.0**  
SITE PLAN

# WYOMING LEGACY MEATS



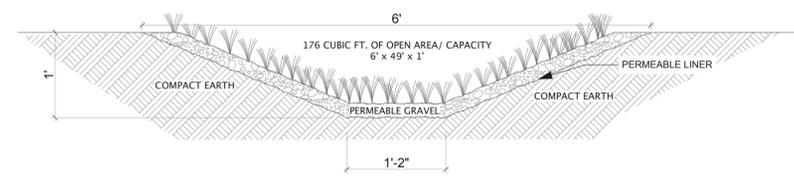
VICINITY MAP  
NOT TO SCALE



**OWNERS:** FRANK SCHMIDT  
**MAILING ADDRESS:** 720 LINDSAY LANE SUITE C  
**PHONE:** 307.272.5226  
**EMAIL:** fhallschmidt1016@gmail.com  
**PROPERTY ADDRESS:** 74 ROAD 2 AB  
**BUILDER:** MIKE BROMELY  
**MAILING ADDRESS:**  
**PHONE:** 307.899.9301  
**EMAIL:** bromelylogs@gmail.com

## SHEET INDEX

- C1.0.... TITLE SHEET / SITE PLAN
- A1.0.... MAIN FLOOR PLAN / ELECT., ROOF FRAME, SECTIONS/DTLS.
- A2.0.... EXTERIOR ELEVATIONS



**2**  
C1.0 SWALE DRAIN DETAIL  
SCALE: 1" = 1'-0"

**NOTE:** CONTRACTOR MUST VERIFY ALL SIZES AND DIMENSIONS. PLANS ARE NOT ENGINEERED. FOR BEAM AND ALL STRUCTURAL MEMBER SIZES PLEASE CONSULT A STRUCTURAL ENGINEER. ALL SIZES SUBJECT TO CHANGE PER STRUCTURAL ENGINEER. ALL CONSTRUCTION METHODS TO MEET LOCAL CODES AND STANDARDS.

## WYOMING LEGACY MEATS

**1**  
C1.0 **SITE PLAN**  
SCALE: 1" = 20'





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MEMBER ILBA no. 1271

PROJECT LOCATION  
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WYOMING LEGACY MEATS  
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720 LINDSAY LANE SUITE C  
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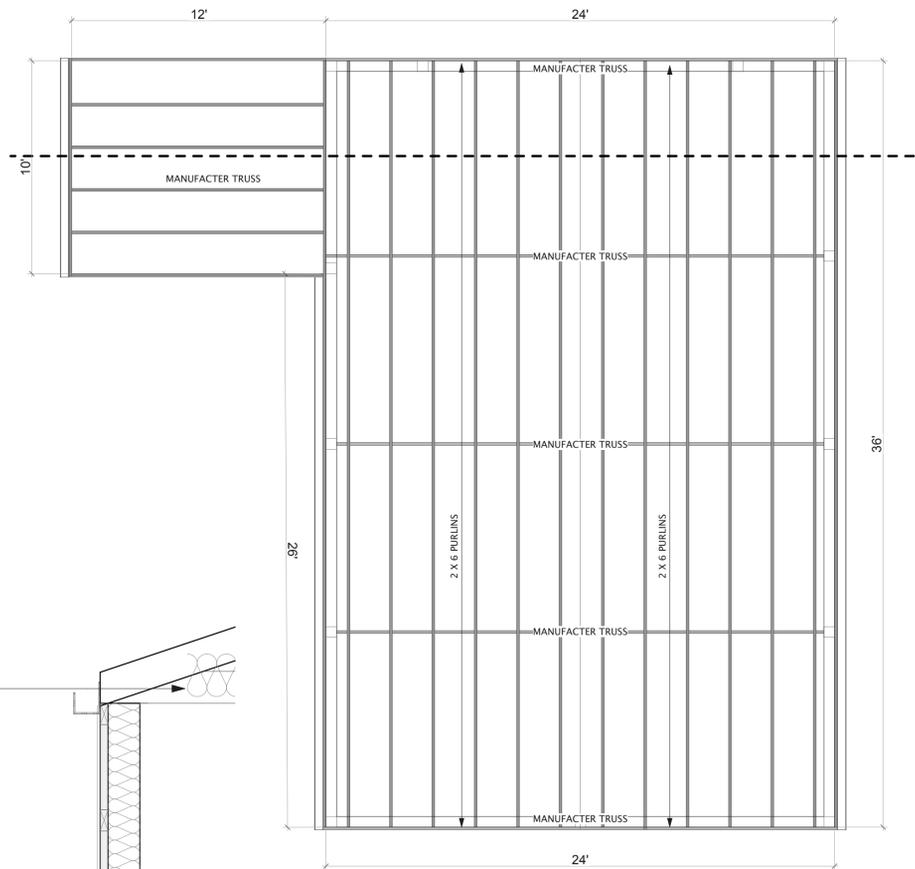
PRELIMINARY  
NOT FOR CONSTRUCTION

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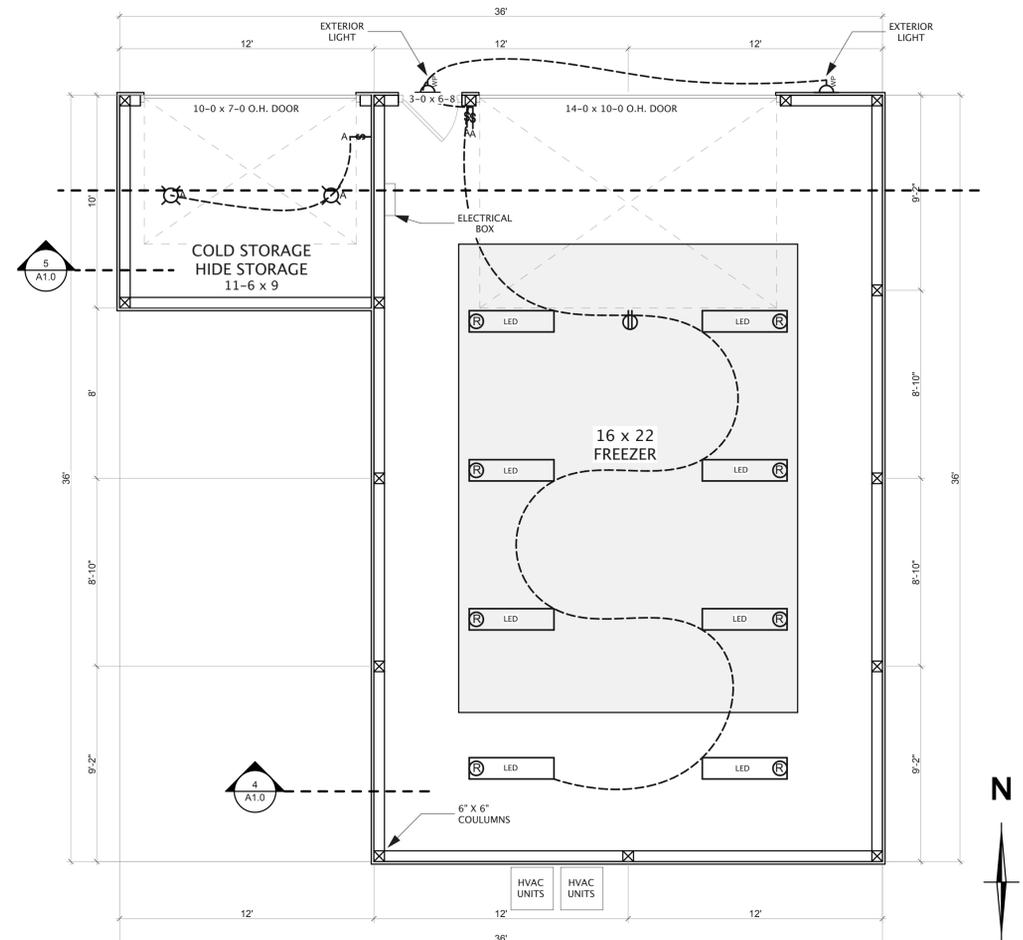
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REVISION: 1

PROJECT NO.  
1497

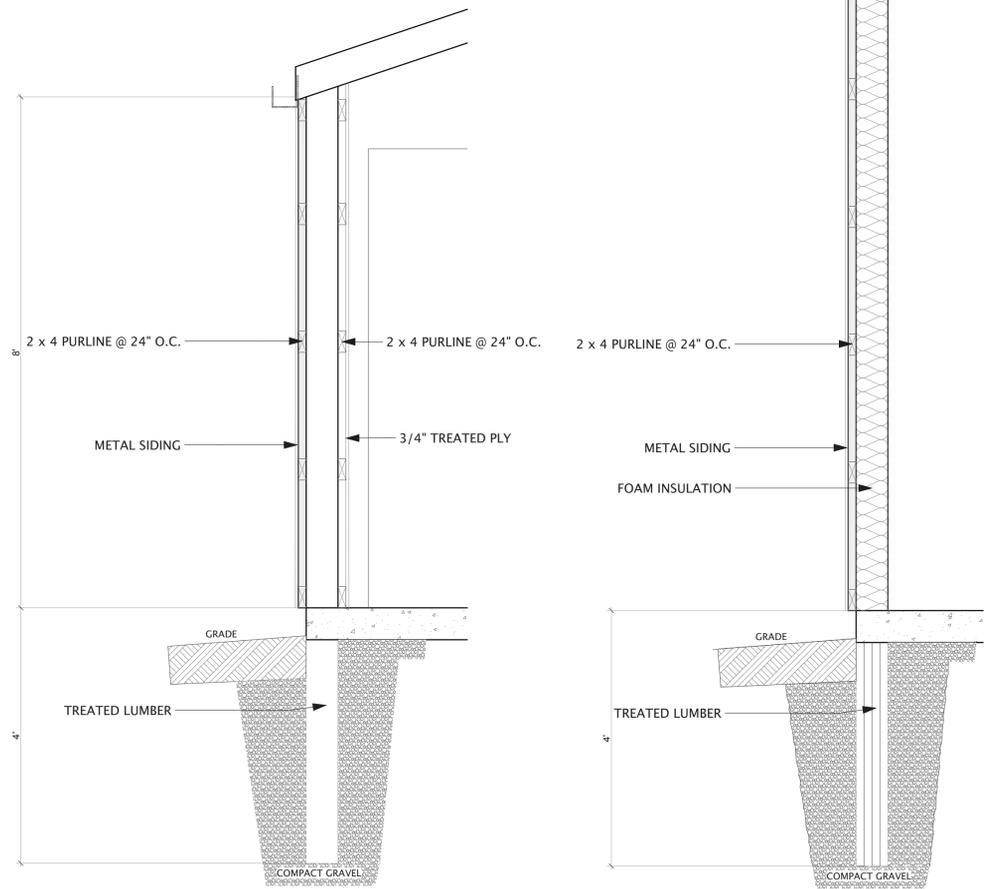
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A1.0  
MAIN FLOOR



2 ROOF FRAMING PLAN  
SCALE: 1/4" = 1'-0"

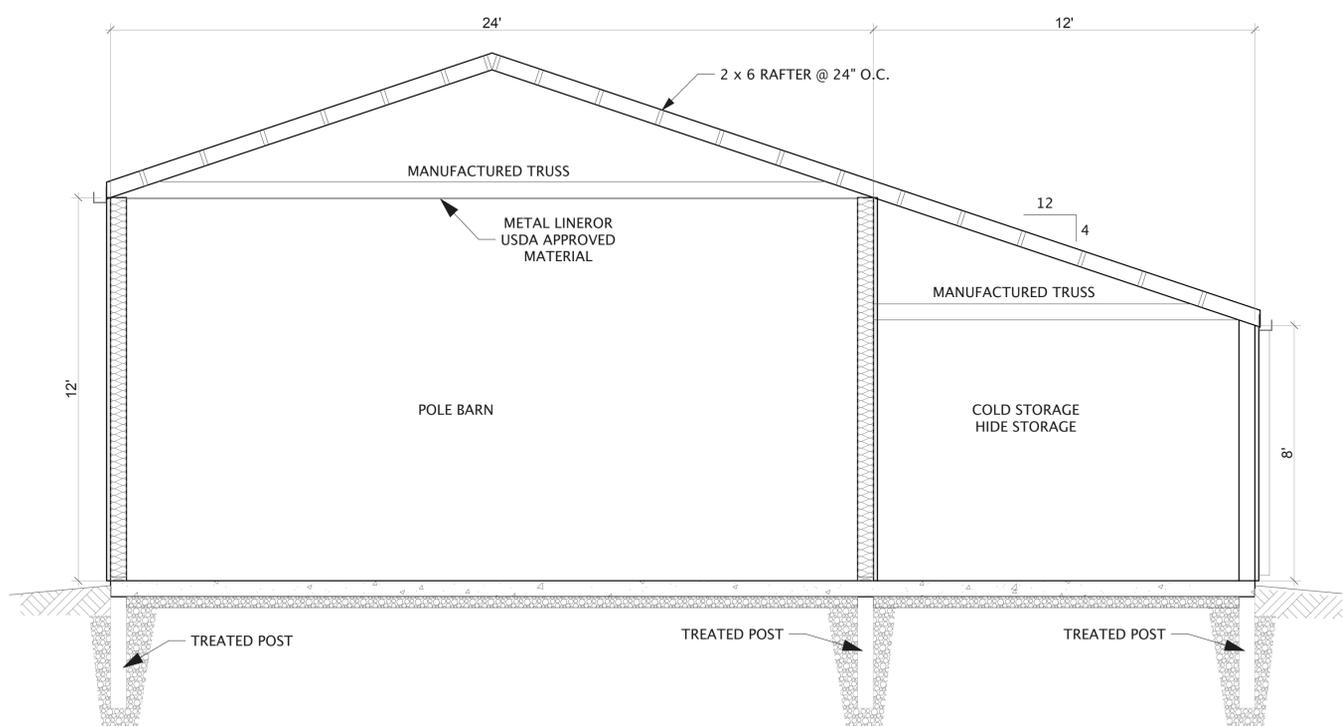


1 MAIN FLOOR PLAN = 984 SQ. FT.  
SCALE: 1/4" = 1'-0"



5 SECTION  
SCALE: 3/4" = 1'-0"

4 FOUNDATION DETAIL  
SCALE: 3/4" = 1'-0"



3 CROSS SECTION  
SCALE: 3/8" = 1'-0"



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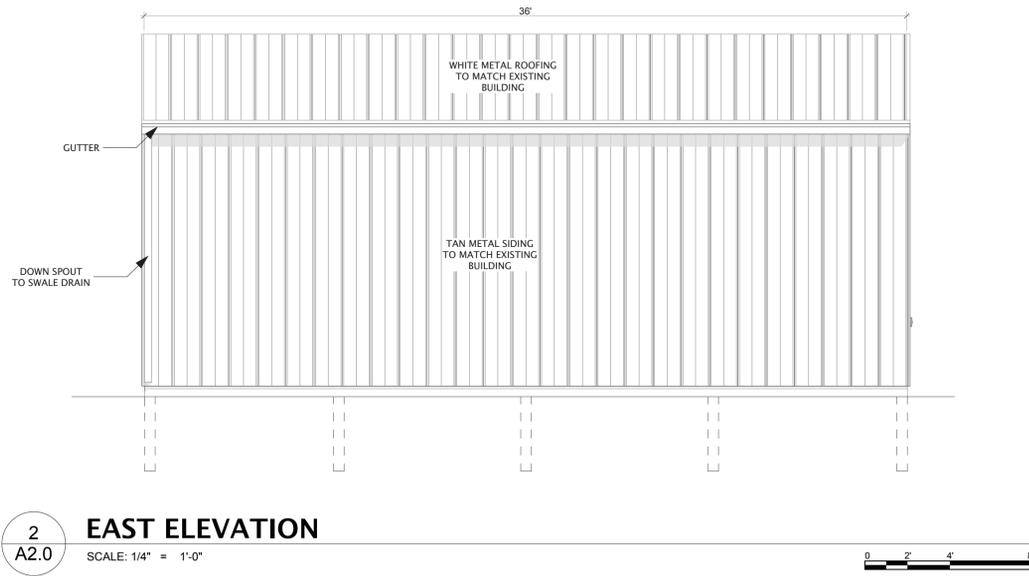
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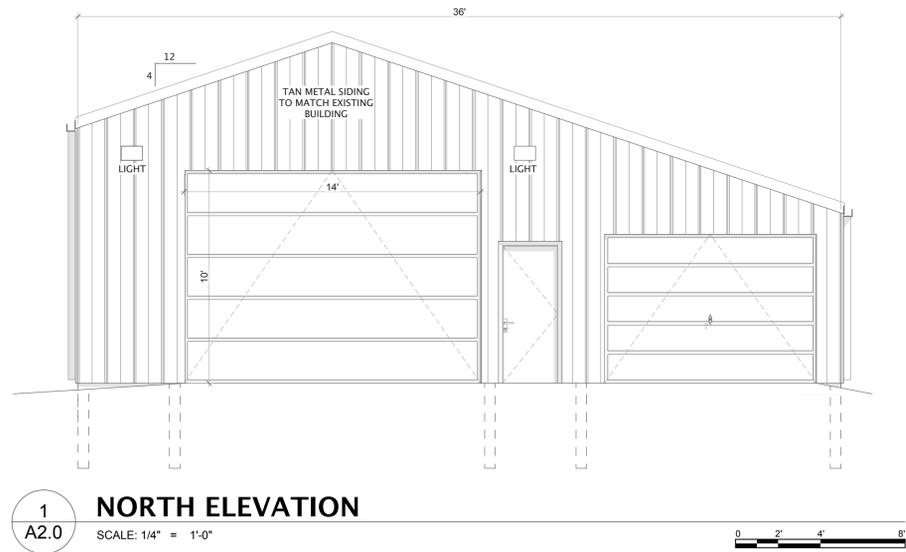
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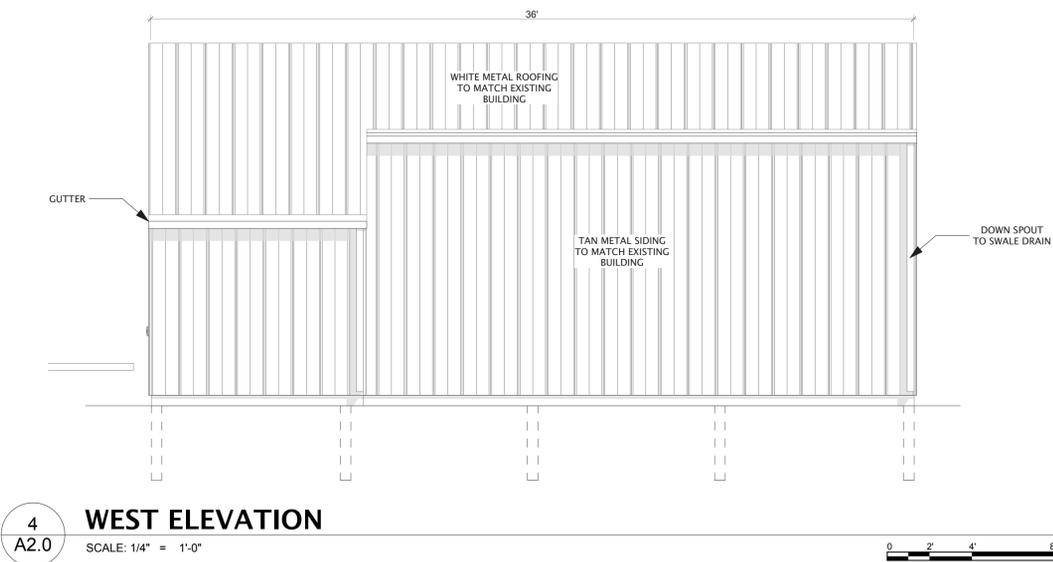
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A2.0  
EXT. ELEV.



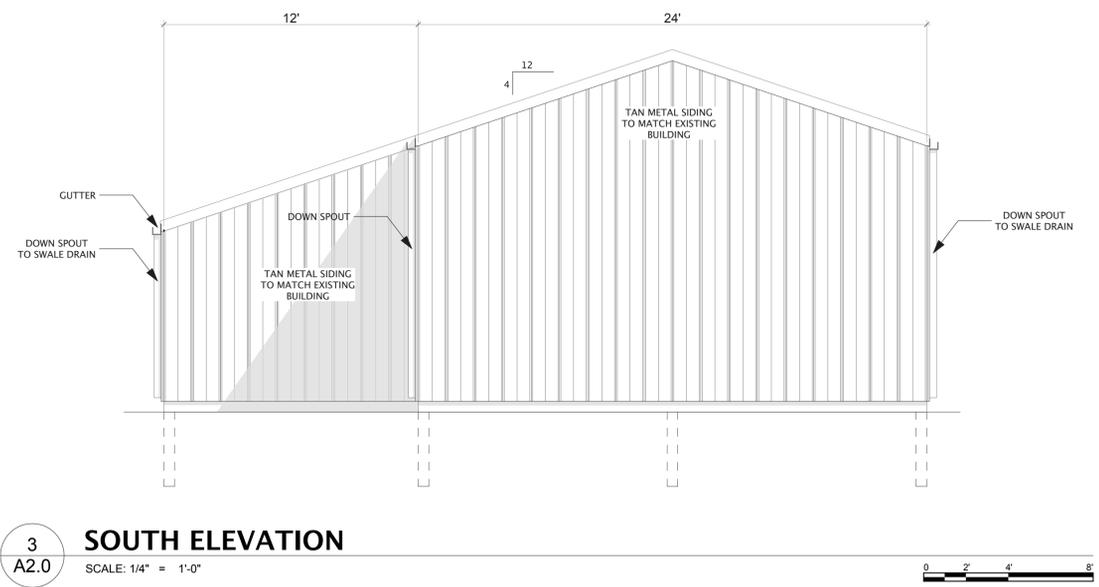
2 EAST ELEVATION  
SCALE: 1/4" = 1'-0"



1 NORTH ELEVATION  
SCALE: 1/4" = 1'-0"



4 WEST ELEVATION  
SCALE: 1/4" = 1'-0"



3 SOUTH ELEVATION  
SCALE: 1/4" = 1'-0"



LED 26W Wallpacks. Patent Pending thermal management system. 100,000 hour L70 lifespan. 5 Year Warranty.

Color: Bronze

Weight: 7.5 lbs

<b>Project:</b>	<b>Type:</b>
<b>Prepared By:</b>	<b>Date:</b>

Driver Info		LED Info	
Type:	Constant Current	Watts:	26W
120V:	0.26A	Color Temp:	5000K
208V:	0.16A	Color Accuracy:	73 CRI
240V:	0.14A	L70 Lifespan:	100000
277V:	0.12A	Lumens:	3475
Input Watts:	30W	Efficacy:	118 LPW
Efficiency:	88%		

## Technical Specifications

### Listings

#### UL Listing:

Suitable for wet locations. Suitable for mounting within 1.2m (4ft) of the ground.

#### DLC Listed:

This product is on the Design Lights Consortium (DLC) Qualified Products List and is eligible for rebates from DLC Member Utilities.

DLC Product Code: P00001701

#### Dark Sky Approved:

The International Dark Sky Association has approved this product as a full cutoff, fully shielded luminaire.

### LED Characteristics

#### Lifespan:

100,000-hour LED lifespan based on IES LM-80 results and TM-21 calculations.

#### Color Consistency:

7-step MacAdam Ellipse binning to achieve consistent fixture-to-fixture color.

#### Color Stability:

LED color temperature is warranted to shift no more than 200K in CCT over a 5 year period.

#### Color Uniformity:

RAB's range of CCT (Correlated Color Temperature) follows the guidelines of the American National Standard for Specifications for the Chromaticity of Solid State Lighting (SSL) Products, ANSI C78.377-2017.

### Construction

#### IP Rating:

Ingress Protection rating of IP66 for dust and water

#### Finish:

Formulated for high-durability and long lasting color.

#### Ambient Temperature:

Suitable for use in 40°C (104°F) ambient temperatures.

#### Cold Weather Starting:

Minimum starting temperature is -40°C (-40°F)

#### Green Technology:

Mercury and UV free. RoHS compliant components. Polyester powder coat finish formulated without the use of VOC or toxic heavy metals.

#### For use on LEED Buildings:

IDA Dark Sky Approval means that this fixture can be used to achieve LEED Credits for Light Pollution Reduction.

### Electrical

#### Driver:

Multi-chip 26W high output long life LED Driver Constant Current, 720mA, Class 2, 6kV Surge Protection, 100V-277V, 50-60 Hz, 100-240V.4 Amps.

### Other

#### Patents:

The WPLED design is protected by U.S. Pat. D634878, Canada Pat 134878, China Pat. CN301649064S.

#### Equivalency:

Equivalent to 175W Metal Halide.

#### Buy American Act Compliance:

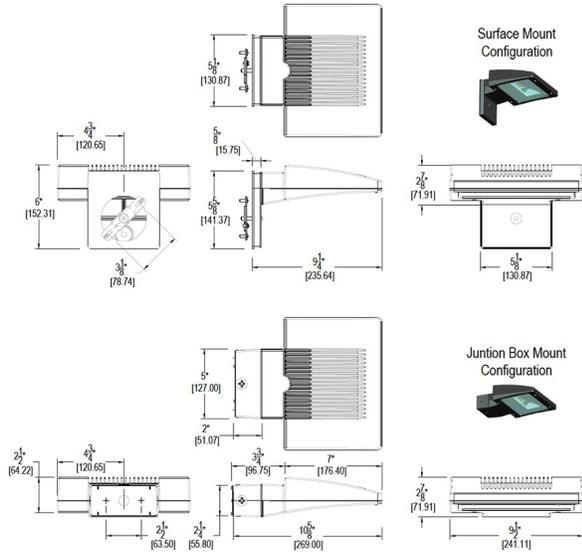
RAB values USA manufacturing! Upon request, RAB may be able to manufacture this product to be compliant with the Buy American Act (BAA). Please contact customer service to request a quote for the product to be made BAA compliant.

### Optical

#### BUG Rating:

B1 U0 G0

## Dimensions



## Features

- High performance LED light engine
- Maintains 70% of initial lumens at 100,000 hours
- Weatherproof high temperature silicone gaskets
- Superior heat sinking with die cast aluminum housing and external fins
- 100 up to 277 Volts
- 5-year warranty

## Ordering Matrix

Family	Wattage	Color Temp	Sensor	Finish	Photocell	Dimming
WPLED	26 = 26W	Blank = 5000K (Cool) Y = 3000K (Warm) N = 4000K (Neutral)	Blank = No Sensor MS = Mini Sensor	Blank = Bronze W = White	Blank = No Photocell /PC = 120V Button /PCS = 120V Swivel /PC2 = 277V Button	Blank = No Dimming /D10 = Dimmable

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

<b>MEETING DATE:</b>	FEBRUARY 13, 2018	<b>TYPE OF ACTION NEEDED</b>	
<b>AGENDA ITEM:</b>		P&Z BOARD APPROVAL:	X
<b>SUBJECT:</b>	SITE PLAN REVIEW: LEGEND TOWERS OFFICE EXPANSION (RADIO STATION). SPR 2018-10	RECOMMENDATION TO COUNCIL:	
<b>PREPARED BY:</b>	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

**PROJECT DESCRIPTION:**

Legend Towers, LLC, has submitted an application to remodel an existing garage behind 1949 Mountain View Drive into office space, connect the former garage to the existing radio station office with a breezeway, remodel the existing building at 2001 Mountain View Drive (recently a daycare) into office space and parking garage, install a new parking area, and other minor modifications. The site plan, floor plan and building elevations are attached.

Existing conditions:



**REVIEW CRITERIA:**

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

*All structures within the district shall be architecturally compatible. Architectural and landscaping plans shall be submitted to the planning and zoning commission for approval. Architectural and landscaping details shall be maintained as shown by the approved plans.*



Section 9-2-3 is as follows:

*Before the issuance of any permit under the international building code for commercial buildings situated within the city, the applicant, property owner and occupant shall meet with the planning, zoning and adjustment board to review the application and plans insofar as they pertain to the exterior of a commercial building and site plan conditions. The issuance of a permit shall be conditioned upon the applicant receiving an affirmative vote of a majority of the planning, zoning and adjustment board members in attendance at said meeting.*

Applicable standards of the zoning district and parking regulations are also reviewed.

**STAFF COMMENTS:**

The property is located within the General Business (D-2) zoning district, which permits professional offices. The surrounding area is as follows:

<i>DIRECTION</i>	<i>EXISTING USE</i>	<i>ZONING</i>
North	Single-family residences across alley.	Residential (R-2)
East	Apartment complex across 22 <sup>nd</sup> St.	Residential (R-4)
South	RV Park across Mountain View Dr.	D-2
West	Vacant commercial building.	D-2

**Architecture:**

The remodel of the existing garage in the northwest corner of the property includes removal of the two overhead garage doors and installation of two 5' by 5' windows. The new breezeway is fully enclosed with two exterior doors. The brickwork on the breezeway and north side of the converted garage will match the existing brick. The roof pitch and materials (black asphalt shingles) will match the existing roof. The proposed work in this area is fully architecturally coordinated.

Conversion of the former daycare building into office area and a two-car garage includes very little work to the building exterior—primarily cutting in two 9' wide by 8' tall overhead garage doors and repainting the metal exterior of the building "to match radio station". Staff is unsure if that means a red/brown brick color, dark gray (to match walls of the cupola roof feature), or a similar complimentary color. Conceptually, any of those could work well. The existing building appearance would greatly benefit from a new paint job. It appears that the existing rock work on the building will be preserved—the Board may want to confirm.

The Board will need to determine if the architectural modifications are acceptable. Staff has no concerns.

Landscaping:

The plans do not propose removal or installation of landscaping. The radio station lot is well landscaped with grass, shrubs and trees. The former daycare property has very limited landscaping—some red rock out by the mailbox, a Chinese vine at the southwest corner of the building, and a small area of grass west of the building. Unfortunately, this lot does not have much area available to landscape due to the parking and vehicle maneuvering areas needed. If staff were to recommend anything, it would be to "clean up the edges", to separate the landscaping from the gravel that has been thrown around over the years.

The property is not within the Entry Corridor Overlay zone, so there is no minimum area of landscaping specified.

Access and Parking:

Access off of Mountain View Drive and off of 21<sup>st</sup> Street near the building is existing. The asphalt in that area will be replaced, as the existing asphalt has severely deteriorated. A new sidewalk will also be provided between the building and parking areas. A new parking area, providing fourteen new spaces, will be provided north of the building. The new parking area will be interconnected with the existing radio station parking lot and 21<sup>st</sup> Street. A new curb cut is proposed for the parking lot off 21<sup>st</sup> Street. The new parking lot meets applicable size and layout requirements.

The site plan does not include elevation data. Please note that the ADA handicap space and unloading aisle cannot be sloped more than 2% in any direction, and any ramp would have slope limitations and well (varies by length).

A total of 38 parking spaces would be provided (13 on radio station lot and 25 on former daycare lot, including the two in the garage). Based on total square footage of the buildings, and the standard ratio of one space per 250 square feet of office area, a total of 27 parking spaces are required.

It is noted that the parking situation is non-conforming in that the radio station lot requires more parking that it currently has, and will be losing two spaces to make the connection to the new parking lot. The former daycare lot has excess parking. While it is noted that the two lots will currently be under the same ownership and utilize all parking in a shared manner, if the ownership is ever split, it would be in the interest of the owner of the radio station lot (west lot) to establish a formal shared parking agreement because if the right to use the parking on the lot to the east is lost to that property, they would need to install additional parking on the radio station lot.

### Exterior Lighting

Five new 26-watt LED cutoff fixtures will be installed on the perimeter of the former daycare building. The fixtures will provide an appropriate amount of lighting for the sidewalk and parking areas next to the building.

The north row of parking would be lit by a fixture on a new light pole. Mounting height is identified as 25 feet. The proposed light fixture selected for the light pole concerns staff as it is a tiltable fixture designed to be mounted at a 45-degree angle.



▶ **Philips Day-brite Fsm400pmt-psc-lp-isf Fsm-series Medium Floodlight 120 208 240 277 Volt 400 Watt 1-lamp Dark Bronze Polyester Powder-coated USA Specification**

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▶ **USD 539.42** (Indicative price - actual current price possibly lower)

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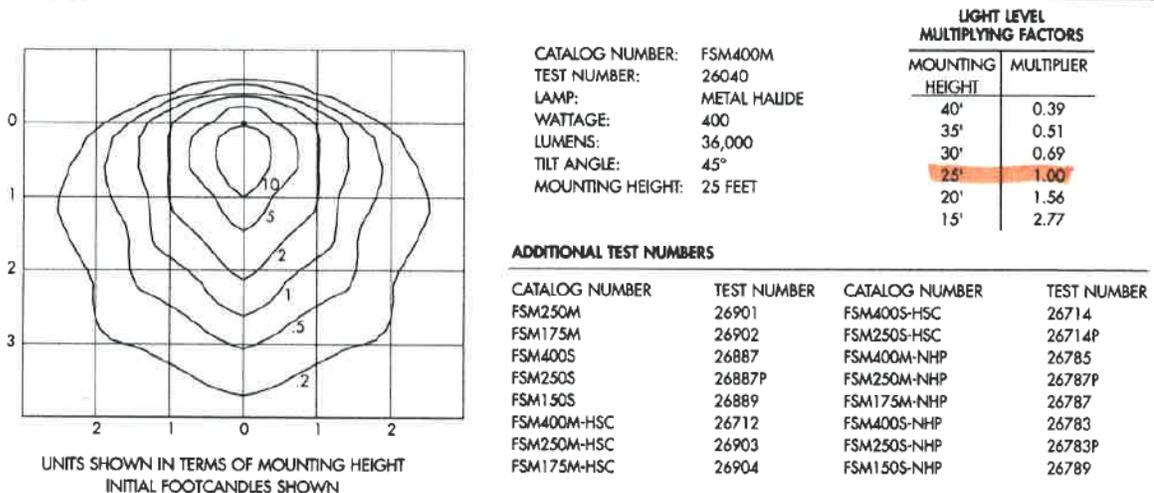
▶ **More from Category USA Philips Day Brite Electrical Supply**

---

Philips day-brite fsm-series medium floodlight has sturdy 1-piece die-cast aluminum housing with internal hinge/door with stainless steel captive fasteners and dark bronze polyester powder finish for better impact/corrosion/uv resistance. It features slant 2-inch heat-sunk ballast mounting geometry for cooler operation. It 14 inch x 7-3/8 inch x...

[More....](#)

### PHOTOMETRICS



The proposed 400-watt metal halide floodlight would be directed towards and create glare impacts for those seeing it from Mountain View Drive, the Absaroka Bay RV park, and the nearby apartment complex. If flatter than 45 degrees, it would start to create backlighting on the residential property to the north. While not a huge deal, there is a better way, with likely less initial cost and definitely less ongoing electric costs.

The proposed light does not appear to be widely available, so staff was unable to determine initial cost for the exact fixture, but here is the most similar we found, for a cost of somewhere around \$539. The lighting pattern extends the width necessary (50 feet to each side), and slightly further forward than necessary (75 feet versus 55 feet). It also has a relatively uneven light pattern at over 10 foot candles on the ground near the fixture. A maximum of 5 foot candles and minimum of 0.2 is recommended for parking areas.

Alternatively, a full cut-off LED style fixture, appropriate for the specific area (north row of parking) is identified below. It avoids the glare issue, has an initial cost of \$520 for the fixture, only requires a 20-foot mounting height instead of 25, and has a much more even light pattern. At only 80 watts, ongoing power cost is only 1/5 the cost of the fixture proposed by the applicant, and estimated "bulb" lifespan is 5 to 15 times longer with the LED (100,000 hours versus 6,000-20,000). As the full cut-off LED option "wins" in all comparisons, staff recommends that it, or a similar full-cut off fixture be used.



RAB 80 Watt Dimmable LED Area Light Full Cutoff - No Photocell - 4000K - 9,594 Lumens - 120-277V - Bronze

☆☆☆☆☆ Write a review Questions & Answers

Ships Free When Spending \$99+

Lead Time: Ships Direct From RAB. Contact us for Lead Time

**RAB** WARRANTY INFORMATION

**\$520.00**

1 ADD TO CART

ADD TO PROJECT ADD TO QUOTE

**RAB**  
LIGHTING

▼ LUMINAIRE

► ARRANGEMENT / LAYOUT

Single

Radial Arm: 0 ft Offset: ft

Layout	Cols (X)	Rows (Y)
Spacing	10	10
Mounting Height	20 ft	
Orient	0 deg	
Tilt	0 deg	

Luminaire Location Summary

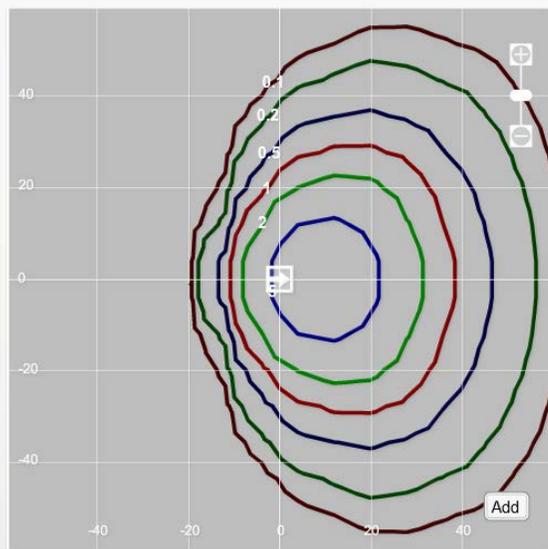
▼ ISOLINES

▼ DISPLAY

▼ ANALYSIS

▼ UNITS

▼ OUTPUT / HELP



### Neighborhood Compatibility, Setbacks and Buffers

There are no zoning setback or buffer requirements applicable to this project.

### Storm Water Plan:

An analysis of the storm water was provided by the applicant's engineer for the new parking lot. The storm water will be collected in an underground infiltration trench which will retain the required amount of storm water on site. The applicant will need to submit for the necessary registration form to the Wyoming DEQ. The plan meets City requirements.

### Snow Storage

Snow storage area is limited, but as more parking is provided than required, the loss of a few spaces for snow storage is not a concern.

### Utility Services

No changes to the city's water main, sewer main, or electrical transformers are requested.

Natural gas and telecommunication services are to be coordinated directly with those providers.

### Signage

No new signage is shown on the plans. The daycare had an existing sign (see photos). The city sign code requires unused signs and sign supports to be removed. The applicant will either need to remove or reuse the sign and post as part of this project.

### Fire Hydrant

Existing fire hydrants located across Mountain View Drive provide the required fire protection.

### Frontage Status

The scale of the project does not trigger frontage improvements. It is noted that there is no sidewalk along 21<sup>st</sup> Street, and no curb, gutter, or sidewalk along Mountain View Drive next to this property.

### Garbage

Dumpsters exist along the alley to the rear of the property.

### **ATTACHMENTS:**

Application materials.

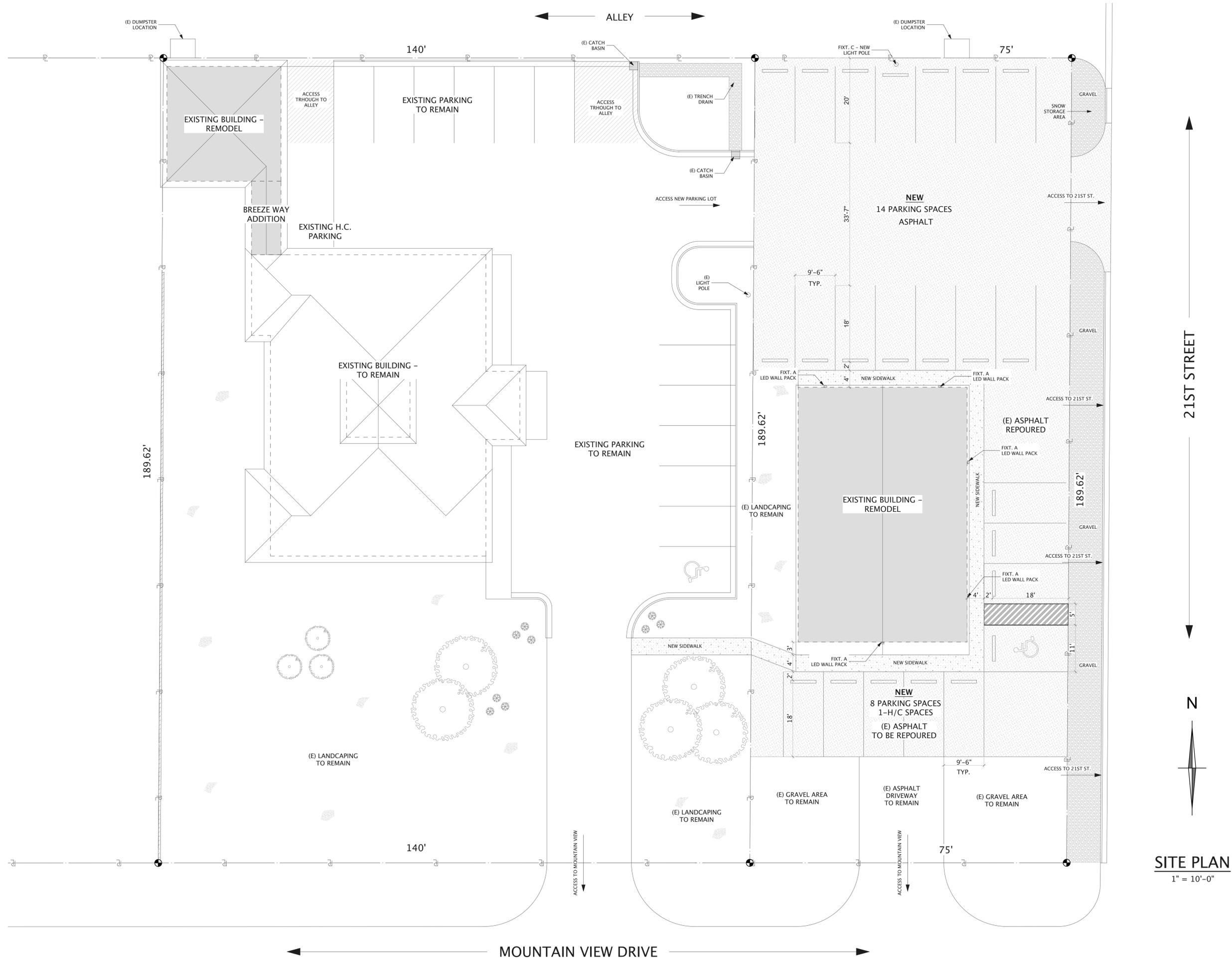
### **ALTERNATIVES:**

Approve or deny the site plan, with or without changes.

**RECOMMENDATION:**

It is recommended that the Planning and Zoning Board approve the site plan and architectural plans subject to the following items:

1. Use a full cut-off fixture for the north parking lot light pole, with an intensity and coverage similar to the staff recommended example.
2. An encroachment permit is required for all work within the public right of way (e.g. new approach to 21<sup>st</sup> Street). The contractor is responsible for obtaining the permit.
3. Either remove the "Kidz" freestanding sign and pole, or submit a sign permit application to utilize it.
4. The project must otherwise comply with the site plan and applicable building, fire, and electrical codes.
5. A building permit must be obtained within 3 years or this authorization will expire.



**SITE PLAN**  
1" = 10'-0"



**PRECISION PLAN AND DESIGN INC.**

A CUSTOM PLAN SERVICE

930 12TH STREET  
CODY, WYOMING 82414

307.587.6227 | 307.272.5709

@PRECISIONPLANDESIGN@GMAIL.COM

MEMBER ILBA no. 1271

PROJECT:  
**LEGEND TOWERS, LLC**

**THIEL CONSTRUCTION, inc.**  
Cody - and - Gillette  
JERRY & SONS  
(307) 527-6401 Wyoming (307) 899-2564

**PRELIMINARY NOT FOR CONSTRUCTION**

SUSAN HOVDE - Architect PLLC  
P.O. Box 1514  
Red Lodge MT, 59068  
(406) 446-3160



**NOTE:** ALTHOUGH GREAT CARE AND EFFORT HAVE GONE INTO THIS PLAN TO CREATE A PRECISE INTERPRETATION OF THE FINISHED PROJECT, IT IS IMPOSSIBLE TO GUARANTEE THAT THIS PLAN IS WITHOUT IMPERFECTIONS. THEREFORE PRECISION PLAN AND DESIGN INC AND/OR ASSOCIATES ASSUMES NO LIABILITY FOR ANY PROJECT CONSTRUCTED FROM THIS PLAN. THE BUILDER/OWNER MUST VERIFY ALL DIMENSIONS. THIS PLAN IS SUBJECT TO CHANGE PER ENGINEER AND/OR LOCAL CODES AND STANDARDS.

DATE: 1.31.18  
REVISION: 5

PROJECT NO.  
**1498**

SHEET #  
**C1.0**  
SITE PLAN



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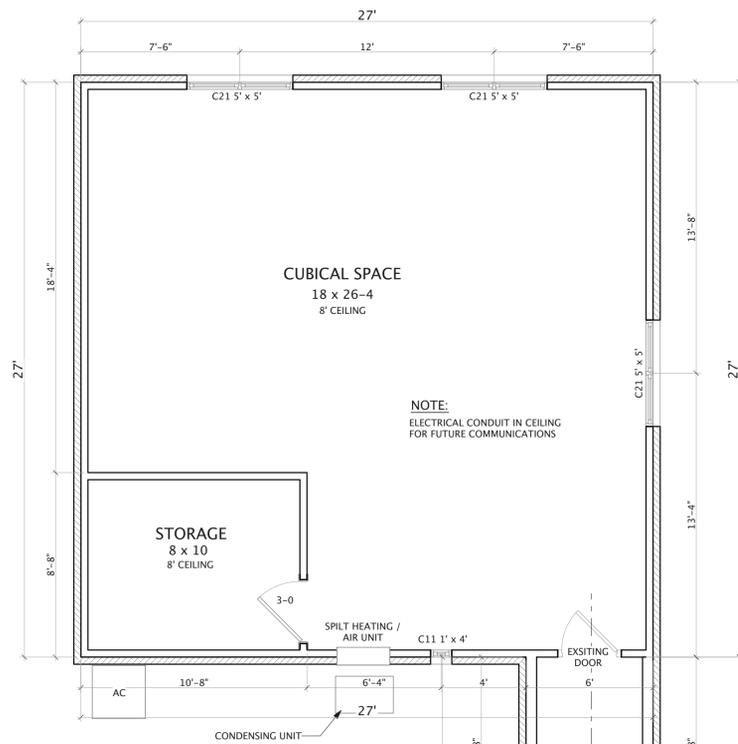


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DATE: 1.31.18  
REVISION: 5

PROJECT NO.  
**1498**

SHEET #  
**A1.0**  
MAIN FLOOR

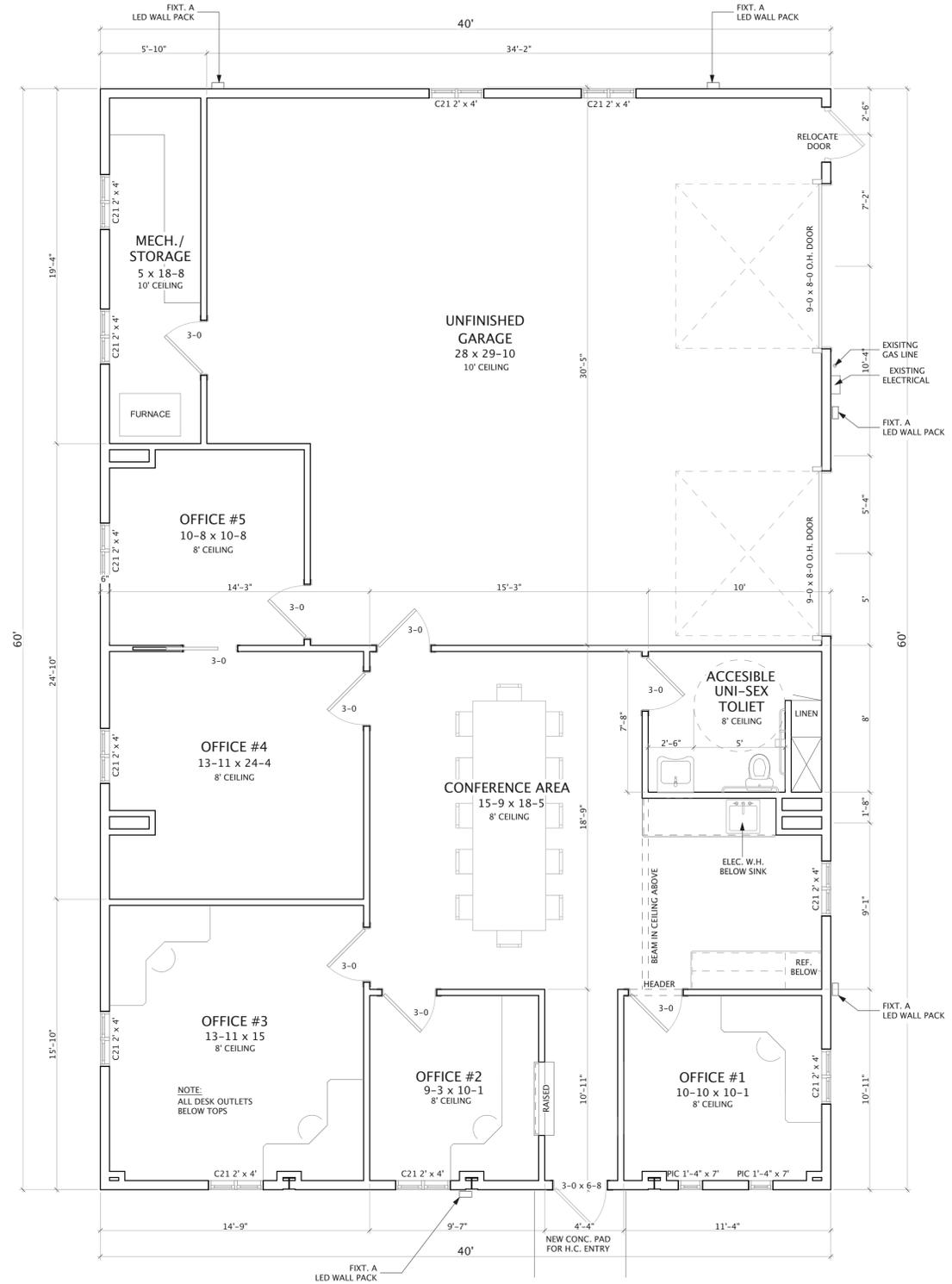


NOTE:  
ELECTRICAL CONDUIT IN CEILING FOR FUTURE COMMUNICATIONS

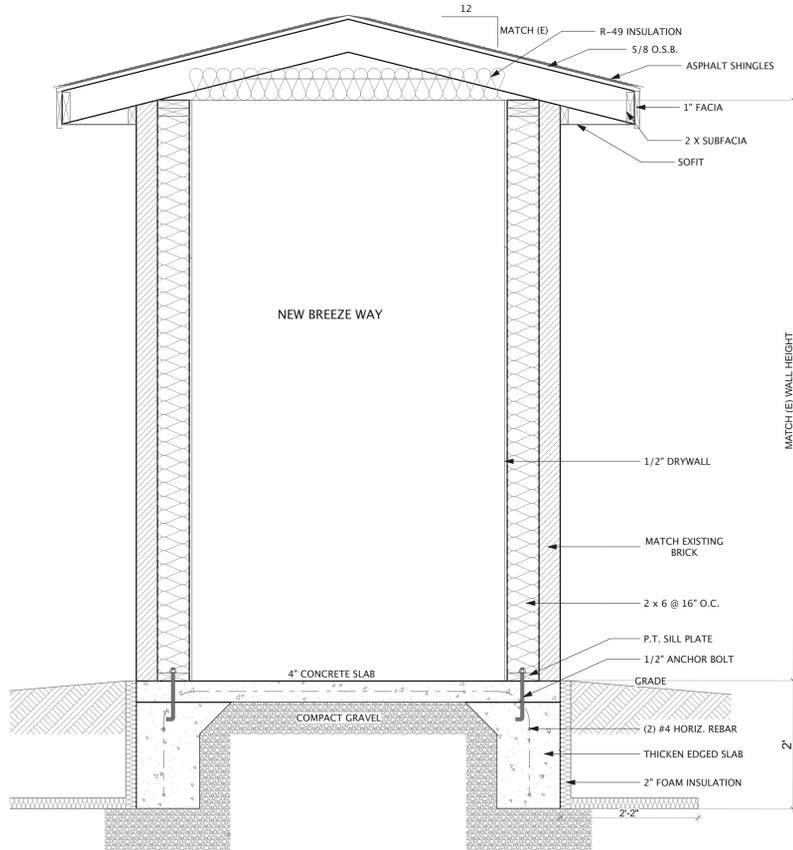
NOTE:  
ELECTRICAL CONDUIT BELOW SLAB TO NEW OFFICE.



**2** GARAGE/BREEZEWAY= 837 SQ. FT.  
A1.0 SCALE: 1/4" = 1'-0"

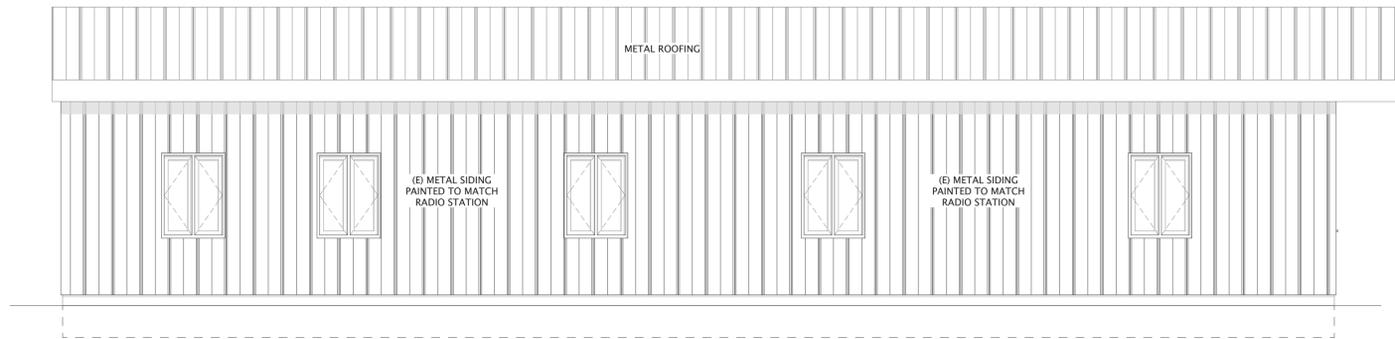


**1** MAIN FLOOR PLAN= 2,400 SQ. FT.  
A1.0 SCALE: 1/4" = 1'-0"

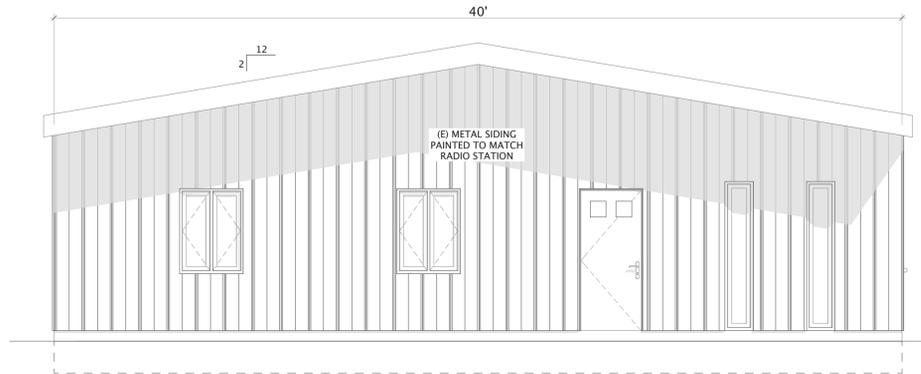


**3** SECTION  
A1.0 SCALE: 3/4" = 1'-0"

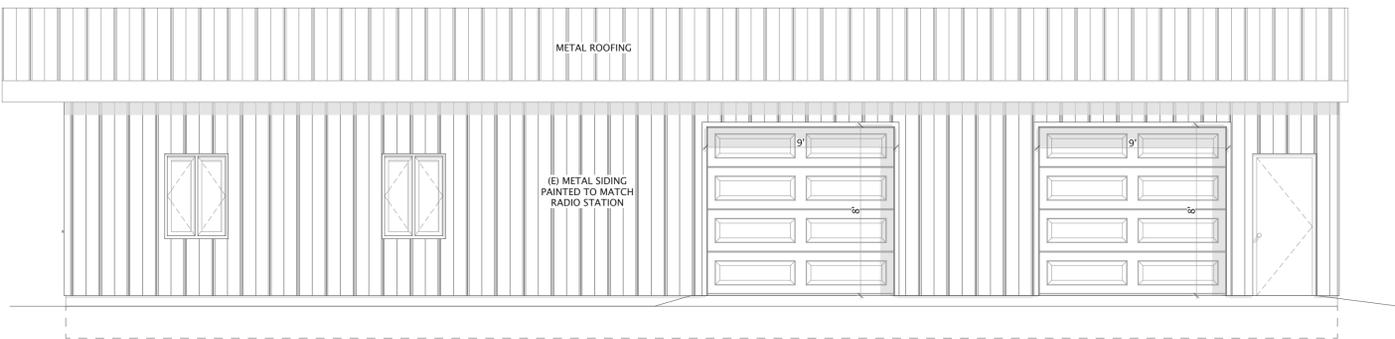




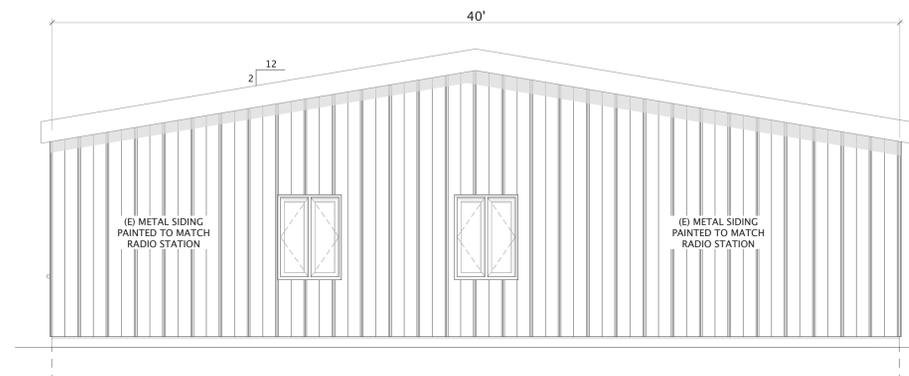
2 WEST ELEVATION  
A2.0 SCALE: 1/4" = 1'-0"



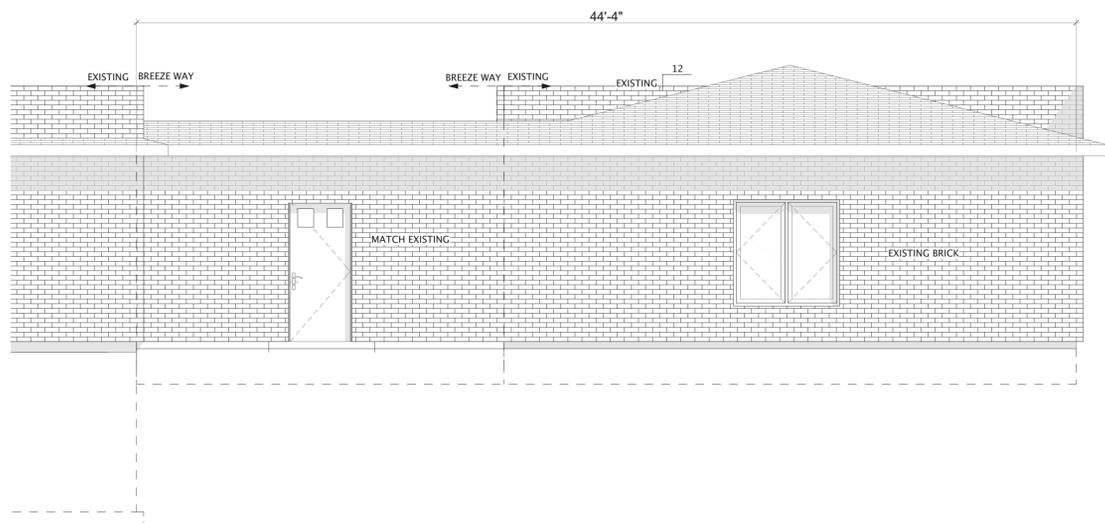
1 SOUTH ELEVATION  
A2.0 SCALE: 1/4" = 1'-0"



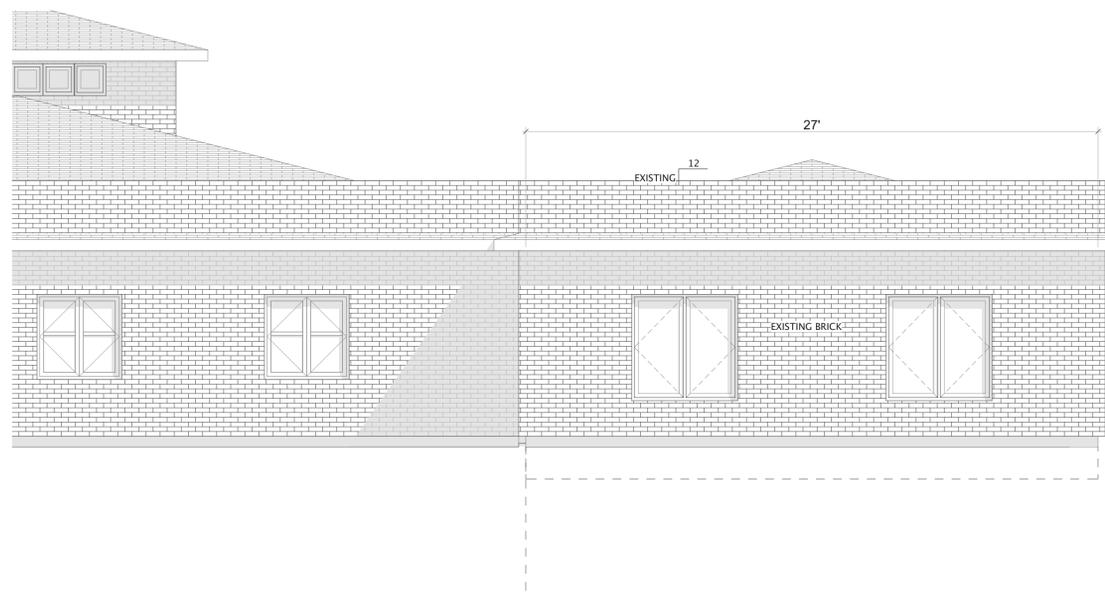
4 EAST ELEVATION  
A2.0 SCALE: 1/4" = 1'-0"



3 NORTH ELEVATION  
A2.0 SCALE: 1/4" = 1'-0"



6 EAST ELEVATION  
A2.0 SCALE: 1/4" = 1'-0"



5 NORTH ELEVATION  
A2.0 SCALE: 1/4" = 1'-0"



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DATE: 1.31.18  
REVISION: 5

PROJECT NO.  
1498

SHEET #  
A2.0  
EXT. ELEV.

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

<b>MEETING DATE:</b>	FEBRUARY 13, 2018	<b>TYPE OF ACTION NEEDED</b>	
<b>AGENDA ITEM:</b>		P&Z BOARD APPROVAL:	X
<b>SUBJECT:</b>	SITE PLAN REVIEW: SEASONAL GREENHOUSE. SPR 2018-08	RECOMMENDATION TO COUNCIL:	
<b>PREPARED BY:</b>	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

**PROJECT DESCRIPTION:**

Charlie and Sarah Ziska have submitted an application to install a 21' by 55' temporary greenhouse to sell potted flowers and vegetables. The property is referred to informally as "the hole", and has an assigned address of 626 Yellowstone Avenue. The request is only for this year, from May through July. The greenhouse would be removed from the property by the end of July.



The property is in the Open Business/Light Industrial (D-3) zoning district, which zone permits commercial buildings and retail sales.

**REVIEW CRITERIA:**

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

*All structures within the district shall be architecturally compatible. Architectural and landscaping plans shall be submitted to the planning and zoning commission for approval. Architectural and landscaping details shall be maintained as shown by the approved plans.*

Section 9-2-3 is as follows:

*Before the issuance of any permit under the international building code for commercial buildings situated within the city, the applicant, property owner and occupant shall meet with the planning, zoning and adjustment board to review the*

*application and plans insofar as they pertain to the exterior of a commercial building and site plan conditions. The issuance of a permit shall be conditioned upon the applicant receiving an affirmative vote of a majority of the planning, zoning and adjustment board members in attendance at said meeting.*

In addition, the site plan is reviewed for compliance with specific development standards of the municipal code.

**STAFF COMMENTS:**

The zoning ordinance technically does not differentiate between permanent and temporary buildings. However, there are obviously differences in impacts and expectations for improvements.

**Architecture:**

Construction would be limited to installation of the green house, and a screen proposed around three sides of the portable toilet. The screen would be sided with natural log slats. The green house is a typical temporary style, with clear plastic wrapped around a metal and wood frame (photo of similar attached).

Due to the temporary nature of the greenhouse, and natural limits for enhancing it architecturally, staff does not recommend any modifications to the architecture.

The proposed screening of the outhouse demonstrates the intent of maintaining a professional appearance at and around the business.

**Landscaping:** The property is within the Entry Corridor Overlay district, which requires a minimum of 5% of the subject property to be landscaped. While there may be an argument to waive landscaping for a temporary use, the property actually provides natural riparian landscaping along the Sulphur Creek waterway in an amount that meets the code requirement.

**Access and Parking:**

Access is from a paved approach off of Yellowstone Avenue. From the approach to the greenhouse area is an existing gravel road that should be adequate for the temporary seasonal use. On the east side of the greenhouse would be a gravel parking area, with a capacity of five vehicles. Landscape timbers would separate the parking area from a gravel walkway around the greenhouse.

The building official has indicated that an ADA parking space, unloading area, and walkway to the greenhouse is required. The applicant will need to work with the building official on what that means for surfacing—he is open to alternatives.

So long as the Board does not have any objection, staff also has some ideas for modifying the parking layout to reduce surfacing area, as well as the distance to the ADA parking space, which the applicant may want to do.

City specifications call for WYDOT Grade H crushed surfacing base course for the parking lot surfacing.

#### Exterior Lighting

There will be no lighting, as there is no power to the site.

#### Neighborhood Compatibility, Setbacks and Buffers, and Height Requirements

There are no specified zoning setbacks or building height limits in this zone. A variance is recommended for the buffer requirement along the residentially zoned property to the south (up the hill), due to the temporary nature of the project, the distance to the residential property, and the elevation difference that would make any buffer improvement ineffective.

#### Storm Water Plan:

Due to the temporary nature of the facility, no storm water plan has been required.

#### Utility Services

No utilities are available at the proposed site, and bringing them to the site would involve extensive work.

Due to the lack of sewer, a portable toilet is proposed. The use of a portable toilet requires permission from City council. In addition, the portable toilet will need to be ADA accessible (they do make them).

#### Signs

A drawing of the proposed sign is attached. As the sign will be in place less than 120 days, it is classified as a temporary sign under the City sign code. Temporary signs can be of vinyl, as is proposed, and up to 32 square feet. It will be mounted on an entrance gate/fence on the property near the connection to Yellowstone Avenue.

#### Hydrants/Fire Protection

The greenhouse is not within the required distance from a fire hydrant. A variance to the fire hydrant situation would need to be granted by the City Council.

#### Garbage

The dumpster location is shown west of the greenhouse area.

#### **ATTACHMENTS:**

Site Plan, sign plan, photo of similar greenhouse.

**ALTERNATIVES:**

Approve or deny the site plan with or without changes.

**RECOMMENDATION:**

It is recommended that the Planning and Zoning Board grant the variance to the buffer requirement and approve the project, subject to the following items:

1. Use of the portable toilet requires permission from City Council.
2. A variance to the fire hydrant requirement is needed from City Council.
3. Approval is limited to the time requested (May through July, 2018).
4. Work with staff on the layout of the ADA parking space, unloading area. Staff is authorized to approve modifications to the parking plan that are in compliance with the parking ordinance.
5. The project must otherwise comply with the site plan and applicable building, fire, and electrical codes.



Sulphur Creek

Cody Meat C

A W

Boiling  
Cold frame  
outhouses

□ Dumpsite

Sulphur Creek

Google

← To highway

Existing Road

Entry Road

12' Road base approach

6'x6' Flagstone Entry

Blossoms UP  
Greenhouse

8'x8'  
Outhouse  
Enclosure

4' border crushed gravel with railroad tie border

10' parking stalls

Traffic flow

Parking lot Boundary

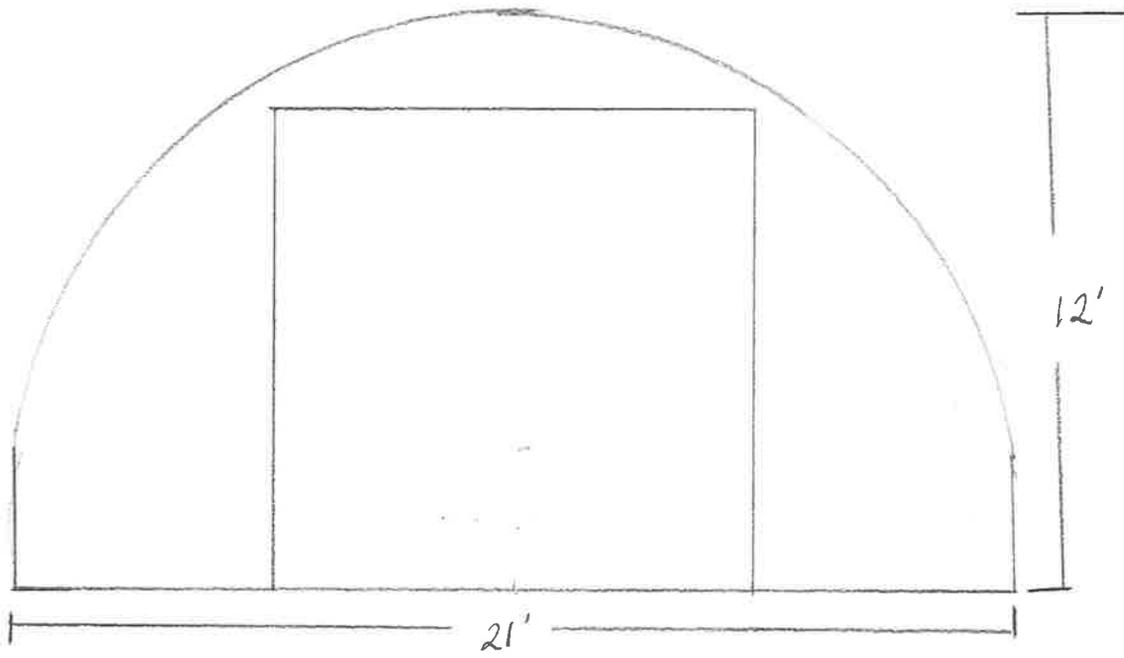
50'

N  
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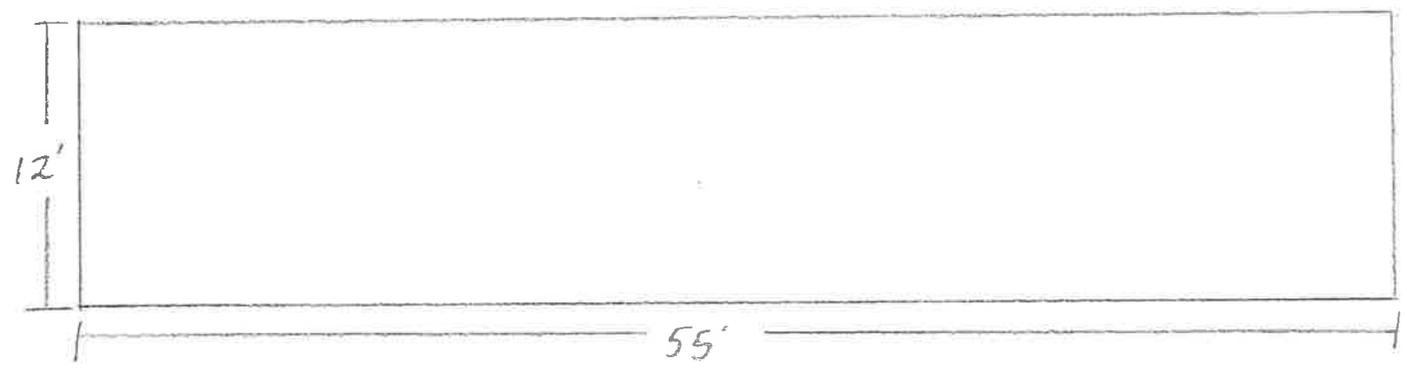


$\frac{1}{4}'' = 1'$

Front view



Side view  $\frac{1}{8}'' = 1'$





MAY - JULY

MONDAY - THURSDAY 10 - 6

FRIDAY AND SATI

*3'x6' Banner*



# BLOSSOMS UP

FLOWERS AND VEGETABLES

626 Yellowstone Avenue

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

<b>MEETING DATE:</b>	FEBRUARY 13, 2018	<b>TYPE OF ACTION NEEDED</b>	
<b>AGENDA ITEM:</b>		P&Z BOARD APPROVAL:	
<b>SUBJECT:</b>	ORDINANCE TO ADD SHORT TERM RENTAL REGISTRATION REQUIREMENTS TO THE COMMERCIAL ZONING DISTRICTS.	RECOMMENDATION TO COUNCIL:	X
<b>PREPARED BY:</b>	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

**BACKGROUND:**

In 2017 the City adopted short-term rental registration requirements for the residential zoning districts. The registration process and safety requirements have resulted in a significant increase in safety and zoning compliance. At the end of 2017, the City had inspected and registered 48 short term rentals in the residential zoning districts. About another 8 are in the process. In a check last fall, there were approximately 33 short term rentals in the City's commercial zoning districts. It is proposed that the registration process also be applied to the short-term rentals in the commercial zones.

**PROCEDURE:**

***10-5-1, City Council Authority***

*The city council may by ordinance at any time, on its own motion or petition, or upon the recommendations by the planning and zoning commission, amend, supplement or change the regulations or districts herein or subsequently established; provided, however, that a public hearing shall first be held in relation thereto, after one publication of notice of the time, place and purpose of such hearing, in an official newspaper, at least fifteen (15) days prior to such hearing.*

If the Planning and Zoning Board recommends the amendment, staff will schedule the public hearing to occur at City Council, and proceed with preparation of the ordinance.

**STAFF COMMENTS:**

The requirements for the commercial zones would be almost identical to those applied to the residential zones. Deleted and added provisions are identified with the "track changes" feature. The primary difference, is that in the commercial zones, it would allow bookings and rental of individual rooms. The limitation of 10 persons is still applicable, as more than that would allow be classified as under the "hotel" category. Non-applicable sections, such as the "owner-occupied" provisions are not included.

It is noted that hotels, motels, RV parks, and other similar lodging facilities have not been permitted in the D-1 zoning district. To maintain this concept, staff believes there should

be a limit on how many short-term rentals can be permitted on a D-1 zoned property. For purposes of discussion: a maximum of four short term rental dwellings, or eight individual sleeping rooms, whichever is less, per D-1 property.

**RECOMMENDATION:**

Once all items have been determined, recommend that the City Council proceed with adopting short-term rental requirements for the commercial zoning districts, as follows. The D-1 limit would also be included in a separate section.

1. Within the commercial zoning districts, a~~The~~ short-term rental may be operated out of any form of a permanent 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, without the owner's written permission.
2. 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 ten (10) guests. In no case, shall more than five sleeping rooms be individually rented in a dwelling. Facilities exceeding these limitations shall be classified as hotels and may be considered pursuant to that classification. ~~In addition, short-term rental dwellings shall only be rented to only one (1) group at any one (1) time -- a single booking. Separate dwellings on a property may be booked individually.~~
3. ~~Use or conversion of an existing dwelling to an owner-occupied~~ Each short-term rental shall require one (1) off-street guest parking space meeting the requirements of chapter 16, "Off Street Parking", of this title for every two (2) guest sleeping rooms or fraction thereof, unless otherwise exempted or authorized by this title (e.g. nonconforming provisions). ~~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.~~
4. 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, a fire extinguisher (minimum rating 2A10BC), and a carbon monoxide alarm if applicable. Each sleeping room shall be provided with Code compliant means of egress. 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, 2018, to obtain their inspection and until December 31, 2018, to correct any fire and life safety items involving construction or remodeling; no short-term rental activity shall occur if the dwelling is not in compliance with these deadlines.
5. Short-term rentals are classified as lodging facilities by the State. As such, the owner or manager of the short-term rental must register the lodging facility business with the WY Department of Revenue and pay lodging tax as required.
6. All short-term rental facilities, whether existing or proposed, shall register with the City of Cody, provide evidence of compliance with these provisions~~this use~~, 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.~~