

CITY OF CODY  
PLANNING, ZONING, AND ADJUSTMENT BOARD  
TUESDAY MAY 28, 2019  
CITY HALL COUNCIL CHAMBERS @ 12:00 NOON

1. Call meeting to order.
2. Roll Call, excused members
2. Pledge of Allegiance
3. Approval of Agenda
4. Approval of Minutes of the May 14, 2019 regular meeting.
5. BUSINESS:
  - A. Downtown architectural district sign review for FootWorks located at 1137 12<sup>TH</sup> Street.
  - B. Site plan review for Mark Schnieder located at 1502 Beck Avenue.
  - C. Review a preliminary plat for the Overfield minor subdivision, located at 1217 31<sup>st</sup> Street.
  - D. Review a preliminary plat for the What's Left, LLC minor subdivision, located at 2312 Central Avenue.
6. P & Z Board matters (announcements, comments, etc.)
7. Council Update
8. Staff Items
11. Adjourn

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

**City of Cody  
Planning, Zoning, and Adjustment  
Board Tuesday,  
May 14, 2019**

A meeting of the City of Cody Planning, Zoning and Adjustment Board was held in the Council Chambers of City Hall in Cody, Wyoming on Tuesday, May 14, 2019 at 12:00 pm.

Present: Vice Chairman Erynne Selk: Richard Jones; Buzzy Hassrick; Klay Nelson; Stan Wolz; Sandee Kitchen, City Deputy Attorney; Todd Stowell, City Planner; Glenn Nielson, Council Liaison; Bernie Butler, Administrative Coordinator

Absent: Kayl Mitchell, Sandi Fisher

Erynne Selk called the meeting to order at 12:00 pm, followed by the pledge of allegiance.

Buzzy Hassrick made a motion, seconded by Richard Jones, to approve the agenda for May 14, 2019. Vote on the motion was unanimous, motion carried.

Stan Wolz made a motion, seconded by Richard Jones to approve the minutes from the April 23, 2019 meeting. Vote on the motion was unanimous, motion carried.

**NEW BUSINESS:**

A. Todd Stowell presented an architectural district sign review for Cody Steakhouse, located at 1367 Sheridan Avenue.

Klay Nelson made a motion, seconded by Buzzy Hassrick to approve the sign as proposed and including the recommendation regarding the LED lighting. Vote on the motion was unanimous, motion passed.

B. Todd Stowell presented an architectural district sign review for The Meatery, located at 1001 Sheridan Avenue.

Richard Jones made a motion, seconded by Buzzy Hassrick to approve the propose sign as presented. Vote on the motion was unanimous, motion carried.

C. Todd reviewed the site plan for the Northwest Rural Water District storage building, located at 526 Stone Street.

Richard Jones made a motion, seconded by Buzzy Hassrick to approve the site plans as presented with the recommended conditions 1-3 in the staff report. Vote on the motion was unanimous, motion passed.

D. Todd Stowell reviewed the preliminary plat of the Nelson Minor Subdivision, a 2-lot subdivision located at 1620 31st Street.

Buzzy Hassrick made a motion seconded by Richard Jones to recommend to the City Council approval the preliminary plat for the division of 1620 31st street, subject to submittal of the final plat and construction drawing with conditions 1-10 of the staff report. Vote on the motion was unanimous.

E. Todd Stowell reviewed the preliminary plat of Beacon Hill Minor Subdivision, a 3-lot subdivision located northwest of the East Sheridan Avenue and Beacon Hill Road.

Richard Jones made a motion seconded by Stan Wolz to recommend to the City Council approve the Beacon Hill Minor Subdivision preliminary plat with variances 1 and 2, and conditions 1-7 in the staff report. The intent to vacate the unused electrical easement is noted at this time (formal action to occur with final plat). Vote on the motion was unanimous.

F. Todd Stowell review the site plan for Tread N Trails ATV rentals, located at 405 Yellowstone Avenue.

Stan Wolz made a motion, seconded by Buzzy Hassrick to approve the site plans as presented with the recommendations 1-7 in the staff report, and that the porta-a-potty not be visible from the road, whether due to placement or screening. Vote on the motion was unanimous, motion passed.

P&Z Matters - none

Council Updates –

Staff Items – Informed Board that signs for Tacos el Taconazo and Big Horn Design are being changed out with new materials and slightly different dimensions, but are still within sizes previously permitted.

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

There being no further business to come before the Board, Vice Chairman Erynne Selk adjourned the meeting at 1:10 pm.

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Bernie Butler, Administrative Coordinator

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

<b>MEETING DATE:</b>	MAY 28, 2019	<b>TYPE OF ACTION NEEDED</b>	
<b>AGENDA ITEM:</b>		P&Z BOARD APPROVAL:	X
<b>SUBJECT:</b>	DOWNTOWN ARCHITECTURAL DISTRICT SIGN REVIEW: FOOTWORKS SGN 2019-10	RECOMMENDATION TO COUNCIL:	
<b>PREPARED BY:</b>	TODD STOWELL	DISCUSSION ONLY:	

**PROJECT DESCRIPTION:**

The Board approved the wall sign and freestanding sign for Footworks last month. However, the final design for the freestanding sign has been changed—see attached page. It is largely the same, except the entire panel will be illuminated—at the meeting the applicant explained that only the lettering would be illuminated. Staff believes the change requires Board review.

Existing conditions:



**REVIEW CRITERIA:**

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

**RECOMMENDATION:**

If the Board is agreeable, approve the modified freestanding sign as proposed.

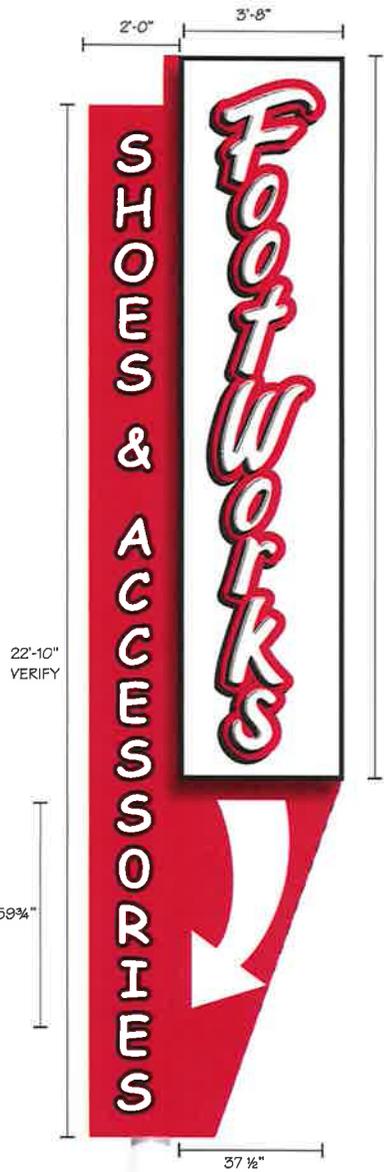


PHOTO RENDERING

**A** RECONDITION ONE EXISTING D/F POLE SIGN. FABRICATE AND INSTALL TWO(2) SINGLE FACED ILLUMINATED CABINETS, THRIFT -T FRAME EXTRUDED ALUMINUM CABINETS WITH 1 1/2" RETAINERS. PAINT FINISH BLACK, WHITE POLYCARBONATE FACES WITH APPLIED VINYL FILM GRAPHICS, 3630-33 RED & 3630-22 BLACK ON COPY, INTERIOR SLOAN WHITE LED ILLUMINATION, INSTALL DIBOND OVERLAY PANELS, RED DIBOND WITH APPLIED 7725-10 WHITE & 7725-12 BLACK VINYL COPY, WHITE VINYL ARROWS. REPAINT REMAINING EXPOSED AREAS OF SIGN BLACK.

<b>DESIGN</b>	<input type="checkbox"/> As Designed
<i>Approved in Production</i>	<input type="checkbox"/> With Changes
Date: _____	
By: _____	
DATE: ____/____/____	



SINGLE FACED NON-ILLUMINATED BUILDING SIGN SCALE 1/2" = 1'-0"

**B** MANUFACTURE AND INSTALL ONE S/F BUILDING SIGN, WHITE DIBOND COMPOSITE PANEL BACKGROUND CUT INTO A FREEFORM SHAPE. APPLIED PRINTED VINYL WITH UV COATING GRAPHICS. MOUNT PANELS FLUSH TO BRICK WALL CENTERED IN AREA SHOWN IN PHOTO RENDERING.



PHOTO RENDERING



EXISTING SIGNS

This design is the property of Sign Products Inc. and all rights to its use or reproduction are reserved.

DESIGNER TP  
 SHEET # 1 OF 1

DESIGN # 19161-19  
 SALES MIKE N.

DATE 04-25-19  
 SCALE SHOWN

CLIENT FOOTWORKS  
 CODY, WY

SIGN PRODUCTS, INC.  
 1425 MONARD, BILLINGS, MT. 59104  
 Phone: (406) 248-2444 Fax: (406) 248-4444



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

<b>MEETING DATE:</b>	MAY 28, 2019	<b>TYPE OF ACTION NEEDED</b>	
<b>AGENDA ITEM:</b>		P&Z BOARD APPROVAL:	X
<b>SUBJECT:</b>	DOWNTOWN ARCHITECTURAL DISTRICT REVIEW: 1502 BECK AVE. SPR 2019-12	RECOMMENDATION TO COUNCIL:	
<b>PREPARED BY:</b>	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

**PROJECT DESCRIPTION:**

On June 12, 2018, the Planning and Zoning Board authorized an addition and landscaping plan concept for Mark Schneider's property at 1502 Beck Avenue. The rendering from that approval is shown below. Mr. Schneider has made some changes to his plans and added a pergola, but forgot that it needed review by the Board. Due to a neighbor complaint, Planning staff was made aware of the pergola and asked Mr. Schneider to apply, which he readily agreed to and did.



The original description of the landscaping that was presented to the Board (based on staff's understanding), was that, "the area around the building will be re-graded to remove dirt build up and provide positive slope away from the building. The area not covered by building and sidewalk will be re-landscaped, with grass and typical residential landscaping." That description is no longer reflected in the landscaping plan. The new plan is attached.





**REVIEW CRITERIA:**

The property is located within the General Business (D-2) zoning district.

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.*



Original look.

**STAFF COMMENTS:**

Architecture:

The property owner has utilized peeled logs where timber beams were indicated on the authorized plan. The pergola, which was not previously authorized, is also composed of peeled logs. The logs are not sealed at this point, as they need to dry and season first. The applicant plans to seal them as is to keep the natural color. The pergola meets applicable setbacks.

The Board will need to determine if the architecture of the pergola is architecturally compatible with the General Business (D-2) zoning district. Staff does not appreciate these after the fact reviews, as any significant change would involve reconstruction. Ideally, it would likely look better if the slope of the pergola were different—either matched the main building or sloped to the south. Other color options may help it and the woodwork on the front blend in better with the main building, which could be accomplished with staining, such as was depicted in the rendering for the front addition that was approved.

Landscaping:

The landscaping plan is attached. It is a dryscape style plan, utilizing river rock with aspen trees and different varieties of sagebrush. An area northeast of the house would have dryland grasses and sagebrush.

As the trees are proposed to be planted in the street right-of-way they are subject to the City street tree ordinance which has minimum separation requirements from utilities and the curb based on tree size. The minimum separations that apply for medium-sized trees (up to 40 feet mature height), would be five feet from utility lines and three feet from the curb. There are two utility lines, a streetlight electric line and a raw water line that are shown on the map as within the park strip where the trees are proposed. If separation cannot be met, the applicant can use shrubs instead.

Staff is concerned with the use of aspen trees due to their root spread, since it could easily damage the curb and gutter and sidewalk. Since it is City property, Public Works is requesting a different type of tree. Online research found statements like the following about aspens. "*Warning: Do not plant these trees near buildings, driveways and sidewalks because they produce large roots near the surface of the ground. The roots will invade any crack or flaw in foundations and cement structures as the tree grows. Keep the tree at least 30 feet from structures that might be damaged by the roots.*" (SF Gate article); "*Aspen trees are short-lived trees, as expected from their role in forest ecology. In the urban landscape, even properly cared-for aspen may not reach 20 years.*" (ThoughtCo.com); "*Remember that aspens are very sensitive to many environmental problems and are host to more than five hundred species of parasites, herbivores, diseases, and other harmful agents. Aspen has been a disappointment to many when planted in the landscape.*" (ThoughtCo.com, 4/2/17, Aspen Tree - The Most Common Broadleaf Tree in Western North American)

Landscaping within the right-of-way requires an encroachment permit from Public Works. Verification of the separation requirements being met can be addressed through that process—based on the verified line locations. If trees do fit, note that they cannot be closer than 30 feet from the street corner—the north tree would need shifted south slightly.

#### Parking:

The existing parking to the south of the building is not affected by this project.

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

There are no specified zoning setbacks or height limits for the D-2 zoning district. No buffers are required for this proposal.

#### Utility Services

No changes to the utility services are needed.

#### Signage

There is an existing unpermitted sign. The applicant indicates that it will be removed.

#### **ATTACHMENTS:**

Site/landscaping plan.

**ALTERNATIVES:**

Approve or deny the project with or without changes.

**RECOMMENDATION:**

If the Board determines that the architectural changes are compatible with the General Business (D-2) zone, grant zoning approval for the project, subject to the following conditions:

- 1) Obtain an encroachment permit for the work within the right-of-way and ensure that any trees comply with the location/separation requirements of the City Code for street trees. If trees are not possible, install shrubs in their place. Aspen trees are not authorized unless a cultured variety is used that does not have the root spread problems (wild aspen spread prolifically, but staff believes that there may be a cultured variety available that has a fairly limited root spread).
- 2) Obtain a building permit for the pergola. (It was not part of the permit that was issued.)
- 3) Any architectural or landscaping changes required by the Board.

DESIGN CONCEPT  
1502 Beck Avenue – Cody WY  
May 18, 2019

The property at 1502 Beck Avenue is for many reasons, interesting. It was originally a residential home that was not actually “built” in Cody. According to conversations with the long-time, very knowledgeable county appraiser, the structure was initially moved from another location outside of Cody to the foundation made for it at 1502 Beck Avenue in the early 1900’s.

It was a residence for many years until converted into a commercial real estate office. Until that office was closed in the 2000’s. We purchased it in July 2017.

At some point, this property was included in a section of properties zoned to commercial and further given a designation of Historical Business District. It can see how this creates some unique challenges in approving projects in this area. The 15<sup>th</sup> & Beck area was re-zoned commercial presumably because the area was “transitioning” to commercial uses, especially the 16<sup>th</sup> & Beck corner, from what had been almost entirely residential and in fact is still heavily residential. Since the area was residential and is still heavily residential it is difficult to envision what designs would be historically consistent since there really is no “history” of business structures in this area. So, presumably, one looks at the history of buildings in the historically downtown business districts of Cody for guidance but then must fit these historical concepts into a residential area transitioning to commercial. During this process there are sure to be people who have lived in the area for years who will oppose the “commercialization” of their historically residential neighborhood. What type of structures could possibly fit into this transition and please everyone? I do not presume to know the answer to that question. All I can do is explain to you the concepts behind our design of transitioning 1502 Beck Avenue from a residence to a commercial property.

We purchased 1502 because of its prominent corner location, the historical presence of three structures and the importance of tourism and tourists to the economy of Cody.

When thinking about Cody Wyoming history the words that come to mind are Western, Rugged, Native, Rocky, Real. When thinking of Successful business themes, we think words like Modern, Edgy, Functional, but yet western.

We envision the main home structure to always be residential in use. The business nature of this residential use could very easily be transitioned into a vacation rental which we may do. It was important to us to retain the architectural look of the original structure but at the same time making it stand out as a striking building that drew people’s attention. We retained the “board and bat” siding look. We used a red steel siding with a board and bat profile. The shade of red was designed to “brighten up” the original red cedar color then was tempered by making the horizontal “boards” a dark gray steel material. We retained the original roof style and lines but dressed it up by using galvalume steel. Galvalume is a shade of silver/gray but in some light looks almost white, kind of like the composition singles that were a white/gray color. However, we wanted to bring a bit more “Buffalo Bill Cody” western look to the house that also softened the all steel exterior, so we made the front porch

railing, posts and beams in rustic knotty pine logs. To further soften the steel look, we wanted to continue the rustic knotty pine theme to the south side of the house. There we made the railings for the handicapped ramp knotty pine rails and balusters and covered the south concrete patio with a pergola made of knotty pine logs. To add striking, attention grabbing quality we thought a commercial property should have by varying the heights and slopes of the pergola sharply slanted shed style roof. The patio on the south end of the house gets too much direct sun in the summer afternoons to sit on and enjoy the patio. Also, the proximity to the public sidewalk and the closeness to 15<sup>th</sup> street demanded something to gain some privacy, so folks could sit on and enjoy that patio.

The pergola is a look gaining much popularity across the country. In Cody the residence former in home business structure at 1302 Alger has a striking pergola with privacy slats along the east side much like 1502 Beck has on the west side. 1302 Alger pergola is very modern in design, but we wanted 1502 Beck to retain more of the rugged western look, so we did the 1502 ergola in knotty pine. 1302 Alger is about a block south of the historical business district. Within the historical district on the east side of 12<sup>th</sup> between Sheridan and Beck is a commercial building with a second story residential home with a pergola type structure very strikingly visible from the street and historic Irma Hotel across the street. Just south of this building at 12<sup>th</sup> & Beck is another historically significant commercial building with a second story home featuring two pergolas, one on the north side and another on the south side. This home appears to also feature steel siding somewhat like 1502 Beck.

To further transition this property into a commercial property the plan is to raze and rebuild the remaining two structures into vacation rentals and/or fully code compliant commercial offices. We will likely continue the knotty pine log theme buildings but highlight that theme with dramatic steel sharply slanted shed roof styles that are stylish and attention grabbing that kind of flip the pergola sharply slanted shed roof design which is made with knotty pine to sharply slanted shed roofs made of galvalume.

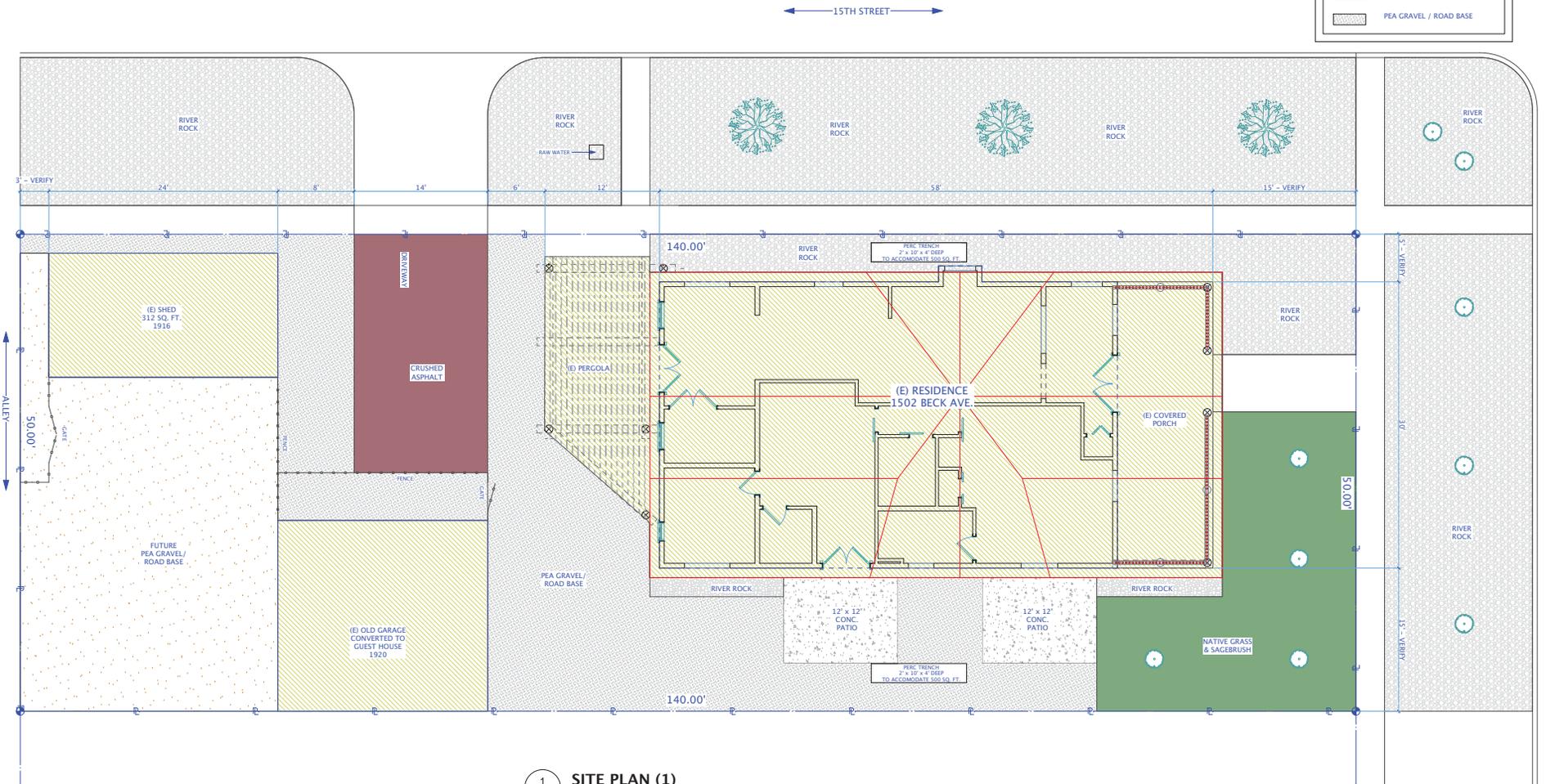
We want to continue the gradual transition to Wyoming residential/commercial look by doing the landscaping to more accurately reflect the landscape to the high desert that characterizes Wyoming. Like several other residential and commercial properties in Cody we want to go with Wyoming river rock and a mixture of crushed asphalt, native grass, wild-flowers and Aspen trees. While we will install an irrigation system it will not be used to water “lawn grass” that is not native Wyoming and that will only thrive because Cody has a very generous raw water system and requires constant energy inefficient mowing. We will put river rock between the sidewalk and curb along the west side and north front along with three aspen trees on that west side to add color and some barrier from 15<sup>th</sup> street and a few sages mixed in along that north front. The required leach trenches on the east and west sides of the house will be complimented by river rock to further enhance the drainage away from the house foundation. The north front and NE corner will be native grass and wildflowers with sage mixed in. The drive area on the south back side accessed by the existing curb cut will be compacted crushed asphalt to further enhance drainage while the southeast corner and east and south of the pergola will be minus ¾” rock base / pea gravel mixture.

I want to sincerely apologize to the P & Z board for “jumping the gun” on the pergola when I was alerted by Todd that a neighbor’s comments had alerted him that after the pergola had been constructed and

approved by city building inspection that it had not been formally approved by the P& Z board. I take full responsibility of this oversight on my part. This has been one of the longest projects for its size I have ever been involved in with two appearances before the P&Z board separated by a year and traveling constantly between my offices and business interests in Estes Park, Lawrence, KS and Tucson Arizona and a hip replacement in Cody during the pergola construction – I guess I lost track of where I was with the historical business district approval process. For that, I am truly sorry. I can assure you that going forward I will be much more diligent in securing proper approvals for the completion of this project and other projects I have in mind for Cody, WY.

Mark A. Schneider  
1502 Beck Ave.  
Cody, WY 82414  
785-249-2212  
[Mark@PlanLLC.org](mailto:Mark@PlanLLC.org)

	SAGE BRUSH
	ASPEN TREE
	RIVER ROCK
	NATIVE GRASS & SAGE BRUSH
	CONCRETE
	CRUSHED ASPHALT
	FUTURE PEA GRAVEL / ROAD BASE
	FENCE
	EXISTING STRUCTURE
	PEA GRAVEL / ROAD BASE



**1 SITE PLAN (1)**  
SCALE: 1" = 5'



**PRECISION PLAN AND DESIGN INC.**

A CUSTOM PLAN SERVICE

930 12TH STREET  
CODY, WYOMING 82414

307.587.8327 | 307.273.5760

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MEMBER ILSA No. 1271

PROJECT LOCATION  
CODY, WY

**SCHNEIDER RESIDENCE**  
**MARK SCHNEIDER**  
1902 BECK AVENUE  
CODY, WYOMING 82414  
P: 307-549-1212  
@: mark@ppandd.com

**PRELIMINARY PLAN  
NOT FOR CONSTRUCTION**

**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: 05.24.2019  
REVISION: 1

PROJECT NO.  
**1457**

SHEET #  
**C1.0**  
SITE PLAN

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

<b>MEETING DATE:</b>	MAY 28, 2019	<b>TYPE OF ACTION NEEDED</b>	
<b>AGENDA ITEM:</b>		P&Z BOARD APPROVAL:	
<b>SUBJECT:</b>	OVERFIELD MINOR SUBDIVISION PRELIMINARY PLAT. SUB 2019-06	RECOMMENDATION TO COUNCIL:	X
<b>PREPARED BY:</b>	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

**PROJECT OVERVIEW**

Bill and Rita Overfield as the property owners, have submitted a preliminary plat application for a 5-lot subdivision of a 0.87-acre property pursuant to the infill subdivision option of City of Cody Code 11-8. The property is currently vacant and is located within the residential R-3 zoning district. All five lots would be developed with single-family dwellings (one each). The preliminary plat drawing is attached.



**SUBDIVISION REGULATIONS**

The infill subdivision option was adopted in January of 2018 as a template for situations where lots in existing developments have undeveloped or underutilized areas that can be developed with additional housing.

The infill standards are as follows, with staff comments provided.

**11-8-2: APPLICABILITY:**

- A. The property is 1.2 acres (52,272 square feet) or less in size (net lot area);  
*Comment: Met. Property is 0.87 acres.*
- B. The property is at least ... ten thousand (10,000) square feet (net) if zoned R-3; ...  
*Comment: Met.*
- C. The property is located in a residential zoning district and does not contain any non-conforming commercial or industrial uses. *Comment: Met.*
- D. The property has frontage on and access directly to/from a paved public street;  
*Comment: Met. 31<sup>st</sup> Street is a paved city street.*

E. The property will contain no more than five (5) lots, and no more than five (5) dwelling units (primary and accessory);

*Comment: Met. The size of Lot 5 (mislabeled as Lot 1, on west end) could accommodate two units, but the applicant is restricting it to one unit to comply with the limitation of 5 total dwelling units.*

F. The access route to any lot in the proposed subdivision is not more than three hundred fifty feet (350') in length, measured from the public street right-of-way to the middle of the turnaround;

*Comment: Met. Access route will be 210 feet in length.*

G. All lots will be served with public sewer, public water, and City electric power;

*Comment: As proposed.*

H. No sewer or water lines will be shared between lots - individual sewer and water service lines must be run to each lot.

*Comment: Individual water lines are shown. However, the plan shows a single sewer line acting as a main for all five lots. The infill regulations were developed for straight-forward situations, which would not involve extensions of public sewer and water mains and the accompanying engineering and WY DEQ review and approval. The infill template does not authorize the use of private sewer mains. In addition, the use of the private sewer main would require a WY DEQ permit per their Policy 13.9.9, as it serves more than two buildings on separate lots, and therefore would need the necessary engineering, plan and profile drawings, and City authorization. Lastly, the sewer requirements in the subdivision ordinance lack any language that would indicate that sewer mains serving multiple lots can be private.*

*Admittedly, the City accepted the subdivision application and was willing to look into whether a private sewer main was an option, but after investigation, the only options are either to construct a public sewer main to City standards, or install individual services as outlined in the infill template. Installation of a sewer main (public or private) would disqualify the subdivision from the infill option, but the subdivision could still be reviewed under the traditional subdivision standards. This report is based on the use of individual sewer services being extended from the main in 31<sup>st</sup> Street. The applicant's surveyor has indicated that individual sewer services are apparently agreeable to the applicant.*

#### **11-8-4: RESIDENTIAL INFILL SUBDIVISION DESIGN STANDARDS:**

The following design standards shall apply to residential infill subdivisions. All applicable required improvements are the responsibility of the subdivider and shall be installed prior to issuance of a building permit for a dwelling within the subdivision, or within two

(2) years of final plat approval, whichever occurs first. If the subdivision is to be phased, it must be disclosed with the subdivision application, and improvements may be phased accordingly. The layout of all subdivision improvements shall be shown on the preliminary plat application drawings.

A. Access and Frontage Requirements: The following access standards have been developed in coordination with the Fire Marshal, and pursuant to the Fire Marshal's authority, when the following standards are met, they supersede any conflicting and more restrictive standards of Appendix D of the International Fire Code.

1. Lot Frontage: All lots shall be provided with frontage on a public street or private access easement, in accordance with the table in section 10-6-2 of this Code. Provided, when a turnaround is not required, the lot at the end of the private access easement (the lot furthest from the public street) need only have frontage on the access easement of the width required by subsection A3 of this section... *Comment: Met.*

2. Entrance Requirement: The physical connection of the subdivision access drive to the public street shall consist of a paved entrance/exit extending from the curb cut (face of curb, or edge of roadway pavement if no curb exists), to a point at least twenty five feet (25') from the public street, measured along the direction of travel. Asphalt thickness shall be at least three inches (3"), compacted depth.

*Comment: The paved entrance is depicted on the preliminary plat.*

3. Minimum Dimensions: Minimum dimensions of the access easement and the composition of the access drive shall be in accordance with the following table. Base course is one and one-fourth inch (1 1/4") minus with fines. Top course is five-eighths inch (5/8") minus with fines.

*Comment: The preliminary plat indicates the minimum dimensions required, but lacks details on the base and top course specifications. It is suggested that the application include a cross-section of the road with the relevant construction details.*

4. Access Drive: The cross-section design of the access drive shall be in accordance with the following diagram; provided the reviewing official may consider modifications to the layout...

*Comment: No cross-section is provided. The application indicates a 25-foot wide access easement with a 25-foot wide gravel access road. Only an 18-foot wide access road is required, and a few feet is needed for the drainage swale/infiltration trench and fence. The Board should require a cross section to note these details.*

5. Approach to Public Street: In areas that have curb and gutter along the property frontage, the approach to the public street shall be constructed to the City's alley standard, with curb, gutter, and ADA-compliant sidewalk.

*Comment: Not applicable—no curb and gutter on 31<sup>st</sup> Street.*

6. Access Drive Connection: If the access drive connects to a major collector or arterial, the City Engineer may require any existing approach to be removed and all access to occur from the common access drive.

*Comment: Access for all lots will be from the proposed access road.*

7. Property Frontage: If the property frontage has curb and gutter, but no sidewalk, the subdivider shall install sidewalk to City standards across the property frontage. If no curb and gutter exist along the property frontage, the property owner shall agree on behalf of the owners of the lots to participate proportionally in any future City project to improve the adjacent street to City standards, which agreement shall be noted on the plat and any document transferring ownership of the lots in the subdivision.

*Comment: 31<sup>st</sup> Street has no curb and gutter. Improvement district language will need to be noted on the final plat.*

8. Turnarounds: A turnaround and associated easement shall be provided at the end of the access drive if any of the following conditions will exist. The distances are measured from the edge of the public right-of-way.

*Comment: A turnaround is indicated as required.*

9. Turnaround Construction Options: ...

*Comment: The turnaround meets dimensional requirements, except that it appears to have only 15-foot radii where 20-foot radii are required.*

10: Turnouts: When required as identified in the table in subsection A3 of this section, a turnout shall be provided approximately mid-point along the access drive by widening the driving surface to a minimum of twenty feet (20')... Construction of the turnout shall be to the same specifications as the access drive.

*Comment: The access road as proposed will be at least 20 feet wide, so no additional turnout is required.*

B. Utility Requirements: ...

*Comment: There are several construction details relating to the utility requirements of this section that are not reflected in the application (e.g. individual sewer lines, cleanouts with concrete collars, tracer tape above lines, marking posts, curb stops at edge of 31<sup>st</sup> Street right-of-way). Rather than noting all of them here, it is sufficient to say that additional detail is needed to demonstrate that the construction requirements of this section will be applied.*

C. Stormwater/Drainage Requirements:

1. The area of the access easement shall be graded to manage stormwater within the subdivision, so that no net increase of runoff or creation of a concentrated discharge point occurs. The use of swales and/or infiltration trenches are recommended methods. The stormwater infiltration area is also intended to serve as snow storage area.

Minimum dimensions of infiltration trenches and swales, which extend the full length of the access drive are listed in the table below; provided, if the native soil has a high clay content (e.g., bentonite) or other low-permeability structure (e.g., hardpan), the applicant will need to coordinate stormwater management design options with an engineer.

Rock used in the infiltration trenches or to line the swale must be clean and of a single size so as to provide proper void capacity for the stormwater. A single size in the range of one and one-half inches (1<sup>1</sup>/<sub>2</sub>" ) to three inches (3") (non-crushed) is recommended.

Coffer dams must be installed along the swales/trenches as needed to prevent lateral flow of stormwater down the swale/trench - the swales/trenches must function as infiltration features, not water conveyance features. If infiltration trenches are used, they must be constructed per the design in the City's Stormwater Policy Manual.

*Comment: The application refers to a cross section, but none was submitted. There is a note that the road will be graded to the north. This will mean that the standard stormwater detail in the template will not be adequate due to the driveways into the lots preventing construction of much of the length of the swale, so a revised configuration/sizing will need to be presented.*

**D. Signage Requirements:** The following signs are to be installed by the subdivider. The size and mounting methods shall comply with the MUTCD Manual and/or appendix D of the International Fire Code.

1. Address numbers for the dwelling units on the rear lot(s) shall be posted at the intersection of the private access drive with the public road, in accordance with the standards of the Building Code (e.g., minimum 4-inch letter height, on contrasting background).

*Comment: Show location and design on plan.*

2. Install "No Parking/Fire Lane" sign(s) along the access drive, located and spaced as approved by the Fire Marshal.

*Comment: Two signs, one near the entrance and one in the turnaround will be sufficient.*

**E. Fencing Requirements:** Where the access drive is located adjacent to a neighboring residentially-zoned property, a minimum six foot (6') tall, solid fence shall be installed between the access drive and the neighboring property, except within fifteen feet (15') from the public street right-of-way. This requirement may be waived or reduced (e.g., partial fence, shorter fence, non-solid fence) by the reviewing official when the neighboring property owner requests such modification or waiver in writing.

*Comment: The application notes an existing 4-foot tall fence. The required 6-foot solid fence will need to be provided.*

### **11-8-5: OTHER REQUIREMENTS:**

- A. The number and location of all dwelling units, whether primary dwellings or accessory dwelling units, must be identified in the subdivision process and noted on the plat.  
*Comment: The applicant has identified that the subdivision is limited to five homes. A note will be needed on the final plat restricting all five lots to one dwelling unit each.*
- B. Either the lot, or the turnaround serving it, must be within six hundred feet (600') of a functional fire hydrant, measured as the fire hose would lay. If a new fire hydrant is required, engineering and installation is the responsibility of the subdivider and shall be coordinated with Public Works.  
*Comment: Met (approximately 440' from existing hydrant to back lot)*
- C. Maintenance agreements or covenants must be established to set forth the maintenance responsibilities for the private access drive tract/easement, including maintenance of the access drive, fence, and stormwater facility. The agreement must include establishment of a bank account and schedule of payment by the lot owners. The payment levels must be based on anticipated costs for regular recommended maintenance and repair activities, such as snow removal, regrading, weed control, signage, etc. The maintenance agreement/covenant must be recorded with the plat. The initial minimum payment and schedule shall be determined with the final plat process.  
*Comment: The maintenance agreement will need to be submitted for review with the final plat.*
- D. Enforcement of "No Parking" (e.g., towing) shall be by the homeowners, and authority for such included in the maintenance agreement or covenants for the subdivision.  
*Comment: Include in agreement submitted with final plat.*
- E. All lots shall utilize a cluster mailbox stand, as specified by the local Post Office, which mailbox and associated concrete pad shall be installed to USPS specifications by the subdivider.  
*Comment: The applicant will need to contact the Post Office to coordinate location and box specifications, and have Public Works okay the location as well. The location will need to be shown on the plans submitted with the final plat.*
- F. Garbage collection will occur on or next to the public street near the intersection with the access drive. The applicant will need to coordinate whether a dumpster or roll-outs are to be utilized. If a dumpster is to be utilized, the location, pad design, and any pedestrian bypass around the dumpster that may be needed shall be specified after consultation with Public Works.

*Comment: The applicant plans to utilize existing dumpsters on 31<sup>st</sup> Street. They may be shifted to the north to leave room for the mailbox.*

G. Gates or other features that would obstruct vehicle or pedestrian use of the access drive are prohibited. *Comment: None proposed.*

H. If the subdivision improvements are not installed prior to recording the final plat, the final plat shall include a note that states that no building permit shall be issued for a dwelling until all required subdivision improvements are completed.

*Comment: Noted.*

Irrigation: The application notes that the surface water rights have been detached from the property. Evidence that the transfer or abandonment has been completed or under contract to be completed needs to be submitted.

Section 11-5-1(J) of the subdivision ordinance requires all open canals and ditches to be piped or eliminated if possible. The McMillin Ditch crosses the west end of the property and the applicant is planning to have it piped as required. The piping should be noted on the plans. The work must be coordinated with the McMillin Ditch and Cody Canal Company.

Setbacks and Lot Dimensions: The lots meet applicable standards for lot size, width, and length-to-width ratio.

**RECOMMENDATION:**

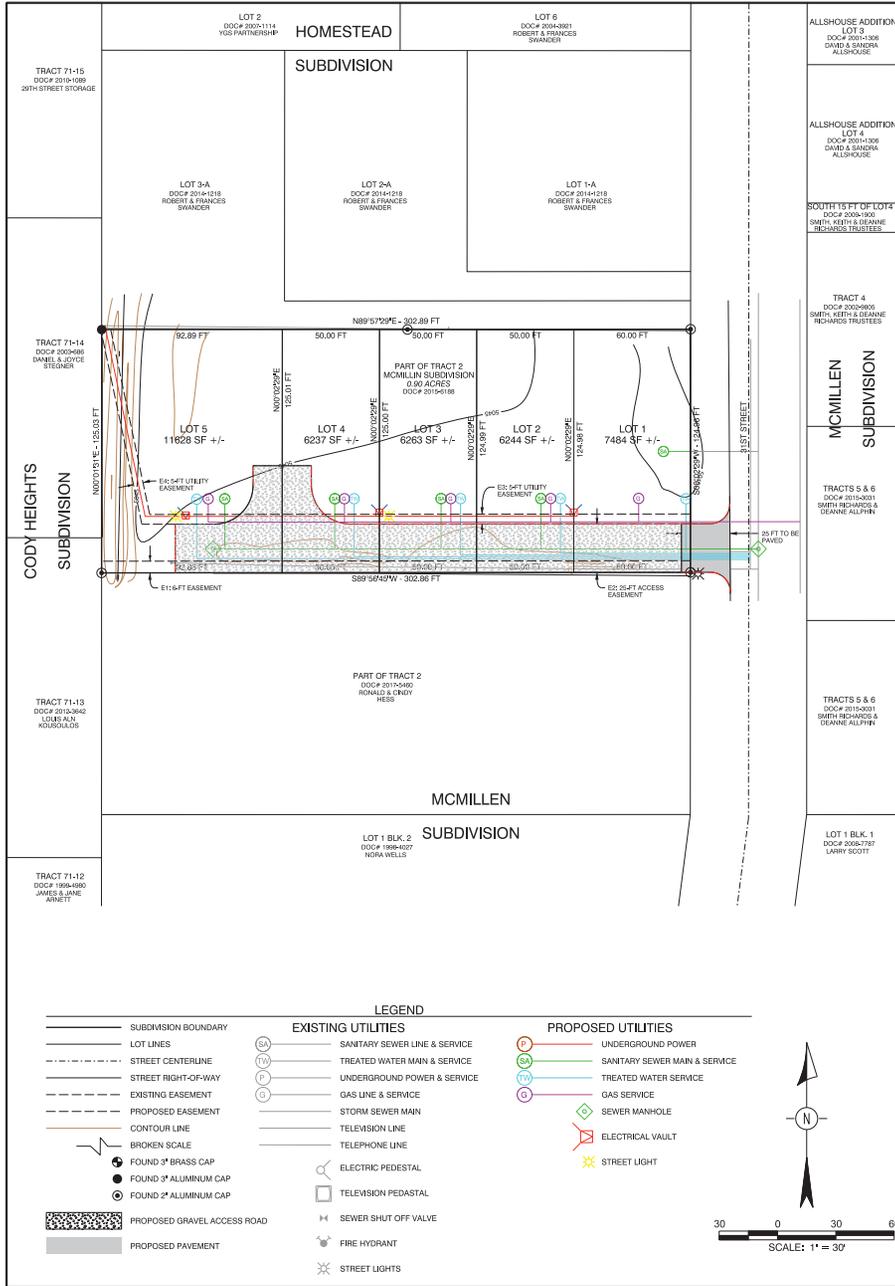
Recommend that City Council approve the preliminary plat for the William & Rita Overfield Minor Subdivision, subject to submittal of the final plat and construction drawings with the following additions/clarifications:

1. Include a note that the subdivision improvements were based on the property containing no more one dwelling unit per lot. Additional dwelling units would require additional subdivision improvements.
2. Include the improvement district language for 31<sup>st</sup> Street in the Owner's dedication on the final plat.
3. Provide a maintenance agreement or covenants to set forth the maintenance responsibilities for the private access drive, including maintenance of the access drive, fence, and stormwater facility. See 11-8-5(C).
4. Provide approval of the Cody Canal and McMillin Ditch Company for the plan to pipe the McMillin Ditch.
5. Submit verification that the transfer of water rights from the property has been completed, or that the agreements and documents are in place to complete the transfer.

6. Applicable utility fees will need to be paid before the final plat is recorded (water tap fees and electrical materials estimate).
7. Include all construction details found in 11-8-4 on the plans either by drawing or note. Also include the mailbox location approved by the Post Office. The plans must reflect individual sewer services connecting to the main in 31<sup>st</sup> Street, and provide 20-foot radii on the turnaround.
8. The final plat application must be submitted within one year and otherwise comply with provisions of the subdivision ordinance.

**ATTACHMENTS:**

Minor Subdivision Preliminary Plat



**ALLHOUSE ADDITION**  
 LOT 3  
 DOC# 2003-306  
 DAVE & SANDRA  
 ALLHOUSE

**ALLHOUSE ADDITION**  
 LOT 4  
 DOC# 2003-306  
 DAVE & SANDRA  
 ALLHOUSE

**SOUTH 15 FT OF LOTS**  
 SOUTH, KEITH & DEANNE  
 REICHARD TRUSTEES

**TRACT 4**  
 DOC# 2002-895  
 SMITH, KEITH & DEANNE  
 REICHARD TRUSTEES

**TRACTS 5 & 6**  
 DOC# 2010-3091  
 SMITH REICHARDS &  
 DEANNE ALLIANCE

**TRACTS 5 & 6**  
 DOC# 2010-3091  
 SMITH REICHARDS &  
 DEANNE ALLIANCE

**LOT 1 BLK. 1**  
 DOC# 2008-757  
 LARRY SCOTT

**SUBDIVISION NOTES**

- PROPOSED SITE USAGE IS RESIDENTIAL.
- EXISTING UTILITIES  
 CITY OF CODY  
 TREATED WATER: 6 FT DEPTH (APPROX.)  
 ELECTRICAL: OVERHEAD POWER ALONG NORTH AND WEST BOUNDARIES  
 SANITARY SEWER: 1 FT PVC, 10-11 FT DEPTH (APPROX.)  
 BLACK HILLS GAS LINES: 3 FT DEPTH (APPROX.)  
 TOT- EXISTING AT NORTHEAST CORNER OF PROPERTY  
 CODY CANAL - IRRIGATION DITCH ALONG WEST BOUNDARY
- WATER RIGHTS FOR THIS PROPERTY HAVE BEEN DETACHED.
- AVERAGE SITE ELEVATION IS 5045 FEET. COUNTOURS ARE SHOWN AT 1 FOOT INTERVALS.

**RESIDENTIAL INFILL SUBDIVISION STANDARDS**

**CITY ORDINANCE 11-8-2: APPLICABILITY**

- THE PROPERTY IS 0.90 ACRES.
- THE SUBDIVISION ZONING IS R-3, HAVING AN AREA GREATER THAN 10,000 S.F.
- NON-CONFORMING USES WERE NOT OBSERVED.
- THE SUBDIVISION HAS DIRECT FRONTAGE AND ACCESS TO 31ST STREET (PAVED).
- THE PROPOSED SUBDIVISION IS FIVE LOTS, FOR SINGLE FAMILY RESIDENTIAL USE.
- THE FRONT 25 FEET OF THE ACCESS EASEMENT IS TO BE PAVED (3-IN. COMPACTED).
- ALL LOTS WILL BE SERVED WITH PUBLIC SEWER, PUBLIC WATER, AND CITY ELECTRIC POWER.
- ALL FIVE LOTS WILL HAVE INDIVIDUAL TREATED WATER AND SEWER SERVICES

**CITY ORDINANCE 11-8-4-A: DESIGN STANDARDS**

- THE SUBDIVISION WILL HAVE A COMMON ACCESS EASEMENT SERVING THE FIVE LOTS WITHIN.
- THE FRONT 25 FEET OF THE ACCESS EASEMENT IS TO BE PAVED (3-IN. COMPACTED).

**DIMENSIONS:**

- ACCESS WIDTH: 25 FT
- DRIVING SURFACE: 25 FT
- TYPE/DEPTH: 6-IN GRAVEL, 2-IN (COMPACTED).

- NO TURNOUT PROPOSED AS EASEMENT WIDTH EXCEEDS REQUIREMENTS.
- ACCESS DRIVE WILL BE GRADED TO DRAIN TO THE NORTH.
- SUBDIVISION FRONTAGE DOES NOT HAVE CURB AND GUTTER
- CURB, GUTTER AND SIDEWALK ARE NOT PROPOSED AS PART OF THIS SUBDIVISION, AGREEMENT TO FUTURE IMPROVEMENTS WILL BE INCLUDED ON THE FINAL PLAT.
- A TURNAROUND AND ASSOCIATED EASEMENT IS PROPOSED AT THE END OF THE ACCESS DRIVE.
- A BOOT CONFIGURATION IS PROPOSED.
- MINIMUM TURNOUT DIMENSIONS ARE PROVIDED THROUGHOUT THE LENGTH OF THE ACCESS ROAD.

**CITY ORDINANCE 11-8-4-B: UTILITY REQUIREMENT**

- ALL LOTS ARE TO HAVE DOMESTIC WATER, CITY POWER, PUBLIC SEWER SERVICE AND CITY GAS.
- LOT 1 WILL USE EXISTING WATER AND SEWER STUDS.
- DOMESTIC WATER IS PROPOSED BY INDIVIDUAL SERVICES TO REMAINING LOTS.
- SEWER SERVICES ARE PROVIDED TO REMAINING LOTS AND WILL BE INTO PROPOSED MAIN.
- POWER AND GAS ARE TO BE PROVIDED THROUGH SHARED SERVICE LINES TO EACH LOT.

**CITY ORDINANCE 11-8-4-C: STORMWATER DRAINAGE REQUIREMENT**

- A DRAINAGE SWALE ON THE NORTH SIDE OF THE ACCESS ROAD IS PROPOSED TO ACCOMMODATE STORMWATER WITHIN THE SUBDIVISION.

**DIMENSIONS:**

- ACCESS WIDTH: 25 FT
- PROPOSED SWALE WIDTH: 3 FT

**CITY ORDINANCE 11-8-4-D: SIGNAGE REQUIREMENTS**

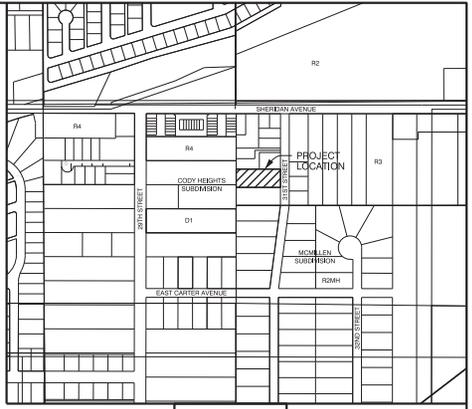
- REAR DWELLING UNIT ADDRESS TO BE POSTED AT THE INTERSECTION OF THE ACCESS DRIVE WITH 31ST STREET.
- NO PARKING/FIRE LANE SIGNS TO BE INSTALLED ALONG THE ACCESS DRIVE.
- TURNOUTING PARKING SIGN TO BE INSTALLED MIDWAY ALONG ACCESS DRIVE
- A SHARE THE ROAD SIGN TO BE INSTALLED NEAR THE ENTRANCE OF THE SUBDIVISION.

**CITY ORDINANCE 11-8-4-E: FENCING**

EXISTING 4-FOOT FENCE BETWEEN ACCESS DRIVE AND ADJACENT PROPERTY .

**CITY ORDINANCE 11-8-5: OTHER REQUIREMENTS**

- THIS SUBDIVISION IS PROPOSED TO HAVE 5 SINGLE FAMILY RESIDENTIAL HOMES.
- LOT 5 IS WITHIN 500-FEET +/- OF THE FIRE HYDRANT LOCATED ON THE WEST SIDE OF 31ST STREET SOUTH OF THE SUBDIVISION.
- ALL LOT OWNERS WILL BE SUBJECT TO A MAINTENANCE AGREEMENT.
- THE SUBDIVISION HOMEOWNERS WILL ENFORCE NO PARKING REQUIREMENTS
- A CLUSTER MAILBOX FOR THE SUBDIVISION LOTS SHALL BE INSTALLED AT THE ENTRANCE OF THE ACCESS DRIVE.
- GARBAGE COLLECTION IS LOCATED AT THE SOUTHEAST CORNER OF THE SUBDIVISION.
- NO GATES ARE PROPOSED AS PART OF THIS SUBDIVISION.



**SURVEY NOTES**

- BEARING BASE: BEARINGS SHOWN ON THIS PLAT ARE GEODETIC BASED ON THE WYOMING STATE PLANE COORDINATE SYSTEM, NAD83(2011), WYOMING WEST CENTRAL ZONE.
- GRID DISTANCES HAVE BEEN SCALED ACCORDING TO THE CITY OF CODY DATUM; 1:CSF = 1,0002978.
- ALL SURVEY WORK WAS COMPLETED TO AN ACCURACY OF 1:15,000.
- TOTAL SUBDIVISION AREA IS 0.90 ACRES.

**CERTIFICATE OF SURVEYOR**

I, BRETT J. FARMER, A DULY REGISTERED LAND SURVEYOR IN THE STATE OF WYOMING, DO HEREBY STATE AS FOLLOWS:  
 THAT THE LANDS SHOWN HEREON WERE SURVEYED BY ME OR UNDER MY DIRECT SUPERVISION; THAT THIS IS A PRELIMINARY PLAT SHOWING THE PROPOSED SUBDIVISION OF LANDS DESCRIBED IN DOC# 2015-6188 IN THE OFFICE OF THE PARK COUNTY CLERK; THAT THE SUBDIVISION IS LOCATED WITHIN TRACT 2 OF THE MCMILLEN SUBDIVISION AS RECORDED IN PLAT CABINET C, PAGE 130, ON FILE IN THE OFFICE OF THE PARK COUNTY CLERK, TRACT 70, RESURVEY T.53N., R.101W., CITY OF CODY, PARK COUNTY, WYOMING.

**DESCRIPTION OF LANDS**

A PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 THOSE LANDS DESCRIBED IN DOC# 2015-6188 BEING THE NORTH 125 FT OF THE SOUTH 250 FT WITHIN TRACT 2 OF THE MCMILLEN SUBDIVISION AS RECORDED IN PLAT CABINET C, PAGE 130, ON FILE IN THE OFFICE OF THE PARK COUNTY CLERK LOCATED TRACT 70, RESURVEY T.53N., R.101W., CITY OF CODY, PARK COUNTY, WYOMING.

**EASEMENT NOTES**

**EXISTING EASEMENTS:**  
 E1, 6-FOOT WIDE UTILITY EASEMENT ALONG THE SOUTH BOUNDARY OF THE SUBDIVISION, GRANTED WITH DOC# 2012-3843.

**PROPOSED EASEMENTS:**  
 E2, PROPOSED 25-FOOT WIDE ACCESS AND UTILITY EASEMENT ALONG THE SOUTH BOUNDARY OF THE SUBDIVISION.  
 E3, PROPOSED 5-FT WIDE UTILITY EASEMENT LYING, AS SHOWN HEREON

**PRELIMINARY PLAT**

**SUBDIVISION**

BEING A SUBDIVISION OF THE NORTH 125 FT OF THE SOUTH 250 FT OF TRACT 2 OF THE MCMILLEN SUBDIVISION  
 TRACT 70, RESURVEY T.53N., R.101W., 6TH P.M.,  
 CITY OF CODY, PARK COUNTY, WYOMING

**DEVELOPER / OWNER:**  
 WILLIAM & RITA OVERFIELD  
 P.O. BOX 313  
 CODY, WY 82414

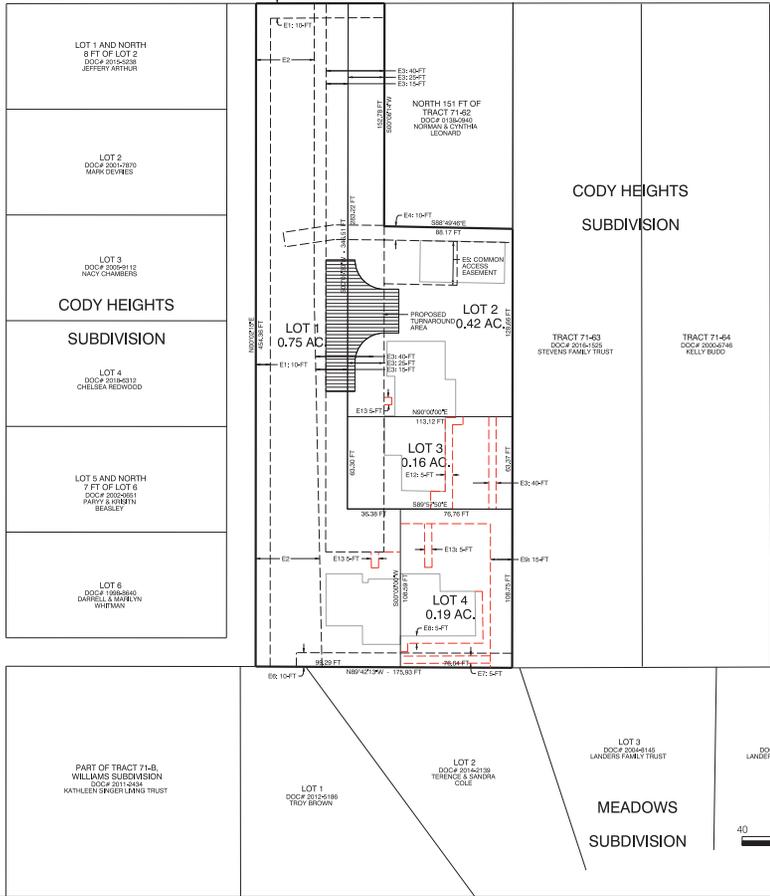
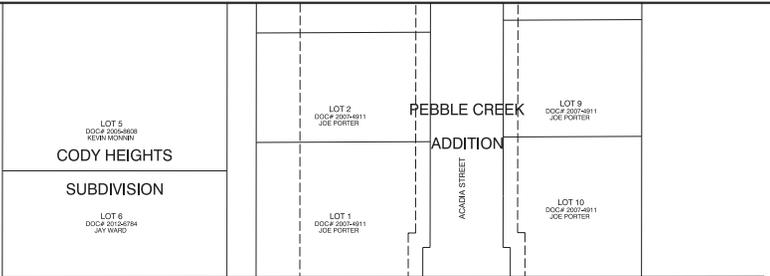
**SAGE CIVIL ENGINEERING AND SURVEYING**  
 3824 8th NORTH AVE.  
 CODY, WY 82414  
 307-527-8915

DOC# 2015-6188

APRIL 4, 2019  
 DRAWN BY: DM, SP

PROJECT # 2015-021  
 TRACT PLAT.DWG

FIELD SURVEY: MARCH 2018/APRIL 2019  
 BY: BTM



- GENERAL SUBDIVISION NOTES**
- EXISTING UTILITIES (REFER TO BLACKBURN P.U.D. RECORD DRAWINGS)
    - CITY OF CODY
    - TREATED WATER: 6 FT DEPTH (APPROX.)
    - ELECTRICAL: 36-48 IN DEPTH (APPROX.)
    - BLACKBURN P.U.D. I.O.A.
    - SEWAGE: 36-48 IN DEPTH (APPROX.)
    - ENERGY WEST - GAS: 48 IN DEPTH (APPROX.)
    - TOT. EXISTING WITHIN 10-FT EASEMENT ALONG EAST SIDE OF SUBDIVISION
    - CHARTER EXISTING WITHIN 10-FT EASEMENT ALONG EAST SIDE OF SUBDIVISION
    - CENTURY LINK EXISTING WITHIN 10-FT EASEMENT ALONG EAST SIDE OF SUBDIVISION
    - CODY CANAL - NOT IN THE AREA
    - NRW - NOT IN THE AREA
  - WATER RIGHTS FOR THIS PROPERTY HAVE BEEN DETACHED.
  - AVERAGE SITE ELEVATION IS 4905 FEET. COUNTOURS ARE SHOWN AT 1 FOOT INTERVALS. NO CHANGES ARE PROPOSED WITHIN THIS SUBDIVISION AT THIS TIME.

- RESIDENTIAL INFILL SUBDIVISION STANDARDS**
- CITY ORDINANCE 11-8-2: APPLICABILITY
- PARCEL AN IS 0.39 ACRES AND PARCEL BB IS 0.94 ACRES.
  - THE SUBDIVISION HAVING AN AREA GREATER THAN 16,000 S.F. (ALL ADJACENT ZONING IS R-2)
  - NON-CONFORMING USES WERE NOT OBSERVED;
  - THE SUBDIVISION HAS DIRECT FRONTAGE AND ACCESS TO CENTRAL AVENUE (PAVED).
  - THE PROPOSED SUBDIVISION IS FOUR LOTS, FOR SINGLE FAMILY RESIDENTIAL USE.
  - THE ACCESS ROUTE MEASURED FROM CITY STREET ROW TO MIDDLE OF TURNAROUND IS NO MORE THAN 210 FT.
  - ALL LOTS WILL BE SERVED WITH PUBLIC SEWER, PUBLIC WATER, AND CITY ELECTRIC POWER.
  - ALL FOUR LOTS WILL HAVE INDIVIDUAL TREATED WATER AND SEWER SERVICES.

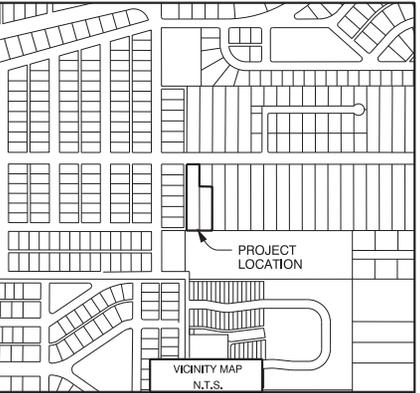
- CITY ORDINANCE 11-8-4: DESIGN STANDARDS
- THE SUBDIVISION WILL UTILIZE THE COMMON ACCESS EASEMENT PREVIOUSLY DEDICATED.
  - THE FRONT 25 FEET OF THE ACCESS EASEMENT IS TO BE PAVED (3-IN. COMPACTED).
  - ACCESS DIMENSIONS:
    - ACCESS WIDTH: EXISTING 40-FOOT WIDE. SEE EASEMENT NOTE E3.
    - DRIVING SURFACE: EXISTING DRIVE VARIES BETWEEN 19 FEET TO 25 FEET
    - TYPE/DEPTH: 6-IN GRAVEL, 3-IN COMPACTED.
    - TURNOUT AREA FALLS WITHIN EXISTING GRAVEL DRIVE WIDTH AND ACCESS EASEMENT.
    - NO CHANGES PROPOSED TO THE EXISTING GRAVEL DRIVE.
  - SUBDIVISION FRONTAGE DOES NOT HAVE CURB AND GUTTER.
  - ACCESS TO ALL LOTS IS PROVIDED THROUGH THE EXISTING COMMON ACCESS DRIVE.
  - CURB, GUTTER AND SIDEWALK ARE NOT PROPOSED AS PART OF THIS SUBDIVISION. LANGUAGE WILL BE ADDED TO THE FINAL PLAT AND DOCUMENTS TRANSFERRING OWNERSHIP OF THE LOTS AGREEING TO PARTICIPATE IN ANY FUTURE PROJECTS TO IMPROVE ADJACENT STREETS TO CITY STANDARDS.
  - A TURNAROUND AND ASSOCIATED EASEMENT IS PROPOSED AT THE END OF THE ACCESS DRIVE.
  - A BOOT CONFIGURATION IS PROPOSED ACCORDING TO THIS SECTION.
  - THE EXTRA TURNOUT WIDTH FALLS WITHIN THE EXISTING GRAVEL DRIVE WIDTH TO THE NORTH OF THE EXISTING BUILDING WITHIN LOT 2 (APPROXIMATE 1/4 MILE OF THE COMMON DRIVEWAY).

- CITY ORDINANCE 11-8-4-3: UTILITY REQUIREMENT
- ALL LOTS HAVE EXISTING DOMESTIC WATER, CITY POWER AND PUBLIC SEWER SERVICE.
  - POWER, GAS AND COMMUNICATIONS ARE PROVIDED THROUGH SHARED SERVICE LINES TO EACH LOT.
  - EXISTING DOMESTIC WATER IS PROVIDED BY INDIVIDUAL SERVICE TO EACH LOT. AN ADDITIONAL SEWER SERVICE WILL BE ADDED FROM EACH BUILDING TO THE SEWER MAIN.

- CITY ORDINANCE 11-8-4-2: STORMWATER DRAINAGE REQUIREMENT
- NO ADDITIONS OR CHANGES TO THE EXISTING DRAINAGE ARE PROPOSED.
- CITY ORDINANCE 11-8-4-2: SIGNAGE REQUIREMENTS
- REAR DWELLING UNIT ADDRESS ARE POSTED AT THE INTERSECTION OF THE ACCESS DRIVE WITH CENTRAL AVENUE. LOT ADDRESSES ARE LOCATED ON INDIVIDUAL MAILBOXES WITH VARYING LETTER HEIGHTS (0.75" TO 1.25").
  - NO PARKING/FIRE LANE SIGNS TO BE INSTALLED ALONG THE ACCESS DRIVE.
  - TURNAROUND AREA PROPOSED MIDWAY ALONG ACCESS DRIVE.
  - A SHARE THE ROAD SIGN TO BE INSTALLED NEAR THE ENTRANCE OF THE SUBDIVISION.

- CITY ORDINANCE 11-8-4-2: FENCING
- EXISTING WOOD FENCE BETWEEN ACCESS DRIVE AND ADJACENT PROPERTY.
- CITY ORDINANCE 11-8-2: OTHER REQUIREMENTS
- THIS SUBDIVISION CONTAINS FOUR INDIVIDUAL DWELLING UNITS (TWO DUPLEXES) AND AN ACCESSORY GARAGE.
  - LOT 4 IS WITHIN 460 FEET OF THE FIREHYDRANT LOCATED ON THE NORTH SIDE OF CENTRAL AVENUE DIRECTLY NORTH OF THE SUBDIVISION.
  - ALL LOT OWNERS WILL BE SUBJECT TO A MAINTENANCE AGREEMENT
  - THE SUBDIVISION HOMEOWNERS WILL ENFORCE NO PARKING REQUIREMENTS
  - INDIVIDUAL MAILBOXES FOR SUBDIVISION LOTS EXISTS AT THE WEST ENTRANCE TO THE SUBDIVISION.
  - GARAGE COLLECTION IS LOCATED SOUTH OF CENTRAL AVENUE, EAST OF THE ACCESS DRIVE.
  - NO GATES ARE PROPOSED AS PART OF THIS SUBDIVISION.

- EASEMENT NOTES**
- EXISTING EASEMENTS:
- 10-FOOT UTILITY EASEMENT DEDICATED ON THE BOUNDARY ADJUSTMENT FILED IN PLAT CABINET K, PAGE 37.
  - CODY CANAL IRRIGATION DISTRICT EASEMENT EVIDENCED IN BOOK 2, PAGE 77.
  - 40-FOOT WIDE ACCESS AND UTILITY EASEMENT DEDICATED ON THE BOUNDARY ADJUSTMENT FILED IN PLAT CABINET H, PAGE 80 AND THE EXTENSION THEREOF DEDICATED ON THE BOUNDARY ADJUSTMENT FILED IN PLAT CABINET K, PAGE 37.
  - 10-FOOT WIDE IRRIGATION EASEMENT DEDICATED TO THE CITY OF CODY HEIGHTS WATER ASSOCIATION ON THE BOUNDARY ADJUSTMENT FILED IN PLAT CABINET H, PAGE 80.
  - 25-FOOT X 25-FOOT COMMON ACCESS EASEMENT DEDICATED ON THE BOUNDARY ADJUSTMENT FILED IN PLAT CABINET K, PAGE 37.
  - 10-FOOT IRRIGATION EASEMENT DEDICATED TO THE CODY HEIGHTS WATER ASSOCIATION ON THE BOUNDARY ADJUSTMENT FILED IN PLAT CABINET H, PAGE 80.
- PROPOSED EASEMENTS:
- 5-FOOT UTILITY EASEMENT LOCATED WITHIN LOT 4, SERVING UNDERGROUND GAS TO LOT 1.
  - 5-FOOT UTILITY EASEMENT LOCATED WITHIN LOT 4, SERVING UNDERGROUND POWER TO LOT 1.
  - AN ACCESS AND UTILITY EASEMENT BEING THE EAST 15-FOOT OF LOT 4.
  - AN ACCESS AND UTILITY EASEMENT BEING THE NORTH 10-FOOT OF LOT 4.
  - 5-FOOT UNDERGROUND GAS EASEMENT LOCATED WITHIN LOT 3, SERVING LOT 2.
  - 5-FOOT UNDERGROUND POWER EASEMENT LOCATED WITHIN LOT 3, SERVING LOT 2.
  - 5-FOOT ACCESS AND WATERLINE EASEMENT TO THE CITY OF CODY.



**DESCRIPTION OF LANDS**

THOSE LANDS DESCRIBED IN DOC# 2009-0994 BEING PARCEL AA AND PARCEL BB ACCORDING TO THE BOUNDARY ADJUSTMENT RECORD OF SURVEY FILED IN PLAT CABINET K, PAGE 37 ON FILE IN THE OFFICE OF THE PARK COUNTY CLERK, WITHIN TRACT 71-61 AND TRACT 71-62 OF THE CODY HEIGHTS SUBDIVISION, WITHIN TRACT 71, RESURVEY T.53N., R.101W., 6TH P.M., CITY OF CODY, PARK COUNTY, WYOMING.

- SURVEY NOTES**
- BEARING BASE: BEARINGS SHOWN ON THIS PLAT ARE GEODETIC BASED ON THE WYOMING STATE PLANE COORDINATE SYSTEM, NAD83(2011), WYOMING WEST CENTRAL ZONE.
  - GRID DISTANCES HAVE BEEN SCALED ACCORDING TO THE CITY OF CODY DATUM: 1/CSF = 1,000,2978.
  - ALL SURVEY WORK WAS COMPLETED TO AN ACCURACY OF 1:15,000.

**CERTIFICATE OF SURVEYOR**

I, BRETT J. FARMER, A DULY REGISTERED LAND SURVEYOR IN THE STATE OF WYOMING, DO HEREBY STATE AS FOLLOWS:

THAT THE LANDS SHOWN HEREON WERE SURVEYED BY ME OR UNDER MY DIRECT SUPERVISION; THAT THIS IS A PRELIMINARY PLAT SHOWING THE PROPOSED SUBDIVISION OF LANDS DESCRIBED IN DOC# 2009-0994 IN THE OFFICE OF THE PARK COUNTY CLERK; THAT THE SURVEYORS LOCATED WITHIN PARCEL AA AND PARCEL BB ACCORDING TO THE BOUNDARY ADJUSTMENT RECORD OF SURVEY FILED IN PLAT CABINET K, PAGE 37 ON FILE IN THE OFFICE OF THE PARK COUNTY CLERK, WITHIN TRACT 71-61 AND TRACT 71-62 OF THE CODY HEIGHTS SUBDIVISION, WITHIN TRACT 71, RESURVEY T.53N., R.101W., 6TH P.M., PARK COUNTY WYOMING

**PRELIMINARY PLAT** SHEET 1/2

**MINOR SUBDIVISION**

BEING A DIVISION OF PARCEL AA AND PARCEL BB OF THE CODY HEIGHTS SUBDIVISION

TRACT 71-61 AND TRACT 71-62, RESURVEY T.53N., R.101W., 6TH P.M., CITY OF CODY, PARK COUNTY, WYOMING

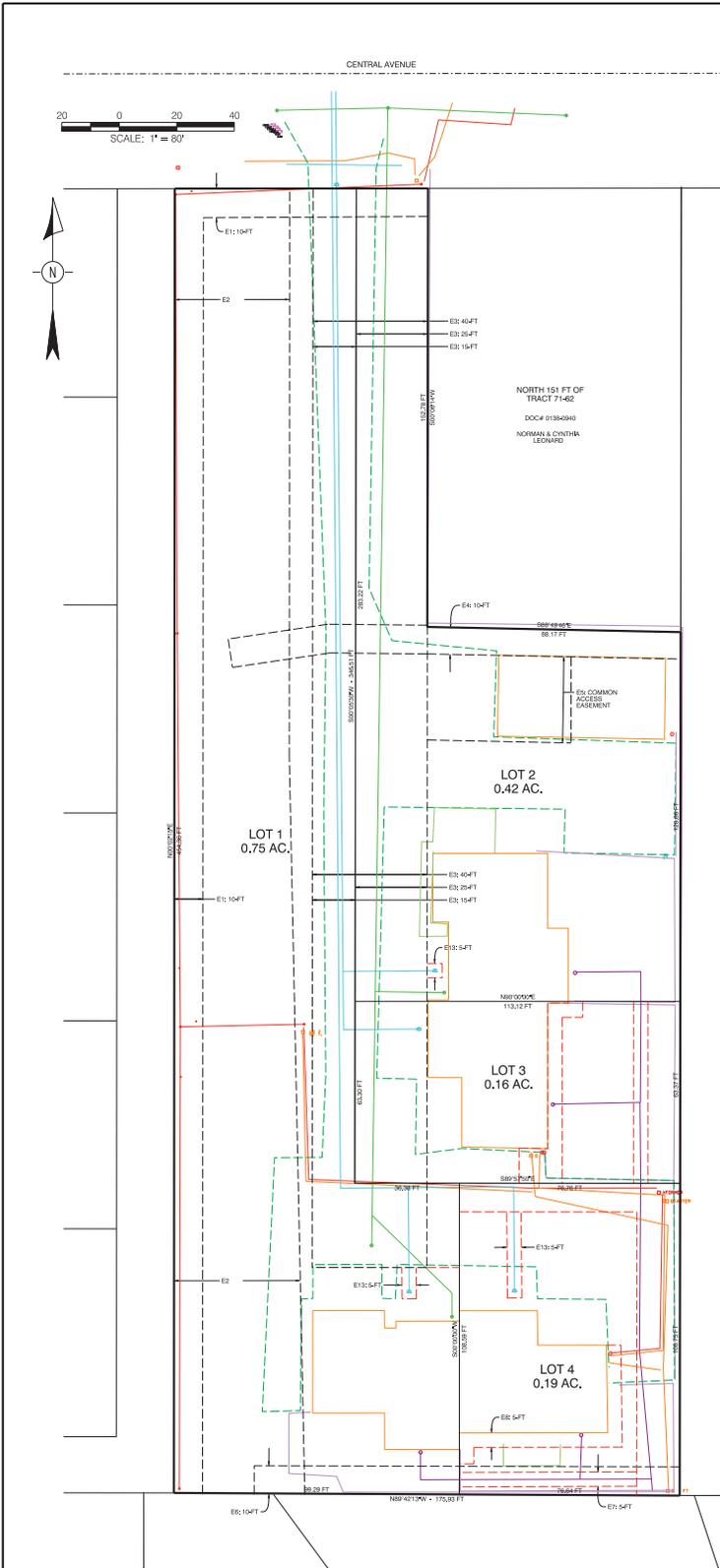
**DEVELOPER / OWNER:**

WHATS LEFT, LLC  
732 STONE STREET  
CODY, WY 82414

**DOC# 2009-9694**

**SAGE CIVIL ENGINEERING AND SURVEYING**

3824 8th NORTH AVE.  
CODY, WY 82414  
307-527-8915



NORTH 151 FT OF TRACT 71-62  
 DOC# 0138-0960  
 NORMAN & CONYIA LEONARD

**RESIDENTIAL INFILL SUBDIVISION STANDARDS**

- CITY ORDINANCE 11-3-2: APPLICABILITY**
- PARCEL AA IS 0.39 ACRES AND PARCEL BB IS 0.8 ACRES.
  - THE SUBDIVISION HAVING AN AREA GREATER THAN 16,000 S.F. (ALL ADJACENT ZONING IS R-2)
  - NONCONFORMING USES WERE NOT OBSERVED.
  - THE SUBDIVISION HAS DIRECT FRONTAGE AND ACCESS TO CENTRAL AVENUE (PAVED).
  - THE PROPOSED SUBDIVISION IS FOUR LOTS FOR SINGLE FAMILY RESIDENTIAL USE.
  - THE ACCESS ROUTE MEASURED FROM CITY STREET ROW TO MIDDLE OF TURNAROUND IS NO MORE THAN 210 FT.
  - ALL LOTS WILL BE SERVED WITH PUBLIC SEWER, PUBLIC WATER, AND CITY ELECTRIC POWER.
  - ALL FOUR LOTS WILL HAVE INDIVIDUAL TREATED WATER AND SEWER SERVICES.

- CITY ORDINANCE 11-3-4-A: DESIGN STANDARDS**
- THE SUBDIVISION WILL UTILIZE THE COMMON ACCESS EASEMENT PREVIOUSLY DEDICATED.
  - THE FRONT 25 FEET OF THE ACCESS EASEMENT IS TO BE PAVED (5-IN. COMPACTED).
  - ACCESS DIMENSIONS:
    - ACCESS WIDTH: EXISTING 40-FOOT WIDE. SEE EASEMENT NOTE E3.
    - DRIVING SURFACE: EXISTING DRIVE VARIES BETWEEN 18 FEET TO 25 FEET
    - TYPE: DEPTH: 5-IN GRAVEL, 5-IN. (COMPACTED)
    - TURNOUT AREA FALLS WITHIN EXISTING GRAVEL DRIVE WIDTH AND ACCESS EASEMENT.
    - NO CHANGES PROPOSED TO THE EXISTING GRAVEL DRIVE.
  - SUBDIVISION FRONTAGE DOES NOT HAVE CURB AND GUTTER
  - ACCESS TO ALL LOTS IS PROVIDED THROUGH THE EXISTING COMMON ACCESS DRIVE.
  - CURB, GUTTER AND SEWALK ARE NOT PROPOSED AS PART OF THIS SUBDIVISION. LANGUAGE WILL BE ADDED TO THE FINAL PLAT AND DOCUMENTS TRANSFERRING OWNERSHIP OF THE LOTS AGREEING TO PARTICIPATE IN ANY FUTURE PROJECTS TO IMPROVE ADJACENT STREETS TO CITY STANDARDS.
  - A TURNAROUND AND ASSOCIATED EASEMENT IS PROPOSED AT THE END OF THE ACCESS DRIVE.
  - A BOOT CONFIGURATION IS PROPOSED ACCORDING TO THIS SECTION.
  - THE EXTRA TURNOUT WIDTH FALLS WITHIN THE EXISTING GRAVEL DRIVE WIDTH TO THE NORTH OF THE EXISTING BUILDING WITHIN LOT 2 (APPROXIMATE MIPONT OF THE COMMON DRIVEWAY).

- CITY ORDINANCE 11-3-4-B: UTILITY REQUIREMENT**
- ALL LOTS HAVE EXISTING DOMESTIC WATER, CITY POWER AND PUBLIC SEWER SERVICE.
  - POWER, GAS AND COMMUNICATIONS ARE PROVIDED THROUGH SHARED SERVICE LINES TO EACH LOT.
  - EXISTING DOMESTIC WATER IS PROVIDED BY INDIVIDUAL SERVICE TO EACH LOT. AN ADDITIONAL SERVICE WILL BE ADDED FROM EACH BUILDING TO THE SEWER MAIN.

- CITY ORDINANCE 11-3-4-C: STORMWATER/DRAINAGE REQUIREMENT**
- NO ADDITIONS OR CHANGES TO THE EXISTING DRAINAGE ARE PROPOSED.

- CITY ORDINANCE 11-3-4-D: SIGNAGE REQUIREMENTS**
- REAL DWELLING UNIT ADDRESSES ARE POSTED AT THE INTERSECTION OF THE ACCESS DRIVE WITH CENTRAL AVENUE. LOT ADDRESSES ARE LOCATED ON INDIVIDUAL MAILBOXES WITH VARYING LETTER HEIGHTS (8.75 IN TO 1.25 IN).
  - NO PARKING/PRE LANE SIGNS TO BE INSTALLED ALONG THE ACCESS DRIVE.
  - TURNAROUND AREA PROPOSED MIDWAY ALONG ACCESS DRIVE.
  - A SHARE THE ROAD SIGN TO BE INSTALLED NEAR THE ENTRANCE OF THE SUBDIVISION.

- CITY ORDINANCE 11-3-4-E: FENCING**
- EXISTING WOOD FENCE BETWEEN ACCESS DRIVE AND ADJACENT PROPERTY.

- CITY ORDINANCE 11-3-4-F: OTHER REQUIREMENTS**
- THE SUBDIVISION CONTAINS FOUR INDIVIDUAL DWELLING UNITS (TWO DUPLEXES) AND AN ACCESSORY GARAGE.
  - LOT 4 IS WITHIN 400 FEET OF THE FIREHYDRANT LOCATED ON THE NORTH SIDE OF CENTRAL AVENUE DIRECTLY NORTH OF THE SUBDIVISION.
  - ALL LOT OWNERS WILL BE SUBJECT TO A MAINTENANCE AGREEMENT.
  - THE SUBDIVISION HOMEOWNERS WILL ENFORCE NO PARKING REQUIREMENTS.
  - INDIVIDUAL MAILBOXES FOR SUBDIVISION LOTS EXISTS AT THE WEST ENTRANCE TO THE SUBDIVISION.
  - GARBAGE COLLECTION IS LOCATED SOUTH OF CENTRAL AVENUE, EAST OF THE ACCESS DRIVE.
  - NO GATES ARE PROPOSED AS PART OF THIS SUBDIVISION.

**EASEMENT NOTES**

- EXISTING EASEMENTS:**
- E1: A 16-FOOT UTILITY EASEMENT DEDICATED ON THE BOUNDARY ADJUSTMENT FILED IN PLAT CABINET K, PAGE 37.
  - E2: CODY CANAL IRRIGATION DISTRICT EASEMENT EVIDENCED IN BOOK 2, PAGE 77.
  - E3: A 40-FOOT WIDE ACCESS AND AND UTILITY EASEMENT DEDICATED ON THE BOUNDARY ADJUSTMENT FILED IN PLAT CABINET H, PAGE 80 AND THE EXTENSION THEREOF DEDICATED ON THE BOUNDARY ADJUSTMENT FILED IN PLAT CABINET K, PAGE 37.
  - E4: A 10-FOOT WIDE IRRIGATION EASEMENT DEDICATED TO THE CODY HEIGHTS WATER ASSOCIATION ON THE BOUNDARY ADJUSTMENT FILED IN PLAT CABINET H, PAGE 85.
  - E5: 30-FOOT X 30-FOOT COMMON ACCESS EASEMENT DEDICATED ON THE BOUNDARY ADJUSTMENT FILED IN PLAT CABINET K, PAGE 37.
  - E6: A 10-FOOT IRRIGATION EASEMENT DEDICATED TO THE CODY HEIGHTS WATER ASSOCIATION ON THE BOUNDARY ADJUSTMENT FILED IN PLAT CABINET H, PAGE 80.

- PROPOSED EASEMENTS:**
- E7: A 5-FOOT UTILITY EASEMENT LOCATED WITHIN LOT 4, SERVING UNDERGROUND GAS TO LOT 1.
  - E8: A 5-FOOT UTILITY EASEMENT LOCATED WITHIN LOT 4, SERVING UNDERGROUND POWER TO LOT 1.
  - E9: AN ACCESS AND UTILITY EASEMENT BEING THE EAST 15 FEET OF LOT 4.
  - E10: AN ACCESS AND UTILITY EASEMENT BEING THE NORTH 16 FEET OF LOT 4.
  - E11: A 5-FOOT UNDERGROUND GAS EASEMENT LOCATED WITHIN LOT 3, SERVING LOT 2.
  - E12: A 5-FOOT UNDERGROUND POWER EASEMENT LOCATED WITHIN LOT 3, SERVING LOT 2.
  - E13: A 5-FOOT ACCESS AND WATERLINE EASEMENT TO THE CITY OF CODY.

LEGEND	
<b>EXISTING UTILITIES</b>	
	SANITARY SEWER LINE & SERVICE
	TREATED WATER MAIN & SERVICE
	UNDERGROUND POWER & SERVICE
	GAS LINE & SERVICE
	STORM SEWER MAIN
	TELEVISION LINE
	TELEPHONE LINE
<b>PROPOSED UTILITIES</b>	
	UNDERGROUND POWER
	ELECTRIC VAULT
	ELECTRIC PEDESTAL
	TELEVISION PEDESTAL
	SEWER MANHOLE
	SEWER SHUT OFF VALVE
	FIRE HYDRANT
	STREET LIGHTS

**PRELIMINARY PLAT**

SHEET 1/2

**MINOR SUBDIVISION**  
 BEING A DIVISION OF PARCEL AA AND PARCEL BB  
 OF THE CODY HEIGHTS SUBDIVISION

TRACT 71-61 AND TRACT 71-62, RESURVEY T.53N., R.101W.,  
 6TH P.M., CITY OF CODY, PARK COUNTY, WYOMING

DEVELOPER / OWNER:

WHATS LEFT, LLC  
 732 STONE STREET  
 CODY, WY 82414

DOC# 2009-9694



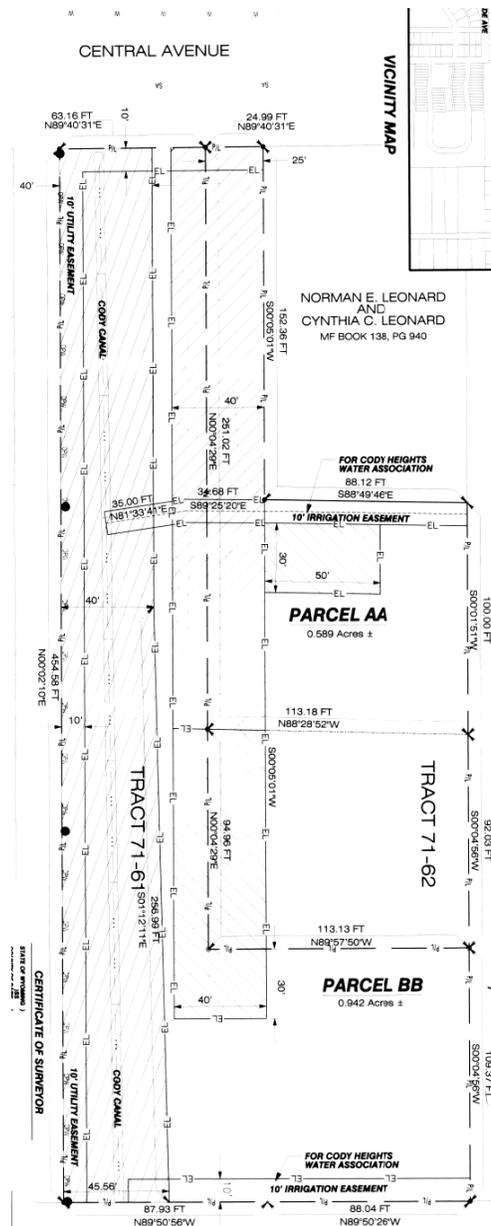
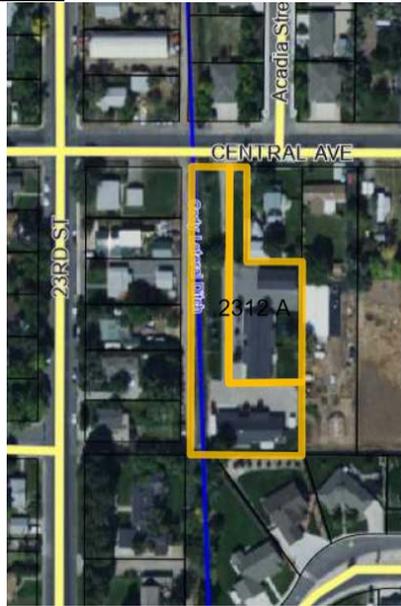
SAGE CIVIL ENGINEERING  
 AND SURVEYING  
 1824 880 HORN AVE.  
 CODY, WY 82414  
 307-625-0915

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

<b>MEETING DATE:</b>	MAY 28, 2019	<b>TYPE OF ACTION NEEDED</b>	
<b>AGENDA ITEM:</b>		P&Z BOARD APPROVAL:	
<b>SUBJECT:</b>	WHAT'S LEFT MINOR SUBDIVISION PRELIMINARY PLAT. SUB 2019-07	RECOMMENDATION TO COUNCIL:	X
<b>PREPARED BY:</b>	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

**PROJECT OVERVIEW**

Tom Quick of What's Left, LLC has submitted a preliminary plat application for a 4-lot subdivision of two existing parcels. The two parcels each contain a duplex and the subdivision would separate each dwelling unit of the duplexes onto their individual lot. The survey to the right reflects the existing parcels and easements. The proposed lot layout is attached.



The application is submitted pursuant to the infill subdivision option of City of Cody Code 11-8. While the applicant claims that the duplexes were constructed with the necessary fire walls to meet code requirements to be split by a property line, it is evident that the utilities to the units were not all set up to meet standards for separation of the dwelling units. Requirements of the building codes and utility providers will require some changes to the utility services, as will be outlined in the staff report.

It is noted that although the dwellings are existing, the proposed lots are not—therefore there is no “grandfather” status for items pertaining to the proposed subdivision.



### **SUBDIVISION REGULATIONS**

The infill standards are as follows, with staff comments provided.

#### **11-8-2: APPLICABILITY:**

- A. The property is 1.2 acres (52,272 square feet) or less in size (net lot area);  
*Comment: Technically, this is the division of two existing parcels, which are both individually less than 1.2 acres. The combined size is 1.53 acres. Staff is okay with both subdivisions occurring on the same plat drawing, as it keeps it the maps “cleaner” and is still within the limits of a minor subdivision.*
- B. The property is at least ... sixteen thousand (16,000) square feet (net) if zoned R-2...  
*Comment: Met. (16,861 sq. ft. existing east lot, west/south lot is even larger)*
- C. The property is located in a residential zoning district and does not contain any non-conforming commercial or industrial uses. *Comment: Met.*
- D. The property has frontage on and access directly to/from a paved public street;

*Comment: Met. Central Avenue is a paved city street and both existing lots have frontage.*

E. The property will contain no more than five (5) lots, and no more than five (5) dwelling units (primary and accessory);

*Comment: Met. The resulting lot sizes and easements will limit the development to four dwelling units.*

F. The access route to any lot in the proposed subdivision is not more than three hundred fifty feet (350') in length, measured from the public street right-of-way to the middle of the turnaround;

*Comment: Met by 3.5 feet.*

G. All lots will be served with public sewer, public water, and City electric power;

*Comment: As proposed.*

H. No sewer or water lines will be shared between lots - individual sewer and water service lines must be run to each lot.

*Comment: The water lines are in blue on Sheet 1. Lots 2 and 3 share a water line and Lots 1 and 4 share a water line.*

*The sewer lines are shown in green on Sheet 1. Again, Lots 2 and 3 share a sewer line and Lots 1 and 4 share a sewer line. The infill regulations were developed for straight-forward situations, which would not involve extensions of public sewer and water mains and the accompanying engineering and WY DEQ review and approval. The infill template does not authorize the use of private sewer or water mains. In addition, the use of the private sewer main would require a WY DEQ permit per their Policy 13.9.9, as it serves more than two buildings on separate lots, and therefore would need the necessary engineering, plan and profile drawings, and City authorization. Lastly, the sewer requirements in the subdivision ordinance lack any language that would indicate that sewer mains serving multiple lots can be private. The City water regulations are specifically clear that water service lines cannot be shared between buildings. Section 8-2-20, reads, "NEW WORK: The water piping system of each new building and of new work installed in an existing building shall be separate and independent of that of any other building. All piping or plumbing installed by the owner shall comply with the requirements of this chapter and the plumbing code as adopted by the city."*

*Admittedly, the City accepted the subdivision application and was willing to look into whether the City could allow the existing shared water and sewer line configurations to continue if the dwelling units were split. After investigation, the City code appears quite clear that individual sewer and water services are the only option under the infill subdivision process. The only other option would be to construct public mains to City standards, but installation of a sewer or water mains (public or private) would disqualify the subdivision from the infill option, causing the subdivision to be*

*reviewed under the traditional subdivision standards. This report is based on the use of individual sewer and water services being extended from the mains in Central Avenue.*

#### **11-8-4: RESIDENTIAL INFILL SUBDIVISION DESIGN STANDARDS:**

The following design standards shall apply to residential infill subdivisions. Normally, all applicable required improvements are the responsibility of the subdivider and are not needed until prior to issuance of a building permit for a dwelling, or within two (2) years of final plat approval, whichever occurs first. However, in this case, placing the property lines to separate the buildings as proposed would violate building codes and utility provider requirements if it occurred prior to modifications in the utility services. As such, all subdivision improvements will need to be completed prior to recording the final plat.

A. Access and Frontage Requirements: The following access standards have been developed in coordination with the Fire Marshal, and pursuant to the Fire Marshal's authority, when the following standards are met, they supersede any conflicting and more restrictive standards of Appendix D of the International Fire Code.

1. Lot Frontage: All lots shall be provided with frontage on a public street or private access easement, in accordance with the table in section 10-6-2 of this Code. Provided, when a turnaround is not required, the lot at the end of the private access easement (the lot furthest from the public street) need only have frontage on the access easement of the width required by subsection A3 of this section... *Comment: Almost met—the plat does not extend the access easement all the way to Lot 4. Either the easement must be extended to Lot 4 or Lot 4 extended to the existing easement.*

2. Entrance Requirement: The physical connection of the subdivision access drive to the public street shall consist of a paved entrance/exit extending from the curb cut (face of curb, or edge of roadway pavement if no curb exists), to a point at least twenty five feet (25') from the public street, measured along the direction of travel. Asphalt thickness shall be at least three inches (3"), compacted depth.

*Comment: The requirement for the paved entrance is noted on the preliminary plat, and just not drawn in.*

3. Minimum Dimensions: Minimum dimensions of the access easement and the composition of the access drive shall be in accordance with the following table. Base course is one and one-fourth inch (1 1/4") minus with fines. Top course is five-eighths inch (5/8") minus with fines.

*Comment: The table indicates a minimum 18-foot wide gravel road and a turnaround to be provided. The application indicates that the existing road is typically at least that width, but staff measurements reveal that the north segment of the road is only 15 feet wide. Widening all segments to at least 18 feet is required. Due to utility requirements, some of the roadway may need to be reestablished after utility*

*installation. Depth of gravel will also need to be verified—it appears that a layer of gravel will be needed over the existing road.*

*The application lacks construction details such as the amount of existing and proposed base course and top course material.*

4. Access Drive: The cross-section design of the access drive shall be in accordance with the following diagram; provided the reviewing official may consider modifications to the layout...

*Comment: No changes to the access drive were proposed. As noted above, the access drive will need to be widened to the standard. Also, the lack of stormwater facilities is an issue that will be discussed later in the report.*

5. Approach to Public Street: In areas that have curb and gutter along the property frontage, the approach to the public street shall be constructed to the City's alley standard, with curb, gutter, and ADA-compliant sidewalk.

*Comment: Not applicable—no curb and gutter on this section of Central Avenue.*

6. Access Drive Connection: If the access drive connects to a major collector or arterial, the City Engineer may require any existing approach to be removed and all access to occur from the common access drive.

*Comment: Access for all lots will be from the existing access road.*

7. Property Frontage: If the property frontage has curb and gutter, but no sidewalk, the subdivider shall install sidewalk to City standards across the property frontage. If no curb and gutter exist along the property frontage, the property owner shall agree on behalf of the owners of the lots to participate proportionally in any future City project to improve the adjacent street to City standards, which agreement shall be noted on the plat and any document transferring ownership of the lots in the subdivision.

*Comment: Central Avenue has no curb and gutter. Improvement district language will need to be noted on the final plat.*

8. Turnarounds: A turnaround and associated easement shall be provided at the end of the access drive if any of the following conditions will exist. The distances are measured from the edge of the public right-of-way.

*Comment: A turnaround is indicated near the middle of the access drive. The surveyor indicates that a full-sized turnaround cannot fit at the end of the access drive due to existing improvements. The Fire Marshal was contacted and he is agreeable to an exception to allow the turnaround where proposed. The Board can recommend a variance to this standard if agreeable.*

9. Turnaround Construction Options: ...

*Comment: The proposed turnaround meets the dimensional requirements.*

10: Turnouts: When required as identified in the table in subsection A3 of this section, a turnout shall be provided approximately mid-point along the access drive by widening the driving surface to a minimum of twenty feet (20')... Construction of the turnout shall be to the same specifications as the access drive.

*Comment: The location of the turnaround allows it to function as the required turnout.*

#### B. Utility Requirements: ...

1. Utility Service Connections: All lots shall be provided with utility service connections in accordance with the requirements of the utility providers and applicable Plumbing and Electrical Codes. At a minimum, domestic water service, public sewer and City power shall be provided and stubbed to each lot. Natural gas and telecommunication services are highly recommended. Raw water (irrigation) shall be provided to each lot if the property retains its water rights through the subdivision process.

*Comment: While the dwelling units have existing utility services that are suitable for the existing situation, the services do not meet all necessary codes for the dwelling units to be on separate lots (leads to separate ownership). Alterations to the water, sewer, and electrical services will be needed, as identified by the utility providers and building official.*

*The water services will need to be individual lines, back to the main, with individual curb stops installed on all four services at the edge of the Central Avenue right-of-way.*

*Two sewer services, extending from the main in Central Avenue will need to be added, so that each lot has its own line. Cleanouts will need to be installed in the new lines, spaced not more than 100 feet apart. Cleanouts should exist in the existing sewer lines—if they don't, they were not installed to code and further discussion is needed. All cleanouts in driving areas must be provided with concrete collars.*

*Electrical services will need modified, so that each lot has its own service all the way from the transformer (application shows spitting at electrical panels on duplexes, not at transformer)—coordinate with the electric division as there may be two ways of accomplishing this. The transformer is located at the NE corner of Lot 4.*

*Gas, telecommunication, and irrigation distribution and easements must be reviewed by the respective providers and their comments submitted with the final plat materials.*

*There are additional construction details relating to the utility requirements of this section that are not reflected in the application (e.g. cleanouts with concrete collars, tracer tape above lines, curb stops). Additional detail is needed to demonstrate that the construction requirements of this section will be applied.*

#### C. Stormwater/Drainage Requirements:

1. The area of the access easement shall be graded to manage stormwater within the subdivision, so that no net increase of runoff or creation of a concentrated discharge point occurs. The use of swales and/or infiltration trenches are recommended methods. The stormwater infiltration area is also intended to serve as snow storage area.

Minimum dimensions of infiltration trenches and swales, which extend the full length of the access drive are listed in the table below...

*Comment: There appears to be sufficient grass areas to each side of the drive that additional storm water facilities (i.e. swales) are largely unnecessary, except next to the Leonard property and to correct the ponding issue on the east side of the access drive next to the unit on Lot 2. A small swale along the Leonard property and draining the ponding area to the west side of the road should be adequate.*



**D. Signage Requirements:** The following signs are to be installed by the subdivider. The size and mounting methods shall comply with the MUTCD Manual and/or appendix D of the International Fire Code.

1. Address numbers for the dwelling units on the rear lot(s) shall be posted at the intersection of the private access drive with the public road, in accordance with the standards of the Building Code (e.g., minimum 4-inch letter height, on contrasting background).

*Comment: Show location and design on plan.*

2. Install "No Parking/Fire Lane" sign(s) along the access drive, located and spaced as approved by the Fire Marshal.

*Comment: Two signs, one on the west side of the access and one in the turnaround will be sufficient.*

**E. Fencing Requirements:** Where the access drive is located adjacent to a neighboring residentially-zoned property, a minimum six foot (6') tall, solid fence shall be installed between the access drive and the neighboring property, except within fifteen feet (15') from the public street right-of-way. This requirement may be waived or reduced (e.g., partial fence, shorter fence, non-solid fence) by the reviewing official when the neighboring property owner requests such modification or waiver in writing.

*Comment: The fence requirement is applicable where the access drive runs along the Leonard property in the northeast corner of the subdivision. The neighbor already has a 6-foot cedar fence, but it appears to be towards the end of its useful life. The requirement is that the subdivider provide a fence on the property being subdivided. Anything else requires a waiver from the neighboring property owner and the Board.*

### **11-8-5: OTHER REQUIREMENTS:**

- A. The number and location of all dwelling units, whether primary dwellings or accessory dwelling units, must be identified in the subdivision process and noted on the plat.

*Comment: The applicant has identified that the subdivision is limited to the four existing dwellings. A note will be needed on the final plat.*

- B. Either the lot, or the turnaround serving it, must be within six hundred feet (600') of a functional fire hydrant, measured as the fire hose would lay. If a new fire hydrant is required, engineering and installation is the responsibility of the subdivider and shall be coordinated with Public Works.

*Comment: Met (approximately 470' from existing hydrant to back lot)*

- C. Maintenance agreements or covenants must be established to set forth the maintenance responsibilities for the private access drive tract/easement, including maintenance of the access drive, fence, and stormwater facility. The agreement must include establishment of a bank account and schedule of payment by the lot owners. The payment levels must be based on anticipated costs for regular recommended maintenance and repair activities, such as snow removal, regrading, weed control, signage, etc. The maintenance agreement/covenant must be recorded with the plat. The initial minimum payment and schedule shall be determined with the final plat process.

*Comment: The maintenance agreement will need to be submitted for review with the final plat.*

- D. Enforcement of "No Parking" (e.g., towing) shall be by the homeowners, and authority for such included in the maintenance agreement or covenants for the subdivision.

*Comment: Include in agreement submitted with final plat.*

- E. All lots shall utilize a cluster mailbox stand, as specified by the local Post Office, which mailbox and associated concrete pad shall be installed to USPS specifications by the subdivider.

*Comment: The mailboxes are existing and are located along Central Avenue.*

- F. Garbage collection will occur on or next to the public street near the intersection with the access drive. The applicant will need to coordinate whether a dumpster or roll-outs are to be utilized. If a dumpster is to be utilized, the location, pad design, and any pedestrian bypass around the dumpster that may be needed shall be specified after consultation with Public Works.

*Comment: The plan is to utilize existing dumpsters on Central Avenue.*

G. Gates or other features that would obstruct vehicle or pedestrian use of the access drive are prohibited. *Comment: None proposed.*

H. If the subdivision improvements are not installed prior to recording the final plat, the final plat shall include a note that states that no building permit shall be issued for a dwelling until all required subdivision improvements are completed.

*Comment: The subdivision improvements will need to be installed prior to final plat approval due to building code and utility provider requirements.*

Irrigation: The application seems to indicate that irrigation water from the Cody Canal system will continue to be utilized. The irrigation distribution plan needs to be reviewed and approved by Cody Canal.

Section 11-5-1(J) of the subdivision ordinance requires all open canals and ditches to be piped or eliminated if possible. The canal across the west side of the property will need piped pursuant to this requirement, unless Cody Canal specifies otherwise. It is our understanding that Cody Canal now often agrees to do the work if the property owner pays for the pipe. Due to the size of pipe that would be needed, it would seem appropriate to have direct negotiations on them participating in additional cost sharing to have the canal piped. That discussion should occur before the Board makes a decision one way or the other on the piping of the canal.



Setbacks and Lot Dimensions: The lots meet applicable standards for lot size and width. (Minimum net lot size is 5,500 sq. ft. in the R-2 zone. The net lot size of Lot 3 is 5,576 sq. ft., and all other lots are larger.) Lot 1 does not meet maximum length-to-width ratio standards (3.5 to 1), but it would be impossible for it to do so with the configuration of the existing lot.

There is an existing 30-foot by 50-foot easement on the north end of Lot 2, which is encumbered by a portion of the existing garage. Structures are generally not allowed in access easements. It is recommended that the applicant request vacation of this easement through this subdivision process and if there is some reason to address sharing of the garage, that it be done through a separate agreement (not an access easement).

The north duplex is non-conforming in relation to the setback from the existing 40-foot easement. The subdivision does not change the physical situation, but what may have

been considered a side yard is now a front yard (Lots 2 and 3), so it would be even more non-conforming with the subdivision. (5-foot setback is the side yard requirement and 25-foot setback for garage door/20-foot setback for other living area is the requirement for a front yard setback from an access easement). The situation could be made conforming by piping the irrigation ditch and moving it to the west property line and then moving the access road and easement to the west. If Cody Canal confirms that they are agreeable to have the ditch piped and if the access road needs to be torn up to install utilities it may make sense to do it. Otherwise a special exemption/variance to the front setback requirements would be needed for Lots 2 and 3. However, that decision should be delayed until we have more information about the canal and updated utility plans.

**RECOMMENDATION:**

In most instances, staff lists conditions to address any outstanding issues; however, in this case, there are enough utility and irrigation details that need worked out that it is recommended that the Board confirm the conditions, timing and direction discussed in the staff report and table the application to allow the applicant to address those items and submit an updated plan for Board review.

**ATTACHMENTS:**

Minor Subdivision Preliminary Plat