

CITY OF CODY
PLANNING, ZONING AND ADJUSTMENT BOARD
TUESDAY, JANUARY 22, 2013
CITY HALL COUNCIL CHAMBERS @ 12:00 NOON

AGENDA

1. Call to Order by Chairperson Rick Brasher
2. Roll Call, excused members
3. Pledge of Allegiance

4. Approval of Agenda
5. Approval of Minutes of the January 8, 2013 –Regular Meeting

6. NEW BUSINESS:
 - A. Freda SS-216 Preliminary and Final Plat Review — 142 Southfork Road
Proposed minor subdivision submitted by Floyd C. Gail for Freda L. Gail
 - B. Off Street Parking Ordinance, Proposed Chapter 10-20 Off-Street Parking.

7. P&Z Board Matters (announcements, comments, etc.)

8. Council Update: Steve Miller

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 8, 2013

A regular meeting of the Cody Planning, Zoning and Adjustment Board was held in Council Chambers of City Hall in Cody, Wyoming on Tuesday, January 8, 2013 at 12:00 PM

Present: Rick Brasher; Justin Lundvall; Kim Borer; Bud McDonald; Mark Musser; Justin Ness; Bob Senitte; Steve Miller, Council Liaison; Sandra Kitchen, Deputy City Attorney; Todd Stowell, City Planner; Jolene Osborne, Engineering Administrative Assistant;

Absence: None

Chairperson Kim Borer called the meeting to order at 12:01 PM, followed by the pledge of allegiance.

Bud McDonald made a motion seconded by Mark Musser to approve the agenda with the correction of the meeting date. Vote on the motion was unanimous, motion carried.

Rick Brasher made a motion seconded by Justin Lundvall to approve the minutes of the December 11, 2012 regular meeting with the clarification designating the "south lot of the Willow Creek subdivision." Justin Ness abstained from the vote. Vote on the motion was unanimous, motion carried.

New Planning, Zoning and Adjustment Board member Justin Ness was introduced.

Justin Lundvall made a motion seconded by Mark Musser to nominate Rick Brasher as Planning, Zoning and Adjustment Board Chairperson for 2013. Chairperson Kim Borer called for the vote. Vote on the motion was unanimous, the motion carried.

Kim Borer made a motion seconded by Bud McDonald to nominate Justin Lundvall as Planning, Zoning and Adjustment Board Vice Chairperson for 2013. Chairperson Rick Brasher called for the vote. Vote on the motion was unanimous, motion carried.

PRESENTATION OF COMMUNICATIONS:

Todd Stowell presented the staff report for the amended proposal to construct a meat processing facility to be located at 2517 Lt. Childers Street submitted by Wyoming Authentic Products and Forward Cody. The agenda incorrectly states the address as Frank Court. He spoke regarding the boundary adjustment, landscaping and proposed differences to the previous applications.

Taylor Lee, Plan/One Architects, answered questions from the board regarding site access.

Kim Borer made a motion seconded by Mark Musser to approve the site plan application submitted by Wyoming Authentic Products at 2517 Lt. Childers Street subject to the following:

1. Provide additional ADA details as needed for the building permit.
2. All storm water facilities are to be inspected and certified by the applicant's engineer prior to a certificate of occupancy.

3. If landscaping will not be installed prior to occupancy of the building, provide a financial surety prior to occupancy for its installation.
 4. All exterior lighting must be of a downward/cutoff style and illumination levels modest in intensity.
 5. The project must otherwise comply with the submitted site plan and applicable building, fire, and electrical codes. A building permit application is required.
 6. A drip irrigation system serving the proposed landscaping is required.
 7. A private road maintenance agreement must be recorded with the County Clerk.
- Vote on the motion was unanimous, motion carried.

Todd Stowell spoke regarding the proposed draft parking regulations.

Kim Borer requested that the parking ordinance reference a landscaping ordinance, once a landscaping ordinance is drafted. Surfacing requirements were also extensively discussed.

Todd Stowell presented the approved electronic sign and archway to be constructed at 519 West Yellowstone Avenue for the Cody Stampede Board. The rodeo board is also planning ADA accessibility modifications that will be reviewed through the building department, including a minor access ramp and parking lot striping.

Jolene Osborne presented the approved sign application for the Bargain Box Clothing Store located at 1231 13th Street.

The board members welcomed Justin Ness to the board and thanked Kim Borer for her service as chairperson.

Councilman Steve Miller wished everyone a Happy New Year.

Chairperson Rick Brasher adjourned the meeting at 1:03 PM.

Jolene Y. Osborne
Engineering Administrative Assistant

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

MEETING DATE:	JANUARY 22, 2013	TYPE OF ACTION NEEDED	
AGENDA ITEM:		P&Z BOARD APPROVAL:	
SUBJECT:	PRELIMINARY AND FINAL PLAT OF FREDA SIMPLE SUBDIVISION 216 SUB 2013-01	RECOMMENDATION TO COUNCIL:	X
PREPARED BY:	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

BACKGROUND:

Steven Follweiler of Holm, Blough & Co. has submitted a simple subdivision for Floyd Gail and the estate of Freda Gail. The property is located immediately outside the city limits on the east side of the Southfork Highway, just south of the Chugwater Rims subdivision. The subdivision must be approved by both the City and County, as it is within the 1-mile area of joint subdivision review. County review of the proposal is in process.

The subdivision is classified by the County as a "simple subdivision". Based on County and state regulations, only the small lot being created is subject to the subdivision review process, while the large remainder is exempt due to its size.

Both the small lot being created and the balance exempt parcel contain existing residences that are served by septic systems, Rocky Mountain Power, Cody Canal irrigation, and a shared domestic well. No city utilities currently serve or are proposed to serve the property. The applicant has already received a variance from the County Commission to remain on the shared well, instead of connecting to Northwest Rural Water. No improvements are proposed by the applicant or are being required by the County for this simple subdivision. The County indicates that they cannot require improvements related to the exempt parcel.

As no new improvements (streets, utilities, etc.) are required for this simple subdivision, a review of the construction requirements is not applicable. Staff has reviewed the preliminary and final plats to ensure they contain all easements of record, and provide proper access and utility easements for existing facilities.

We have also reviewed the preliminary and final plats for conformance with the rest of the subdivision ordinance. The following are outstanding issues that need to be addressed:

1. Right to use and participate in maintenance of shared facilities.

- a. The shared well is located on the exempt lot. An agreement for its use by Lot 1 must be established.
- b. The driveway is shared by the two lots. An agreement for maintenance and use of the driveway should be required.
- c. Apparently the irrigation distribution system is, and will be shared, which will require an agreement for such.

The applicant is aware of the need for an agreement on the well, driveway, and irrigation and had planned to submit that agreement by now, but as of the time of the staff report, the City had not received it. A review of the agreement by Community Development staff and the City Attorney must be completed before the final plat is approved by Council.

2. Section 11-2-3(B) of City Code regarding annexation.

This section includes the following:

B. Outside Of Corporate Limits: The following standards shall be applied by the city in determining whether to approve or disapprove plats of subdivisions located within one mile of the corporate limits of the city:

1. *Property that meets the requirements for annexation pursuant to state law will not be approved for subdivision without being annexed into the city.*
2. *Subdivision of land which is not contiguous to the city but meets the other requirements for annexation pursuant to state law will not be approved for subdivision if it appears that intervening property owners are willing to join and cooperate in an annexation upon reasonable terms.*
3. *Proposed development within one mile of the boundaries of the city shall otherwise conform to all of the subdivision requirements of the city, and the city shall further require a written enforceable and recordable agreement that all of the property within the area of such subdivision will be voluntarily annexed to the city upon request by the city when it becomes contiguous to the corporate limits of the city, and the improvements required by the city shall further be installed at the expense of the landowners of the subdivision and in accordance with city specifications at the time of annexation or when requested by the city. A statement outlining the above requirements shall be placed upon the proposed final plat.*

The applicant requests a variance from the annexation-related requirements of the above section. Staff is agreeable to the request because there are no city services currently provided to the property, the property does not currently need city services, and there are no changes being made to the level of development on the property. In other words, staff does not see a distinct rational nexus for requiring annexation at this time. If the property were to further develop/subdivide, then the issue of annexation would be able to be revisited at that time.

3. Ownership/Signature Lines

The plats are prepared to be signed by Floyd Gail, as Attorney-in-Fact for Freda Gail. It is our understanding that Freda Gail is deceased, and that power of attorney is not effective after the death of the individual. Proper legal documentation of the person(s) signing the plat and related agreement(s) must be provided before the City will sign the final plat.

ATTACHMENTS:

Preliminary and Final Plats.

ALTERNATIVES:

Recommend that City Council approve, approve with conditions, or deny the preliminary and final plats.

RECOMMENDATION:

- A. Recommend approval of the preliminary plat with the variance to the annexation related requirements of Section 11-2-3(B) of City Code.
- B. Recommend approval of the final plat, subject to the following occurring before the Mayor signs the final plat:
 1. Submit an agreement for the use and maintenance of the shared well, driveway, and irrigation distribution system. The agreement must be in a form and with conditions acceptable to the city attorney, and be recorded with the County Clerk no later than at the time of the final plat.
 2. Submit proper legal documentation of the person(s) signing the plat and related agreement. Modify the signature blocks as needed.



HOLM, BLOUGH and COMPANY

CONSULTING ENGINEERS AND LAND SURVEYORS

1402 Stampede Ave., Cody, WY 82414

(307) 587-6281

Fax 587-6282

Roy Holm, PE & LS

Paul Blough, LS

January 9, 2013

Job No. 12-157

Todd Stowell, Planner
City of Cody
1338 Rumsey Avenue
Cody, WY 82414

Dear Mr. Stowell:

I am writing this letter on behalf of Floyd Gail. Floyd is in the process of doing Freda SS-216, a one-lot simple subdivision located in the county just south of Chugwater Rims Subdivision along the Southfork Highway. The proposed subdivision lies within 1 mile of the City of Cody corporate limits, and, according to county regulations, the subdivision is to be reviewed and approved by the City of Cody. A variance of the county requirement to connect to the Northwest Rural Water District system was approved by the Board of County Commissioners on November 6, 2012.

Floyd would also like to apply for variances to the City of Cody regulations concerning annexation, cul-de-sacs, and alleys.

I am enclosing a copy of the proposed water distribution plan that I sent to the State Engineer's Office on January 3 for their review and approval. I have also enclosed a copy of the letter of approval from the Cody Canal Irrigation District. When the State Engineer approves the water distribution plan, I will get a copy of that letter of approval to you.

Floyd is also having his attorney prepare an agreement for the maintenance of the domestic water system, irrigation pipeline system and the access road. When I get a draft copy of that agreement, I will forward a copy to you.

Thank you for your attention to this matter.

If you have any questions or comments, please contact me.

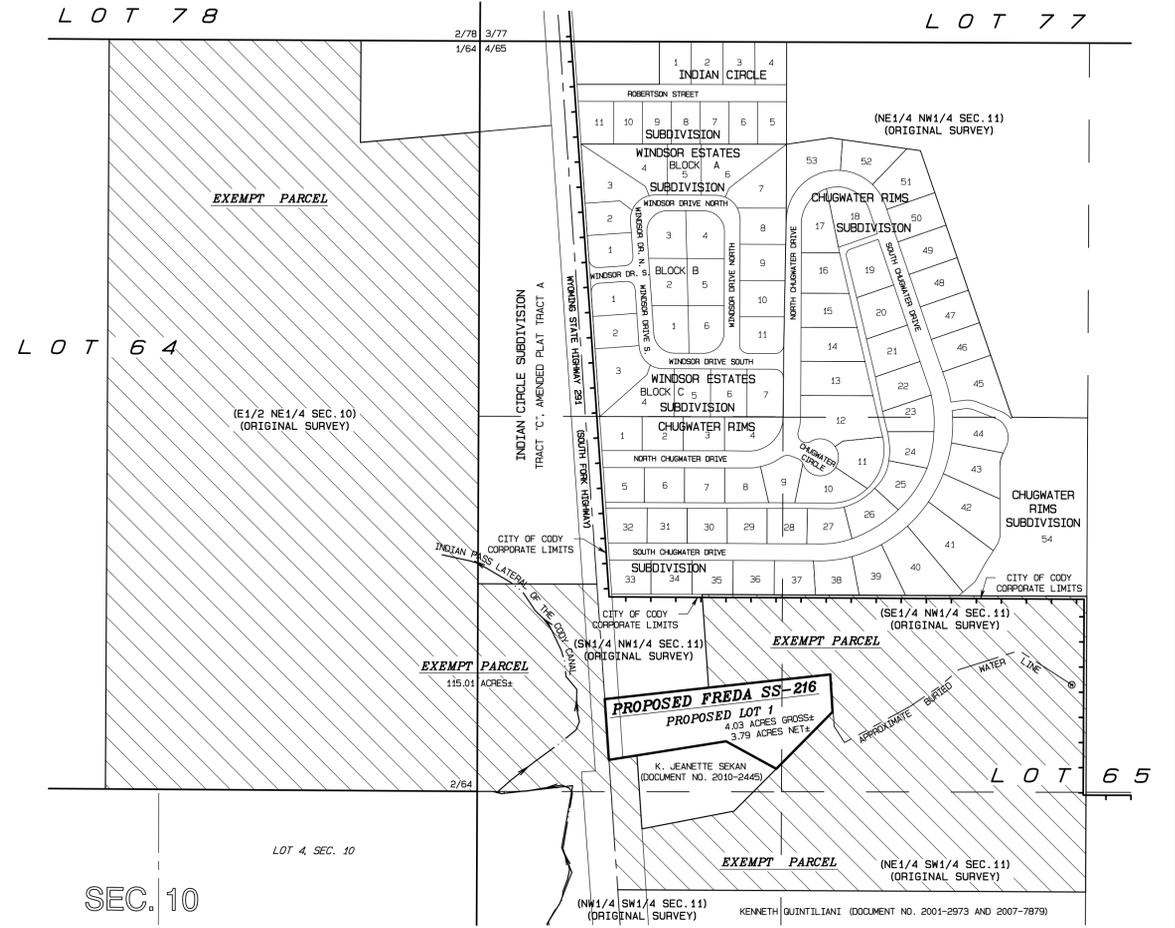
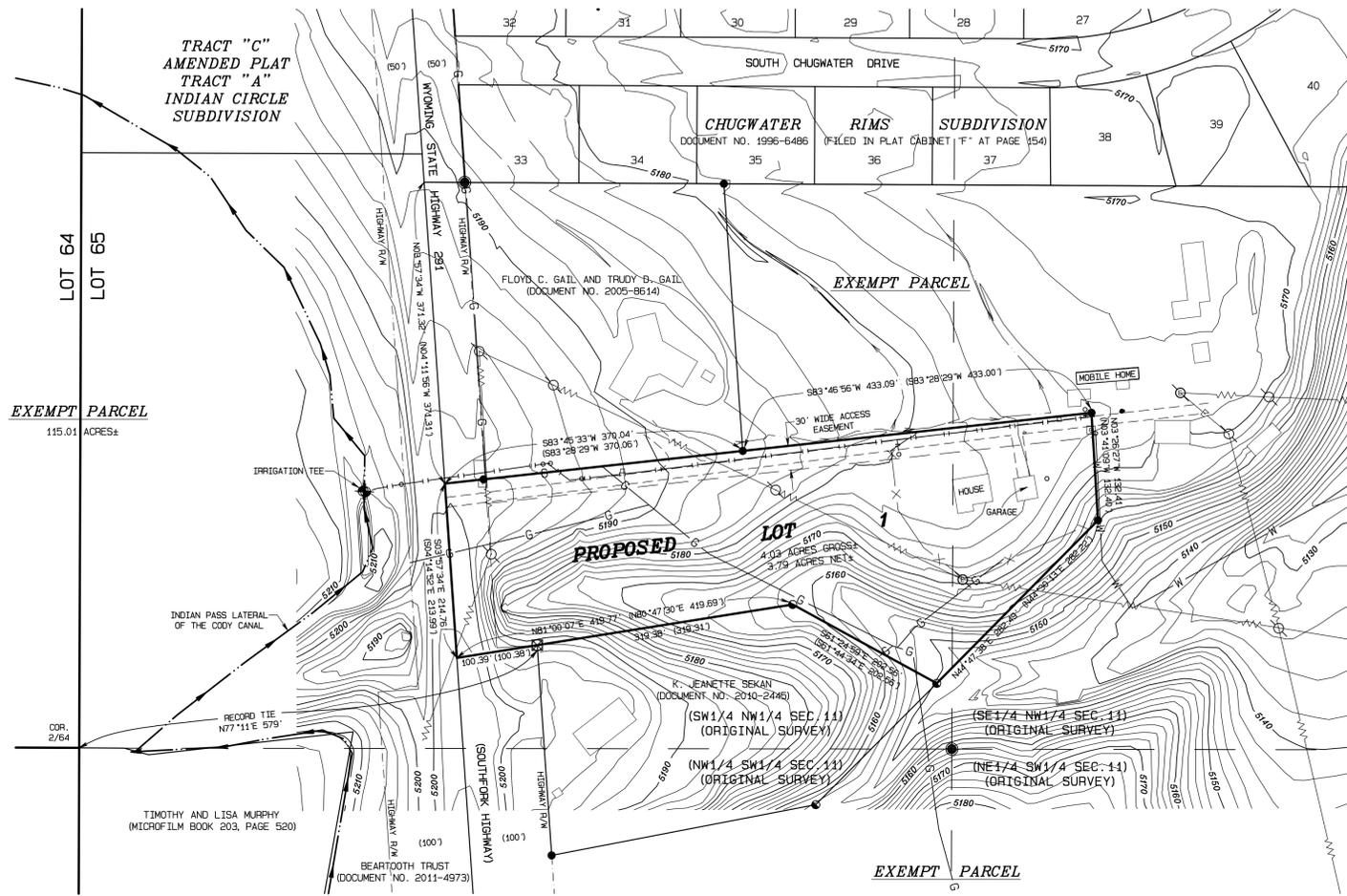
Sincerely,

A handwritten signature in black ink that reads "Steven D. Follweiler". The signature is written in a cursive, flowing style.

Steven D. Follweiler for
HOLM, BLOUGH AND COMPANY

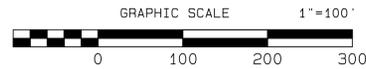
T. 52 N., R. 102 W.
(RESURVEY)

T. 52 N., R. 102 W.
(RESURVEY)



FREDA SS-216

ENCOMPASSING 4.03 ACRES±



LEGEND

- REBAR WITH ALUM. CAP FOUND
- BRASS CAP FOUND
- 1/2" IRON PIPE FOUND
- HIGHWAY MONUMENT FOUND
- WATER WELL
- POWER POLE
- ELECTRIC METER
- TELEPHONE BOX
- GAS METER
- OVERHEAD UTILITY LINE
- BURIED ELECTRIC CABLE
- BURIED WATER LINE
- NATURAL GAS PIPELINE
- FENCE
- BURIED IRRIGATION PIPELINE
- IRRIGATION DITCH
- RECORD DIMENSIONS SHOWN THUS ()
- EXEMPT PARCEL SHOWN THUS

NOTES

1. BEARINGS ARE BASED ON THE CITY OF CODY DATUM, WHICH IS BASED ON THE WYOMING COORDINATE SYSTEM NAD 83/93 WEST CENTRAL ZONE.
2. THE GROSS AREA OF PROPOSED LOT 1 INCLUDES THE RIGHT-OF-WAY OF THE SOUTHFORK HIGHWAY.
3. THE NET AREA OF PROPOSED LOT 1 EXCLUDES THE RIGHT-OF-WAY OF THE SOUTHFORK HIGHWAY.
4. PARK COUNTY ZONING DESIGNATION IS RESIDENTIAL - 1/2 ACRE (R-H).
5. WAIVERS APPLIED FOR: ANNEXATION REQUIREMENT
CUL-DE-SAC REQUIREMENT
ALLEY REQUIREMENT

SUBDIVIDER: FREDA GAIL BY FLOYD C. GAIL, HER ATTORNEY IN FACT
142 SOUTHFORK HIGHWAY
CODY, WY 82414

DESIGNER: SAME AS ABOVE

SURVEYOR: HOLM, BLOUGH AND COMPANY
STEVEN D. FOLLWEILER (AGENT)
WYOMING REGISTRATION NO. L.S. 3154

FREDA GAIL
CODY, WYOMING
PRELIMINARY PLAT SHOWING
FREDA SS-216
IN LOT 65
T. 52 N., R. 102 W., 6TH P.M.
PARK COUNTY, WYOMING (RESURVEY)

CERTIFICATE OF DEDICATION

KNOW ALL PERSONS BY THESE PRESENTS: THE FRED A. GAIL ESTATE IS THE OWNER OF THE LANDS DESCRIBED IN THE WARRANTY DEED RECORDED IN MICROFILM BOOK 83 AT PAGE 574 AND THE AFFIDAVIT OF SURVIVORSHIP RECORDED IN MICROFILM BOOK 83 AT PAGE 571 OF THE DEED RECORDS ON FILE IN THE OFFICE OF THE CLERK AND RECORDER OF PARK COUNTY, WYOMING, OF WHICH FRED A SS-216 IS A PORTION THEREOF, AND THE BOUNDARY OF FRED A SS-216 IS MORE PARTICULARLY DESCRIBED IN THE AFFIDAVIT RECORDED AS DOCUMENT NO. 2010-7722 OF SAID DEED RECORDS AND AS FOLLOWS:

A PARCEL OF LAND WITHIN THE SOUTH ONE-HALF NORTHWEST ONE-QUARTER (S1/2 NW1/4) OF TRACT 65, TOWNSHIP 52 NORTH, RANGE 102 WEST ACCORDING TO THE GOVERNMENT RESURVEY (SAID TRACT 65 BEING IDENTICAL TO SECTION 11 OF SAID TOWNSHIP AND RANGE ACCORDING TO THE ORIGINAL GOVERNMENT SURVEY) OF THE SIXTH PRINCIPAL MERIDIAN, PARK COUNTY, WYOMING, WITH SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS AND AS SHOWN UPON THE RECORD OF SURVEY PREVIOUSLY RECORDED AS DOCUMENT 2001 ON PAGE 2191 AND FILED IN PLAT CABINET "G" AT PAGE 55 IN THE PLAT RECORDS OF THE PARK COUNTY CLERK AND RECORDER:

BEGINNING AT THE NORTHWEST CORNER OF A PARCEL OF LAND CONVEYED TO WILLIAM B. SHEETS IN MICROFILM BOOK 26 ON PAGE 258 IN THE RECORDS OF SAID PARK COUNTY CLERK AND RECORDER; THENCE NORTH 80°47'30" EAST (NORTH 81°00'07" EAST THIS SURVEY), ALONG THE NORTH LINE OF SAID SHEETS PARCEL, FOR A DISTANCE OF 319.34 FEET (319.38 FEET THIS SURVEY) TO AN ANGLE POINT IN SAID NORTH LINE; THENCE SOUTH 61°44'34" EAST (SOUTH 61°24'59" EAST THIS SURVEY), CONTINUING ALONG SAID NORTH LINE FOR A DISTANCE OF 202.56 FEET (202.56 FEET THIS SURVEY) TO THE MOST EASTERLY CORNER OF SAID SHEETS PARCEL; THENCE NORTHERLY AND WESTERLY ALONG A LINE COMMON TO "PARCEL B" AS SHOWN UPON SAID RECORD OF SURVEY RECORDED AS DOCUMENT 2001 ON PAGE 2191 AND FILED IN PLAT CABINET "G" AT PAGE 55 IN THE PLAT RECORDS, THE FOLLOWING COURSES:

NORTH 44°30'13" EAST (NORTH 44°47'38" EAST THIS SURVEY), FOR A DISTANCE OF 282.22 FEET (282.49 FEET THIS SURVEY); THENCE NORTH 03°41'09" WEST (NORTH 03°26'27" WEST THIS SURVEY), OR SOUTH 83°28'29" WEST FOR A DISTANCE OF 803.06 FEET (SOUTH 83°46'56" WEST FOR A DISTANCE OF 433.09 FEET AND SOUTH 83°45'33" WEST FOR A DISTANCE OF 370.04 FEET THIS SURVEY), MORE OR LESS, TO A POINT ON THE CENTERLINE OF THE SOUTH FORK HIGHWAY; THENCE LEAVING SAID LINE COMMON TO PARCEL B AND BEARING SOUTH 04°14'52" EAST (SOUTH 03°57'34" EAST THIS SURVEY) ALONG SAID HIGHWAY CENTERLINE, FOR A DISTANCE OF 213.99 FEET (214.76 FEET THIS SURVEY); THENCE LEAVING SAID CENTERLINE AND BEARING NORTH 80°47'30" EAST (NORTH 81°00'07" EAST THIS SURVEY), FOR A DISTANCE OF 100.38 FEET (100.39 FEET THIS SURVEY), MORE OR LESS, TO THE POINT OF BEGINNING.

THE OWNER AND PROPRIETOR HAS BY THESE PRESENTS LAID OUT AND SURVEYED AS "FRED A SS-216", AND WITH THE SPECIFIC INTENT TO DO SO, DOES HEREBY DEDICATE AND CONVEY TO AND FOR THE PUBLIC USE FOREVER, THE ROADS AS ARE LAID OUT AND DESIGNATED ON THIS PLAT, AND DOES ALSO RESERVE PERPETUAL EASEMENTS FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES AND FOR IRRIGATION AND DRAINAGE FACILITIES AS ARE LAID OUT AND DESIGNATED ON THIS PLAT AND DOES HEREBY DEDICATE TO THE OWNERS, HEIRS, SUCCESSORS AND ASSIGNS OF THE EXEMPT PARCEL THE 30 FOOT WIDE ACCESS EASEMENT ORIGINALLY SHOWN ON THE RECORD OF SURVEY SHOWING PARCELS OF LAND RECORDED ON APRIL 18, 2001 AS DOCUMENT NO. 2001-2191 AND FILED IN PLAT CABINET "G" AT PAGE 55 OF THE PLAT RECORDS OF THE PARK COUNTY CLERK AND RECORDER AND SHOWN HEREON AS THE NORTHERLY 30 FEET OF LOT 1 OF FRED A SS-216 BEGINNING AT THE EASTERLY RIGHT-OF-WAY LINE OF WYOMING STATE HIGHWAY 291 AND ENDING AT THE EASTERLY BOUNDARY OF SAID LOT 1 OF FRED A SS-216 AND THE 60 FOOT WIDE ACCESS EASEMENT SHOWN HEREON AS THE NORTHERLY 60 FEET OF LOT 1 OF FRED A SS-216 BEGINNING AT THE EASTERLY RIGHT-OF-WAY LINE OF WYOMING STATE HIGHWAY 291 AND ENDING 175 FEET EAST OF THE SOUTHEAST CORNER OF THAT TRACT OF LAND CONVEYED TO FLOYD C. GAIL AND TRUDY D. GAIL BY THE WARRANTY DEED RECORDED AS DOCUMENT NO. 2005-8614 OF SAID DEED RECORDS AND THE 20 FOOT WIDE IRRIGATION EASEMENT SHOWN HEREON AS THE NORTHERLY 20 FEET OF LOT 1 OF FRED A SS-216 BEGINNING AT THE EASTERLY RIGHT-OF-WAY LINE OF WYOMING STATE HIGHWAY 291 AND ENDING AT THE EASTERLY BOUNDARY OF SAID LOT 1 OF FRED A SS-216. THE UNDERSIGNED HEREBY WAIVES AND RELEASES ALL RIGHTS UNDER AND BY VIRTUE OF THE HOMESTEAD EXEMPTION LAWS OF THE STATE OF WYOMING, OFFERS OF DEDICATION OF THE ROAD OR ROADS ON THIS PLAT IN NO WAY OBLIGATES THE PARK COUNTY COMMISSIONERS TO ACCEPT THE OFFER AND/OR MAINTAIN SUCH ROADS NOR DOES IT RELIEVE THE DEVELOPER OF THE OBLIGATION TO CONSTRUCT SUCH ROAD OR ROADS ACCORDING TO THE REQUIREMENTS OF THE PARK COUNTY SUBDIVISION REGULATIONS.

IN CONSIDERATION OF THE BOARD OF PARK COUNTY COMMISSIONERS' DETERMINATION OF THIS DIVISION OF LAND AS A "SUBDIVISION" AND "SUBDIVIDED LAND" AS NOTED HEREON:

THE UNDERSIGNED HEREBY WAIVES ALL CLAIMS AGAINST PARK COUNTY FOR DAMAGE OR LOSS TO MY PERSON AND/OR PROPERTY WHICH MAY BE CAUSED BY SUCH DETERMINATION, AND THE UNDERSIGNED HEREBY AGREES TO HOLD HARMLESS, INDEMNIFY, AND DEFEND PARK COUNTY IN ANY ACTION WHICH MAY ARISE IN CONNECTION WITH ANY AND ALL ERRORS, OMISSIONS, OR MISTAKES IN THIS LAND SURVEY PLAT AND/OR OTHER INFORMATION WHICH THE UNDERSIGNED HAS SUBMITTED IN CONNECTION WITH THIS REQUEST.

THE UNDERSIGNED HEREBY FURTHER ACKNOWLEDGES AND STATES UNDER OATH THAT HE IS THE LEGAL OWNER OF THE PROPERTY DESCRIBED HEREON, THE SUBDIVISION OF "FRED A SS-216" AS APPEARS ON THIS PLAT IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER AND PROPRIETOR.

THE UNDERSIGNED HEREBY FURTHER AGREES THAT SHEETS 1 THROUGH 2 OF THIS PLAT WHEN RECORDED IN THE OFFICE OF THE PARK COUNTY CLERK AND RECORDER ESTABLISHES VESTED PROPERTY RIGHTS. THE UNDERSIGNED HEREBY AGREES TO ABIDE BY THE CONDITIONS AND STIPULATIONS CONTAINED HEREIN, AND IN THE COMMISSIONERS RESOLUTION/SUBDIVISION PERMIT.

IN WITNESS WHEREOF, THE SAID OWNER, FLOYD C. GAIL, PERSONAL REPRESENTATIVE FOR THE FRED A. GAIL ESTATE, HAS CAUSED HIS NAME TO BE HEREON SUBSCRIBED THIS _____ DAY OF _____, 2013.

FLOYD C. GAIL, PERSONAL REPRESENTATIVE FOR THE FRED A. GAIL ESTATE

ACKNOWLEDGEMENT:
STATE OF WYOMING }
COUNTY OF PARK } SS
THE FOREGOING CERTIFICATE OF DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2013 BY FLOYD C. GAIL, PERSONAL REPRESENTATIVE FOR THE FRED A. GAIL ESTATE.

WITNESS MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC
MY COMMISSION EXPIRES: _____

NO PROPOSED CENTRALIZED SEWAGE DISPOSAL SYSTEM .
NO PROPOSED PUBLIC DOMESTIC WATER SOURCE.
NO ROADS ARE PROPOSED AS A PART OF THIS SUBDIVISION.

SURVEYOR'S CERTIFICATE

I, STEVEN D. FOLLWEILER, BEING A REGISTERED LAND SURVEYOR IN THE STATE OF WYOMING, DO HEREBY CERTIFY THAT THIS PLAT AND SURVEY OF FRED A SS-216 WAS MADE BY ME AND UNDER MY SUPERVISION AND THAT BOTH ARE ACCURATE TO THE BEST OF MY KNOWLEDGE AND IN COMPLIANCE WITH ALL STATE AND COUNTY STATUTORY PROVISIONS AND REGULATIONS.

DATED THIS _____ DAY OF _____, 2013.

HOLM, BLOUGH AND COMPANY
BY: STEVEN D. FOLLWEILER (AGENT)
WYOMING REGISTRATION NO. 3154 LS



PLATTING CONDITIONS FOR FRED A SS-216

1. RIGHT-OF-WAY. The right-of-way for ingress and egress for service and emergency vehicles is granted over, across, on and through any and all private roads and drives now or hereinafter established.
2. ROAD CONSTRUCTION AND ACCEPTANCE. The County shall not accept the maintenance of any road and bridge within the boundaries of FRED A SS-216 until and unless the road or bridge meets all County road and bridge specifications and all requirements of the Statutes of the State of Wyoming regarding establishment of a public road in effect at the time a petition for acceptance is filed with the Park County Board of County Commissioners. The Board of County Commissioners shall have sole authority to determine whether or not to accept maintenance. Nothing shall require the Board of County Commissioners to assume maintenance.
3. If no public maintenance is contemplated on any of the roads, the subdivider shall put a legend on the plat of the subdivision and on all offers, contracts or agreements for the sale and purchase of lots within the subdivision showing the streets, alleys and roadways showing in capital letters "NO PUBLIC MAINTENANCE OF SPECIFIED STREETS OR ROADS".
4. MINERAL ESTATE. The surface estate of the land to be subdivided is subject to the full and effective development of the mineral estate.
5. AGRICULTURAL NOTICE. This property is in an area of historic agricultural use. This use is preserved by the Wyoming Right to Farm and Ranch Act of 1991 (W.S. 11-44-101 through 103). Historic agricultural use may cause noise, odors, dust, flies and other factors that are consequences of accepted agricultural practices. This subdivision and its lot and neighboring lands are located in an area that has been used historically for flood irrigated crop production. Historic farming practices (including flood irrigation of crops and the use of ditches to move water) may cause a significant rise in the water table in the area. The water table in the area may rise dramatically during irrigation season. Purchasers of subdivision lots should make this factor an important consideration when buildings are constructed on subdivision lots.

CITY OF CODY PLANNING AND ZONING COMMISSION RECOMMENDATION

THIS PLAT WAS APPROVED BY THE PLANNING AND ZONING COMMISSION OF CODY, WYOMING ON THE _____ DAY OF _____, 2013.

CHAIRMAN _____ ATTEST: _____

CODY CITY COUNCIL APPROVAL

THIS PLAT WAS APPROVED BY THE CITY COUNCIL OF CODY, WYOMING ON THE _____ DAY OF _____, 2013.

BY: NANCY TIA BROWN, MAYOR _____ ATTEST: _____
BY: JENNIFER ROSENCRANSE, CITY ADMINISTRATOR

BOARD OF COUNTY COMMISSIONERS APPROVAL AND SUBDIVISION PERMIT

THIS PLAT IS HEREBY APPROVED AND THE SUBDIVISION PERMIT GRANTED BY THE BOARD OF COUNTY COMMISSIONERS OF PARK COUNTY, WYOMING, THIS _____ DAY OF _____, 2013.

CHAIRMAN _____
ATTEST: _____
PARK COUNTY CLERK _____
DATE: _____

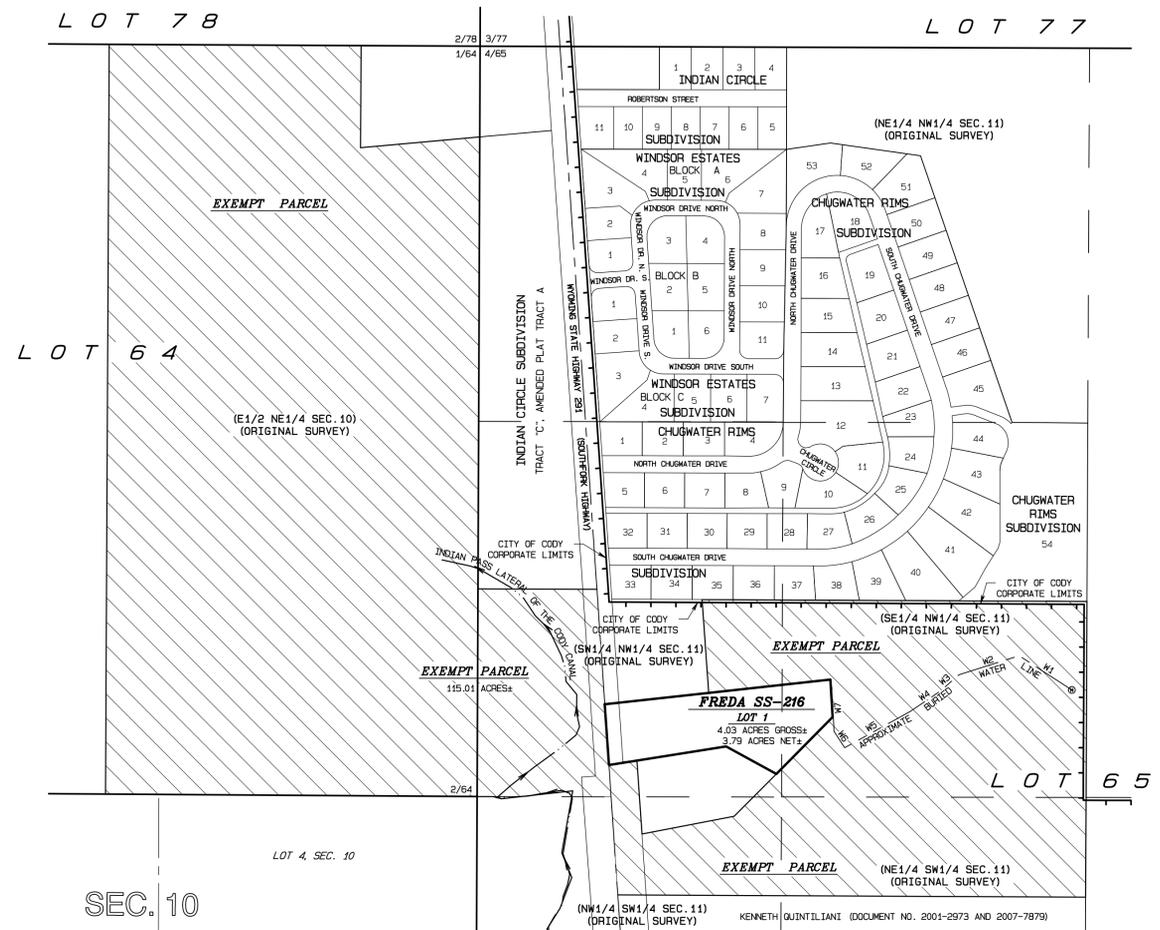
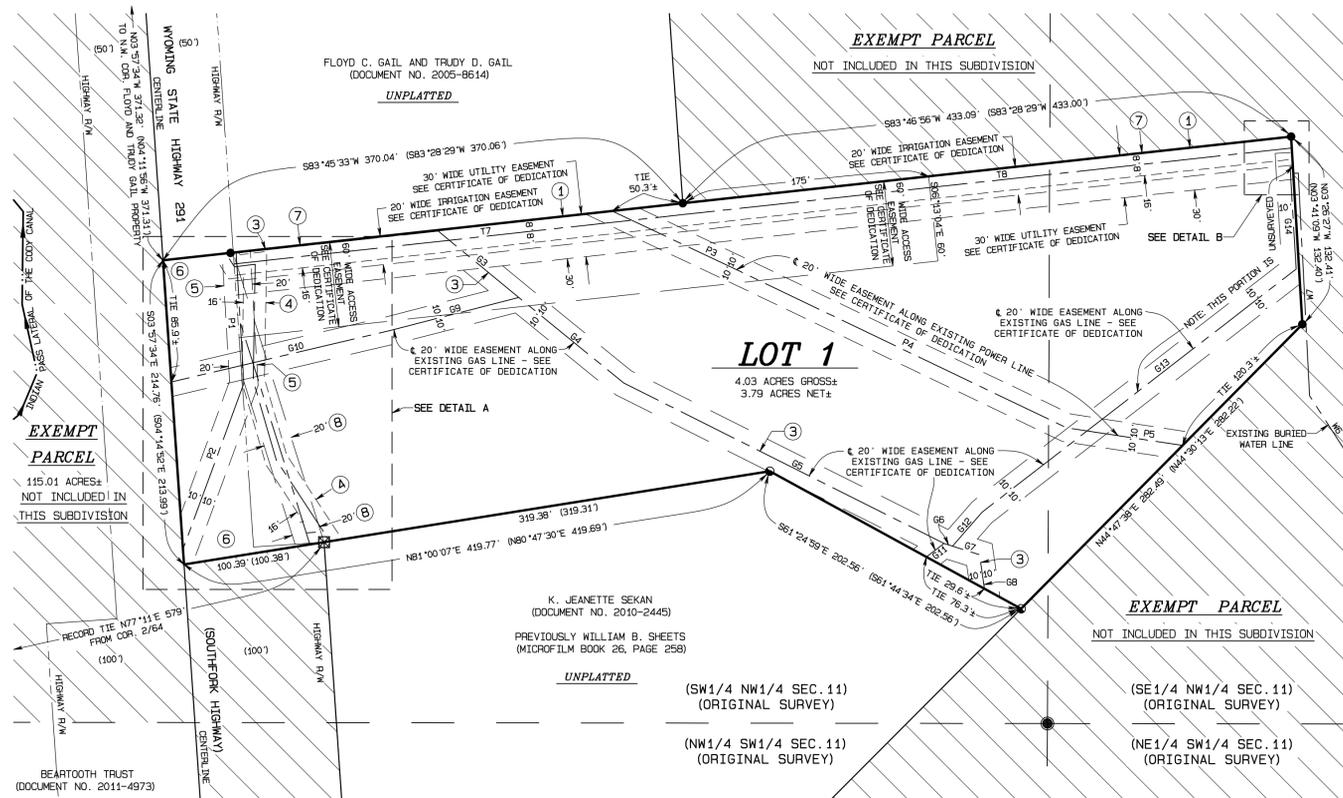
RECORDER'S ACCEPTANCE

THIS PLAT WAS ACCEPTED FOR FILING IN THE OFFICE OF THE PARK COUNTY CLERK AND RECORDER ON THIS _____ DAY OF _____, 2013, AND FILED FOR RECORD AT _____ M. UNDER DOCUMENT NUMBER _____ IN PLAT CABINET _____ AT PAGE _____.
JERRI TORCZON
PARK COUNTY CLERK AND RECORDER
BY: DEPUTY COUNTY CLERK _____

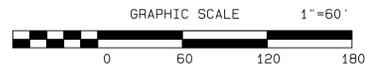
PLAT SHOWING
FRED A SS-216
IN LOT 65
T. 52 N., R. 102 W., 6TH P.M.
PARK COUNTY, WYOMING (RESURVEY)
APPLICANT AND OWNER: FLOYD C. GAIL, PERSONAL REPRESENTATIVE FOR THE FRED A. GAIL ESTATE

T. 52 N., R. 102 W.
(RESURVEY)

T. 52 N., R. 102 W.
(RESURVEY)



FREDA SS-216
ENCOMPASSING 4.03 ACRES±



PRELIMINARY COPY

VICINITY MAP
SCALE: 1" = 300'

LEGEND

- REBAR WITH ALUM. CAP FOUND
- BRASS CAP FOUND
- 1/2" IRON PIPE FOUND
- HIGHWAY MONUMENT FOUND
- WATER WELL
- RECORD DIMENSIONS SHOWN THUS ()
- EXEMPT PARCEL SHOWN THUS

EASEMENTS OF RECORD

1. ACCESS EASEMENT AS SHOWN ON THE RECORD OF SURVEY SHOWING PARCELS OF LAND RECORDED ON APRIL 18, 2001 AS DOCUMENT NO. 2001-2191 AND FILED IN PLAT CABINET "G" AT PAGE 55, 30 FEET WIDE.
2. EASEMENT, INCLUDING THE TERMS, COVENANTS AND PROVISIONS AS MAY BE CONTAINED THEREIN, AS GRANTED/PRESERVED TO THE UNITED STATES - DEPARTMENT OF THE INTERIOR FOR AN ELECTRIC TRANSMISSION LINE BY INSTRUMENT RECORDED OCTOBER 24, 1941 IN BOOK 111 AT PAGE 119, 40 FEET WIDE (LOCATION UNCERTAIN).
3. EASEMENT, INCLUDING THE TERMS, COVENANTS AND PROVISIONS AS MAY BE CONTAINED THEREIN, AS GRANTED/PRESERVED TO WYOMING GULF SULPHUR CORPORATION FOR A THREE-INCH NATURAL GAS PIPELINE BY INSTRUMENT RECORDED OCTOBER 24, 1958 IN BOOK 231 AT PAGE 231, NO WIDTH SPECIFIED. ASSIGNMENT OF SAID EASEMENT TO CODY GAS COMPANY BY INSTRUMENT RECORDED DECEMBER 14, 1979 IN MICROFILM BOOK 46 AT PAGE 792. ASSIGNMENT OF SAID EASEMENT TO GREAT FALLS GAS COMPANY BY INSTRUMENT RECORDED DECEMBER 14, 1988 IN MICROFILM BOOK 163 AT PAGE 122.
4. EASEMENT, INCLUDING THE TERMS, COVENANTS AND PROVISIONS AS MAY BE CONTAINED THEREIN, AS GRANTED/PRESERVED TO U S WEST COMMUNICATIONS, INC. FOR TELECOMMUNICATIONS FACILITIES BY INSTRUMENT RECORDED NOVEMBER 7, 1995 IN MICROFILM BOOK 274 AT PAGE 917, 16 FEET WIDE.
5. EASEMENT, INCLUDING THE TERMS, COVENANTS AND PROVISIONS AS MAY BE CONTAINED THEREIN, AS GRANTED/PRESERVED TO PACIFICORP FOR AN ELECTRIC TRANSMISSION AND DISTRIBUTION LINE BY INSTRUMENT RECORDED NOVEMBER 1, 1996 IN DOCUMENT NO. 1996-6551, 20 FEET WIDE.
6. EASEMENT, INCLUDING THE TERMS, COVENANTS AND PROVISIONS AS MAY BE CONTAINED THEREIN, AS GRANTED/PRESERVED TO THE STATE OF WYOMING FOR A ROAD RIGHT-OF-WAY BY INSTRUMENT RECORDED AUGUST 6, 2003 IN DOCUMENT NO. 2003-7308, VARIABLE WIDTH.
7. EASEMENT, INCLUDING THE TERMS, COVENANTS AND PROVISIONS AS MAY BE CONTAINED THEREIN, AS GRANTED/PRESERVED TO TCT WEST, INC. FOR TELECOMMUNICATION FACILITIES BY INSTRUMENT RECORDED JUNE 14, 2010 IN DOCUMENT NO. 2010-3907, 16 FEET WIDE.
8. EASEMENT, INCLUDING THE TERMS, COVENANTS AND PROVISIONS AS MAY BE CONTAINED THEREIN, AS GRANTED/PRESERVED TO ENERGY WEST WYOMING FOR A NATURAL GAS PIPELINE BY INSTRUMENT RECORDED MAY 30, 2012 IN DOCUMENT NO. 2012-3047, 20 FEET WIDE.

NOTES

1. BEARINGS ARE BASED ON THE CITY OF CODY DATUM, WHICH IS BASED ON THE WYOMING COORDINATE SYSTEM NAD 83/93 WEST CENTRAL ZONE.
2. THE GROSS AREA OF LOT 1 INCLUDES THE RIGHT-OF-WAY OF WYOMING STATE HIGHWAY 291 (SOUTH-FORK HIGHWAY).
3. THE NET AREA OF LOT 1 EXCLUDES THE RIGHT-OF-WAY OF WYOMING STATE HIGHWAY 291 (SOUTH-FORK HIGHWAY).
4. THOSE PORTIONS OF THE WATER LINE RIGHT OF WAY DESIGNATED AS W-5 THROUGH W-10, W-15, AND 5/W-1 THROUGH 6/W-3 SHOWN ON THE RECORD OF SURVEY RECORDED AS DOCUMENT NO. 2001-2191 AND FILED IN PLAT CABINET "G" AT PAGE 55 ARE NO LONGER IN USE. THESE RESIDENCES HAVE SINCE CONNECTED TO THE NORTHWEST RURAL WATER DISTRICT LINE. THE WATER LINE CURRENTLY SERVES ONLY THE EXISTING RESIDENCE ON LOT 1 OF FREDA SS-216 AND THE EXISTING MOBILE HOME LOCATED ON THE EXEMPT PARCEL JUST NORTH OF THE NORTHEAST CORNER OF SAID LOT 1.
5. WELL WATER ANALYSIS SHOWS ELEVATED SODIUM LEVELS. PERSONS ON LOW SODIUM DIETS SHOULD CONSULT THEIR DOCTORS.

LINE TABLE FOR GAS LINE EASEMENTS

LINE	BEARING	DISTANCE
G1	S03°54'20"E	0.5'±
G2	N83°51'20"E (S83°32'32"W)	144.9'± (144.93')
G3	S50°39'27"E (N50°58'16"W)	73.7'± (73.72')
G4	S50°57'19"E (N51°16'06"W)	95.7'± (95.71')
G5	S63°30'00"E (N63°48'48"W)	253.3'± (253.30')
G6	S72°30'50"E (N72°49'38"W)	6.2'± (26.24')
G7	S72°30'50"E (N72°49'38"W)	20.0'± (26.24')
G8	S08°20'35"E (N08°39'23"W)	24.3'±
G9	S75°39'44"W (S75°20'56"W)	94.9'± (94.91')
G10	S75°48'39"W (S75°29'47"W)	158.1'±
G11	S52°38'49"W	15.7'±
G12	N41°12'36"E	31.7'±
G13	N52°22'32"E (N52°03'44"E)	280.6'±
G14	N03°26'27"W	72.2'±
G15	N85°33'33"E	2.0'±
G16	N17°31'34"W (N17°48'W)	169.4'± (169.4')

LINE TABLE FOR POWER LINE EASEMENTS

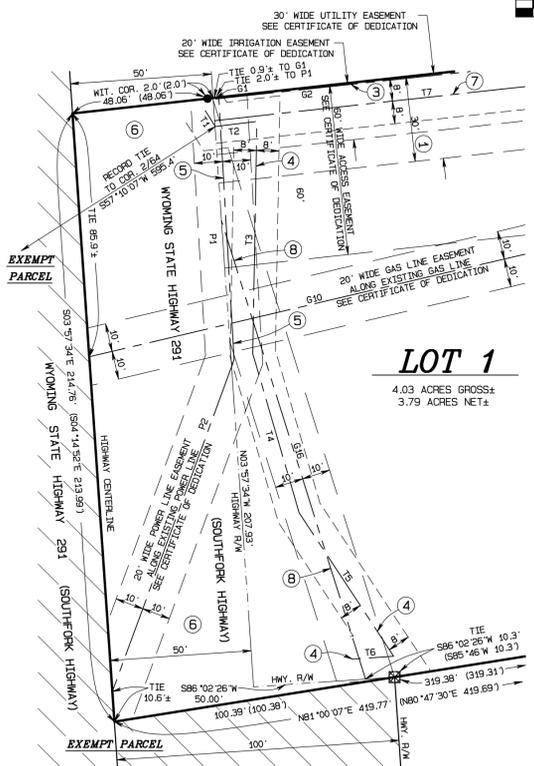
LINE	BEARING	DISTANCE
P1	S03°22'22"E	92.6'±
P2	S20°14'43"W	124.6'±
P3	S64°49'30"E	100.1'±
P4	S64°30'33"E	255.9'±
P5	S81°22'37"E	83.1'±

LINE TABLE FOR TELECOMMUNICATIONS EASEMENTS

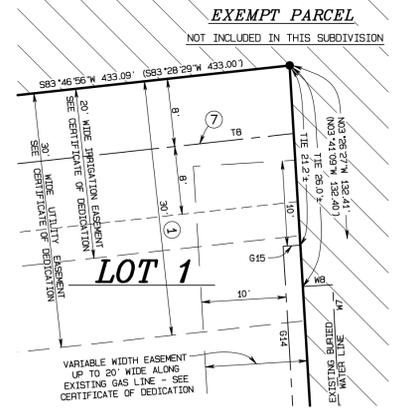
LINE	BEARING	DISTANCE
T1	S32°13'36"E	6.6' (6.6')
T2	N83°03'22"E (N82°35'48"E)	14.8' (14.8')
T3	S01°01'11"W (S00°43'00"W)	81.8' (81.8')
T4	S16°19'15"E (S16°37'26"E)	58.4' (58.4')
T5	S33°29'49"E (S33°48'00"E)	60.6' (60.6')
T6	S86°04'11"W (S85°46'00"W)	16.2' (16.2')
T7	N83°45'33"E	320.3'
T8	N83°46'56"E	432.7'

LINE TABLE FOR APPROXIMATE EXISTING BURIED WATER LINE

LINE	BEARING	DISTANCE
W1	N57°08'24"W (N57°27'11"W)	222.26' (222.26')
W2	S72°34'24"W (S72°15'36"W)	222.84' (222.84')
W3	S49°01'27"W (S48°42'38"W)	89.53' (89.53')
W4	S55°55'59"W (S55°37'11"W)	124.93' (124.93')
W5	S61°09'40"W (S60°50'52"W)	266.69' (266.69')
W6	N32°58'17"W (N33°17'08"W)	69.78' (69.78')
W7	N02°55'54"W (N03°14'41"W)	157.03' (157.03')
W8	S86°33'33"W	3.51'



DETAIL A
SCALE: 1" = 30'



DETAIL B
SCALE: 1" = 50'

Proposed Parking Regulations: (2nd P&Z Review Draft, dated 1.18.2013. Changes from the 1st draft are highlighted.)

Chapter 9-4 OFF STREET PARKING FACILITIES:

Delete the existing chapter in its entirety.

The following would replace Chapter 9-4 of the City of Cody Code. (Moves parking requirements from the Building Regulations portion of City Code to the Zoning Ordinance.)

Chapter 10-20 Off-Street Parking

10-20-010 Intent

This chapter is intended to regulate the design, construction, use, and maintenance of public and private off-street parking facilities, so as to provide for the parking needs in the community in an efficient, coordinated, and safe manner.

10-20-020 Applicability

The requirements of this chapter apply to all off-street parking within the city, whether required or voluntarily provided, except as follows.

Within the downtown parking district, the use of buildings and land shall be exempt from providing up to one-hundred (100) off-street parking spaces otherwise required by this chapter. Uses in the downtown parking district that exceed this 100-space threshold shall provide off-street parking in the amount required in excess of 100 spaces.

All construction requirements of this chapter, including dimensional standards, surfacing, and drainage control remain applicable to off-street parking constructed in the downtown parking district after adoption of this ordinance.

The downtown parking district includes all land within the downtown architectural district described in Section 9-2-2 of the city of Cody code. (Generally 1 ½ blocks to the north and south of Sheridan Avenue, from 8th Street to 16th Street.)

10-20-030 Parking Facilities Required

Off-street parking facilities shall be provided in accordance with this chapter for any building or use hereafter established, enlarged, increased in capacity, replaced, or reconstructed as follows:

- A) For new buildings and uses, off-street parking facilities shall be provided as required by this chapter based on the proposed use and capacity of the building.

- B) Any building or use that is hereafter enlarged, or increased in capacity through physical expansion or conversion of an area to a use with an increased parking demand (e.g. conversion of storage to commercial floor space, addition of dwelling units, utilization of vacant land for business purposes), shall provide parking as required for the increase in area or capacity.
- C) Any building or use that is replaced or reconstructed in an amount greater than 75% of the area or assessed value of the building, within any five-year time period, shall provide parking for the entire building in accordance with this requirements of this chapter for new buildings and uses.

10-20-040 Plan Review

A) Plan Submittal:

Before the granting of a development or building permit for any building or use requiring parking pursuant to this chapter, the applicant shall present satisfactory plans to the community development department showing how all parking and loading facilities will be provided as required by this chapter. A determination that the parking plan meets the requirements of this title and other city ordinances shall be obtained before issuance of a building permit for the project. If site plan review by the **planning, zoning and adjustment board** (planning and zoning board) is required, this determination is to be made by the planning and zoning board in conjunction with the site plan review. For projects not requiring planning and zoning board site plan review, administrative approval of the parking plan by the city engineer and city planner, or their designee, is sufficient; provided no variance or special exemption to the parking standards is requested.

Parking facilities that are to be reconstructed or reconfigured independent of any building permit or other development approval shall be subject to the dimensional and construction standards of this chapter unless the planning and zoning board determines that physical conditions prevent otherwise. New parking facilities independent of any other development approval shall likewise require plan review. Plans for reconstructed, reconfigured or new parking facilities shall be submitted for review as described in the previous paragraph.

- B) Plan contents: The parking plan shall be drawn to a standard dimensional scale and show all parking facilities, adjacent streets, driveway locations and widths, surfacing material(s), and as applicable, internal traffic circulation, ADA parking and loading details, proposed drainage, parking lot lighting locations and fixture details, entrance gates, fencing or screening methods, wheel stops/curbing, loading docks/bays, and other features proposed or necessary to address site-specific health and safety issues.
- C) Plan compliance: Parking improvements are to be installed and completed as shown on the approved plans prior to occupancy of the building, structure or use served by the parking facilities; provided, a performance bond **in the amount of 110% of the remaining value of construction** may be accepted to postpone installation of pavement or concrete work for up to **one hundred fifty (150)** days when cold weather precludes such work.

10-20-**050** Location and Zoning Requirements.

Except as specified in 10-20-**070**, required off-street parking facilities shall be on the same property as the building or use they serve, and the zoning of the parking facilities shall either be in the same zoning

district, a zoning district that also permits the use served, or a zone that permits public parking facilities. (e.g. parking for a commercial use is not permitted in areas zoned residential, parking for multi-family development is not permitted in areas zoned single-family residential, parking for an industrial use is not permitted in an area zoned residential or neighborhood commercial, etc...)

10-20-060 Joint Parking Facilities, Multiple or Mixed Uses.

In the case of joint parking facilities that will serve multiple or mixed uses, the number of off-street parking spaces required shall be the sum of the requirements for the individual uses computed separately, unless the planning and zoning board authorizes otherwise based on reliable data, such as a parking demand study prepared by a qualified parking consultant or engineer that justifies a reduced number. Site-specific characteristics, such as offset peak parking times/days, are to be considered when determining whether a reduction in the number of spaces is justified for joint parking facilities.

10-20-070 Off-Site parking

The planning and zoning board may authorize parking facilities located on neighboring private property to qualify as required off-street parking under the following conditions:

- A) The parking spaces are not required for another building, structure or use, unless joint parking is allowed pursuant to 10-20-060;
- B) The nearest point of the parking lot is within the following distances, as measured along the pedestrian's path of travel, from the building served:
 - a. One hundred (100) feet for accessory apartments, single-family dwellings, and two-family dwellings;
 - b. Two hundred (200) feet for multiple-family dwellings, hotels, motels, and lodging facilities;
 - c. Three hundred (300) feet for hospitals, medical offices, homes for the aged, and clubs/fraternal orders; and,
 - d. Five hundred (500) feet for uses not otherwise specified above.
- C) A long-term agreement for the off-site parking, in a form and with conditions acceptable to the city attorney and planning and zoning board, is entered into between the affected property owner(s) and recorded in the office of the county recorder. An agreement shall be required regardless of whether the neighboring property is owned by a different or same property owner as the use requiring the parking. The agreement may be included in a deed, lease, covenants, conditions and restrictions (CC&Rs), or contract.
- D) If the off-site parking is no longer available, section 10-20-120 is applicable.

10-20-080 Parking Lot Design and Construction Standards

Off-street parking facilities shall be designed and constructed to the following standards:

- A) The parking facilities must have adequate ingress, egress, and internal circulation and shall provide the number of off-street spaces required under Section 10-20-090.
- B) All off-street parking spaces must be entirely outside of the street right-of-way.
- C) As required by the International Building Code, handicap (ADA) parking space(s), loading areas, and travel ways from the ADA space to the building, shall be provided in accordance with

adopted ADA standards. Required ADA parking spaces count towards the number of spaces required by Section 10-20-090.

- D) Entrances/Exits: The city engineer has the authority to specify the locations, widths, and designs of all approaches to and from all city streets. The parking lot designer and city engineer shall consider and apply appropriate access management techniques consistent with professional engineering practices, such as those found in the *Access Management Manual*, (2003, Transportation Research Board), to preserve street capacity, minimize safety issues, and minimize future costs to the city. The access management requirements of the city engineer shall be incorporated in the parking lot/access design; provided, any appeal to such requirements from the applicant may be presented to the planning, zoning, and adjustment board for a ruling. For access to state highways, access management techniques shall be determined through consultation and permitting with WYDOT prior to City approval of the parking plan. (see also *WYDOT Access Manual*, 2005 or current edition)
- E) Parking areas for civic, commercial, and industrial uses that will be utilized outside of daylight hours shall be provided with illumination. All parking lot lighting shall be designed and installed such that illumination will be directed away from any neighboring residential properties and shall be directed downward by utilizing full cut off or fully shielded fixtures.
- F) Parking spaces and aisles shall have a vertical clearance of at least seven (7) feet.
- G) Tandem Configuration: Single-family residential (attached or detached), two-family residential (duplex), and family daycare home uses may utilize a tandem (one vehicle directly behind the other) parking configuration and have both spaces count toward the required number, so long as both tandem spaces are designated to serve the same dwelling unit. Tandem parking space configuration shall not be permitted for off-street parking required of any other type of use.
- H) Parking lots containing five or more required spaces shall be designed and constructed to the following minimum standards:
 1. Surfacing. Parking spaces, drives, and aisles shall be constructed of either concrete, asphalt concrete pavement, recycled asphalt, asphalt millings, or compacted gravel meeting WYDOT "Grading GR" or "Grading W" specifications; provided, parking lots serving uses or complexes requiring ten (10) or more spaces, and which are primarily for year-round customer or resident use, shall be paved with concrete or asphalt concrete pavement. Base material in a depth suitable for the traffic anticipated to utilize the facility, including emergency vehicles, shall also be provided. ADA spaces must be concrete or asphalt concrete pavement.
 2. Entrance. Commercial development, industrial/light-industrial development, and multi-family developments that are accessed directly from a state highway or street classified as an arterial or collector shall have a paved entrance/exit extending from the curb cut (face of curb) to a point at least fifty (50) feet from the public street, measured along the direction of travel.
 3. Back Out Prohibited. Off-street parking for commercial, industrial, civic, and multiple-family development shall be designed so as to make it unnecessary for a vehicle to back out into a public street. Backing into alleys is acceptable.
 4. Hard-surfaced parking areas shall use paint, curbing, or similar improvements to delineate car stalls. Painted parking lot stripes and directional markings must be white or yellow.
 5. Parking areas of gravel or similar material shall use wheel stops/parking stops or 6" by 6" treated wood timbers to delineate car stalls, and signage as necessary for the direction of traffic.

6. Where pedestrian walks are used in parking lots for the use of foot traffic only, they shall be curbed, or raised six inches above the lot surface.
7. Wheel stops or parking blocks shall be provided next to sidewalks and pedestrian aisles when necessary to prevent vehicle overhang from reducing the sidewalk or pedestrian aisle to less than four (4) feet in width. When determining possible encroachment into the sidewalk or pedestrian aisle, an overhang of 2.0 feet is to be assumed for 90-degree parking, 1.7 feet for 60-degree parking, 1.6 feet for 45-degree parking, and 1.0 feet for 30-degree parking.
8. Primary access gates located next to an arterial or collector street shall be set back sufficiently from the public street to allow an appropriate design vehicle to completely pull off the street before having to stop to open **or close** the gate.
9. Parking lots that slope down to adjoining properties or streets, that have a drop-off grade separation **greater than four feet in elevation difference and slope greater than 3:1 shall provide a curb, curb stop,** wall, sturdy railing or other installation which will prevent a slow-moving or driverless car from escaping such areas.
10. Parking areas situated within twenty (20) feet of a neighboring residence shall have a visual screen, such as landscaping and/or fencing, as necessary to prevent headlight glare disturbance to the occupants of the neighboring residence.
11. When off-street parking is provided to the rear of a building, and a driveway or lane alongside the building provides access to the rear parking area, such driveway shall be a minimum of twelve (12) feet wide and a minimum four-foot wide sidewalk must be installed adjoining the building. The sidewalk is to be curbed or raised six inches above the driveway surface.
12. Dead-end one-way parking aisles shall not be permitted. Additional back-up area or turnaround area shall be provided at the end of two-way dead-end parking aisles.

10-20-090 Number of Spaces Required

The minimum number of parking spaces required for a use shall be according to **Table 1**, unless the planning and zoning board authorizes otherwise based on reliable data, such as parking data from a highly comparable facility or a parking demand study prepared by a qualified parking consultant or engineer, which justifies use of a different parking ratio.

Calculations based on the following figures that result in a fraction of one-half (½) or greater are to be rounded up, and fractional results of less than one-half (½) may be rounded down. Area per square foot (sq. ft.) refers to square foot of gross floor area, unless noted otherwise.

Table 1. Minimum number of parking spaces.

<u>CATEGORY:</u>	<u>MINIMUM SPACES REQUIRED:</u>
<u>RESIDENTIAL AND LODGING:</u>	
Accessory Apartments, Guest Houses, and Bed and Breakfast Inns.	1.4 spaces for a 1-bedroom unit 2 spaces per 2-bedroom unit 2.25 spaces for a 3+ bedroom unit

	(In addition to the spaces for the main dwelling.)
Congregate Care Facility	0.5 spaces per dwelling unit
Hotels, Motels, and other Lodging Facilities not otherwise listed.	1.1 spaces per rentable room or sleeping unit, plus 1 space per hotel/motel vehicle (e.g. shuttle), and 0.75 spaces per employee on the maximum shift. Parking for any conference/banquet room is to be calculated separately at a ratio of one space per 150 sq. ft. Any full-service restaurant is to be calculated as a restaurant.
Multiple-Family Dwellings (3 or more units in same building).	1.4 spaces per 1-bedroom unit 2 spaces per 2-bedroom unit 2.25 spaces per 3+ bedroom unit
Residential Care Facility/Assisted Living	0.5 spaces per bed, plus 1 per day-shift employee
Single-Family Attached (e.g. townhouse), Single-Family Detached, and Two-Family Dwellings.	2 spaces per dwelling unit
<u>CIVIC AND PUBLIC ASSEMBLY:</u>	
Hospitals	4.9 spaces per bed
Public Assembly, including, but not limited to, Auditoriums, Churches, and Theaters.	Fixed Seats: 0.3 spaces per seat Without Fixed seats: 11.3 spaces per 1,000 sq. ft. of gross floor area, or 1 space per 45 sq. ft. of all assembly area(s) occupied concurrently, whichever is less.
Schools: (The planning and zoning board may authorize public schools to count available on-street parking towards the following requirements.)	Elementary Schools: 0.2 spaces per student Middle Schools: 0.2 spaces per student High Schools: 0.5 spaces per student
<u>COMMERCIAL/OFFICE/SERVICE:</u>	
Auto Parts Sales	1 space per 200 sq. ft.
Banks, Credit Unions, Financial Institutions	1 space per 300 sq. ft.
Bar or Lounge, with or without eating facilities.	17.3 spaces per 1,000 sq. ft.; or 0.3 spaces per fixed

	<p>seat where seating is fixed.</p> <p>Indoor and outdoor seating areas are counted.</p>
Convenience Store, without gas pumps.	5.7 spaces per 1,000 sq. ft.
Daycare Center	3.5 spaces per 1,000 sq. ft.; or 0.2 spaces per child, whichever is less.
Discount Store, freestanding.	1 space per 200 sq. ft.
Drugstore/Pharmacy	5.4 spaces per 1,000 sq. ft.
Furniture, Carpet, Tile, Home Furnishing Showrooms/Stores.	2.3 spaces per 1,000 sq. ft.
Gas Station	<p>With convenience store: 0.75 spaces per fueling position, in addition to fueling spaces.</p> <p>Without Convenience Store or Service Station: 1 per on-site employee.</p>
Laundromat	0.5 spaces per washing machine, plus 1 per employee.
Medical and Dental Offices	1 space per 250 sq. ft.
Office Supply Store	1.2 spaces per 1,000 sq. ft.
Professional Offices, General.	4 spaces per 1,000 sq. ft.
Restaurant, Fast Food	<p>With Drive-thru: 15.2 spaces per 1,000 sq. ft., or 0.6 spaces per fixed seat where seating is fixed.</p> <p>Without Drive-thru: 12.7 spaces per 1,000 sq. ft.</p> <p>Indoor and outdoor seating areas are counted.</p>
Restaurant, Sit Down	<p>14.3 spaces per 1,000 sq. ft.; or 0.5 spaces per fixed seat where seating is fixed.</p> <p>Indoor and outdoor seating areas are counted.</p>
Retail Establishments; including Appliance, Clothing, Hardware, Housewares, Specialty Items, Sporting Goods, and other retail establishments not otherwise listed.	1 space per 300 sq. ft.

Shopping Centers:	4.1 spaces per 1,000 sq. ft. for <30,000 sq. ft. of gross leasable area. 4.7 spaces per 1,000 sq. ft. for 30,000+ sq. ft. of gross leasable area.
Supermarkets, up to 5,000 sq. ft. in size.	3.33 spaces per 1,000 sq. ft.
Supermarkets, larger than 5,000 sq. ft.	5.8 spaces per 1,000 sq. ft.
Vehicle Repair and Maintenance Services.	4 spaces per service bay, except vehicle repair/maintenance accessory to vehicle sales is 3 spaces per service bay.
Vehicle Sales (New or Used)	1 space per 300 sq. ft. of office and indoor sales area.
<u>INDUSTRIAL:</u>	
Light Industry, General (not manufacturing).	1.1 spaces per 1,000 sq. ft.
Manufacturing	1.3 spaces per 1,000 sq. ft.
Warehousing	1 space per 2,000 sq. ft. for warehouses. Mini-storage/self-storage has no parking required.

10-20-100 Dimensional Standards for Off-Street Parking

- A) Parking Stall Dimensions: A standard angled or perpendicular parking space on a paved or concrete surface shall measure a minimum of nine (9) feet in width by twenty (20) feet in length. A standard angled or perpendicular parking space on a gravel or similar surface shall measure a minimum of ten (10) feet in width by twenty (20) feet in length. The minimum length may be reduced to eighteen (18) feet when an additional space of two (2) feet is provided for the front overhang of vehicles (e.g. overhanging a curb, sidewalk, wheel stop, landscaped area or combination thereof). Any front overhang of a vehicle may not reduce the clear width of an adjacent sidewalk or ADA accessible route to less than four (4) feet in width. The minimum dimensions for an off-street parallel parking space shall be nine (9) feet wide by twenty-two (22) feet long.

Parking lots serving a high-turnover of short duration users, such as convenience stores, grocery stores, and hardware stores should consider use of 10-foot wide stalls.

Covered parking stalls (i.e. carports) are to exclude the width of any support poles/columns from the parking stall width, and all support poles/columns must be at least two (2) feet from the back of the stall.

- B) Standards for parking rows and aisles: Parking lot rows and aisles shall meet the following minimum dimensional requirements, as set forth in Table 2 and Figure 1.

Table 2: Parking Lot Aisle Width.

Parking Angle:	Minimum Aisle Width:
90-deg.	24'
60-deg.	18' (one-way) 24' (two-way)
45-deg.	13' (one-way) 24' (two-way)
30-deg.	12' (one-way) 24' (two-way)

Figure 1. Parking Stall Dimensions.

(Located at end of ordinance.)

10-20-110 Off-Street Loading Facilities

Outside of the downtown parking district, buildings or structures that regularly receive or distribute material or merchandise by truck shall provide and maintain off-street loading spaces or docks in sufficient size and number to fill the needs of the use. The loading facilities shall be designed to the following standards when located outside of the downtown parking district.

- A) The minimum number shall be according to the following tables:

1. Loading Spaces/Docks for Commercial and Industrial Buildings:

Number of Loading Spaces/Docks	Gross Floor Area of Building in Square Feet
1	Up to 20,000
2	20,001 to 50,000
3	50,001 to 100,000
One additional berth is required for each 50,000 sq. ft. in excess of 100,000 square feet.	

2. Loading Spaces/Docks for Office Buildings, Hotels, Hospitals, and Other Institutional Uses:

Number of Loading Spaces/Docks	Gross Floor Area of Building in Square Feet
1	Up to 20,000
2	20,001 to 50,000
3	50,001 to 100,000
One additional berth is required for each 50,000 sq. ft. in excess of 100,000 square feet.	

- B) Setback from residential zone. Loading spaces or docks serving new development must be located at least fifty (50) feet from any residential zoning district.
- C) No part of a truck or van using the loading space **or dock** may project into a public street or fire lane.
- D) Forward motion. New loading facilities must be designed so that vehicles enter and exit the site in a forward motion. The planning and zoning board may waive this requirement when the adjacent public street has minimal traffic and there is an alternative route around the vehicle maneuvering area.

10-20-120 Maintenance of Required parking.

Off-street parking facilities required by this chapter shall be maintained so long as the building, structure or use for which they are provided exists, unless an equivalent number of substitute parking spaces is approved by the City, provided, and thereafter maintained as specified by this chapter.

In the event any off-street parking facilities required in connection with any building, structure or use are at any time not maintained for automobile parking purposes to the extent required, the planning, zoning and adjustment Board shall direct the building official to revoke and cancel the certificate of occupancy for such building, structure or use after holding a hearing upon at least ten (10) days' written notice of the time, place and purpose of the hearing having been mailed to the owner or other person occupying the same as shown on the records of the city clerk; provided, that if it appears that the failure to maintain such required parking was reasonably beyond the control of the person required to maintain the same, no certificate of occupancy shall be revoked until such person shall have had ninety (90) days to reestablish the minimum required parking. In the event any certificate of occupancy is revoked, the premises covered thereby shall not be occupied or used for any purpose until a new certificate of occupancy has been issued.

10-20-130 Variances

DISCUSS WHICH OPTION IS PREFERRED—CURRENTLY A CONFLICT.

(Existing section in parking code:)

The city council may, by a majority vote, vary or adjust the strict application of any of the requirements of this chapter where physical conditions applying to a lot or building area are such that strict application would result in practical difficulty or unnecessary hardships that would prevent the owner or occupant of the reasonable use of the land or building involved. However, before granting such a variance, the city council shall first refer the application for variance to the planning and zoning commission for their study and recommendation. Consideration may be given for any monetary payments made to the city for parking lots or off street parking in lieu of providing such off street parking as required by this chapter. (Ord. 79-17)

(Existing section in Special Exemption chapter:)

B. Applicability: Applicants may request, and the planning and zoning board may consider, special exemptions from certain numerical specifications and for uses that are similar to permitted uses as specified below:

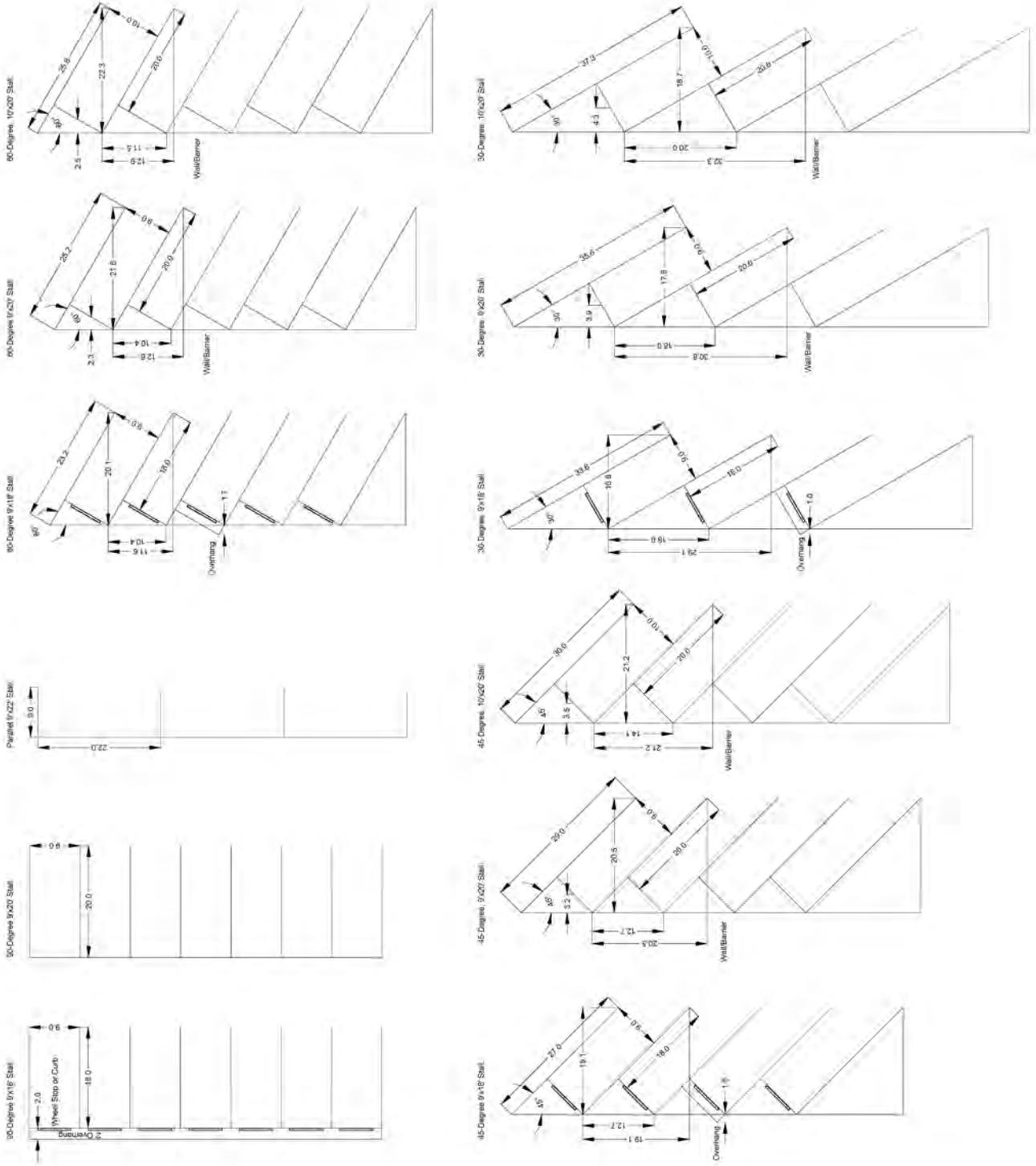
1. Exemption from Numerical Specifications: The following types of numerical standards may be waived or modified by special exemption:

- a. Hour of business operation limits in D-1 district;
- b. Setbacks and yard requirements;
- c. Height limits;
- d. Parking standards of title 9, chapter 4 of this code;
- ...

If second option is chosen, the following language could be placed in this section:

Variances to the requirements of this chapter are to be considered under the Special Exemption process of Section 10-14-2, Special Exemptions.

FIGURE 1: Parking Stall Dimensions





CITY OF CODY DOWNTOWN ARCHITECTURAL DISTRICT