

City of Cody City Council
Special Meeting
Tuesday, March 10, 2026-5:30 PM
Meeting Place: City of Cody Council Chambers

Meeting Called to Order

Roll Call

Discussion/Informational Items

- a. Court Appointed Special Advocates (CASA) Child Abuse Prevention Month
Staff Reference: Tina Gail
- b. Utility Billing Adjustments - Electric Refunds
Staff Reference: Leslie Brumage
- c. Water Billing Adjustment
Staff Reference: Leslie Brumage
- d. Rezone Request for Lot 1 Holm View Addition No. 6 from Medium-High Density Residential (R-3) to High Density Residential (R-4)
Staff Reference: Jenny Cramer
- e. Auditorium/Ayres Associates — Special Purpose Tax Project Discussion
Staff Reference: Tony Tolstedt

Conduct of Business

Adjournment



City of Cody Agenda Request Form



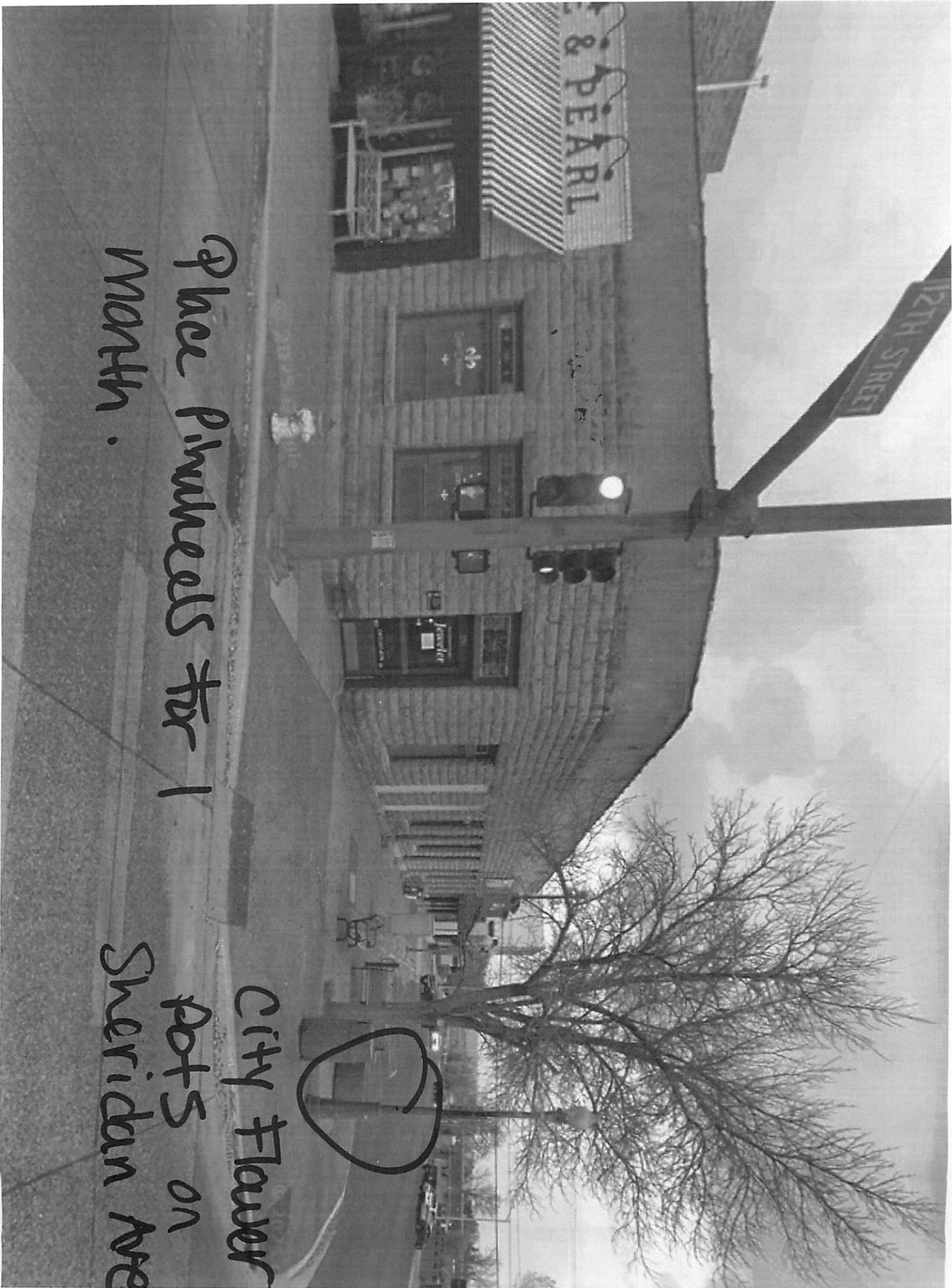
In order to fully prepare the Council for their meetings, individuals wishing to appear before the Council are asked to complete the following information prior to placement on the agenda. You will be notified of the date you have been scheduled to appear. You may also be contacted by City staff prior to the meeting to address concerns or provide additional information. Some requests may not require appearing before the Council for approval.

Please provide the following detailed information relating to your concern or request. **This form (and any relevant attachments) should be submitted in a timely manner, preferably at least 14 days prior to allow sufficient time for internal review. Untimely submission may result in the inability to be considered for approval.** Council packets are prepared in advance prior to Tuesday meetings. Meetings are held the first and third Tuesday of each month. Please complete the following information in full and return to City of Cody PO Box 2200 Cody, WY 82414 (Fax 307-527-6532),

Name of person to appear before the Council Brandie Grann + Gray Lockling
 Organization Represented Court Appointed Special Advocates
 Date you wish to appear before the Council Yes
 Email Address bgann@casawy.com Telephone 307-587-4361
 Names of all individuals who will speak on this topic Brandie Grann + Gray Lockling
 Event Title (if applicable) _____
 Date(s) of Event (if applicable) 4/3/26
 Location of Event (if applicable) City Park and Corner Flower Pots
 Full description of topic to be discussed (include all relevant information including any street closures, times of event, any special requirements or request etc., attach additional sheet if necessary and map showing location of event where applicable) CASA would ask to place up to 200 small pinwheels in the ground to raise awareness during and for child abuse prevention month (April) Also place 1-2 in flower pots on corners of streets downtown Cody. The pinwheel is not specific for CASA, it's used Nationwide & by the Childrens Justice Project for Supreme Court in WY. The pinwheels in the park would be placed for only a few hours in the park, 10-4pm April 3. We would invite newspaper for pictures.
 Which City employee(s) have you spoken to about this issue? N/A

Signature Brandie Grann Date 1/7/26

Thank you



Place Pimwells for 1 month.

City Flower pots on Sheridan Ave.

1 day: 24 hrs in this area

1 day: 24 hrs in this area
April 23-24 remove 5:00 am 24th

2/5



Meeting Date: March 10, 2026 Department: Finance Staff Reference: Leslie Brumage

AGENDA ITEM SUMMARY REPORT

Utility Billing Adjustments - Electric Refunds

PROPOSED ACTION:

This item is presented for informational purposes only. No formal Council action is requested at this time.

SUMMARY OF INFORMATION:

Public Works and Utility Billing recently conducted a joint audit of accounts with Itron 16S meters installed. The review identified 18 accounts with electrical services of 200 amps or less that had been billed incorrectly at commercial demand rates. City ordinance provides that demand billing applies only to services greater than 200 amps. Therefore, these accounts should have been billed under standard commercial rates rather than commercial demand rates.

The issue was initially discovered after a customer questioned billing charges. Upon field verification of service size, staff expanded the review to identify any additional accounts with similar characteristics.

City Ordinance provides that when the City overcharges a customer due to a metering inaccuracy or other continuing issue under its control, the City must refund the difference between the correct rate and the rate charged. Refunds must cover the period for which computerized records are available and are payable only to the customer last served by the meter prior to discovery of the error. Although the meters themselves were functioning properly, the rate classification error constitutes a continuing billing issue under the City's control. Accordingly, refunds are required.

FISCAL IMPACT:

Refund calculations have been reviewed and verified. The total refund obligation is \$174,498.49. The financial impact will be recognized within the Electric Fund as a current-period billing adjustment and refunds processed via check through the accounts payable system and presented for approval on a voucher list at a regular Council meeting.

ATTACHMENTS:

1. 16S Meter Corrections

Meter ID	MXU ID	EMR Code	Other ID	Multiplier	Verified Service Size	Corrected Rate	Total Calculated Adjustment
73158763	22318044	R	ITRON 16S	1	200 AMP	122 \$	(15,421.67)
335276285	1552255345	R	ITRON 16S	1	100 AMP	122 \$	(3,116.13)
329547646	1551297923	R	ITRON 16S	1	100 AMP	122 \$	(3,309.79)
83292430	66541309	R	ITRON 16S	1	200 AMP	111 \$	(12,684.57)
73122128	22219739	R	ITRON 16S	1	100 AMP	111 \$	(9,364.65)
83292426	66541291	R	ITRON 16S	1	200 AMP	111 \$	(7,922.87)
69668626	26268909	R	ITRON 16S	1	200 AMP	111 \$	(728.86)
83292431	66541306	R	ITRON 16S	1	200 AMP	111 \$	(3,400.80)
69668628	26266619	R	ITRON 16S	1	100 AMP	111 \$	(20,866.11)
74988147	22758205	R	ITRON 16S	1	200 AMP	111 \$	(11,402.87)
329547647 / 70339488	1551297728 / 26876218	R / R	ITRON 16S / ITRON 16S	1 / 1	200 AMP / 200AMP	111 / 111 \$	(2,194.27)
83292428	66541297	R	ITRON 16S	1	200 AMP	111 \$	(327.95)
72056157	15920163	R	ITRON 16S	1	200 AMP	111 \$	(11,177.33)
74732368	22123024	R	ITRON 16S	1	200 AMP	111 \$	(14,534.17)
73566706	22527707	R	ITRON 16S	1	200 AMP	111 \$	(10,767.47)
329547654	1551297896	R	ITRON 16S	1	200 AMP	111 \$	(6,671.79)
329547653	1551297908	R	ITRON 16S	1	200 AMP	111 \$	(25,258.89)
329547663	1551297920	R	ITRON 16S	1	200 AMP	111 \$	(15,348.30)

TOTAL ALL ACCOUNTS \$ (174,498.49)

Meeting Date: March 10, 2026 Department: Finance Staff Reference: Leslie Brumage

AGENDA ITEM SUMMARY REPORT

Water Billing Adjustment

PROPOSED ACTION:

Information provided to Council regarding a significant water and wastewater billing correction resulting from a miscalibrated remote meter reading

SUMMARY OF INFORMATION:

A multi-unit property on Stampede Ave is served by a single 1.5-inch water meter. The meter was very old and identified as part of a prioritized list of larger meters needing replacement. On June 13, 2025, during a routine billing audit, utility billing staff identified that the property's recorded usage appeared unusually low—approximately 1–2 thousand gallons per month for several years—which was inconsistent with an eight-unit building. The meter was replaced on February 12, 2026, with a final physical reading on the meter face of 7,272. The most recent remote reading was 727. This discrepancy indicates the remote on the meter was miscalibrated—likely with the decimal in the incorrect position—resulting in the customer being billed for approximately one-tenth of actual usage. Based on meter history, the account used approximately 1.222 million gallons over 55 months, averaging approximately 22 thousand gallons per month.

The total recalculated water and wastewater billing amount for the 55-month period is \$38,242.83. However, City Ordinance limits recovery of under-billings to the preceding six (6) months. Applying the six-month limitation, estimated recoverable usage is approximately 132 thousand gallons. The remaining historical usage must be credited back to the customer. The calculated billing adjustment is a credit of \$36,053.94, consisting of: \$23,354.22 in water usage charges and \$12,699.72 in wastewater usage charges.

Going forward, corrected monthly charges are expected to average approximately \$130 per month, compared to the \$45–\$49 historically billed.

Since the account was scheduled to bill on February 20th, the adjustment has already been processed on the customer's account.

FISCAL IMPACT:

The total recalculated billing amount for the full 55-month period is \$38,242.83, representing the difference between what should have been billed and what was actually billed due to the miscalibrated remote meter reading. Accordingly, the financial impact is a one-time revenue loss of \$36,053.94. This amount represents revenue that cannot be recovered due to the six-month limitation in the Ordinance.

This revenue was not previously recognized and will not be collectible, so the adjustment will reduce current-period operating revenue proportionately in the Water and Wastewater funds.

ATTACHMENTS:

None

Meeting Date: March 10, 2026 Department: Community Development Staff Reference: Jenny Cramer

AGENDA ITEM SUMMARY REPORT

Rezone Request for Lot 1 Holm View Addition No. 6 from Medium-High Density Residential (R-3) to High Density Residential (R-4)

PROPOSED ACTION:

Discussion of the requested rezone.

SUMMARY OF INFORMATION:

The property owner of Lot 1 Holm View Addition No. 6 is requesting a rezone of the property from Medium-High Density Residential (R-3) to High Density Residential (R-4), to allow for more housing development opportunities.

The request was considered in a public hearing by the Planning, Zoning and Adjustment Board on March 5, 2026. The Planning and Zoning Board voted to recommend approval to City Council (6 voted for, 1 voted against).

FISCAL IMPACT:

No direct fiscal impact to the City is expected.

ATTACHMENTS:

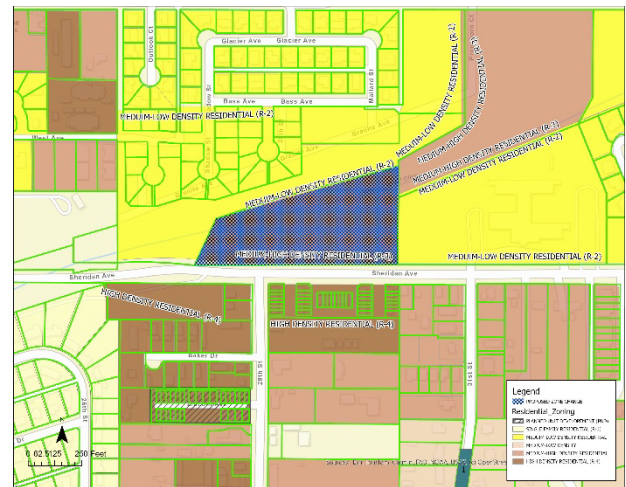
1. PZ Public Hearing Staff Report Holm View Addition Lot 1
2. Application
3. Cvr Ltr
4. 20260226 PW Comments
5. 926 Raccoon Ct Wanamaker Objection
6. 2942 Sheridan Good Objection
7. 2944 Sheridan Kempner Objection
8. 3002 Sheridan Zierlien Objection
9. 3101 Sheridan Ave NO Objection
10. Lot 216 ShdMtnSub Ferland Objection
11. Cody Enterprise Legal Notice
12. Residential Table Comparison R-3 R-4
13. Residential Use Table
14. Supplemental Dev Std Residential 10-8

CITY OF CODY PLANNING, ZONING AND ADJUSTMENT BOARD STAFF REPORT			
MEETING DATE:	MARCH 5, 2026	TYPE OF ACTION NEEDED	
AGENDA ITEM:	PUBLIC HEARING AND CONSIDERATION OF REZONE REQUEST	P&Z BOARD APPROVAL:	
SUBJECT:	REQUEST TO REZONE	RECOMMENDATION TO COUNCIL:	X
PREPARED BY:	JENNY CRAMER, CITY PLANNER	DISCUSSION ONLY:	

PROJECT DESCRIPTION:

Roy Holm, on behalf of Holm View Addition, LC, has submitted an application to rezone Lot 1 of Holm View Addition No. 6 Minor Subdivision. The request is to change the zoning from Medium-High Density Residential (R-3) to High Density Residential (R-4) to allow more housing opportunities on this parcel. The property is located on the north side of Sheridan Avenue, and is adjacent to the west boundary of Sunset Elementary school.

The current zoning for this property has been in existence since 2017.



The 6.62-acre subject property, is marked with blue and black hatching on the map. Access is directly from Sheridan Avenue, a major arterial street.

Surrounding Zoning and Development:

- **South:** Properties are zoned R-4 and primarily contain multi-family dwellings and some commercial uses.
- **East:** The lot abuts Sunset Elementary School, with a church and single-family residential developments located further east.
- **North:** Shadow Mountain No. 2 development is approximately 300 feet from the developable portion of the lot.

Site Constraints:

Approximately two-thirds of the lot consists of a steep, undevelopable hillside, resulting in a roughly 75-foot drop in elevation from the south to the north. This natural

constraint, however, provides an opportunity to concentrate development adjacent to Sheridan Avenue while preserving substantial open space to the north.

Adjacent Properties:

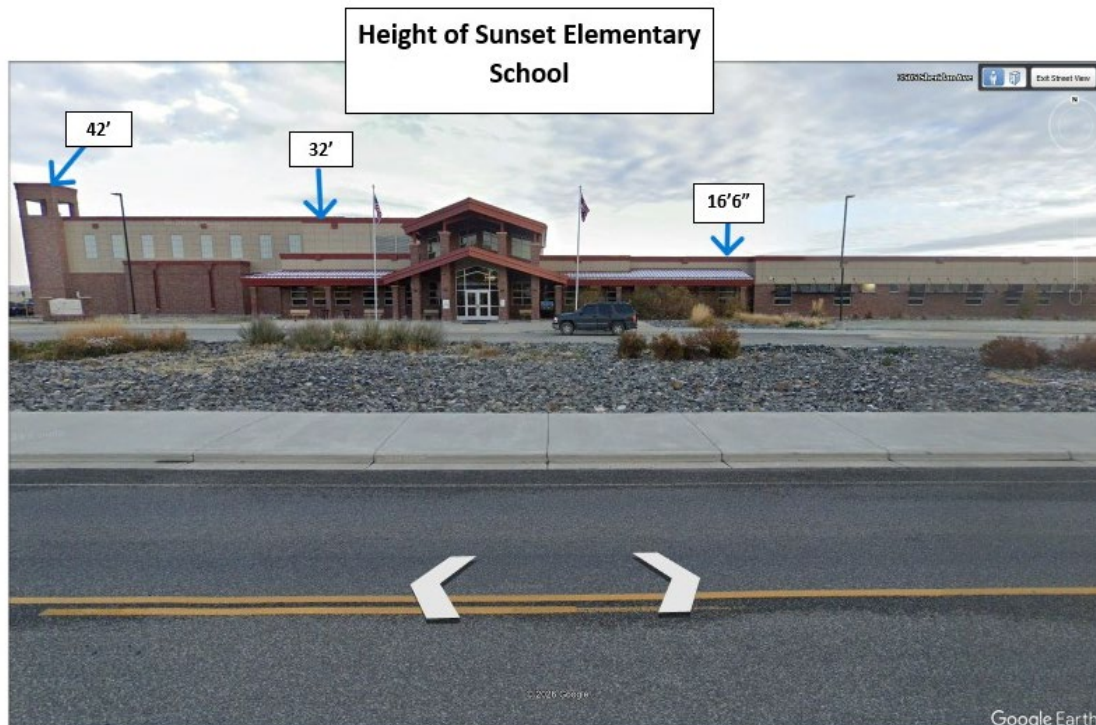
<i>DIRECTION</i>	<i>EXISTING USE</i>	<i>ZONING</i>
North and West	6.62-acre Lot 232 Shadow Mtn #2 (Reserved storm water infrastructure - land owned by the City and maintained by HOA)	Medium-Low Density Residential (R-2)
East	Sunset Elementary School	Medium-Low Density Residential (R-2)
South	Residential townhomes (36 units), a residential lot and a vacant lot	High Density Residential (R-4)

Existing Zoning vs. Proposed

The tables *attached to this staff report* provide the differences in zoning between the existing R-3 Zoning and the proposed R-4 Zoning.

The primary differences are as follows:

- Minimum net lot area for single-family dwellings is 3,200 sq-ft in R-3 vs. 1,800 sq-ft in R-4
- Developable acreage per dwelling for multi-unit dwellings is 4,000 sq-ft in R-3 vs. 1,800 sq-ft in R-4
- Maximum building coverage is 65% in R-3 vs. 85% in R-4
- Maximum height is two stories and 30' in R-3 vs. three stories and 40' in R-4 (for reference, below is a picture of adjacent Sunset Elementary with the heights noted)



Note regarding supplementary standards and review: An “*” shown next to any line in the attached use table signifies the use is subject to Section 10-8 “Supplemental Development Standards For Residential Zoning Districts”. In the R-4 zoning district, buildings may contain more than five dwelling units, provided they adhere to the multi-family development standards. These standards address requirements such as minimum open space, architectural character, and landscaping and are reviewed by Staff when development is proposed. Conversely, in the R-3 district, multi-family housing structures are limited to a maximum of four units, and the supplemental standards for multi-family housing do not apply. Section 10-8.R. provides additional standards for residential dwellings, most of which apply to both the R-3 and R-4 zoning districts. See section 10-8 for more detail (***attached to this staff report for reference***).

PROCEDURE:

The following section relating to rezoning is found in the City of Cody code.

10-5-1: CITY COUNCIL AUTHORITY: The city council may by ordinance at any time, on its own motion or petition, or upon the recommendations by the planning and zoning commission, amend, supplement or change the regulations or districts herein or subsequently established; provided, however, that a public hearing shall first be held in relation thereto, after one publication of notice of the time, place and purpose of such hearing, in an official newspaper, at least fifteen (15) days prior to such hearing.

Pursuant to state law and City code, rezones are accomplished by ordinance.

The public hearing was advertised as required by posting an advertisement in the Cody Enterprise on February 12, 2026.

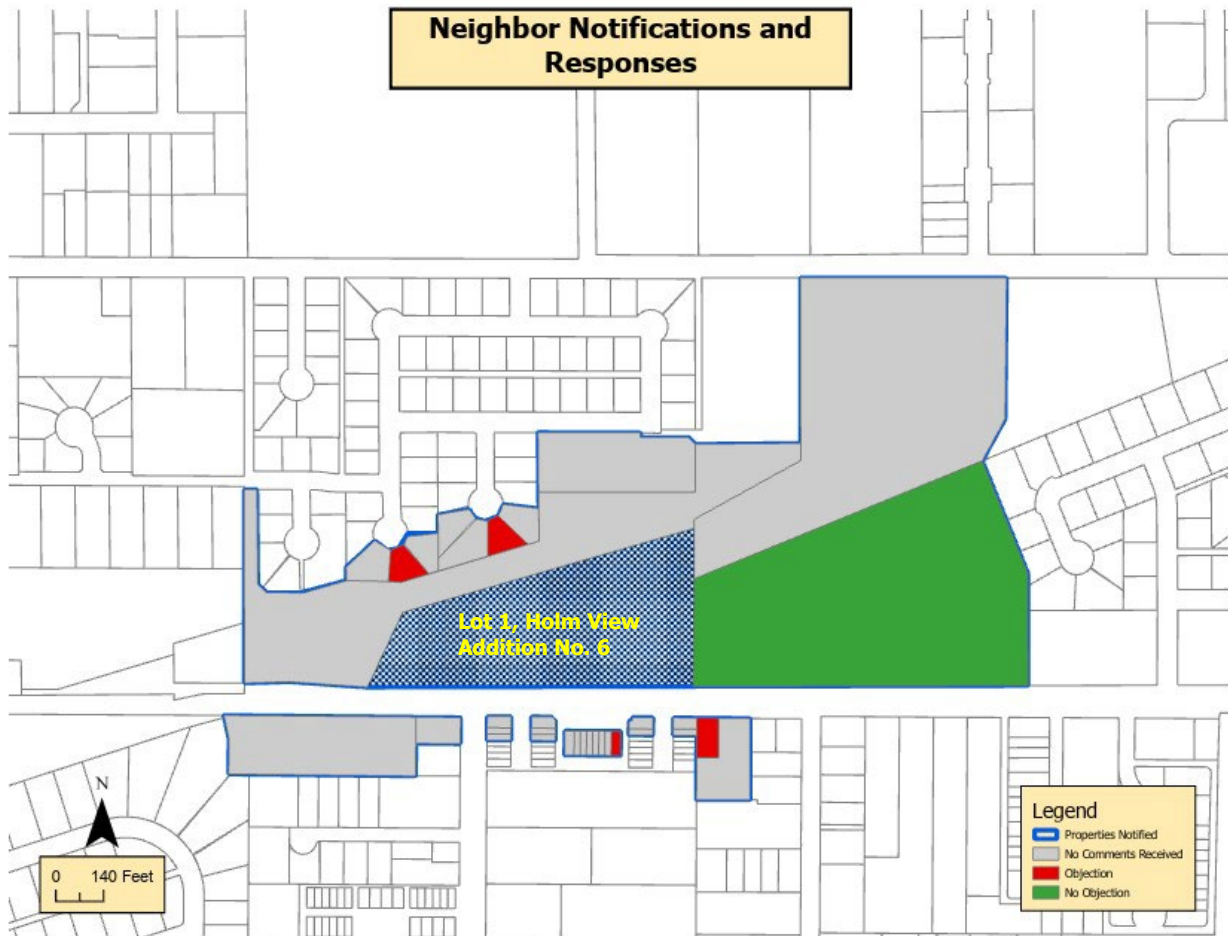
The City Planner is granted authority to perform additional notice to inform neighboring property owners, lessees, utility providers, or others that may be affected of the public hearing. This additional notice is not subject to the fifteen (15) day requirement, may take any form, and is completely discretionary. Additional notice, or lack thereof, shall not be grounds for appeal.

The public hearing was advertised as required by posting an advertisement in the Cody Enterprise on February 12, 2026 and by mail to neighbors within 140’ of the property on February 12, 2026.

10-5-2: PROTEST: If there is a protest against any change signed by the owners of twenty percent (20%) or more of the area of the lots included in the proposed change, or of those immediately adjacent within a distance of one hundred forty feet (140'), the amendment shall not become effective except upon the affirmative vote of three-fourths ($\frac{3}{4}$) of all the members of the city council. In determining the one hundred forty feet (140'), the width of any intervening street or alley shall not be included. The provisions for public hearings and notice apply to all changes or amendments.

Following is a summary and a map of public responses for the properties notified within 140' of the requested rezone as required by city code:

- **Total adjacent properties notified: 34**
 - **Total written objections by adjacent properties: 5**
 - **Total responses of no objection by adjacent properties: 1**
 - **Total adjacent properties notified who did not provide comment: 28**
- *Note: 20% of the 34 adjacent properties within 140' is seven (7).**



REVIEW CRITERIA:

Rezoning is a legislative action, subject to the full discretion of the governing body. The Cody Zoning Ordinance does not have specific criteria outlined for granting or denying rezoning requests.

For the purpose of providing guidance, staff has referred to the general standards for zoning that are found in Wyoming state law, Section 15-1-601(d) and complies with these standards.

Staff has provided some information below based upon zoning codes, and the Cody Master Plan for board review.

(i) In accordance with a comprehensive plan....;

The current comprehensive plan was adopted by the City in March of 2014. Per the master plan "*The Future Land Use Map...will be the guide for future zoning and development within the city*". The Future Land Use Map designates the subject property as medium-density residential. This category states, "This designation is for residential neighborhood development with an average density of eight (8) dwelling units per gross acre. The type of housing permitted in medium-density residential areas includes single-family detached homes, two family homes (a.k.a. duplexes), common wall units (two attached single-family units), and townhouses or stacked dwellings of up to four attached units."

Staff Comment: Staff determined that the requested R-4 zoning is consistent with the average density outlined for the property in the Master Plan. This conclusion required a detailed comparison, as the Master Plan and the city's residential code use different methodologies to calculate density (dwellings per gross acreage vs. dwellings per sq-ft of developable lot area). The following section explains the details of staff's analysis.

Master Plan Future Land Use Map Density Calculation:

The Master Plan's Future Land Use Map determines medium-density residential average density based on **gross acres**. The subject property, measuring 6.62 gross acres, is classified as medium-density residential, which permits an average density of eight dwelling units per acre. Based on this, the property could accommodate 53 dwelling units (6.62 acres x 8 dwelling units/acre).

City of Cody Code Residential Standards Density Calculation:

However, City Code standards for residential zones calculate allowable density using **net lot or developable lot area**. City code excludes areas with a sustained slope exceeding 33% for at least 20 feet and areas dedicated or reserved for public or private streets. Due to the hillside on the property, the developable lot area is reduced to approximately 2.2 net acres. Note: The hillside drops approximately 75' in elevation in 225', resulting in a sustained slope of 87%.

In the R-4 High Density Residential zoning standards, both single-family dwellings and multiple-family structures require 1,800 square feet of developable lot area per dwelling unit. The approximate 2.2 developable acres equate to 95,832 square feet. Dividing this by the required 1,800 square feet per unit yields an allowance of 53 dwelling units (95,832 sq-ft / 1,800 sq-ft).

Therefore, Staff concludes that the requested R-4 rezoning aligns with the average density designated for the property in the Master Plan. ***See the following illustrations.***

Regarding housing types, R-4 zoning would allow for dwellings that exceed 4 attached units per structure.

Master Plan – Average Density Illustration:



City Code R-4 Allowed Density Illustration:



(ii) With reasonable consideration, among other things, of the character of the district and its peculiar suitability for particular uses;

Staff Comment: The property is designated as an "Area of Change" subarea in the Greybull Character District. This designation states, "Subareas that are currently vacant or partially developed that are appropriate for new neighborhoods, commercial areas, mixed use districts, or industrial areas. New development should match the desired future character of the district and adjacent areas. Open space, trails, and other amenities should be incorporated in new development as appropriate."

The desired R-4 residential zoning is consistent with the character of neighboring areas, and the site is currently vacant. Future development is limited by the property's topography, as only approximately one-third of the lot is developable. This constraint, however, ensures that significant open space will be preserved.

(iii) With a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the city or town; and

Staff Comment: The property is situated within an area zoned as a mixture of R-2, R-3 and R-4. The existing R-2 single-family residential area is naturally buffered from the developable portion of this property by a steep hillside. It will be accessed by Sheridan Avenue, a major arterial street (not a state highway) engineered to handle high traffic volumes. Given the City of Cody's identified substantial need for attainable housing, the requested R-4 rezone is considered an appropriate use of this land, as it would facilitate the desired type of housing development in this location, and be of public benefit.

Proximity to Like Zoning:

See map at the beginning of the report. R-4 zoning is adjacent to the south of this property.

(iv) With consideration given to the historic integrity of certain neighborhoods or districts and a view to preserving, rehabilitating and maintaining historic properties and encouraging compatible uses within the neighborhoods or districts, but no regulation made to carry out the purposes of this paragraph is valid to the extent it constitutes an unconstitutional taking without compensation.

Staff Comment: The proposed use encourages compatible uses in the surrounding neighborhood, illustrated by the surrounding zoning and the future land use map. The proposed rezoning will not have a detrimental impact on historic preservation.

Public Hearing:

Copies of all comments provided before, during or after the public hearing are attached for the Board's review. All public comments need to be considered.

Photos:

From just south of the northeast corner of the developable lot area, facing northwest. Part of the middle school is visible from this viewpoint.



From the northeast corner of the developable lot area, facing northwest. Viewing Ted Ebert Park, Cody Middle School and Shadow Mountain Subdivision.



From the southwest corner of the property, facing east across the developable portion of the lot. Sunset Elementary School is just beyond the east boundary in the distance and the East Sheridan Townhouses are across the street to the south of the property.



From the southwest corner of the property, facing south/southwest. Directly south of the property is a vacant lot, and just beyond the vacant lot is Baker Rim Subdivision (4-plex multifamily housing units).



From Cougar Avenue, near the intersection of Stone Street, facing southwest. Viewing the property hillside that is not developable. The approximate section of the subject property hillside is shown between the blue arrows.





CITY OF CODY
APPLICATION FOR ZONE CHANGE

STAFF USE
File: ZON _____
P&Z Invoice: _____

Owner or Applicant's Name: HOLM VIEW ADDITION
Mailing Address: 425 N. DOUGLAS POWELL, WY 82435 Zip: _____
Phone/Cell#: 307 272 1232 E-mail: GLORIA@WRENSOLIDIT.COM
Project Address: _____
Legal Description (Attach if needed): LOT 1 HOLM VIEW ADDITION NO. 6
Existing Zoning of Property: R-3 Requested Zoning of Property: R-4
Brief Description of Proposal: CREATING MORE HOUSING OPPORTUNITIES

Representative attending Planning and Zoning Board and City Council meetings: ROY HOLM
Signature of Property Owner: [Signature] 1/29/24
Signature Date

Application Procedures:

- ☐ LETTER: Submit a letter addressed to the City Council and the Planning and Zoning Board requesting the zone change. Describe your request in detail, including your justification for why the rezone should be granted.
- ☐ PROOF OF OWNERSHIP: Provide evidence of the current ownership of the property. A title report or copy of the current deed is preferred.
- ☐ APPLICATION FEE: Provide the application fee of \$750.00. Applicants are encouraged to arrange a pre-submittal meeting with the City Planner to ensure a complete submittal and to coordinate the meeting schedule and newspaper notice.

After submittal of the application, the following actions must be conducted:

- ☐ LEGAL NOTICE: Submit legal notice of the public hearing to the Cody Enterprise at legal@codyenterprise.com. The notice must be published no less than 15 days prior to the public hearing, which typically means sending the notice to the newspaper no later than 10:00 a.m. Monday morning, 22 days before the meeting. The legal notice should be approved by the Community Development Department before submitting it to the newspaper. Refer to the attached template. The publication fee (typically about \$80-\$90) is the applicant's responsibility.
- ☐ NEIGHBOR NOTICE: Neighbor notice of the application is conducted by the City. It typically includes mailed notice to owners of neighboring properties within 140 feet.

The zone change request will first be considered by the Planning and Zoning Board, which will make a recommendation to City Council. The Council will consider their recommendation in the form of a proposed ordinance. Approval of an ordinance requires three public readings at three separate Council meetings.

Please be aware that neighboring property owners do not need to be in agreement with the zone change; however, it can affect how many votes are needed to pass the ordinance. See Wyoming Statute §15-1-603.

Notice to Owners of Neighboring Properties:

Please return your comments by _____ to:

Date:

Cody City Planner
P.O. Box 2200

RE: **REQUEST FOR REZONING**

Cody, WY 82414

OR, send an email to: pandzcontact@codywy.gov

THE CITY OF CODY HAS RECEIVED AN APPLICATION TO REZONE THE PROPERTY IDENTIFIED BELOW. YOUR COMMENTS WOULD BE APPRECIATED.

Subject Property: Lot _ of the _ Subdivision. (Address) (highlighted on map)

Applicant Name(s):

Description of Request: Rezone the subject property from _____ to _____. The property is approximately __ acres in size. To view the zoning and development standards for each zone see Title 10 of the City of Cody Code, available at codywy.gov under Government > Municipal Code.

This request will be considered at a public hearing held by the City of Cody Planning & Zoning Board at their regularly scheduled meeting on Tuesday, 202 at 12:00 p.m. in the City Hall Council Chambers, at 1338 Rumsey Ave. Anyone is welcome to attend and comment at the public hearing. After the public hearing, the Board will make a recommendation for consideration by the City Council at a later date—likely at the Council's _____ meeting at 7:00 pm.

Response Letter from Owner of Neighboring Property:

(Responses may be submitted in any written format. The following form is provided for your convenience.)

Dear Planning and Zoning Board Members:

I am familiar with the proposed rezone.

☐ I have NO OBJECTION to the rezone request.

Name _____

Address: _____

Comments: _____

☐ I OBJECT to the rezone:

Name: _____

Address: _____

Reason for Objection: _____

If you would like to receive a copy of the Planning and Zoning Board agenda materials for this request, please provide your email address: E-mail address: _____

To: City of Cody Council and Planning Zoning Board
aka Community Development Committee

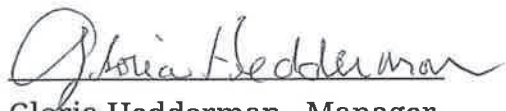
Re: Holm View Addition #6, Minor Subdivision, Lot 1 6.62 acres
(top of the hill on East Sheridan (North side))

From: Holm View Addition, LC

We are asking for a zoning change from R-3 to R-4. The surrounding properties are zoned R-4 and we believe it would better fit the existing development and create more housing opportunities.

 1/29/26
Glen Holm, Manager

 1/29/26
Paul Sandbak, Manager

 1/29/26
Gloria Hedderman, Manager



Jenny Cramer <jcramer@codywy.gov>

Re: Proposed Rezone Holm View Addition No. 6 Lot 1

1 message

Kris Bruxvoort <kbruxvoort@codywy.gov>

Thu, Feb 26, 2026 at 9:14
AM

To: Jenny Cramer <jcramer@codywy.gov>

Cc: Phillip Bowman <pbowman@codywy.gov>, Utana Dye
<utanadye@codywy.gov>

Good Morning Jenny,

Phillip and I have briefly reviewed the proposed rezoning for Lot 1 of the Holm View Addition No. 6. Subdivision. We do not have any initial concerns regarding utility services or traffic. City utility services in that area appear to be sufficient to serve the increased development density. Regarding traffic, East Sheridan Avenue is classified as a major arterial street, which by definition can accommodate up to 6000 ADT (Average Daily Traffic). Traffic data for East Sheridan Avenue directly east of 29th Street, showed that the corridor experienced 2,864 ADT in October 2024. This traffic level is less than 50% of the design capacity. The Public Works Department will thoroughly review all site improvements once it receives a formal Site Plan Application.

Thank you,
Kris Bruxvoort, E.I.
Staff Engineer
[City of Cody](#)
Office: 307-527-3477
Cell: 307-254-7203

On Tue, Feb 24, 2026 at 2:42 PM Jenny Cramer <jcramer@codywy.gov> wrote:
Phillip and Kris,

Just reaching out to see if you have any initial thoughts or comments about this proposed rezone. The property is 6.62 acres

(with approx. 2.2 acres being developable due to steep slope hillside on the north) and is adjacent to Sunset Elementary on Sheridan Ave. They are requesting a rezone from R-3 to R-4 to allow for more housing options/opportunities. R-4 zoning would allow for >5-unit multi-family dwellings, and roughly calculating the developable acreage they could propose up to 53 total units at this location if granted R-4 zoning.

We are getting a few public objections, mainly due to traffic congestion from the school and townhouses in close proximity. However, Sheridan and 29th are both major arterial streets. Do you feel the potential for increased density in that location poses a traffic or safety concern, or is it a non-issue because the streets are designated major arterial and built to accommodate more traffic? Seeking your opinions to include in the staff report, or to share your input during the P&Z meeting on 3/5.

Thank you!

--

Jenny Cramer

City Planner

City of Cody

PO Box 2200

[1338 Rumsey Ave.](#)

[Cody, WY 82414](#)

Phone: (307) 527-3475

Fax: (307) 527-6532

DISCLAIMER: [City of Cody](#) electronic correspondence and associated file attachments are public records and may be subject to disclosure in the event of a public records request.

DISCLAIMER: [City of Cody](#) electronic correspondence and associated file attachments are public records and may be subject to disclosure in the event of a public records request.

Notice to Owners of Neighboring Properties:

Please return your comments by **February 23, 2026** to:

Date Mailed: February 12, 2026

Cody City Planner

P.O. Box 2200

Cody, WY 82414

OR, send an email to: plandzcontact@codywy.gov

RE: **REQUEST FOR REZONING**

THE CITY OF CODY HAS RECEIVED AN APPLICATION TO REZONE THE PROPERTY IDENTIFIED BELOW. YOUR COMMENTS WOULD BE APPRECIATED.

Subject Property:

Lot 1 of Holm View Addition No. 6 Minor Subdivision, City of Cody, Park County, Wyoming.

Applicant Name(s): Holm View Addition, LC

Description of Request: The applicants would like to rezone the subject property (shown in blue with black hatching on the map to the right) from Medium-High Density Residential (R-3) to High Density Residential (R-4). To view the zoning and development standards for each zone see Title 10 of the City of Cody Code; available at codywy.gov under Government > Municipal Code.



This request will be considered at a public hearing held by the City of Cody Planning & Zoning Board at their regularly scheduled meeting on Thursday March 5, 2026 at 12:00 p.m. in the City Hall Council Chambers, at 1338 Rumsey Ave. Anyone is welcome to attend and comment at the public hearing. After the public hearing, the Board will make a recommendation for consideration by the City Council.

Response Letter from Owner of Neighboring Property:

(Responses may be submitted in any written format. The following form is provided for your convenience.)

Dear Planning and Zoning Board Members:

I am familiar with the proposed rezone.

☐ I have **NO OBJECTION** to the rezone request.

Name: _____

Address: _____

Comments: _____

☒ I **OBJECT** to the rezone:

Name: Wanamaker

Address: 926 Raccoon Court

Reason for Objection: Medium High Density Residential (R-3) is sufficient for the area no need to rezone to (R4) High Density - No-

If you would like to receive a copy of the Planning and Zoning Board agenda materials for this request, please provide your email address: E-mail address: jwanamaker@sbcglobal.net

Notice to Owners of Neighboring Properties:

Please return your comments by February 23, 2026 to:

Date Mailed: February 12, 2026

Cody City Planner

P.O. Box 2200

Cody, WY 82414

OR, send an email to: pandzcontact@codywy.gov

RE: **REQUEST FOR REZONING**

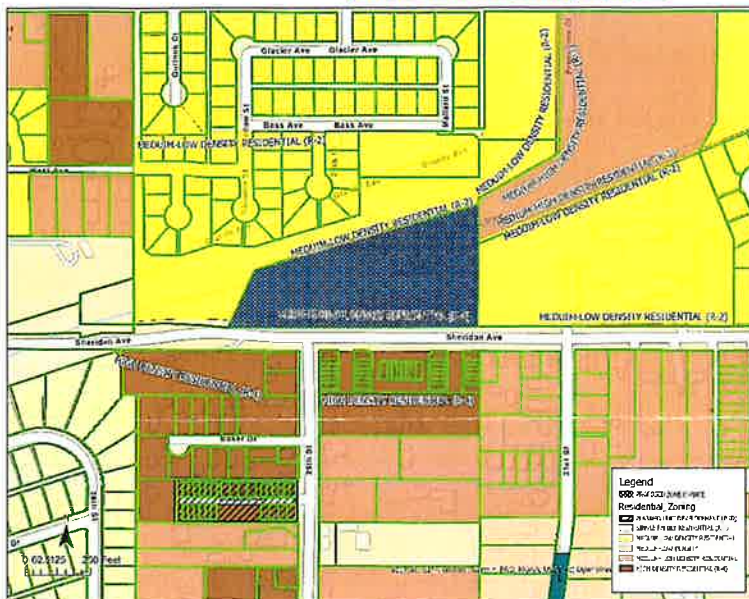
THE CITY OF CODY HAS RECEIVED AN APPLICATION TO REZONE THE PROPERTY IDENTIFIED BELOW. YOUR COMMENTS WOULD BE APPRECIATED.

Subject Property:

Lot 1 of Holm View Addition No. 6 Minor Subdivision, City of Cody, Park County, Wyoming.

Applicant Name(s): Holm View Addition, LC

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Response Letter from Owner of Neighboring Property:

(Responses may be submitted in any written format. The following form is provided for your convenience.)

Dear Planning and Zoning Board Members:

I am familiar with the proposed rezone.

☐ I have NO OBJECTION to the rezone request.

Name: _____

Address: _____

Comments: _____

☒ I OBJECT to the rezone:

Name: Nichole Good

Address: 2942 Sheridan Ave

Reason for Objection: View obstruction of Heart Mountain as well as the street already being busy

If you would like to receive a copy of the Planning and Zoning Board agenda materials for this request, please provide your email address: E-mail address: _____



Jenny Cramer <jcramer@codywy.gov>

[P&Z Contact] Holm View Re-Zoning request COMMENTS

1 message

Janet <janet.elliaproperties@gmail.com>
To: pandzcontact@codywy.gov

Thu, Feb 19, 2026 at 9:53 AM

Hello,

As the owner of [2944 Sheridan Avenue](#) in Cody I received notice of the Request For Rezoning of Lot 1 of the Holm View Addition on Sheridan Avenue.

I **OBJECT** to the rezone request.

My main concern is SAFETY and CONGESTION. That lot is at the top of the steep Sheridan Avenue hill, across from dense townhome zoning and next to the elementary School. Increasing density in that location will result in an immense increase in traffic entering and exiting that property. During school hours especially, traffic is heavy with cars and buses turning in many different directions.

Cody has zoning in place for a reason. To re-zone that lot would negatively impact the community at large and only benefit the property owner. As a property owner myself, I would never ask for a rezone. I purchase properties knowing the current zoning confinements.

Thank you.

Janet Kempner
Ellia Properties LLC



Jenny Cramer <jcramer@codywy.gov>

[P&Z Contact] Notice to Owners of Neighboring Properties - Request For Rezoning

1 message

Samuel Zierlein <samuelzierlein33@gmail.com>
To: pandzcontact@codywy.gov

Wed, Feb 18, 2026 at 2:16 PM

Notice to Owners of Neighboring Properties - Request For Rezoning

Subject Property:

Lot 1 of Holm View Addition No. 6 Minor Subdivision, City of
Cody, Park County, Wyoming

I OBJECT to the rezone:

Name: Samuel Zierlein

Address: 3002 Sheridan Ave, Cody, WY 82414

Reason For Objection: There is already a significant R-4 presence in
the neighborhood as shown in the map in the mail that went out.

Expanding the R-4 presence in the neighborhood would negatively affect
property values, traffic, and neighborhood appeal. Our home
experiences downward appraised value due to the R-4 zoning already in
the neighborhood. If this rezoning must proceed, I would like to
request that our property also gets rezoned from R-3 to R-4 to assist
in keeping the property value higher, and aid in neighborhood
uniformity.

Thank you,
Samuel Zierlein
307-250-4025

Notice to Owners of Neighboring Properties:

Please return your comments by February 23, 2026 to:

Date Mailed: February 12, 2026

Cody City Planner

P.O. Box 2200

Cody, WY 82414

OR, send an email to: pandzcontact@codywy.gov

RE: **REQUEST FOR REZONING**

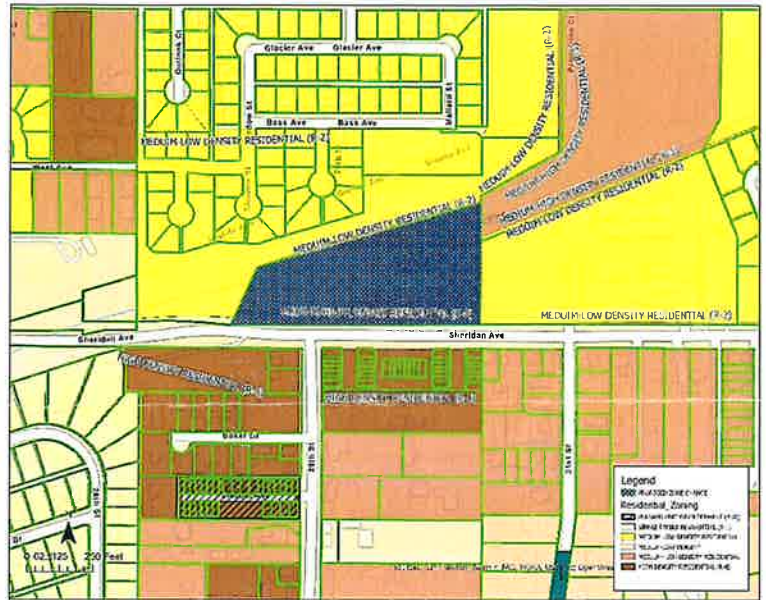
THE CITY OF CODY HAS RECEIVED AN APPLICATION TO REZONE THE PROPERTY IDENTIFIED BELOW. YOUR COMMENTS WOULD BE APPRECIATED.

Subject Property:

Lot 1 of Holm View Addition No. 6 Minor Subdivision, City of Cody, Park County, Wyoming.

Applicant Name(s): Holm View Addition, LC

Description of Request: The applicants would like to rezone the subject property (shown in blue with black hatching on the map to the right) from Medium-High Density Residential (R-3) to High Density Residential (R-4). To view the zoning and development standards for each zone see Title 10 of the City of Cody Code, available at codywy.gov under Government > Municipal Code.



This request will be considered at a public hearing held by the City of Cody Planning & Zoning Board at their regularly scheduled meeting on Thursday March 5, 2026 at 12:00 p.m. in the City Hall Council Chambers, at 1338 Rumsey Ave. Anyone is welcome to attend and comment at the public hearing. After the public hearing, the Board will make a recommendation for consideration by the City Council.

Response Letter from Owner of Neighboring Property:

(Responses may be submitted in any written format. The following form is provided for your convenience.)

Dear Planning and Zoning Board Members:

I am familiar with the proposed rezone.

☒ I have NO OBJECTION to the rezone request.

Name PARK COUNTY SCHOOL DISTRICT 6

Address: 919 CODY AVE, CODY, WY 82414

Comments: ON BEHALF OF SUNSET ELEMENTARY

Gabe GEO WHELAN

☐ I OBJECT to the rezone:

Name: _____

Address: _____

Reason for Objection: _____

If you would like to receive a copy of the Planning and Zoning Board agenda materials for this request, please provide your email address: E-mail address: _____



[P&Z Contact] Request for rezoning

1 message

Sat, Feb 14, 2026 at 4:40 PM

To: "pandzcontact@codywy.gov" <pandzcontact@codywy.gov>

Dear planning and zoning board members,

I, Mathieu Ferland, owner of lot 216 on Shadow Street, object to the rezone because I want to limit the density of neighbors behind by backyard.

Thank you

Mathieu

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PUBLIC HEARING NOTICE

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Details for PUBLIC HEARING NOTICE

Feb 12, 2026

PUBLIC HEARING NOTICE The City of Cody Planning & Zoning Board will hold a public hearing on Thursday, March 5, 2026 at 12:00 p.m. or as soon thereafter as practical at 1338 Rumsey Avenue, in the Cody City Council Chambers to consider a request for the rezoning of Lot 1, Holm View Addition No. 6 Minor Subdivision, in the City of Cody, Park County, Wyoming from Medium-High Density Residential (R-3) to High Density Residential (R-4). Information regarding the requested rezone is available from the Community Development Department in City Hall or by calling 307-527-3482. Written comments shall be directed to the City Planner, P.O. Box 2200, Cody, WY 82414 and must be received prior to the date and time of the public hearing. Publish Date: February 12, 2026 Legal No: 6859

GENERAL DEVELOPMENT STANDARDS FOR RESIDENTIAL ZONING DISTRICTS
SECTION: 10-6-2:TABLE:

Standard		R-3	R-4
	Minimum net lot area* ¹	3,200 sq. ft. for detached*, semi-detached*, and attached* single- family dwellings only. <i>(For multi-unit dwellings see next row.)</i>	n/a <i>(Use developable acreage per dwelling requirement)</i>
	Developable acreage per dwelling*	4,000 sq. ft. for multi- unit dwellings, including those in condominium ownership; also, for dwellings in residential subdivisions with yards in common area	1,800 sq. ft.
	Minimum lot width*	22' for interior lot, 40' corner lot	16' for interior lot, 30' corner lot
	Maximum lot depth to width ratio	N/A	N/A
	Minimum frontage on street/access easement	20' for up to 5 dwelling units: 30' for >5 dwelling units	16' for single dwelling, 20' for 2 to 5 dwelling units; 30' for >5 dwelling units
	Number of main buildings* on a lot	n/a	n/a
	Maximum building coverage*	65%	85%
	Maximum number of stories* (excluding basements) and maximum building height*	2 stories and 30' above finished grade	3 stories and 40' above finished grade ³
	Minimum size of dwelling in gross floor area, excluding garage	600 sq. ft.	240 sq. ft.
	Minimum garage entrance setback from front lot line*, applicable to direction of approach	20'; and 25' from any arterial or major collector R/W ⁴	20'; and 25' from any arterial or major collector R/W ⁴
	Minimum garage entrance setback from corner lot line*, applicable to direction of approach	20'; and 25' from any arterial or major collector R/W ⁴	20'; and 25' from any arterial or major collector R/W ⁴
	Minimum front yard setback (see also minimum garage entrance setback)	15'; and 25' from any arterial or major collector R/W ⁴	10'; and 25' from any arterial or major collector R/W ⁴
	Minimum side yard setback from corner lot line* (side street) ⁵	10' ⁴	10'
	Minimum side yard setback from neighboring lot, alley, common open space, or private easement	5'; except 0' at a common wall or next to common open space	5'; except 0' at a common wall or next to common open space
	Minimum rear yard setback	10'	10'
	Minimum separation between main buildings* within lot	10'	10'
	Setback from neighboring lot when accessory building is > 120 sq. ft. and wall height* is 10'6" or less.	3' ⁶	3' ⁶
	Setback from neighboring lot when all following conditions are met: accessory building is 120 sq. feet or less; wall height is 10'6" or less; and, accessory building is located at least 6' from any other accessory building and any neighbor's dwelling.	0'	0'
	Accessory building setback from adjacent alley or common open space (OS)	3'; 0' if no doorway (garage/person) in wall next to alley/ OS - no overhang permitted	3'; 0' if no doorway (garage/person) in wall next to alley/ OS - no overhang permitted
	Setback from a rear lot line	5'; 3' if next to alley or open space	5'; 3' if next to alley or open space
Multi-family development standards:			
	Multi-family development with >4 dwelling units	See Supplemental Development Standards, "Multi-Family Development"	

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

1. Must be served with public sewer and public water to qualify for the sizes noted. If public sewer and public water are not available, minimum lot area is 1.0 acre.
2. Lots located along the circular portion of a cul-de-sac bulb or outside knuckle of a street corner may be reduced to a minimum of 30 feet, provided the lot width requirement is met and the lot is not capable of being further divided. In addition, lots at the end of an access easement in an infill subdivision need only provide frontage pursuant to those regulations, as found in 11-8-4(A).
3. Buildings taller than 2 stories and 30 feet shall be set back from any adjoining residential property in a RR, R-1, R-2, R-2MH, or MHP Zone an additional two feet for each foot in height over 30 feet.
4. Park strip option: When the yard of the property abuts an improved street right-of-way with an existing park strip (aka planting strip - an area between the back of the curb and the sidewalk) that is at least 5 feet wide, the minimum yard setback requirement is 10 feet, provided any garage opening shall be not less than 22 feet from the back of the public sidewalk in this situation.
5. See definition of "lot line, front" for options on selecting the front yard on corner lots. See also minimum garage entrance setback.
6. Placing a structure larger than 120 square feet closer than 5 feet from an adjacent lot triggers fire-resistant construction requirements pursuant to the adopted Building Code. If the structure is not constructed to such fire-resistant standards, the minimum setback requirement is 5 feet.
7. No wall or visual screen shall be installed on the portion of the structure that utilizes the reduced setback. Any portion of the structure that meets the minimum setback required for the primary structure to which it is attached may be enclosed with a wall or visual screen.

Land Use			Zone District	
			R-3	R-4
Accessory buildings and uses not otherwise listed			A	A
Accessory dwelling unit*			A	A
Amateur radio antenna*			See Note	See Note
Assisted living apartments/facility*			C	P
Bed and Breakfast Inns			C	P
Cemetery			C	C
Child care centers and preschools - not listed below* (maximum 50 children)			C	C
Child care centers and preschools, when located within an existing church, public school, or similar existing building			A	A
Child care, family center category (up to 15 children)			P	P
Child care, family home category (up to 10 children, in home)			A	A
Churches and houses of worship*			P	P
Community center, private			A	A
Community gardens*			P	P
Community greenhouses*			See Note	See Note
Community residence for the disabled*			P	P
Convalescent care facility/nursing home			C	C
Dormitories*			C	C
Home occupation, large-scale*			C	C
Home occupation, small-scale*			A	A
Horticulture, cultivation of crops			P	P
Hospice center				C
Individual care - center*			C	C
Individual care - family home category			A	A
Individual care - group home category*			C	P
Long-term rental*			P	P
Museums, when located at an existing historic site			C	C
Outdoor recreational facilities: parks, playgrounds, playfields, pathways, golf courses (including clubhouse), and similar recreation facilities. Not including stadiums, amphitheaters, and commercial amusement facilities			P	P
Reception facility*			C	C
Residential dwelling categories:*	Single-family detached dwelling categories:			
Residential dwelling categories:*		Dwelling moved onto lot*	C	P
Residential dwelling categories:*		Manufactured home, new multi- wide; and meeting residential architectural standards*	P	P
Residential dwelling categories:*		Manufactured home, new single- wide; and meeting residential architectural standards*	C	C
Residential dwelling categories:*		Manufactured home, used; and meeting residential architectural standards*		C
Residential dwelling categories:*		Manufactured home that does not meet residential architectural standards*		
Residential dwelling categories:*		Mobile home*		
Residential dwelling categories:*		Modular home*	P	P
Residential dwelling categories:*		Site-built home, new	P	P
Residential dwelling categories:*	Attached dwelling categories:			
Residential dwelling categories:*		Semi-detached single-family dwelling	P	P
Residential dwelling categories:*		Townhouse dwellings, 3 or 4 attached dwelling units (*If development >4 units, see also multi-family category in supplemental development standards)	P	P
Residential dwelling categories:*		Townhouse dwellings, 5 or more attached dwelling units*		P
Residential dwelling categories:*	Multi-unit dwelling categories:			
Residential dwelling categories:*		Two-family dwelling (aka duplex)	P	P
Residential dwelling categories:*		Multi-family dwelling, with 3 or 4 dwelling units per building (*If development >4 units, see also multi-family category in supplemental development standards)	P	P
Residential dwelling categories:*		Multi-family dwelling, with 5 or more dwelling units per building*		P
Rooming House	1 Lodging Room		P	P
Rooming House	2-5 Lodging Rooms		P	P
RV, temporary - while constructing/remodeling single-family dwelling*			A	A
School, public or private*			C	C
Short term rental, not owner-occupied*			P	P
Short-term rental, owner-occupied*			P	P
Solar energy panel system			A	A
Utility infrastructure site			C	C
Wind energy system, small*			See Note	See Note
Wireless communication facility - non-stealth design* (not including small cells and DAS)			C	C
Wireless communication facility - small cells and distributed antenna systems*			See Note	See Note
Wireless communication facility - stealth design*			C	C

CHAPTER 8

SUPPLEMENTAL DEVELOPMENT STANDARDS FOR RESIDENTIAL ZONING DISTRICTS

SECTION:

10-8-1: Applicability

10-8-2: Supplemental Development Standards

10-8-1: APPLICABILITY:

The land uses that are identified with an asterisk (*) in the Residential Land Use Table are subject to the corresponding regulations of this chapter, which regulations are in addition to other applicable sections of this title and any conditions that may be imposed pursuant to a conditional use permit review. The standards of this chapter shall apply unless waived or altered pursuant to the zoning variance process; provided, those standards identified herein with "(SE)", may be waived or altered pursuant to the special exemption process of section 10-14-2 of this title. In no case shall any of the following standards be waived or modified to the extent that the result is tantamount to a rezone or the use no longer meets the specified definition thereof. (Ord. 2017-02, 3-7-2017)

10-8-2: SUPPLEMENTAL DEVELOPMENT STANDARDS:

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

A. "A" Uses:

Accessory dwelling units (ADUs).

1. Location: An accessory dwelling unit, where permitted, may be located only in one (1) of the following manners:
 - a. Within a detached single-family dwelling, either initially at time of construction, or any time thereafter.
 - b. Within an addition to a detached single-family dwelling.
 - c. Above or within a residential garage or other building accessory to a detached single-family dwelling.
 - d. Within an accessory building on the same parcel as a detached single-family dwelling unit.
2. Lot Area, Dwelling Size, And Density: The minimum lot size required for an accessory dwelling unit (ADU) is seven thousand (7,000) square feet. Accessory dwelling units are not subject to the minimum dwelling size requirement of this title and are not included in the density calculations for a lot.
3. Number: Only one (1) accessory dwelling unit (ADU) per lot may be permitted and the ADU must be accessory to a detached single-family dwelling. A lot already occupied by two (2) or more dwellings is not permitted to have an accessory dwelling unit.
4. Height And Setbacks: A single-story detached ADU that does not exceed fifteen feet (15') in building height is subject to the setback standards applicable to accessory structures. Detached ADU structures that are taller than fifteen feet (15') in building height shall conform to setback standards applicable to a primary residence. An attached ADU is subject to setback standards applicable to a primary residence. (SE)
5. Lot Coverage: The footprint of a proposed building containing an ADU that is structurally detached from the primary residence may cover up to twenty percent (20%) of the lot. (SE)
6. Living Area: The total living area of an ADU may not exceed seventy five percent (75%) of the living area of the primary dwelling, or eight hundred (800) square feet, whichever is less, with the following exception: When the ADU will be located on one (1) level of an existing building (e.g., basement) and it is not feasible to utilize the area remaining on that level as part of the primary dwelling, then the reviewing official may authorize the ADU to occupy the entire level.
7. Type Of Construction And Architecture:
 - a. Within the RR, R-1, R-2 and R-3 Zoning Districts, ADUs are to be of either conventional site-built or modular construction and meet the requirements of the adopted residential building code ADUs in new buildings must have architectural features and materials that closely resemble those of the primary dwelling and/or are commonly found on architecturally significant houses in the immediate neighborhood, except when the ADU will be located behind the primary dwelling on an interior lot (SE).
 - b. Within the R-2MH, R-4, and all commercial and light industrial zoning districts, manufactured homes may be utilized as ADUs when placed on a traditional concrete or masonry foundation, and the home is no more than fifteen (15) years old at time of installation (SE).
 - c. Mobile homes, manufactured homes except as noted in 7b above, recreational vehicles, and temporary or seasonal structures (e.g., units on skids, yurts, and tents) shall not be used as ADUs.
8. Bedrooms: An ADU may not contain more than two (2) bedrooms/sleeping areas.

9. Parking: An ADU must have a minimum of one off-street parking space, except when the property is zoned R-3 or R-4, located east of 11th Street, and either within the 1901 plat of the Town of Cody (Book E, Page 58), the 1906 First Addition to Cody (Book D, Page 2), the 1927 Second Addition to the Town of Cody (Book E, Page 10), or with street frontage along that portion of Beck Avenue from 16th Street to 20th Street. (SE) When required, the parking space shall meet the standards of chapter 16, "Off Street Parking", of this title. Any required existing parking may not be displaced by the ADU, unless such parking is replaced elsewhere on the lot.

10. Owner Occupancy: Within the RR and R-1 Zoning Districts, the owner of the property must utilize the primary dwelling unit or ADU as their primary residence; the dwellings shall not both be occupied unless this is the case.

11. Timing: Generally, an accessory use is not permitted until the primary use is also established. However, construction of an ADU may be authorized prior to construction of the primary dwelling when the following conditions are met: a) A site plan is provided that demonstrates the overall development plan for the property in conformance with all City codes, including locations and dimensions of the dwellings, driveway(s) and parking facilities, utility services, outdoor mechanical locations (e.g. a/c unit), and pedestrian access; b) The property owner intends to commence construction of the primary dwelling within three years of applying for the building permit for the ADU; and, c) The property owner can provide reasonable assurance of the ability to complete the construction of both dwellings.

12. Utilities: Both the primary dwelling and the ADU must be connected to public sewer and public water, and be served with a functional fire hydrant meeting applicable requirements for distance to the dwellings. Utility services for the ADU may either be individual-serving only the ADU, or shared with the primary dwelling.

13. Home Occupations: Any home occupation within an ADU shall be limited to the small-scale home occupation standards.

14. Addressing: The ADU will be assigned an individual address, which must be posted as required by Code.

Amateur radio antennas (e.g., ham radio antennas).

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

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

B. "B" Uses:

Bed and breakfast inns.

1. The bed and breakfast inn must meet the definition set forth in chapter 2 of this title.

2. The owner must be living on the property at the time the bed and breakfast is in operation.

3. Total guest occupancy of a bed and breakfast inn property is limited to no more than ten (10) persons. (Establishments exceeding 10 persons fall within the zoning classification of "hotel".) The Planning and Zoning Board may further limit total guest occupancy (e.g., beds and/or guest rooms) of a proposed bed and breakfast inn based on lack of parking and other neighborhood impacts identified in the review process.

4. Vehicle access must comply with the requirements of the International Fire Code, appendix D, or other established standard acceptable to the Fire Marshal.

5. Cooking facilities in guest rooms are not permitted.

6. The facility must pass a fire and life safety inspection before it may be used as a bed and breakfast inn, which inspection includes verification of the following.

a. Smoke detectors located where required by code and operable;

b. A fire extinguisher (minimum rating 2A10BC) located in a visible clearly labeled location;

c. Carbon monoxide alarm(s) where required by code and operable;

d. The address number is posted and visible using 4" tall or larger numbers on a contrasting background;

e. Access in/out of the facility complies with applicable codes (e.g. stairs, handrails);

f. Proper access to the electrical panel is provided;

g. No fire hazards are observed (e.g. combustibles are kept away from heat sources, extension cords and outlet strips are used in a compliant manner, dryer vent is free from obstruction, no exposed electrical wiring);

h. Each sleeping room is provided with an emergency escape and rescue opening that complies with sections R310.1, R310.2, R310.3 and R310.4 of the International Residential code.; and,

i. Emergency contact numbers are clearly posted (manager and 911).

7. The facility is to be inspected for the above items at least annually. Upon any change of ownership and on every third year after the initial inspection, the facility must be reinspected by the City and pass inspection. In the other years, the owner or manager is to perform the inspection.

8. Individual guest occupancy is limited to temporary periods of less than one hundred twenty (120) consecutive days, and less than one hundred twenty (120) days in any one-year period.

9. Bed and breakfast inns shall not be used as "reception facilities" as defined in this title, unless such use is otherwise permitted in the zoning district in which the property is located and authorization for such has been granted by the reviewing official.

10. The bed and breakfast must maintain compliance with the WY Department of Revenue licensing requirements, including payment of lodging taxes.

11. All bed and breakfasts must maintain compliance with the Wyoming Food Safety Rule (WY Department of Agriculture) and related licensing requirements.

12. Unless otherwise exempted or authorized by this title, one (1) off-street guest parking space shall be provided for every two (2) lodging units or fraction thereof. The guest parking shall be in addition to the two (2) spaces required for the owners/manager.

13. Prior to initial operation and annually by May 1st thereafter, all bed and breakfast inns shall register with the City of Cody, pass the fire and life safety inspection, and provide evidence of compliance with the Wyoming Food Safety Rule. The Community Development Department is authorized to create application form(s) and procedures as necessary to manage and enforce these provisions, both for the initial authorization and for ongoing compliance. Payment of an application fee is required pursuant to the City's adopted fee schedule. A late fee, also as specified in the adopted fee schedule, may also be assessed to owners of bed and breakfast inns that fail to register before making the inn available for initial use, or that do not complete their annual renewal by May 1st of each year. Authorized bed and breakfast facilities shall post a certificate issued by the City of Cody identifying such authorization. The certificate shall expire at the end of May 1st following the year in which the certificate was issued.

C. "C" Uses:

Child care centers and preschools - not listed above.

1. If located in a residential zone, access to the child care center shall be by means of a collector street or larger. (SE)

2. The site shall be designed so that all discharging or loading of passengers from a vehicle is accomplished on the site. The layout of driveways, circulation patterns and parking must be approved by the City Engineer.

3. When located within or adjacent to a residential zoning district, outdoor recreation shall be limited to daylight hours, and not earlier than eight o'clock (8:00) A.M. or later than eight o'clock (8:00) P.M. (SE)

Churches.

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

Community gardens.

1. Community gardens must be managed and actively tended so as to avoid weeds, odors, or other characteristics that would constitute a nuisance or detriment to neighboring property values.

2. In the Rural Residential and R-1 Zoning Districts, the community garden must be located in the back yard of a property, or located so that it is screened from the public way.

Community greenhouses.

1. One (1) greenhouse, up to one hundred twenty (120) square feet in size, and of typical frame and ridged panel (e.g., glass, acrylic, or polycarbonate) construction is permitted as an accessory use to a community garden. A larger or additional community greenhouse, or one (1) of other construction, shall be reviewed as a conditional use.

2. In the Rural Residential and R-1 Zoning Districts, the community greenhouse must be located in the back yard of a property, or located so that it is screened from the public way.

Community residence for the disabled.

1. Prior to authorization of the community residence, the applicant shall provide a certification from a qualified licensed medical practitioner that the number of disabled residents proposed is necessary to provide the mutual support and interrelationships required for treatment.

2. A community residence is considered a residential use of property for purposes of zoning and building codes. However, the Fire Marshal, pursuant to and consistent with the adopted Fire Code, may require enhanced fire protection, including the installation of fire sprinklers and other mitigating measures, where one (1) or more residents has a lessened ability to ambulate adequately.

D. "D" Uses:

Dormitories.

1. The minimum lot area shall be six thousand (6,000) square feet for the first five (5) occupants of the building's designed occupancy and nine hundred (900) square feet for each additional residential occupant, up to a maximum of ten (10) occupants.

2. Parking shall be provided at a rate determined through the conditional use process.

Dwelling moved onto lot. The dwelling must be of conventional stick built construction and compliment, rather than detract from, the architectural character of the neighborhood. The reviewing official may require exterior maintenance, repair, or enhancements (e.g., painting, roof repair, residing) that are needed to achieve architectural compatibility prior to occupancy of the dwelling, or require a financial security from the owner to ensure completion of such within eight (8) months of building placement.

E. "E" Uses: Reserved.

F. "F" Uses: Reserved.

G. "G" Uses: Reserved.

H. "H" Uses:

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

1. In addition to the conditional use permit criteria of this Code, large-scale home occupations shall meet the following requirements:

a. The home occupation must be clearly incidental and accessory to the residential use.

b. All on-premises work and storage areas must be conducted within the home, garage, or an accessory structure.

c. All on-premises activities related to the home occupation are to be conducted only by members of the household, provided up to two (2) non-resident employees may work on the premises, when authorized through the conditional use permit review.

d. No structural alteration or addition may be made to accommodate the home occupation, unless it is made in such a manner that the area would be suitable for typical residential purposes if it were not occupied by the home occupation.

e. No equipment shall be installed, no products shall be stored, and no activities shall be conducted in the dwelling or attached garage that would violate the Fire or Building Code limitations for a non-rated wooden structure (Construction Type V-B), regardless of the construction type of the dwelling. Any accessory structure used in the home occupation shall meet the Fire and Building Code requirements applicable to its use.

f. No offensive noise, vibration, smoke, dust, odor, glare, electrical interference, or other detriments to neighboring properties or dwelling units shall be produced.

g. There shall be no exterior indication of the home occupation, other than those indications complying with subsections h through l of this use.

h. No more than a total of four (4) vehicles/trailers associated with the home occupation (including employee vehicles) shall be at the premises at any time. (SE)

i. Any vehicle or trailer associated with the home occupation that is not a typical passenger car or pickup must be parked off-street. Furthermore, vehicles and trailers are not to occupy any area within the front yard that is not designed for parking (e.g., no parking on the front lawn).

j. The combined number of customer and employee visits to the property shall not typically exceed eight (8) per day, and they shall not typically occur earlier than seven o'clock (7:00) A.M., nor later than seven o'clock (7:00) P.M. For calculation purposes, each customer or employee visit shall count as one (1) visit. In situations where a person is dropped off and later picked up, it shall count as only one (1) visit, as the customer is the person visiting, not the one dropping off and picking up (e.g., a parent dropping off a child at music lessons and later picking them up). (SE)

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

l. Signage must comply with the provisions set forth in City of Cody Sign Code. (SE)

2. Examples of possible large-scale home occupations include: small-scale manufacturing or fabrication in an accessory building (no use of production line or automated equipment); contractors not meeting the small-scale home occupation requirements; and, small-scale repair services.

3. The following uses are not permitted as large-scale home occupations, due to their non-residential character, failure to meet home occupation standards, and/or potential impacts to neighboring properties:

- a. Animal kennel, stable, daycare, and training;
- b. Barber or beauty parlors, with more than one (1) chair;
- c. Equipment rental;
- d. Funeral home or crematorium;
- e. On-premises bookstores or entertainment establishments;
- f. Restaurants/drinking establishments;
- g. Slaughter and meat processing services;
- h. Storage facilities (aka mini-storage);
- i. Towing services;
- j. Vehicle or heavy equipment repair (including body, engine and chassis), impound, and dismantling/wrecking. This provision does not prohibit mobile mechanic services that provide repair services only at the customer's residence or place of business.
- k. Retail and commercial storefronts.

4. Any large-scale home occupation may be subject to inspection and review at any reasonable time for purposes of verifying compliance with the requirements of this section and the conditional use permit. If, at any time, any of the large-scale home occupation requirements are not met, enforcement action may be taken pursuant to section 10-1-5, "Enforcement", of this title.

Home occupation, small-scale.

1. A small-scale home occupation permit may be authorized when the business meets all of the following requirements:
 - a. The home occupation must be clearly incidental and accessory to the residential use. Only residents of the home may participate in any business activity on the premises.
 - b. All on-premises work and storage must occur within the main residence or attached garage. The home occupation shall not occupy more than five hundred (500) square feet of the residence and attached garage.
 - c. All on-premises activities related to the home occupation are to be conducted only by members of the household.
 - d. No structural alteration or addition may be made to accommodate the home occupation, unless it is made in such a manner that the area would be suitable for typical residential purposes if it were not occupied by the home occupation.
 - e. No equipment shall be installed, no products shall be stored, and no activities shall be conducted that would violate the Fire or Building Code limitations for a non-rated wooden structure (Construction Type V-B), regardless of the construction type of the dwelling.
 - f. No offensive noise, vibration, smoke, dust, odor, glare, electrical interference, or other detriments to neighboring properties or dwelling units shall be produced.
 - g. There shall be no exterior indications of the home occupation, other than those indications complying with subsections h through l of this use.
 - h. No more than a total of two (2) vehicles/trailers associated with the home occupation shall be at the premises at any time. In addition, the vehicle(s) shall not be larger than a typical passenger van or 1-ton pickup and the trailer(s) no more than twenty feet (20') long (overall length). Box- style cargo vans, semi tractors/trailers, heavy equipment, and similar vehicles are not authorized.
 - i. Any vehicle or trailer associated with the home occupation that is not a typical passenger car or pickup must be parked off-street. Furthermore, vehicles and trailers are not to occupy any area within the front yard that is not designed for parking (e.g., no parking on the front lawn).
 - j. Within the R-1 Zoning District, on-site customers and employee visits are not permitted. In the other residential zoning districts, the combined number of customer and employee visits to the property shall not typically exceed six (6) per day (SE), and they shall not typically occur earlier than seven o'clock (7:00) A.M., nor later than seven o'clock (7:00) P.M. each day. In situations where a person is dropped off and later picked up, it shall count as only one (1) visit, as the customer is the person visiting, not the one dropping off and picking up (e.g., a parent dropping off a child at music lessons and later picking them up).
 - k. On-street parking that is available along the property frontage may be authorized to satisfy needed customer/visitor parking, when such will not create a significant safety concern. If more customer/visitor parking is needed than can be provided along the property frontage, it must be provided on site.
 - l. Signage must comply with the provisions set forth in City of Cody Sign Code. (SE)
2. Examples of possible small-scale home occupations include: artist; consultant; computer work (accountant, architect, drafter, engineer, typist); internet sales (off-site delivery); music instructor; photographer; seamstress/tailor; and, personal

teacher/tutor.

3. The following uses are not permitted as small-scale home occupations, due to their non-residential character, failure to meet home occupation standards, and/or potential impacts to neighboring properties:

- a. All uses prohibited as large-scale home occupations.
- b. Any use generating, storing or utilizing hazardous materials in amounts measurably greater than a typical household.
- c. Machining, welding, or metal shop;
- d. Pawn shop;
- e. Small engine repair; and
- f. Vehicle or heavy equipment alteration, repair (including body, engine and chassis), painting, sales, rental, service, impound, or storage. This provision does not prohibit: mobile mechanic services that provide repair services only at the customer's residence or place of business, hobby work on not more than two (2) vehicles per year, and rental/car sharing of no more than two (2) personal vehicles of the property owner or tenant.

4. A small-scale home occupation may be subject to inspection and review at any reasonable time for purposes of verifying compliance. If, at any time, any of the small-scale home occupation requirements are not met, enforcement action may be taken pursuant to section 10-1-5, "Enforcement", of this title.

I. "I" Uses:

Individual care center category.

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

Individual care - group home category.

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

J. "J" Uses: Reserved.

K. "K" Uses: Reserved.

L. "L" Uses:

Long-term rental. Occupancy of a residential dwelling unit is limited to one (1) "family", except as otherwise permitted under this title (e.g., community residence for the disabled, dormitory, rooming house, short-term rental).

M. "M" Uses:

Manufactured home.

1. All manufactured homes placed outside of a mobile home park must be "attached" to the property so as to be taxed as real property (i.e., title elimination process pursuant to WY Statute 31-2-502).
2. In addition to any restriction of a specific zoning district, no more than two (2) manufactured homes shall be placed on a single lot, unless the property is developed in accordance with the mobile home park/manufactured home park standards of this Code.
3. The above restrictions shall not apply to manufactured homes displayed on a commercial sales lot, or stored in a commercial manufactured home production or storage facility.

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

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

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

Multi-family development. This use shall apply to all multi-family developments containing more than four (4) dwelling units. A multi-family development project that includes multiple lots shall be considered as one (1) property or development for purposes of implementing the standards set forth in this use.

1. Purpose:
 - a. To create multi-family housing that is safe and convenient and that enhances the quality of life of its residents.
 - b. To create quality buildings and designs for multi-family development that will enhance the visual character of the community.
 - c. To create building and site design in multi-family development that is sensitive to, and well-integrated with, the surrounding neighborhoods.
 - d. To create open space areas that contribute to the aesthetics of the community, provide an attractive setting for buildings, and provide safe, interesting outdoor spaces for residents.
2. Site Design:
 - a. Multi-family housing developments shall be separated from any abutting single-family housing (attached or detached) by a six foot (6') tall fence, of traditional construction (e.g., vinyl, wood, block), that provides a solid visual barrier to a height of at least five feet (5'). Provided, the reviewing official may waive all or part of the fence requirement when the design and characteristics of the multi-family housing development otherwise provide reasonable privacy for abutting single-family housing. (SE)
 - b. All waste storage facilities (e.g., dumpsters) shall be located in an area not readily visible from a public street, or shall be screened from view from a public street. (SE)
 - c. Provide a central mailbox, including provisions for parcel mail, which is located to provide safe pedestrian and/or vehicular access and complies with USPS standards.
 - d. A minimum of sixty (60) square feet of private, usable open space shall be provided for, and immediately adjacent to, each dwelling unit. This requirement can be satisfied through porches, patios, decks, and/or enclosed yards. Common open space, building entryways, stairs, and parking areas shall not count towards this requirement. (SE)
 - e. Multi-family developments with twenty (20) units or more shall provide the following:
 - (1) A property management office; or signage indicating a phone number for the property manager.
 - (2) A directory and map of the development at an entrance or convenient location for those entering the development.
3. Common Open Space Requirements:
 - a. A minimum area of outdoor common open space shall be provided and maintained as follows:
 - (1) One hundred fifty (150) square feet for each dwelling unit containing five hundred (500) square feet or less of living area.
 - (2) Two hundred (200) square feet for each dwelling unit containing more than five hundred (500) square feet.
 - b. Common open space may be located in multiple areas; provided, each area shall be not less than four hundred (400) square feet in size and shall have minimum length and width dimensions of twenty feet (20') at all points. (SE)
 - c. In phased developments, common open space shall be provided in each phase of the development consistent with the requirements for the size and number of dwelling units. (SE)
 - d. Common open space areas shall not be immediately adjacent to collector or arterial streets, unless separated from the street by a berm or constructed barrier at least four feet (4') in height. (SE)
4. Architectural Character:
 - a. All multi-family building elevations shall have a portion of the elevation devoted to architectural features designed

to provide articulation and variety. These features shall include, but are not limited to: windows, bays, offsetting walls, and multiple siding finishes/materials.

b. Main entrances, which are the primary point(s) of entry where the majority of building users will enter and leave, shall be designed as an obvious entrance and focal point of the building through architectural treatment, lighting, and address identification.

c. Roof forms shall include variety and detail when viewed from the street and/or front elevation. Roofs shall have at least one (1) variation in the roof (e.g., gabled wing or overbuild, dormer, pitch break) for every four (4) units, or fraction thereof, in the building.

d. All roof mounted mechanical, electrical, communications, and service equipment should be screened from public view from the adjacent public streets and residential properties by the use of parapets, walls, enclosures, or other suitable means.

5. Landscaping:

a. All street-facing building elevations shall have landscaping along their foundation. The foundation landscaping shall meet the following minimum standards:

(1) The landscaped area shall be at least three feet (3') wide.

(2) For every six (6) linear feet of foundation, a shrub, perennial, or tree having a minimum mature height of twenty four inches (24") shall be planted.

(3) Ground cover (plants or decorative rock) shall cover the remainder of the landscaped area.

N. "N" Uses: Reserved.

O. "O" Uses: Reserved.

P. "P" Uses: Reserved.

Q. "Q" Uses: Reserved.

R. "R" Uses:

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

Reception facility.

1. Minimum lot area shall be at least 1.0 acre.

2. A reception facility shall only be permitted in association with a detached single-family dwelling and its grounds.

3. Seating capacity shall not exceed that which can be accommodated by parking available on site, along the property frontage, and in any shared parking lot available through an off-site parking agreement authorized pursuant to section 10-16-7 of this title.

4. Unless otherwise specified by the Planning and Zoning Board, events shall end by nine o'clock (9:00) P.M. during September thru May, and ten o'clock (10:00) P.M. during June through August.

Residential architectural standards. Within all residential zoning districts except the Mobile Home Park (MHP) Zone, all dwellings constructed after the effective date of this chapter shall be constructed in the following manner (SE); provided, manufactured homes not meeting these standards may be considered as specified in the land use table:

1. Eaves shall be provided on at least two sides of the dwelling and extend at least eight inches (8") from the building wall.

2. The dwelling shall be constructed or placed on a permanent foundation of concrete, masonry, or material of similar appearance and durability approved by the building official.

3. The dwelling shall have at least one (1) story above ground level (i.e., no basement houses).

Residential dwelling categories.

1. All residential dwellings shall comply with applicable residential architectural standards, as specified in this chapter. (SE)

2. Within the RR, R-1, R-2, and R-2MH Zoning Districts, no more than one (1) principal residential building shall be located on a single lot.

3. In addition to any restriction of a specific zoning district, no more than two (2) manufactured and/or mobile homes, or combination thereof, shall be placed on a single lot, unless developed in accordance with the mobile home

park/manufactured home park standards of this Code.

4. The commercial use of a residential dwelling unit for dwelling, lodging or sleeping purposes, wherein any individual guest rents or occupies the unit for a period of less than thirty (30) consecutive calendar days is prohibited, except as otherwise permitted under this title (e.g., bed and breakfast, short-term rental).

5. Occupancy of a residential dwelling unit is limited to one (1) "family", except as otherwise permitted under this title (e.g., community residence for the disabled, dormitory, rooming house, short-term rental).

6. No building shall be constructed or used for residential purposes on any lot or parcel unless the lot or parcel has direct frontage on either a public street, a private street authorized through the subdivision process, or a private access easement to a street that is of sufficient width and construction to either meet the adopted fire code or otherwise provide emergency vehicle access as determined by the fire marshal. Access to an alley is not sufficient to meet this requirement.

Rooming house.

1. No more than two (2) persons shall occupy any individual lodging room.

2. Unless otherwise exempted or authorized by this title, one (1) off-street parking space shall be provided for each guest lodging room. The guest parking shall be in addition to the two (2) spaces required for the owner(s).

S. "S" Uses:

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

Short-term rental.

1. Authorized owner-occupied methods of short-term rental are limited to:

- a. Rental of a portion of the owner's dwelling (room rental), while the owner is living in the dwelling.
- b. Rental of an accessory dwelling unit while the owner is living in the main dwelling.
- c. Rental of the main dwelling while the owner is living in the accessory dwelling unit.
- d. Rental of a dwelling while the owner is living in a dwelling on a lot immediately next door (i.e. not separated by a street, rear alley, or intervening parcel).

2. Within the residential zoning districts, the short-term rental may be operated out of any form of dwelling except a multi-family dwelling. In addition, short-term rental shall not be offered by a renter of the property - i.e., a sublet situation.

3. Occupancy of a dwelling used for short-term rental is limited based on the number of bedrooms available for guests as follows: rentals with one guest bedroom are limited to four (4) guests; rentals with two guest bedrooms are limited to six (6) guests; rentals with three guest bedrooms are limited to 8 guests, and rentals with four or more guest bedrooms are limited to 10 guests. Guest sleeping in a living room, family room, or sun room is not prohibited by this requirement (e.g. use of sofa bed or air mattress), provided required emergency escape openings are provided, but guest occupancy is based on number of bedrooms only. In addition, short-term rental dwellings shall only be rented to only one (1) group at any one (1) time - a single booking. Separate dwellings on a property may be booked individually.

4. Use or conversion of an existing dwelling to an owner-occupied short-term rental shall require one (1) off-street guest parking space meeting the requirements of chapter 16, "Off Street Parking", of this title for every two (2) guest sleeping rooms or fraction thereof, unless otherwise exempted or authorized by this title. The guest parking shall be in addition to the spaces required for the owners. A non-owner-occupied short-term rental does not require additional parking to be provided.

5. Prior to use of the dwelling as a short-term rental, the dwelling shall be inspected for fire and life safety items, which inspection includes verification of the following.

- a. Smoke detectors located where required by code and operable;
- b. A fire extinguisher (minimum rating 2A10BC) located in a clearly visible or labeled location;
- c. Carbon monoxide alarm(s) where required by code and operable; if applicable.
- d. The address number is posted and visible using 4" tall or larger numbers on a contrasting background;
- e. Access in/out of the facility complies with applicable codes (e.g. stairs, handrails);
- f. Proper access to the electrical panel is provided;
- g. No fire hazards are observed (e.g. combustibles are kept away from heat sources, extension cords and outlet strips are used in a compliant manner, dryer vent is free from obstruction, no exposed electrical wiring);
- h. Each sleeping room is provided with an emergency escape and rescue opening that complies with sections R310.1, R310.2, R310.3 and R310.4 of the International Residential Code; and,

i. Emergency contact numbers are clearly posted (manager and 911).

6. The facility is to be inspected for the above items at least annually. Upon any change of ownership and on every third year after the initial inspection, the facility must be reinspected by the City and pass inspection. In the other years, the owner or manager is to perform the inspection.

7. Short-term rentals are classified as lodging facilities by the State. As such, the owner of the short-term rental must register the lodging facility business with the WY Department of Revenue and pay lodging tax as required.

8. Prior to initial operation and annually by May 1st thereafter, all short-term rental facilities shall register with the City of Cody, provide evidence of compliance with this section, and pass the fire and life safety inspection. The Community Development Department is authorized to create application form(s) and procedures as necessary to manage and enforce these provisions, both for the initial authorization and for ongoing compliance. Payment of an application fee is required pursuant to the City's adopted fee schedule. A late fee, also as specified in the adopted fee schedule, may also be assessed to owners of short-term rentals that fail to register and pass inspection before making the short-term rental available for initial use, or that do not complete their annual renewal by May 1st of each year that the rental is in operation. Authorized short-term rental facilities shall have a certificate issued by the City of Cody identifying such authorization posted within the unit, and commencing May 1, 2023 and continuing thereafter, must include the City registration number for the unit in all online listing(s). The certificate expires at the end of May 1st following the year in which the certificate was issued.

T. "T" Uses: Reserved.

U. "U" Uses: Reserved.

V. "V" Uses: Reserved. (Ord. 2017-02, 3-7-2017)

W. "W" Uses:

Wind energy system, small.

1. No small wind energy system shall be erected on any lot less than 1.0 acre in size. (SE)

2. Total height may be up to fifty feet (50'); provided, properties five (5) acres or greater are allowed up to eighty feet (80'). (SE)

3. The minimum height of the lowest extent of a turbine blade/rotor shall be twenty feet (20') above the ground, if on a horizontal axis turbine. There is no minimum rotor height for a vertical-axis turbine, provided the blades/rotor must be located or isolated (e.g., fenced) such that they are not easily accessible to anyone but maintenance personnel.

4. The small wind energy system shall have a maximum rotor speed of less than five hundred (500) rpm (revolutions per minute) at the manufacturer's rated wind speed. (SE)

5. No tower shall have a climbing apparatus within ten feet (10') of the ground.

6. Small wind energy systems shall be finished and maintained as manufactured.

7. Every small wind energy system shall be equipped with an automatic over speed control and a manual brake.

8. The small wind energy system shall be set back from any public road right-of-way and overhead communication or electrical line at least 1.5 times its total height.

9. The following standards apply, provided an affected neighboring owner(s) may grant an easement or written agreement to reduce or eliminate the requirement as applicable to the protection of their property. The document must be recorded in the Office of the County Clerk before a building permit for the wind energy system is issued.

a. A small wind energy system shall be set back from the nearest neighbor's property line at least 1.5 times its total height.

b. The small wind energy system shall be located and maintained such that sound levels do not exceed fifty (50) dBA as measured at any neighbor's residentially zoned property, or forty five (45) dBA as measured at any neighbor's habitable building, assuming a wind speed of twelve (12) m/s (26.8 mph). If the sound rating for the wind energy system is known for a given distance, the method of deducting six (6) dB for every doubling of distance shall be sufficient to demonstrate compliance with the sound limitation. (See NREL Wind Testing website for data on some models.) If the sound rating is not known, the applicable setback from any neighboring residential property shall be one hundred twenty five feet (125'), and two hundred twenty feet (220') from any neighbor's habitable building.

Wireless communication facility, non-stealth design.

1. Non-stealth design wireless communication facilities shall be subject to the provisions of subsection 10-11-2W of this title.

2. Non-stealth design is not permitted in the residential zones within the Downtown Architectural District.

Wireless communication facility, small cell and distributed antenna systems.

1. Small cell and DAS wireless communication facilities shall be subject to the provisions of subsection 10-11-2W of this title.

2. Distributed antenna systems and small cells that comply with the height limit of the zoning district and do not require installation of a new tower, utility support structure or building are permitted uses in all residential zones, provided the applicant complies with all Federal laws (such as the Americans With Disabilities Act) and State laws. Distributed antenna systems and small cells that do not meet those conditions, and which are located in a residential zoning district, shall be subject to conditional use permit review.

3. Within the residential zoning districts, a small cell or DAS must be mounted on either an existing building, or existing or replacement utility pole, and extend no more than three feet (3') horizontally or six feet (6') vertically from the building or utility pole on which it is mounted.

4. Within the Downtown Architectural District, the proposed facility must be reviewed by the Planning and Zoning Board.

5. The proposal shall clearly demonstrate that the small cell and distributed antenna systems mounting location is one (1) of the least visually obtrusive options in the area.

Wireless communication facility, stealth design.

1. Stealth design wireless communication facilities shall be subject to the provisions of subsection 10-11-2W of this title.

2. Within the Downtown Architectural District, the proposed facility must be reviewed by the Planning and Zoning Board. (Ord. 2017-02, 3-7-2017; amd. Ord. 2017-12, 6-6-2017)

X. "X" Uses: Reserved.

Y. "Y" Uses: Reserved.

Z. "Z" Uses: Reserved. (Ord. 2017-02, 3-7-2017; amd. Ord. 2017-24, 11-7-2017; Ord. 2022-26, 12-20-2022)