

**Sheridan City Planning Commission
Meeting Agenda
October 9, 2023
7:00 PM, City Council Chamber, City Hall**

1. Call to Order and Roll Call of Members

2. Approval of Agenda as Presented

Motion by:

Second:

Vote:

3. Review, correction, and approval of minutes of the September 25, 2023 meeting.

Motion by:

Second:

Vote:

Old Business

New Business

4. Consideration of PL-23-32, Resolution 57-23, Skyview North Minor Subdivision. The applicant, In-Yarak Construction Inc is requesting to subdivide .37 acres from 1 lot into 4 lots. Zoned R-3 Residence District. Located at 2049 Skyview West Dr. PIN 55840330000100.

Motion by:

Second:

Vote:

5. Comments from commissioners and staff.

6. Study Session for Ordinance 2272, Amending Appendix A, Article 3 Regarding R-1 Residential District

Motion by:

Second:

Vote:

7. Adjourn



MEMO

TO: Planning Commission
FROM: Thomas Morneau, City Engineer
RE: Review, correction, and approval of minutes of the September 25, 2023 meeting.

Motion by:

Second:

Vote:

Attachments

minutes

CITY OF SHERIDAN
MINUTES OF PLANNING COMMISSION MEETING
CITY HALL COUNCIL CHAMBERS
SEPTEMBER 25, 2023

1. Commissioner Chair Todd Windsor called the meeting to order at 7:01 PM with a quorum as follows: Evelyn Gernaat, James Schrod, Ryan Franklin, Bev Leichtnam, and Daniel Kerbs. Margaret Morneau was absent.
2. Commissioner Leichtnam moved, seconded by Commissioner Gernaat, to approve the agenda for the September 25, 2023 meeting. Voice vote: unanimous.
3. Commissioner Franklin moved, seconded by Commissioner Kerbs to approve the minutes of the September 11, 2023 Planning Commission meeting. Voice vote: unanimous.
4. Consideration of PL-23-33, Resolution 52-23 Eagle View Subdivision. The applicant, John E Rice & Sons, Inc is requesting to subdivide 97.76 acres of unplatted land into 3 lots. Zoned Gateway Master Plan, Higher Education District and R-3 Residence District. Located at 4200 Yellowtail Dr. PIN 56840920000400 and 56840920000100.

Public Works Director Hanns Mercer presented information regarding the project. There were no public comments.

The Chair called for a motion for PL-23-33, Resolution 52-23 Eagle View Subdivision. Commissioner Schrod moved, seconded by Commissioner Franklin to approve PL-23-33, Resolution 52-23 Eagle View Subdivision.

Voice Vote: unanimous to provide a positive recommendation to City Council.

5. Consideration of PL-23-35, Resolution 54-23, Valley Park 3rd Addition, final plat. The applicant, The Bluffs LLC & The Ridge LLC are requesting to subdivide 8.52 acres from 2 lots into 29 lots and 3 outlots. Zoned B-1 Business District. Located at 647 and 705 Valley View Dr. PIN 56842520800600 and 56842520800500. The variances requested are as follows:
 1. No secondary access
 2. Hammerhead turnaround design instead of a cul-de-sac
 3. Cul-de-sac length greater than 500'
 4. Depth-to-front ratio exceeding 2.5 to 1 for various lots

Public Works Director Hanns Mercer presented information regarding the project. Larry Bridger stated that Morton Buildings and Wyoming Game and Fish want to keep the cul-de-sac to turn trucks and boats around. He stated that there are other options for them to utilize. The City wishes to remove the cul-de-sac for safety and drainage concerns. Wayne Bauman expressed concern regarding the steep hill close to the subdivision and possible erosion. Mr. Bridger stated the section including the hill will be sold, so the current plan does not include anything regarding potential erosion.

The Chair called for a motion for PL-23-35, Resolution 54-23, Valley Park 3rd Addition, final plat, with four variances as presented. Commissioner Kerbs moved, seconded by Commissioner Gernaat, to approve PL-23-35, Resolution 54-23, Valley Park 3rd Addition, final plat, with four variances as presented.

Voice Vote: unanimous to provide a positive recommendation to City Council.

6. Comments from commissioners and staff.
 - A. Public Works Director Hanns Mercer informed the Planning Commission that there will be a public hearing coming up at the second meeting in October for an Ordinance change regarding R1/R2 zoning. Mr. Mercer explained the change in detail. This Ordinance requires Planning Commission consideration before City Council final approval. He also stated that he, along with City Engineer Thomas Morneau, will be attending a Planning Conference in Casper.
 - B. Commissioner Leichtnam discussed a City Council committee that was created for zoning changes in the downtown district. Mr. Mercer will be communicating the requirement to involve the Planning Commission in the process to the Mayor.
7. The meeting was adjourned at 7:34 PM.

Tod Windsor, Planning Commission Chairperson

Attest: _____
City Clerk Cecilia Good



MEMO

TO: Planning Commission

FROM: Thomas Morneau, City Engineer

RE: Consideration of PL-23-32, Resolution 57-23, Skyview North Minor Subdivision. The applicant, In-Yarak Construction Inc is requesting to subdivide .37 acres from 1 lot into 4 lots. Zoned R-3 Residence District. Located at 2049 Skyview West Dr. PIN 55840330000100.

Staff Recommendation

Staff recommends the Planning Commission provide a recommendation to the City Council for PL-23-32, Resolution 57-23, Skyview North Minor Subdivision. The applicant, In-Yarak Construction Inc is requesting to subdivide .37 acres from 1 lot into 4 lots. Zoned R-3 Residence District. Located at 2049 Skyview West Dr. PIN 55840330000100.

Background

The applicant, Regan Haswell with In-Yarak Construction is requesting to subdivide .37 acres from 1 lot into 4 lots. Zoned R-3 Residence District. Located at 2049 Skyview West Dr. (PIN 55840330000100). The property is listed as Lot 1 , Skyview West Subdivision - Phase 1. Variances being requested for the following:

- Depth to front ratio shall not exceed 2.5 to 1 per City Code - Appendix B - Article 5 - 505(C)(1)

- Lot 1 - 10.84 to 1
- Lot 2 - 9.20 to 1
- Lot 3 - 8.29 to 1
- Lot 4 - 7.43 to 1

- Every platted lot shall have access to a publicly dedicated street or road. Such access shall consist of frontage of at least 25 feet on a public street or an unobstructed private easement or right-of-way of at least 25 feet width extending to a public street per City Code - Appendix B - Article 5 - 505(C)(5)

- Lot 1 - 15.59 feet
- Lot 2 - 16.00 feet
- Lot 3- 15.92 feet
- Lot 4 - 15.70 feet

Access to the properties will be from the paved surface via Skyview West Drive. The surrounding properties are residential properties zoned R-3 Residence District. The applicant is proposing to

subdivide lot 1 into 4 lots. The applicant is proposing the following residence lot sizes:

- o Lot 1 - 6145 sq ft
- o Lot 2 - 3522 sq ft
- o Lot 3- 3065 sq ft
- o Lot 4 - 3299 sq ft

Prior to approving the final plat, the City Council will need to make the following findings per Sheridan City Code Appendix B §202, staff offers the following comments on the required findings: The City shall not approve any proposed subdivision of land which, by itself, or as a part of a larger tract, is contiguous to or completely surrounded by the boundaries of the City, unless the application is accompanied by a properly-acknowledged petition for annexation to the City. *This property falls completely within the city limits, so this condition does not apply.* The City shall not approve any proposed subdivision of land which is within one mile of the corporate limits of Sheridan but not, at the time of submittal, eligible for annexation, unless the application is accompanied by a properly-acknowledged agreement not to contest future annexation proceedings. *Again, not applicable in this case, the property is within the city limits.* Every plat shall conform to the Zoning Ordinance currently adopted at the time of final plat approval. *The proposed subdivision conforms to the Zoning Ordinance.* All new subdivision developments within the Airport Influence Area within the city limits of the City of Sheridan shall grant an Avigation Easement to the Sheridan County Airport. *This proposed subdivision is outside the Airport influence area.*

No subdivision shall be approved within the corporate limits of the City of Sheridan, or one mile thereof, unless City Public Works staff concludes that an adequate long-term water supply exists to support the proposed use and density of the subdivision in accordance with City adopted policy. City elected officials acting as Council representatives on other boards or committees that review development shall likewise consider long-range water supply in making any determination. *Future water and sewer will be connected to existing utilities in Skyview West Drive and will be available to all the lots.*

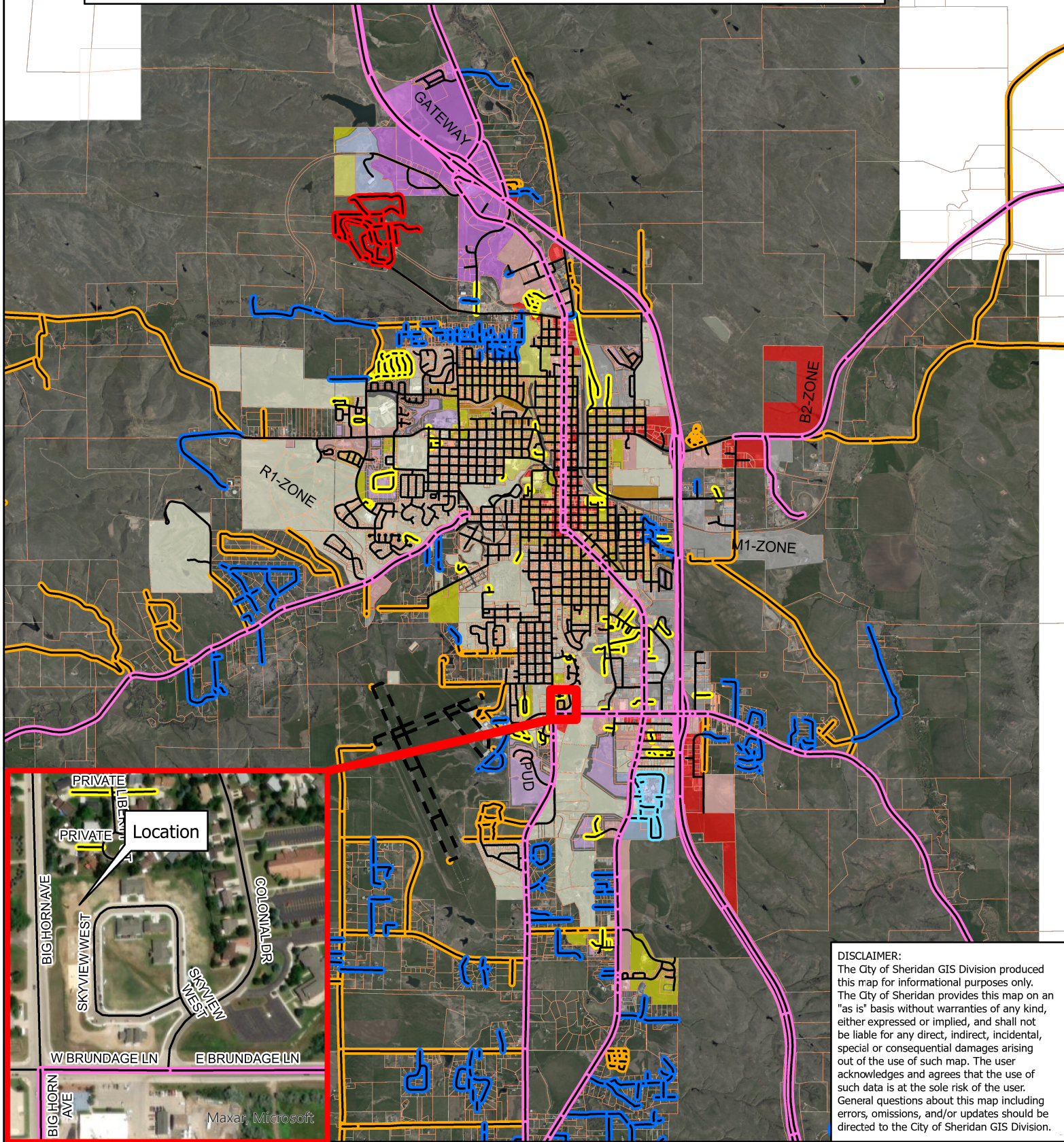
Staff Comments

Staff sent out 45 nearest neighbor notifications to property owners within 300 feet as part of this application. In addition, notifications were advertised in the press and a sign posted on the property. Staff received one inquiry on the project about what is allowable in R-3 zoning. Staff has no further comments at this time.

Attachments

aerial
final plat
resolution
Variance request

Skyview North Minor Subdivision



DISCLAIMER:
The City of Sheridan GIS Division produced this map for informational purposes only. The City of Sheridan provides this map on an "as is" basis without warranties of any kind, either expressed or implied, and shall not be liable for any direct, indirect, incidental, special or consequential damages arising out of the use of such map. The user acknowledges and agrees that the use of such data is at the sole risk of the user. General questions about this map including errors, omissions, and/or updates should be directed to the City of Sheridan GIS Division.

Legend

Roads

- County Road
- Forest Service Road
- Private Road
- PUBLIC ROAD
- City of Sheridan Road

- Sheridan College Road
- Sheridan County Airport
- State of Wyoming Road
- VA Road
- Parcels

Zoning City

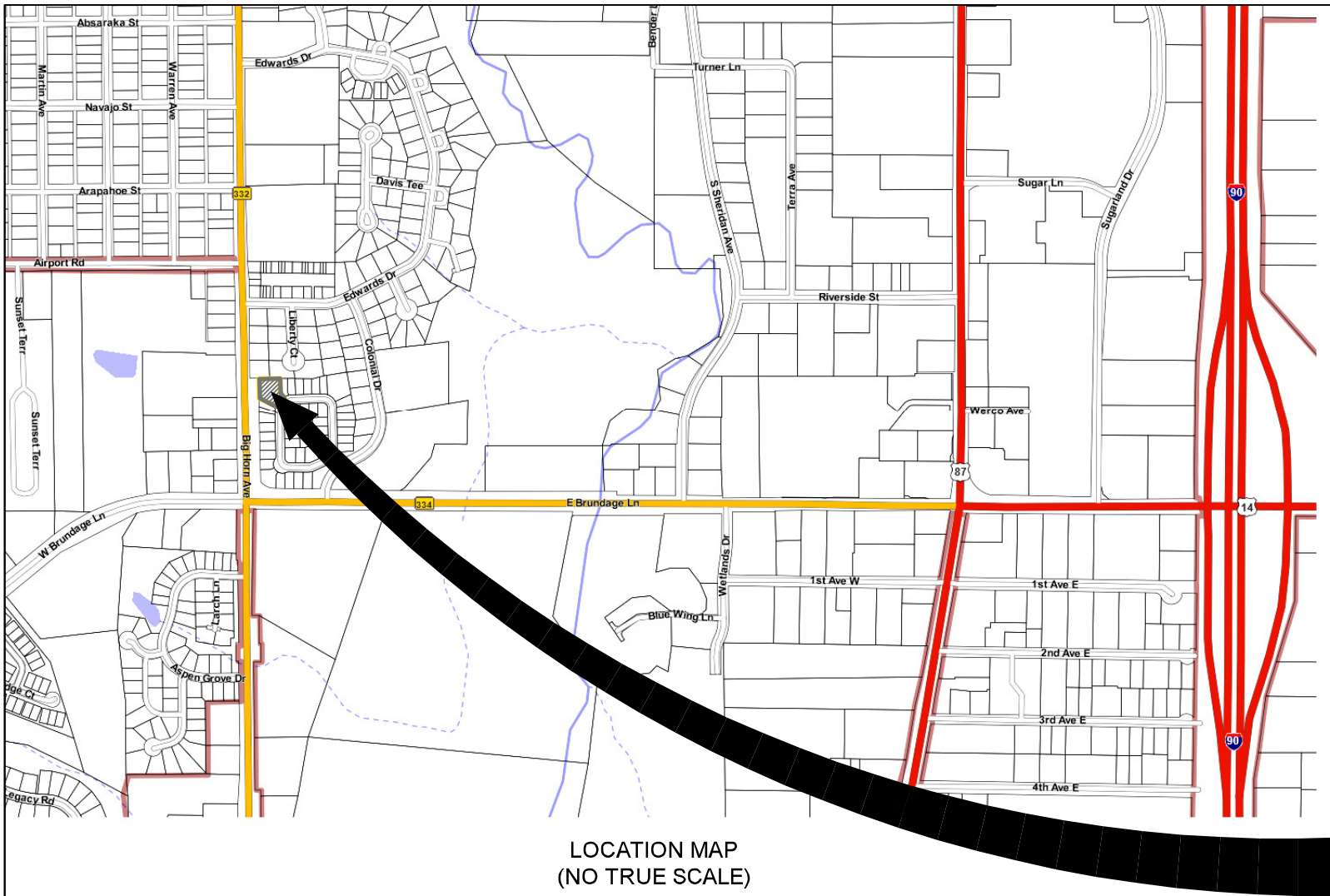
- R1 - Residence District
- R2 - Residence District
- R3 - Residence District
- R4 - Residence District
- B1 - Business District



N

Miles 0 3/4 1 1/2

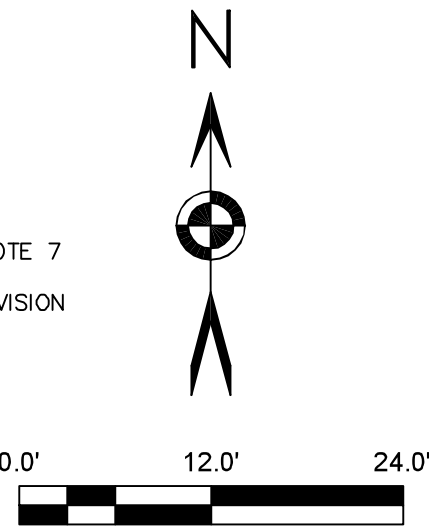
Date: 9/20/2023 1:13 PM User: sgoodman



LOCATION MAP
(NO TRUE SCALE)

SITE
LOCATION

- LEGEND**
- FOUND CORNER AS NOTED
 - CALCULATED CORNER
 - SET 1.5" AC LS 14250
 - ALUMINIUM CAP
 - P.O.B. POINT OF BEGINNING
 - UTILITY EASEMENT
 - ACCESS EASEMENT SEE NOTE 7
 - BOUNDARY OF THIS SUBDIVISION
 - ADJOINING LOT LINE
 - INTERIOR LOT LINE
 - SETBACKS



BASIS OF BEARINGS IS
US STATE PLANE, NAD 83
WYOMING EAST CENTRAL ZONE
DISTANCES ARE GROUND (US SURVEY FEET)
PAF:1.000235

CERTIFICATE OF DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED IN-YARAK CONSTRUCTION INC. BEING THE OWNER, PROPRIETOR OR PARTIES OF INTEREST IN THE LAND SHOWN ON THIS PLAT, DO HEREBY CERTIFY:

THAT THE FOREGOING PLAT DESIGNATED AS SKYVIEW NORTH MINOR SUBDIVISION, LOCATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE1/4NE1/4), SECTION 3, TOWNSHIP 55 NORTH, RANGE 84 WEST, 6TH P.M., SHERIDAN COUNTY, WYOMING, BEING LOT 1, OF SKYVIEW WEST PHASE 1 SUBDIVISION, CITY OF SHERIDAN, BEING LOCATED IN THE BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 3, THENCE S 59°46'05" W, 1259.90 FEET TO THE NORTHEAST CORNER OF SAID LOT 1 AND THE POINT OF BEGINNING; THENCE S 00°09'06" W, 83.40 FEET ALONG THE EAST LINE OF SAID LOT 1; THENCE S 42°58'59" E, 31.92 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1 AND A POINT ON THE NORTHWEST RIGHT-OF-WAY LINE OF SKYVIEW WEST DRIVE; THENCE THROUGH A CURVE TO THE LEFT HAVING AN ARC LENGTH OF 9.53 FEET, A RADIUS OF 75.00 FEET, A DELTA OF 7°16'38", A CHORD OF S 48°32'20" W, 9.52 FEET, FOLLOWING ALONG SAID NORTHWEST RIGHT-OF-WAY LINE OF SKYVIEW WEST DRIVE; THENCE S 45°14'56" W, 26.52 FEET, FOLLOWING ALONG SAID NORTHWEST RIGHT-OF-WAY LINE OF SKYVIEW WEST DRIVE; THENCE THROUGH A CURVE TO THE LEFT HAVING AN ARC LENGTH OF 27.16 FEET, A RADIUS OF 75.00 FEET, A DELTA OF 20°44'55", A CHORD OF S 34°44'37" W, 27.01 FEET, FOLLOWING ALONG SAID NORTHWEST RIGHT-OF-WAY LINE OF SKYVIEW WEST DRIVE TO THE SOUTHWEST CORNER OF SAID LOT 1; THENCE N 65°28'20" W, 105.36 FEET ALONG THE SOUTHWEST LINE OF SAID LOT 1 TO THE EAST RIGHT-OF-WAY LINE OF BIGHORN AVE.; THENCE N 01°39'17" W, 110.11 FEET ALONG SAID EAST RIGHT-OF-WAY LINE OF BIGHORN AVE. TO THE NORTHWEST CORNER OF SAID LOT 1; THENCE N 89°56'36" E, 118.85 FEET ALONG THE NORTH LINE OF SAID LOT 1 TO THE NORTHEAST CORNER OF SAID LOT 1 AND THE POINT OF BEGINNING. SUBJECT TRACT CONTAINING ±16031 SQUARE FEET (0.37 ACRES) MORE OR LESS

SUBJECT TO ANY PREVIOUSLY RECORDED EASEMENTS, EXCEPTIONS, RESTRICTIONS, COVENANTS, CONVEYANCES, AND THAT THIS SUBDIVISION, AS IT IS DESCRIBED AND AS IT APPEARS ON THIS PLAT, IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER(S) AND PROPRIETOR(S); AND THAT THIS IS A CORRECT PLAT OF THE AREA AS IT IS DIVIDED INTO LOTS AND THAT THE UNDERSIGNED OWNER(S) OF THE LAND SHOWN AND DESCRIBED ON THIS PLAT DOES (DO) HEREBY DEDICATE TO THE CITY OF SHERIDAN AND ITS LICENSEES FOR PUBLIC USE FOR THE INDICATED PURPOSES, ALL EASEMENTS AND OTHER PUBLIC LANDS WITHIN THE BOUNDARY LINES OF THE PLAT, AS INDICATED, AND NOT ALREADY OTHERWISE DEDICATED FOR PUBLIC USE. THIS _____, DAY OF _____, 2023

IN-YARAK CONSTRUCTION INC.
(REGAN HASHWELL)

STATE OF WYOMING)
COUNTY OF SHERIDAN) ss

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME
THIS _____ DAY OF _____, 2023.

WITNESS MY HAND AND OFFICIAL SEAL. MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

LINE	BEARING	DISTANCE
L1	N 45°14'56" E	4.43'
L2	N 45°14'56" E	15.93'
L3	S 45°14'56" W	6.17'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	75.00'	15.59'	15.56'	S 30°19'28" W	11°54'36"
C2	75.00'	11.57'	11.56'	S 40°41'55" W	8°50'19"
C3	75.00'	9.53'	9.52'	N 48°32'20" E	7°16'38"

NOTES

- ANY PURCHASER DOES NOT HAVE THE RIGHT TO THE NATURAL FLOW OF ANY STREAM WITHIN, OR ADJACENT TO THE SUBDIVISION, SINCE WYOMING WATER ADMINISTRATION LAWS DO NOT RECOGNIZE ANY RIPARIAN RIGHTS WITH REGARD TO NATURAL FLOW FOR PERSONS LIVING ON THE BANK OF ANY STREAM OR RIVER.
- ALL NEW CONSTRUCTION, REMODELING, ADDITIONS OR REPAIRS TO ANY PUBLIC OR PRIVATE BUILDINGS WITHIN THE SUBDIVISION SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY SHERIDAN STANDARDS REGULATIONS AND BUILDING PERMITS AND INSPECTIONS ARE REQUIRED.
- THE SURFACE ESTATE OF THE LAND TO BE SUBDIVIDED IS SUBJECT TO FULL AND EFFECTIVE DEVELOPMENT OF THE MINERAL ESTATE.
- NO EXISTING BUILDINGS (RAW LAND)
- ALL LOTS ARE ZONED R-3
- LOTS 1, 2, 3 & 4 ARE TO BE TOWNHOME LOTS WITH ONE OR MORE SHARED FIREWALLS
- ACCESS EASEMENT FOR THE HOME OWNERS OF SKYVIEW NORTH MINOR SUBDIVISION ACCESS, AND SHALL REMAIN CLEAR OF PARKED VEHICLES, BUILDINGS AND FENCES.

DECLARATION VACATING PREVIOUS PLATTING

THIS PLAT OF LOT 1 OF SKYVIEW WEST SUBDIVISION, PHASE 1, CITY OF SHERIDAN RECORDED IN DRAWER: S PLAT NO. 151, IN THE RECORDS OF SHERIDAN COUNTY CLERK. ALL EARLIER PLATS OR PORTIONS THEREOF ENCOMPASSED BY THE BOUNDARIES OF THIS PLAT ARE HEREBY VACATED.

CERTIFICATE OF RECORDER

STATE OF WYOMING)
COUNTY OF SHERIDAN) ss

I HERBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE CLERK AND RECORDER AT
O'CLOCK THIS _____ DAY OF _____, 2023
AND IS DULY RECORDED IN PLAT BOOK _____ ON PAGE _____

COUNTY CLERK

STAMP RECEIVING
NUMBER

CERTIFICATE OF APPROVAL

THIS PLAT HAS BEEN PREPARED IN ACCORDANCE WITH THE REQUIREMENTS AND PROCEDURES OUTLINED IN THE SUBDIVISION REGULATIONS OF THE CITY OF SHERIDAN, AND CERTIFIED THIS _____ DAY OF _____, 2023, BY THE DIRECTOR OF PUBLIC WORKS OF SHERIDAN, WYOMING.

DIRECTOR OF PUBLIC WORKS

APPROVED BY THE CITY COUNCIL OF THE CITY OF SHERIDAN, WYOMING THIS _____ DAY OF _____, 2023.

ATTEST: CITY CLERK

MAYOR

CERTIFICATE OF APPROVAL CITY PLANNING COMMISSION

REVIEWED BY THE CITY OF SHERIDAN, WYOMING PLANNING COMMISSION THIS _____ DAY OF _____, 2023.

CHAIRMAN

ATTEST: VICE CHAIRMAN

CERTIFICATE OF SURVEYOR

I, CLAYTON ROSENBLUND, do hereby certify that I am a Registered Land Surveyor, licensed under the laws of the State of Wyoming, that this plat is a true, correct and complete plat of SKYVIEW NORTH MINOR SUBDIVISION, as laid out, platted, dedicated and shown hereon, that this plat was made from an accurate survey of said property conducted by me or under my supervision and correctly shows the location and dimensions of all lots, easements and streets of said subdivision in compliance with City of Sheridan regulations governing the subdivision of land.

REGISTERED LAND SURVEYOR

NO. 14250



51 COFFEN AVE SUITE #2
SHERIDAN, WYOMING 82801

DATE OF PREPARATION: JULY 24, 2023

RECORD OWNER: IN-YARAK CONSTRUCTION INC.
772 AIRFIELD LANE
SHERIDAN, WY 82801

**CITY OF SHERIDAN
RESOLUTION 57-23**

A RESOLUTION approving PL-23-32, the final plat of the Skyview North Minor Subdivision, dividing .37 acres from 1 lot into 4 lots. Zoned R-3 Residence District. Located at 2049 Skyview West Dr.

WHEREAS, the plat of the Skyview North Minor Subdivision, has been reviewed for consistency with Appendix B (Subdivision Regulations) and other applicable City code; and

WHEREAS, all applicable requirements for a final plat, have been met and all documents meet the applicable requirements in Appendix B (Subdivision Regulations).

Be it resolved by the City of Sheridan Governing Body:

That the final plat of the Skyview North Minor Subdivision, dividing .37 acres from 1 lot into 4 lots on the property located at 2049 Skyview West Dr.

In approving the Skyview North Minor Subdivision, the City of Sheridan Governing Body finds the following as required by Sheridan City Code Appendix B §202:

- A. The property is already within the corporate limits of the City and requires no further action as pertains to annexation.
- B. The lots as platted conform to the requirements of the City Zoning Ordinance with the exception of the variances granted.
- C. The subdivision falls outside of the Airport Influence Area.
- D. As concluded by City Public Works staff, there is adequate long-term water supply to serve this subdivision as of the time of this resolution.

In addition to approving the Skyview North Minor Subdivision, the City of Sheridan Governing Body is also approving a depth-to-front ratio variance and a variance for the frontage. The depth-to-front ratio for Lot 1 is 10.84 to 1, Lot 2 is 9.20 to 1, Lot 3 is 8.29 to 1, and for Lot 4 is 7.43 to 1. The variance from frontage from the 25' access to a public street for Lot 1 is 15.59 ft, Lot 2 is 16 ft, Lot 3 is 15.92 ft, and Lot 4 is 15.70 ft.

PASSED, APPROVED, AND ADOPTED this 16th of October 2023.

Richard Bridger, Mayor

ATTEST:

Cecilia Good, City Clerk

Request for Variance

Skyview west minor subdivision Lot 1, Phase 1

I Regan Haswell, representing In Yarak Construction Inc, am requesting a variance in regard to the Depth to front ratio of the 4 proposed lots of the Minor Subdivision "Skyview north" lots and having a reduced street frontage as the lots fall on a corner lot.

City code requires 2.5 to 1 ratio lot Lot 1 actual = 1': 10.84'

City code requires 2.5 to 1 ratio lot Lot 2 actual = 1': 9'.20'

City code requires 2.5 to 1 ratio lot Lot 3 actual = 1': 8'.29'

City code requires 2.5 to 1 ratio lot Lot 4 actual = 1': 7'.43'

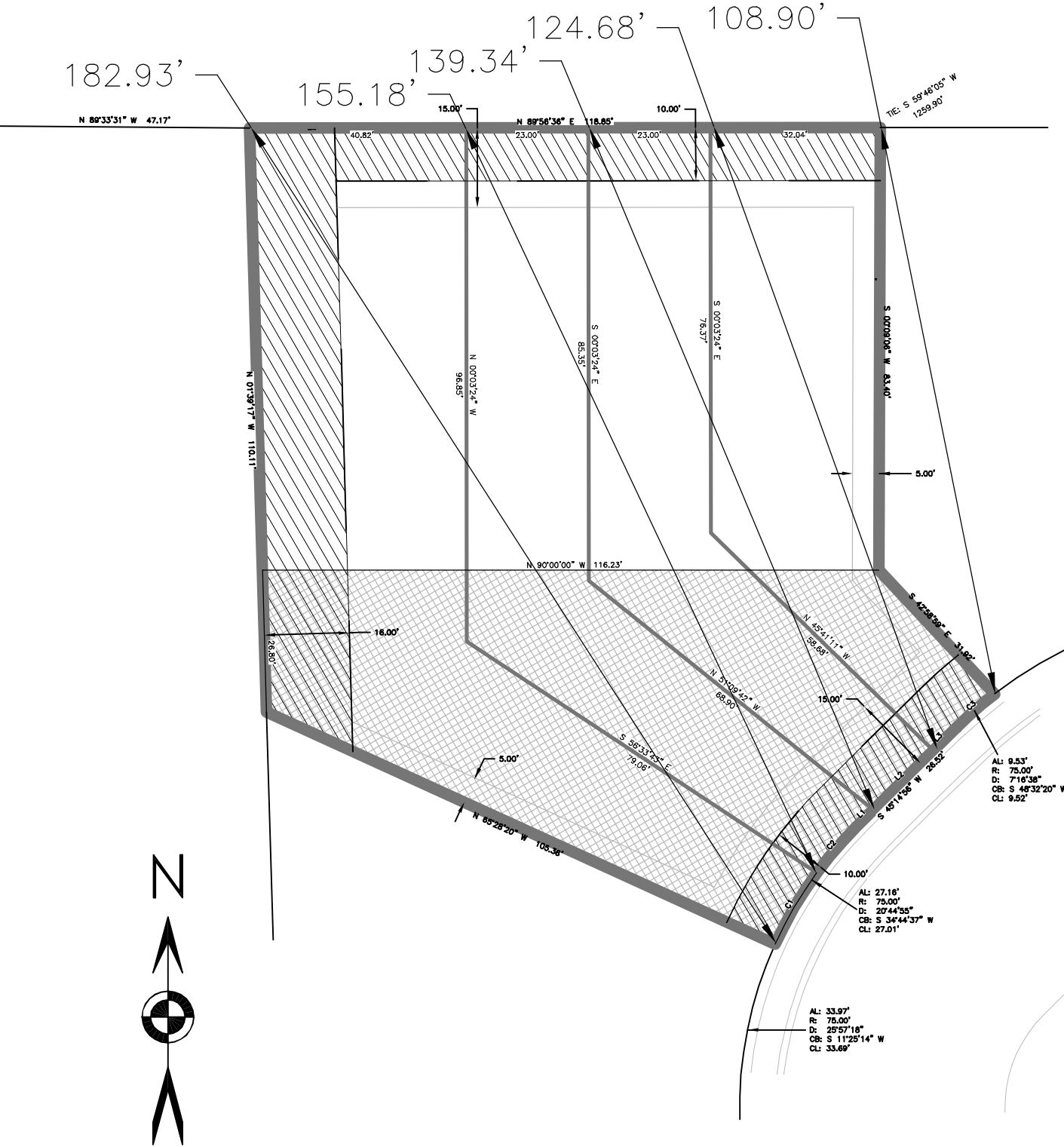
Calculation submitted by Cannon consulting

Thank you

Regan Haswell
307 752 8778

SKYVIEW NORTH MINOR SUBDIVISION

DEPTH TO STREET RATIO



LOT 1

DEPTH WEST 182.93'
DEPTH EAST 155.18'
AVERAGE DEPTH 169.05"
STREET FRONTAGE 15.59'

STREET TO AVERAGE
DEPTH RATIO 1:10.84

FURTHEST POINT STREET
TO DEPTH RATIO 1:11.73

LOT 2

DEPTH WEST 155.18'
DEPTH EAST 139.34'
AVERAGE DEPTH 147.26"
STREET FRONTAGE 16.00'

STREET TO AVERAGE
DEPTH RATIO 1:9.20

FURTHEST POINT STREET
TO DEPTH RATIO 1:9.70

LOT 3

DEPTH WEST 139.34'
DEPTH EAST 124.68'
AVERAGE DEPTH 132.00"
STREET FRONTAGE 15.92'

STREET TO AVERAGE
DEPTH RATIO 1:8.29

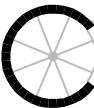
FURTHEST POINT STREET
TO DEPTH RATIO 1:8.75

LOT 4

DEPTH WEST 124.68'
DEPTH EAST 108.90'
AVERAGE DEPTH 116.78"
STREET FRONTAGE 15.70'

STREET TO AVERAGE
DEPTH RATIO 1:7.43

FURTHEST POINT STREET
TO DEPTH RATIO 1:7.94



Cannon Consulting LLC
Making
every shot count

51 COFFEN AVE SUITE #2
SHERIDAN, WYOMING 82801



MEMO

TO: Planning Commission
FROM: Hanns Mercer, Public Works Director
RE:

Staff Recommendation

Please see attached memo and Ordinance

Attachments

Memo
Zoning
Ordinance

TARVER, KERNS & BUNTING, LLP

200 WEST LOUCKS STREET
SHERIDAN, WY 82801

TIMOTHY S. TARVER, LLC

P.O. Box 6284
Sheridan, WY 82801
(307) 672-8905 | (307) 674-5000 fax

KERNS & BUNTING, LLC

Brendon E. Kerns*
Sheryl S. Bunting
P.O. Box 6669
Sheridan, WY 82801
(307) 655-8600 | (307) 674-5000 fax
*LICENSED IN WY & MT

MEMORANDUM

Date: October 4, 2023
To: Mayor and Council
RE: Ord. 2272 – Amending R-1 Zoning for rezones and annexations

Mayor and Council,

The City of Sheridan has 9 zoning districts. Four of those zones are intended to be primarily used as residential. Below is a brief bullet point description of each residential zoning district. The complete zoning code is included in your packet.

R-1

- One-family dwelling
- Height not to exceed 35' or 3 stories
- Front yard – 25 ft
- Rear yard – 20 ft
- Side yard – 5 ft
- Lot per family – 6,000 sq. ft.
- Parking – 2 spaces per unit

R-2

- All R-1 uses
- Two-family dwellings and multiple family dwelling if not more than 4 families in a single detached building
- Height not to exceed 35' or 3 stories
- Front yard – 20 ft
- Rear yard – 20 ft
- Side yard – 5 ft
- Lot area per family – No restriction
- Parking – 1 space per dwelling or .75 per multifamily dwelling unit

R-3

- All R-2 uses
- Multifamily or apartment court
- Boarding or lodging house
- Nursing Homes
- Parking Garages with multifamily
- Height not to exceed 45 feet or 4 stories
- Front yard – 15 ft
- Rear yard – 15 ft
- Side yard – 5 ft
- Lot area – No restriction
- Lot area per family – No restriction
- Parking – 1 space per dwelling or .75 per multifamily dwelling unit

R-4

- Mobile and Manufactured home parks

City of Sheridan Code Appendix A, Article 3 Paragraph 4 states that any property annexed into the City is to be placed in the R-1 zone unless the Governing Body chooses otherwise. Thus, the presumption is that properties will be subject to the most restricted zone.

It is common knowledge that the City and County of Sheridan lacks adequate housing. See the 2020 Gruen and Gruen Study for an in-depth analysis. There is no quick fix to this issue as the private market ultimately determines the adequacy and affordability of housing. The City response to the matter consists of a multifaceted approach. One of the most efficient methods of addressing housing is to identify where government regulation is having the unintended effect of stifling the private market. The City R-1 zone requires a minimum lot size of 6,000 sq. ft. which limits density. Thus, more land is required causing an increase in the price of a resident.

Ordinance 2272 will prohibit future subdivisions through annexation or rezone from using an R-1 zoning district. **This ordinance will not affect any currently zoned R-1 properties.** The goal is to remove the government restriction so that developers can create developments that best reflect the needs of Sheridan. Further, if a developer desires to establish minimum lots sizes, larger setbacks or restrict the types of uses in the subdivision, the developer can establish covenants. Thus, the private market will determine what types of development are necessary to address Sheridan needs.

TARVER, KERNS & BUNTING, LLP



Brendon E. Kerns

4.1 R-1 Residence District.

A. *Use Regulations.* The following uses shall be permitted:

1. One-family dwelling.
2. Public park, playground and fair grounds.
3. Public library, museum and community building.
4. Public and private school, elementary and high, college.
5. Church or other place of worship. Parish house.
6. Municipal, county, state or federal building, except for such uses as warehouse, garage or other uses customarily carried on as a business.
7. Water supply reservoir, well, tower or filter bed.
8. Telephone exchange where no public business office and no repair or storage facilities are maintained.
9. Railway right-of-way not including railway yards. Passenger station.
10. Agriculture, gardening, and nursing for the propagation of plants.
11. Home occupations as defined herein.
12. Accessory buildings and uses customarily incidental to any of the above uses.

B. *Height Regulations.* No building shall exceed a height of thirty-five (35) feet or three (3) stories except as hereinafter provided.

C. *Area Regulations.*

Front yard. The minimum front yard shall be twenty-five (25) feet. In the case of a corner lot, the primary front yard shall be the yard in which the principal entrance to the building faces, the depth shall be at least twenty-five (25) feet. The other yard between the adjacent street line and the line of the building shall be at least fifteen (15) feet in depth.

Rear yard. The minimum rear yard depth shall be twenty (20) feet.

Side yard. The minimum width of the side yard on each side of the building shall be five (5) feet.

Lot area per family. Each one-family dwelling shall be located on a lot having an area of not less than six thousand (6,000) square feet.

D. *Special Exemptions* allowed within an R-1 Residence District:

1. Bed and breakfast.
2. Funeral home or mortuary.
3. Hospital, sanitarium, or clinic, not including animal hospitals.
4. Home for the children or aged.
5. Offices offering professional services.

E. *Parking Regulations.* All newly erected or constructed buildings within the R-1 Residence District shall provide upon the same lot the number of accessible off-street parking spaces required by the use and area parking schedule set forth in subsection 16 of section 10 of this Ordinance. (Ord. No. 1577, § 3, 3-12-84; Ord. 1812, § 1, 5-4-98; Ord. No. 1892, § 2, 11-19-01; Ord. No. 2149, § 1, 10-6-14; Ord. No. 2172, § 1, 10-17-16; Ord. No. 2184, § 1, 4-6-18.)

5 R-2 Residence District.

A. *Use Regulations.* The following uses shall be permitted:

1. Any use permitted in the R-1 Residence District.
2. Two-family dwelling. Multiple-family dwelling for not more than four (4) families when housed in a single detached building.
3. Private club or lodge, excepting those the chief activity of which is a service customarily carried on as a business.
4. Accessory buildings and uses customarily incidental to any of the above uses.

B. *Height Regulations.* No building shall exceed a height of thirty-five (35) feet or three (3) stories except as provided by this Section.

C. *Area Regulations.*

1. Front yard. The minimum front yard depth shall be twenty (20) feet.
 - a. In the case of a corner lot, the primary front yard shall be the yard in which the principal entrance, as established by the building permit, to the building faces, the depth shall be at least twenty (20) feet. The other yard between the adjacent street line and the line of the building shall be at least ten (10) feet in depth.

2. Rear yard. The minimum rear yard depth shall be twenty (20) feet.

3. Side yard. If the building height is not greater than thirty-five (35) feet, the minimum width of the side yard on each side of the building shall be five (5) feet, except in the case of a common or party wall shared between two single-family attached units, and where the total number of attached single-family units in the row does not exceed four (4). For each additional foot of height where the building exceeds thirty-five (35) feet, each side yard shall be increased one (1) foot in width.

4. Lot area per family. No minimum lot size per family dwelling.

D. *Special Exemptions allowed within an R-2 Residence District:*

1. Bed and breakfast.
2. Funeral home or mortuary.
3. Hospital, sanitarium, or clinic, not including animal hospitals.
4. Home for the children or aged.
5. Professional Office.

E. *Parking Regulations.*

1. Number of Spaces Required. All newly erected or constructed structures within the R-2 Residence District shall provide upon the same lot, the number of accessible off-street parking spaces as follows:

a. Single-Family. One (1) parking space per dwelling unit.

b. Multifamily. Three quarter (0.75) parking spaces per dwelling unit.

c. All other uses shall provide the number of accessible off-street parking spaces by the use and area parking schedule set forth in City of Sheridan Appendix A, Section 10, Subsection 16.

2. On-Street Parking Credit. Off-street parking required for Residential uses may be reduced by one (1) off-street parking space for every on-street parking space abutting the development where overnight parking is allowed. Credit does not apply on designated snow routes or locations where long-term permanent parking is allowed. An on-street parking space shall be defined as follows:

a. Parallel parking - each parking space being twenty (20) feet of uninterrupted curb, where allowed.

b. Forty-five-degree diagonal - each parking space with fourteen (14) feet of uninterrupted curb, where allowed.

c. Ninety-degree (perpendicular) parking - each parking space with ten (10) feet of uninterrupted curb, where allowed.

3. Parking Restrictions.

a. Parking spaces will not obstruct a required clear vision area or violate any law.

b. On-street parking spaces credited for a specific use may not be used exclusively by that use but shall be available for general public use at all times. No signs or action limiting general public use of on-street spaces is permitted unless said use restriction is required by federal, state or local law.

c. An On-Street Parking Credit does not apply on designated snow routes or locations where long-term permanent parking is allowed. (Ord. No. 1812, § 1, 5-4-98; Ord. No. 1892, § 3, 11-19-01; Ord. 2149, § 1, 10-6-14; Ord. No. 2172, § 1, 10-17-16; Ord. No. 2184, § 1, 4-6-18; Ord. No. 2200, § 1, 11-7-19.)

6 R-3 Residence District.

A. *Use Regulations.* The following uses shall be permitted:

1. Any use permitted in the R-2 Residence District.
2. Multiple-family dwelling, or apartment court.
3. Boarding or lodging house.
4. Hospital, sanitarium, or clinic, but excluding animal hospitals.
5. Homes for the children or aged, professional offices, funeral homes or mortuaries.
6. Educational, religious, philanthropic and eleemosynary institutions, excepting asylums for the insane.
7. Storage garages and parking lots for storage in conjunction with two, three, four and multifamily dwellings only.
8. Accessory buildings and uses customarily incidental to any of the above uses.

B. *Height Regulations.* No building shall exceed a height of forty-five (45) feet or four (4) stories, except as provided by this Section.

C. *Area Regulations.*

1. Front yard. The minimum front yard depth shall be fifteen (15) feet. In the case of a corner lot, the primary front yard shall be the yard in which the principal entrance to

the building faces as established per the building permit, and the depth shall be at least fifteen (15) feet.

a. The other yard between the adjacent street line and the line of the building shall be at least ten (10) feet in depth.

2. Rear yard. The minimum rear yard depth shall be fifteen (15) feet.

3. Side yard. If the building height is not greater than thirty-five (35) feet, the minimum width of the side yard on each side of the building shall be five (5) feet, except in the case of a common or party wall shared between two single-family attached units. For each additional foot of height where the building exceeds thirty-five (35) feet, each side yard shall be increased one (1) foot in width.

4. Lot area per family. No minimum lot size per family dwelling.

D. *Parking Regulations.*

1. Number of Spaces Required. For all newly erected or constructed structures within the R-3 Residence District, the owner shall provide, upon the same lot, the number of accessible off-street parking spaces as follows:

a. Single-Family. One (1) parking space per dwelling unit.

b. Multifamily. Three quarter (0.75) parking spaces per dwelling unit.

c. All other uses shall provide the number of accessible off-street parking spaces by the use and area parking schedule set forth in City Ordinance Appendix A, Section 10, Subsection 16.

2. On-Street Parking Credit. Off-street parking required for Residential uses may be reduced by one (1) off-street parking space for every on-street parking space abutting the development where overnight parking is allowed. On-Street Parking credit does not apply on designated snow routes or locations where long-term permanent parking is allowed. An on-street parking space shall be defined as follows:

a. Parallel parking, - each parking space being twenty (20) feet of uninterrupted curb, where allowed.

b. Forty-five-degree diagonal - each parking space being fourteen (14) feet of uninterrupted curb, where allowed.

c. Ninety-degree (perpendicular) parking - each parking space being ten (10) feet of uninterrupted curb, where allowed.

3. Parking Restrictions.

a. Parking spaces will not obstruct a required clear vision area or violate any law.

b. On-street parking spaces credited for a specific use may not be used exclusively by that use but shall be available for general public use at all times. No signs or action limiting general public use of on-street spaces is permitted unless said use restriction is required by federal, state or local law.

c. An On-Street Parking Credit does not apply on designated snow routes or locations where long-term permanent parking is allowed. (Ord. No. 1163, § 1, 4-4-70; Ord. No. 1269, § 2, 7-8-74; Ord. No. 1718, § 3, 5-17-93; Ord. No. 1812, § 1, 5-4-98; Ord. No. 1892, § 4, 11-19-01; Ord. No. 2149, § 1, 10-6-14; Ord. No. 2172, § 1, 10-17-16; Ord. No. 2184, § 1, 4-6-18; Ord. No. 2200, § 1, 11-7-19.)

6A R-4 Residence District.

There is hereby created an R-4 Residence District.

A. *Use Regulations.* The following uses shall be permitted.

1. Mobile and manufactured home parks.
2. Accessory buildings and uses customarily incidental to the above uses.

B. *Spacing and Area Regulations.* The spacing and area regulations shall be regulated by Ordinance No. 1284 relating to mobile home parks, codified as Appendix C of the Sheridan City Code.

C. *Reserved.*

D. *Parking Regulations.* A mobile or manufactured home park shall provide off-street parking as regulated by Sheridan City Code Appendix C. (Ord. No. 1053, § 2, 7-10-61; Ord. No. 1637, § 4, 4-6-87; Ord. No. 1827, § 1, 12-21-98; Ord. No. 1892, § 5, 11-19-01; Ord. No. 2149, § 1, 10-6-14; Ord. No. 2184, § 1, 4-6-18.)

ORDINANCE NO.

2272

AN ORDINANCE AMENDING APPENDIX A, ARTICLE 3 REGARDING R-1 RESIDENTIAL DISTRICT.

WHEREAS, the City of Sheridan Governing Body finds that currently Sheridan County lacks sufficient housing; and

WHEREAS, in order to address the housing supply, costs and affordability, future growth requires more housing density; and

WHEREAS, the City of Sheridan's current R-1 Zoning district limits lot size to 6,000 sq. ft. which limits density and restricts the private market.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SHERIDAN, WYOMING:

The following sections shall be located in Appendix A, in Article 3, Paragraph 4 is hereby amended to read as follows:

4. Any territory hereinafter annexed to the City of Sheridan shall be zoned as an R-2 Residential District. The City Govering Body may in their discretion select any other zoning district authorized by the City of Sherian Ordinances, except R-1 Residential District, at the time of annexation.

A. No property may be rezoned as an R-1 District. Nothing herein shall prohibit real property owners, developers or other parties from implementing restrictive covenants which are more restrictive than the City R-2 District. Said restrictive covenants are not enforceable by the City and are deemed contracts between private parties.

WHEREUPON, a motion was passed and the Ordinance declared adopted this ____ day of _____, 2023.

CITY OF SHERIDAN, WYOMING

Mayor, Richard Bridger

ATTEST:

City Clerk