



CITY OF **DOUGLAS** WYOMING

REGULAR PLANNING COMMISSION MEETING
November 18, 2024 – 5:30 PM

Planning and Zoning Commission meetings are recorded and broadcast live on cable channel 9.

The Planning and Zoning Commission is an advisory body to the city council. Items appearing on this agenda will be considered by the city council on June 24, 2024. All applicants are strongly encouraged to attend both meetings.

- I. Call to Order
- II. Pledge of Allegiance
- III. **Roll Call**
- IV. Approval of the Agenda for November 18, 2024
- V. Approval of the Minutes for October 21, 2024
- VI. Planning and Zoning Matters
 - A. SUB 02-24: Application by Statewide Affordable Housing for a Major Plat Amendment to Vacate and Replat Riverbend Addition, Block 5, Lots 17-19 into Lots 39-48.
- VII. Code Considerations
 - A. Fences
 - B. Code Compliance Repeat Violations
- VIII. Staff Report – City Council Action on Forwarded Items
 - A. DEV 03-24 Hilton Homewood Suites
 - B. CCSUB 03-24 County Subdivision Roberts No. 2

C. CUP 07-24 Hageman Livestock

IX. Adjournment

**PLANNING AND ZONING COMMISSION
STAFF REPORT
NOVEMBER 18, 2024**

**VACATION AND REPLAT OF RIVERBEND ADDITION, BLOCK 5 LOTS 17-19 INTO
LOTS 39-48**

SUMMARY

CASE NUMBER: SUB 002-24

PREPARED BY: Heidi McCullough – Planning Technician

MEETING DATES: November 18, 2024 – Planning Commission
November 25, 2024 – City Council

REQUEST: Vacation and Replat of Riverbend Addition, Block 5 Lots 17-19 Into Lots 39-48.

PURPOSE: Vacation and Replat the property to allow for creation of individual lots for each currently developed duplex home so that each unit could be sold individually in the future.

RECOMMENDATION: The Community Development Department recommends approval of the request to Vacation and Replat Riverbend Addition, Block 5 Lots 17-19 Into Lots 39-48.

VICINITY MAP:



OWNER: Statewide Affordable Housing
P.O. Box 504
Douglas, WY 82633

LOCATION:

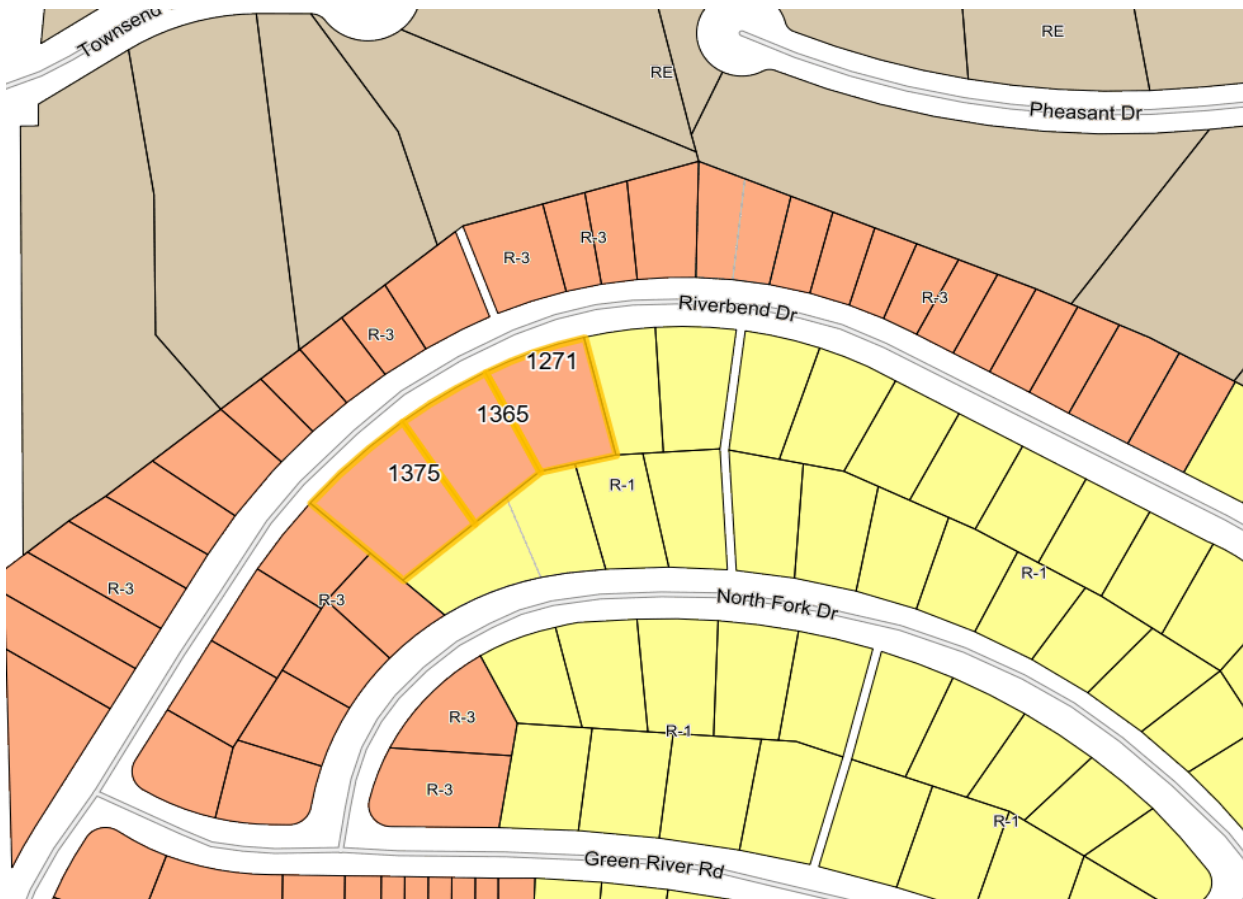
1. Legal Description: Riverbend Addition, Block 5, Lots 17-19
2. General Location: The subject parcels are located on the South side of Riverbend Drive between Green River Road and Big Horn Drive.

SIZE: 1.03 Acres

EXISTING LAND USE: Single Family Residential.

SURROUNDING LAND USE:		ZONING	ANNEXATION STATUS
North:	Residential	R-3	City
South:	Residential	R-1	City
East:	Residential	R-1	City
West:	Residential	R-3	City

CURRENT ZONING: R-3 Limited Mixed Residential.



PLAT DATA: Riverbend Addition, Block 5, Lots 17-19 are currently zoned R-3 Limited Mixed Residential and designed to conform to the R-3 zoning designation. The revised plat is intended to allow for creation of individual lots for each currently developed duplex home so that each unit could be sold individually in the future.

Any future use of this parcel will adhere to these standards and all applicable zoning regulations and standards and will remain compatible with the surrounding uses.

HISTORY: The subject property was created as part of an addition to the City of Douglas as part of the Riverbend Addition in 1976. It has remained unchanged since that time.

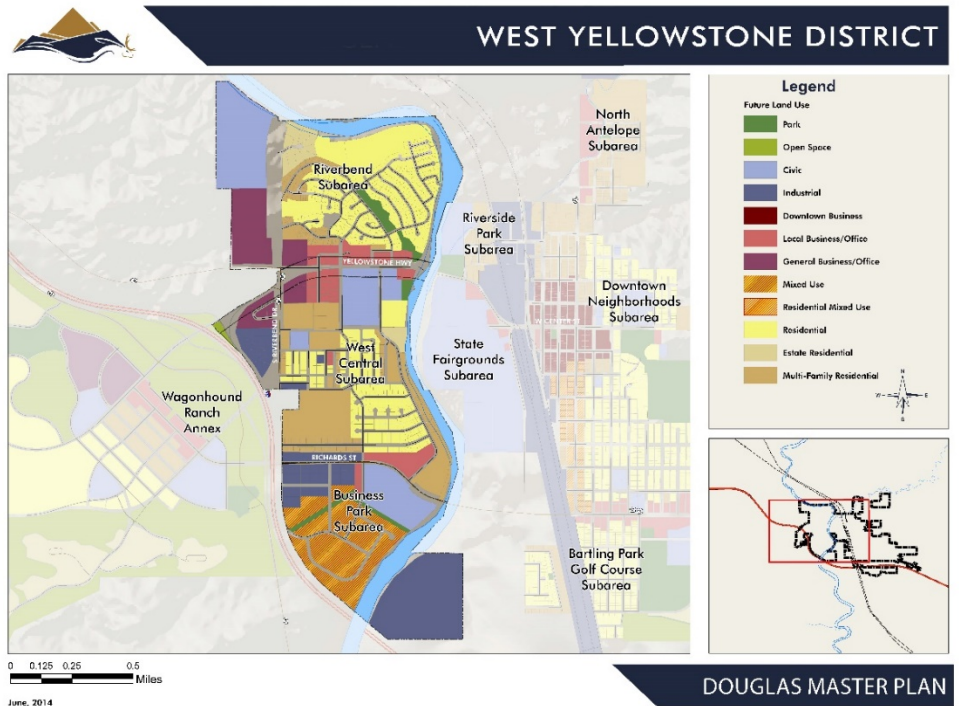
2014 DOUGLAS

MASTER PLAN: The Douglas Master Plan designates this property's location as being in the Riverbend Subarea of the West Yellowstone District. *"The desired future of this area is as a stable family neighborhood. New amenities including sidewalks or on street bike paths will slowly be put into place. New infill development is expected in this local neighborhood."*

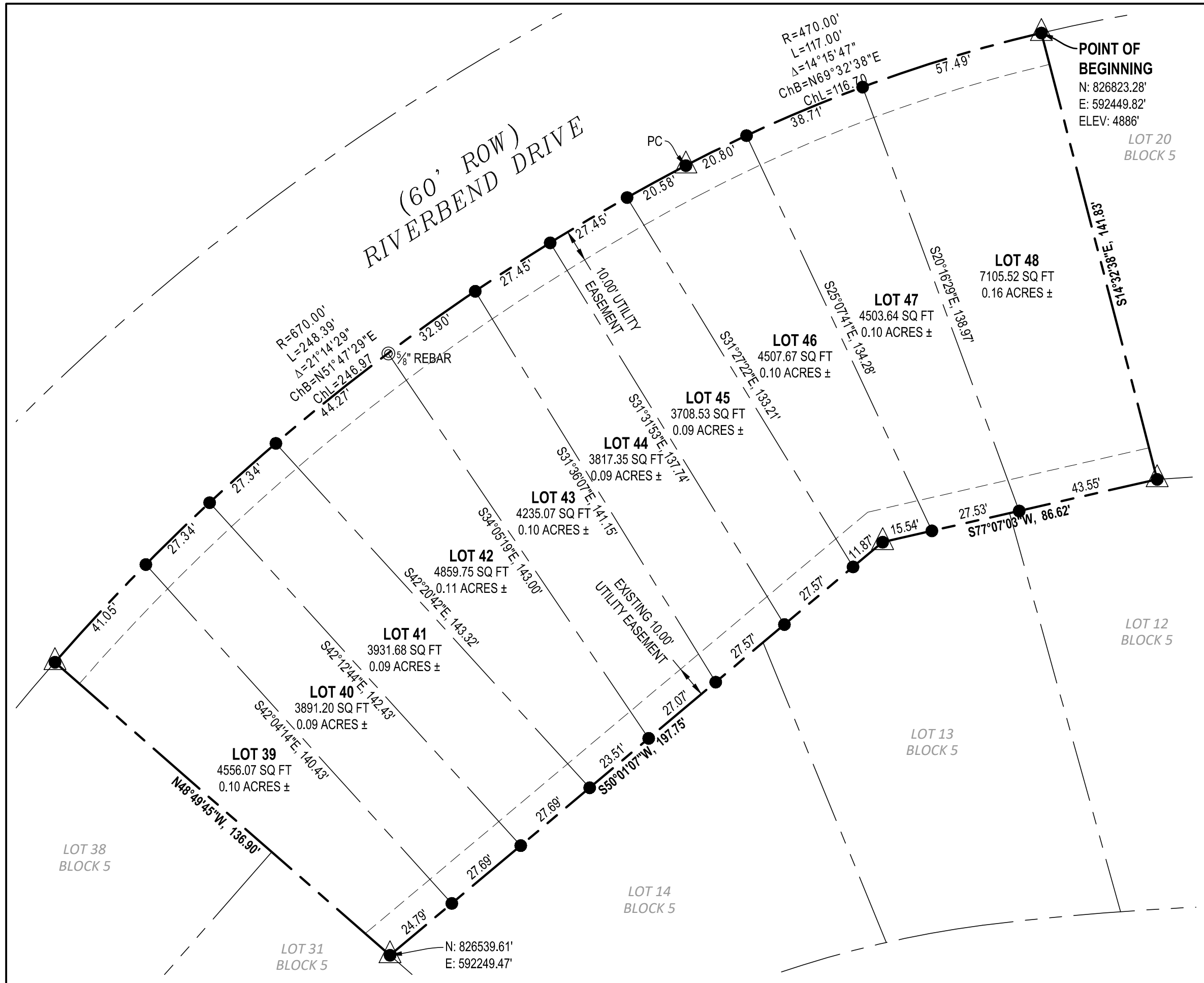
The proposed Vacation and Replat is in alignment with the Douglas Master Plan.

FY2023 STRATEGIC DOING: Major Plat Amendments are not referenced in the FY2024 Strategic Doing as Key Performance Indicator (KPI).

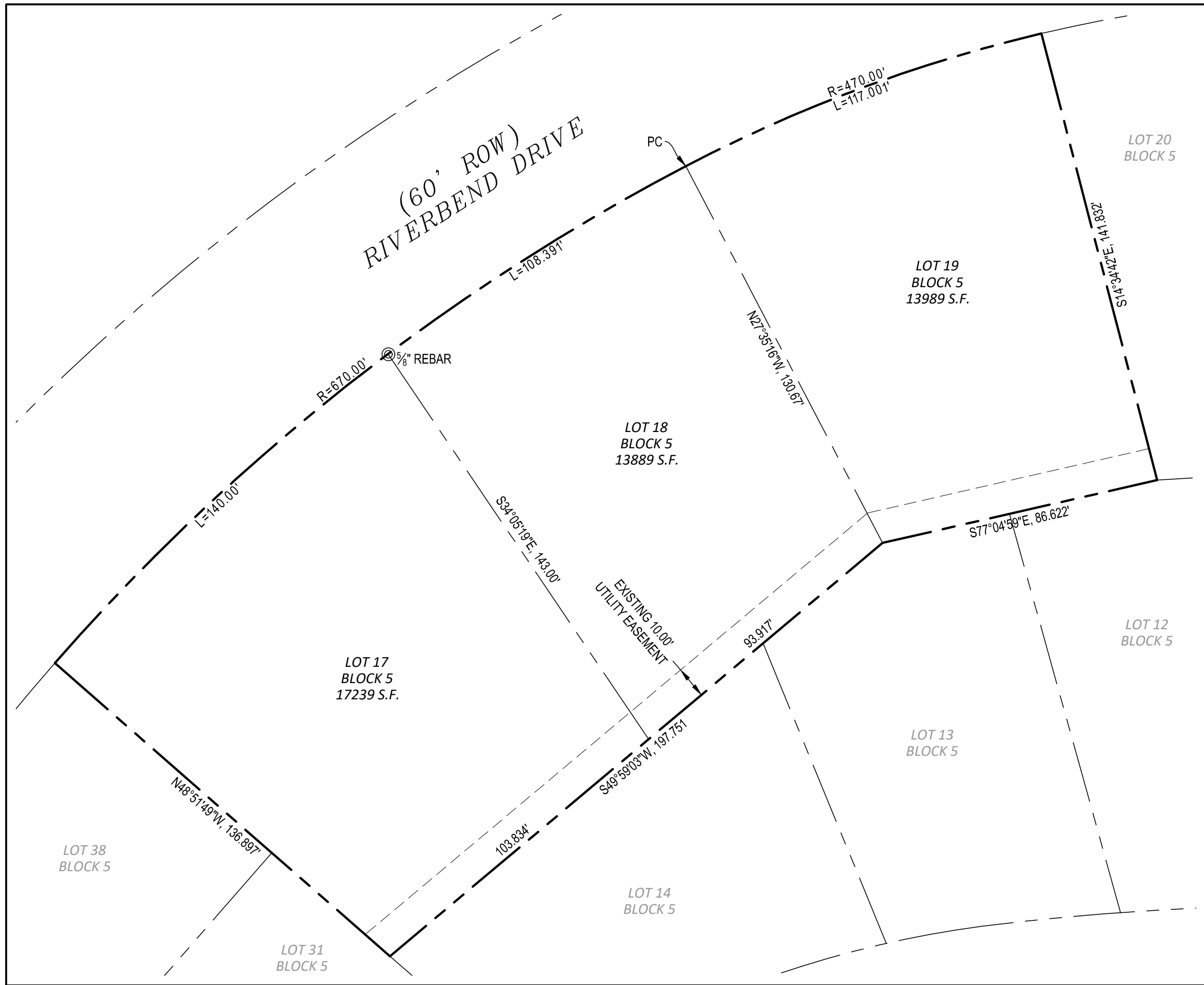
STAFF RECOMMENDATION: Staff recommends approval of the request to Vacate and Replat Riverbend Addition, Block 5, Lots 17-19 into Lots 39-48.



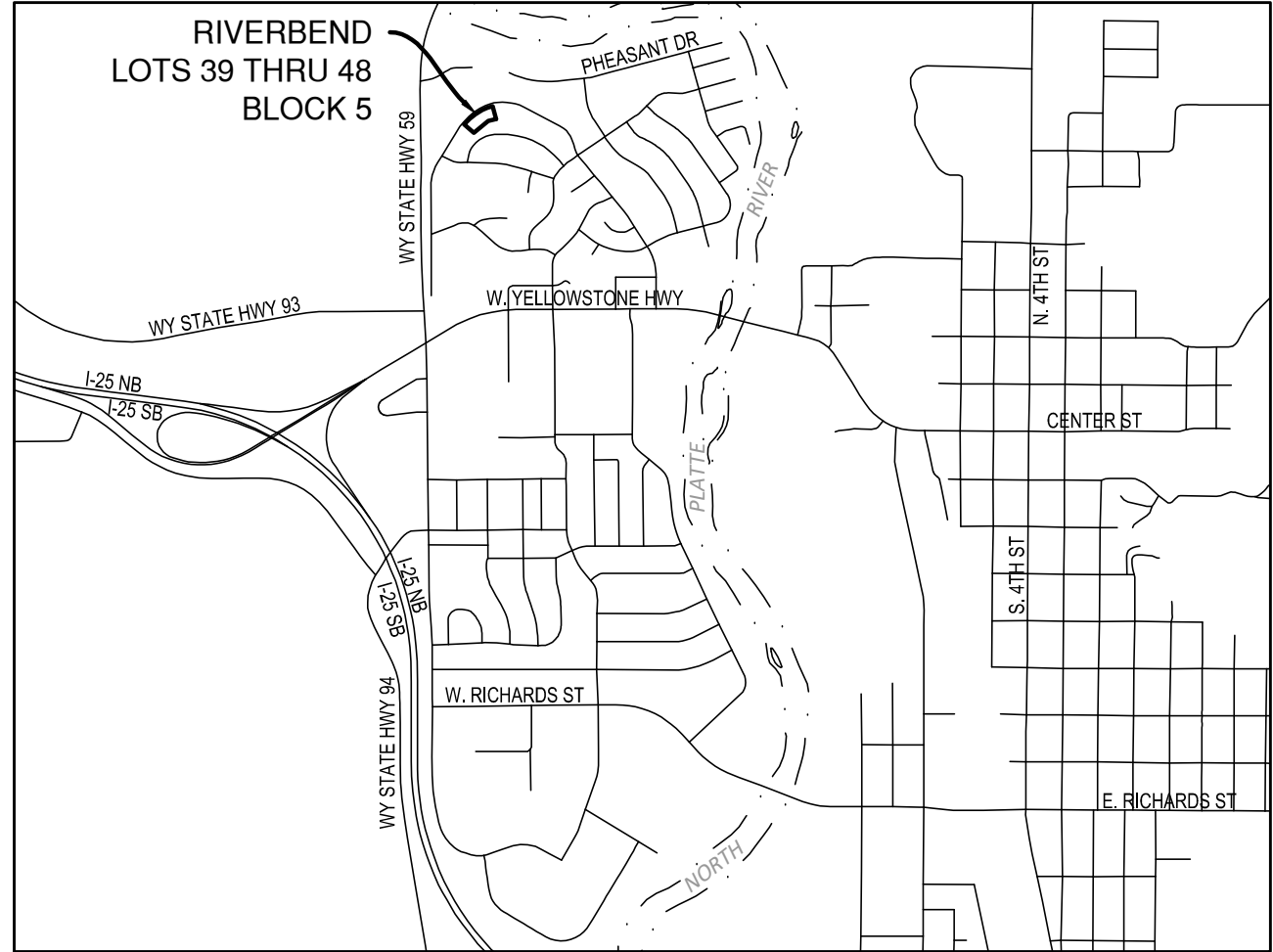
M:\Land 2024\Survey\24-179 Douglas Duplex Plat\Drawings\Survey\Plots\24-179_BLOCK 5 REPLAT.dwg, 10/21/2024, Shannon Garrison



"AS RE-PLATTED" LOT LAYOUT



"AS PLATTED" LOT LAYOUT



VICINITY MAP
1" = 2000'

CONVERSE COUNTY CLERK'S CERTIFICATION

FILING NO. _____
OFFICE OF THE REGISTER OF DEEDS
STATE OF WYOMING
COUNTY OF CONVERSE
THIS INSTRUMENT WAS FILED FOR RECORD THIS ____ DAY OF _____, 2024
AT ____ O'CLOCK ____ M., AND DULY RECORDED AS INSTRUMENT # _____
IN CABINET ____ ON SLIDE _____

COUNTY CLERK AND EX-OFFICIO REGISTER OF DEEDS

CERTIFICATE OF VACATION AND REPLAT

THE UNDERSIGNED, STATEWIDE AFFORDABLE HOUSING, LLC, DOES HEREBY CERTIFY THAT THEY ARE THE OWNERS AND PROPRIETORS OF THE FOLLOWING DESCRIBED LANDS LOCATED IN LOT 4, SECTION 5, TOWNSHIP 32 NORTH, RANGE 71 WEST OF THE 6TH P.M. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
RIVERBEND, AN ADDITION TO THE CITY OF DOUGLAS, WYOMING:

1) DO HEREBY VACATE AND REPLAT BLOCK 5, LOTS 17, 18 & 19.

THE ABOVE DESCRIBED LOTS ARE SUBJECT TO ANY RIGHTS-OF-WAY, RESERVATIONS AND/OR EASEMENTS, AND ENCUMBRANCES WHICH HAVE BEEN LEGALLY ACQUIRED.

THAT THEY DO HEREBY VACATE AND REPLAT SAID LANDS AS DESCRIBED ABOVE INTO BLOCK 5, LOTS 39, 40, 41, 42, 43, 44, 45, 46, 47 & 48, AS THEY APPEAR ON THIS PLAT;

THAT ALL STREETS AND ALLIES HAVE BEEN PREVIOUSLY DEDICATED TO THE PUBLIC AND THIS REPLAT REFLECTS THE TRUE POSITION OF VISIBLE IMPROVEMENTS ON THE GROUND AND THEIR CORRECTED DEDICATED POSITIONS;

THAT THE NAME OF THE PLAT SHALL BE THE "SECOND REPLAT OF PORTIONS OF FRONTIER VILLAGE" TO THE CITY OF DOUGLAS, WYOMING;

THAT THE FOREGOING PLAT OF THE ABOVE DESCRIBED LANDS ARE MADE WITH THE FREE CONSENT, AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS AND PROPRIETORS.

WILLIAM E. RUSSELL -- MANAGING MEMBER
STATEWIDE AFFORDABLE HOUSING, LLC

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY WILLIAM E. RUSSELL, THIS ____ DAY OF _____, 2024. WITNESS MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC

MY COMMISSION EXPIRES

APPROVALS

APPROVED BY THE PLANNING AND ZONING COMMISSION OF DOUGLAS,
WYOMING THIS ____ DAY OF _____, 2024.

ATTEST: _____
SECRETARY CHAIRMAN

APPROVED BY THE CITY OF DOUGLAS, WYOMING THIS ____ DAY OF _____, 2024.

ATTEST: _____
CITY CLERK MAYOR

APPROVED BY THE CITY ENGINEER FOR DOUGLAS THIS ____ DAY OF _____, 2024.

NOTES

1. BASIS OF BEARINGS: WYOMING STATE PLANE COORDINATE SYSTEM, EAST ZONE, 83/86.
2. ERROR OF CLOSURE = 1:842,520.
3. COORDINATES LISTED REFER TO THE CITY OF DOUGLAS DATUM.
4. RECORD DATA IS THE SAME AS MEASURED FOR THIS ADDITION.
5. ELEVATIONS ARE FOR REFERENCE ONLY.
6. PUBLIC WATER AND SEWER WILL BE PROVIDED BY THE CITY OF DOUGLAS, WYOMING, BUT ALL IMPROVEMENTS TO PUBLIC OR PRIVATE UTILITIES ARE THE RESPONSIBILITY OF THE DEVELOPER.
7. THE CONVERGENCE ANGLE AT THE POINT OF BEGINNING IS -00°09'40.10" AND THE COMBINED SCALE FACTOR IS 0.99971056.

CERTIFICATE OF SURVEYOR

STATE OF WYOMING }
COUNTY OF NATRONA } SS

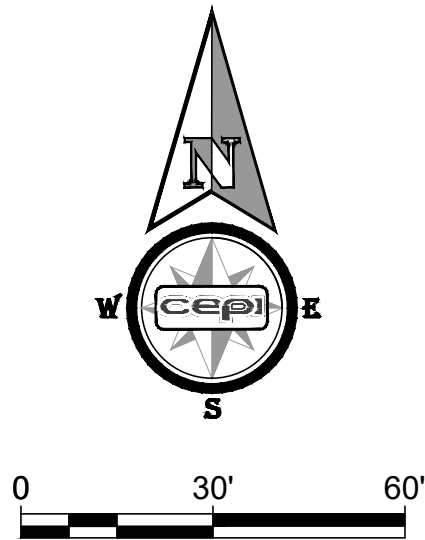
I, BRADLEY D. NEUMILLER, A REGISTERED PROFESSIONAL LAND SURVEYOR, LICENSE NO. 13836, DO HEREBY CERTIFY THAT THIS PLAT WAS MADE FROM NOTES TAKEN DURING AN ACTUAL SURVEY MADE UNDER MY DIRECT SUPERVISION IN SEPTEMBER, 2024, AND THAT THIS PLAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, CORRECTLY AND ACCURATELY REPRESENTS SAID SURVEY. ALL BEING TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY BRADLEY D. NEUMILLER,
THIS ____ DAY OF _____, 2024.

WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES _____

NOTARY PUBLIC



LEGEND

- FOUND MONUMENT AS NOTED
- SET BRASS CAP
- SET MONUMENT 5/8" REBAR & ALUMINUM CAP



A VACATION AND REPLAT OF
LOTS 17-19, BLOCK 5, RIVERBEND
TO THE CITY OF DOUGLAS

AS
RIVERBEND
LOTS 39 THRU 48, BLOCK 5

AN ADDITION TO THE CITY OF DOUGLAS, WYOMING
BEING A PORTION OF LOT 4 OF SECTION 5
T.32N., R.71W., 6TH P.M.
CONVERSE COUNTY, WYOMING

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 16.5.4.1(A) PERTAINING TO FENCES AND WALLS

WHEREAS, the City of Douglas (City) Council finds and determines that the following changes and clarifications need to be made in regard to the City of Douglas Municipal Code; and

WHEREAS, consideration has been given to ensure fairness to all City of Douglas residents and make new regulations reasonable.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF DOUGLAS, WYOMING:

Section 1. Section 16.5.4.1(A) of the Douglas Municipal Code is hereby amended to read as follows:

16.5.4 - Fences and Walls

16.5.4.1 General

A. Walls Considered Fences

Freestanding stone, brick, stucco, concrete, wood, or other walls not required as retaining structures are considered fences. ~~Chain-linked fences may be allowed with approval by the Community Development Director as part of a Residential Site Plan or a Type A Development Plan if the Director finds that the proposed chain-linked fence will be consistent with existing fencing in the area of the subject property. All other chain-linked fencing shall be prohibited in all zoning districts in favor of more aesthetically appealing alternatives (wood, masonry, etc.), unless otherwise approved by the City Council as part of a Type B or B-LSR Development Plan or authorized by the City Council in approving a PLI (Planned Light Industrial) rezoning.~~

PASSED AND APPROVED ON FIRST READING this _____ day of _____, 20____.

PASSED AND APPROVED ON SECOND READING this _____ day of _____, 20____.

PASSED, APPROVED AND ADOPTED ON THIRD AND FINAL READING this _____ day of _____, 20____.

Kim Pexton, Mayor

Attest:

Sonya Ortega, City Clerk

Published: _____

ATTESTATION

I, Sonya Ortega, the Clerk of the City of Douglas, Wyoming, do hereby attest and state that the above ordinance was published/posted in the manner required by law and that all procedures required by Wyoming State law were complied with.

Sonya Ortega, City Clerk

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTIONS 8.20.050 AND 8.20.060 PERTAINING TO NOTICING PROPERTY MAINTENANCE AND NUIANCE ABATEMENT

WHEREAS, the City of Douglas (City) Council finds and determines that the following changes and clarifications need to be made in regard to the City of Douglas Municipal Code; and

WHEREAS, consideration has been given to ensure fairness to all City of Douglas residents and make new regulations reasonable.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF DOUGLAS, WYOMING:

Section 1. Section 8.20.050 of the Douglas Municipal Code is hereby amended to read as follows:

8.20.050 - Notices form.

Whenever the code compliance officer is of the opinion that any condition is a public nuisance as defined within this code, the code compliance officer shall attempt to give written notice to the owner of the condition, if his or her address is known, to the owner of the land where the condition is located, or any person occupying property, or to any other person or entity known by the code compliance officer to have a security interest in the alleged public nuisance. Such notice shall include substantially the following information:

- A. The name of person who is the owner as disclosed in the tax records of Converse County, Wyoming, or otherwise recorded; the name of person who is occupier of property if known, or the name of person who has a security interest if known;
 - B. The date of the inspection of the property;
 - C. A description of the real property, by street address or otherwise, on which the nuisance exists;
 - D. A statement that a certain condition is a nuisance within the provisions of this chapter and in the case of a vehicle, the notice should include make, year and vehicle identification number if reasonably possible and what must be abated;
 - E. A statement that such nuisance must be abated within ten (10) days from the date on the notice;
 - F. A statement that if the nuisance is not abated within the time provided, the city may abate the nuisance, and the cost of abatement may be charged to the owner of the nuisance or assessed against the land upon which the nuisance exists or both;
 - G. A statement that a hearing upon the allegation of a public nuisance and the assessment of costs may be requested by giving written notice to the clerk of municipal court within ten (10) days from the date on the notice, and that a request must specify the property concerning which the request is made, the requesting party's name and address, and the nature of the interest held by the requesting party; that upon request a hearing will be scheduled to determine if a public nuisance exists and as to the assessment of administrative costs and the costs of abatement; that if a hearing is not so requested the right to a hearing shall be waived; and
 - H. A statement that failure to abate the nuisance may result in a city abatement and/or criminal charges.
- H.I. A statement that any repetition of such violation within the same calendar year shall not be noticed but shall immediately be cited into Municipal Court.

Section 2. Section 8.20.060 of the Douglas Municipal Code is hereby amended to read as follows:

8.20.060 - Method of service.

- A. If, after inspection of the premises, the code compliance officer determines that a public nuisance exists, a notice of violation shall be served upon the owner of property on file with the Converse County Assessor for tax purposes. Notice shall be served in one (1) or more of the following ways:
 - 1. Personal service by the code compliance officer; or
 - 2. Certified mail, return receipt requested, signature required; or

- 3. Posting a copy of the notice in some conspicuous place on the offending property. In the case of vehicles, where practical, the notice shall also be affixed to the windshield or some other part of the vehicle where it can be easily seen. Where affixing the notice to a vehicle is impractical, and in the case of other nuisances, the notice shall be posted at the site or on the premises where the nuisance exists; or
 - 4. In the event that service cannot be perfected by any of the above listed methods, then notice of the violation and the contents thereof, shall be published in a newspaper of general circulation in the community one (1) time per week for two (2) consecutive weeks.
- B. Proof of notice shall be made naming the person to whom notice was given and specifying the time, place and manner thereof, by the certification of any officer or employee of the city, affidavit of any person over eighteen (18) years of age, naming the person to whom notice was given and specifying the time, place and manner thereof. Proof of notice shall be made in each case and maintained for a period of two (2) years from the date of abatement of the nuisance for which notice has been given.
- C. Receipt of service of the notice shall be deemed completed upon delivery by personal service, by mailing of the certified letter plus three (3) days, or upon the publication of the notice for the first time in the newspaper.

C.D. Exception: Any
repetition of a violation within the same calendar year shall not be noticed but shall immediately be cited into Municipal Court.

PASSED AND APPROVED ON FIRST READING this _____ day of _____, 20_____.

PASSED AND APPROVED ON SECOND READING this _____ day of _____, 20_____.

PASSED, APPROVED AND ADOPTED ON THIRD AND FINAL READING this _____ day of _____, 20_____.

Kim Pexton, Mayor

Attest:

Sonya Ortega, City Clerk

Published: _____

ATTESTATION

I, Sonya Ortega, the Clerk of the City of Douglas, Wyoming, do hereby attest and state that the above ordinance was published/posted in the manner required by law and that all procedures required by Wyoming State law were complied with.

Sonya Ortega, City Clerk