

**CITY OF CHEYENNE
PLANNING COMMISSION MINUTES
February 20, 2024
6:00 P.M.**

MEMBERS PRESENT: Bob Mathia, Chair; Boyd Wiggam, Vice-Chair; Tony Laird, Darrell Hibbens, Amy Hernandez

MEMBERS ABSENT: Meghan Connor, Secretary; Bryan Thomas

CITY STAFF PRESENT: Charles Bloom, AICP, Planning and Development Director; Sophia Maes, Planner I; Connor White, Planner II; Seth Lloyd, Senior Planner

OTHERS PRESENT: None

ITEM 1: CALL MEETING TO ORDER / ROLL CALL

Bob Mathia, Chair, called the meeting to order at 6:00 PM.

Roll Call was done by Seth Lloyd, Senior Planner. Boyd Wiggam joined at 6:01 pm. There was a quorum with 5 members present.

ITEM 2: APPROVAL OF AGENDA AND MINUTES

a. MODIFICATION TO THE AGENDA (UPON REQUEST BY COMMISSIONER OR STAFF)

No modifications.

b. APPROVAL OF AGENDA AND MINUTES

No minutes to approve since mid-January Planning Commission did not occur.

ITEM 3: PLANNING PROJECTS

ITEM A: [UDC Annual Review](#)

Case Planner: Charles Bloom, Planning and Development Director

Charles Bloom read the item into the record, stating that he will be conducting the UDC Annual Review requirement, assisted by Seth Lloyd.

A UDC Annual Review is required to be reviewed by the Planning Commission every mid-month February meeting (per UDC 1.1.7). This is to identify any issues seen throughout the year.

The presentation began with a flow chart of the Planning and Development Department and the respective upcoming projects.

Mr. Bloom acknowledged all of the UDC text amendments that were brought forward during 2023, and the Governing Body's hesitancy in approving so many changes. He referred to the Work Session held with City Council to address these amendments and what we plan to bring forward in the coming year, with reference a slide with a table on City Council desire per topic. He stated that public participation and outreach was a key issue that we will incorporate into UDC amendments (with varying levels of appropriateness depending on topic). Mr. Bloom reference the partnership with Hester St. (a community outreach organization that created an outreach strategy for the City, one which Mr. Lloyd has worked closely with).

Mr. Bloom discussed each topic.

Sign Code Amendment: The UDC sign code as of 2016 didn't comply with *Reed v Gilbert*, which holds the rule that states effectively if you must read the sign to enforce the code, it is an illegal code (pursuant to freedom of speech). Many amendments have been made to this code to comply to this precedent (for instance an electronic menu sign at McDonald's). Another amendment staff is looking at is to create a section specifically for Highway-oriented signage (particularly height and square footage requirements). This would be an item we'd reach out to highway business community and would be targeted in community outreach.

Mr. Laird asked Mr. Bloom if these amendments were applied to commercial signage or residential signage as well. Mr. Bloom stated these amendments were only applicable to commercial signage.

Residential Carport Size and Location Regulations: Mr. Bloom stated staff has decided not to pursue amendments related to this topic, as the feedback was not positive from Council.

Childcare Regulations: Mr. Bloom stated these codes need to be updated to align with the State of Wyoming standards, regarding how they are described as well as removing outdoor items the City requires. This would allow for more childcare facilities in our urban districts.

Outdoor Storage Screening: Mr. Bloom stated these are in reference to buffer yards in industrial zones, etc. Mr. Bloom stated LEADS is particularly concerned with these amendments due to the increased burden in industrial areas, as it is challenging to keep these landscapes and buffer yards alive (user neglect and climate). Mr. Bloom stated only a few sites have been developed under these new codes. He mentioned staff would like to update these to fit both the community and developers. He stated that this item would have moderate outreach to the community.

Water-wise landscaping: Mr. Bloom stated that there is a desire for more informative materials to come from BOPU. Mr. Bloom referenced the increase in water efficiency in water fixtures for new housing and landscaping, with water reduction due mostly due to improvement in technology.

Reduction of Parking Requirements (commercial): Mr. Bloom stated that Council is not ready to remove parking requirements in general. Mr. Bloom cited older parking standards, and how online shopping has redetermined the need for parking spaces in commercial lots.

Revisiting Home Occupations: Mr. Bloom stated this topic came about from a public comment from a community member who wanted to have limited massage services in a home. He stated the applicant was turned down from the Clerk's Office but asked the Planning Department to review it. Mr. Bloom stated that similar issues were found during COVID regarding home salons (1 chair, etc). He stated that Council seemed receptive.

Mr. Wiggam asked if Council would be interested in considering auto repair as a home occupation. Mr. Bloom stated that the Planning Department was only interested in pursuing therapeutic massage, barber shop/salons, and nail salons as home occupations.

Changes to Engineering Standards Requirements: Mr. Bloom stated there was nothing specific identified, but it remains a topic to consider.

Reduction of Paving Requirements: Mr. Bloom stated a citizen gave comment on this part of the code, specifically regarding requirements for the circulation area to be paved (versus gravel). He stated Council seemed to support current regulations, however, were a bit concerned about gravel and dirt parking that has arrived in areas, specifically the Downtown, and would like to see more compliance action around these.

Mr. Wiggam asked Mr. Bloom if there was any discussion about stormwater runoff from pavement versus gravel (pervious versus impervious). Mr. Lloyd stated that this discussion was not held regarding paving, but that there are minimum impervious coverage codes per certain zone types. Mr. Bloom stated that stormwater needs are calculated based on lot coverage needs and may include a detention area or filter.

Mr. Lloyd stated that the UDC allows permeable pavers or stormwater detention under a parking lot (therefore a parking lot would not require complete impervious paving).

Housing related amendments: Mr. Lloyd discussed the following topics.

Front Loading regulations: Mr. Lloyd stated that the concept of regulations would be codified regarding front loading items (such as dumpsters, etc) so each item would not need to be reviewed one-by-one (conditional use or zone change). He stated Council thought it was a lofty goal and would need a lot of outreach.

Housing height restrictions:

Residential Rear Setbacks: Mr. Lloyd stated that Council had a mixed reaction to this subject matter as well, and that developers should still be required to provide outdoor areas for the occupants.

Residential Front Setback: Mr. Lloyd stated that Council again felt these reductions were too soon.

Residential Garage Standards: Mr. Lloyd stated the current codes were very strict and may be loosened to fit more zoning districts. Council was open to changing these standards.

Revisiting ADU Regulations: Mr. Lloyd stated the current code on ADUs allows them in all residential zone districts when they meet certain requirements. These requirements include that the owner occupies either the ADU or the principal house. He stated that Council had concerns about allowing these due to unintended consequences of higher density in neighborhoods that were not designed for this type of traffic, school demand, etc.

Mr. Wiggam asked if these housing related amendment discussions should be held in contexts of urban versus suburban zones. Mr. Lloyd stated that Staff has considered this option, such as allowing ADUs in only certain zone districts (such as MR zones).

Mr. Laird referenced the Governing Body's resistance to adopt looser code regarding modular homes. Mr. Lloyd stated that the original standards between modular and stick built were very different but are much closer in standards now. Mr. Laird clarified that he was referencing homes that were built off-site and assembled on lot. Mr. Lloyd stated that anything built to IRC standards would be the equivalent of a stick-built home. He clarified that Council previously was voting on whether to allow HUD homes, which are not built to stick built standards. Mr. Bloom stated that modern modulars are built much better, and it may be more based on perception of lower standards than actuality.

Mr. Mathia called for public comment. Ms. Appiah spoke on the subject of holding a massage parlor as a home occupation. She had concerns about the lack of law regarding this subject, stating they were not very clear and that she picked her home with a business in mind. She stated that many massage technicians have in-home practices. She asked what the next steps were. Mr. Bloom stated that he would include this public comment and ask that the Commission acknowledge receipt of this review. He stated that Staff would move forward in pursuing these amendments. He stated that staff would direct mail Ms. Appiah since she has been part of the conversation in order to keep her in the loop. He stated that these amendments would have to be approved with other City departments (such as the Clerk's Office, Fire & Rescue, etc) which would take about 60 days. He stated that it would then move forward to be considered by the Governing Bodies.

Mr. Laird asked where Ms. Appiah lived in Wyoming prior that allowed this home occupation. Ms. Appiah stated it was allowed in Thermopolis and Casper, WY.

Mr. Laird asked if this was a permitted use in any residential district. Mr. Bloom stated it was not and would prefer that this use be codified instead of being approved on a case-by-case basis.

Mr. Wiggam asked if Ms. Appiah was able to operate in Cheyenne, WY. Ms. Appiah stated that she had not be able to operate her own practice and would have to operate under another practice (which she

does not prefer as it does not allow personalized experiences) or mobile massage (which does not always provide great environments). Mr. Wiggam asked if Ms. Appiah is conducting massages in Cheyenne, which she confirmed that she is (as a mobile massage therapist).

Mr. Wiggam asked if Staff remembered other home occupations that were not favored by Council to approve. Mr. Bloom read all excluded home occupations per UDC 5.7.2. He stated the only excluded uses that seemed to gather momentum from Council were beauty shops, barber shops and massage therapy.

Ms. Appiah corrected herself and stated that Rawlins did put restrictions on massage therapy to curb human trafficking issues.

Mr. Bloom stated that was the end of the UDC Annual Review and asked for Planning Commission Mr. Wiggam made a motion to acknowledge receipt of the annual review report. Mr. Laird seconded the motion.

Mr. Lloyd held roll call. Motion passed unanimously.

ITEM 5: OTHER BUSINESS/STAFF ANNOUNCEMENTS

Mr. Bloom stated there was no other business.

ITEM 6: MEETING ADJOURNED: 7:09 PM



Staff Signature



Board Officer