

**CITY OF CHEYENNE
PLANNING COMMISSION MINUTES
September 20, 2021
6:00 P.M.**

MEMBERS PRESENT: Philip Griggs, Chair; Brian Tyrrell, Vice-Chair; Phillip Regeski, Secretary; Robert Chamberlin, Bob Mathia

MEMBERS ABSENT: Jeremy Arneson, Greg Palmquist

CITY STAFF PRESENT: Charles W. Bloom, Planning & Development Director; Erin Fagan, Planner I; Mark Christensen, Planner II; Conner White, Planner II; Valerie Pickard, Planning & Development Office Manager; Alessandra McCoy, Staff Attorney

OTHERS PRESENT: Kristina Richardson

Philip Griggs, Chair, called the meeting to order at 6:00 P.M.

1. Roll Call was done by Connor White, Planner II. There was a quorum with 5 members present.
2. 2.b.i. Minutes – Brian Tyrrell made a motion to approve the meeting minutes from the August 16, 2021 meeting. Phillip Regeski seconded the motion. The minutes were approved unanimously.

ITEM A: PLN-21-00009 / A Text Amendment amending the Unified Development Code Sections to clarify the interpretation of lots and amend accessory buildings regulations.

Case Planner: Connor White, Planner II

Connor White, Planner II, read the item into the record and presented the item.

Phillip Regeski stated the old code stated someone could have up to 40% of the footprint of the house for an accessory building. He stated the new code would change to an accessory building size could be up to 15% of the lot. He asked if it would be 15% of the lot or 40% of the house or whichever was smaller.

Mr. White stated the current code states someone can have an accessory building that is either 15% of the lot or 40% of the house, whichever is more restrictive. He stated the new code would allow an accessory building to be 15% of your lot and not larger than the house. He stated they are requesting this change due to the fact that there are so many variances requested to allow larger structures.

Charles Bloom, Planning & Development Director, stated the new code would be based on size of the footprint instead of the size of the house.

Mr. Regeski stated the code would allow for 40% of the building footprint and not 40% of the square footage of the house.

Mr. White stated the current code allows for 40% of the square footage of the house and the new code would allow 40% of the footprint of the house.

Bob Mathia asked what would happen if two neighbors wanted to build their accessory buildings on the property line at 0' setbacks.

Mr. White stated neighbors would need to work that out. He stated in most instances there is a fence on the property line and people would build up to the fence line. He stated there are building codes which

prevent runoff onto a neighbor's property. He said most people will build at least a foot from the property line.

Mr. Mathia asked where an accessory building can be placed from the front setback.

Mr. White stated the front setback must always be 10' behind the principle building front building line. He stated the accessory building code is only for structures that would not need a building permit.

Philip Griggs, Chair, asked about lots that have a front and backyard that face a public street.

Mr. White stated those would be double frontage lots which would be replacing the through lot definition.

Mr. Regeski asked if a double frontage lot counts along a highway.

Mr. Bloom stated along a highway, in most cases, it wouldn't count as a double frontage lot. He stated usually they would consider it as a rear lot line.

Mr. Regeski asked if someone would be able to build a bigger garage than what is allowed in the code.

Mr. White stated they would be able to apply for a variance but it is rare that they request that size of garage.

Mr. Regeski stated it is important that there is a way to get a bigger structure if someone wanted to do that.

Mr. White stated they can apply for a variance.

Mr. Regeski stated buildings should have a 0 setback.

Mr. White stated they aren't currently changing the larger structure setbacks. He stated they also have building code requirements if structures have a 0 setback. He stated they are currently looking at changing the code within the Lot Types and that would be looked at when that code is changed.

Mr. Regeski stated he would like to see that looked at.

Mr. Bloom stated the change to this code was initiated because there have been issues that have occurred in the last 2 years. He stated they have had problems with prebuilt sheds being placed in the wrong places and have caused violations.

Brian Tyrrell asked if more accessory buildings have been placed in the last 2 years.

Mr. White stated yes, they have seen multiple variances for accessory structures.

Mr. Tyrrell stated he is concerned about trucking containers being used as accessory buildings.

Mr. White stated the City can look at regulating shipping containers but currently they are counted as accessory buildings.

Mr. Griggs asked for questions from the Board.

Mr. Tyrrell made a motion to recommend the Governing Body approve text amendments to the Unified Development Code to modify regulations relating to the interpretation of Lots and Accessory Buildings as outlined in this staff report and recommended by staff, noting the request meets the review criteria of UDC 2.4.1.d. Mr. Regeski seconded the motion.

Roll Call: Motion approved with a vote of 4-0.

ITEM B: PLN-21-00012 / A Text Amendment amending the Unified Development Code of the City of Cheyenne, Wyoming, to modify the MUR, MUB, and MUE zone districts' intent, context, and transitions.

Case Planner: Mark Christensen, AICP, Planner II

Connor White, Planner II, read the item into the record.

Mark Christensen, Planner II, presented the item.

Philip Griggs, Chair, asked for questions from the Board.

Mr. Griggs asked for public comment. Hearing none, he closed the public comment.

Brian Tyrrell made a motion to recommend the Governing Body approve text amendments to the Unified Development Code to modify the MUR, MUB, and MUE zone districts; intent, context, and transitions as outlined in this staff report and recommended by staff, noting the request meets the review criteria of UDC 2.4.1.d. Phillip Regeski seconded the motion.

Roll Call: Motion approved with a vote of 4-0.

ITEM C: PLN-21-00013 / A Text Amendment amending the Unified Development Code amending the density standards of UDC 5.1.5.d "Multi-dwelling Buildings (Apartment) Lot Type.

Case Planner: Charles Bloom, AICP, Planning and Development Director

Connor White, Planner II, read the item into the record.

Charles Bloom, Planning and Development Director, presented the item.

Philip Griggs, Chair, asked for questions from the Board.

Mr. Griggs asked for public comment. Hearing none, he closed the public comment.

Brian Tyrrell made a motion to recommend the Governing Body approve a text amendment to subsection 5.1.5.d of the Unified Development Code to change the MD1 lot type density (Density (max.)) from "1 dwelling / 2,000 square feet" to "1 dwelling / 1,600 square feet" and "1 dwelling / 1,000 square feet, if over 3 stories" as outlined in the staff report and recommended by staff, noting the request meets the review criteria of UDC 2.4.1.d. Phillip Regeski seconded the motion.

Roll Call: Motion approved with a vote of 4-0.

OTHER BUSINESS/STAFF ANNOUCEMENTS:

- Carport Regulations
- WestEdge Rezoning Open House
- Planning Commission training
- Interactive Map for development actions

MEETING ADJOURNED: 6:59 P.M.



Staff Signature



Board Officer

