

Planning & Zoning Commission Minutes
February 16, 2022

This is a regular meeting of the Park County Planning & Zoning Commission held at 1:00pm in the EOC Room of the County Courthouse at 1002 Sheridan Ave., Cody, WY.

Commission Members Present:

Kimberly Brandon-Wintermote, Chairman
Duncan Bonine, Vice Chairman
Eugene Spiering
Richard Jones
Bob Ferguson (by virtual means)

Staff Present:

Joy Hill, Planning Director
Kim Dillivan, Planner II
Patti Umphlett, Planner I
Jenny Cramer, Planning Technician (by virtual means – he did not vote)
Brian Edwards, County Engineer
Ben McDonald, Public Works

Chairman Brandon-Wintermote opened the meeting at 1:00pm.

APPROVAL OF MINUTES

Chairman Brandon-Wintermote asked the Commission for comments or changes to the January 19, 2022 meeting minutes. Chairman Brandon-Wintermote requested a correction to mention Duncan Bonine was elected as Vice Chairman. A MOTION was made by Commissioner Jones to approve the minutes; the motion was SECONDED by Commissioner Spiering to approve the minutes as corrected. Motion was carried unanimously.

REGULAR AGENDA

PUBLIC HEARING – The Saddle Salon SUP-228: Charity Haukaas requests approval of the Special Use Permit (SUP) Application for The Saddle Salon SUP-228. The applicant is proposing a minor commercial use to operate a custom leatherworking and repair business. The proposed use is located on a parcel owned by Arthur & Denise Fink with an address of 10 Schultz Drive, Cody, Wyoming. The parcel is described as Lot 7 of the Sage Creek Subdivision and is located in a Rural Residential 2-Acre (RR-2) zoning district.

Chairman Brandon-Wintermote reviewed the rules of a public meeting and opened the public hearing at 1:03pm.

There being no comments from Commission members, Kim Dillivan, Planner II, presented the Staff Report. Kim read into the record a public comment in favor of the use.

Chairman Brandon-Wintermote asked if any Commission members had questions for Staff.

- Chairman Brandon-Wintermote asked if we are expecting comments from the fire inspector. Kim Dillivan explained that in the past the inspector indicated that if we do not hear from him, he has no comments.
- Brian Edwards, County Engineer, addressed access from the County Road, maintenance of the road and traffic. No runoff and erosion control is required. He addressed the comment in his letter about a separate address for the business for emergency service purposes.

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56 Chairman Brandon-Wintermote asked if the applicant had any questions or comments.

- 57 • Charity Haukaas said this is a business she has been doing since 2017, if not earlier. She
58 works on saddles from all over the nation. It is quiet work. She doesn't look to disturb
59 anyone. She needs to grow her shop a little. She is not doing a retail situation. She wants
60 to keep it quiet. If she moves to retail, she'll move her business into town.

61

62 Chairman Brandon-Wintermote asked if any Commission members had questions for the
63 applicant. There were none.

64

65 Chairman Brandon-Wintermote asked if there were comments from any members of the public.
66 There were no comments from those in attendance.

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68 Commissioner Spiering made a MOTION to close the hearing at 1:20pm; **SECONDED** by
69 Commissioner Jones. The motion carried unanimously.

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71 Commissioner Jones made a MOTION to approve The Saddle Salon SUP-228 by Resolution
72 2022-06 based on the findings presented and including the following conditions:

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- 74 1. Park County noise, lighting, and other nuisance regulations shall apply;
- 75 2. The applicant shall provide a response from the Park County Weed & Pest prior to
76 review by the Board of County Commissioners;
- 77 3. The applicant shall obtain a Building/Zoning Permit following payment of a \$150
78 investigation fee; and
- 79 4. The applicant shall otherwise comply with standards in the Park County Development
80 Standards and Regulations.

81

82 Chairman Brandon-Wintermote asked about updating finding #29 to show that a favorable public
83 comment has been received. She also asked about finding #4. Staff clarified that the application
84 for a building permit has been submitted along with a \$150 investigation fee. The motion was
85 **SECONDED** by Commissioner Bonine. The motion carried. See Resolution 2022-06 attached
86 hereto and incorporated herein.

87

88 **PUBLIC HEARING – Skip's Auto SUP-230:** Larry Hart requests approval of the Special Use
89 Permit (SUP) Application for Skip's Auto SUP-230. The applicant is proposing a major commercial
90 business use to operate an auto/diesel/machinery repair shop. Major commercial business uses
91 are ordinarily prohibited in GR-P zoning districts; however, a Variance Request has been
92 approved for the use. The site of the proposed use is within a 154-acre parcel approximately 8.25
93 miles southeast of Powell, northwest of the intersection of Highway 295 and County Road 4. The
94 parcel is located within part of Section 33, T55N, R98W of the 6th P.M., Park County, Wyoming
95 with an address of 397 Lane 13, Powell.

96

97 Chairman Brandon-Wintermote opened the public hearing at 1:25pm.

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99 There being no comments from Commission members, Patti Umphlett, Planner I, presented the
100 Staff Report.

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102 Chairman Brandon-Wintermote asked if any Commission members had questions for Staff.

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- 103 • Ben McDonald, Public Works, said they have reviewed the application and have not yet
104 responded. They recommend a separate address for the shop. Both accesses are
105 administered by WYDOT and currently serve agricultural purposes. A drainage plan was
106 submitted. They are aware this use has been in place for some time. They don't expect
107 any additional impacts.
108

109 Chairman Brandon-Wintermote asked if the applicant had any questions or comments.

- 110 • Brianne Phillips, attorney, mentioned that Scott Lewis will represent the applicant and she
111 is available as well.
- 112 • Scott Lewis said the staff report was thorough. He provided some history of the use of the
113 project. Larry Hart became the owner in 2011. Larry has made several improvements
114 including two shops, a home, a hay barn. They made improvements to the farm generally.
115 They built the shop with the idea that it would provide a service area for work to be done
116 on the farm. Skip also wanted to provide mechanic services to other people. They are
117 trying to comply the best they can with the regulations. There have been concerns about
118 this building on agricultural property. This structure is where there was an old potato cellar,
119 so no decrease in ag land resulted from it being built. Scott addressed a comment he
120 received from the State Fire Marshal's Office, saying that you are not a public entity so
121 you are outside of their regulations. He has forwarded it on to Planning and Zoning
122 yesterday and he would like it to be part of the record. The other issue is related to public
123 access. They were given three options (from WYDOT). He noted that, since 1956, there
124 have been two permitted accesses (one for residence and one for field access). Now, due
125 to commercial activity, they have to change one of the accesses for commercial use. The
126 applicant has decided to eliminate one of the accesses in the short-term until they can go
127 through the appeal process with WYDOT. They have submitted an application, which was
128 denied by Jack Hoffman at WYDOT, and will proceed with the appeal process. In the
129 meantime, they have eliminated one of the accesses. The applicant requests that the
130 County review the SUP and condition it upon the achievement of legal access, which they
131 do not have at this time.
- 132 • Commissioner Jones asked about the operations of the business. He asked if equipment
133 at any time is washed. If so, what system does the water go into. Scott said the shop was
134 constructed with two trench drains. There could be cleaning going on, and the water drains
135 into the trench system, through a sump that drops out all the solids, and then through a
136 sand/oil separator.
- 137 • Brianne Phillips said that the original purpose of construction was also as a service to the
138 surrounding agricultural community. The availability of this service promotes the
139 agricultural use in the area. Neighbors take advantage of this service. She added mention
140 about the access points and that the appeal process has begun. During the process there
141 has been ongoing discussion with WYDOT. To the extent that a fire plan will be needed
142 in the future; the Harts will come into compliance with their requirements.
143

144 Chairman Brandon-Wintermote asked if there were comments from any members of the public.

- 145 • Skip Hart said it is not their intention to skirt any rules or laws. They will do what is needed
146 to fly straight.
- 147 • Kenton Murray spoke on behalf of the Hart family. They appreciate what Mr. Hart has done
148 with the property. He has made it appealing and took his neighbors into consideration. It
149 is also a farm. We try to help each other on the Willwood, including helping with equipment
150 repairs. We hope that it (the use) can continue.
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152 • Commissioner Bonine inquired if we received a response from the State Fire Marshal.
153 Staff indicated that it was possible a message came in. We will ensure that the
154 Commission gets a copy
155

156 Commissioner Bonine made a MOTION to close the hearing at 1:58pm; SECONDED by
157 Commissioner Jones. The motion was carried unanimously.
158

159 Chairman Brandon-Wintermote asked Commission members if they had any discussion.

160 • Commissioner Bonine asked for thoughts on Condition #2. Staff has not confirmed that a
161 response was received but will check.

162 • Commissioner Jones said there is a complicated set of circumstances to get this property
163 into compliance and “catch up.” He appreciates the applicant’s efforts.
164

165 Commissioner Bonine made a MOTION to approve Skip’s Auto SUP-230 by Resolution 2022-07
166 based on the findings presented and including the following conditions:
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- 168 1. Park County noise, lighting, and other nuisance regulations shall apply;
- 169 2. The applicant shall submit an approved Plan Review from the Wyoming State Fire
170 Marshal, or submit a statement from the Wyoming State Fire Marshal stating their
171 review is unnecessary, prior to review by the Board of County Commissioners;
- 172 3. The applicant shall submit evidence of compliance with conditions and/or
173 requirements set forth by Wyoming Department of Transportation, prior to review by
174 the Board of County Commissioners;
- 175 4. The applicant shall submit a formal response from Park County Public Works
176 addressing the 2nd address for the business, as well as runoff and erosion control,
177 prior to review by the Board of County Commissioners;
- 178 5. The applicant shall apply for a Building/Zoning Permit from the Planning & Zoning
179 Department, for the existing unpermitted sign, prior to review by the Board of County
180 Commissioners;
- 181 6. The applicant shall comply with any State or Federal rules with regard to use, storage
182 and disposal of hazardous substances generated by this use;
- 183 7. The applicant shall comply with conditions of the Park County Weed and Pest; and
- 184 8. The applicant shall otherwise comply with standards in the Park County Development
185 Standards and Regulations.

186 Commissioner Jones asked if Condition #3 should be changed at all. The Commission felt it was
187 adequate and made no further changes. The motion was SECONDED by Commissioner Jones.
188 The motion carried. See Resolution 2022-07 attached hereto and incorporated herein.
189

190 **PUBLIC HEARING – Good SUP-227:** Christopher & Miria Good request approval of the Special
191 Use Permit (SUP) and Site Plan Application for the Good SUP-227. The applicant is proposing a
192 Major Wholesale Business use to operate a wholesale fireworks business. Major Wholesale
193 business uses are ordinarily prohibited in GR-P zoning districts; however, a Variance Request
194 has been approved for the use. The site of the proposed use is within a 33.06-acre parcel
195 approximately 6.25 miles east of Powell, on the north side of Highway 14A. The parcel is located

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196 within part of Lots 42-D and 42-E, lying north of Highway 14A in Section 11, T55N, R98W of the
197 6th P.M., Park County, Wyoming with an address of 127 Highway 14A, Powell.

198
199 Chairman Brandon-Wintermote opened the public hearing at 2:10pm. Chairman Brandon-
200 Wintermote mentioned that Mr. Good contacted her and she told him that he will have an
201 opportunity to ask questions and share concerns during the public hearing. She also mentioned
202 that staff provided a letter that was received from Colin Simpson this morning just before today's
203 meeting commenced.

204
205 Kim Dillivan, Planner II, presented the Staff Report.

206
207 Chairman Brandon-Wintermote asked if any Commission members had questions for Staff.

- 208 • Chairman Brandon-Wintermote asked if ATF responded to the question of required
209 distances.
- 210 • Commissioner Jones asked staff what basis they had used for their distance
211 recommendations.
- 212 • The Planning Director indicated that due to the lack of information provided to by the
213 applicant, staff had utilized the NFPA in regard to display fireworks and selected the
214 minimum safe distance from that chart. Staff has not had the opportunity to review, or
215 submit to the County Attorney for review, the information that was provided by the
216 applicant just today. It is not the County's intention to operate outside of their authority,
217 the conditions were recommended based upon the concern for health, safety, and welfare
218 of the public.
- 219 • Commissioner Spiering added that he feels there is a lack of security to this property.
220 There are no fences or gates. There should be something to keep the casual person from
221 running over there and grabbing fireworks. He would like to know if the applicant has
222 looked at that.
- 223 • Ben McDonald, Public Works, indicated that they will prepare an official letter. They are
224 requesting that there is a separate address for the warehouse/business. The legal access
225 is off of the State Highway which is administered by WYDOT. Because the site and facility
226 are existing and have been operating, they will not require a drainage and erosion control
227 plan. Any improvements moving forward need to comply with County standards.

228
229 Chairman Brandon-Wintermote asked if the applicant had any questions or comments.

- 230 • Colin Simpson, representing the Goods, presented. He received the staff report (last
231 Thursday afternoon. He did send the letter to four staff members in advance of the
232 meeting. Colin pointed out the site and asked if there was a better site in the County to
233 have this use. He feels the County is over-regulating. There are rules from other entities
234 (he listed several) that regulate these issues [fireworks]. ATF controls display fireworks.
235 They are not going to tell the County where they store them. They can display fireworks
236 per ATF. ATF said in 2021, they can store display fireworks in other locations. They are
237 unaware of them storing them on the property, but if they were, they would be in violation.
238 They can store display fireworks wherever ATF allows them to do so. ATF is very
239 concerned about security.
- 240 • In response to Condition #4 requiring specific information regarding the occasional
241 fireworks shows, Colin indicated it is hard to set a time and day and how many people will
242 be there when you don't really know.
- 243 • He intends to respond to Public Works as necessary.
- 244 • Conditions 8 – 12 concern them. Only 20 storage units (#8). #10 says the units have to be
245 placed a minimum of 15 feet from each other (NFPA does not say that for even

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- 246 manufacturing facilities – there is no minimum distance.) Is it reasonable to limit the
247 number of storage containers? If so, why? There's plenty of room and they could store
248 additional units and they are happy to pay the building permit fee for each storage until.
- 249 • The state statute he cited cites to the U.S. Code. The Planning Department could have
250 brought that up just as well. He referenced the Dunnegan case. He doesn't want to have
251 to go to the County Attorney to tell the Commission what this means. Whatever the
252 Commission argues, the applicant will argue for what they want in front of the Board of
253 County Commissioners. The question is, "What is reasonable?" There is the statement on
254 page 3 of his letter, addressing the issue of condition #11 that the applicant shall not store,
255 distribute or launch/demonstrate display fireworks on the property. These things are
256 regulated by ATF. Why does it even need to be addressed by the County? This is a highly
257 regulated industry. We don't feel these 8-12 conditions are necessary at all.
 - 258 • Chris Good said the State Fire Marshal came and inspected the property. He said there
259 is a specific designation between manufacture and storage of consumer fireworks. They
260 are following some of those manufacturing regulations in NFPA 1124.
 - 261 • Chairman Brandon-Wintermote asked about display fireworks being under ATF and
262 consumer fireworks under the NFPA. She has been a licensee for blasting in the past.
263 They had to move their magazines because a residence was built within the charted
264 distance.
 - 265 • Chris Good said he could not say that display fireworks are or are not stored on the
266 property due to security reasons. Chris said ATF's last letter stated that the Goods have
267 storage facilities elsewhere permitted by ATF.
 - 268 • The Planning Director clarified that the reason the County has inquired about the display
269 fireworks is that it has been made clear by ATF that the storage of display fireworks is
270 prohibited on this property.
 - 271 • Colin Simpson said the rules say that ATF is who the County defers to for fireworks.
 - 272 • Kim Dillivan said, if this SUP is approved, if there is ever a possibility of substantial change,
273 an amended SUP may be needed. Maybe a substantial change would be if storage of
274 display fireworks is proposed.
 - 275 • Chris Good said that the address provided to ATF for the display fireworks business is
276 simply where they keep their records.
 - 277 • Colin Simpson summarized the conditions of concern (8-12). He feels they are arbitrary.
278 He thinks #15 is repetitive. He doesn't want to get into a legal dispute about what authority
279 the County has. The County clearly has authority that is limited. ATF, NFPA, etc., have
280 authority. If the Board is not comfortable changing the conditions, we ask that you approve
281 as it is so the County Attorney can weigh in between now and the Board's hearing.
 - 282 • Chris said codes are the codes. There's a difference between a feel-good measure and
283 following science, and that's what this is.
 - 284 • Colin Simpson said the Goods also deal in propane. They wouldn't be in business if they
285 weren't doing it right.
 - 286 • Chris Good said he spoke with the Fire Marshal about additional storage for his propane
287 business, and the Fire Marshal said they are following the codes to a T and beyond. He
288 feels the County is overreaching its authority by arbitrarily and capriciously assigning
289 numbers. Especially given the area where this is located. He referred to the Chairman's
290 example where conditions may have changed between one inspection and another and
291 their magazines had to be moved.
 - 292 • Chris Good said there has been no reason for ATF to come to the property because they
293 don't regulate consumer fireworks. He mentioned if you want to live on the property, it is
294 different than if someone else lives on the property.

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- Chris Good answered the question about security. They have cameras all over and a pressure-sensitive strip that notifies them when it is crossed.
 - Colin Simpson said he gets worked up sometimes and the Planning and Zoning Department does a good job.
 - Patti Umphlett reiterated that maybe this may be a great location, but it did have to have a variance for the use to even be allowed. The term arbitrary and capricious is getting thrown around a lot, but it doesn't seem unreasonable for us to be extra sensitive.

303 Chairman Brandon-Wintermote asked if any Commission members had questions for the
304 applicant.

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- Chairman Brandon-Wintermote asked how many people they usually have at their displays. Word got out and then their business exploded. They started doing demos for customers and shoot the product that was new for the coming season. Then Covid happened and customers couldn't come. They had already set things up and they did a small, little display. They did a short show. They invited the public during Covid and there were thousands of people. There were some traffic issues for sure. They did it last year and they had some flags and it was quite a bit bigger, free to the public. When they invited the public, it was huge so they decided now not to invite the public. He gets the idea of the traffic problem. They do have a large property, but they don't really want to put everyone there.
 - Chairman Brandon-Wintermote said that safety-wise she had concerns about the traffic. Chris said they will back away from that and not invite the public.

318 Chairman Brandon-Wintermote asked if there were comments from any members of the public.
319 There were no comments from those in attendance.

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321 Commissioner Jones asked for discussion.

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- He agrees with Colin a bit on his concerns about conditions 8-12. Mostly because it is highly regulated by a number of authorities. He would be more comfortable with putting conditions on with them needing to comply with the standards of those entities. Just refer to the industry. Chairman Brandon-Wintermote asked what that recommendation or condition would look like. Commissioner Jones said you could list the appropriate agencies or standards. He doesn't feel the County per se regulates fireworks. Commissioner Spiering mentioned Condition #7. Colin said the IFC, NFPA 1124 and ATF regulations.
 - Chris Good mentioned that the Fire Chief in Powell knows where everything is at and they have been considering doing a mock [response] in case anything were to happen.
 - Chris Good said consumer fireworks are not a high explosive. It is a giant fire [not an explosion]. It is not a mass deflagration.
 - Chairman Brandon-Wintermote asked about the organizations. Chris said ATF, IFC, NFPA 1124 and state statute as part of Condition #7.
 - Commissioner Jones wanted to discuss the number of storage containers. Chairman Brandon-Wintermote felt there should be a limit. Commissioner Bonine said if they are basing it on the use, what would it be based on?
 - Colin Simpson asked if Chris Good could address the storage containers. Chris said the Fire Marshal thought the storage containers were the perfect type of storage. They are going to need more storage to support five new stores that they are opening. It will probably be a few more years before they get up to 40 containers. It is just the growth of the business. In the Fire Marshal's mind, it is the safest place to put them in terms of a fire.

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- Kim Dillivan mentioned that in consideration of the number of containers, is the question of compatibility with the neighbors.
 - Chairman Brandon-Wintermote mentioned a person with storage containers years ago that became an issue for neighbors.
 - Chris Good added that it is next to an industrial/mining operation.
 - Commissioner Jones said it sounds like the expansion would occur over a number of years. Any expansion beyond that they would need to come back.
 - Chris mentioned again that the increase in stores will lead to a need for more containers to store the goods.
 - Commissioner Bonine said the number of containers is the least of his concerns. He struggles most with the volume of information that is received in such a short time to digest and learn to understand. He would like to be sensitive to finding a way through this for the benefit of the Goods, but he would also give serious consideration to a continuance to understand what all the information is. Chairman Brandon-Wintermote added, in order to formulate conditions and not make jump decisions. Commissioner Bonine said the difference between consumer and display fireworks seems to be a game of figuring out the rules. He struggles with that. Commissioner Spiering agreed with what Commissioner Bonine said. They need to be clear before they throw it to the Commissioners (Board). Considering some of the information was provided literally as they sat down. He feels they need more time to work out the conditions. Commissioner Jones asked if their business is primarily a distribution hub for consumer fireworks to supply regional stores. Chris said yes. Commissioner Jones said they may have some operations in the future for display fireworks which is not happening now. Chris said they are not storing display fireworks [on the property] now. Commissioner Jones sought clarification that they are only storing consumer fireworks now. Chris Good said ATF has nothing to do with consumer fireworks. The NFPA and AHJ says who has authority on consumer fireworks. They could have display fireworks on the site as part of their set-up (24 hours).
 - Commissioner Jones said they could work on the conditions or delay to ensure that the Commission gives accurate information to the [Board of] Commissioners.
 - Colin Simpson outlined the conditions [of concern to the applicant], #8 about number of containers, 9-10 address distance issues – which can be handled by Condition #7, #11 on display fireworks, #12 addressed display.
 - Chris Good stated that they demonstrate consumer fireworks, not display, for the vendors. They demonstrate one item at a time.
 - Kim Dillivan talked about some of the conditions being based upon staff's limited understanding of the difference between consumer fireworks and display fireworks and how the report was based upon consumer fireworks storage.
 - Patti Umphlett added that some of the information that was lacking was answered in Colin's letter today. Our review may have been a little different if we had those answers earlier. A lot of the conditions were set based upon what we had before us.
 - Commissioner Spiering said if they want 40 containers, they should show where they will be, the area.
 - Colin Simpson said that the questions they answered were hours of operation, outdoor lighting...they didn't know what the proposal was until Thursday.
 - Commissioner Bonine said in reviewing the reference to all the agency compliance...he is wondering about the consumer and display fireworks in that language. If they were to look at condition #11 knowing that if they were to get permitted by ATF for display fireworks on the property, we would never hear about it or know about it. Maybe it is appropriate to leave that.

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- 394 • Commissioner Jones said if #11 was worded that, "unless in accordance with the other
395 authorities..."
- 396 • Chairman Brandon-Wintermote read sample wording for Condition #7.
- 397 • Commissioner Bonine said due to the non-disclosure of that information, he does not see
398 them coming back if that were to happen. If we were to make an all-inclusive statement, if
399 that does happen, it is out of our purview either way. Other Commissioners mirrored that
400 thought.
- 401 • Kim Dillivan asked if this application were for display fireworks, we would not even be
402 here? Commissioner Bonine said that is the case.
- 403 • The Planning Director stated that she does not agree that would be true. No matter the
404 business (fireworks or flowers) the County has use requirements. It is still a wholesale
405 business and that would still fall under County regulations.
- 406 • Colin Simpson said this comes down to these few conditions. He said maybe we could
407 agree what is a reasonable distance from a residence (#9). #10 clearly says that you can
408 stack the containers right on top of each other and next to each other. #9, what is a
409 reasonable distance that we can choose. Why not say, "...with the exception of the existing
410 residence and warehouse structures..."
- 411 • Patti Umphlett said a lot of this could have been addressed at the time the structures were
412 built.
- 413 • Colin Simpson addressed Condition #10 and provided suggested language to address
414 NFPA 1124 standards.
- 415 • Commissioner Bonine asked to strike the language in Condition #10, starting at "and shall
416 be..." to the end.
- 417 • Commissioner Bonine asked to strike Condition #11 and replace it with the newly worded
418 Condition #7.
- 419 • Chairman Brandon-Wintermote discussed condition #9. She asked if they were to build a
420 home, where would it be placed. Would it be close to the existing/planned structures?
421 Chris Good said they were considering building straight north of the existing structures.
- 422 • The Commission agreed to allow up to 40 containers in Condition #8.
- 423 • Finding #43 has been clarified in Colin's letter and presentation.
- 424 • Finding #44 has been clarified in Colin's letter to be Monday – Saturday.
- 425 • Finding #52 strike the word "not."
- 426 • Strike Conditions #2, #3 and #4.
- 427 • Chris Good said they have sconce lighting outside.
- 428 • New condition for parking for demonstrations.
- 429 • Discussion about the WYDOT condition and possible additional permits.

430
431 Commissioner Jones made a MOTION to close the hearing at 4:24pm; SECONDED by
432 Commissioner Spiering. The motion carried unanimously.

433
434 Commissioner Jones asked for a recap of proposed conditions.

435
436 Commissioner Bonine made a MOTION to approve Good SUP-227 by Resolution 2022-08 based
437 upon the findings presented and discussed/amended and including the following conditions:

- 438
439 1. Park County noise, lighting, and other nuisance regulations shall apply;

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- 440 2. The applicants shall comply with any Wyoming Department of Transportation rules
441 with regard to access and parking along US Highway 14A, which may include applying
442 for additional permits;
- 443 3. The applicants shall submit a formal response from Park County Public Works prior to
444 review by the Board of County Commissioners;
- 445 4. The applicants shall comply with all State and Federal rules, including but not limited
446 to ATF, IFC, NFPA, and State statutes with regard to storage, distribution, disposal,
447 launching and demonstration of both consumer and display fireworks on the property;
- 448 5. The applicants may store consumer fireworks in bulk on the property, in the existing
449 9,600-square-foot warehouse building and in no more than forty (40) 8'x40' storage
450 containers;
- 451 6. All structures used to store consumer fireworks on the property, with the exception of
452 the existing warehouse structure, shall be a minimum of 100 feet from the property
453 boundary and a minimum of 100 feet from any future residential structure on or off of
454 the property;
- 455 7. Individual structures/containers used to store fireworks on the property each require
456 an appropriate Building/Zoning Permit prior to construction or placement;
- 457 8. The launch/demonstration of consumer fireworks is prohibited within 150 feet of
458 occupied space or structures;
- 459 9. The applicants shall not utilize the property for retail sales purposes, or operate a
460 storefront on the property, at any time;
- 461 10. The applicants shall comply with conditions of the Park County Weed and Pest;
- 462 11. Any change in the use to include, but not limited to, expansion of storage or business
463 facilities, retail sales, manufacturing, etc., shall require an amended SUP or new SUP,
464 if permissible;
- 465 12. The applicant shall designate and identify the parking area on the site plan to be used
466 for vendor demonstrations on the property; and
- 467 13. The applicants shall otherwise comply with standards in the Park County Development
468 Standards and Regulations.

469
470 The motion was SECONDED by Commissioner Jones. The motion carried. See Resolution 2022-
471 08 attached hereto and incorporated herein.

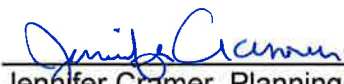
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473 Chairman Brandon-Wintermote delivered the Chair's report.

474
475 The Planning Director delivered a report for the Planning and Zoning Department.

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477 There being no other business, a MOTION was made by Commissioner Jones to adjourn the
478 meeting at 4:47pm. The motion was seconded by Commissioner Bonine. All in favor.

479
480 Respectfully submitted,

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Jennifer Cramer, Planning Technician

**RESOLUTION 2022 - 06
PARK COUNTY PLANNING & ZONING COMMISSION**

**TITLE: RECOMMENDATION TO APPROVE THE SADDLE SALON
SPECIAL USE PERMIT-228 (SUP-228)**

WHEREAS, Charity Haukaas, submitted a Special Use Permit Application requesting review and approval of a Special Use Permit to operate a custom leatherworking and leather repair business with a focus on restoring, preserving, and maintaining saddles, tack, and other leather goods. This business will operate in an existing 625 sq. ft. shop building. The applicant stated that approximately one-half of this structure will be used for this business;

WHEREAS, the property is addressed as 10 Schultz Drive, Cody and is located approximately 3.2 miles southeast of Cody, Wyoming;

WHEREAS, this project is defined by Park County Development Standards and Regulations as a Minor Commercial Business: Retail and service businesses and office uses with building sizes less than 5,000 square feet of floor area and less than one acre of land developed in association with the use;

WHEREAS, the application and supporting documents are in substantial compliance with Park County Development Standards and Regulations pertaining to special use permits;

WHEREAS, the applicant submitted a statement on how compatibility can be achieved as required for a Special Use Permit – the proposed use will result in minimal noise and visual impacts, and is consistent with surrounding uses in this area, and adequate services and infrastructure are available, or will be made available, to serve the use;

WHEREAS, the Planning & Zoning Commission held a duly noticed public hearing on February 16, 2022, to consider the Special Use Permit application and made findings as follows:

1. A Special Use Permit Application, including payment, was received from Charity Haukaas on January 5, 2022;
2. A property owner, Denise Fink, signed the application;
3. The applicant proposes to establish a custom leatherworking and leather repair business with a focus on restoring, preserving, and maintaining saddles, tack, and other leather products;
4. The use will operate in an existing (unpermitted) 625 sq. ft. shop building on the property;
5. Applicable regulations are the *Park County, Wyoming 2015 Development Standards and Regulations* (adopted September 15, 2015);
6. The proposed use is classified as a Minor Commercial Business;
7. Ownership is affirmed by Warranty Deed to Arthur K. Fink and Denise A. Fink, as

- tenants by the entirety, from Alan M. Dimmers and Mitzi Dimmers (Document #2010-0008);
8. The property is a 4.71-acre lot described as Lot 7, Sage Creek Subdivision, Park County, Wyoming;
 9. The property is addressed as 10 Schultz Drive and is located approximately 3.2 miles southeast of Cody, Wyoming;
 10. The proposed use is located in a Rural Residential 2-Acre (RR-2) zoning district;
 11. Minor Commercial Business uses are allowed in the RR-2 zoning district provided a Special Use Permit is approved;
 12. The proposed use will be located on a lot that is relatively flat with an existing single-family residence;
 13. Surrounding land uses are primarily residential, residential vacant, and agricultural;
 14. The applicant provided a simple site plan drawing identifying existing structures and planned access and parking;
 15. An existing shop structure on the property is proposed for the business;
 16. The applicant will be the only employee (non-resident);
 17. Customer traffic is expected to be minimal;
 18. The property is not within a mile of a municipality;
 19. Public notice requirements have been met;
 20. Agency referral requirements have been met;
 21. The Park County Treasurer has stated that property taxes are paid current;
 22. Park County Fire District #2 stated they have no comment;
 23. The Cody Canal Irrigation District has no objections to the proposed use;
 24. Park County Public Works has addressed traffic impacts and use of the road and recommends a new address for the business;
 25. The Wyoming Game & Fish Department has indicated that they have no terrestrial wildlife comments regarding this project;
 26. Park County Weed & Pest has not provided any comments;
 27. Pacificorp has not provided any comments;
 28. The Big Horn Basin Fire Inspector has not provided any comments;
 29. One public comment has been received;
 30. The applicant provided a statement addressing how the use will be compatible with the neighborhood and area;
 31. The work associated with the use will be largely quiet because it will be completed by hand, indoors;

32. Customers will visit the shop by appointment only;
33. Hours and days of operation will be 8 am to 6 pm, Monday through Friday;
34. The proposed use will not be within 20 feet of a county road right-of-way;
35. No covenants exist or are proposed;
36. Small, down-directed outdoor lights are proposed;
37. There are no known nonconformities on the property;
38. No nuisances have been reported at this location;
39. A soils report is not required for this use;
40. Access is proposed from an existing driveway directly from Schultz Drive;
41. Domestic water for this use will be provided by NRWD;
42. The use is not expected to impact irrigation facilities;
43. A limited amount of parking is required and parking appears to be adequate to serve the use;
44. Septic will be provided by an existing system servicing the residence;
45. The residence septic system is sized for 3 bedrooms;
46. Electricity will be available to serve the use;
47. No signs are proposed;
48. Solid waste, if any, will be disposed of by a private company and according to County regulations;
49. This property is not located in any Overlay District; and
50. Site Plan Review is required for Minor Commercial Business uses; however, the use is exempt from this requirement because the use will not exceed 5,000 sq. ft. of floor area, and new development of the land does not exceed one acre in size.

WHEREAS, the Planning & Zoning Commission concludes the Special Use Permit Application is generally consistent with the goals and policies of the *Park County Land Use Plan*, and is consistent with the standards and procedures of the *Park County, Wyoming 2015 Development Standards and Regulations*;

WHEREAS, the Planning & Zoning Commission concludes the following:

1. The use is in harmony and compatible with surrounding land uses and with the neighborhood and will not create a substantial adverse impact on adjacent properties with conditions;
2. Adequate services and infrastructure are available to serve the use, or adequate services and infrastructure will be provided;
3. The use complies with all specific criteria stated in these regulations for the use;

4. The use complies with additional requirements of overlay districts, if applicable.

NOW, THEREFORE, BE IT RESOLVED having heard and weighed the evidence, the Planning & Zoning Commission hereby recommends approval of the special use permit for The Saddle Salon Special Use Permit-228 subject to the following conditions:

1. Park County noise, lighting, and other nuisance regulations shall apply;
2. The applicant shall provide a response from the Park County Weed & Pest prior to review by the Board of County Commissioners;
3. The applicant shall provide evidence that the shop structure is permitted or will obtain a Building/Zoning Permit following payment of a \$150 investigation fee; and
4. The applicant shall otherwise comply with standards in the Park County Development Standards and Regulations.

ADOPTED by the Planning & Zoning Commission this 16th day of February, 2022.

**PLANNING AND ZONING COMMISSION
PARK COUNTY, WYOMING**

ATTEST:


Kimberly Brandon-Wintermote, Chairman


Jennifer Cramer, Planning Technician

**RESOLUTION 2022 - 07
PARK COUNTY PLANNING & ZONING COMMISSION**

**TITLE: RECOMMENDATION TO APPROVE SKIP'S AUTO
SPECIAL USE PERMIT-230 (SUP-230)**

WHEREAS, Larry J. Hart, submitted a Special Use Permit Application requesting review and approval of a Special Use Permit to operate an automobile mechanic business in an existing shop;

WHEREAS, The proposed use is located approximately five miles southeast of the City of Powell, directly north of State Highway 295. The property has an address of 397 Lane 13;

WHEREAS, this project is defined by Park County Development Standards and Regulations as a Major commercial business: Retail and service businesses and office uses with building sizes of more than 5,000 square feet of floor area or more than one acre of land developed in association with the use;

WHEREAS, the application and supporting documents are in substantial compliance with Park County Development Standards and Regulations pertaining to special use permits;

WHEREAS, the applicant submitted a statement on how compatibility can be achieved as required for a Special Use Permit – the proposed use will result in minimal noise and visual impacts, and is consistent with surrounding uses in this area, and adequate services and infrastructure are available, or will be made available, to serve the use;

WHEREAS, the Planning & Zoning Commission held a duly noticed public hearing on February 16, 2022, to consider the Special Use Permit application and made findings as follows:

1. A special use permit application, including payment, was received from Larry J. Hart, on January 11, 2022;
2. The applicant requests approval of a Special Use Permit, with Site Plan Review, to operate an automobile and farm equipment mechanic business;
3. Applicable regulations are the *Park County, Wyoming 2015 Development Standards and Regulations*, adopted September 15, 2015;
4. The use is classified as a major commercial business;
5. Ownership is affirmed by Warranty Deed dated April 18, 2019 to The Hart Family Farm, LLC from Larry J. Hart. (Document #2019-1995);
6. The use has been operating at this location since 2015;
7. No formal notice of violation had been issued to the property owner;

8. The proposed use is located on an approximately 1.4-acre portion of the property described as: T.55N., R.98W., 6th P.M., Park County, Wyoming, according to the records of the County Clerk and Recorder of Park County, Wyoming;
9. The proposed use is located approximately five miles southeast of the City of Powell, directly north of State Highway 295 (see Figure 2). The property has an address of 397 Lane 13;
10. The property is located in a General Rural Powell (GR-P) zoning district;
11. Major commercial business uses are prohibited in the GR-P zoning district; however, Board of County Commissioners Resolution #2021-79, approved on December 7, 2021, allows consideration of this Special Use Permit for a major commercial business use in an GR-P zoning district;
12. Neighboring land uses are primarily agricultural. There are two residential uses and one residential vacant land use located across State Highway 295 from the proposed use location;
13. There is an auto salvage business operating in LUC-35, located just north of the property;
14. There is an existing residence located approximately 150 feet south of the proposed mechanic shop. Located north of the mechanic shop are two 120' by 60' buildings (one farm shop built in 2020, being used for equipment storage, and one hay barn built in 2021);
15. Legal notice requirements were met, including notice to property owners within 660 ft. of the property boundary;
16. The application was forwarded to relevant agencies as required;
17. Park County Fire Protection District No. 1 will be able to provide fire protection to this property;
18. Montana-Dakota Utilities currently services this property and building;
19. Willwood Irrigation District stated the operation will not interfere with the headgate operation or any other WID activity;
20. Willwood Light & Power stated they can continue to support the power required for this use;
21. Wyoming Department of Transportation denied the applicant's application for a Commercial access and has given the applicant options for proceeding;
22. The Park County Treasurer stated property taxes are paid in full;
23. Wyoming Game & Fish has no wildlife comments regarding this permit;
24. Park County Weed & Pest does not require a Long-Term Noxious Weed Management Plan, but recommends the applicant follow *Best Management Practices for Controlling the Spread of Noxious Weeds*;

25. The Wyoming State Fire Marshall indicated that, if the structure is accessible to the public, the applicant will be required to submit plans for review;
26. No response has been received from Park County Public Works;
27. No public comments have been received;
28. The applicant made a statement of compatibility will be achieved;
29. The proposed business operations of Skip's Auto will be Monday through Friday from 8:00 am to 5:00 pm with occasional longer working days, occasional weekend work, and on rare occasions, working at night during the summer;
30. The proposed use is not within 20 feet of a County road right-of-way;
31. No covenants are proposed or existing;
32. The applicant proposes down-directed lighting at the north and south ends of the building;
33. There are no known nonconformities on the property;
34. No nuisances have been reported at this location;
35. The applicant submitted a geotechnical engineering report and soils report;
36. Access exists from State Highway 295; however, commercial access is required and has not been approved;
37. Domestic water will be supplied from an existing on-site well;
38. Domestic water quality tests have been submitted from the existing well and the results show the water meets the Safe Drinking Water Act (SDWA) requirements;
39. The use will not interfere with the irrigation district facilities;
40. Parking spaces are required and adequate space exists;
41. There is adequate, permitted sewage and wastewater disposal to serve the use;
42. Adequate utilities, public services and infrastructure exist for the proposed use;
43. The applicant has installed a sign at the entrance of the property along State Highway 295. This sign appears to meet County size requirements; however, the sign is unpermitted;
44. Solid waste will be disposed of according to County regulation standards;
45. No specific criteria are identified for this use;
46. The proposed use is located in an Agricultural Overlay District;
47. Impacts on agricultural operations have been addressed;
48. Vulnerability of this use to agricultural practices has been addressed;
49. There will be no decrease in productive agricultural land by this use;
50. Site plan review is required for this use and site plan standards have been met;

51. Hazardous substances will be produced, stored and handled on-site;
52. The applicant has addressed methods for hazardous substance disposal;
53. The use is not expected to impact any lakes, reservoirs or streams;
54. The use is not expected to impact any federally protected wetlands;
55. Air quality is not expected to be impacted by this use; and
56. The use is not a specific use and special site plan standards do not apply.

WHEREAS, the Planning & Zoning Commission concludes the Special Use Permit Application is generally consistent with the goals and policies of the *Park County Land Use Plan*, and is consistent with the standards and procedures of the *Park County, Wyoming 2015 Development Standards and Regulations*;

WHEREAS, the Planning & Zoning Commission concludes the following:

1. The use is in harmony and compatible with surrounding land uses and with the neighborhood and will not create a substantial adverse impact on adjacent properties with conditions;
2. Adequate services and infrastructure are available to serve the use, or adequate services and infrastructure will be provided;
3. The use complies with all specific criteria stated in these regulations for the use;
4. The use complies with additional requirements of overlay districts, if applicable.

NOW, THEREFORE, BE IT RESOLVED having heard and weighed the evidence, the Planning & Zoning Commission hereby recommends approval of the special use permit for the Skip's Auto Special Use Permit-230 subject to the following conditions:

1. Park County noise, lighting, and other nuisance regulations shall apply;
2. The applicant shall submit an approved Plan Review from the Wyoming State Fire Marshall, or submit a statement from the Wyoming State Fire Marshall stating their review is unnecessary, prior to review by the Board of County Commissioners;
3. The applicant shall submit evidence of compliance with conditions and/or requirements set by Wyoming Department of Transportation, prior to review by the Board of County Commissioners;
4. The applicant shall submit a formal response from Park County Public Works addressing the 2nd address for the business, as well as runoff and erosion control, prior to review by the Board of County Commissioners;
5. The applicant shall apply for a building/zoning permit from the Planning & Zoning Department, for the existing unpermitted sign, prior to review by the Board of County Commissioners;

6. The applicant shall comply with any State or Federal rules with regard to use, storage and disposal of hazardous substances generated by this use;
7. The applicant shall comply with conditions of the Park County Weed and Pest; and
8. The applicant shall otherwise comply with standards in the Park County Development Standards and Regulations.

ADOPTED by the Planning & Zoning Commission this 16th day of February, 2022.

**PLANNING AND ZONING COMMISSION
PARK COUNTY, WYOMING**

ATTEST:


Kimberly Brandon-Wintermote, Chairman


Jennifer Cramer, Planning Technician

**RESOLUTION 2022 - 08
PARK COUNTY PLANNING & ZONING COMMISSION**

**TITLE: RECOMMENDATION TO APPROVE GOOD
SPECIAL USE PERMIT-227 (SUP-227)**

WHEREAS, Christopher and Miria Good, submitted a Special Use Permit Application requesting review and approval of a Special Use Permit to operate a fireworks storage and distribution business in an existing shop building and residence;

WHEREAS, The property is located approximately three miles southeast of Garland, on the north side of US Highway 14A. The property has an address of 127 U.S. Highway 14A, Powell, WY;

WHEREAS, this project is defined by Park County Development Standards and Regulations as a Major commercial business: Retail and service businesses and office uses with building sizes of more than 5,000 square feet of floor area or more than one acre of land developed in association with the use;

WHEREAS, the application and supporting documents are in substantial compliance with Park County Development Standards and Regulations pertaining to special use permits;

WHEREAS, the applicant submitted a statement on how compatibility can be achieved as required for a Special Use Permit – the proposed use will result in minimal noise and visual impacts, and is consistent with surrounding uses in this area, and adequate services and infrastructure are available, or will be made available, to serve the use;

WHEREAS, the Planning & Zoning Commission held a duly noticed public hearing on February 16, 2022, to consider the Special Use Permit application and made findings as follows:

1. A Special Use Permit Application, including payment, was received from Christopher and Miria Good, on December 17, 2021;
2. Additional documents were received on January 25, 2022;
3. The applicants request approval of a Special Use Permit, with Site Plan Review, to operate a fireworks storage and distribution business in an existing shop building and residence;
4. Applicable regulations are the *Park County, Wyoming 2015 Development Standards and Regulations*, adopted September 15, 2015;
5. The use is classified as a Major Wholesale Business;
6. Ownership is affirmed by Warranty Deed dated October 6, 2017 to Christopher M. Good and Miria S. Good, husband and wife, from Natalie Severeide, recorded as Document #2017-5021;
7. The residence and warehouse structures were permitted in 2018;

8. A SWW system serving the residence and sized for 4 bedrooms, was permitted in 2018;
9. Staff witnessed advertising of commercial fireworks sales on this property in April of 2021;
10. Staff issued a Notice of Violation on May 3, 2021 and several communications with the landowners and their attorney followed;
11. The applicants submitted a Variance Request Application to work towards getting their property into compliance;
12. On August 17, 2021 the Board of County Commissioners approved a variance request to allow the applicants the opportunity to apply for a Special Use Permit to establish a major wholesale business;
13. The proposed use is located on a 33.06-acre property described as: Part of Farm Unit "F" of Lot 42, T.55N., R.98W., 6th P.M., Park County, Wyoming, according to the records of the County Clerk and Recorder of Park County, Wyoming;
14. The property is located approximately three miles southeast of Garland, on the north side of US Highway 14A with an address of 127 US Highway 14A, Powell;
15. The property is located in a General Rural Powell (GR-P) zoning district;
16. Major wholesale business uses are not permitted in GR-P zoning district; however, the applicants obtained a variance allowing them to proceed with the Special Use Permit process;
17. Neighboring land uses are a mixture of residential, residential vacant land and agricultural. The closest neighboring residence is approximately 435 feet northwest of the west end of the warehouse. Within one mile east of the east property line are two (2) large rock products mines;
18. The proposed use is located within and around the existing 9,600 square-foot accessory structure/shop (warehouse) with office space located within the existing residence;
19. Legal notice requirements were met, including notice to property owners within 660 ft. of the property boundary;
20. The application was forwarded to relevant agencies as required;
21. After conducting an inspection, the State of Wyoming Department of Fire Prevention and Electrical Safety submitted a letter addressing public use; separation requirements; and fire suppression. The letter indicated the use is in compliance with the Department of Fire Prevention and Electrical Safety. They encouraged the applicant to contact their department if there is ever any intent to change the purpose, function or use of the property;
22. The Wyoming Department of Transportation (WYDOT) has approved a commercial access for this property, restricted to the current wholesale fireworks business and residence;

23. WYDOT stated that any change in use will require reapplication for an access permit;
24. WYDOT stated that the commercial access permit allows for occasional (annual or semi-annual, etc.) fireworks displays on their property, so long as all parking can be contained on their property – no parking will be allowed on the highway right-of-way;
25. WYDOT will require a Special Event Permit, per display event, if fireworks displays create congestion or otherwise disrupt traffic on US Highway 14A;
26. Wyoming Game & Fish have no wildlife comments regarding this permit;
27. Park County Fire Protection District No. 1 will be able to provide fire protection for this use;
28. The Park County Treasurer stated property taxes are paid current;
29. Shoshone Irrigation District stated they do not have any infrastructure in the area that the SUP is proposed and the applicants has an all clear from them;
30. No response was received from Garland Light & Power; however, the applicants submitted a copy of their December 30, 2021 bill as proof that electrical services do exist;
31. No response was received from Quality Propane; however, the applicants submitted a copy of a delivery receipt dated December 3, 2021 as proof that propane service is available;
32. Park County Weed & Pest does not require a Long-Term Noxious Weed Management Plan, but does recommend *Best Management Practices for Controlling the Spread of Noxious Weeds*;
33. No response has been received from Park County Public Works;
34. No response has been received from the Powell-Clarks Fork Conservation District;
35. The Federal Explosives Licensing Center (ATF) indicated that the storage of *display fireworks* is prohibited on the property;
36. ATF stated that consumer fireworks may be stored in bulk on the property;
37. ATF state that empty mortars, which are used for fireworks displays, may be stored on the property;
38. One public comment has been received in support of this use;
39. The applicants made a statement of how compatibility will be achieved;
40. The applicant proposes to use the existing 9,600-square-foot warehouse, 20 8'x40' storage containers to store consumer fireworks;
41. The applicant has indicated an interest in adding additional storage structures to serve the use;
42. The applicants state that their neighbors' consent to the use;

43. Proposed hours of operation will be 8:00 a.m. to 5:00 p.m.;
44. Days of operation will be Monday - Saturday;
45. The applicants propose 2 part-time resident employees and 1 full-time, non-resident employee;
46. The applicants are proposing occasional firework shows for vendors;
47. The applicants have not provided an estimated number of fireworks shows or an estimated number of attendees for shows;
48. The applicant states there will be no small wastewater facilities available during fireworks shows;
49. It is unclear what type(s) of fireworks (i.e., consumer or display) are intended for use at fireworks shows on the property;
50. The proposed use will not be within 20 feet of a County road right-of-way;
51. No covenants are proposed or existing;
52. Outdoor lighting has been addressed in the application;
53. There are no known nonconformities on the property;
54. No nuisances have been reported at this location;
55. No soils report has been received; however, a soils report is not necessary given no new structures are proposed;
56. Approved commercial access exists from US Highway 14A;
57. The applicants are required to submit a change in use application to the Wyoming Department of Transportation, if future changes are proposed;
58. Domestic water will be stored in on-site cisterns that are replenished by water hauled from the City of Powell;
59. There is no irrigation infrastructure in the area of the use;
60. Parking appears to be adequate to serve the use; however, designated parking area for fireworks events has not been identified or quantified;
61. There is a permitted small wastewater system serving the residence and the warehouse does not have a restroom;
62. Adequate utilities, public services and infrastructure exist for the proposed use;
63. The applicants propose placement of temporary flags along the highway to identify the location for vendors;
64. Solid waste will be disposed of according to County regulation standards;
65. No specific criteria are identified for this use;
66. The proposed use is not located in an Overlay District;
67. Site plan review is required for this use and site plan standards have been met;
68. Hazardous substances will be produced, stored and handled on-site;

69. The use is not expected to impact any lakes, reservoirs or streams;
70. The use is not expected to impact any federally protected wetlands;
71. Air quality is not expected to be impacted by this use;
72. No nuisances have been reported on this property; and
73. Special site plan standards do not apply.

WHEREAS, the Planning & Zoning Commission concludes the Special Use Permit Application is generally consistent with the goals and policies of the *Park County Land Use Plan*, and is consistent with the standards and procedures of the *Park County, Wyoming 2015 Development Standards and Regulations*;

WHEREAS, the Planning & Zoning Commission concludes the following:

1. The use is in harmony and compatible with surrounding land uses and with the neighborhood and will not create a substantial adverse impact on adjacent properties with conditions;
2. Adequate services and infrastructure are available to serve the use, or adequate services and infrastructure will be provided;
3. The use complies with all specific criteria stated in these regulations for the use;
4. The use complies with additional requirements of overlay districts, if applicable.

NOW, THEREFORE, BE IT RESOLVED having heard and weighed the evidence, the Planning & Zoning Commission hereby recommends approval of the special use permit for the Good Special Use Permit-227 subject to the following conditions:

1. Park County noise, lighting, and other nuisance regulations shall apply;
2. The applicants shall comply with any Wyoming Department of Transportation rules with regard to access and parking along US Highway 14, which may include applying for additional permits;
3. The applicants shall submit a formal response from Park County Public Works prior to review by the Board of County Commissioners;
4. The applicants shall comply with all State and Federal rules, including but not limited to ATF, IFC, NFPA, and State statutes with regard to storage, distribution, disposal, launching and demonstration of both consumer and display fireworks on the property;
5. The applicants may store consumer fireworks in bulk on the property, in the existing 9,600-square-foot warehouse building and in no more than forty (40) 8'x40' storage containers;
6. All structures used to store fireworks on the property, with the exception of the existing warehouse structure, shall be a minimum of 100 feet from the property

boundary and a minimum of 100 feet from any future residential structure on or off of the property;

- 7. Individual structures/containers used to store fireworks on the property each require an appropriate Building/Zoning Permit prior to construction or placement;
- 8. The launch/demonstration of consumer fireworks is prohibited within 150 feet of occupied space or structures;
- 9. The applicants shall not utilize the property for retail sales purposes, or operate a storefront on the property, at any time;
- 10. The applicants shall comply with conditions of the Park County Weed and Pest;
- 11. Any change in the use to include, but not limited to, expansion of storage or business facilities, retail sales, manufacturing, etc., shall require an amended SUP or new SUP, if permissible;
- 12. The applicant shall designate and identify the parking area on the site plan to be used for vendor demonstrations on the property; and
- 13. The applicants shall otherwise comply with standards in the Park County Development Standards and Regulations.

ADOPTED by the Planning & Zoning Commission this 16th day of February, 2022.

**PLANNING AND ZONING COMMISSION
PARK COUNTY, WYOMING**

ATTEST:


Kimberly Brandon-Wintermote, Chairman


Jennifer Cramer, Planning Technician

PLEASE SIGN IN
PLANNING and ZONING COMMISSION
REGULAR MEETING
February 16, 2022

The Saddle Salon SUP-228
 Skip's Auto SUP-230
 Good SUP-227

	Please PRINT your name	Name of the HEARING OF INTEREST	DO YOU WISH TO SPEAK
1	Scott Lewis	Hart SUP	X
2	Brianne Phillips	Skip's Auto	yes
3	Ron Hart	Skip's Auto	no
4	SKIP HART	SKIP AUTO	no
5	Kenton & Murray	SKIP'S AUTO	?
6	Charity Haukaas	The Saddle Salon	?
8	Carol Jupp	Good SUP	X
9	Chris Good	Good SUP	
10	Mirna Good	Good SUP	X
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Park County Planning & Zoning Department

1002 Sheridan Avenue, Suite #109

Cody, Wyoming

(307) 527-8540

PARK COUNTY PLANNING & ZONING COMMISSION

Meeting **1:00 P.M., Wednesday, February 16, 2022** in the Alternate Emergency Operating Center (EOC Room), basement of the Courthouse Addition
1002 Sheridan Ave. Cody, WY.

This is a regular meeting of the Park County Planning & Zoning Commission open to the public. For more information please contact the Park County Planning & Zoning Department at 527-8540, 754-8540, or 1-800-786-2844.

APPROVAL OF MINUTES

Approve minutes from January 19, 2022 meeting.

REGULAR AGENDA

[PUBLIC HEARING – The Saddle Salon SUP-228](#)

[PUBLIC HEARING – Skip's Auto SUP-230](#)

[PUBLIC HEARING – Good SUP-227](#)

OTHER BUSINESS

1. Chair's Report
2. Planning Director's Report

ADJOURN

[Regulation Amendment Workshop](#)