PLANNING and ZONING COMMISSION MEETING
DOUGLAS CITY HALL, DOUGLAS, WYOMING
JANUARY 20, 2020
REGULAR MEETING – 5:30 P.M.

PLANNING AND ZONING COMMISSION MEETINGS ARE RECORDED AND BROADCAST LIVE ON CABLE CHANNEL 61.

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 JANUARY 27, 2020. 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 JANUARY 20, 2020

V. APPROVAL OF THE MEETING MINUTES FOR NOVEMBER 18, 2019

VI. PLANNING AND ZONING MATTERS

A. CUP 01-20: Application by Quentin Toone for a Short-Term Rental in an R-1 Neighborhood Residential Zoning District at 740 S. 6th Avenue (Town of Douglas, Block 59, South ½ Lot 6)

VII. STAFF REPORT-CITY COUNCIL ACTION ON FORWARDED ITEMS

A. CCSUB 05-19: Application by Mark E. and Katherine L. Roberts for Roberts Subdivision, a Minor County Subdivision at 25 Powder River Road
B. CUP 06-19: Application by Jacobson Law Office for the Operation of a Professional Office at 204 N. 5th Street

VIII. OTHER BUSINESS

A. Election of Chairman and Vice Chairman

ADJOURNMENT
Call To Order
Chairman Johnston called the Douglas Planning and Zoning Commission to order at 5:30 P.M. In response to the Chairman’s request for roll call, the following were found present:

Members Present: Carol Johnston
Jay Hancock
Blake Palmer
Robin Velasquez
Becky Renstrom

City Staff Present: Clara Chaffin, Community Development Director
Sherri Mullinnix, Planning Technician
Gary Schwarz, IT Director

Agenda
Chairman Johnston introduced the agenda. Commissioner Renstrom moved to accept the agenda. Commissioner Palmer seconded the motion, and the motion carried 5-0.

Minutes
Chairman Johnston introduced the minutes of the August 19, 2019, meeting. Commissioner Hancock made a motion to accept the minutes. Commissioner Renstrom seconded. The motion carried 5-0.

Planning & Zoning Matters

A. CCSUB 05-19: Application by Mark E. and Katherine L. Roberts for Roberts Subdivision, a Minor County Subdivision at 25 Powder River Road
Chairman Johnston introduced the item and invited Director Chaffin to speak to the application. Chaffin spoke to the City’s review of subdivisions in the one-mile area as required by State Statutes; and outlined the location, size, and existing land use of the proposed county subdivision. The stated intended use is to create five lots accessed by Powder River Road, a sixty (60) foot wide private road and utility easement, ranging in size from 5.09 to 10.30 acres for the purpose of industrial development. Ten (10) foot wide
utility easements and thirty (30) foot wide access and utility easements would service all lots. Water and sewage disposal would be provided by private wells and septic systems. The location is in the Planning Area, as designated in the City of Douglas Master Plan, adopted in 2014. Land included in this area is anticipated to be a possible site of annexation within a 20-30 year period, making long range impacts to the property important to future City growth needs. Additionally, the site is visible from the State Highway 59 Bypass, influencing the perceptions by travelers to the community. Given the size of the lots and the proximity to other industrial development and the stated purpose of the subdivision, the city’s strong preference would be for any activity to be developed in a manner similar to City of Douglas I-Industrial zoning standards. The 2015 Converse County Land Use Plan specifies industrial development to be “industrial activities, general manufacturing, processing, assembly, bulk handling of products, large storage requirements, and heavy trucking”, while being “compatible with surrounding area” with “adequate buffering provided” and “nuisances and hazards minimized”. Consideration should be given that activities generally associated with a City of Douglas I-Industrial zone have proven to have negative consequences to neighboring residential properties and to the perception of the community from travelers entering the city. Staff recommended approval of the application with reservations as to future development of the property given the lack of county zoning regulations.

Commissioner Palmer made a motion to recommend approval of the application for the Roberts Subdivision in Converse County to the City Council with staff reservations and Commissioner Hancock seconded. There being no discussion, Chairman Johnston called for the vote, and the motion passed unanimously 5-0.

B. CUP 06-19: Application by Jacobson Law Office for the Operation of a Professional Office at 204 N. 5th Street
Chairman Johnston opened the public hearing at 5:37 PM and introduced the item and invited Director Chaffin to speak to the application. Chaffin identified the applicant, location, lot size, zoning, and surrounding land uses. The property was originally built as a single-family home in 1901 and functioned as such until 2014 when it was converted into a law office. The requirement for a conditional use permit was overlooked by the owner and city staff until recently. The permit would bring the use into compliance with Municipal Code. Staff recommended approval of the application. In the absence of the applicant and there being no public comment, Chairman Johnston closed the hearing at 5:40 PM.

Chairman Johnston called for a motion. Commissioner Renstrom made a motion to recommend approval of the application to the City Council and Commissioner Velasquez seconded. There being no discussion, Chairman Johnston called for the vote and the motion passed 5-0.

Staff Report - City Council Action on Forwarded Items

A. CCSUB 04-19: Application by PRB Holdings, LLC for Powder River Industrial Park, a County Subdivision at 12 Powder River Road

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Chaffin informed the Commission that the City Council had approved the county subdivision, and that Council had further directed staff to contact the Wyoming Department of Transportation regarding safety concerns given the increased traffic from additional industrial subdivisions in the vicinity. WYDOT has implied that work will occur next year to address the issue.

**Adjournment**
There being no other business, Chairman Johnston called for a motion to adjourn the meeting. A motion to adjourn was made by Commissioner Renstrom and seconded by Commissioner Hancock. With a unanimous vote of 5-0, Chairman Johnston adjourned the meeting at 5:42 P.M.

Chairman, Planning and Zoning Commission

Planning Commission, Secretary
CASE NUMBER: CUP 01-20

PREPARED BY: Sherri Mullinnix, Planning Technician

MEETING DATES: January 20, 2020 – Planning and Zoning Commission
January 27, 2020 – City Council

REQUEST: Conditional Use Permit, R-1 Neighborhood Residential Zone

PURPOSE: To operate a Short-Term Rental (Airbnb)

RECOMMENDATION: The Community Development Department recommends approval of the conditional use permit to allow the short-term rental of the accessory dwelling in an R-1 Neighborhood Residential zone at 740 South 6th Street.

VICINITY MAP: Short-term Rental, 740 South 6th Street
OWNER: Quentin Toone
740 S. 6th Street
Douglas, WY

LOCATION:

(1) Legal Description: Town of Douglas, Block 59, South ½ Lot 6

(2) General Location: The subject property is located on the northwest corner of Erwin Street and South 6th Street.

LOT SIZE: 4,200 SF

ZONING: R-1 Neighborhood Residential

EXISTING LAND USE: Residential: Long-term rental

PROPOSED USE: Residential: Short-term rental

SURROUNDING LAND USE:

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<tr>
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<tr>
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DESCRIPTION OF SITE AND SURROUNDINGS: The surrounding land uses are noted above. The subject property is surrounded by single family residential uses, with the exception
of Converse County School District #1 offices and the School District employees’ daycare to the east.

HISTORY: The structure was originally built in 1951 as an accessory dwelling and functioned as such for the majority of its history. The property was recently purchased by the applicant, who wishes to operate the dwelling as a short-term rental through Airbnb, rather than by a more traditional long-term lease. As the use is similar in nature, no additional impact to the neighboring properties is anticipated.

ZONING DATA: The property is currently zoned R-1, Neighborhood Residential. This district “is intended to provide for low-density, single-family residential development and to provide for such community facilities and services as will serve the area residents while protecting the residential character and quality of the area”. According to the Douglas Municipal Code, short-term rentals are permitted as a Conditional Use in an R-1 zone.

MASTER PLAN: The property is designated as part of the Downtown Neighborhoods subarea of the Central Douglas District. This area’s “desired condition combines the preservation of adjacent historic neighborhoods with new medical facilities. Existing buildings should be redeveloped in a manner that complements this emerging medical and downtown residential district. Areas such as the Eastern Wyoming College campus should be developed to meet specific community, education, housing, or economic development goals…”

![Central Douglas District Map](image)

STAFF RECOMMENDATION: The Community Development Department recommends approval of a conditional use permit to allow short-term rental of the accessory dwelling at 740 S. 6th Street, with the acknowledgment that it is specific to the applicant, Quentin Toone, and is not transferable to another owner and/or agent or location.