

1 **Planning & Zoning Commission Minutes**

2 January 15, 2019

3
4 This is a regular meeting of the Park County Planning & Zoning Commission held at 6:00pm in
5 the EOC Room of the County Courthouse at 1002 Sheridan Ave., Cody, WY.

6
7 **Commission Members Present:**

8 Marion Morrison, Chairman
9 Kimberly Brandon-Wintermote, Vice Chairman
10 Linda Putney
11 Duncan Bonine
12 Debora Smith

13
14 **Staff Present:**

15 Joy Hill, Planning Director
16 Kim Dillivan, Planner II
17 Patti Umphlett, Planner I
18 Jolene Brakke, Office Assistant III
19 Mary McKinney, Weed and Pest
20 Brian Edwards, County Engineer

21
22 Chairman Morrison opened the meeting at 6:00 pm.

23
24 **ELECTIONS**

25 Commissioner Putney made a MOTION to have Marion Morrison continue as Chairman and
26 Kimberly Brandon-Wintermote as Vice-Chairman. SECOND by Commissioner Bonine. All in
27 favor. Motion carried.

28
29 **APPROVAL OF MINUTES**

30
31 Chairman Morrison asked the Board for comments or changes to the December 18, 2018 meeting
32 minutes. Commissioner Brandon-Wintermote asked if Staff could reference items that are lettered
33 in resolutions using "item [letter]" within the minutes to make it look less like a typo. A MOTION
34 was made by Commissioner Putney to approve the minutes as amended to add "item" to letter
35 references; the motion was SECONDED by Commissioner Brandon-Wintermote to approve the
36 minutes as corrected. Motion was carried unanimously.

37
38 **REGULAR AGENDA**

39
40 **PUBLIC HEARING – Kromrey Major Subdivision Sketch Plan Review:** Cody and Dawn
41 Kromrey request consideration of a sketch plan for a major subdivision comprised of two lots,
42 each containing 1.03 acres, to be designated for residential use. The subdivision is located along
43 Ridge Road in Westridge Estates, S1/2 Lot 5, T55N, R100W of the 6th P.M., Park County,
44 Wyoming, in a GR-P (General Rural Powell) zoning district.

45
46 Chairman Morrison opened the public hearing at 6:02 pm, reviewed the rules of a public meeting
47 and introduced the Board and Staff.

48
49 There being no comments from the Commission, Kim Dillivan, Planner II, presented the Staff
50 Report. Very slow percolation rates have been found on this parcel, therefore DEQ required a
51 constructed wetland for the residence recently built on the subdivision parcel.

52
53 Chairman Morrison asked if the Commission had questions for Staff.

54 • Commissioner Putney referenced page 6, lines 231-232, and she asked for clarification of
55 the DEQ recommendation for construction of a constructed wetland on Lot C and
56 wondered if it was also recommended on Lot D. Kim said that new perc tests will be
57 required for Lot D at the time a septic system is proposed.

58
59

Chairman Morrison asked if the Applicant had any questions or comments.

60 • Mr. Scott Lewis, agent to the applicant, added that they have submitted a plan to
61 Shoshone Irrigation District to detach water rights; he anticipates their response soon.

62
63

Chairman Morrison asked if any commission members had questions for the applicant.

64 • Chairman Morrison asked about the restriction on septic due to tight soils and if there will
65 be enough room and setback from wells for replacement systems in the future. Mr. Lewis
66 said water is brought in from Northwest Rural Water District so there are no well setbacks
67 to be concerned with. Mr. Lewis said they have a full acre in each case to allow room for
68 replacement systems.

69 • Chairman Morrison mentioned that the drawings provided were difficult to read and asked
70 for clarification of some of the lines on the drawings. Mr. Lewis approached a large print-
71 out of the sketch and clarified some of the easements.

72
73

Chairman Morrison asked for public comment. Mary McKinney from Weed and Pest mentioned
74 that the landowners have been doing well with handling weeds on the property. There were no
75 additional comments from those in attendance.

76
77

Commissioner Bonine made a MOTION to close the hearing at 6:22pm; SECONDED by
78 Commissioner Brandon-Wintermote. The motion was carried unanimously.

79
80

Chairman Morrison asked commission members if they had any discussion. Commissioner
81 Brandon-Wintermote asked if a long-term noxious weed plan has been submitted to which Mary
82 McKinney said yes. Commissioner Putney asked to change Item L on page 1 to “has been
83 submitted” and on page 2, strike Item 2 in the conditions since the plan has been submitted.

84
85

Commissioner Putney made a MOTION to approve Resolution 2019-1 with the changes
86 discussed and the following conditions:

- 87 1. The applicant shall provide all easements as requested by applicable utilities and special
88 districts, irrigation districts or public agencies providing services. The width of any utility
89 easement shall be sufficient to allow adequate maintenance of the system, but in no case
90 shall such utility easement be less than 20 feet in width. Easements must be identified on
91 the plat;
- 92 2. The applicant shall otherwise comply with standards in the Park County Development
93 Regulations and the minimum subdivision requirements as set forth in Wyoming Statute
94 18-5-306.

95 Motion was SECONDED by Commissioner Bonine. All in favor. The motion carried. See
96 Resolution 2019-1 attached hereto and incorporated herein.

97
98

PUBLIC HEARING – Shumard Minor Subdivision - 26: Brian K. Shumard requests
99 consideration of the sketch plan for a subdivision comprised of 3 lots: one 9.45-acres; one 7.18-
100 acres and one 10.37-acres, to be designated for residential use. This parcel is located at 812
101 Road 19, Powell, WY, in Lot 12, Sec 7, T55N, R100W of the 6th P.M., Park County, Wyoming, in
102 a GR-P (General Rural Powell) zoning district.

103
104

Chairman Morrison opened the public hearing at 6:27pm.

105

106 There being no comments from the Commission, Kim Dillivan, Planner II, presented the Staff
107 Report. Kim added that a water analysis and well permits were provided to the Planning
108 Department since packets were sent to the Commission. An irrigation plan was sent to the
109 irrigation district.

110
111 Chairman Morrison asked if the Commission had questions for the Staff.
112 • Commissioner Bonine asked why the water quality report was obtained from a neighboring
113 well and not the current lot. Staff was unable to answer.
114 • Commissioner Putney asked about the letter from the Small Wastewater Administrator
115 that was not included in the Commission packet. Kim read the letter indicating that
116 information provided by the applicant suggests that enhanced septic systems may be
117 required for future systems. Groundwater was located at 7 feet of depth.
118

119 Chairman Morrison invited the applicant to make statements about his application.
120 • Mr. Scott Lewis, agent to the applicant, said the biggest issue on the subdivision is working
121 with the local landowners and irrigation district to address water rights. They intended to
122 do a water distribution plan to distribute water between the three lots; there is an issue
123 getting water from the adjacent property to these lots. There is a draft water distribution
124 plan, but it cannot be finalized until it is determined how to get the water there. The
125 neighboring property was used for a well sample since he had an adjudicated well with a
126 permit, whereas Mr. Shumard's property did not have wells with permits. He didn't recall
127 that any of the results of the water analysis were concerning. Mr. Lewis also recognizes
128 the need to apply for permits to gain access to the lots. Notes will be on the plat about
129 high groundwater.
130 • Chairman Morrison asked where they are considering proposing access. Mr. Lewis
131 showed the locations expected on a map on display. Commissioner Brandon-Wintermote
132 asked for Mr. Lewis to provide clarification of the items on the sketch plan as they were
133 difficult to read on smaller print-outs. Mr. Lewis pointed out the location of the irrigation
134 pipe coming from the adjacent Wadman property. Commissioner Brandon-Wintermote
135 added that there is an easement along the southern portion of the property. County
136 Engineer, Brian Edwards, stepped up to point out the location of the easement and pointed
137 out an error in the letter of response from his department – there is a total of a 40-foot
138 easement.
139 • Commissioner Putney asked if the garage and pond are in the easement. Mr. Lewis said
140 there is possibly a two-foot encroachment; he said he can move the easement to the north
141 but he will speak with the applicant to see how it can be modified; he also added that the
142 "pond" is not really an apparent pond and he is unsure as to why it is there.
143 • Commissioner Putney asked if the distribution plan has to be sent to the state. Mr. Lewis
144 said the irrigation district wants everything done by sprinkler only. They do plan to submit
145 their plan to the state.
146

147 Chairman Morrison asked for public comment by those in attendance. Mary McKinney of Weed
148 and Pest did complete the initial inspection. There were some minor noxious weeds present, but
149 due to the potential for development and dirt movement a long-term noxious weed plan will be
150 required. County Engineer, Brian Edwards, added that last summer major improvements were
151 made to the roads and the roads exceed the needs of anticipated traffic; he added that if they
152 could use the existing access off of Lot 3 it would help to reduce the number of accesses coming
153 off of county roads. Mr. Lewis said the request was not unreasonable.

154 • Dave Wadman, neighbor, shared a few concerns. He said he paid for the permit to have
155 an existing access and he has a cattle guard that would need to be removed if access is
156 created per the County Engineer's request. He also said he has been talking with the
157 surveyor, applicant and irrigation district about the water issues. He said water issues are
158 worse in July when water is tight; he wants to make sure the water issues are addressed

159 before the subdivision is finalized. He also wanted to mention that when Glatter split the
160 property he did not put in a wastewater ditch. Chairman Morrison said the Heart Mountain
161 Irrigation District meets on February 12th. Mr. Wadman said the work was not done as part
162 of the subdivision process previously done; Chairman Morrison added that it is not the
163 commission's job to ensure that the irrigation district is doing their job to deliver the water.
164 Mr. Wadman said the adjacent lot to the south of him, because his ground is not flat, the
165 water runs into his property, over his driveway and into the waste ditch that does not
166 exist/was not put in place. He is very concerned about delivery of water to the three lots
167 proposed.

- 168 • Tyler Weckler, district manager for Heart Mountain Irrigation District, said their regulations
169 state that their board has to approve water rights delineation and that process is not yet
170 complete. He also asked that we confirm his email address and contact information are
171 correct with the Planning and Zoning Department.
- 172 • Brian Edwards said the access is not a show-stopper for the County; he adds there is
173 plenty of road frontage, but whenever possible they do try to reduce the number of road
174 accesses.
- 175 • Mr. Wadman asked if, at a property closing, there should be a checklist of important things
176 to consider about the property. Mr. Weckler said their board requires approval of
177 regulations and he works with Landis Webber from the state. The Planning Director added
178 that land buyers need to take a bit more responsibility before purchasing a parcel to
179 research existing records and plats that may have conditions. Mr. Wadman said he would
180 like to see more protection for the buyer.
- 181 • Steve Riemer from Garland Light and Power said both of the subdivisions under
182 discussion this evening are under Garland Light and Power and not Rocky Mountain
183 Power as stated in the staff report.

184
185 There being no further discussion, Commissioner Smith made a MOTION to close the public
186 hearing at 7:25pm; SECONDED by Commissioner Brandon-Wintermote. The motion was carried
187 unanimously.

188
189 Chairman Morrison asked if there was any further discussion. Commissioner Brandon-
190 Wintermote said there were a lot of issues that require additional clarification, consensus between
191 parties and she would recommend continuing the hearing.

192
193 Commissioner Putney made a MOTION to reopen the public hearing at 7:28pm. SECOND by
194 Commissioner Brandon-Wintermote. All in favor.

195
196 Commissioner Putney said she would like to see the irrigation issues fixed, weed and pest plan,
197 utility provider and rights-of-way hashed out. Mr. Lewis added that the irrigation issues are being
198 addressed and Mr. Wadman concurred; Mr. Wadman also said the road-entry issue concerns
199 him. Mr. Lewis said he received a response from Rocky Mountain Power. He does not feel that
200 the concerns presented should be conditions of Sketch Plan Review and instead should be
201 included as a condition or requirement for the Final Plat. Chairman Morrison said this is the
202 Commission's last chance to see this; she feels it is important to send a complete package with
203 issues ironed out to the Board. When there are many issues, she feels it is reasonable to send a
204 better package to the Board. Mr. Weckler said he appreciates the extra scrutiny since his board
205 only meets once per month.

206
207 Commissioner Brandon-Wintermote made a MOTION to continue the hearing for the Shumard
208 Minor Subdivision-26 to February 19, 2019. SECOND by Commissioner Putney. No further
209 discussion. All in favor. Motion passed.

210

211 **PUBLIC HEARING – Tri-State Iron Creek Major Utility Use SUP – 174 with Site Plan Review:**

212 Tri-State Generation and Transmission Association requests consideration of a Special Use
213 Permit for a Major Utility Use. The proposed project consists of a substation to be placed on Lot
214 2 of the LaFollette Simple Subdivision (currently owned by Christopher K. Cooley), located south
215 of State Highway 14A, T55N, R100W of the 6th P.M., Park County, Wyoming, in a GR-P (General
216 Rural Powell) zoning district. Associated with this use is the construction of a transmission line
217 approximately 3.3 miles in length covering 40 acres within a 100-foot right-of-way.

218
219 Chairman Morrison opened the public hearing at 7:36pm.

220
221 There being no comments from the Commission, Kim Dillivan, Planner II, presented the Staff
222 Report. Kim added that Weed and Pest comments were received since packets were sent to
223 commission members and noxious weeds were found present. A long-term noxious weed plan
224 will be required.

225
226 Chairman Morrison asked if the Commission had questions for the Staff.

- 227 • Commissioner Brandon-Wintermote asked how far the substation will be off of the
228 highway. Staff was unable to answer. Chairman Morrison asked how large the pad would
229 be for the substation. Kim recalled 5 acres of impact, though he deferred to the applicant
230 for further clarification.

231
232 Chairman Morrison asked if staff present had any comments.

- 233 • Brian Edwards said they received a storm water management plan and were satisfied with
234 the runoff and erosion control plan. The applicant addressed best management practices.
- 235 • Mary McKinney said the county will ensure that they are following best management
236 practices for weed management. Mary has further work to do to review the project sites,
237 but she said keeping equipment clean and stockpiling material will really help to keep
238 down the spread of weeds.

239
240 Chairman Morrison invited the applicant to make statements about the application.

- 241 • Diana Leiker from Tri-State Generation and Transmission Association shared a brief
242 presentation summarizing the project. An existing power line is fully utilized, and aging
243 infrastructure is unable to serve customer needs in the region. The substation will be on
244 1.5 acres.
- 245 • Brian Edwards asked about access on private and public lands. Diana added that they will
246 not add roads if they don't need to. He asked about health impacts from the transmission
247 lines. Diana said she doesn't believe there is a formal standard; she said the right-of-way
248 is 100ft and the EMF really drops off outside of the right-of-way.
- 249 • Chairman Morrison asked about the energy load; Garland representatives said the line
250 will be able to support high capacity. Chairman Morrison also asked how they will tie back
251 into the Garland lines. It will tie in with existing lines along Hwy 14-A. Chairman Morrison
252 was surprised we didn't hear back from Game and Fish. Diana said avian species will be
253 protected by diverters on the structures and lines. There will be no guy wires. Chairman
254 asked if the pad is concrete or gravel. Diana said the pad will be concrete with gravel
255 around it. Chairman Morrison asked about the detention pond. Diana said it is to catch
256 storm water and release it slowly. No oil will be contained here – there is heavy duty
257 containment for the transformer oil.
- 258 • Chairman Brandon-Wintermote asked how far off of the highway the substation will set.
259 Diana pointed out on the map.
- 260 • Chairman Morrison asked if any water rights exist on the piece and if they will be
261 relinquished. Representatives were unsure.
- 262 • Chairman Morrison asked about the remoteness of the site. She also asked about signage
263 – there will be signage on the fence. She asked if the structures are standard design –

264 Diana said they are. Chairman Morrison asked if the structures were reviewed for wind
265 resistance by an engineer due to strong winds in the area. Diana was unsure of what the
266 engineer had considered in that respect.

- 267 • Commissioner Putney asked what a pull site is – Diana said they are temporary locations
268 where they pull the wires during construction and they have temporary easements for
269 those sites. Commissioner Putney asked if Brian approved of the runoff plan and he said
270 he did.
- 271 • Commissioner Bonine asked about there being no owner signatures on the application.
272 The Planning Director explained that the application package included a copy of the
273 contract which very clearly stated the Planning and Zoning was given permission to go
274 through the permit approval process.
- 275 • Commissioner Putney asked about BOR/BLM approvals. It will be up to the applicant to
276 secure and permissions they need from those entities, if any.

277
278 Chairman Morrison asked for public comment by those in attendance. There being no further
279 discussion, Commissioner Brandon-Wintermote made a MOTION to close the public hearing at
280 8:28pm; SECONDED by Commissioner Bonine. The motion was carried unanimously.

281
282 Chairman Morrison asked if there was further discussion. Commissioner Smith asked about
283 rewording item 20 on page 2 to show "has been submitted and approved." Commissioner Putney
284 asked about adding requirement for BLM approval and a change to item 15 on page 2 the word
285 should be "provided." On item 13, Chairman Morrison wanted the addition of "according to
286 applicable regulations." Condition changes to remove #3 and #5. Add the weed and pest long-
287 term weed and pest noxious weed plan following best management practices.

288
289 Commissioner Branden-Wintermote made a MOTION to approve Resolution 2019-2 with
290 conditions as follows:

- 291 1. Park County noise, lighting and other nuisance regulations shall apply;
- 292 2. An approved permit from WYDOT approving access from Hwy 14-A to the
293 substation parcel is required prior to SUP review by Park County Commissioners;
- 294 3. A ROW permit from Public Works, for access from County Lane 14, is required
295 prior to SUP review by Park County Commissioners;
- 296 4. The applicant shall otherwise comply with standards in the Park County
297 Development Standards and Regulations.
- 298 5. A long-term noxious weed plan following best management practices must be
299 submitted and approved by County Weed and Pest prior to review by the Park
300 County Commissioners.

301
302
303 SECONDED by Commissioner Putney. The motion was carried unanimously. See Resolution
304 2019-2 attached hereto and incorporated herein.

305
306 OTHER BUSINESS

- 307 1. Chair's Report
 - 308 • Chairman Morrison sought clarification on water rights submission requirements
309 for subdivisions. Recent discussions with contacts at the State Engineer's Office
310 and Board of Control have led to the understanding that "irrigation is irrigation." If
311 a person changes the use of their land from ag to residential and goes from using
312 water for watering ag land to watering lawns and gardens, it is still considered
313 irrigation and does not constitute a change in use. State regulations only require
314 review of subdivisions over 5 lots, however County regulations allow for review to
315 some degree on all subdivisions, dependent upon the conditions proposed for

316 water use. The Board of Commissioners has been vocal about not wanting to
317 burden subdividers unnecessarily with lengthy and expensive state reviews.

318 2. Planning Director's Report

- 319 a. Status of regulation amendments – moving along. Reformatting of the document
320 was time-consuming, however it is complete. The document is much smoother and
321 easier to navigate. At this time the subdivision section is being reorganized and
322 evaluated with zoning to follow. Progress is fairly rapid at this point, so we hope to
323 be announcing a review in the near future.
- 324 b. Short-term rentals – The Board of Commissioners asked the P&Z Commission for
325 input on the agenda for a February 21st work meeting related to short-term rentals.
326 Commission members indicated that they would like to present some draft policy
327 language for the commissioners to consider, to be presented to the public for
328 comment in the regional planning area special meetings. P&Z wants a special
329 meeting to work on a policy draft. January 25 from 2-4pm in the law library.
- 330 c. The Planning Staff has developed some new permit applications in the hopes of
331 helping applicants to supply complete information up front, saving staff from having
332 to chase after them and clarify. So far, the building/zoning permit application, SUP
333 application and Septic Permit applications are complete. Floodplain permit
334 application is under review by our state flood insurance program coordinator and
335 subdivision applications will be done next.

336
337 There being no other business, a MOTION was made by Commissioner Brandon-Wintermote to
338 adjourn the meeting at 9:21pm. The motion was seconded by Commissioner Putney All in favor.

339
340 Respectfully submitted,

341
342
343



Jolene Brakke, Secretary

**RESOLUTION 2019 - 01
PARK COUNTY PLANNING & ZONING COMMISSION**

**TITLE: RECOMMENDATION TO APPROVE KROMREY MAJOR SUBDIVISION
SKETCH PLAN**

WHEREAS, Cody & Dawn Kromrey propose to create a two-lot major subdivision (each lot containing approximately 1.03 acres and intended for residential use) within Lot 5 of the Westridge Estates Subdivision, recorded in Book "C" of plats, page 138, in the records of the County Clerk and Recorder of Park County, State of Wyoming;

WHEREAS, the application and supporting documents are in substantial compliance with Park County Development Standards and Regulations pertaining to major subdivision sketch plans;

WHEREAS, the Planning & Zoning Commission held a duly noticed public hearing on January 15, 2019 to consider the sketch plan application and made findings as follows:

- a. The lots as configured conform to the GR-P zoning district, where they are located;
- b. All notice requirements have been met;
- c. There are no official wetlands, identified wildlife habitats or corridors on the property;
- d. Easements are shown on the sketch plan;
- e. There are no apparent or identified hazardous conditions on the lots;
- f. Cellular phone service is adequate in the area;
- g. Electricity, natural gas, and telephone facilities are adjacent to each lot;
- h. Fire protection is available via Fire District No. 1;
- i. Access to both lots will be from Ridge Road;
- j. NRWD currently serves proposed Lot 5C and is available to serve proposed Lot 5D;
- k. Shoshone Irrigation District has been notified of the proposed subdivision;
- l. An Authorization for Detachment of Water Rights has been sent to the State Engineer's Office;
- m. Powell-Clarks Fork Conservation District submitted a soils summary report indicating that soil conditions may limit the use of septic adsorption fields and dwellings with basements;
- n. Municipal review is not required;

- o. The property has an existing permitted septic system (constructed wetland) on proposed Lot 5C which was reviewed by DEQ and permitted by Park County (10/16/2018);

WHEREAS the Planning & Zoning Commission concludes the proposed subdivision 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 2015 Park County Development Standards and Regulations;

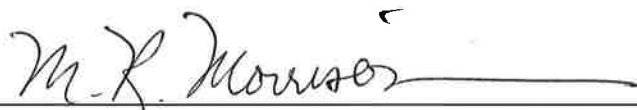
NOW, THEREFORE, BE IT RESOLVED based on the foregoing, the Planning & Zoning Commission hereby recommends approval of the sketch plan for the Kromrey Major Subdivision, subject to the following conditions:

1. The applicant shall provide all easements as requested by applicable utilities and special districts, irrigation districts or public agencies providing services. The width of any utility easement shall be sufficient to allow adequate maintenance of the system, but in no case shall such utility easement be less than 20 feet in width. Easements must be identified on the final plat;
2. The applicant shall otherwise comply with standards in the Park County Development Regulations and the minimum subdivision requirements as set forth in Wyoming Statute 18-5-306.

ADOPTED by the Park County Planning & Zoning Commission this 15th day of January, 2019.

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

ATTEST:



Marion Morrison, Chair



Jolene Brakke, Secretary

**RESOLUTION 2019 – 02
PARK COUNTY PLANNING & ZONING COMMISSION**

**TITLE: RECOMMEND APPROVAL OF TRI-STATE IRON CREEK
MAJOR UTILITY USE SUP-174 WITH SITE PLAN REVIEW**

WHEREAS, Tri-State Generation & Transmission Association, Inc. has applied for a Special Use Permit with Site Plan Review to allow the construction and operation of an electrical substation located on 5 acres within a 22.43-acre parcel approximately one mile southwest of Ralston on the south side of Hwy 14-A, and the construction and operation of an electricity transmission line spanning approximately 3 miles.

WHEREAS, this project is defined by Park County as a Major Utility Use: **electric transmission lines**, power plants, **substations of electrical utilities**, solid waste disposal facilities, wastewater treatment plants, water treatment plants, water storage tanks, communication towers over 35 feet in height, commercial wind projects, private wind turbines over 35 feet in height, pipelines and storage areas of utilities providing natural gas or other petroleum derivatives, amateur radio antennas over 35 feet in height, and more than 2 microwave dishes in one location.

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, 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 January 15, 2019 to consider the Special Use Permit and Site Plan Review Application and found the following:

1. Legal notice requirements were met, including notice to property owners within 660 ft. of property boundary;
2. The application was forwarded to agencies as required;
3. The owner of the 22.43-acre parcel is Christopher K. Cooley;
4. Christopher K. and Madilynne Cooley have consented to the filing of this SUP application with Park County;
5. The property lies within a GR-P zoning district which allows Major Utility Uses, provided a Special Use Permit is approved;
6. Given more than one acre of land will be utilized, a Site Plan Review is required;
7. The applicant states that the project will not result in permanent impacts to wetlands, migratory birds, soils, big game or cultural resources and has committed to a comprehensive set of environmental protection measures. The applicant is locating the transmission line to minimize impacts to wetlands and the Shoshone River;

8. The applicant states that impacts from noise and light will be minimal.
9. There will be access from a state highway. An existing vehicular access to this switchyard will be improved to provide for construction, operation, maintenance and emergency access to the proposed switchyard.
10. No public parking area or room for traffic circulation is planned beyond the accessibility necessary for maintenance and emergency response vehicles;
11. The applicant states the site will not be permanently staffed, therefore, no domestic water will be installed at the site;
12. The applicant states the site will not be permanently staffed, therefore, no septic system is proposed;
13. Any solid waste produced at the site will be immediately removed from the site and transported to an appropriate facility for disposal according to applicable regulations;
14. Any hazardous substances or materials that are produced, stored or handled onsite will be handled according to state and federal regulations;
15. Electricity for construction activities will be provided by generators;
16. Fuels required for construction activities will be stored on-site;
17. Some material for construction of the substation and transmission line will be stage on-site and within easement boundaries;
18. Legal access from Hwy 14-A requires an access permit from WYDOT;
19. Park County Fire Protection District #1 serves this area;
20. A runoff and erosion control plan has been submitted and approved;
21. The parcel is not located in an overlay district;
22. The transmission line will span a floodplain; however, no transmission towers will be placed in the floodplain;
23. There are no special site plan standards;
24. Parking standards do not apply;
25. No nuisances have been observed or reported on the property;
26. Lighting is not necessary for substation operation; however, outdoor lighting may be placed around facility perimeter for use during inspections and maintenance. Lighting will be directed downward;
27. The structure proposed on the application must conform to building setback requirements and requires a building permit prior to construction.

WHEREAS, the Planning & Zoning Commission concludes the Special Use Permit and Site Plan Review 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 Park County Planning & Zoning Commission hereby recommends approval of the Special Use Permit and Site Plan Review for Tri-State Iron Creek Major Utility Use SUP-174, subject to the following conditions:

1. Park County noise, lighting and other nuisance regulations shall apply;
2. An approved permit from WYDOT approving access from Hwy 14-A to the substation parcel is required prior to SUP review by Park County Commissioners;
3. An approved long term noxious weed control plan is required prior to SUP review by Park County Commissioners, and the applicant must follow Best Management Practices for controlling the spread of noxious weeds;
4. A ROW permit from Public Works, for access from County Lane 14, is required prior to SUP review by Park County Commissioners;
5. The applicant shall otherwise comply with standards in the Park County Development Standards and Regulations.

ADOPTED by the Planning & Zoning Commission this 15th day of January, 2019.

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


Marion Morrison, Chair

ATTEST:


Jolene Brakke, Secretary



Park County Planning & Zoning Department

1002 Sheridan Avenue, Suite #109

Cody, Wyoming

(307) 527-8540

PARK COUNTY PLANNING & ZONING COMMISSION

Meeting **6:00 P.M.**, Tuesday, January 15, 2019 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.

ELECTION OF OFFICERS

APPROVAL OF MINUTES

Approve minutes from December 18, 2018 meeting.

REGULAR AGENDA

[PUBLIC HEARING – Kromrey Major Subdivision Sketch Plan](#)

[PUBLIC HEARING – Shumard MS-26 Sketch Plan](#)

[PUBLIC HEARING - Tri-State Iron Creek SUP-174](#)

OTHER BUSINESS

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

ADJOURN

PLEASE SIGN IN

PLANNING and ZONING COMMISSION MEETING

January 15, 2019

		Kromrey Major Subdivision Sketch Plan	
		Shumard MS-26 Sketch Plan	
		Tri-State Iron Creek SUP-174	
	Please PRINT your name	Name of the HEARING OF INTEREST	DO YOU WISH TO SPEAK
1	Dave wadman	Shumard	
2	Steve Reimer	Tri State	
3	Molly Lynn	Tri State	
4	Jerry Thompson	Tri State	
5	Deuse Glibbars	Tri-State	N
6	Diana Leiker	Tri-State	X
8	Steve Gray	Tri-state	
9	Mary McKinney	any/all	
10	BRIAN EDWARDS	ALL	IF NEEDED
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