

1 **Planning & Zoning Commission Minutes**
2 February 18, 2020
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 Richard Jones
11

12 **Staff Present:**

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

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

22 **APPROVAL OF MINUTES**

23
24 Chairman Morrison asked the Board for comments or changes to the January 21, 2020 meeting
25 minutes. A MOTION was made by Commissioner Jones to approve the minutes; the motion was
26 SECONDED by Commissioner Brandon-Wintermote to approve the minutes as corrected. Motion
27 was carried unanimously.
28

29 **REGULAR AGENDA**

30
31 **PUBLIC HEARING – Lennon Major Sketch Plan:** Jason and Christine Lennon request approval
32 of a sketch plan proposing to vacate and re-subdivide Lot 13 of the Musser Subdivision #3 into
33 one 2-acre lot and one 3.99-acre lot, each for residential use. This parcel is located north of
34 Highway 14-16-20, approximately 2.6 miles east of Cody, with an address of 33 Musser Road,
35 Cody WY. The subdivision is located within a Rural Residential 2-acre (RR-2) zoning district.
36

37 Chairman Morrison opened the public hearing at 6:01pm, reviewed the rules of a public meeting
38 and introduced the Board and Staff.
39

40 There being no comments from Commission members, Kim Dillivan, Planner II, presented the
41 Staff Report. The Planning Director provided information related to the requirement for DEQ
42 review for the adequacy of the subdivision to support small wastewater systems. The Director
43 had spoken with DEQ and they confirmed that they will not conduct attenuated reviews on
44 subdivisions under 6 lots any longer. If submitted, DEQ will require the full Chapter 23 review
45 which is very costly and time consuming. The Director spoke with the Board of Commissioners
46 this morning and they agreed that staff may conduct the evaluations with the exception of
47 situations where complexities exist that would warrant DEQ review.
48

49 Mary McKinney mentioned that she conducted an inspection and did find noxious weeds. She will
50 require a Long-Term Noxious Weed Management Plan and has met with the applicants and
51 suggested some management practices.

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52 Chairman Morrison asked if any Commission members had questions for Staff.

- 53 • Chairman Morrison asked for clarification regarding whether DEQ would submit a letter
54 explaining that they no longer review anything under 6 lots for each project or would a
55 policy be adopted to not even ask. The Planning Director explained that DEQ won't
56 provide a letter at all, they will just refer to statute. Therefore, it will be the process moving
57 forward for Planning and Zoning staff to handle those reviews unless they are more
58 complicated, in which case they will then be forwarded to DEQ.
- 59 • Commissioner Jones mentioned that these evaluations would have been done during the
60 original subdivision process. The Planning Director stated that for this particular
61 subdivision (Musser #3) that was not the case as it had been created so long ago. It would
62 be a true statement for more recent subdivisions but would not always be the case.

63

64 Chairman Morrison asked if the applicant had any questions or comments.

- 65 • Christine Lennon said she has a letter from the school district that they can service the
66 subdivision as they do now. She added that when they bought the lot they attached to
67 Northwest Rural Water and in doing so, they confirmed that Black Hills Energy has a gas
68 line along the east lot line. She has been in touch with Jerry Bales with the irrigation district.
69 There are water rights on two sections. He is looking into how the rights are split and he
70 would like the irrigation pumps shown on the plat to be submitted to the state.

71

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

- 73 • Chairman Morrison asked if the Lennons are simultaneously seeking vacation from the
74 subdivision. Ms. Lennon indicated that yes, they would partially vacate. The Planning
75 Director explained that this is unclear both in the regulations and the State Statute. Any
76 time a lot is divided that is already in a platted subdivision, that is defined as a partial
77 vacation. So, it is necessary to vacate that lot as it is designed. This is due to the
78 regulations stating that a re-subdivision has to be handled as a new subdivision.
79 Chairman Morrison asked if vacation required signatures from all lot owners. The
80 Planning Director indicated that it is her understanding that vacation requires Board
81 approval but does not require all lot owners' signatures.
- 82 • Commissioner Brandon-Wintermote asked if the applicants would be required to vacate
83 before preliminary (plat review) or before final (plat review). The Planning Director
84 indicated that vacation is part of the overall approval. In approving the subdivision, the
85 partial vacation is therefore, approved.
- 86 • Commissioner Jones asked how vacation/partial vacation effects the existing subdivision
87 covenants and residents. The Planning Director explained that if it is felt there would be
88 any concerns from the other property owners within the subdivision being vacated, the
89 vacation process would be required to be approved and completed prior to the re-
90 subdivision process. However, in this particular case, this subdivision has had multiple
91 re-subdivisions occur without the proper process therefore, there would not be a
92 sustainable argument from the current residents against this split. Typically, with a re-
93 subdivision where it is felt it will be simple and no issues from the current subdivision
94 property owners, the process will run concurrently; partial vacation and re-subdivision. If
95 it is anticipated that there will be outcry from the subdivision property owners, the partial
96 vacation process will be required to be approved before the re-subdivision process is
97 started.

98

99 Chairman Morrison asked if there were comments from any members of the public.

- 100 - Mr. Randy Bailey on 6 Musser Road said that the county did not protect him against the
101 other splits that had occurred. His lot had been split before he bought it. He said other lots
102 were split with problems with perc. There is poor soil quality causing problems on other

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- 103 parcels. He spoke to the original builders of the homes out there and there is a
104 groundwater problem. He is concerned about no evaluation of soils. Kim Dillivan, Planner
105 II responded that there will be a subsurface evaluation required for this re-subdivision.
106 The Planning Director added that it is encouraged that subsurface evaluations be done at
107 times of high ground water for their own protection however, it is not required.
- 108 - Mr. Neil Treece is a nearby landowner. His house sits up on a hill looking down directly at
109 the land proposed to be split. He wants to make sure that covenants that apply to Musser
110 Road would apply to this property. Commissioner Brandon-Wintermote asked if there are
111 covenants or a road maintenance agreement – there are covenants and the county
112 maintains the road. Mr. Bailey added that the covenants have not been enforced. He can
113 basically split his lot down to one acre.
 - 114 - Commissioner Jones added that the County cannot enforce covenants.
 - 115 - Ms. Brandi Treece said she is just not sure what the direction is, what the plans for the lot
116 are. How will that affect their property values.
 - 117 - Commissioner Jones said if they sell the lot off to another owner, and that owner wants to
118 establish a use, it will have to come before Planning and Zoning.
 - 119 - Mr. Bailey said a neighbor would actually ask him to not irrigate. The land being split has
120 not been irrigated. The new owners may irrigate and cause a problem; potentially raise
121 the water table.
 - 122 - Mr. Jason Lennon said that they intend to rebuild. They plan to keep the secondary lot
123 and sell the lot with the house on it. As far as irrigation, they do have the rights. The whole
124 property has been irrigated in the past. They have the capability to do that.
 - 125 - Ms. Lennon added that they irrigate on the north side of the property. They have not had
126 issues with their septic system. They do plan to build on the new, vacant lot, uphill of where
127 the other home is. They have a basement and have had no issues with water. The second
128 lot is even more uphill and they don't anticipate having problems.
 - 129 - Commissioner Brandon-Wintermote asked about the existing covenants. Ms. Lennon said
130 she plans to adopt into the Musser covenants; keeping things minimal.

131
132 Commissioner Brandon-Wintermote mentioned the following:

- 133 - Add the condition of subsurface evaluation being required before preliminary plat.
- 134 - Add a condition regarding the vacation of the plat. After some discussion, it was
135 determined that the vacation is part of the process and not a condition of the process;
136 therefore, Commissioner Brandon-Wintermote withdrew this request.
- 137 - Commissioner Brandon-Wintermote asked Ms. Lennon if power is available to both lots.
138 Ms. Lennon said Rocky Mountain Power came out and said it would be a simple
139 attachment to connect.
- 140 - Commissioner Brandon-Wintermote read the recommended conditions to be as follows:
 - 141 1. The applicant shall provide all easements as requested by applicable utilities and
142 special districts, irrigation districts or public agencies providing services. The width
143 of any utility easement shall be sufficient to allow adequate maintenance of the
144 system, but in no case shall such utility easement be less than 20 feet in width.
145 Easements must be identified on the final plat;
 - 146 2. Postal service and mail delivery points must be identified prior to preliminary plat
147 review;
 - 148 3. School bus stop locations must be identified prior to preliminary plat review;
 - 149 4. A Long-Term Noxious Weed Management Plan must be approved prior to final
150 plat review;

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- 151 5. Subsurface evaluation must be provided to Planning and Zoning prior to
152 preliminary plat review;
- 153 6. The Cody Canal Irrigation District must be provided an irrigation plan for their
154 review and recommendations prior to preliminary plat review;
- 155 7. The Cody Conservation District must provide a soils report to the Planning and
156 Zoning Department prior to preliminary plat review;
- 157 8. Favorable access review (regarding proposed Lot 1) from Park County Public
158 Works must be provided to the Planning and Zoning Department prior to
159 preliminary plat review;
- 160 9. A water rights distribution plan must be submitted to and approved by the State
161 Engineer prior to final plat review; and
- 162 10. The applicant shall otherwise comply with standards in the Park County
163 Development Regulations and the minimum subdivision requirements as set forth
164 in Wyoming Statute 18-5-306.

- 165 - Chairman Morrison asked to clean up finding #31 to indicate that DEQ has declined review
166 based upon their statutory requirements and delegated the review to the Planning and
167 Zoning Department.
168

169 Commissioner Brandon-Wintermote made a MOTION to close the hearing at 6:48pm;
170 SECONDED by Commissioner Jones. The motion was carried unanimously.
171

172 Commissioner Brandon-Wintermote made a MOTION to approve Resolution 2020-04 with the
173 findings and conditions as discussed.
174

175 The motion was SECONDED by Commissioner Jones. The motion carried. See Resolution 2020-
176 04 attached hereto and incorporated herein.
177

178 **PUBLIC HEARING – Ravens Ranch Sketch Plan:** Angie Valcarce requests approval of the
179 sketch plan proposing a major subdivision comprised of eight lots: Lot 1 & 4 are 1.5 acres, Lots 2
180 & 5 are 1.8 acres, Lot 3 is 1.3 acres, Lot 6 is 3.2 acres, Lot 7 is 6.7 acres and Lot 8 is 8.2 acres.
181 The parcel being divided is southeast of Cody, less than 500 feet from city limits, west of Highway
182 120 South and north of the Spicer Subdivision and Reesy Road in Park County, WY. The property
183 has an address of 2799 Highway 120 South, Cody WY, and is located within Planned Unit
184 Development #3 (PUD-3).
185

186 Chairman Morrison opened the public hearing at 6:50pm.
187

188 There being no comments from Commission members, Kim Dillivan, Planner II, presented the
189 Staff Report.
190

191 County Engineer, Brian Edwards, said he worked with the applicant on rights-of-way and
192 shoulders for the proposed roads. He said there are still a few questions to work on regarding
193 turning radii for the hammerhead. Other than that, Public Works didn't have any concerns.
194 WYDOT's interest in coming off the highway and a traffic study may change things. The WYDOT
195 project kicked off today and they will be interested in this access.
196

197 Mary McKinney did conduct an inspection. The entire area had been disturbed. There is a
198 potential for some species of concern to have been moved throughout the parcel. They will need

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199 a long-term noxious weed management plan that will require cleaning of equipment before it is
200 moved off the site. It is one of a few places in the County that has chicory. That is of some concern.
201 She will assist the applicant with developing the plan and the best use of the PUD as well as
202 helping with the exempt parcel that they don't plan on developing. Some of the major infestation
203 of weeds is actually outside of the subdivision.
204

205 Chairman Morrison asked if any Commission members had questions for Staff.

- 206 • Chairman Morrison asked Brian Edwards about the corner lot requirements. Kim Dillivan
207 reviewed the regulatory requirements. Brian said Lots 1-6 have plenty of frontage and
208 spacing for access. As for the hammerhead, it still allows 60 feet for driveway access to
209 Lot 7. He has no concerns regarding corner lot access. There are some turning radius
210 issues to address based upon the commercial use, and this will also need to be addressed
211 with the fire marshal.
- 212 • Chairman Morrison asked about when we went to the different agencies about servicing
213 the subdivision, Northwest Rural Water District said the subdivision was residential. Patti
214 Umphlett said they are working on changing their report to reflect commercial use.
- 215 • Chairman Morrison asked about the wetland requirements. The Planning Director
216 mentioned that during pre-application the applicant was told that a letter from the Army
217 Corps of Engineers would be required indicating no adverse recommendation on the
218 wetlands. The applicant has since indicated that they had a wetland delineation done. No
219 statement from the Corps has been received.
220

221 Chairman Morrison asked if the applicant had any questions or comments.

- 222 • Angie Valcarce said it will never be 12 lots. It is the 8 lots. With respect to weed and pest
223 they have contacted Big Horn Horticulture to get a plan going this Spring to get some
224 things under control. There is a Geotech report on file with Planning and Zoning. A wetland
225 study was done and a copy can be sent to Planning and Zoning. Based on the study, the
226 Army corps sent an email that an Army Corps of Engineers permit would not be required.
227 The DEQ report is under way as well as the traffic study. She spoke with WYDOT about
228 the appropriate approach that would be needed. They have drilled test pits as part of the
229 DEQ requirements. She reached out to Bucky Hall today about his comment. She spoke
230 with him in the past about the Sage Creek Water line, she hadn't heard about it previously
231 because it was not on the title report. She asked at that time, if there is paperwork and he
232 said he had no idea. She searched county records to find information. It shows it running
233 from the county offices then down by Game and Fish and services Reesy Road and there
234 are 8-10 people on it. There is a shut-off south of her property that must run through the
235 property to the north property (Ben & Katie Williams). She said WYDOT said in the old
236 days people just put things in. They are doing test pits and assured that if they hit
237 something, they will do any repairs or provide easements. She doesn't know what to do
238 with it. Nobody knows where it is. She contacted Jerry Bales with Cody Canal to see if
239 there are any easements under the canal and he didn't know. She contacted Gary, who
240 was with Cody Canal previously, and he was unaware of any Sage Creek Water
241 easements. Bucky had called her back to apologize for his brash comments. He doesn't
242 know where the water line is, but he fears it runs through her property. He is on the water
243 line as well. She is open to working with the neighbors. She said Rocky Mountain Power
244 did a site visit last fall about running underground lines. She has since gotten an email
245 from them. Back in the 1990s when they went in to get the PUD, the Majestics just wanted
246 to offer business opportunities. There are complaints from fellow business owners that
247 there are not good pieces of land to have a small business. She wants to give people an
248 opportunity to run a business on her PUD.

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

- 250 • Chairman Morrison said she is curious about the water line. Who owns it? Ms. Valcarce
- 251 said Sage Creek Water Line, but she has no other information except that Bucky Hall is
- 252 the water master or manager.
- 253 • Chairman Morrison asked about the weed species and whether there are concerns about
- 254 timing. Mary said the only thing the owner could be doing right now is dealing with the
- 255 Russian Olive in various areas of the property. White top will be the first thing that shows
- 256 up, possibly in April. She will work with the applicant to get a written plan completed.
- 257 • Commissioner Jones sought clarification about how Weed and Pest is brought into the
- 258 process. Mary asked to have noxious weed plans as part of the parameters for regulated
- 259 disturbances because we realize that is when things get moved around.
- 260 • Ms. Valcarce asked if they work with Big Horn Horticulture, will Mary help with the plan.
- 261 Mary will check in with them and see how things are going.
- 262

263 Chairman Morrison asked if there were comments from any members of the public.

- 264 - Jalie Meinecke represents Ben and Katie Williams. She has some information on the water
- 265 line. Ben and Kate Williams own the property directly to the north of the proposed
- 266 subdivision. They have not submitted public comment as of yet. However, they have
- 267 initiated contact with Ms. Valcarce. They wrote them a letter on November 5, 2019. She
- 268 has copies for the Board, if needed. The primary concern is that the only potable water
- 269 source to the Williams' property is the Sage Creek Water Line and it runs right through the
- 270 Valcarce property. She said that the County is part owner in the line (joint venture
- 271 agreement from 1973). It was developed because at one time there was a joint water line
- 272 that was shut down because it became contaminated. All the users were notified that that
- 273 line would no longer be usable. At the time, Park County had land east of the highway and
- 274 were planning to put their shop out there. The owner of most of the property at the time,
- 275 Buchanan, drilled a well to be shared by the 6 users who were cut off. The joint venture
- 276 agreement says that the well would be drilled and Park County would share the expense.
- 277 On the third page, paragraph 5, it lists who all the parties would be. Park County would be
- 278 responsible for permitting the well with the state and also cause a centerline survey of the
- 279 right-of-way leaving the well to serve each of the properties. All properties will file an
- 280 easement to be 50 feet in width. She has been trying to locate the maps for two days. She
- 281 spoke with Ben McDonald in Public Works, and he said he was going to search for them.
- 282 In the course of the research, they found some correspondence from former County
- 283 Attorney McCarty that included an old WYDOT map that shows a depiction of the water
- 284 line in the 1970s. She utilized the location of the water line on the WYDOT map and scaled
- 285 it down to the current subdivision drawing. It suggests that the water line bisects three lots
- 286 (2, 4 & 5) and a corner of the large lot (Lot 8). This is a huge concern as far as making
- 287 sure the water line is identified on the plats and that there are protections for the Williams'
- 288 in terms of building envelopes and offsets on the lots. She has a right-of-way that was
- 289 recorded for the County's hub of the line. She was also able to find some plats that denote
- 290 certain locations of the water line. She found a relocation of the line dating back to 2004.
- 291 She thinks the joint venture agreement did not get followed through with. Quality Sales did
- 292 a small subdivision in 2004 and whoever they were working with was aware of this water
- 293 line on the property. In that subdivision, they agreed with the Sage Creek Users
- 294 Association that they would indicate an easement. Different plats in the past have noted
- 295 the location of the water line. Spicer Subdivision to the south has noted the water lines as
- 296 well. It still appears that the joint venture agreement has not been completed. The 50-foot
- 297 wide easement on either side needs to be noted. The legal implications of it being missed,
- 298 having occurred before 1981, every easement has to be particularly described to be
- 299 honored. The problem is knowing exactly where it is. They are very concerned about how

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- 300 the sketch plan is laid out. She feels the subdivision should be denied based upon what
301 this looks like. Also, the sketch plan shows the irrigation laterals however, those laterals
302 have been moved without the permission of the Williams'. They are still going to insist
303 upon that being corrected. There is not enough relief/elevation to get the irrigation water
304 to her client's property. We would like the board to request that those laterals be replaced
305 before plat approval. Finally, her clients' property is downslope of the subdivision. It is an
306 alkali field with a high water table. Her clients have done a lot of work building up their site
307 so they could use it productively. If there is water or septic drainage, it needs to be
308 incorporated into any drainage plan that the water will not impact the work on the Williams'
309 property. It is so swampy with a lot of alkali on the property.
- 310 - Chairman Morrison asked if Cody Canal Irrigation District is aware of the laterals being
311 moved. Ms. Meinecke indicated that she believes Mr. Bales is aware. She confirmed with
312 Landis Webber that the laterals need to be returned to their original locations.
 - 313 - Chairman Morrison asked who moved the laterals. Ms. Meinecke indicated that they were
314 moved recently, possibly by Ms. Valcarce. She would like septic, water line and irrigation
315 lateral issues addressed.
 - 316 - County Engineer said they will be required to address runoff as part of their drainage plan.
317 He mentioned the Roberts well supply easement has metes and bounds well defined. He
318 is curious if there is another offshoot.
 - 319 - Commissioner Jones said it appears to him that the joint venture agreement was done at
320 the time when people didn't define easements and it got kicked down the road. It does say
321 that the agreement established the water district. The original people that benefitted from
322 this are the ones responsible for owning and maintaining this line. Is it a legal entity? Is
323 anyone being billed? Ms. Meinecke said Bucky Hall is currently the de facto manager and
324 has been for several years. She has not found anything filed with the state making this an
325 LLC or company. It has just kind of been an "association." As things have developed and
326 lands transferred, people just cooperate to maintain the line. If there is a leak or
327 maintenance, two or three of the guys go out and fix it and everyone pitches in to take
328 care of it. It's been a voluntary type of co-op. Commissioner Jones said a long-term
329 solution would be to relocate the line. Ms. Meinecke said locating the line is very important
330 because there are many hubs. Relocating could open up a Pandora's box and impact one
331 neighbor and the next and the next.
 - 332 - Ms. Valcarce inquired about what the W on the map stands for – does it mean raw water
333 or domestic water? She also asked where the diversion box is located on the Williams'
334 property and where they tie in. Mr. Williams said their shut-off is on the southeast corner
335 of the property.
 - 336 - Chairman Morrison said, at a minimum, these folks will need to get together to figure this
337 out. Perhaps they can find a water witch. This could really throw a wrench into the
338 configuration of the lots and needs to be considered.
 - 339 - Katie Williams said that Paul Roberts (his mom used to be the secretary for Sage Creek
340 Water Line) was able to tell them some things about the water line. He remembers when
341 they laid the water line. He was a kid. They know where it crosses the canal.
 - 342 - Commissioner Jones said this is beyond the scope of the Commission at this point. He
343 believes all the people affected by this should get together to locate the line. This really
344 slows down development of property.
 - 345 - Brian Edwards said he knows that the County is not using that water line at this time.
 - 346 - Ms. Valcarce asked what the reason is that the County switched to NRWD. Chairman
347 Morrison encouraged seeking answers to that question and determining more about the
348 water line at a different time, outside of this meeting.
- 349

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350 Commissioner Jones made a MOTION to close the hearing at 8:11pm;

351
352 Commissioner Brandon-Wintermote asked how long it might take to resolve the water line issue?
353 This will help determine whether the hearing should be continued or not. Chairman Morrison said
354 the findings of the water line may completely impact the subdivision, but we don't know that right
355 now.

356
357 Ms. Valcarce asked, if there is a water line and it is found, could they reroute the line? The
358 Commissioners stated that there are various options and they need to be discussed and
359 addressed before moving forward.

360
361 Chairman Morrison said her inclination is to continue the hearing. Commissioner Jones withdrew
362 his motion to close the hearing.

363
364 Commissioner Jones made a MOTION to continue the hearing indefinitely. Ms. Meineke said the
365 onus is on the landowner. She notified them in November of 2019 that there was a water line and
366 they have done nothing. In two days, she came up with a lot of information. It is their burden to
367 prove. Commissioner Jones amended his MOTION to continue the hearing to March 17, 2020 at
368 6:00pm. SECONDED by Commissioner Brandon-Wintermote. The motion was carried
369 unanimously.

370
371 Chairman Morrison indicated she did not have anything for the Chair's report.

372
373 The Planning Director delivered a report for the Planning and Zoning Department.

- 374
- Small Wastewater Regulation updates have been provided to the Board of County Commissioners for their review.
 - Regulation Amendments Work Session dates have been set and published.
 - Information regarding potential upcoming projects was provided.
- 375
376
377
378

379 There being no other business, a MOTION was made by Commissioner Brandon-Wintermote to
380 adjourn the meeting at 8:30pm. The motion was seconded by Commissioner Jones. All in favor.

381
382 Respectfully submitted,

383
384
385



Jolene Brakke, Secretary

**RESOLUTION 2020 - 04
PARK COUNTY PLANNING & ZONING COMMISSION**

**TITLE: RECOMMENDATION TO APPROVE THE VACATION OF LOT 13, MUSSER
SUBDIVISION #3 AND THE SKETCH PLAN FOR
LENNON MAJOR SUBDIVISION**

WHEREAS, Jason & Christine L. Lennon propose to vacate and re-subdivision Lot 13 of Musser Subdivision #3 (located in Book "E" of plats, Page 50, in the records of the Clerk and Recorder of Park County, State of Wyoming) into one 2.16-acre lot and one 3.83-acre lot, each for residential use;

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 February 18, 2020 to consider the vacation of Musser Subdivision #3 and the sketch plan application for Lennon Major Subdivision, and made findings as follows:

1. Jason & Christine L. Lennon, as husband and wife, are property owners;
2. The lots as configured conform to the RR-2 zoning district where they are located;
3. The property is not located within one mile of a municipality;
4. All public notice requirements have been met;
5. All agency referral requirements have been met;
6. No public comments have been received;
7. Pre-application meeting requirements have been met;
8. A Notice of Intent to Subdivide was published on October 29, 2019 and November 5, 2019;
9. A complete sketch plan application, including payment, was received on December 12, 2019;
10. A title report has been submitted;
11. No new subdivision roads or open/public spaces are proposed;
12. Garbage disposal service is available through local, private companies;
13. Fire protection is available with Fire District No. 2;
14. School bus service has not been confirmed. Pick-up/drop-off location has not yet been determined;
15. USPS mail delivery has not been confirmed. Delivery location has not yet been determined;

16. Electricity is provided to proposed Lot 2 by Rocky Mountain Power;
17. Natural gas is provided to proposed Lot 2 by Black Hills Energy;
18. Natural gas and electricity are adjacent to each proposed lot;
19. Cable television service is not currently available;
20. Cellular phone service is adequate in the area;
21. There are no apparent or identified hazardous conditions on the lots;
22. The Cody Conservation District has not yet submitted a soils report;
23. The Cody Canal Irrigation District was notified;
24. An irrigation district review and recommendations have not yet been received;
25. An initial weed inspection has been completed;
26. A Long-Term Noxious Weed Management Plan is required;
27. Legal access to proposed Lot 2 is from Musser Road;
28. No easements are shown on the sketch plan;
29. Proposed Lot 2 has a permitted septic system;
30. DEQ indicated that they only review subdivisions of 6 or more lots. Staff is delegated to conduct subsurface evaluation and will consult with DEQ on complex matters as needed;
31. Northwest Rural Water District has a water main adjacent to each proposed lot, currently serves proposed Lot 2, and is capable of providing service to proposed Lot 1;
32. There is one water well that exists on proposed Lot 2;
33. All lot design and improvement standards that apply have been met;
34. This re-subdivision will vacate Lot 13, Musser Subdivision #3;
35. This re-subdivision is not within either an agricultural or airport overlay district;
36. The subdivision is not within the mapped floodplain; and
37. No open spaces, natural areas, schools or parks are proposed.

WHEREAS, the Planning & Zoning Commission concludes the proposed vacation and subdivision are 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 vacation of Lot 13, Musser Subdivision #3 and the sketch plan for the Lennon 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. Postal service and mail delivery points must be identified prior to preliminary plat review;
3. School bus stop locations must be identified prior to preliminary plat review;
4. A Long-Term Noxious Weed Management Plan must be approved prior to final plat review;
5. A subsurface evaluation report shall be submitted to the Small Wastewater Administrator prior to preliminary plat review;
6. The Cody Canal Irrigation District must be provided an irrigation plan for their review and recommendations prior to preliminary plat review;
7. The Cody Conservation District must provide a soils report to the Planning and Zoning Department prior to preliminary plat review;
8. Favorable access review (regarding proposed Lot 1) from Park County Public Works must be provided to the Planning and Zoning Department prior to preliminary plat review;
9. A water rights distribution plan must be submitted to and approved by the State Engineer prior to final plat review;
10. 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 18th day of February, 2020.

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

ATTEST:



Kimberly Brandon-Wintermote, Vice-Chair



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, February 18, 2020 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 21, 2020 meeting.

REGULAR AGENDA

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

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

OTHER BUSINESS

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

ADJOURN

PLEASE SIGN IN
PLANNING and ZONING COMMISSION
REGULAR MEETING
February 18, 2020

		Lennon Major Sketch Plan	
		Ravens Ranch Major Sketch Plan	
	Please PRINT your name	Name of the HEARING OF INTEREST	DO YOU WISH TO SPEAK
1	Nerl & Brandi Treese	Zoning	?
2	Angie & Steve	Ravens Ranch	
3	Chrissy & Jason Lennon	Lennon Subdivision	
4	Jim Evans	Ravens Ranch	
5	M. JALIE MEINECKE	RAVEN'S RANCH	YES
6	Kate Williams	Ravens Ranch	
8	Ben Williams	Ravens Ranch	
9	RANDY BAILEY	LENNON SUBDIVISION	YES
10	Trevor Williams	Ravens Ranch	
11	Mary McKinney	✓ ✓	✓
12	Brett Farner	" "	No
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