

1 **Planning & Zoning Commission Minutes**

2 October 16, 2018

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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.

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7 **Commission Members Present:**

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

13
14 **Staff Present:**

15 Kim Dillivan, Planner II
16 Patti Umphlett, Planning Department Administrative Assistant
17 Mary McKinney, Weed and Pest

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19 Vice Chairman Brandon-Wintermote opened the meeting at 6:00 pm.

20
21 **APPROVAL OF MINUTES**

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23 Vice Chairman Brandon-Wintermote asked the Board for comments or changes to the September
24 18, 2018 meeting minutes. A MOTION was made by Commissioner Smith, SECONDED by
25 Commissioner Putney to approve the minutes as corrected. Motion was carried unanimously.

26
27 **REGULAR AGENDA**

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29 **PUBLIC HEARING – Pezzeminti Large Impact Structure SUP-171:** Sandy and Kim Pezzeminti
30 request a Special Use Permit and Site Plan Review for a 29,590 sq. ft. indoor riding arena for
31 personal use. The structure will be located in the GR-M (General Rural Meeteetse) zoning district.
32 The structure will be built at 289 Pitchfork Road (State Hwy 290), approximately 2.5 miles
33 southwest of Meeteetse, on a parcel of land in Sec 7, Sec 17 and Sec 18, T48N, R100W, Park
34 County, WY.

35
36 Vice-Chairman Brandon-Wintermote opened the public hearing at 6:04 pm, reviewed the rules
37 of a public meeting and introduced the Board and Staff.

38
39 There being no comments from the Commission, Kim Dillivan, Planner II, presented the Staff
40 Report.

41
42 Vice-Chairman Brandon-Wintermote asked if the Commission had questions for the Staff.

- 43
- 44 • Vice-Chairman Brandon Wintermote asked what the cistern on the property was used for
45 if the applicant is connected directly with the City of Meeteetse Water System. Kim
46 deferred to the applicant, who explained the cistern was used to store water for his calving
47 operation and stated the cistern will be removed.
 - 48 • Commissioner Smith asked for clarification of when a soils review is required. Kim stated
49 that in situations like this, with a structure this size, it is simply a recommendation to have
50 a soils review completed to make sure soils are compatible with the size of this structure.

51 When asked, the Applicant stated that he doesn't have any additional information to add. Vice-
52 Chairman Brandon-Wintermote asked the Commission if there were any questions for the
53 Applicant.

- 54 • Vice-Chairman Brandon-Wintermote asked what the Applicants plans for the removed
55 quanset hut are. The Applicant stated it will be moved offsite.
56 • Commissioner Smith asked the Applicant if he had intentions of accommodating riding
57 lessons or any other public activities in the new structure. The Applicant stated that this
58 is strictly for personal use.
59 • Commissioner Putney asked for clarification in the discrepancy in the square footage from
60 the Application (26,000) and the Staff Report (27,310). Kim said the application used the
61 ground floor footprint square footage and he used the square footage of both the upstairs
62 and the ground floor.
63

64 Vice-Chairman Brandon-Wintermote asked for public comment. There were no comments from
65 those in attendance.
66

67 Commissioner Putney made a MOTION to close the hearing at 6:23 pm; SECONDED by
68 Commissioner Bonine. The motion was carried unanimously.
69

70 Vice-Chairman Brandon-Wintermote asked commission members if they had any discussion.
71 There being none, Commissioner Smith made a MOTION to approve Resolution 2018-21 with
72 the following conditions:

- 73 1. Park County noise, lighting, and other nuisance regulations shall apply;
- 74 2. An approved runoff and erosion control plan is required prior to review by
75 Park County Commissioners;
- 76 3. A small wastewater system permit and building permit must be approved
77 prior to building construction;
- 78 4. Building shall be limited to private use, which includes use by applicants,
79 family and friends. Commercial use is prohibited;
- 80 5. Noxious weed control plan must be approved by Weed & Pest prior to
81 review by Park County Commissioners;
- 82 6. A soils review completed by the local soil conservation district, a
83 professional soils engineer, or geologist is recommended prior to review by
84 Park County Commissioners;
- 85 7. The applicants shall otherwise comply with standards in the Park County
86 Development Standards and Regulations.

87 Motion was SECONDED by Commissioner Bonine, and was carried unanimously.
88

89 **PUBLIC HEARING – Par Ranch Communication Tower No. 2 SUP-172:** Merit Energy
90 Company requests a Special Use Permit to construct a forty foot (40') tall communication tower
91 (Major Utility Use) in a GR-M (General Rural Meeteetse) zoning district. The facility will be located
92 along County Road 4CP, on Par Ranch property, described as the SE1/4, NE1/4, of Sec. 29,
93 T47N, R100W, Park County, Wyoming.
94

95 Vice-Chairman Brandon-Wintermote opened the public hearing at 6:28 pm,
96

97 There being no comments from the Commission, Kim Dillivan, Planner II, presented the Staff
98 Report.
99

100 Vice-Chairman Brandon-Wintermote asked if the Commission had questions for the Staff.
101 • Vice-Chairman Brandon-Wintermote asked why this tower was going to be fenced when
102 the two previous towers the applicant put up were not. Kim deferred to a representative
103 of Par Ranch, Rori Renner, who stated the other towers were located in already fenced
104 areas and this one is not, so it will be fenced.

105
106 Mary McKinney with Park County Weed and Pest stated the reason a weed plan is required for
107 this project is because some of the equipment and machinery will be coming from locations
108 outside of Park County, which could increase the chance of contamination of noxious weeds. She
109 has a notarized weed plan pending the landowner's signature.

110
111 There was no representative for the Applicant present.

112
113 Vice-Chairman Brandon-Wintermote asked for public comment by those in attendance. There
114 being no discussion, Chairman Putney made a MOTION to close the public hearing at 6:40 pm;
115 SECONDED by Commissioner Smith. The motion was carried unanimously.

116
117 Commissioner Putney made a MOTION to approve Resolution 2018-22, adding in the findings,
118 that Park County Weed and Pest has a notarized Noxious Weed Plan in hand pending signature
119 of the landowner; with conditions as follows:

- 120
121 1. Park County noise, lighting, and other nuisance regulations shall apply;
122 2. The applicant shall otherwise comply with standards in the Park County
123 Development Standards and Regulations.

124
125 SECONDED by Commissioner Bonine. The motion was carried unanimously.

126
127 There being no other business, a MOTION was made by Commissioner Putney to adjourn the
128 meeting at 6:58 pm. Motion was seconded. All in favor.

129
130 Respectfully submitted,

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132 
133 Patti Umphlett, Secretary

**RESOLUTION 2018 – 21
PARK COUNTY PLANNING & ZONING COMMISSION**

**TITLE: RECOMMEND APPROVAL OF PEZZEMINTI
SPECIAL USE PERMIT-171 WITH SITE PLAN REVIEW**

WHEREAS, Sandy and Kim Pezzeminti have applied for a Special Use Permit and Site Plan Review to allow the construction of a Large Impact Structure (indoor riding arena) for personal use on a portion of a 364-acre parcel located at 289 State Hwy 290 (Pitchfork Hwy), approximately 2 miles southwest of Meeteetse;

WHEREAS, this project is defined by Park County as a Large Impact Structure: any building larger than 10,000 square feet accessory to any use;

WHEREAS, the applicants 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 October 16, 2018 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 applicants state that the building shall be limited to private use, which includes use by applicants, family and friends. Commercial use is prohibited;
3. The structure will be 27,310 square feet;
4. The application was forwarded to agencies as required;
5. The owner of this 364-acre parcel is Twisted Tine Ranch, LLC;
6. The property lies within a GR-M zoning district which allows Large Impact Structures provided a Special Use Permit is approved;
7. Given a building will be constructed that exceeds 5,000 square feet of floor area, a Site Plan Review is required;
8. The applicants state that impacts from noise and light will be minimal and since the structure will be for personal use only, little increase in vehicular traffic shall result;
9. Domestic water is provided by City of Meeteetse;
10. Two existing small wastewater systems serve the residences on the property. A bathroom will be installed in the proposed structure; therefore a new small wastewater permit will be required;
11. Solid waste generated on-site (if any) will be handled by a private carrier and screened from view;

12. No hazardous substances or materials will be produced, stored, or handled on-site;
13. Electricity and propane will be provided to structure;
14. Legal access exists from State Hwy 290;
15. Meeteetse Fire Protection District serves this area;
16. Given more than 10,000 square feet of contiguous impervious surfaces will be created, a runoff and erosion control plan is required;
17. The parcel is located in an agricultural overlay district;
18. There are no special site plan standards;
19. There are no known nonconformities associated with parcel;
20. Parking standards do not apply;
21. Sign standards do not apply;
22. No nuisances, including junk vehicles, have been observed or reported;
23. No lighting is proposed;
24. Initial weed inspection found Canada thistle; therefore, a long term noxious weed control plan will be required;
25. Meeteetse Local Planning Area Advisory Committee recommended approving this special use permit;
26. The proposed structure will conform to building setback requirements.

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 service 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 and site plan review for Pezzeminti Large Impact Structure SUP-171, subject to the following conditions:

1. Park County noise, lighting, and other nuisance regulations shall apply;
2. An approved runoff and erosion control plan is required prior to review by Park County Commissioners;
3. A small wastewater system permit and building permit must be approved prior to building construction;
4. Building shall be limited to private use, which includes use by applicants, family and friends. Commercial use is prohibited;
5. Noxious weed control plan must be approved by Weed & Pest prior to review by Park County Commissioners;
6. A soils review completed by the local soil conservation district, a professional soils engineer, or geologist is recommended prior to review by Park County Commissioners;
7. 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 October, 2018.

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


Kimberly Brandon-Wintermote, Vice Chair

ATTEST:


Patti Umphlett, Secretary

**RESOLUTION 2018 – 22
PARK COUNTY PLANNING & ZONING COMMISSION**

**TITLE: RECOMMEND APPROVAL OF MERIT ENERGY COMPANY (PAR RANCH)
COMMUNICATION TOWER SPECIAL USE PERMIT-172**

WHEREAS, Merit Energy Company applied for a Special Use Permit for a Major Utility Use for a forty foot (40') tall accessory communication tower with 4 microwave radio dishes to aid in communication services to Merit Energy Company leased properties within the Gooseberry field south of Meeteetse and west of County Road 4CP (also known as Gooseberry Creek Road) in the SE/NE of Section 29, T47N, R100W, Park County Wyoming (Longitude: 108°52'36.62"W, Latitude: 44°0'50.71"N);

WHEREAS, this project is defined by Park County as a Major Utility Use; a communication tower over 35 feet in height;

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 October 16, 2018 to consider the Special Use Permit 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 this property is Par Ranch;
4. The property lies within a GR-M zoning district, which allows Major Utility Use, provided a Special Use Permit is approved;
5. A Site Plan Review is not required;
6. Applicant states that negative impacts from this tower, to the neighborhood/general area, will be negligible;
7. Domestic water is not required for this use;
8. A septic system is not required for this use;
9. Solid waste will not be generated by this use;
10. Hazardous substances will not be produced or used for this use;
11. Electricity is currently provided to facility;
12. Legal access exists from Road 4CP (county);
13. A runoff and erosion control plan is not required;
14. The parcel is not located in an overlay district;
15. There are no special site plan standards;
16. Nonconforming structures do not exist on parcel;

17. Parking standards are not applicable;
18. Sign standards are not applicable;
19. No nuisances, including junk vehicles, have been reported;
20. Initial weed inspection found no noxious weeds; however, given development activities will use construction equipment potentially contaminated with noxious weed seed, a long term noxious weed control plan will be required;
21. Weed and Pest has received a long term noxious weed control plan, pending signature of landowners;
22. Meeteetse Local Planning Area Advisory Committee recommended approving this special use permit;
23. No lighting is proposed.

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 Merit Energy Company (Par Ranch) Cell Tower SUP-172, subject to the following conditions:

1. Park County noise, lighting, and other nuisance regulations shall apply;
2. 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 October, 2018.

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

ATTEST:


Kimberly Brandon-Wintermote, Vice Chair


Patti Umphlett, Secretary

PLEASE SIGN IN

PLANNING and ZONING COMMISSION MEETING

October 16, 2018

		Pezzeminti Large Impact Structure SUP-171	
		Merit Energy/Par Ranch Comm. Tower SUP-172	
	Please PRINT your name	Name of the HEARING OF INTEREST	DO YOU WISH TO SPEAK
1	Alexander + Kim Pezzeminti	Twisted Tine Ranch, LLC	YES
2	Mary McKinney	all	✓
3	RORI RENAPER	PAR	NO
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