



## LUPAC FINAL MEETING MINUTES

March 6, 2023

Members of the project team held a final meeting with the Land Use Plan Advisory Committee (LUPAC) on March 6, 2023. The purposes of the meeting was to gather final thoughts from each LUPAC member on the preliminary draft of the updated Land Use Plan with a particular focus on their individual planning areas.

- Bret Allard

- His planning area's desires are similar to Matt's planning area's desires. We like the '98 plan. Most of the issues were dealt with that are important to the constituents there and that hasn't changed.
- There is one thing that bothers him – desperately. The idea of possibly combining Sunlight and Upper Clark's Fork – absolutely not. They are two different areas. There are things in Crandall that we do not want in Sunlight – RV parks, fueling areas. It never showed up until the last document came out. Bottom line, he puts his comments on that in the document.
- One of his comments was that standard building codes or universal buildings codes, if developed should follow the development process, particularly in the higher-density development, not in rural development.
- Be very careful when you go back to that section in Chapter 5 that deals with combining planning areas. He and Dave Hoffert talked about that very thing – there are concerns that the Clark planning area was way too big. Is there a problem with that? They are unique compared to Cody and the others adjacent to them. He doesn't know where it came from and bothered him.
- Emergency communications are very restricted because of terrain and topography which we have a lot of. He believes that we have some good people with the Sheriff's Dept and Homeland Security that can work this out and it doesn't necessarily have to be part of the planning document, but needs to be addressed somewhere. To let people

know who are coming here to let people know what is or is not available and who to talk to about it.

- Rebekah Burns

- I really appreciate being part of the process. It was really enlightening. It gave her the opportunity to talk further with the business community. This process was an excellent way to highlight some of the needs and challenges we have. The plan accurately represents what she hears on a daily basis. The horrible housing, need for affordable/workforce housing. The community is now correlating their workforce needs with housing needs. A lot of what the community needs as far as infrastructure was accurately portrayed.
- From some of the public comments there might be a misunderstanding about what this plan is. She tries to relay it as “this is the vehicle that gets you to the job site. Then you need your tools to do the job.” Essentially, this is the information that the Board needs to govern their people. There is a misunderstanding about that. The staff has tirelessly tried to reach out. I felt the same responsibility to do so. We have been in this room so many times. We have a document and it was well captured.
- Darcie: Agrees, it identifies the intent and we are asking people to tell us if they agree with the intent or not. The plan is certainly to move forward with the rules. We want to make sure we get the messages right.

- Matt Curtis

- People don’t understand the plan, per se. People are just concerned that this is the rules.
- People don’t understand lot-size averaging. People assume if it is GR-5, that’s what it has to be (5 acres).
- He got a lot of questions about family subdivisions- they don’t understand the state rules.
- Other than that, there’s a few sections that people are confused about. Them coming to the meetings, I think they do understand it better.

- Dave Hoffert

- He’s been pleased to be part of this. It has been an education. He’s had to study.
- The comment about how big our area is (Clark). The part to the south for the most part was pretty similar. It didn’t come as far into the industrial area as he thought. The only part that was hard to explain is that the Buffalo Bill Dam is in the Clark Planning Area. I don’t think a lot of change needs to be made – that needs to be in the North Fork, not Clark. It would be nice to clean up the data for people.
- On page 39, under WA2.4 it refers to the Clarks Fork of the Yellowstone and how you will deal with development there. The part going through the Clark area is not wild and scenic. People will have a problem with the difference. There seems to be an emphasis on the river, but they shouldn’t be the same. It is not designated there.

- On page 40, EN 1.2 talks about identifying with partners (along with Bromley's comments about this expanding to more than what we thought to start with). He tried half a dozen times to understand. What he comes away with, anyone can find a reason not to do something on a property. Especially when it comes to mature stands of trees. If you tell people not to develop because of mature stands of trees, they'll get their chainsaws out. He is accepting the plan that it has evolved into more of a handbook to explain Park County in general. There is nothing specific yet. They are looking for the specifics. They wanna know, what zoning am I going to have? That is hard to find. That is hard to see. The people are gonna want to see that. I understand that is part of the regulations, not part of a plan. There needs to be at some point maybe in an introductory paragraph something to explain that. Everybody that has a question, that is where it seems to fall. They want to know about their property. The difference between what is suitable or minimally suitable...if you own a piece of property and it is in minimally suitable, you think that you won't be allowed to build on it. It is not clear that these are not regulations. We know because of our discussions, that it is not. What does that mean to a landowner, if they are in what's highly suitable – will be pushed to develop and if in minimally suitable won't be able to develop.
- **Kathleen Jachowski – absent**
- Richard Lasko
  - He personally reviewed the plan. Compliments on the easy user-friendly online review. That was fantastic. It made it easy to comment and read comments. A lot was covered by other folks.
  - There was no real heartburn from the Sage Creek area. They were rather tame this go-around. The short-term rental thing is a flash point. We are all looking forward to seeing what that morphs into.
  - He got a few exuberant messages and he steered those folks to the draft to make comments.
  - He thought Sage Creek was represented well.
- Tiffanie May
  - I appreciate being a part of this.
  - For the most part Marion's email communicated what the Meeteetse area's communication has been. They would like to see their area and the State of Wyoming maintained for what it has to offer. Finding a balance between maintaining what we have but offering opportunities for businesses.
  - Comments were fairly positive. There were several folks, including her, who were not aware that the entire area was available for one-acre lot development. They are happy to see larger lot sizes being established there. They suggest even larger lots closer to town. There are some lots available in town to be developed. They would like to see that take hold before some of the outside properties develop into smaller properties. They are interested in keeping the school alive. We are a separate district from the

larger schools. It is a big thing – it is our largest employer in town. There is discussion about building some school-type housing to have it available for people with families or teachers with families – to have it take off in town.

- Maintaining private property rights – when there are limitations – we have seen everything from animals to trees – people get pretty frustrated. They would like to do as much as they can with their property without creating an issue for the entire area.
- Kelly Spiering
  - I've heard over and over about building codes. How we can't do it. I talked to a guy who said that if you have no building codes, you have no legal recourse. There is some liability if you don't have it. It is important to protect people that maybe have a problem with their building legally.
  - When he was reading in the water section, we want to encourage regulations to monitor the use of water – is that irrigation or potable water. Not sure the County has business in monitoring water use. As long as they are not causing damage to their neighbor. He didn't write it down but it is in the water section...probably in Cody/Powell Rural.
  - The last thing is, I was told this plan was going to be different than that 1998 plan and it was going to have teeth in it. The teeth comes with regulations – who gets to be involved when they start regulations? That's where the rubber meets the road.
  - JOY: It has not been determined if focus groups or LUPAC-like group will be formed...
- Laurie Steward
  - Thank you for being a part of this. I have learned a lot and it has been interesting.
  - I think you captured what people are after in the North Fork area. People are very conservative there. The feedback is that most people are pretty happy with what they see so far. She has directed folks to the website to put comments in there.
  - Most questions are about lot-size averaging. She was able to use Copperleaf as an example.
  - The AirBnBs is another huge subject for them. There has to be a balance, but on the flip side, we are seeing more problems with them because there are so many. The majority of folks want to see something that protects them somehow.
- Jerry Thompson
  - Thank you and your staff and Joy and her staff and the committee too. You've done a fairly good job with this plan. From what we gathered with the first meetings – we had a better turnout. Most people haven't read it yet or were right down the middle. We still have a lot of people talking about lot sizes. Other than that, did good so far.
  - Darcie – as of last week, we had 1600 views. Since there, added another 1000 views or so. There are more people looking than there are leaving comments. We are getting a

lot of exposure on the draft. Not sure how deep people are going but they are checking it out.

- **Andy Quick - absent**
- Bret Trudo
  - o Thank you for all the work you've done. I don't envy you at all. We've had a lot of controversial comments. People get worked up when they see change or people telling them what they can or cannot do. Change to a certain point is inevitable. There are people with different size lots with differing opinions on what they should or should not be able to do. This is not written in stone. This is just suggestions. Where the rubber meets the road is when it goes into implementation and the rules and regs are set. People just don't want to be told what to do. When we involve people, it goes over better. I appreciate your efforts.
- Tye Whitlock – absent
- Mike Bromley
  - o Thank you. We are all in this together. Everyone in here has various and differing concerns about Park County. The more I read this document, the more questions I have.
  - o Why is the County charging the citizens for a hardcopy of the plan – it belongs to the citizens. It is their paper and their equipment and they should be able to have a printed plan.
  - o On page 29(?) – nuisance, conflicts – is this really in the purview of Planning or is it County Weed and Pest?
  - o He agrees, everyone is concerned about what the regulations are.
  - o In the past has hazard mitigation and emergency services – has that been handled in the Land Use Plan? He realizes the County has to coordinate with the agencies, but is the Land Use Plan supposed to be the overall guiding document for hazard mitigation.
  - o In the 1998 plan, he sees they had 2500 comments. So far we had 600 except for what is going through the process how.
  - o Some of the questions were asked about the fencing program – is this going to be retroactive to old fencing or new fencing? There is a concern about who is going to pay for that? Who is implementing that? Is Game and Fish the guider or is it Planning and Zoning or something else?
  - o Water is an issue. There are a lot of places around here that have cisterns outside the city limits. There are a lot of people hauling water because they don't have potable water. Is that going to be a stipulation on subdivisions?
  - o Short-term rental regulations are a hot topic.
  - o Commercial property along – how that zoning happens along the major highways on the overlay map. He couldn't answer that.

- Page 187 – implementation – remove potential barriers to land use plan implementation – what does that consist of?
- Does this Park County Land Use Plan supersede state law on fencing – fence out law?
- On STR regs, what the evidence is for a need to back up the claims that are portrayed.
- What are the costs that will be involved for STRs and building codes and GIS staff?
- There is a lot of misunderstanding on the plan and some confusion – especially on regs, water and fencing.
- There are a lot of areas in the plan that are going into the other areas in the city departments – weed and pest, road and bridge – is this Land Use Plan going to supersede their plans? Or is this a guiding document for everyone to work together.
- Economic planning – does a land use plan actually have a hold in economic planning? I realize it works together, but you have housing studies and other studies – it’s like the County is paying for studies – is that part of a land use plan?
- Is the GIS server that you are doing for the map overlay – can it be incorporated into the MapServer. The MapServer does a lot for each individual property that you can look at.
- Tiffanie May
  - Comment on fencing for large landowners. Part of what comes into play with state or federal lands – if you are bordering them, they have to establish what their expectations are for the fence. It has to be in the lease agreement. It is what it is. I know that that doesn’t necessarily have anything to do with what you are trying to establish.
- Kelly Spiering
  - If you look at WA-1.5 – water conservation – expand programs that reduce water use. There’s where the regulation part bothers him.
- Tracy Lafollette
  - This is a lot nicer document and better document than what we had. She figured when we dialed in on the issues, she figured we would see more comments and concerns.
  - The Cody meeting stood out – we had Colin Simpson talk about his property value even with conservation subdivisions is still changing the value of his land. Then his wife talked about her constitutional rights, then another person said they need to hire an attorney. Let’s say we do change things and it does change the value of someone’s property, can they sue you? There was a lot of talk about constitutional rights.
  - We need to incentivize the fact, for some farmers to do that. We do get a deduction on ag ground, but if you do see a loss in value, that tax relief doesn’t help you. She loves the conservation subdivision idea, but people see this changing the value of their property.
  - The VRBOs.

- There are some ambiguous things – she had a call that this left the door open for the County to do whatever it wants – nothing drilled in. Once the regulations actually come out, it will be clearer.
- JOY:
- Marion Morrison
  - When she dove into this, she couldn't get past what she said in email. She does appreciate everything that everyone has done. It has been a diverse process with a diverse group of people to develop a plan that has a chance of working.
  - She doesn't envy Clarion going forward. As we go forward, if we look at the 1998 plan and what didn't get implemented – nothing is being taken away from them. This is long overdue and should have been implemented then. She is hoping we can benefit the many instead of the few. That can be tough.
  - Page 89 – it shows the residential and other permits – but the number of estimated permits going forward are much less than that. If you could address how the forecast is fewer going forward...
- Darcie
  - One big picture question is why are we touching upon so many issues – what do they have to do with land use. One that wasn't addressed much was hazard mitigation – but the County has been doing some of this for years. It is very much a County concern and land use issue for people who choose to develop in certain areas. Some of this work is already being done. There are a lot of other departments – we are trying to reinforce the relationships and interactions that are already happening. When we hear concerns about these issues, we want to make sure folks have the right info. We are not trying to radically expand things. Just clarifying.
  - When are we going to get the list of statutes – there are so many that apply. We bent over backwards to include a lot of statutes that apply. It was deliberate that we added that information. There needed to be an educational component. There has been repeated message of frustration on this topic. We are trying to help reinforce those concerns. Hopefully it will be useful to not have to reinvent the wheel.
  - Roles and responsibilities – we have tried to focus on who does what. This relates to questions about economic development. We worked together with a lot of folks to share those partnerships and working relationships and information sharing. We need to be coordinating with these folks. We are just trying to reinforce it with this document.
- Joy: Most people don't realize just what our office does all day. We spend many hours in meetings with people from various agencies – irrigation districts, emergency response, feds and state folks, and many more. So much of what we do impacts them and vice versa. You would be surprised by how little people prepare for their projects. They don't even think about where things go when they flush the toilet – they think there is a magic pipe they can connect to.
- Darcie

- Is the intent to create new plans – what is in Chapter 2 already exists.
- Growth framework – lots of questions about land use and suitability – we have been encouraging people to review the maps – Chapter 3 is focused on that specifically, in companion with Chapter 4. It will be what is used to establish zoning. We need people to look at the maps to see where their property fits. It is easier to plan infrastructure and services in certain areas.
- Did we deal with the fact that some parts of the county people have cisterns and haul water. All those issues are touched upon in factors that influence growth. What can you reasonably expect in the rural areas – limitations and what is available. There should be no question of “I didn’t know.” Subdivision exemptions – we can’t control that – it is allowed by state statute. It is documented in the plan and people can go see that [law].
- The Land Suitability Map – there is a lot of confusion about it. Those who were involved in the 1998 plan know that the map was the map at the end of the day. The vast majority of the areas outside of the cities was basically labeled conservation – we don’t think that is a helpful tool to articulate what is actually happening in those areas. We did spell out the intent that the LSM is a tool – it is not an end-all-be-all. This is really just meant to help people see how those different things fit together – it was helpful to inform the land use plan. We do tie some of the area policies back to this map. It is not THE determining factor of what happens though. People shouldn’t get hung up on what color there are in.
- The more important piece is the future land use map. We were trying to make it more predictable for everyone about what can happen where. To eliminate the uncertainty. While this isn’t the zoning, it is a good starting point for the discussion.
- A big part of this plan is about conservation – we have tried to make that clear through delineation of the rural areas. The developed and developing areas section is really where the growth management is happening. We worked closely with the cities to see where more intense development makes sense to take pressure off of the rural areas. The red boundary are really those areas where it is in the plans for the municipalities already – we sat down with water and irrigation folks too. Where do we think you can accommodate the growth. Also, how do we stay out of the way of irrigation districts or at least let people know about maintenance.
- The priority conservation areas – we hadn’t defined clearly the ag overlay and what the changes would be to that – there is a new definition to that – talks about the data used. The layer is now more comprehensive. The Big Game Use overlay was a lot of back and forth with Game and Fish and workshops with the commissioners – what we landed on is the big picture – these are the areas where we need to take a closer look and make more informed decisions.
- Cody Local Map is an example (also Powell and Meeteetse) of coordinated planning areas.

- As for a property owner with a concern about a change made. There are two ways for people to chime in. Take a closer look at the map portal and drop comments there. This is where the foundation for the regulations comes from.
- Mike Bromley
  - One of the big things we talk about is affordable housing – but I don't hear much about trailer houses or modular housing or even if there is a big project with a man camp. He didn't see much if anything about that in the Land Use Plan.
  - Darcie – we do talk about affordable housing being closer to the cities. We don't get into mobile and mobile homes specifically. The regs address that. It's a great comment.
- Richard Lasko
  - Maybe it's in the regulatory phase – cell towers, like the one that was controversial in Wapiti. What about billboard proliferation. Some communities have a proliferation of them. Is there anything on billboards pertinent to this plan?
  - Darcie – We've heard clearly that people don't want to see a large proliferation of large utilities. We are not in a position to say nothing is going to happen anywhere, but we are in a position to say that stricter regulations are possible. The same thing goes for communication networks – just in the right places (siting considerations). One of the challenges with talking about issues is that we don't have a map of priority viewsheds. It is tricky to regulate it when you don't define it. You need more detailed mapping and community discussions about what is important. We've established the foundation to have those conversations. Those are no longer addressed in the planning area sections because we heard from folks all over the County.
  - Darcie - Building codes and standards – we heard it split right down the middle. Where we landed is encouraging folks to follow codes but helping them understand the risks of cutting corners. This ties back to hazard mitigation and other issues. It is basically just acknowledging that the County doesn't have them. We don't know if they will, but we want folks to make informed decisions.
- Dave Hoffert
  - Is it possible to do something map-wise to identify some of the development. He was surprised that Oregon Basin is in the Sage Creek Area. He didn't see any comments about what we all consider Sage Creek and how do you offset that Oregon Basin is there. We had an issue in Clark years ago with people who developed a subdivision on Line Creek that had 8-11 acre lots on either side of the creek. We knew there had been oil wells nearby. In the middle of this, they moved in and started drilling new wells – and these people went crazy about how you can't drill wells in our subdivision – we had to tell them that it was an oilfield first. Nobody told us. What he sees is moving more towards a handbook that you can hand to a property owner that you can hand to folks. That is something that needs help – there needs to be more letting people know about things – water rights, energy development and existing leases...just because there isn't a pump jack today, doesn't mean there couldn't be one tomorrow. Somehow there may be room to bring it up. They need to research it.

- Tracy – title companies do not ensure or research oil and gas; you have to hire someone special for that because they are such hard searches. If you are looking for them on a title report. Even mineral rights are not part of those reports.
- Bret Allard
  - Dave had a really good suggestion – let’s not just focus on oil and gas, there are so many other aspects of information transfer process. The handbook is a great idea. He suggests a handbook with a broad number of topics.
  - You have done a great job and I think with some of these things that you brought up today if you’d have had something at the start of these meetings that we’ve been having – don’t forget this and don’t forget that. Put it on us to find answers. He hasn’t been to the website more than five times this whole process and probably should have been on it much more often.
- Laurie
  - SO many people think the weed and pest issue doesn’t exist. She lives right next to a property in Copperleaf where they don’t mow or grow grass. She has pictures where she had to tear all their fences out because of weeds building up. That was everyone east of Copperleaf. It was horrible. It was because it was never addressed. There is nothing Weed and Pest can do because they are not noxious weeds – just nuisance. It was a safety issue.
- Kelly
  - Thank you for the clarification on regulations. He was on the 1998 plan – they did so much. When she said there will be an adequate opportunity to weigh in on the regulations, that puts him at ease. Back then, people weren’t involved.
- Mike
  - It does seem like the public is sleep walking. Everyone likes sausage but no one likes to see how it is made. The young people are busy – they don’t seem to have time. So it’s a lot of older folks making comments. Most of these rules won’t effect us – it will effect our kids and grandkids. All these complications are valuable in making a good plan. How do you get their attention? Get them mad!
  - Can you make comments in the map portal?
- Dave
  - One of the issues for us dinosaurs is we’re trying to get to this. If somewhere you could have a page or two that is portal for dummies...we don’t understand what some of those tabs mean. We need help to get through that. You are missing a group that has no desire to go online or do anything, but they care about their land. We know there are rules about what you can give out and what you can charge. There is a point where we are literature handicapped and we need to be able to have access reasonably.

- Darcie
  - o Showed the Land Suitability Map and Future Land Use Map portal
- Marion
  - o Page 56 – web address only gets you to the county website – you have to figure out your way to the map portal. For hardcopy folks you may want to provide the actual web address.
  - o Darcie – we are trying to get people as close as we can.
  - o The Wyoming study about the uses, is there any chance that it will be done soon?
  - o Rebekah – she received a draft last year and then they basically stopped. We are hoping it will be done any day now.
- Darcie – the fencing rule is already out there and we were surprised to learn about it. We are happy to explain where things come from if there are questions.
- Dossie – thank you for your help and we appreciate your input. We don't know what the regulation process is going to look like, but it may be similar. This needs to be a moving document. We are going to have to keep track of the regs as state statutes change. Things have changed a lot.
- Mike – do you have enough staff?
- Dossie – we do. We just don't know about the GIS side. When it comes to GIS, people are going to maps and the computer to find things. People have used the MapServer for years. It can now be overlaid with lots of other things. It helps us keep staff down – reduces field visits. We are trying to bring that stuff together. Could it mean another employee? Possibly. Is the County going to do it right away, probably not, but maybe. It may be the most cost-effective way.
- Darcie – stay engaged and keep us posted if you are hearing things.