

Planning & Zoning Commission Minutes

January 20, 2021

This is a regular meeting of the Park County Planning & Zoning Commission held at 1:00pm in the EOC Room of the County Courthouse at 1002 Sheridan Ave., Cody, WY.

Commission Members Present:

Marion Morrison, Chairman (participating virtually)
Kimberly Brandon-Wintermote, Vice Chairman
Linda Putney
Duncan Bonine
Richard Jones

Staff Present:

Joy Hill, Planning Director
Kim Dillivan, Planner II
Patti Umphlett, Planner I
Jenny Cramer, Planning Technician
Brian Edwards, County Engineer (participating virtually)
Ben McDonald, Public Works (participating virtually)

Acting Chairman Brandon-Wintermote opened the meeting at 1:06pm.

ELECTION OF OFFICERS

Acting Chairman Brandon-Wintermote asked for nominations of officers. Commissioner Jones nominated Kimberly Brandon-Wintermote as Chairman with Marion as Vice Chairman. Commissioner Morrison nominated Kimberly Brandon-Wintermote as Chairman and Duncan Bonine as Vice Chairman. Commissioner Jones withdrew his motion. **SECONDED** by Commissioner Putney. **MOTION** passed unanimously.

APPROVAL OF MINUTES

Chairman Brandon-Wintermote asked the Commission for comments or changes to the December 15, 2020 meeting minutes. A **MOTION** was made by Commissioner Jones to approve the minutes; the motion was **SECONDED** by Commissioner Bonine to approve the minutes as corrected. Motion was carried unanimously.

REGULAR AGENDA

PUBLIC HEARING –Straw Igloo MS-46 Sketch Plan: Rick Martin requests approval of the Sketch Plan for the Straw Igloo Minor Subdivision (MS-46). The proposed subdivision is comprised of four lots; two 1.06-acre lots, one 1.32-acre lot and one 1.56-acre lot, each designated for residential or agricultural use. The proposed subdivision is located west of Powell on County Lane 9 on a 5-acre parcel described as a portion of Lot 76-P, Lot 76, T55N, R99W of the 6th P.M., Park County, Wyoming, in a General Rural Powell (GR-P) zoning district, with an address of 1015 Lane 9.

Chairman Brandon-Wintermote introduced commission members and staff, reviewed the rules of a public meeting and opened the public hearing at 1:11pm.

Chairman Brandon-Wintermote said Mr. LeBlanc, a neighbor to the applicant, called her. He asked about the hearing protocol which she explained to him. He asked about a driveway access which she knew nothing about. She urged him to come to the meeting voice his concerns. There

Planning & Zoning Commission Minutes

January 20, 2021

55 being no further comments from Commission members, Kim Dillivan, Planner II, presented the
56 Staff Report. The Planning Director added that near the start of the hearing, Public Works
57 provided a written response regarding the subdivision. They indicated that access is available to
58 serve each lot along County Lane 9; however, they are not certain where access is proposed to
59 each lot, specifically.
60

61 Chairman Brandon-Wintermote asked if any Commission members had questions for Staff.
62 There being none, Acting Chairman Brandon-Wintermote asked if the applicant had any questions
63 or comments.
64

- 65 • Scott Lewis represents Rick Martin. Regarding the water distribution plan, it was submitted
66 last week and it was provided to Planning and Zoning with a signature. Regarding access,
67 there is a revised sketch plan that shows a 20-foot easement along the east side of Lot 4
68 and the landowner to the west. There is also an easement in the southeast corner to be
69 shared by Lot 1 and the owner to the east. Lots 2 and 3 are intended to have access off
70 of Lane 9. He showed irrigation easement along the west of Lot 4, as well as the south
71 side of all lots, except it jogs at Lot 1.
- 72 • Acting Chairman Brandon-Wintermote asked about access on the west side, she asked if
73 the intent was to share the access on the west.
- 74 • Scott said the title report has no record or access easements of record. He said he is
75 proposing a shared access on the west and east. He said he (Martin) has lived with this
76 access since he has lived there. Scott said they are planning to offer a 20-foot easement
77 to the land to the west (LeBlanc).
- 78 • Ben McDonald, Public Works, said the width for a single driveway to a lot would be 18
79 feet. The aerial suggests that the entire driveway is on the applicant's property, but Scott
80 indicated that it is probably closer to $\frac{3}{4}$ on Martin and the remainder on LeBlanc's property.
- 81 • Commissioner Jones asked if there was no easement of any kind existing on the west
82 side. Scott said no. Jones asked if the proposed easement was to benefit the owner to the
83 west. Scott said yes. It is to protect the existing access.
- 84 • Commissioner Morrison asked about the Shoshone Irrigation District being the provider,
85 but the sketch plan shows Willwood. Scott said it can be corrected.
- 86 • Commissioner Morrison asked about the soils report – it says there is a restrictive layer
87 somewhere between 6' to 8" depth. Scott said they did not encounter that layer.
- 88 • Commissioner Putney referenced the sketch plan and a note about Willwood Power that
89 should say Rocky Mountain Power. She also asked about Note 4 – which references Lots
90 1A and 1B. Scott indicated that there is a newer sketch plan but he will make sure the
91 notes are corrected. There are 5 acres of water rights to be split among the lots.
- 92 • Commissioner Putney asked about the access to Lot 1 – will a new driveway be used to
93 serve Lot 1 and the neighbor? Scott said there is an existing driveway.
- 94 • The Planning Director sought clarification on the access to the west and whether it serves
95 the parcels to the north (Ballinger). Scott indicated that he is unaware of any.
- 96 • Ben McDonald indicated that there may be irrigation infrastructure along the west, but that
97 does not imply the need to provide "access."
- 98 • Mr. Cliff LeBlanc is the neighbor to the west. His sister Carle Williams is on the virtual
99 meeting. The sale of Martin's land presents a big change to them after they have lived
100 there for a long time. Before his dad passed-away, he was a good friend of Rick's (Mr.
101 Martin). His dad's goals were to have a large shop for his business and wanted to live
102 outside city limits. Things have changed. They are able to see a real opportunity that would
103 allow them to support Rick's goal. Rick has offered to sell Lot 4 to the LeBlanc's. This
104 could address LeBlanc's concerns, in particular sharing of the driveway. They do not want

Planning & Zoning Commission Minutes

January 20, 2021

105 accidents or additional traffic. He is concerned about adding three additional septic
106 systems. During summer months, water can be found at 4 feet. He has a crawl space with
107 a pump that goes all summer long. The water table is a lot higher than 7.8' in the summer
108 months. They are concerned that their well could be compromised. If they purchase lot 4,
109 it will relieve some pressure since they won't build a residence there and will use it as a
110 buffer for their privacy. They are in favor of protecting the water quality of their well. As for
111 the access road for the farming standpoint – there is heavy access along the road – the
112 Churchills and Juarez's use the access consistently throughout. The Road 10 access is
113 very small and narrow; gaining access to that part of their fields would be on the Churchill
114 side more or less and problematic for farm equipment. There is also a steep embankment.
115 He would like clarification as to where the proposed entry point for Lot 4 is.

- 116 • The Planning Director asked about access to the Juarez parcel since they regularly use
- 117 the access. Mr. LeBlanc is not sure that there is another access to the Juarez parcel.
- 118 • Richard Jones indicated the future owner of Lot 4 could determine their access.
- 119 • Commissioner Morrison said she wondered if they had discussed the option of a boundary
- 120 line adjustment for the westernmost portion of the property.

121
122 Chairman Brandon-Wintermote asked if any Commission members had questions for the
123 applicant.

- 124
125 • Commissioner Putney asked staff if there is a shared driveway, does it require a road
- 126 maintenance agreement or HOA. It is a gray area according to staff, especially where new
- 127 improvements are necessarily proposed.
- 128 • Commissioner Jones said he is also concerned about the historic use of the access to the
- 129 west for ag activities and wondered if the boundary line adjustment consideration
- 130 mentioned by Commissioner Morrison may be a good option.
- 131 • The Planning Director indicated that due to the subdivision process having been started,
- 132 a boundary line adjustment would then require an amended plat or, if done before this
- 133 subdivision is finalized, the subdivision process would have to be started over.
- 134 • Acting Chairman Brandon-Wintermote asked if Scott had any discussion with the City of
- 135 Powell regarding the subdivision. There are some city services nearby that she is aware
- 136 of. Scott indicated that the applicant has opted for wells.
- 137 • Commissioner Jones said he understands the concerns of the neighbor, especially when
- 138 city services are so close. He said with groundwater levels [so high] DEQ issues could be
- 139 alleviated right now by having [future] applicants required to get city services.
- 140 • Commissioner Bonine commented that we want to be cautious about requiring an
- 141 applicant to do something when what is proposed meets regulations. Commissioner Jones
- 142 clarified that he feels this is a good opportunity to discuss upcoming problems that could
- 143 be prevented.
- 144 • Kim Dillivan mentioned that the City of Powell was notified.
- 145 • Acting Chairman Brandon-Wintermote asked about the Rocky Mountain Power easement.
- 146 Scott indicated how that is addressed in the proposed sketch plan.

147
148 Chairman Brandon-Wintermote asked if there were comments from any members of the public.

149
150 There were no comments from those in attendance.

151
152 Commissioner Morrison asked for discussion.

153
154

Planning & Zoning Commission Minutes

January 20, 2021

- 155 - Finding #10 city review requirement.
156 - Condition added that city response is required.
157 - Condition added for sketch plan to show any existing easements for any adjacent
158 landowners, as well as clearly delineating the bounds of the existing access on Martin's
159 property.
160

161 Ben McDonald said there are different dimension requirements for shared access vs separate
162 access. He feels that checking access to the surrounding lots is putting the burden on the
163 applicant when it should be the burden of the surrounding lot owners to prove that. He said the
164 title policy is in depth for access.
165

166 Commissioner Jones said he thinks the burden was on the surrounding property owners when
167 they purchased their properties and should not be a burden on the subdivider.
168

169 It was determined that the suggested condition should not be added.
170

171 Chairman Brandon-Wintermote would like to see finding #30 corrected to show that public
172 comments were received by phone regarding access.
173

174 Commissioner Putney said even if the new owner (Lot 4) wanted to put in a new access, it would
175 have to meet the standards for a new access. She added that we are waiting for input from the
176 city. She wondered if there are enough questions outstanding to warrant continuance.
177 Commissioner Jones said the easement protects the two most important landowners (Martin and
178 LeBlanc).
179

180 Further discussion on findings:
181

- 182 - #34 – delete everything after “have been met”.
183 - #31 – delete everything after “have been met”.
184 - #27 – revise to show that public works provided a formal response on January 20, 2021.
185 - Add condition for city response requirement
186 - Add condition that there shall be a note placed on the final plat indicating the presence of
187 seasonal high groundwater may require engineered systems
188 - Add condition that final plat note is needed regarding state permit requirements for wells.
189

190 Commissioner Putney made a MOTION to close the hearing at 2:37pm; SECONDED by
191 Commissioner Bonine. The motion was carried unanimously.
192

193 Commissioner Putney made a MOTION to approve Straw Igloo MS-46 by Resolution 2021-01
194 based upon the findings as presented and including the following conditions:
195

- 196 1. The applicant shall provide all easements as requested by applicable utilities and
197 special districts, irrigation districts or public agencies providing services. The width of
198 any utility easement shall be sufficient to allow adequate maintenance of the system,
199 but in no case shall such utility easement be less than 20 feet in width. Easements
200 must be identified on the final plat;
- 201 2. The applicant shall obtain Park County right-of-way permits or favorable access
202 review for all proposed lots from Park County Public Works prior to final plat review

Planning & Zoning Commission Minutes

January 20, 2021

- 203 by the Board of County Commissioners;
- 204 3. The applicant shall provide evidence of an approved water distribution plan prior to
205 final plat review by the Board of County Commissioners;
- 206 4. The applicant shall place a note on the final plat stating the level of Lead detected in
207 the well water sample is above the maximum containment level;
- 208 5. The applicant shall submit to the Planning & Zoning Department, comments from the
209 City of Powell regarding this potential subdivision, prior to sketch plan review by the
210 Board of County Commissioners;
- 211 6. The applicant shall place a note on the final plat indicating seasonal high groundwater
212 and the potential need for engineered small wastewater systems;
- 213 7. The applicant shall place a note on the final plat stating that on-site wells shall be
214 permitted according to State well permitting requirements; and
- 215 8. The applicant shall otherwise comply with standards in the Park County Development
216 Regulations and the minimum subdivision requirements as set forth in Wyoming
217 Statute 18-5-306.
218

219 The motion was SECONDED by Commissioner Morrison. The motion carried. See Resolution
220 2021-01 attached hereto and incorporated herein.
221

222 **PUBLIC HEARING – Powell Country Club Estates Major Sketch Plan:** William Ambrose
223 requests approval of the Sketch Plan for the Powell Country Club Estates Major Subdivision. The
224 proposed subdivision is comprised of 14 lots, varying in acreage from 1.0 to 1.2-acres, each
225 designated for residential use. The proposed subdivision is located approximately four miles
226 northeast of Powell on County Road 5, adjacent to the Powell Golf Course on a 14.43-acre parcel
227 located in Lot 40-A, Resurvey, T56N, R98W of the 6th P.M., Park County, Wyoming, in a General
228 Rural Powell (GR-P) zoning district.
229

230 Chairman Brandon-Wintermote introduced commission members and staff, reviewed the rules
231 of a public meeting, and opened the public hearing at 2:42pm.
232

233 There being no comments from Commission members, Kim Dillivan, Planner II, presented the
234 Staff Report. Recent communication from Northwest Rural Water District indicates that they have
235 no new information regarding their ability to serve water to the subdivision lots. According to the
236 Treasurer's Office, the property taxes have been paid.
237

238 Chairman Brandon-Wintermote asked if any Commission members had questions for Staff.
239

- 240 • Ben McDonald indicated that the County Engineer has provided separate reports on this
241 and everything has been ironed out to their satisfaction. He would expect an official
242 response to follow.
- 243 • Kim Dillivan added that he wasn't sure of the status on approval of the road names. The
244 Planning Director indicated that it did appear based on Address Committee comments
245 that the roads may have been approved in previous attempts.
246

247 Chairman Brandon-Wintermote asked if the applicant had any questions or comments.

Planning & Zoning Commission Minutes

January 20, 2021

- 248
- 249
- 250
- 251
- 252
- 253
- 254
- 255
- 256
- 257
- 258
- 259
- 260
- Cody Schatz indicated that this subdivision had been attempted previously. A weed plan will be needed.
 - Chairman Brandon-Wintermote asked staff about a letter from DEQ with no adverse recommendation. A new letter will be required. Cody Schatz mentioned that a drain was moved and once water is approved, they will again approach DEQ. NRWD is waiting for their engineer to complete the hydraulic model.
 - Chairman Brandon-Wintermote asked about a concrete ditch that was there. Previously Spencer Smith addressed concerns with irrigation. Did moving that ditch impact Spencer Smith at all. Cody said Reagan Smith helped with this. The drain is now piped and irrigation-wise they solved issues with the golf course and Reagan. Once rights are detached, lot owners will have to get a permit for a well to irrigate their lawns. There will be no irrigation rights otherwise.

261 Chairman Brandon-Wintermote asked if any Commission members had questions for the
262 applicant.

- 263
- 264
- 265
- 266
- 267
- 268
- 269
- 270
- 271
- 272
- 273
- 274
- 275
- 276
- 277
- Commissioner Morrison asked for the applicant to address frontage of the lots on the cul-de-sacs and some other lots don't have the frontage footage listed. Commissioner Putney asked do they all have the required minimums: Lots 1, 2, 3, 4, 14. Kim Dillivan indicated that consulting with Public Works on the lot frontage requirements may be necessary.
 - Ben McDonald indicated that he will speak with Brian Edwards to get final confirmation.
 - Commissioner Morrison asked if everything in the center of Wedge Way will be paved. Cody indicated it will be paved.
 - Commissioner Morrison asked if this is approved and a new landowner wants to water their lot, are the requirements for separation of a small wastewater system the same. The Planning Director indicated that there are often less stringent requirements for separation distances on irrigation wells for lawn watering. Clarification should be provided to DEQ so they can address the issue in their response. Cody indicated he would mention it in his materials which go to DEQ.

278 Chairman Brandon-Wintermote asked if there were comments from any members of the public.
279 There were no comments from those in attendance.

280

281 Commissioner Morrison asked if the applicant has a secondary plan if NRWD cannot service the
282 subdivision. Mr. Ambrose said it is pretty serious, but the lot configuration would have to change
283 (possibly to 6-7 lots). Kim Dillivan added that on-site wells would still warrant review by DEQ.

284

285 Discussion on findings:

- 286
- 287
- 288
- 289
- 290
- 291
- 292
- 293
- #22 – taxes have been paid
 - Delete condition #5
 - Condition #6 – add specifics of what PW needs to address (access, erosion and draining, and lot frontage)
 - Condition added about note on the final plat regarding high groundwater and the potential for engineered systems to be required.

294 Commissioner Morrison disagrees with the concept of putting in irrigation wells. As the County is
295 developed, it is an issue in many places. When you tax water supplies for drinking water,
296 extensive uses such as this seem a luxury. Acting Chairman Brandon-Wintermote asked if they
297 considered keeping some water rights to allow for irrigation. Cody Schatz said that was what killed

Planning & Zoning Commission Minutes

January 20, 2021

298 the subdivision in 2008 because a neighbor wanted expensive improvements including a pond to
299 continue to provide water to the subdivision from the golf course.

300
301 Commissioner Bonine made a MOTION to close the hearing at 3:30pm; SECONDED by
302 Commissioner Jones. The motion was carried unanimously.

303
304 Commissioner Bonine made a MOTION to approve Powell Country Club Estates Major
305 Subdivision Sketch Plan Resolution 2021-02 with the findings as presented and the following
306 conditions:

- 307
- 308 1. The applicant shall provide all easements as requested by applicable utilities and
309 special districts, irrigation districts or public agencies providing services. The width
310 of any utility easement shall be sufficient to allow adequate maintenance of the
311 system, but in no case shall such utility easement be less than 20 feet in width.
312 Easements must be identified on the final plat;
 - 313 2. The applicant shall provide to the Planning and Zoning Department a formal
314 response from the Park County Weed & Pest prior to preliminary plat review by the
315 Planning & Zoning Commission;
 - 316 3. The applicant shall provide to the Planning and Zoning Department a response from
317 the Northwest Rural Water District indicating that they have the capacity to serve the
318 subdivision prior to preliminary plat review by the Planning & Zoning Commission;
 - 319 4. The applicant shall provide to the Planning and Zoning Department evidence of the
320 State's approval to detach water rights prior to final plat review by the Board of
321 County Commissioners;
 - 322 5. The applicant shall provide to the Planning and Zoning Department a formal
323 response from the Park County Public Works Department addressing access, runoff
324 and erosion control, lot design, and frontage requirements prior to preliminary plat
325 review by the Planning & Zoning Commission;
 - 326 6. The applicant shall submit to the Planning and Zoning Department a current letter of
327 "no adverse recommendation" from DEQ regarding the feasibility of on-site septic
328 systems and on-lot irrigation wells prior to preliminary plat review by the Planning &
329 Zoning Commission;
 - 330 7. The applicant shall submit to the Planning and Zoning Department a draft
331 Subdivision Improvements Agreement prior to final plat review by the Board of
332 County Commissioners;
 - 333 8. The applicant shall place a note on the final plat indicating the potential for shallow
334 groundwater and the potential requirements for engineered septic systems;
 - 335 9. The applicant shall otherwise comply with standards in the Park County
336 Development Regulations and the minimum subdivision requirements as set forth in
337 Wyoming Statute 18-5-306.

338 The motion was SECONDED by Commissioner Jones. The motion carried. See Resolution
339 2021-02 attached hereto and incorporated herein.

340
341 The Planning Director provided an update regarding the regulation amendments progress.
342

Planning & Zoning Commission Minutes

January 20, 2021

343 Chairman Brandon-Wintermote delivered the Chair's report.

344

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

346

347 There being no other business, a MOTION was made by Commissioner Putney to adjourn the
348 meeting at 3:53pm. The motion was seconded by Commissioner Jones. All in favor.

349

350 Respectfully submitted,

351

352

353



Jolene Brakke, Secretary

**RESOLUTION 2021 - 01
PARK COUNTY PLANNING & ZONING COMMISSION**

**TITLE: RECOMMENDATION TO APPROVE
STRAW IGLOO MINOR SUBDIVISION-46 (MS-46) SKETCH PLAN**

WHEREAS, Rick Martin seeks approval to create a four-lot minor subdivision consisting of a 5-acre parcel being split into one 1.56-acre lot, two 1.06-acre lots, and one 1.32-acre lot, each for residential use;

WHEREAS, the proposed subdivision is classified as a minor subdivision which must comply with the Minor Subdivision Review Process;

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

WHEREAS, the Planning & Zoning Commission held a duly noticed public hearing on January 20, 2021 to consider the sketch plan application and made findings as follows:

1. A Minor Subdivision Application, including payment, was received on December 3, 2020;
2. The applicant requests approval of a four-lot minor subdivision;
3. This subdivision meets the requirements for classification as a Minor Subdivision;
4. Ownership by Richard R. Martin and Marcia J. Martin is affirmed by Warranty Deed (dated June 16, 1993, Doc. #0228-815);
5. The proposed subdivision is located along County Lane 9, less than 250 feet from Powell city limits, with an address of 1015 County Lane 9;
6. Applicable Regulations for this development are the Park County Wyoming 2015 Development Standards and Regulations adopted September 15, 2015 ("Regulations");
7. The lot sizes as proposed are consistent with the R-H zoning district where they are located;
8. Neighboring land uses surrounding this parcel are residential, residential vacant, and agricultural with two residential subdivisions nearby;
9. Proposed Lot 1 has an existing residence and several outbuildings, while proposed Lots 2, 3, and 4 are currently vacant, irrigated land;
10. This property is located within one mile of the City of Powell; therefore, municipal notification is required;
11. The City of Powell has been notified of this subdivision and no response has

- been received;
12. All notice requirements have been met;
 13. Park County Fire District #1 is able to provide fire protection;
 14. This development is outside the service area for Northwest Rural Water District;
 15. Domestic water will be provided by private wells;
 16. A well on proposed Lot 1 has an approved well permit;
 17. Park County School District #1 was notified and responded that school bus service is available;
 18. TCT has the capacity to provide internet and VOIP phone service to this location;
 19. United States Postal Service can provide mail service to this proposed subdivision;
 20. Montana Dakota Utilities has the capacity to provide natural gas service to this proposed four-lot subdivision;
 21. Park County Weed & Pest indicated a Long-Term Noxious Weed Management plan is not required;
 22. Charter Spectrum indicated that they are unable to provide internet and cable service to the subdivision at this time;
 23. Shoshone Irrigation District has a pipeline which runs parallel to the south edge of the property. They will require the standard easement of fifty feet from the center of the pipeline for access in an emergency situation;
 24. The Park County Treasurer's Office confirmed the property taxes are paid current on this property;
 25. Rocky Mountain Power has the capacity to provide electrical service to this proposed four-lot subdivision;
 26. Wyoming Department of Game & Fish have no major wildlife concerns;
 27. Park County Public Works has provided a cursory review and has no immediate access concerns, and a formal response from Public Works has been received;
 28. Powell-Clark's Fork Conservation District has been notified, and a soils report has been submitted;
 29. Solid waste disposal is available through private companies;
 30. Public comments have been received via telephone concerning access to lots;
 31. Application submission requirements for sketch plan review have been met;
 32. No roads are proposed as a part of this subdivision;

33. Wastewater requirements pertaining to sketch plan review have been met and conventional septic systems will likely be sufficient to serve the subdivision based upon subsurface evaluation information provided by the applicant;
34. All domestic water requirements pertaining to sketch plan review have been met;
35. A water quality analysis revealed the presence of lead at 0.039 mg/L, which is above the maximum containment level of 0.015 mg/L;
36. Agricultural impacts have been sufficiently addressed;
37. All water rights requirements pertaining to sketch plan review have been met;
38. The applicant has not submitted a water distribution plan to the irrigation district;
39. Utility requirements pertaining to sketch plan review have been met;
40. Electricity is adjacent to each lot line;
41. Natural gas is adjacent to each lot line;
42. This subdivision is not located in an Overlay District; and
43. There are no apparent or identified hazardous conditions on the lots.

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 Straw Igloo Minor Subdivision-46 (MS-46), 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 obtain Park County right-of-way permits or favorable access review for all proposed lots from Park County Public Works prior to final plat review by the Board of County Commissioners;
3. The applicant shall provide evidence of an approved water distribution plan prior to final plat review by the Board of County Commissioners;
4. The applicant shall place a note on the final plat stating the level of Lead detected in the well water sample is above the maximum containment level;

5. The applicant shall submit to the Planning & Zoning Department, comments from the City of Powell regarding this potential subdivision, prior to sketch plan review by the Board of County Commissioners;
6. The applicant shall place a note on the final plat indicating seasonal high groundwater and the potential need for engineered small wastewater systems;
7. The applicant shall place a note on the final plat stating that on-site wells shall be permitted according to State well permitting requirements; and
8. 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 20th day of January, 2021.

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

ATTEST:



Kimberly Brandon-Wintermote, Chair



Jolene Brakke, Secretary

**RESOLUTION 2021 - 02
PARK COUNTY PLANNING & ZONING COMMISSION**

**TITLE: RECOMMENDATION TO APPROVE
POWELL COUNTRY CLUB ESTATES SKETCH PLAN**

WHEREAS, William Ambrose seeks approval to create a 14-lot subdivision consisting of lots varying in size from 1.0 to 1.2 acres, each designated for residential use;

WHEREAS, the proposed subdivision is classified as a major subdivision which must comply with the Major Subdivision Review Process;

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 20, 2021 to consider the sketch plan application and made findings as follows:

1. A Major Subdivision Permit Application, including payment, was received on December 10, 2020;
2. The applicant intends to create a 14-lot subdivision;
3. This subdivision meets the requirements for classification as a Major Subdivision;
4. Ownership is affirmed by Warranty Deed to William E. Ambrose III, as sole owner, from Timothy K. Kerksen, a single person, dated July 11, 2007 (Document # 2007-5308);
5. The proposed subdivision is located 1.65 miles northwest of Garland, immediately west of County Road 5 across from the Powell Golf Club course;
6. Applicable Regulations for this development are the Park County Wyoming 2015 Development Standards and Regulations adopted September 15, 2015 ("Regulations");
7. The lots are configured to conform to the GR-P zoning district where they are located;
8. This property is generally flat and there are no existing structures or uses on this parcel;
9. Neighboring land uses are primarily agricultural use and some residential, with the Powell Golf Club immediately to the east.
10. This property is not located within one mile of a municipality; therefore, municipal review is not required;
11. All notice requirements have been met;
12. Powell-Clark's Fork Conservation District provided a soils report identifying existing soils and potential limitations for septic and basements;
13. Park County School District #1 was notified and responded that school bus service is available;
14. TCT has the capacity to provide internet and VOIP phone service to this location;
15. Park County Fire District #1 is able to provide fire protection;
16. The United States Postal Service can provide mail service to this proposed subdivision;
17. Garland Light & Power has the capacity to provide electrical service to this proposed subdivision with underground lines likely to be installed along Birdie

Lane and Wedge Way;

18. Northwest Rural Water District has responded and is requiring updated hydraulic modeling to evaluate capacity to serve this proposed subdivision;
19. Keele Sanitation can provide solid waste disposal services to this proposed subdivision;
20. Shoshone Irrigation District has received notice of this project and has asked to receive information regarding future plans to detach water rights and transfer them to the Powell Country Club;
21. Montana Dakota Utilities has the capacity to provide natural gas service to this proposed subdivision; an additional 1,420 feet of 2" gas main will be installed in the subdivision with installation costs estimated at \$25,000;
22. The Park County Treasurer's Office stated the property taxes have been paid for the 2020 tax year;
23. Wyoming Game & Fish Department has no wildlife concerns/comments on this development;
24. Park County Weed & Pest has been notified but no response has been received;
25. Park County Public Works has been notified but no response has been received;
26. No public comments have been received;
27. Application submission requirements for sketch plan have been met;
28. Two roads are proposed as a part of this subdivision: Birdie Lane and Wedge Way;
29. The proposed road names require Road Naming Committee review and approval prior to final plat;
30. NRWD is within 400 feet of the proposed subdivision and the applicant plans to have NRWD supply domestic water to this subdivision;
31. On-site wastewater systems are planned for this proposed subdivision. As a result, DEQ review is required. A letter of "no adverse recommendation" regarding on-site wastewater systems must be received from DEQ prior to preliminary plat review;
32. The applicant intends to detach existing water rights and have those rights re-appropriated by the Shoshone Irrigation District;
33. All agricultural impacts have been sufficiently addressed;
34. The applicant will be required to provide utility services to each of the proposed lots;
35. The applicant is required to meet all applicable design and improvement standards;
36. A Subdivision Improvements Agreement is required for this subdivision;
37. This subdivision is not located in any Overlay District; and
38. There are no apparent or identified hazardous conditions on the lots.

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 Powell Country Club Estates Major Subdivision, subject to the following conditions:

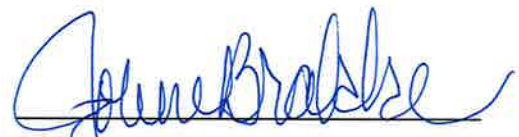
1. The applicant shall provide all easements as requested by applicable utilities and special districts, irrigation districts or public agencies providing services. The width of any utility easement shall be sufficient to allow adequate maintenance of the system, but in no case shall such utility easement be less than 20 feet in width. Easements must be identified on the final plat;
2. The applicant shall provide to the Planning and Zoning Department a formal response from the Park County Weed & Pest prior to preliminary plat review by the Planning & Zoning Commission;
3. The applicant shall provide to the Planning and Zoning Department a response from the Northwest Rural Water District indicating that they have the capacity to serve the subdivision prior to preliminary plat review by the Planning & Zoning Commission;
4. The applicant shall provide to the Planning and Zoning Department evidence of the State's approval to detach water rights prior to final plat review by the Board of County Commissioners;
5. The applicant shall provide to the Planning and Zoning Department a formal response from the Park County Public Works Department addressing access, runoff and erosion control, lot design, and frontage requirements prior to preliminary plat review by the Planning & Zoning Commission;
6. The applicant shall submit to the Planning and Zoning Department a current letter of "no adverse recommendation" from DEQ regarding the feasibility of on-site septic systems and on-lot irrigation wells prior to preliminary plat review by the Planning & Zoning Commission;
7. The applicant shall submit to the Planning and Zoning Department a draft Subdivision Improvements Agreement prior to final plat review by the Board of County Commissioners;
8. The applicant shall place a note on the final plat indicating the potential for shallow groundwater and the potential requirements for engineered septic systems; and
9. The applicant shall place a note on the final plat indicating the potential for shallow groundwater and the potential requirements for engineered septic systems; 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 20th day of January, 2021.

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

ATTEST:


Kimberly Brandon-Wintermote, 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 1:00 P.M., **Wednesday, January 20, 2021** 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 15, 2020 meeting.

REGULAR AGENDA

[PUBLIC HEARING – Straw Igloo MS-46 Sketch Plan](#)

[PUBLIC HEARING – Powell County Club Estates Major Sketch Plan](#)

OTHER BUSINESS

1. Regulation Amendment Update
2. Chair's Report
3. Planning Director's Report

ADJOURN

PLEASE SIGN IN
PLANNING and ZONING COMMISSION
REGULAR MEETING
January 20, 2021

		Straw Igloo MS-46 Sketch Plan	
		Powell Country Club Estates Major Sketch Plan	
	Please PRINT your name	Name of the HEARING OF INTEREST	DO YOU WISH TO SPEAK
1	Pat Trotter	both	No!
2	C Le Blanc	YES	YES
3	Scott Lewis	YES	yes
4	Will E Ambrose	Country Club Estates	
5	David Reetz	" " " "	
6	Lois Schatz	" "	maybe
8	Ben Hunsicker / City of Powell	" "	no
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			
26			
27			
28			
29			
30			