

 **Planning & Zoning Commission Minutes**
April 21, 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:

Kimberly Brandon-Wintermote, Chairman
Duncan Bonine, Vice Chairman
Marion Morrison
Linda Putney
Richard Jones

Staff Present:

Joy Hill, Planning Director
Kim Dillivan, Planner II
Patti Umphlett, Planner I
Jenny Cramer, Planning Technician
Jolene Brakke, Office Assistant III (by virtual means)
Brian Edwards, County Engineer
Ben McDonald, Public Works
Mary McKinney, Weed and Pest

Chairman Brandon-Wintermote opened the meeting at 1:00pm.

APPROVAL OF MINUTES

Chairman Brandon-Wintermote asked the Commission for comments or changes to the March 17, 2021 meeting minutes. A MOTION was made by Commissioner Putney to approve the minutes; the motion was SECONDED by Commissioner Bonine to approve the minutes. Motion was carried unanimously.

CONSENT AGENDA

Chairman Brandon-Wintermote introduced the commission members and staff, acknowledged that a public hearing was not required and addressed Consent Agenda qualifications.

Chairman Brandon-Wintermote asked if any member of the Commission wished to remove any of the items or wished to make a statement. Chairman Brandon-Wintermote asked if all the commission members received the staff reports and had time to review the materials as well as having all concerns addressed by the staff.

Commissioner Bonine stated that he has a conflict of interest on Bellflower and would like to recuse himself from decisions on that agenda item.

Commissioner Morrison made a motion to approve all items on the consent agenda. SECOND by Commissioner Putney. All in favor. Motion passed.

Bateham SS-269: James & Margaret Bateham request approval of the sketch plan for the Bateham SS-269. The proposed subdivision is comprised of two 10.5-acre lots for residential use. The propose subdivision is located in the E/2 of Lot 45-N, T52N, R102W of the 6th P.M., Park County, Wyoming with an address of 57 Douglas Drive in a General Rural 5-Acre (GR-5) Zoning District.

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55 Bateham SS-269 was approved by Resolution 2021-08 with the following conditions:
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- 57 1. The applicant shall provide all easements as requested by applicable utilities and
58 special districts, irrigation districts or public agencies providing services. The width of
59 any utility easement shall be sufficient to allow adequate maintenance of the system,
60 but in no case shall such utility easement be less than 20 feet in width. Easements
61 must be identified on the final plat;
- 62 2. The applicant shall comply with the requirements of Lakeview Irrigation District;
- 63 3. The applicant shall provide evidence that the spring on the property is either 1)
64 permitted by the State Engineer's Office or 2) is not required to be permitted by the
65 State Engineer's Office;
- 66 4. If rights to the use of spring water have been proven, the applicant shall provide a
67 shared use agreement for the spring water which, at a minimum, addresses the
68 percent distribution of permitted flow to serve each lot, to be recorded with the final
69 plat; and
- 70 5. The applicant shall otherwise comply with standards in the Park County Development
71 Regulations and the minimum subdivision requirements as set forth in Wyoming
72 Statute 18-5-306.

73 See Resolution 2021-08 attached hereto and incorporated herein.
74

75 **Bellflower SS-272:** Blue Bell Properties LLC request approval of the sketch plan for the
76 Bellflower SS-272. The proposed subdivision is comprised of 2 lots containing 2.5 and 7.5 acres
77 +/- for residential use. This proposed subdivision is located in Lot 63: A portion of Lot 63-G, being
78 a part of Farm Unit "P", T55N, R98W of the 6th P.M., Park County, Wyoming with an address of
79 527 Lane 8 ½ in a General Rural Powell (GR-P) Zoning District.
80

81 Bellflower SS-272 was approved by Resolution 2021-09 with the following conditions:
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- 83 1. The applicant shall provide all easements as requested by applicable utilities and
84 special districts, irrigation districts or public agencies providing services. The width of
85 any utility easement shall be sufficient to allow adequate maintenance of the system,
86 but in no case shall such utility easement be less than 20 feet in width. Easements
87 must be identified on the final plat;
- 88 2. A Long-Term Noxious Weed Management Plan must be approved by Park County
89 Weed & Pest prior to final plat review by the Board of County Commissioners;
- 90 3. The applicant shall comply with the requirements of the Shoshone Irrigation District;
- 91 4. A condition shall be placed on the final plat addressing water quality evidenced by
92 the water sample collected on January 12, 2021, unless the applicant submits new
93 water quality sample results that indicate water is safe; and
- 94 5. The applicant shall otherwise comply with standards in the Park County Development
95 Regulations and the minimum subdivision requirements as set forth in Wyoming

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96 Statute 18-5-306.

97 See Resolution 2021-09 attached hereto and incorporated herein.

98 **White SS-270:** Jarrod and Elizabeth White request approval of the sketch plan for White SS-270.

99 The proposed subdivision is comprised of 2 lots containing 5 and 14.99 acres +/- for residential
100 use. This proposed subdivision is located in NE/4 of Lot 44 and W/2NW/4 of Lot 45, T52N,
101 R102W of the 6th P.M., Park County, Wyoming with an address of 647 Southfork Road and is
102 located in a General Rural 5-Acre (GR-5) Zoning District.

103

104 White SS-270 was approved by Resolution 2021-10 with the following conditions:

105 1. The applicant shall provide all easements as requested by applicable utilities and
106 special districts, irrigation districts or public agencies providing services. The width of
107 any utility easement shall be sufficient to allow adequate maintenance of the system,
108 but in no case shall such utility easement be less than 20 feet in width. Easements
109 must be identified on the final plat;

110 2. The applicant shall comply with the conditions set by Wyoming Department of
111 Transportation; and

112 3. The applicant shall otherwise comply with standards in the Park County Development
113 Regulations and the minimum subdivision requirements as set forth in Wyoming
114 Statute 18-5-306.

115 See Resolution 2021-10 attached hereto and incorporated herein.

116

117 **REGULAR AGENDA**

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119 **PUBLIC HEARING CONTINUED – Southfork Mountain Retreat SUP-215:** Boomer Investment
120 Properties, LLC requests approval of the application for a Special Use Permit with site plan review
121 for Southfork Mountain Retreat SUP-215. The project proposes a Dude Ranch and Resort Use
122 to operate a vacation retreat offering accommodations and event space along with painting
123 classes and guided hikes. The proposed use will be located on a 4.73-acre parcel located
124 approximately 23 miles southwest of Cody in the Middle Southfork planning area, with an address
125 of 32 Josie Lane. The parcel is described as part of Lot 37 in Tract 55, T50N, R104W of the 6th
126 P.M., Park County, Wyoming in a General Rural 20-Acre (GR-20) zoning district.

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128 Chairman Brandon-Wintermote reviewed the rules of a public meeting and continued the public
129 hearing at 1:08pm.

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131 Acting Chairman Brandon-Wintermote asked if any member of the Commission had any
132 comments.

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134 There being no comments from Commission members, Acting Chairman Brandon-Wintermote
135 asked if Staff had any updates.

136 • The Planning Director presented a Memorandum attached hereto and incorporated
137 herein.

138 • She asked that the commission close the hearing as it is no longer required based upon
139 this final decision.

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141 Commissioner Bonine made a MOTION to close the hearing at 1:15pm; SECONDED by
142 Commissioner Jones. The motion was carried unanimously.

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PUBLIC HEARING CONTINUED – Bighorn Estates MS-47 Sketch Plan: Tod Polson requests approval of the application and Sketch Plan for the Bighorn Estates Minor Subdivision (MS-47) (Applicant: Tod Polson). The proposed subdivision is comprised of three lots; one 1.82-acre lot, one 7.28-acre lot and one 28.3-acre lot, each designated for residential and/or agricultural use. The proposed subdivision is located in Lot 50-J and Lot 50-O, Resurvey, T55N, R99W of the 6th P.M., Park County, Wyoming, in a General Rural Powell (GR-P) zoning district, with an address of 850 Lane 11 ½.

Chairman Brandon-Wintermote indicated the rules of a public meeting rules mentioned earlier still apply and continued the public hearing at 1:16 pm.

There being no comments from Commission members, Acting Chairman Brandon-Wintermote asked if Staff had any updates.

- Kim Dillivan indicated that one public comment had been received from Ginny Southwick which has been shared with the Commission. A revised sketch plan was also received and shared. The subsurface evaluation remains incomplete. No covenants are planned/proposed, an irrigation plan has been submitted but comments have not been received from the Irrigation District.

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

- Chairman Brandon-Wintermote asked if a title report had been received yet; staff indicated one has not been received.
- Chairman Brandon-Wintermote asked if a water-users agreement with Northwest Rural Water has been received. Staff indicated no.
- Commissioner Morrison asked if subsurface evaluations had been provided. Staff indicated they were not.
- Commissioner Putney asked if a Weed plan was submitted. Staff indicated it was not.
- Public Works said they have no additional comments.
- Mary McKinney of Weed and Pest indicated that a weed plan has not been submitted as of yet.

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

- The applicant was not in attendance.

Commissioner Putney made a MOTION to continue the hearing to May 19th, 2021, the next regular meeting. SECONDED by Commissioner Morrison. The motion was carried unanimously.

PUBLIC HEARING – Patriot Major Subdivision Sketch Plan: Jim Nicholson requests approval of the Sketch Plan for the Patriot Major Subdivision. The applicant requests to vacate and re-subdivide the 19.17-acre Lot 11 of the Kobbe Subdivision into 13 lots varying ins size from 1.0 to 2.14 acres, each for residential use. The proposed subdivision is located approximately ¾ mile west of Powell, south of Lane 9 on the ease side of County Road 11, in the SW/4NW/4 Lot 64, T55N, R99W of the 6th P.M., Park County, Wyoming in a General Rural Powell (GR-P) Zoning District.

Chairman Brandon-Wintermote indicated the previously reviewed rules of a public meeting still apply and opened the public hearing at 1:21pm.

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192 There being no comments from Commission members, Kim Dillivan, Planner II, presented the
193 Staff Report.

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- 194 Chairman Brandon-Wintermote asked if any Commission members had questions for Staff.
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196 • Commissioner Jones inquired about the letter from NRWD regarding the available taps
197 and whether staff knew anything new on the subject. Kim Dillivan said he just knows that
198 NRWD does have capacity. Otherwise, he does not have further information.
199 • Chairman Brandon-Wintermote asked if all lots are not purchased at the same time, will
200 taps be available. The Planning Director understood from a conversation with the NRWD
201 that taps are not guaranteed.
202 • Public Works didn't have anything to add beyond the letter they provided.
203 • Commissioner Morrison asked about the suggested change in the lot lines. She added
204 that it may be a question for the applicant.
205 • Mary McKinney, Weed and Pest, indicated that once the land is taken out of production,
206 mitigation of weeds will be needed. There is not a weed plan as of yet.

- 207 Chairman Brandon-Wintermote asked if the applicant had any questions or comments.
208 • Cody Schatz, Engineering Associates, provided clarification on NRWD He said they have
209 capacity on the North End System. They are taking it off the O'Donnell system. The
210 developer will have to pay for the taps, even so long as they are inactive. The developer
211 would like to share a driveway between Lots 6 and 7.
212 • Chairman Brandon-Wintermote asked if the city is requiring an annexation agreement like
213 they did on Kobbe Subdivision. Cody said they have not yet heard from them.
214 • Chairman Brandon-Wintermote asked about the detachment of water rights. Cody said
215 they have submitted an application to keep the water rights (sprinkled system) with
216 detachment of water rights only for the road area.
217 • Chairman Brandon-Wintermote asked if an application has been sent to DEQ as of yet.
218 Cody said it has not; but will be done as required for Preliminary Plat.
219 • Commissioner Putney asked for clarification regarding Cora Lane access. Cody said they
220 need permission from the owners in Kobbe, based upon existing covenants. The proposed
221 road will tie into existing Cora Lane and tie back into County Road 11. This road will be a
222 3-inch asphalt mat, which is different from the existing segment of Cora Lane.
223 • Ben McDonald from Public Works indicated that prior approval addressed this phase and
224 connection of Cora Lane back to the county road.
225 • Commissioner Morrison asked if the postal service boxes are offset, will that be
226 determined in time to be shown on the plats. Cody said the mailbox locations are shown
227 on the construction drawings. They don't really tell you where they are going to go until
228 construction. They meet with them at the time. Currently they are shown on Cora Lane.
229

- 230 Chairman Brandon-Wintermote asked if there were comments from any members of the public.
231 • Mr. Terry Swenson said that he wasn't sure if Cora Lane was going to be a dead end, but
232 he sees that it has been clarified. He added if the Commission has any questions about
233 the Homeowner's Association. The association name has changed to Kobbe-Patriot
234 Homeowner's Association.
235

- 236 Commissioner Putney asked for discussion.
237 • Finding #21 should show that we have received notice on March 3, 2021 that NRWD will
238 have capacity to serve the subdivision.
239 • Add a condition that a response from City of Powell is required;
240 • Add a condition that the applicant will be required to comply with all lot design standards
241 pursuant to Chapter 3, Section 8 of the regulations;
242 • Commissioner Putney asked the applicant's representative about the potential for shallow
243 groundwater. Cody indicated that they did not find shallow groundwater. They did perc

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- 244 tests last week and found groundwater at 10 feet, granted that is before irrigation season.
245 It percolated well. They will not have further information until DEQ review has occurred.
246 • Strike finding #42 as no statements are included in the staff report alluding the shallow
247 groundwater.
248 • Add a condition that the Wyoming Right to Farm and Ranch Act statement be added to
249 the final plat.
250 • Commissioner Morrison made a statement that down-shielded lighting should be added
251 to the covenants to help landowners adhere to the regulations. Commissioner Jones
252 agreed. He would like to see consideration of dark-sky rules in the future.
253 • Finding #39 – there is now evidence that covenants will be provided for this subdivision;
254 • Patti Umphlett asked if it would be sound to record the changed covenants or HOA when
255 the subdivision has not yet been approved.
256 • Finding #24 – correct the spelling of responded.

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258 Commissioner Morrison made a MOTION to close the hearing at 2:00pm; SECONDED by
259 Commissioner Putney. The motion was carried unanimously.
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261 Chairman Brandon-Wintermote asked Commission members if they had any discussion. There
262 being none, Commissioner Morrison made a MOTION to approve the Sketch Plan for Patriot
263 Major Subdivision by Resolution 2021-11 based on the findings presented and including the
264 following conditions:

- 265 1. The applicant shall provide all easements as requested by applicable utilities and
266 special districts, irrigation districts or public agencies providing services. The width of
267 any utility easement shall be sufficient to allow adequate maintenance of the system,
268 but in no case shall such utility easement be less than 20 feet in width. Easements
269 must be identified on the final plat;
- 270 2. The applicant shall meet all Park County Public Works Department standards and
271 requirements as detailed in the Public Works response letter dated April 5, 2021;
- 272 3. The applicant shall submit to the Planning and Zoning Department a letter of “no
273 adverse recommendation” from DEQ regarding the feasibility of on-site septic
274 systems prior to preliminary plat review by the Planning & Zoning Commission;
- 275 4. A draft Homeowners Association Agreement (and draft covenants if proposed) must
276 be submitted to the Planning & Zoning Department prior to preliminary plat review by
277 the Planning & Zoning Commission;
- 278 5. The applicant shall meet all requirements of the Shoshone Irrigation District and the
279 State Engineer’s Office regarding irrigation water prior to final plat review by the
280 Board of County Commissioners;
- 281 6. The applicant shall provide to the Planning and Zoning Department an approved
282 Long-Term Noxious Weed Management Plan prior to final plat review by the Board
283 of County Commissioners;
- 284 7. The applicant shall submit to the Planning and Zoning Department a draft Subdivision
285 Improvements Agreement prior to final plat review by the Board of County
286 Commissioners and shall not commence the physical layout or construction of the
287 subdivision prior to Board approval; and

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- 288 8. The applicant shall provide a response from City of Powell;
- 289 9. The applicant shall comply with the lot standards in Chapter III, Section 8 of the
290 regulations;
- 291 10. The final plat shall contain a notice of the Wyoming Right to Farm and Ranch Act of
292 1991;
- 293 11. The applicant shall otherwise comply with standards in the Park County Development
294 Regulations and the minimum subdivision requirements as set forth in Wyoming
295 Statute 18-5-306.

296

297 The motion was SECONDED by Commissioner Bonine. The motion carried. See Resolution
298 2021-11 attached hereto and incorporated herein.

299

300 **PUBLIC HEARING – Diamond K MS-49 Sketch Plan:** Kenney and Mary Ann Wright request
301 approval of the Sketch Plan for the Diamond K MS-49. The proposed subdivision is comprised of
302 four lots; two 3.12-acre lots and two 3.11-acre lots, each designated for residential use. The
303 proposed subdivision is located approximately four miles southwest of Ralston, north of County
304 Lane 15 and west of County Lane 14, within a 12.46-acre parcel located in Tract 6, Resurvey,
305 T54N, R100W of the 6th P.M., Park County, Wyoming, in a General Rural Powell (GR-P) zoning
306 district.

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308 Chairman Brandon-Wintermote indicated the previously reviewed rules of a public meeting still
309 apply and opened the public hearing at 2:04pm.

310

311 There being no comments from Commission members, Kim Dillivan, Planner II, presented the
312 Staff Report.

313

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

315 • Commissioner Morrison asked if the Bureau of Reclamation was notified of this
316 subdivision. Staff confirmed that they were notified as a neighbor.

317 • Commissioner Jones mentioned that BLM is erroneously shown as the neighboring
318 property.

319 • Commissioner Morrison cited item E under small wastewater indicates that DEQ may be
320 consulted. She added that she recommends due to proximity to the dam and the steep
321 slopes on the north side of the subdivision, this subdivision should be reviewed as a Major
322 Subdivision and go through DEQ review.

323 • Commissioner Morrison added that there is an error in the staff report regarding mention
324 of no river or stream passing through or adjacent to the subdivision lots; however, she
325 feels this is adjacent to and directly impacting the Shoshone River.

326 • Commissioner Putney asked about the well located at 1725 Lane 15, Powell. She was
327 unable to find that address on the map server. She would like confirmation on the location
328 of the well tested. The Planning Director suggested seeking clarification from the
329 applicant.

330 • Ben McDonald, Public Works, cited his letter. His only concern was access for Lot 4 on
331 the corner does not meet sight distance requirements. There is no point on the property
332 boundary with safe access. It will likely need a shared access with Lot 3. Chairman
333 Brandon-Wintermote mentioned that she was out there and nearly got plowed into by
334 someone barreling down the road around the corner. Ben added that they may need to
335 come into the lot from Lot 3 quite a bit further to the west.

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- Kim Dillivan mentioned there is an error on Page 20 of the staff report; photo 5 shows the existing yard light. Kim said it is actually in proposed Lot 3 not Lot 1.
 - Mary McKinney said there has been quite a bit of clearing of the sage brush recently. It appears they aren't moving anything off of the site. She hasn't received a weed plan as of yet.

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

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- Pete DiPilla, of JViation, represents the applicants. He said the well test was at 1769 Lane 15 (Sheets property) to the west. Pete indicated that they received a letter so they are likely within 660 feet.
 - Pete addressed the access concern. He said the power service in Lot 3 is an existing access and has been the access for the entire parcel. Ben indicated that they could use the existing access – they normally don't revoke those. It is borderline, but they would like the applicant to consider moving it because it is a bad spot right there.
 - Pete mentioned the water quality and the water sample showed sufficient results from the 1769 Lane 15 address.

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

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- Chairman Brandon-Wintermote asked if the irrigation district responded. Pete said he sent a plan to the district and they responded. There was a bit of a discrepancy. There are water rights on the property. The owner's intent is to maintain all of the water right within Lot 1. If the future landowner decides to irrigate, a waste ditch will be needed between Lots 1 and 2. Chairman Brandon-Wintermote asked if there are any headgates. Pete said there is a headgate at Lane 15 and Road 18 about a quarter mile to the west. He understands that the neighbor on the corner gets a flooded basement when irrigation water runs. The neighbor apparently pushes the ditch closed to prevent water from reaching other properties. The Wrights are proposing piping the water through the neighboring property to the open ditch beyond. This may help recover some of the subsurface water table concerns of a neighbor.
 - Commissioner Morrison said she thought if you don't use your water right you can lose them. She wondered how long the water rights have been left unused. Pete said as far as the previous owner, he doesn't believe she did much with the water rights. However, Hatle has been using some water to irrigate the pasture for horses. There is a fence about 200 feet onto the west of the Wright property. He is not certain when the land was irrigated by the owner, but the neighbor has been using the water rights to some extent.
 - Commissioner Morrison mentioned an irrigation district letter regarding water needing to be used on the property to which they are attached. She added that if you pull a ditch between lots 1 and 2, it will mean Lot 2 would need to have their own head gate. Pete said they are just now finding that they have more water right than what was known. He anticipates all the water right will be assigned to Lot 1 only, pulling a ditch between Lots 1 and 2.
 - Commissioner Morrison asked about the steep slope and erosion. Pete said there is actually a natural drain at the northeast of Lot 1 where all the water drains to, into the hill. There are some springs to the west as well.
 - Commissioner Morrison said in keeping with the Public Works comments, it appears that Lot 3 has a limited amount of space for construction. She hopes that the actual building area on the lot will be identified. She wondered if the client has considered having 3 lots instead of 4 to answer to the access concerns and developable space. Pete said they

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385 have been considering that in that they opted for 4 lots rather than the 5 allowed by minor
386 subdivision.

- 387 • Chairman Brandon-Wintermote asked if Pete knows how deep the wells are in the area.
388 Pete said the Hatles thought theirs might be about 180 feet.

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

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391 There were no comments from those in attendance.

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393 Commissioner Morrison said Ms. Hatle asked that her comments be read into the record.
394 Chairman Brandon-Wintermote asked if the commission members had the opportunity to read
395 her letter. Each member indicated they had. Chairman Brandon-Wintermote felt that was
396 sufficient.

397

398 Commissioner Putney asked if the sketch plan changes drastically from this currently sketch plan,
399 shouldn't the commission be able to review the sketch plan before it moves forward. Pete
400 indicated they may move the line between Lots 1 and 2 a bit to the east, possibly around 10 feet,
401 with a waste ditch added. He expects the other lot lines remaining the same.

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403 Commissioner Morrison said it further exemplifies that Lot 3 has less space for development,
404 especially with shared access being brought into the picture.

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406 Patti Umphlett had a question if the gray area of slope was surveyed. Pete said it is actually sort
407 of a bowl on Lot 3. There is actually a fair distance between the edge of the lot and the river.
408 Buildable area would be over an acre and a half in his estimation.

409

410 Commissioner Putney asked if the applicant may be amenable to doing 3 lots instead of 4 to allow
411 more building space.

412

413 Commissioner Morrison expressed concern that as the buildable space shrinks, and due to the
414 break in the topography, a small wastewater system would need to have adequate separation
415 distance from a steep slope and any wells. Pete said he could put something together and draft
416 some considerations. She would also like to see the contours that would show the "shelf" that he
417 mentioned earlier on the Lot 3 slope.

418

419 Commissioner Morrison wanted to know the thoughts of the Commission in seeking DEQ review
420 on this due to proximity to the river and the dam. Commissioner Jones said he was just in the
421 area when they flushed the dam. He said this is a substantially sized property for development.
422 He feels there are no unusual concerns in his opinion. Lots of space.

423

424 Commissioner Bonine said he has concerns similar to those of Commissioner Morrison, until he
425 heard the setback from slopes are only 15 feet. He doesn't foresee DEQ necessarily needing to
426 be involved. If septic can go in that close to steep slopes, the dam and river channel are even
427 further away.

428

429 Commissioner Putney said she would agree with both statements due to the ample space. She
430 doesn't necessarily have those concerns.

431

432 Chairman Brandon-Wintermote said if they were able to build down below, it might be more of a
433 concern.

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435 Commissioner Morrison asked that the BOR be noticed as an agency, to provide a response.

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- Finding #10 should be changed from BLM to BOR.
- Finding #26 be changed to a response has been received and suggested a shared driveway on Lot 3 to benefit Lots 3 and 4 and no erosion control plan is required.
- Finding #35 change to correct address of 1769 Lane 15.
- Finding #29 show that public comments have been received.
- Add a condition for the BOR agency notice and response.
- Add a condition that contours be displayed for each lot, including the sloped area.
- Change condition #4 to the applicant shall provide evidence of legal access to lot 4 according to Public Works requirements.
- Add a condition addressing maintenance of any shared driveways, if proposed.
- Add a condition requiring a note on the final plat that any wells placed on the property shall comply with the requirements of the State Engineer's Office.

Pete DiPilla added that access to Lot 3 may not be shared with Lot 4. There could be two separate driveways.

Commissioner Morrison made a MOTION to close the hearing at 2:58pm; SECONDED by Commissioner Jones. The motion was carried unanimously.

Commissioner Bonine made a MOTION to approve the Sketch Plan of Diamond K MS-49, with the findings as modified, by Resolution 2021-12 based on the findings presented and including 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. Comments and recommendations from the Shoshone Irrigation District must be received prior to Final Plat review by the Board of County Commissioners;
3. Irrigation facilities must be shown on the Sketch Plan prior to Sketch Plan review by the Board of County Commissioners;
4. The applicant shall provided a formal response from the Park County Public Works to the Planning & Zoning Department identifying legal means of access to Lot 4 prior to Sketch Plan review by the Board of County Commissioners;
5. The applicant shall provide an approved Long Term Noxious Weed Management Plan to the Planning & Zoning Department prior to final plat review by the Board of County Commissioners;
6. The applicant shall show the contours for the entirety of the lot areas on the sketch plan;
7. The applicant shall request a response from BOR to the Planning and Zoning Department regarding their thoughts on this subdivision;

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- 479 8. The applicant shall provide a maintenance agreement for any shared accesses, if
480 proposed;
- 481 9. The applicant shall place a note on the plat regarding wells needing to be in
482 compliance with the State Engineer's Office permitting requirements.
- 483 10. The applicant shall otherwise comply with standards in the Park County
484 Development Regulations and the minimum subdivision requirements as set forth
485 in Wyoming Statute 18-5-306.

486
487 The motion was SECONDED by Commissioner Putney. All in favor, with the exception that
488 Commissioner Morrison voted nay with the comment that she would like to see this go through
489 major subdivision review. The motion carried. See Resolution 2021-12 attached hereto and
490 incorporated herein.

491 **PUBLIC HEARING – Meadow Flower MS-50 Sketch Plan:** Blue Bell Properties, LLC requests
492 approval of the Sketch Plan for the Meadow Flower MS-50. The proposed subdivision is
493 comprised of five lots; one 3.7-acre lot, one 6.42-acre lot, one 7.73-acre lot, one 8.89-acre lot and
494 one 9.03-acre lot, each designated for residential use. The proposed subdivision is located
495 approximately two miles east of Powell, at 527 Lane 8 ½, in Lot 63; a portion of Lot 63-F, being a
496 part of Farm Unit "F", T55N, R98W of the 6th P.M., Park County, Wyoming, in a General Rural
497 Powell (GR-P) zoning district.

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499
500 Chairman Brandon- indicated the previously reviewed rules of a public meeting still apply and
501 opened the public hearing at 3:04pm.

502
503 Commissioner Bonine recused himself due to a conflict of interest and will abstain from voting.

504
505 Kim Dillivan, Planner II, presented the Staff Report.

506
507 Chairman Brandon-Wintermote asked if any Commission members had questions for Staff.

- 508 • Commissioner Morrison asked how close the NRWD tap is. Staff is not sure.
509 • Commissioner Morrison asked about the mitigation of water rights conflicts under
510 domestic water. Staff thought it pertained to shared wells possibly, which haven't been
511 proposed here.
512 • Commissioner Jones asked about irrigation of the lands. Staff asked if he was referring to
513 the irrigated ag lands around this. Staff is unsure. Commissioner Jones mentioned when
514 land is taken out of irrigation, the groundwater table may not be recharged as it is now,
515 which could lead to wells drying up.
516 • Ben McDonald of Public Works said legal access does exist. The applicant owns to the
517 center of the road. The subdivision road shall become a named road. The width proposed
518 is adequate. Direct access to the county road for the one lot is adequate. A right-of-way
519 permit is required for each access from the county road. The bus pullout can be addressed
520 with the access to the roadway. Construction plans and proposed improvements will be
521 reviewed by Public Works. Ben added a comment about the tiled drain. The irrigation
522 district does have priority, so if the line has to be replaced, the district has the ability to do
523 what they need to do and they have no responsibility to replace the road.
524 • Commissioner Morrison said the same concern would apply to the rest of the property
525 over which the drain runs.

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- 526 • Mary McKinney of Weed and Pest said as these lots are moved out of ag production, any
527 weed issues should be dealt with during that transition so the lots are not fallow. She has
528 received a weed plan and it was approved.
529

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

- 531 • Dave Farringer represents Blue Bell Properties. He thinks the irrigation plan is his main
532 focus at this time and the road right-of-way as well.
- 533 • Yulia Martsul, owner, said they have taken the first water test and it came in with bacteria.
534 So, they have actually shocked the system (chlorinated the water). They have taken the
535 test and it needs to be redone by a lab. They will send the results in when they arrive.
- 536 • Chairman Brandon-Wintermote asked if NRWD is available. Yulia said when they first
537 contacted NRWD back in November, they indicated there were taps available; however,
538 now there are only two taps available. They also found out this particular piece is not in
539 in the district; so they would have to apply to be in the district and then, if there are any
540 taps available, they would be able to provide the service. NRWD did say they are looking
541 at extending their services; but can't guarantee when – possibly two years from now.
542 Maybe in a few years it will be possible for the future lot owners to obtain taps.
- 543 • Chairman Brandon-Wintermote suggested putting an easement there for potential future
544 expansion. Even if it goes down the side of the road. Dave said the 60-foot ROW would
545 be for access and utilities. He doesn't think it would be an issue. Commissioner Morrison
546 asked if they have thought down the line to having city water. Other commission members
547 indicated it is far outside of town.
548

549 Chairman Brandon-Wintermote asked if any Commission members had questions for the
550 applicant.

- 551 • Commissioner Jones mentioned the idea of future water taps being contemplated. He
552 asked if there are plans to irrigate the lots. The applicant indicated that they are not
553 planning to take the lots out of irrigation.
- 554 • Commissioner Morrison added her concern about lighting needing to be downshielded.
- 555 • Chairman Brandon-Wintermote asked where the gas and electric lines are. The applicant
556 indicated they are along the County road and will be brought into each lot.
- 557 • Chairman Brandon-Wintermote asked if the applicant has contacted the irrigation district.
558 The applicant said they have initiated conversations with the district and no concerns have
559 been noted as of yet.
- 560 • Mary McKinney asked that during construction, the material stays on site and equipment
561 is cleaned before it moves off of the site.
562

563 Chairman Brandon-Wintermote asked if there were comments from any members of the public.
564 There were no comments from those in attendance.
565

566 Commissioner Putney asked for discussion.

- 567 • Finding #18 change to weed plan has been submitted.
- 568 • Finding #26 change to a verbal response has been received.
- 569 • Finding #29 change to applicant's submission requirements have been met with the
570 exception of the submittal of a road maintenance and snow removal agreement.
- 571 • Condition #2 the applicant shall provide an erosion control plan to Public Works and obtain
572 right-of-way permits for proposed access to the county road.
- 573 • Condition #7 shall read natural gas instead of electricity.
- 574 • Delete Condition #8.
- 575 • Add a condition that water wells must comply with State Engineer's Office requirements.

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- 576 • Add a condition that the sketch plan shall include utility easements prior to review by the
577 Board of County Commissioners.
578 • Add the irrigation district easement along the underground tile drain to the sketch plan
579 prior to review by the Board of County Commissioners.
580

581 Commissioner Morrison made a MOTION to close the hearing at 3:38pm; SECONDED by
582 Commissioner Jones. The motion was carried unanimously.
583

584 Commissioner Morrison made a MOTION to approve the Sketch Plan of Meadow Flower MS-50
585 by Resolution 2021-13 based on the findings presented and including the following conditions:
586

- 587 1. The applicant shall provide all easements as requested by applicable utilities and
588 special districts, irrigation districts or public agencies providing services. The width of
589 any utility easement shall be sufficient to allow adequate maintenance of the system,
590 but in no case shall such utility easement be less than 20 feet in width. Easements
591 must be identified on the final plat;
- 592 2. The applicant shall provide an erosion control plan and evidence of right-of-way
593 permits acceptable to Park County Public Works to the Planning and Zoning
594 Department prior to review by the Board of County Commissioners;
- 595 3. The final plat shall contain a notice of the Wyoming Right to Farm and Ranch Act of
596 1991;
- 597 4. A draft Homeowners Association Agreement that includes the parties responsible for
598 road maintenance and snow removal, must be submitted to the Planning & Zoning
599 Department prior to Sketch Plan review by the Board of County Commissioners;
- 600 5. A subdivision road name must be approved by the Road Naming Committee prior to
601 final plat review by the Board of County Commissioners;
- 602 6. The applicant shall provide a Subdivision Improvements Agreement to the Planning
603 and Zoning Department addressing all improvements prior to final plat review;
- 604 7. The applicant shall submit Shoshone Irrigation District's written approval of the water
605 distribution plan for the subdivision to the Planning and Zoning Department prior to
606 final plat review;
- 607 8. A note shall be placed on the final plat addressing water quality evidenced by the
608 water sample collected on January 4, 2021, unless the applicant submits a new water
609 quality sample results that indicate water is safe;
- 610 9. The applicant shall place a note regarding water wells drilled on this subdivision shall
611 comply with State Engineer's Office requirements;
- 612 10. All easements shall be shown on the sketch plan prior to review by the Board of
613 County Commissioners; and
- 614 11. The applicant shall otherwise comply with standards in the Park County
615 Development Regulations and the minimum subdivision requirements as set forth

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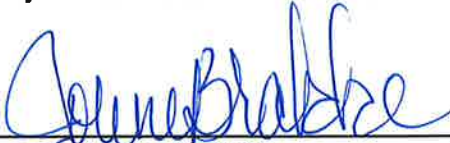
616 in Wyoming Statute 18-5-306.

617
618 The motion was SECONDED by Commissioner Putney. The motion carried. See Resolution
619 2021-13 attached hereto and incorporated herein.

620
621 Chairman Brandon-Wintermote delivered the Chair's report.
622 The Planning Director delivered a report for the Planning and Zoning Department.

623
624 There being no other business, a MOTION was made by Commissioner Putney to adjourn the
625 meeting at 5:05pm. The motion was seconded by Commissioner Bonine. All in favor.

626
627 Respectfully submitted,



Jolene Brakke, Secretary

628
629
630

Park County
Planning and Zoning Department
1002 Sheridan Avenue Ste 109
Cody, Wyoming 82414-3550
307-527-8540 or 307-754-8540



MEMORANDUM

TO: Park County Planning and Zoning Commission
FROM: Park County Planning and Zoning Director
DATE: April 21, 2021
SUBJECT: Special Use Permit Requirement for 32 Josie Lane, Cody, Wyoming

Kenny Daniels (the applicant), on behalf of Boomer Investment Properties, LLC., submitted a Special Use Permit (SUP) Application to the Planning and Zoning Department on December 30, 2020. The applicant sought permission to operate a dude ranch on the property addressed as 32 Josie Lane, Cody, Wyoming ("the property"), following the County's determination that a permit was required for the use of existing structures on the property.

As part of the research and review required to develop the staff report for the public hearing associated with the SUP Application, staff encountered a condition in the *Park County 2015 Development Standards and Regulations* ("the regulations") that impacted the Planning Director's permitting requirement decision; this discovery demanded further consideration and deliberation with staff and the County Attorney.

Having conducted a significant amount of research, interviews and discussion on the matter during recent months, I find the following to be true:

- 1) According to Chapter II, Section 2 of the regulations, *accessory housing unit* is defined as "A dwelling unit accessory to a principal dwelling unit, located on the same lot or parcel, and smaller in floor area of living space, including but not limited to accessory apartments, caretaker's quarters, guest houses, and housing units for family members or other relatives.";
- 2) According to Chapter IV, Section 3.a.(1).D. of the regulations, "Pre-existing Housing Units: Accessory housing units constructed prior to January 7, 1998, may be rented at any time.";
- 3) According to the survey records and notes of Morrison-Maierle (formerly Holm, Blough and Company), structures, referred to as a lodge, bunkhouse and barn, existed on the subject property in January of 1983;
- 4) According to the records of and discussion with the Park County Assessor, four residential structures existed on the property in April of 1983 and have been assessed as residential structures for taxation purposes;

- 5) According to an Affidavit signed by Mr. Jeff Mummery on December 30th, 2020, he built "the cabins" in the early 1980s; he built the cabins and developed the property to be a guest ranch; and he operated the property as a guest ranch for his family, friends and business clients during a portion of the time that he owned the property; and
- 6) According to the testimony of other individuals who owned the property or were immediate family of previous owners of the property after Mr. Mummery owned the land, cabins on the property were rented on various occasions in previous years.

As such, I have made the final decision that the existing residential structures on the property may be rented at any time; therefore, a Special Use Permit is not required.

Aggrieved persons may obtain a review of my final decision by the Board of County Commissioners, pursuant to Chapter I, Section 6 of the regulations. Appeals shall be made within 20 days of any final decision by filing a written notice of appeal with the Board's Administrative Assistant (Susan Kohn) specifying the grounds for the appeal.

Sincerely,

A handwritten signature in blue ink, appearing to read "J Hill", is written over the typed name.

Joy Hill

**RESOLUTION 2021-08
PARK COUNTY PLANNING & ZONING COMMISSION**

**TITLE: RECOMMENDATION TO APPROVE
BATEHAM SIMPLE SUBDIVISION-269 (SS-269) SKETCH PLAN**

WHEREAS, Shane Larsen proposes to create two lots (one 10.53-acre lot and one 10.54-acre lot) from an existing 21.07-acre parcel for residential use. The subdivision is located in a General Rural 5-Acre (GR-5) zoning district;

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

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

WHEREAS, the Planning & Zoning Commission held a duly noticed public hearing on April 21, 2021 to consider the sketch plan application and made findings as follows:

1. A Simple Subdivision Permit Application, including payment, was received from Shane Larsen on February 3, 2021;
2. The applicant proposes to create two lots consisting of one 10.53-acre lot and one 10.54-acre lot from an existing 21.07-acre parcel for residential use;
3. Applicable regulations are the *Park County Wyoming 2015 Development Standards and Regulations*, adopted September 15, 2015;
4. The subdivision classification meets the standards of a simple subdivision;
5. Ownership is affirmed by Warranty Deed (dated June 12, 1981 (Book 146, Page 388) to James O. Bateham and Margaret E. Bateham, as joint tenants with the right of survivorship from Delmar E. Kleckner, as Sole Owner;
6. The parcel of land described as E1/2 of Lot 45-N, T.52N., R.102W., 6th P.M., Park County, Wyoming. Said parcel being 21.07 acres;
7. The proposed subdivision is located approximately 7 miles southwest of Cody, Wyoming, and approximately ½ mile east of Hwy 291 (Southfork Hwy) on Douglas Drive. This parcel has an address of 57 Douglas Drive, Cody;
8. The property is located in a GR-5 zoning district, and in the Lower Southfork planning area;
9. Surrounding land uses are primarily residential, residential vacant, and agricultural;
10. There is an existing residence and small wastewater system on proposed Lot 1;

11. The proposed subdivision is not within one mile of any municipality;
12. All public notice requirements have been met, including Notice of Intent to Subdivide;
13. All agency referral requirements have been met;
14. Black Hills Energy has the capacity with existing infrastructure to provide gas service to this proposed subdivision;
15. Park County Weed & Pest indicated a Long-Term Noxious Weed Management plan is required;
16. A Long-Term Noxious Weed Management plan has been submitted and approved;
17. Rocky Mountain Power has the capacity to provide electrical service to this proposed 2-lot subdivision;
18. Park County Fire Protection District #2 can provide fire protection to the proposed subdivision;
19. Park County School District #6 has bus service available to this subdivision;
20. Northwest Rural Water District has the capacity to provide water to this proposed subdivision;
21. Cody Conservation District has submitted a soils report;
22. Lakeview Irrigation District has reviewed the water distribution plan and will require a measuring device for each proposed lot;
23. USPS has confirmed mail delivery is available to this proposed subdivision;
24. The Park County Treasurer has stated there are no taxes owed;
25. Wyoming Game & Fish has responded and has no substantial wildlife concerns and no concerns pertaining to aquatic resources;
26. A response from Park County Public Works identified legal access via Douglas Drive;
27. Park County Public Works recommended the portion of Douglas Drive that fronts the proposed subdivision be dedicated to the public;
28. TCT has responded and indicated they have wireless service in the area, and they can likely provide internet and VOIP phone service;
29. No public comments have been received;
30. A pre-application meeting was held on October 26, 2020;
31. Application submission requirements for sketch plan have been met;
32. No roads are proposed as a part of this proposed subdivision;
33. An existing driveway will provide access to Lot 1 from Douglas Drive, and Lot 2 will construct a separate driveway for access;

34. The Park County Small Wastewater Administrator reviewed subsurface evaluation data collected by the applicant and determined that conventional small wastewater systems are likely sufficient should this development be approved;
35. Domestic water requirements pertaining to sketch plan have been met;
36. Agricultural impacts have been sufficiently addressed;
37. Water rights requirements pertaining to sketch plan review have been met, however, the applicant has not provided evidence of a state permit including rights to use water from the existing spring, nor has a water use agreement been provided;
38. The proposed subdivision lots meet lot size requirements;
39. The subdivision is not within an Overlay District;
40. Impacts on the natural terrain are not expected to be significant;
41. No hazardous features are known to exist on the property; and
42. No open spaces, natural areas, schools or parks are proposed or required.

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 Bateham SS-269, 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 comply with the requirements of Lakeview Irrigation District;
3. The applicant shall provide evidence that the spring on the property is either 1) permitted by the State Engineer's Office or 2) is not required to be permitted by the State Engineer's Office;
4. If rights to the use of spring water have been proven, the applicant shall provide a shared use agreement for the spring water which, at a minimum, addresses the percent distribution of permitted flow to serve each lot, to be recorded with the final plat; and

5. The applicant shall otherwise comply with the standards in the Park County Development Regulations and the minimum subdivision requirements as set forth in Wyoming Statute 18-5-306.

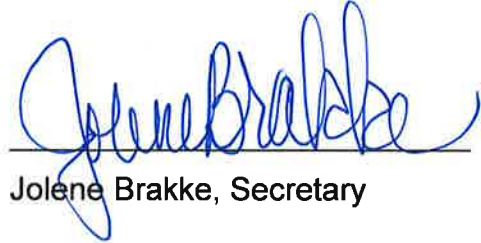
ADOPTED by the Park County Planning & Zoning Commission this 21st day of April, 2021.

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

ATTEST:



Kimberly Brandon-Wintermote, Chairman



Jolene Brakke, Secretary

RESOLUTION 2021-09**PARK COUNTY PLANNING & ZONING COMMISSION****TITLE: RECOMMENDATION TO APPROVE
BELLFLOWER SIMPLE SUBDIVISION-272 (SS-272) SKETCH PLAN**

WHEREAS, Blue Bell Properties, LLC, a Wyoming limited liability company proposes to create two lots (one 3.0-acre lot and one 6.81-acre lot) from an existing 9.81-acre parcel for residential use. The subdivision is located in a General Rural Powell (GR-P) zoning district;

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

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

WHEREAS, the Planning & Zoning Commission held a duly noticed public hearing on April 21, 2021 to consider the sketch plan application and made findings as follows:

1. A Simple Subdivision Permit Application, including payment, was received from Blue Bell Properties, LLC on March 3, 2021;
2. The applicant proposes to create a two lot simple subdivision consisting of one 3.0-acre lot and one 6.81-acre from an existing 9.81-acre parcel for residential use;
3. Applicable regulations are the *Park County Wyoming 2015 Development Standards and Regulations*, adopted September 15, 2015;
4. The subdivision classification meets the standards of a simple subdivision;
5. Ownership is affirmed by Warranty Deed dated November 20, 2020 (Document # 2020-7734) to Blue Bell Properties, LLC, a Wyoming Limited Liability Company from Paula Ann Meeker, Successor Trustee of the Earl S. Meeker Living Trust dated April 11, 2001;
6. The parcel a portion of Tract 63-G, Resurvey T55N, R98W, 6th P.M., Park County, Wyoming;
7. The proposed subdivision is located approximately 2.2 miles east of Powell, Wyoming, and north of County Lane 8H. This parcel is addressed as 527 Lane 8H;
8. The property is located in a GR-P zoning district, and in the Powell planning area;

9. Surrounding land uses are residential and agricultural;
10. The proposed subdivision is not within a mile of any municipality;
11. All public notice requirements have been met, including Notice of Intent to Subdivide;
12. All agency referral requirements have been met;
13. Rocky Mountain Power stated that they have the capacity to provide electrical service to the proposed 4-lot subdivision. An updated review to include the correct number of lots proposed has been requested by the applicant;
14. Shoshone Irrigation District has been contacted and they will require a water distribution plan;
15. It is unknown if a water distribution plan has been submitted to the Shoshone Irrigation District;
16. USPS has confirmed mail delivery is available to this proposed subdivision;
17. Because of the presence of noxious weeds, Park County Weed & Pest stated a Long-Term Noxious Weed Management plan is required;
18. A Long-Term Noxious Weed Management plan has been submitted and approved;
19. TCT has the capacity to provide internet and VOIP phone service to this location;
20. MDU currently provides gas service to proposed Lot 2 and has gas service available to serve proposed Lot 1;
21. Park County School District #1 has bus service available to serve this subdivision;
22. Park County Fire Protection District #1 can provide fire protection to the proposed subdivision;
23. Garland Light & Power stated this proposed subdivision is not located in their service territory;
24. The Park County Treasurer has stated there are no taxes owed on this parcel;
25. Wyoming Game & Fish Department stated they have no specific concerns with this proposed subdivision, the cumulative impacts of all of the recent subdivisions within Park County will begin to have adverse impacts to mule deer populations in the future;
26. Powell-Clark's Fork Conservation District has submitted a soils report for the property;
27. Park County Public Works submitted a letter confirming subdivision access will be from County Lane 8H;
28. No public comments have been received;

29. A pre-application meeting was held on October 7, 2020;
30. Application submission requirements for sketch plan have been met;
31. No roads are proposed as a part of this subdivision;
32. Access to both lots will be directly from County Lane 8H. Proposed Lot 2 has an existing driveway from County Lane 8H;
33. The Park County Small Wastewater Administrator reviewed subsurface evaluation data collected by the applicant and determined that conventional small wastewater systems are likely sufficient should this development be approved;
34. Domestic water requirements pertaining to sketch plan have been met;
35. A well water sample was collected from a well located at 527 Lane 8H on January 4, 2021. The analysis indicates the water sample does not meet the Safe Drinking Water Act (SDWA) requirement for coliform bacteria;
36. Agricultural impacts have been sufficiently addressed;
37. Water rights requirements pertaining to sketch plan review have been met;
38. The proposed subdivision lots meet lot size requirements;
39. The subdivision is not within an Overlay District;
40. Impacts on the natural terrain are not expected to be significant;
41. No hazardous features are known to exist on the property; and
42. No open spaces, natural areas, schools or parks are proposed or required.

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 Bellflower SS-272, subject to the following conditions:

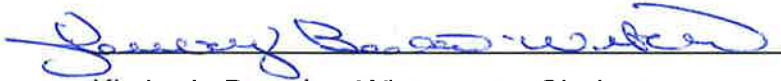
1. The applicant shall provide all easements as requested by applicable utilities and special districts, irrigation districts or public agencies providing services. The width of any utility easement shall be sufficient to allow adequate maintenance of the system, but in no case shall such utility easement be less than 20 feet in width. Easements must be identified on the final plat;
2. A Long-Term Noxious Weed Management Plan must be approved by Park County Weed & Pest prior to final plat review by the Board of County Commissioners;

3. The applicant shall comply with the requirements of the Shoshone Irrigation District;
4. A condition shall be placed on the final plat addressing water quality evidenced by the water sample collected on January 12, 2021, unless applicant submits new water quality sample results that indicate water is safe; and
5. 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 21st day of April, 2021.

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

ATTEST:



Kimberly Brandon-Wintermote, Chairman



Jolene Brakke, Secretary

**RESOLUTION 2021-10
PARK COUNTY PLANNING & ZONING COMMISSION**

**TITLE: RECOMMENDATION TO APPROVE
WHITE SIMPLE SUBDIVISION-270 (SS-270) SKETCH PLAN**

WHEREAS, Jarrod & Elisabeth White propose to create two lots (one 14.97-acre lot and one 5.02-acre lot) from an existing 19.99-acre parcel for residential use. The subdivision is located in a General Rural 5-Acre (GR-5) zoning district;

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

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

WHEREAS, the Planning & Zoning Commission held a duly noticed public hearing on April 21, 2021 to consider the sketch plan application and made findings as follows:

1. A Simple Subdivision Permit Application, including payment, was received from Jarrod & Elisabeth White on February 9, 2021;
2. The applicant proposes to create a two lot simple subdivision consisting of one 14.97-acre lot and one 5.02-acre lot from an existing 19.99-acre parcel for residential use;
3. Applicable Regulations are the *Park County, Wyoming 2015 Development Standards and Regulations* adopted September 15, 2015;
4. The subdivision classification meets the standards of a simple subdivision;
5. Ownership is affirmed by Warranty Deed dated February 14, 2018 (Document # 2018-805) to Jarrod White and Elisabeth White, husband and wife, from JoAnn Kinkade, Trustee or her successors in trust, under the Helen JoAnn Kinkade Living Trust dated November 20, 1997;
6. The parcel of land is described as: A parcel of land within the NE1/4 of Section 30, and W1/2NW1/4, Section 29, T.52N., R102W., 6th P.M., Park County, Wyoming, according to the Original Government Survey, and now being included within NE1/4 Lot 44 and W1/2NW1/4 Lot 45, according to the Government Resurvey. Said parcel being 19.99-acres;
7. The proposed subdivision is located approximately 6.5 miles southwest of Cody, Wyoming, at 647 Southfork Road;
8. The lots are configured to conform to the GR-5 zoning district where they are located;

9. Surrounding land uses are residential and residential vacant. There are a few agricultural uses in the area but none border this parcel;
10. The proposed subdivision is not within a mile of any municipality;
11. All public notice requirements have been met;
12. Notice of Intent to Subdivide was published in the Cody Enterprise on February 11, 2021 and February 18, 2021;
13. All agency referral requirements have been met;
14. Park County School District #6 has bus service available to this subdivision;
15. Park County Fire Protection District #2 can provide fire protection to the proposed subdivision and requests that any crossings be built to meet WYDOT requirements for legal loads;
16. Two Tough Guys Services currently provides solid waste removal services to this subdivision and can continue to do so;
17. TCT has fiber optic service available in this area and can provide internet and VOIP phone to this location. Terrestrial wireless service could also be available;
18. USPS has confirmed mail delivery is available to this proposed subdivision;
19. Park County Weed & Pest indicated a Long-Term Noxious Weed Management plan is not required and recommends the applicant follow *Best Management Practices for Controlling the Spread of Noxious Weeds*;
20. Cody Canal Irrigation District states the property has water rights, along with a private ditch. The District has approved an irrigation plan;
21. Cody Conservation District submitted a report stating they have a concern with the proposed subdivision because the property is classified as 100% Prime Farmland if irrigated and the loss of farmland is permanent. This proposed subdivision is located on land that is very favorable for septic tank absorption fields, has relatively low risk for wind erosion and flooding is not likely;
22. Black Hills Energy has the capacity to supply gas to the new proposed lot from their existing 4" PE main along Highway 291;
23. Northwest Rural Water District has the capacity to provide water to this proposed subdivision;
24. WYDOT stated there is existing access is located on Wyoming State Highway 291 (Southfork Road) at reference marker (R.M.) 6.565 RT (WYDOT access permit PA-07A-31604). The existing access is classified as a residential access. Once the subdivision has been approved by Park County, WYDOT will issue an updated permit for the joint access. The existing access at R.M. 6.565 RT must be obliterated by the landowners as condition of the joint access permit;
25. The Park County Treasurer has stated there are no taxes owed on this parcel;
26. Rocky Mountain Power has the capacity to provide electrical service to this proposed 2-lot subdivision;

27. Park County Public Works submitted a letter stating this subdivision does not have a direct impact on the Park County Road system or roads that are maintained by Park County;
28. No response has been received from Wyoming Game & Fish;
29. The applicants indicate there will be no road construction and maintenance of the shared driveway is the responsibility of both lot owners;
30. No public comments have been received;
31. Application submission requirements for sketch plan have been met;
32. The Park County Small Wastewater Administrator reviewed subsurface evaluation data collected by the applicant and determined that conventional small wastewater systems are likely sufficient should this development be approved;
33. Domestic water to serve the subdivision lots will be provided by Northwest Rural Water District;
34. Agricultural impacts have been sufficiently addressed;
35. Water rights requirements have been met;
36. Installation of utilities is not required for simple subdivisions;
37. The proposed subdivision lots meet lot size requirements;
38. The subdivision is not within an Overlay District;
39. Impacts to the natural terrain are not expected to be significant;
40. No hazardous conditions are known to exist on the property; and
41. No open spaces, natural areas, schools or parks are proposed or required.

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 White SS-270, 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 comply with the conditions set by Wyoming Department of

Transportation; and

3. 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 21st day of April, 2021.

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

ATTEST:



Kimberly Brandon-Wintermote, Chairman



Jolene Brakke, Secretary

**RESOLUTION 2021 - 11
PARK COUNTY PLANNING & ZONING COMMISSION**

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

WHEREAS, Jim Nicholson proposes to create a 13-lot major subdivision consisting of lots varying in size from 1.0 to 2.14 acres, each designated for residential use. The proposed subdivision will vacate and divide Lot 11 (19.17 acres) of the Kobbe Subdivision. The Kobbe Subdivision was approved by the Park County Commissioners on September 11, 2007 (Resolution #2007-66). The proposed subdivision is located in the General Rural Powell (GR-P) zoning district;

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 April 21, 2021 to consider the sketch plan application for Patriot Major Subdivision, and made findings as follows:

1. A Major Subdivision Permit Application, including payment, was received on February 9, 2021;
2. The applicants propose to create a 13-lot subdivision consisting of lots varying in size from 1.0 to 2.14 acres, each for residential use;
3. This subdivision meets the requirements for classification as a Major Subdivision;
4. Ownership is affirmed by Warranty Deed to Jim Nicholson and Sara Nicholson (Document # 2016-4528);
5. The parcel of land is described as Lot 11, Kobbe Subdivision, according to the plat recorded in Cabinet "J" of Plats, Page 91, Park County, Wyoming;
6. The proposed subdivision proposed subdivision is located approximately one mile west of the City of Powell, approximately 0.65 miles north of U.S. Highway 14A, on the east side of County Road 11;
7. Applicable Regulations are the *Park County, Wyoming 2015 Development Standards and Regulations* adopted September 15, 2015;
8. The lots are configured to conform to the GR-P zoning district where they are located;
9. Surrounding land uses are primarily residential and agricultural;

10. This property is level, vacant, and currently irrigated for agricultural use;
11. This property is located within one mile of Powell city limits; therefore, a municipal review request is required;
12. The City of Powell has been notified of this proposed subdivision and has not yet responded;
13. All notice requirements have been met;
14. United States Postal Service can provide mail service to this proposed subdivision;
15. Park County Fire District #1 is able to provide fire protection;
16. TCT has terrestrial wireless available in this area and can possibly provide internet and VOIP phone service to this location, depending upon line of site and tower availability;
17. Powell-Clarks Fork Conservation District provided a soils report identifying existing soils and potential limitations for septic systems and basements;
18. Rocky Mountain Power has the capacity to provide electrical service to this proposed subdivision;
19. Montana-Dakota Utilities has the capacity to provide natural gas through an existing main in Cora Lane;
20. The applicant has proposed domestic water service from Northwest Rural Water District, if the District has adequate capacity;
21. Northwest Rural Water District stated in a letter dated March 3, 2021 that they have adequate capacity to serve this subdivision;
22. Park County Weed & Pest submitted their initial weed review and determined a Long-Term Noxious Weed Management Plan will be required;
23. Park County Treasurer states property taxes are paid in full;
24. Park County School District #1 was notified and responded that school bus service is available;
25. Wyoming Game & Fish has no wildlife concerns or comments on this development, other than possible hazards posed by deer congregating in subdivisions;
26. Shoshone Irrigation District has been notified and is working on a Water Distribution Plan with the applicant;
27. Park County Public Works has been notified and a detailed response has been received;
28. No public comments have been received;
29. The State Engineer's Office will receive either a request to sever irrigation water rights, or an irrigation distribution plan;
30. Application submission requirements for sketch plan have been met;

31. One road is proposed as a part of this subdivision: Cora Lane, which is an extension of the existing road constructed in Kobbe Subdivision;
32. A Homeowner's Association Agreement will describe the parties responsible for road maintenance and snow removal on this portion of Cora Lane;
33. Solid waste disposal services are available from private service providers;
34. 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;
35. All agricultural impacts have been sufficiently addressed;
36. The applicant will be required to provide utility services to each of the proposed lots;
37. The applicant is required to meet all applicable lot design and improvement standards as described in Ch. III Sec. 8 of the regulations;
38. A Homeowner's Association Agreement is required for this subdivision;
39. There is evidence that covenants will be developed for this subdivision;
40. A Subdivision Improvements Agreement is required for this subdivision;
41. This subdivision is located in an Agricultural Overlay District; and
42. Other hazardous conditions such as landslides, rock falls, polluted or danger from fire or explosion or other hazardous features on the property are not known.

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 Patriot 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 meet all Park County Public Works Department standards and requirements as detailed in the Public Works response letter dated April 5, 2021;
3. The applicant shall submit to the Planning and Zoning Department a letter of

“no adverse recommendation” from DEQ regarding the feasibility of on-site septic systems prior to preliminary plat review by the Planning & Zoning Commission;

4. A draft Homeowners Association Agreement (and draft covenants if proposed) must be submitted to the Planning & Zoning Department prior to preliminary plat review by the Planning & Zoning Commission;
5. The applicant shall meet all requirements of the Shoshone Irrigation District and the State Engineer’s Office regarding irrigation water prior to final plat review by the Board of County Commissioners;
6. The applicant shall provide to the Planning and Zoning Department an approved Long-Term Noxious Weed Management Plan prior to final plat review by the Board of County Commissioners;
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 and shall not commence the physical layout or construction of the subdivision prior to Board approval
8. The applicant shall provide a response from the City of Powell;
9. The applicant shall comply with the lot standards in Chapter III, Section 8 of the regulations;
10. The final plat shall contain a notice of the Wyoming Right to Farm and Ranch Act of 1991; and
11. 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 21st day of April, 2021.

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

ATTEST:



Kimberly Brandon-Wintermote, Chair



Jolene Brakke, Secretary

**RESOLUTION 2021 – 12
PARK COUNTY PLANNING & ZONING COMMISSION**

**TITLE: RECOMMENDATION TO APPROVE
DIAMOND K MINOR SUBDIVISION-49 (MS-49) SKETCH PLAN**

WHEREAS, Kenney and Mary Ann Wright seek approval to create a four-lot subdivision comprised of two 3.11-acre lots and two 3.12-acre lots, all for residential use. The property is approximately 12.46 acres located in the Tract 6, Resurvey, T54N., R100W, 6th P.M. Park County, Wyoming, in a General Rural Powell (GR-P) zoning district;

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 April 21, 2021 to consider the sketch plan application and made findings as follows:

1. A Minor Subdivision Application, including payment, was received from Pete DiPilla on February 12, 2021;
2. The applicant intends to create a 4-lot subdivision comprised of two 3.11-acre lots and two 3.12-acre lots, all for residential use;
3. The property is approximately 12.46 acres;
4. Applicable Regulations for this development are the Park County Wyoming 2015 Development Standards and Regulations adopted September 15, 2015 ("Regulations");
5. This subdivision meets the requirements for the classification of Minor Subdivision;
6. Ownership is affirmed by a Warranty Deed (dated October 28, 2020, Doc. # 2020-7071) to Kenney D. Wright and Mary Ann Wright;
7. The legal description is a portion of land located in Tract 7 of Lot 69, T.54N., R.100W., 6th P.M. Park County, Wyoming according to the Government Resurvey;
8. The proposed subdivision is located approximately 5.25 miles southwest of Ralston, and approximately 1.2 miles southeast of US Highway 14A, on the north side of County Lane 15;
9. The lots are configured to conform to the GR-P zoning district where they are

- located;
10. Neighboring land uses are a mixture of residential, residential vacant, agricultural and exempt. BOR land is immediately north and east;
 11. The property is currently vacant;
 12. This property is not located within one mile of a municipality; therefore, municipal review is not required;
 13. All public notice requirements have been met;
 14. All agency referral requirements have been met;
 15. Garland Light & Power has electricity adjacent to each lot and has the capacity to provide electrical service to this proposed 4-lot subdivision;
 16. Park County Fire District #1 is able to provide fire protection;
 17. Park County School District #1 was notified and responded that school bus service is available;
 18. The Park County Treasurer's Office confirmed the property taxes are paid current on this property;
 19. Powell-Clarks Fork Conservation District has submitted a soils report;
 20. The City of Powell has no comments on this subdivision as it is more than one mile from city limits;
 21. The United States Postal Service can provide mail service to this proposed subdivision;
 22. CenturyLink has ability to provide telecommunications service to this location;
 23. Black Hills Energy has natural gas adjacent to each lot has the capacity to provide service to this proposed 4-lot subdivision;
 24. Park County Weed & Pest indicated a Long-Term Noxious Weed Management plan is required;
 25. Wyoming Game & Fish Department stated they have no specific concerns with this proposed subdivision; however, the cumulative impacts of all recent subdivisions within Park County likely have adverse impacts to mule deer populations in the future;
 26. A response has been received from Park County Public Works suggesting a shared driveway on Lot 3 to benefit Lots 3 and 4, and indicating that no erosion control plan is required;
 27. The Shoshone Irrigation District has been sent an irrigation water distribution plan for review;
 28. No response has been received from Shoshone Irrigation District;
 29. Public comments have been received;
 30. A pre-application meeting was held on February 1, 2021;

31. Application submission requirements for sketch plan have been met; except, irrigation facilities are not shown on sketch plan;
32. No roads are proposed as a part of this subdivision;
33. Access to all lots will be directly from County Lane 15;
34. Excavation cuts indicate adequate separation distance which, combined with suitable percolation rates, indicates that conventional septic systems should be sufficient;
35. A well water sample was collected from a well located at 1769 Lane 15 on February 22, 2021. The analysis indicates the water sample meets the Safe Drinking Water Act (SDWA) requirements;
36. Agricultural impacts have been sufficiently addressed;
37. All water rights requirements pertaining to sketch plan review have been met;
38. Utility requirements pertaining to sketch plan review have been met;
39. No roads or common facilities are proposed;
40. This subdivision is not located in any Overlay District;
41. There are steep slopes along the north boundary of the proposed subdivision;
42. No known landslides, rockfalls or other hazardous features are known to exist on the property; and
43. No open spaces, natural areas, schools or parks are proposed or required.

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 Diamond K Minor Subdivision-49 (MS-49), 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. Comments and recommendations from the Shoshone Irrigation District must be received prior to Final Plat review by the Board of County Commissioners;
3. Irrigation facilities must be shown on the Sketch Plan prior to Sketch Plan review by the Board of County Commissioners;
4. The applicant shall provide a formal response from Park County Public Works

- to the Planning and Zoning Department to identify legal means of access for Lot 4 prior to Sketch Plan review by the Board of County Commissioners;
5. The applicant shall provide an approved Long Term Noxious Weed Management Plan to the Planning & Zoning Department prior to final plat review by the Board of County Commissioners;
 6. The applicant shall show the contours for the entirety of the lot areas on the sketch plan;
 7. The applicant shall request a response from the Bureau of Reclamation be provided to the Planning and Zoning Department regarding their thoughts on this subdivision;
 8. The applicant shall provide a maintenance agreement for any shared accesses, if proposed;
 9. The applicant shall place a note on the plat regarding wells needing to be in compliance with the State Engineer's Office permitting requirements; and
 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.

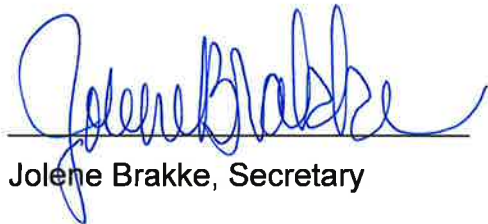
ADOPTED by the Park County Planning & Zoning Commission this 21st day of April, 2021.

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

ATTEST:



Kimberly Brandon-Wintermote, Chair



Jolene Brakke, Secretary

**RESOLUTION 2021 - 13
PARK COUNTY PLANNING & ZONING COMMISSION**

**TITLE: RECOMMENDATION TO APPROVE
MEADOW FLOWER MINOR SUBDIVISION-50 (MS-50) SKETCH PLAN**

WHEREAS, Blue Bell Properties, LLC, a Wyoming limited liability company seeks approval to create a five-lot minor subdivision consisting of one 9.03-acre lot, one 7.73-acre lot, one 8.89-acre lot, one 6.42-acre lot and one 3.70-acre lot for residential use. The proposed subdivision is located in the General Rural Powell (GR-P) zoning district;

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 April 21, 2021 to consider the sketch plan application and made findings as follows:

1. A Minor Subdivision Application, including payment, was received on March 3, 2021;
2. The applicant requests approval of a five-lot minor subdivision;
3. This subdivision meets the requirements for a classification as a Minor Subdivision;
4. Ownership is affirmed by Warranty Deed (dated November 19, 2020, Doc. #2020-7734) to Blue Bell Properties, LLC, a Wyoming limited liability company;
5. The legal description is a portion of Farm Unit "F", or the Lot sixty-three "F" (63-F) of Lot sixty-three (63), T.55N., R.98W., 6th P.M., Park County, Wyoming according to the records of the County Clerk and Recorder of Park County, State of Wyoming;
6. The proposed subdivision is located approximately 2.2 miles east of Powell, on the north side of County Lane 8H. This parcel is unaddressed;
7. Applicable Regulations for this development are the Park County Wyoming 2015 Development Standards and Regulations adopted September 15, 2015 ("Regulations");
8. The lot sizes as proposed are consistent with the GR-P zoning district where they are located;
9. Neighboring land uses surrounding this parcel are primarily residential to the immediate south, and agricultural uses surrounding the west, north and east

- property boundaries;
10. This parcel is currently vacant, irrigated land. The majority of the property is relatively flat. Proposed Lot 5 rests at a higher elevation relative to the remaining 4 proposed lots;
 11. This property is not located within one mile of the City of Powell; therefore, municipal review is not required;
 12. All notice requirements have been met;
 13. Agency referral requirements have been met;
 14. Rocky Mountain Power stated that they have the capacity to provide electrical service to a proposed 4-lot subdivision. An updated review to include the correct number of lots proposed has been requested by the applicant;
 15. Shoshone Irrigation District has been contacted and they will require a water distribution plan;
 16. USPS has confirmed mail delivery is available to this proposed subdivision;
 17. Because of the presence of noxious weeds, Park County Weed & Pest indicated a Long-Term Noxious Weed Management plan is required;
 18. A Long-Term Noxious Weed Management plan has been submitted and approved;
 19. TCT has the capacity to provide internet and VOIP phone service to this location;
 20. Park County Fire Protection District #1 can provide fire protection to the proposed subdivision;
 21. MDU stated they have a gas distribution line in the county ROW on the north side of Lane 8H that can serve proposed Lots 3 and 5. Proposed Lots 1, 2 and 4 would need a utility easement to access the gas main along Lane 8H;
 22. Park County School District #1 has bus service available to serve this subdivision;
 23. The Park County Treasurer has stated there are no taxes owed on this parcel;
 24. Wyoming Game & Fish Department stated they have no specific concerns with this subdivision; however, the cumulative impacts of all of the recent subdivisions within Park County will begin to have adverse impacts to mule deer populations in the future;
 25. Powell-Clark's Fork Conservation District has submitted a soils report for the property;
 26. A verbal response has been received from Park County Public Works;
 27. No public comments have been received;
 28. A pre-application meeting was held on October 7, 2020;
 29. Application submission requirements for sketch plan have been met with the exception of a road maintenance and snow removal agreement;

30. A road is proposed for this subdivision for access for proposed Lots 1, 2, 3 and 4;
31. Access to proposed Lot 5 will be directly from County Lane 8H;
32. 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;
33. All domestic water requirements pertaining to sketch plan review have been met;
34. A well water sample was collected from a well located at 527 Lane 8H on January 4, 2021. The analysis indicates the water sample does not meet the Safe Drinking Water Act (SDWA) requirement for coliform bacteria;
35. Agricultural impacts have been sufficiently addressed;
36. Water rights requirements pertaining to sketch plan review have been met;
37. Utility requirements pertaining to sketch plan review have been met;
38. The proposed subdivision lots meet lot size requirements;
39. The subdivision is not within an Overlay District;
40. Impacts on the natural terrain are not expected to be significant;
41. No hazardous features are known to exist on the property; and
42. No open spaces, natural areas, schools or parks are proposed or required.

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 Meadow Flower Minor Subdivision-50 (MS-50), 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 an erosion control plan and evidence of right-of-way permits acceptable to Park County Public Works to the Planning & Zoning Department prior to Sketch Plan review by the Board of County Commissioners;

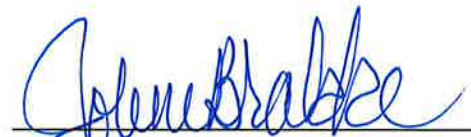
3. The final plat shall contain a notice of the Wyoming Right to Farm and Ranch Act of 1991;
4. A draft Homeowners Association Agreement that includes the parties responsible for road maintenance and snow removal, must be submitted to the Planning & Zoning Department prior to Sketch Plan review by the Board of County Commissioners;
5. A subdivision road name must be approved by the Road Naming Committee prior to final plat review by the Board of County Commissioners;
6. The applicant shall provide a Subdivision Improvements Agreement to the Planning and Zoning Department addressing all improvements prior to final plat review;
7. The applicant shall submit Shoshone Irrigation District's written approval of the water distribution plan for the subdivision to the Planning and Zoning Department prior to final plat review;
8. A note shall be placed on the final plat addressing water quality evidenced by the water sample collected on January 4, 2021, unless applicant submits new water quality sample results that indicate water is safe;
9. The applicant shall place a note on the plat regarding water wells drilled on this subdivision shall comply with State Engineer's Office Requirements;
10. All easements shall be shown on the sketch plan prior to review by the Board of County Commissioners; and
11. 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 21st day of April, 2021.

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

ATTEST:


Kimberly Brandon-Wintermote, Chair


Jolene Brakke, Secretary

PLEASE SIGN IN
PLANNING and ZONING COMMISSION
REGULAR MEETING
April 21, 2021

		Southfork Mountain Retreat SUP-215 - Cont.	
		Bighorn Estates MS-47 Sketch Plan - Cont.	
		Patriot Major Sketch Plan	
		Diamond K MS-49 Sketch Plan	
		Meadow Flower MS-50 Sketch Plan	
	Please PRINT your name	Name of the HEARING OF INTEREST	DO YOU WISH TO SPEAK
1	Nick Hanson, WSPMD		
2	TERESA SWENSON		
3	Steve Beckers		
4	Tom Vannoy	SOUTH FORK MOUNTAIN RETREAT	YES
5	KENNY DANIELS	" " "	YES
6	Cody Schatz	Patriot	Maybe
8	Pete DiPilla	Diamond K	
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PLEASE SIGN IN
PLANNING and ZONING COMMISSION
REGULAR MEETING
April 21, 2021

		Southfork Mountain Retreat SUP-215 - Cont.	
		Bighorn Estates MS-47 Sketch Plan - Cont.	
		Patriot Major Sketch Plan	
		Diamond K MS-49 Sketch Plan	
		Meadow Flower MS-50 Sketch Plan	
	Please PRINT your name	Name of the HEARING OF INTEREST	DO YOU WISH TO SPEAK
1	Mary Helen Reed	Southfork Mountain Retreat	yes
2	ROBERT OWSLEY	SOUTHFORK MOUNTAIN RETREAT	
3	PAT OWSLEY	SOUTHFORK MOUNTAIN RETREAT	
4	Bill KNEER	SOUTHFORK MT RETREAT	yes
5	Edward Reed	White Simple Sub. 270	
6	Glenn Ledgerwood	SF MT RETREAT	—
8	David Pap	229 Southfork R	—
9	DVE FEHNINGER	BELLFLOWER SUB.	
10	Julia Martine	Bellflower / Meadow Flower	—
11	Jane White	White Simple Sub. 270	—
12	Nancy Hylb	Bellflower / Meadow Flower	
13	Stane Larsen	Jun Bateau	NO
14	Joseph ANDREW	S.F.K. MT. RETREAT	—
15	JAMES O. BATEHAM	BATEHAM & MARGARET	—
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PLEASE SIGN IN
PLANNING and ZONING COMMISSION
REGULAR MEETING
April 21, 2021

		Southfork Mountain Retreat SUP-215 - Cont.	
		Bighorn Estates MS-47 Sketch Plan - Cont.	
		Patriot Major Sketch Plan	
		Diamond K MS-49 Sketch Plan	
		Meadow Flower MS-50 Sketch Plan	
	Please PRINT your name	Name of the HEARING OF INTEREST	DO YOU WISH TO SPEAK
1	<i>Jim Nicholson</i>	<i>Patriot Sub.</i>	
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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, April 21, 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.

APPROVAL OF MINUTES

Approve minutes from March 17, 2021 meeting.

CONSENT AGENDA

Bateham SS-269

Bellflower SS-272

White SS-270

REGULAR AGENDA

PUBLIC HEARING CONT. – Southfork Mountain Retreat SUP-215

PUBLIC HEARING CONT. – Bighorn Estates MS-47 Sketch Plan

PUBLIC HEARING – Patriot Major Sketch Plan

PUBLIC HEARING – Diamond K MS-49 Sketch Plan

PUBLIC HEARING – Meadow Flower MS-50 Sketch Plan

OTHER BUSINESS

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

ADJOURN