

Planning & Zoning Commission Minutes

August 18, 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
 Eugene Spiering
 Richard Jones
 Marion Morrison

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 (by virtual means)
 Ben McDonald, Public Works (by virtual means)

Chairman Brandon-Wintermote opened the meeting at 1:00pm. and introduced the commission members and staff.

APPROVAL OF MINUTES

Chairman Brandon-Wintermote asked the Commission for comments or changes to the July 21, 2021 meeting minutes. Corrections to Lines 18 and 20 – should say how wide and deep are the driveways, not the culverts. A MOTION was made by Commissioner Jones to approve the minutes; the motion was SECONDED by Commissioner Morrison to approve the minutes as corrected. Motion was carried unanimously.

CONSENT AGENDA

Chairman Brandon-Wintermote 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.

- Commissioner Morrison asked if any members of the public are in attendance specifically for this subdivision. She is concerned that it is a confusing concept, the change from a minor subdivision to a simple subdivision. She feels that a public hearing should be required when lot size averaging is used. She would like to hear the thoughts of the other members on removing the item from consent agenda.
- Commissioner Bonine said he is comfortable leaving it on consent.
- Commissioner Jones said he has no questions and is happy to keep it on consent.
- Chairman Brandon-Wintermote said if they had public present with concerns, she would want to pull it from consent.
- Commissioner Spiering said he has no concerns with leaving it on consent.
- Commissioner Morrison said she will not seek removal of the item from consent.
- 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.

Planning & Zoning Commission Minutes

August 18, 2021

55 - Commissioner Bonine made a MOTION TO APPROVE the consent agenda, including
56 Roping the Wind SS-278 Sketch Plan. SECOND by Commissioner Jones. All in favor.
57 Motion passed.
58

59 **Roping the Wind SS-278 Sketch Plan:** Jerry and Angela Woodward request approval of the
60 sketch plan for a one-lot simple subdivision comprised of one 9.04-acre lot for residential use.
61 Creation of this subdivision will result in a remainder parcel of 48.81 acres. The proposed
62 subdivision is located approximately 21.5 miles northwest of Ralston, approximately six miles
63 northwest of the Belfry Highway, west of County Road 8UD in the N1/2NW1/4, Section 20, T57N,
64 R102W, 6th P.M., Park County, Wyoming. The property has an address of 189 and 191 Road
65 8UD, Powell Wyoming and is located in a General Rural 20-Acre (GR-20) zoning district.
66

67 Commissioner Bonine read the conditions of approval of this subdivision into the record.
68

69 Roping the Wind SS-278 Sketch Plan was recommended for approval by Resolution 2021-31 with
70 the following conditions:
71

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

77 2. The applicant shall place a note on the final plat stating the following: "Lot size
78 averaging was used to create a subdivision lot smaller than 20 acres in the GR-20
79 Zoning District. In considering future division of Lot 1 or the remainder parcel, neither
80 property may be further divided unless authorized by County or State rules in place
81 at the time further division is proposed.";

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

85 See Resolution 2021-31 attached hereto and incorporated within.
86

87 **REGULAR AGENDA**

88
89 **PUBLIC HEARING – Patriot Major Subdivision Preliminary Plat:** Jim Nicholson requests
90 approval of the Preliminary Plat for the Patriot Major Subdivision. The applicant requests to vacate
91 and re-subdivide 19.17-acre (Lot 11 of the Kobbe Subdivision) into 13 lots varying in size from
92 1.0 to 2.14 acres, each designated for residential use. The proposed subdivision is located
93 approximately 3/4 mile west of Powell, south of Lane 9 on the east side of County Road 11, in the
94 SW/4NW/4 Lot 64, T55N, R99W of the 6th P.M., Park County, Wyoming, in a General Rural Powell
95 (GR-P) zoning district.
96

97 Chairman Brandon-Wintermote reviewed the rules of a public meeting and opened the public
98 hearing at 1:09pm.

Planning & Zoning Commission Minutes

August 18, 2021

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

101
102 Chairman Brandon-Wintermote asked if any Commission members had questions for Staff.

- 103 • Ben McDonald, Public Works, indicated that they have nothing to add.

104
105 Chairman Brandon-Wintermote asked if the applicant had any questions or comments.

- 106 • Cody Schatz, Engineering Associates, spoke on behalf of the applicant regarding water
107 rights and irrigation district review. They will have to detach rights under the road. They
108 expect approval from the state for detachment in the next couple of months. Sprinkler
109 irrigation will be required.

- 110 • Commissioner Spiering asked if they require detachment for under the houses. Cody said
111 in the past they had to remove water rights for homes, but it was tricky because they could
112 not estimate the sizes of the homes. The State no longer requires it for homes, just for the
113 road.

114
115 Chairman Brandon-Wintermote asked if there were comments from any members of the public.
116 There being none, Chairman Brandon-Wintermote asked if any Commission members had
117 questions for staff or the applicant.

- 118 • Commissioner Morrison suggested to the applicant that in any homeowner's agreements
119 and covenants to underscore the regulations regarding the requirement for down-shielded
120 lighting. This subdivision appears to be a good fit next to the previous one, but there are
121 lands leaving ag production.

122
123 Commissioner Morrison made a MOTION to close the hearing at 1:24pm; SECONDED by
124 Commissioner Jones. The motion was carried unanimously.

125
126 Chairman Brandon-Wintermote asked Commission members if they had any discussion.

- 127 • Chairman Brandon-Wintermote asked about the requirement for enhanced small
128 wastewater systems. There is a note on the preliminary plat. She asked if there is a note
129 for sprinkler irrigation. Cody said yes, note 1.
- 130 • Kim Dillivan mentioned a note on the plat regarding the reason for enhanced systems. He
131 recalls issues with Kobbe Subdivision having high groundwater due to nearby ag.
- 132 • Chairman Brandon-Wintermote would like to fix the spelling of Kobbe in Finding 32.
- 133 • Commissioner Bonine said there is a misspelling in Finding 40 (parcel).

134
135 Commissioner Bonine made a MOTION to approve Patriot Subdivision Preliminary Plat by
136 Resolution 2021-32 based on the findings presented and corrected and including the following
137 conditions:

- 138
- 139 1. The applicant shall provide all easements as requested by applicable utilities and
140 special districts, irrigation districts or public agencies providing services. The width of
141 any utility easement shall be sufficient to allow adequate maintenance of the system,
142 but in no case shall such utility easement be less than 20 feet in width. Easements
143 must be identified on the final plat;

- 144 2. The applicant shall meet all Park County Public Works Department standards and
145 requirements as detailed in the Public Works response letter dated April 5, 2021;

Planning & Zoning Commission Minutes

August 18, 2021

- 146 3. The final plat shall contain a notice of the Wyoming Right to Farm and Ranch Act of
147 1991;
- 148 4. The applicant shall meet all requirements of the Shoshone Irrigation District and the
149 State Engineer's Office regarding irrigation water prior to final plat review by the
150 Board of County Commissioners;
- 151 5. The applicant shall provide to the Planning and Zoning Department an approved
152 Long-Term Noxious Weed Management Plan prior to final plat review by the Board
153 of County Commissioners;
- 154 6. The applicant shall submit to the Planning and Zoning Department a draft Subdivision
155 Improvements Agreement for review and approval prior to final plat review by the
156 Board of County Commissioners and shall not commence the physical layout or
157 construction of the subdivision prior to Board approval; and
- 158 7. The applicant shall otherwise comply with standards in the Park County Development
159 Regulations and the minimum subdivision requirements as set forth in Wyoming
160 Statute 18-5-306.

161
162 The motion was SECONDED by Commissioner Morrison. All in favor. The motion carried. See
163 Resolution 2021-32 attached hereto and incorporated herein.

164
165 **PUBLIC HEARING – Powell Country Club Estates Major Subdivision Sketch Plan:** William
166 Ambrose requests approval of the Sketch Plan for the Powell Country Club Estates Major
167 Subdivision. The proposed subdivision is comprised of 7 lots, varying in acreage from 1.79 to
168 2.63-acres, each designated for residential use. The proposed subdivision is located
169 approximately four miles northeast of Powell on County Road 5, adjacent to the Powell Golf
170 Course on a 14.43-acre parcel located in Lot 40-A, Resurvey, T56N, R98W of the 6th P.M., Park
171 County, Wyoming, in a General Rural Powell (GR-P) zoning district.

172
173 Chairman Brandon-Wintermote opened the public hearing at 1:29pm.

174
175 There being no comments from Commission members, Patti Umphlett, Planner I, presented the
176 Staff Report.

177
178 Chairman Brandon-Wintermote asked if any Commission members had questions for Staff.

- 179 • Brian Edwards, Public Works, mentioned that previous iterations of this subdivision have
180 been abandoned such that road proposals have changed. They have ensured adequate
181 frontage for each lot. There is sufficient space for driveways. They did move the
182 northernmost access on the south side of Lot 3 due to the dangerous corner nearby. There
183 are easements cutting across other lots for driveways. They will require right-of-way
184 permits. They encourage shared driveways, but there is enough frontage that it is not a
185 requirement. No runoff and erosion control plan is required.

186
187 Chairman Brandon-Wintermote asked if the applicant had any questions or comments.

- 188 • Cody Schatz, Engineering Associates, spoke on behalf of the applicant. He said this
189 subdivision has changed from previous forms due to irrigation water issues (water rights
190 will be detached to assist the golf course) and water district no longer has capacity to
191 serve this subdivision. As such, lot numbers have been decreased. They have not yet
192 submitted to DEQ because the proposal of wells will require different submittals to DEQ.

Planning & Zoning Commission Minutes

August 18, 2021

- 193 • Commissioner Morrison said the seven lots makes more sense than the previous
194 configurations.
- 195 • Commissioner Bonine asked what the plan is for landscaping since water rights will be
196 detached. Cody said each landowner will have to get State approval for drinking water
197 wells as well as wells for landscaping water. They have found groundwater at various
198 depths to serve landscaping needs. A geologist indicated that they would drill wells to a
199 depth of 100 feet or more to obtain drinking water.
- 200 • Commissioner Jones asked about the irrigation wells at shallow depth. He wondered what
201 the source of groundwater is. Cody said there are some springs in the area. He believes
202 irrigation at the golf course seems to contribute as well.
- 203 • Chairman Brandon-Wintermote asked about a note on the final plat regarding no potable
204 water wells to be shallower than 40 feet. Staff indicated that they would defer to DEQ for
205 guidance on well restrictions, if any.
- 206 • Commissioner Morrison asked if the distance requirements for well setbacks apply to
207 domestic wells and irrigation wells. Staff said they do in most cases. She also asked if
208 there are requirements for the distance required between wells. Staff would defer to DEQ.
209

210 Chairman Brandon-Wintermote asked if there were comments from any members of the public.
211 There were none.

212
213 Chairman Brandon-Wintermote asked if any Commission members had questions for the
214 applicant.

- 215 • Commissioner Morrison mentioned her desire to have down-shielded lighting addressed
216 in any covenants.
217

218 Commissioner Bonine made a MOTION to close the hearing at 1:53pm; SECONDED by
219 Commissioner Morrison. All in favor. The motion carried.
220

221 Chairman Brandon-Wintermote asked Commission members if they had any discussion.
222

223 Commissioner Morrison made a MOTION to approve Powell Country Club Estates Subdivision
224 Preliminary Plat by Resolution 2021-33 based on the findings presented and including the
225 following conditions:
226

- 227 1. The applicant shall provide all easements as requested by applicable utilities and
228 special districts, irrigation districts or public agencies providing services. The width
229 of any utility easement shall be sufficient to allow adequate maintenance of the
230 system, but in no case shall such utility easement be less than 20 feet in width.
231 Easements must be identified on the final plat;
- 232 2. The applicant shall provide to the Planning and Zoning Department a signed
233 Addendum to the existing Long-Term Noxious Weed Management Plan extending
234 the date to September 2026, prior to final plat review by the Board of County
235 Commissioners;
- 236 3. The applicant shall provide to the Planning and Zoning Department evidence of the
237 State's approval to detach water rights prior to final plat review by the Board of
238 County Commissioners;

Planning & Zoning Commission Minutes

August 18, 2021

- 239
240
241
242
243
244
245
246
247
248
249
250
251
252
253
254
255
256
257
4. The applicant shall provide to the Planning and Zoning Department a formal response from the Park County Public Works Department prior to preliminary plat review by the Planning & Zoning Commission;
 5. 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;
 6. The applicant shall submit to the Planning and Zoning Department a letter of “no adverse recommendation” from DEQ regarding the feasibility of on-site domestic water wells prior to preliminary plat review by the Planning & Zoning Commission;
 7. If covenants are proposed, the applicant shall provide a copy of the draft covenants to the Planning and Zoning Department prior to final plat review by the Board;
 8. The final plat shall contain a notice of the Wyoming Right to Farm and Ranch Act of 1991;
 9. The applicant shall submit to the Planning and Zoning Department a draft Subdivision Improvements Agreement for review and approval prior to final plat review by the Board of County Commissioners; 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.

258
259
260
261

The motion was SECONDED by Commissioner Jones. The motion carried. See Resolution 2021-33 attached hereto and incorporated herein.

262
263
264
265
266
267
268
269

PUBLIC HEARING – Cornerstone MS-59 Sketch Plan: Kevin and Allison French request approval of the Sketch Plan for the Cornerstone Minor Subdivision (MS-59). The proposed subdivision is comprised of five lots ranging in size from 5 to 8 acres, each for residential use. The proposed subdivision is located approximately 3.75 miles southwest of Powell and is located in Tract 10 of Lot 98, Lot 15 of Section 24, Lot 1 of Section 23, Lot 8 of Section 25 and Lot 3 of Section 26, Resurvey T55N, R1002W of the 6th P.M., Park County, Wyoming in a General Rural Powell (GR-P) zoning district.

270
271

Chairman Brandon-Wintermote opened the public hearing at 1:57pm.

272
273
274

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

275
276
277
278
279
280
281
282
283
284

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

- Commissioner Bonine asked for clarification as the plan shows a certain number of acres, but the MapServer shows something different. Staff explained that there was a deed transaction to the highway which split the land south of the highway from the northern portion.
- Brian Edwards, Public Works, said the project engineer is very familiar with the road requirements. They will be working closely to ensure the road is built to County standards.
- Chairman Brandon-Wintermote asked if Public Works is expecting them to remove the existing approach and use the new road. Brian said that all lots would be addressed off of the new road. It is a busy road, so they can discuss the use of that existing access.

Planning & Zoning Commission Minutes

August 18, 2021

- 285
- 286
- 287
- 288
- 289
- 290
- 291
- 292
- 293
- Chairman Brandon-Wintermote asked about a 10-foot proposed utility easement on the plan. She wondered why it isn't at least 20 feet. Brian said it would be a good thing for the applicant to clarify.
 - Commissioner Jones sought clarification of that same easement. Brian Edwards said a lot of times that is included as an access and utility easement. There may be a reason for breaking it out separately, but 60 feet is usually sufficient for access and utilities.
 - Chairman Brandon-Wintermote asked about the response from Weed and Pest. Patti Umphlett said this one should be simple with no issues.

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

- 295
- 296
- 297
- 298
- 299
- 300
- 301
- Nick Hummel, Engineering Associates, spoke on behalf of the applicant. He said there are two different deed documents for the highway. There is one from the 1960s and another from 2004 that finish up the stretch. As for the existing approach on proposed Lot 5, to help with safety reasons they wouldn't mind removing that one and coming in on the shared road. The extra 10-foot utility easement was added to give a little extra room since they will be dealing with buried irrigation lines for sprinklers.

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

- 303
- 304
- 305
- 306
- 307
- 308
- 309
- 310
- 311
- 312
- 313
- 314
- 315
- 316
- 317
- 318
- 319
- 320
- 321
- 322
- Chairman Brandon-Wintermote asked about progress on road name submittals. Nick said three suggestions were provided at the time of application. Brian Edwards said they noticed the names on the drawing, but they have not yet been submitted to the road naming committee, but they will get them to the committee for concurrence.
 - Chairman Brandon-Wintermote asked where they are at with the irrigation district. Nick said they have met onsite to discuss the possibility of a new irrigation system, including a bubbler on the NW corner of proposed Lot 1. He expects approval in the next month. Further into the project they will have a water distribution plan signed off to submit for final plat.
 - Chairman Brandon-Wintermote asked if NWRD is not available since something is shown on the plan.
 - Kevin French said he believes they do have a line nearby, but do not have available taps.
 - Kim Dillivan said even if water is adjacent on a minor subdivision, it is not required.
 - Commissioner Morrison asked if, on Lot 5, with easements and driveway, is it anticipated that there will be any building over there or is it too chopped up with easements and driveways. Kevin French said he doesn't expect there to be any buildings over there.
 - Chairman Brandon-Wintermote asked about the property on the other side of the County road. It is part of one of the lots.

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

- 324
- 325
- 326
- 327
- 328
- 329
- 330
- 331
- 332
- 333
- Steve Murphy has reservations about the entire subdivision. First, Game and Fish had reservations about reducing land. Nobody seems to care about that, but it should be paid attention to. Second, the water for the wells; he knows of neighbors who have only seasonal wells, they fail at certain parts of the year. Issues like that need to be addressed. He wants to make sure people are not left high and dry. Further, it is perfectly good ag land, as such the considerable decrease in ag land should lead to no allowance for further development. He would propose a moratorium on turning ag land into developments as this is a time when there is a great demand for land from people moving in from other states and a great deal of cash available to purchase. They will find that water will be an ongoing issue. Wells may fail due to extra water being removed from groundwater.

Planning & Zoning Commission Minutes

August 18, 2021

- 334
- 335
- 336
- 337
- 338
- 339
- 340
- 341
- 342
- 343
- 344
- 345
- 346
- 347
- 348
- 349
- 350
- 351
- 352
- 353
- 354
- 355
- 356
- 357
- 358
- 359
- 360
- 361
- 362
- 363
- 364
- 365
- 366
- 367
- 368
- 369
- 370
- 371
- 372
- 373
- 374
- 375
- 376
- 377
- 378
- 379
- 380
- 381
- 382
- 383
- Sonya Murphy agreed with Steve's comments. She knows of a neighbor nearby who recently built and thought they had water and found they were not able to get water (from wells). Now that the ground is being irrigated, she is not sure if they have water or not.
 - Mel Hawley said he is 100% against the subdivision. It was in his family for 100 years. It was his grandparents' farm. He probably would have farmed it if he could. It is a low water area. He has drilled wells on his property to the west and hasn't had much success. He got on NWRD before they ran out of taps. There are other things; it is close to a high traffic area (Hwy and County Rd). He doesn't know how kids and buses will access it. He is concerned about pets/animals. It is taking up excellent farm ground, which he is against. Wyoming has so much ground that is suitable for housing but you can't farm all of it. Farm ground is a premium. He reiterated the water issue.
 - Carrie Satterwhite said she is against the subdivision as well. There are so many accidents along the curve. They have had people drive through their property taking fences down. There is a lot of animal traffic due to the creek being right there. It is good farmland and once approved, each person can then subdivide to make room for more housing. We are talking about more houses down the road. It is going to affect her area – wildlife, less farmable land, trash, dogs, horses, etc. all added to the highway.
 - Hoyt Satterwhite said there is an underground stream by him (nearby) and he is worried about what contaminants septic systems can add to the groundwater and the spring that they pull water out of.
 - Minnie Cozzens is also against this. It will take out more ag land which there has been a lot of subdivisions going in and removing agriculture. There is a lot of money out there going into trying to do more subdivisions. She has lived across from this property for 62 years. They have a well, a canal and Alkali Creek, and in the Springtime, they have to be very conservative with the water or it will run out. She is also concerned with the scenic view and she has a gravel pit on her place which could be impacted.
 - Alex Murphy has some concerns. He is currently living with Minnie Cozzens trying to take over her farm ground. First, he is concerned about water. The Robertson's, who just moved in, barely got water for the first time this year a few weeks ago. Due to high per rates of the gravel soil, the water will quickly subside after water goes down. Second, this is good agricultural ground. Having farms next to subdivisions leads to trespass problems. They already have these problems with new homes in the area. He expects more of that. Also, he is concerned about wildlife impacts between the bench and Alkali Creek. There is a migration corridor and it will be impacted. It will impact walk-in hunting. He mentioned the gravel pit and they will be crushing rock, which is loud. It may adversely affect nearby subdivisions. They may be limited on their operations due to complaints.
 - Mary Murphy said she has personally seen the wildlife cross the fields and over the highway. She is concerned with wildlife crossing and how dangerous it is. She is also against it and it is far out of Powell. It isn't a good place for people to build their homes to have safe pets and children with the highway so close and so many accidents.
 - Alex Murphy said he read that this zoning district is intended for the retention of open space, ag, wildlife, scenic areas.
 - Mel Hawley added that there is an underground field drain that crosses the subdivision property. He doesn't want people building on top of these old tile drains. When they collapse, they have to be repaired by the district. He doesn't believe there are firm maps at the irrigation district, but he knows there is a manhole there. He knows the direction of it – northwest and across the highway to the canal.
 - Hoyt Satterwhite asked who is responsible if they contaminate someone's water. The Planning Director said this is where property rights, buyer beware and at your own risk come into play. The County cannot protect and guarantee everything. There is always

Planning & Zoning Commission Minutes

August 18, 2021

384 a risk no matter where you are, whether land near you is subdivided or not, there can be
385 contamination to your water from a variety of sources. So, at the end of the day, the
386 responsibility falls on the landowner. Sometimes it is a civil matter, sometimes DEQ may
387 become involved; it is a case-by-case basis. Well permit-holders are encouraged to
388 engage with the State Engineer's Office as they are the entity that oversees the
389 groundwater rights distribution.

- 390 • Minnie Cozzens said she has a registered well and she is concerned with the number of
391 proposed wells and how it will impact her. The Planning Director reiterated the importance
392 of expressing those concerns with the State Engineer's Office. If these concerns are not
393 expressed to them, they are not aware there is a potential issue.
- 394 • Kim Dillivan addressed the concerns about protecting groundwater and wells. He added
395 that there are protections in place such as setback requirements to protect water from
396 septic contamination.
- 397 • Commissioner Jones commented on the responsibility issue. As for seasonal fluctuations,
398 is there anything in statute to help with the concerns. The Planning Director said that a
399 major subdivision is required by statute to undergo DEQ review regarding domestic and
400 small wastewater, where a minor is not. However, the County has the option to condition
401 any development to seek DEQ review if there are specific concerns regarding health,
402 safety, and welfare.
- 403 • Kim Dillivan added that there have been cases when the Commission and Board have
404 required notes on past plats.
- 405 • Commissioner Morrison asked for the Satterwhite's to identify their location relative to the
406 subdivision. They are to the southwest on the south side of the highway.
- 407 • Commissioner Morrison also asked about the status of the Satterwhite's well. Hoyt said
408 it has been fine.
- 409 • Commissioner Morrison said if people have issues with wells, they need to communicate
410 those concerns to the state. There is not really a full-circle review at this time. People
411 have the option to get information back to them when there are issues. She wonders
412 about the basis for the letters of no adverse recommendation from DEQ and how thorough
413 they are.

414
415 Chairman Brandon-Wintermote provided time for the applicant to comment.

- 416 • Kevin French said he lived here his whole life. It is clear that no one wants Wyoming to
417 change after they have their own piece. Subdivision is inevitable. You can't always build
418 in less favorable areas. It is his intent to have something nice. East of Mel Hawley's home
419 has a good producing well. There are other good wells nearby. When the wells are drilled,
420 it is buyer beware. We don't want to set people up to have no water.
- 421 • Nick Hummel added on the percolation issue. They are looking at 5 new systems over 32
422 acres of land. He has seen major subdivisions on much smaller tracts. There is a lot of
423 room on this property for septic systems. As for the water system, they are providing a
424 test as part of the application. This is not the only way of getting water to the property.
425 Maybe in the future NRWD will have taps or people may choose to use cisterns.
- 426 • Chairman Brandon-Wintermote asked if Nick could comment on the underground drain.
427 Nick said he is concerned about that because the irrigation district has not mentioned it.
428 He will reach out to learn more.

429
430 Additional public comments:

- 431 • Minnie said she also had a drain on her property that the irrigation didn't know about.
- 432 • Hoyt said he is mostly concerned about water contamination from septic systems.

433

Planning & Zoning Commission Minutes

August 18, 2021

434 Further discussion by commission members:

- 435 • Commissioner Bonine asked staff about the parcel and the configuration of the lots. He is
436 concerned about the conveyance of land to WYDOT in 2004. Staff confirmed that state
437 statute allows for this type of split as an exemption. It does not count.
- 438 • Finding #27 shall reflect that a Public Works response has been received.
- 439 • Condition #3 shall be changed to state that a runoff and erosion control plan shall be
440 submitted to PW prior to final plat review;
- 441 • Condition added that there should be a letter of no adverse recommendation on water
442 wells from DEQ (see standard verbiage); Commissioner Jones agrees with the additional
443 condition, primarily due to the public comments;
- 444 • Kevin French mentioned that several people have good water and flow rates;
- 445 • The Planning Director stated that we need to be specific regarding what information is
446 being sought from DEQ or it could push the developer into a full chapter 23 review which
447 could be quite expensive for the developer.
- 448 • Commissioner Bonine asked for the reasoning behind the DEQ request – is it water quality
449 or adequacy/availability. Commissioner Morrison said she is more concerned about
450 quantity of water. She would consider sending the request to the State Engineer's Office
451 vs. DEQ. She doesn't see anything in place outside of catastrophic failure to address these
452 concerns. We don't have taps available, we are drilling more wells, less flood irrigation,
453 and more sprinkler irrigation. The Planning Director indicated that the review goes through
454 DEQ based upon State Statute requirements. DEQ will then forward the request to the
455 State Engineer's Office.
- 456 • Commissioner Morrison said we really need to push these concerns up to the State
457 Engineer's Office. At some point they will start to understand.
- 458 • The Planning Director added that the recommendation can be made at this level and this
459 will be carried forward to the Board of County Commissioners, however this will not be a
460 requirement until the Board determines to enforce it.
- 461 • Commissioner Morrison said she would expect that if the Board hears the same concerns,
462 they would be likely to require the extra attention to this matter;
- 463 • Commissioner Jones is a little concerned about what entity will guarantee the adequacy
464 of water. We have had a number of subdivisions with concerns about adequate water due
465 to the impacts of irrigation on groundwater. He wonders how much responsibility the
466 county holds in investigating these water issues.
- 467 • Commissioner Spiering addressed the concern about how busy that area is. He
468 understands. He has also hit a deer there. There is a lot of game traffic, car traffic and RR
469 traffic. It may be of merit to ask WYDOT for a recommendation to address these issues.
470 On top of everything, visibility around those bends is a problem.
- 471 • Brian Edwards, Public Works, responded about the road concerns. He looked at accidents
472 reported in that area while discussion is ongoing. Otherwise, there haven't been a lot
473 reported, but he believes the concerns of the locals. He can see if there is something that
474 can be done to address the concerns around the curve. Recent traffic counts show 120
475 vehicles per day. We expect to be pushing 200 vehicles per day in the near future. There
476 is plenty of sight distance. There is a lot going on with the highway intersection and
477 proximity to the canal and railroad. It also hits on a highway curve. As the road moves to
478 a secondary collector status, it will be something they will work with WYDOT on. He
479 doesn't believe this subdivision will have a noticeable impact on that, but cumulatively, he
480 will expect greater impacts over time. They will have to address those concerns over time.
481 He will take a harder look at it from the County road perspective.
- 482 • Commissioner Morrison said that she shares the concern about turning the ag ground into
483 subdivisions. It has been a repeated concern as of late; however, if safety concerns would

Planning & Zoning Commission Minutes

August 18, 2021

- 484 be addressed, she would rather see these closer to the highway than farther away in the
485 middle of bigger ag grounds.
- 486 • Commissioner Jones is concerned about imposing additional burden on the subdivider.
487 He wants to be consistent with how these concerns are addressed.
 - 488 • Chairman Brandon-Wintermote said we need to be planning for the future instead of
489 backpedaling to make up for past decisions.
 - 490 • Nick Hummel said he has only been involved with a few Chapter 23 reviews over the
491 years. He said they have proven there is adequate water available in the area. He feels
492 there are a lot of other reasons that could cause concern. We should be concerned about
493 the increased move from flood irrigation to sprinkler irrigation. Wells are not the only
494 source of water for these homes. These are large lots.
 - 495 • Commissioner Spiering said, in relation to water, there are a lot of layers that can produce
496 water at different depths. You may not have only one option. He had to deepen his well
497 and may have to deepen it again.

498
499 Commissioner Bonine made a MOTION to close the hearing at 3:17pm; SECONDED by
500 Commissioner Morrison. All in favor. The motion carried.

501
502 Chairman Brandon-Wintermote asked Commission members if they had any discussion.

- 503 • Commissioner Jones asked for thoughts on the proposed added condition. Chairman
504 Brandon-Wintermote thinks it is important for the Commission's concerns to be forwarded
505 on to the board. She understands the economic impact to the subdivider, but we need to
506 look at what is right for the general public health, safety, and welfare.

507
508 Commissioner Morrison made a MOTION to approve Cornerstone MS-59 by Resolution 2021-34
509 based on the findings presented and including the following conditions:

- 510
- 511 1. The applicant shall provide all easements as requested by applicable utilities and
512 special districts, irrigation districts or public agencies providing services. The width of
513 any utility easement shall be sufficient to allow adequate maintenance of the system,
514 but in no case shall such utility easement be less than 20 feet in width. Easements
515 must be identified on the final plat;
 - 516 2. The applicant shall provide a soils report from the Powell Clarks Fork Conservation
517 District prior to Sketch Plan review by the Board of County Commissioners;
 - 518 3. A runoff and erosion control plan shall be submitted to Park County Public Works
519 prior to final plat review;
 - 520 4. Following Board approval of the sketch plan and prior to the Board's review of the
521 final plat, the applicant shall submit an appropriate Subdivision Improvements
522 Agreement for review and approval by the Board;
 - 523 5. The applicant shall submit a required Homeowner's Association Agreement to the
524 Planning and Zoning Department prior to final plat review by the Board, as well as
525 covenants, if proposed;
 - 526 6. The applicant shall provide an approved Long-Term Noxious Weed Management
527 Plan to the Planning and Zoning Department prior to final plat review;
 - 528 7. The final plat shall contain a notice of the Wyoming Right to Farm and Ranch Act of
529 1991;

Planning & Zoning Commission Minutes

August 18, 2021

- 530 8. The applicant shall place a note on the final plat stating the following: "Soils in this
531 subdivision are known to have fast percolation rates. Conventional small wastewater
532 systems may be feasible; however, there is a possibility that engineered systems will
533 be required. Each proposed small wastewater system will require a perc test and
534 groundwater/soil exploration cut at the planned location of the leach field to determine
535 the best wastewater treatment option.";
- 536 9. The applicant shall submit to the Planning and Zoning Department a letter of no
537 adverse recommendation on the adequacy of water wells prior to sketch plan review
538 by the Board of County Commissioners;
- 539 10. The applicant shall otherwise comply with standards in the Park County
540 Development Regulations and the minimum subdivision requirements as set forth
541 in Wyoming Statute 18-5-306.

542
543 The motion was SECONDED by Commissioner Bonine. Commissioner Morrison mentioned that
544 she would like the applicant to take into consideration the down-shielding of lighting and that she
545 is concerned about the removal of land from ag production. All in favor. The motion carried. See
546 Resolution 2021-34 attached hereto and incorporated herein.

547
548 **PUBLIC HEARING – Cedar Mountain View MS-58 Sketch Plan:** Brett Tillery requests approval
549 of the Sketch Plan for the Cedar Mountain View Minor Subdivision (MS-58). The proposed
550 subdivision is comprised of four lots; approximately 10.41-acres each for residential use. The
551 parcel of land being subdivision is located approximately 6 miles southwest of Cody and is
552 described as Lot 42-1, T52N, R102W of the 6th P.M., Park County, Wyoming in a General Rural
553 5-Acre (GR-5) zoning district.

554
555 Chairman Brandon-Wintermote opened the public hearing at 3:33pm.

556
557 There being no comments from Commission members, Patti Umphlett, Planner I, presented the
558 Staff Report.

559
560 Chairman Brandon-Wintermote asked if any Commission members had questions for Staff.

- 561 • Chairman Brandon-Wintermote mentioned that Finding #17 will need to be changed.
562 • Chairman Brandon-Wintermote asked about the recently received additional public
563 comment that she missed. Patti read the letter into the record.
564 • Commissioner Jones mentioned line 146 concerning Game and Fish having concerns and
565 then in findings it shows that they do not have concerns – Finding #28 is incorrect. Staff
566 indicated that the finding should be corrected to show that they did have concerns.
567 • Ben McDonald, Public Works, said their recent comments address their recommendations
568 with the roadways. Both roads will see two additional residences. The road rights-of-ways
569 were set up for further development. The traveled road surface is less than the standard
570 if new, but it is apparent that when the original subdivisions were done, they were not
571 constructed to the standard. Their recommendation is to allow the use of the roads without
572 improvement.
573 • Chairman Brandon-Wintermote asked if Weed and Pest commented. Staff confirmed that
574 a weed plan has been approved.

575
576 Chairman Brandon-Wintermote asked if the applicant had any questions or comments.

- 577 • Brett Tillery, applicant, stated that he has satisfied Public Works' recommendations for the
578 roadways. As for the comments about maintaining the roadways, he plans to do that but

Planning & Zoning Commission Minutes

August 18, 2021

579 will not have an HOA or covenants. He plans to live on one of the lots off of Starview Drive
580 and he intends to help out with maintenance.

581 • Zane Flowers, Engineering Associates, said that TCT will provide services. As far as the
582 water distribution plan with Lakeview, it was submitted for their meeting on the 11th. They
583 sought several changes and a water association. They require the rotation of use. No two
584 users irrigating at the same time and they also require sprinkler irrigation. Approval of the
585 plan is anticipated at the September meeting.

586
587 Chairman Brandon-Wintermote asked if any Commission members had questions for the
588 applicant. There were none.

589
590 Chairman Brandon-Wintermote asked if there were comments from any members of the public.

591 • Steve Smith said he did not receive notification of the meeting. He found out through word
592 of mouth. He owns property on Foothill and property on Starview. He feels some of the
593 information is skewed. He said it is not an insignificant drop. It must be 100 feet or more
594 of a drop into the valley. A resident got stuck several times this winter because the road
595 was almost inadequate. It took a bobcat to get him out. He has lived there for three years
596 and it gets very wet on the ridge above the valley. He has heard lots of stories about
597 flooding in the valley where this development is going in. He clarified that the Chip Miller
598 letter was not from the Diamond Ridge Association. His wife is the manager and he is
599 representing her and a few others. There are not a lot of objections to this except for the
600 need for clarification. The roads [Foothill and Starview] need to be maintained/improved.
601 He is very concerned about the irrigation district meeting. He was not notified and they
602 should be represented at that meeting. He has a plat showing that there is an easement
603 across the property he owns and the adjacent property into the lower area. It will need to
604 be renovated. The idea that we will need to share water is a good idea. One of the
605 problems he has is that there is no association proposed. There is an existing association
606 (#2005-5626) and covenants for the Foothills Properties in existence that addresses
607 several of the concerns mentioned and apply to this property. There seems to be some
608 misinformation about the properties. He is here to strongly urge that we get the irrigation
609 pipeline improvements clarified. He would like to know if they are in agreement with the
610 current pipeline agreement (#2008-2822).

611 • Brett Tillery addressed the flooding in the valley – the valley consists of his 40 acres plus
612 DCI west and DCI east. They flood irrigate and some of that runoff water floods the pond
613 and then runs onto his property. They don't have any plan to reduce that water. He plans
614 to centralize that drainage on his property in an area to allow the water to drain into the
615 ground. Part of the flooding has caused problems for a neighbor who uses a sump pump.
616 He currently has a 10-foot excavation hole on the property and during the whole summer
617 it has not filled up with water. There is no indication of water sitting in the hole. He further
618 addressed the irrigation infrastructure and how it was used in the past. As for the
619 easements, he is not planning to use any of that irrigation easement. He plans to use the
620 easement along Foothill Drive. As for covenants, they exist, but no one appears to be
621 following them. He doesn't have any problems with the neutral colors. Many of the houses
622 have failed to meet the requirements of the covenants and there is no president in charge
623 of the covenants to make sure they are in agreement. If he has to follow the covenants,
624 then everyone else should, also. Everything he is doing is to improve the subdivision. As
625 for snow removal and travel, that is his issue. As for road issues, he will be a part of
626 maintenance and repair. He addressed the comment on new piping to irrigate the
627 Diamond Ridge Subdivision – he would like to know how the construction equipment was
628 accommodated. Did they spend any money to repair the roadways on Foothill Drive? If
629 they didn't, he shouldn't have to.

Planning & Zoning Commission Minutes

August 18, 2021

- 630
- 631
- 632
- 633
- 634
- 635
- 636
- 637
- 638
- 639
- 640
- 641
- 642
- 643
- 644
- 645
- 646
- 647
- 648
- Steve Smith said the applicant is planning to cut into the bubbler prior to several properties. He wants to put an access directly into the bubbler which could shut off the water for both the Foothill property and the six developed homes in the subsequent area. There is no covenant documented for that pipe that goes along that road. They are trying to create a new covenant along the Foothill rd. Old irrigation pipes are not documented – there are not easements. He objects to them cutting off the water downstream. Zane Flowers mentioned that the irrigation district is already requiring sprinkler only and only one lot sprinkling at a time. He believes the plan is to go down Foothill Drive. There is a 60-foot easement there.
 - Steve said it doesn't go down the road, it hasn't been used in 20 years and is not a viable duct. He doesn't know if it has ever been used.
 - Nick Hummel said the plan is to put a new line from the bubbler down the property line. The existing bubbler is within the existing easement.
 - Steve said it is a road easement. Nick said there is a 60-foot right-of-way not just for access. Steve said if you are going to put a new pipe, why not use the existing pipe and replace what you need to. He thinks this should be shelved until they can resolve this problem until the interested parties can be heard by the irrigation district. Zane added that they are working with the irrigation district.

649 Commissioner Morrison made a MOTION to close the hearing at 4:25pm; SECONDED by
650 Commissioner Jones. All in favor. The motion carried.

651
652 Chairman Brandon-Wintermote asked Commission members if they had any discussion.

- 653
- 654
- 655
- 656
- 657
- 658
- 659
- 660
- 661
- 662
- 663
- 664
- 665
- 666
- 667
- 668
- 669
- 670
- 671
- 672
- 673
- 674
- 675
- Chairman Brandon-Wintermote mentioned the correction to Finding #28 to indicate that Game and Fish did have concerns.
 - Finding #29 shall reflect two public comments.
 - Condition #4 regarding a weed plan has been fulfilled.
 - Commissioner Morrison asked about the requirement for a road improvement agreement, but on the sketch plan it shows the roads as easements. Seeking clarification from Public Works. Public Works said there are dedicated 60-foot easements. He would address from the end of the cul-de-sacs to the end. The existing is good enough for the use, but they should be required to participate in road improvement activities. Be a part of the overall improvement. Commissioner Morrison asked if that should be on Foothill, Starview and Kestral? Ben said on Foothill and Starview, yes. If Kestral is used, they should be part of the agreement. Kim Dillivan said that the regulations say that any commonly used facility requires an agreement. In this case you have established neighbors. Mr. Tillery may act in good faith and those landowners may not be compelled to enter into an agreement.
 - Ben McDonald said both Starview and Foothill have already been dedicated to the public. Anyone can drive down them and have zero obligation. The new shared driveway portions should be addressed. The existing roads do not have agreements.
 - Commissioner Spiering asked who Chip Miller is. He is a nearby resident to the east of Starview (Diamond Ridge).
 - Chairman Brandon-Wintermote said Lots 1 and 2 need some kind of agreement and Lots 3 and 4 (north of Kestral Lane) need some kind of agreement.
 - Add a condition that the applicant provide a road maintenance and improvement agreement for the proposed subdivision.

Planning & Zoning Commission Minutes

August 18, 2021

- 676 • Commissioner Morrison said condition #2 can be replaced with the road maintenance
677 requirement. She added that she would like attention to down-shielded lighting.
678

679 Commissioner Morrison made a MOTION to approve Cedar Mountain View MS-58 by Resolution
680 2021-35 based upon the findings presented and correction and including the following conditions:
681

- 682 1. The applicant shall provide all easements as requested by applicable utilities and
683 special districts, irrigation districts or public agencies providing services. The width of
684 any utility easement shall be sufficient to allow adequate maintenance of the system,
685 but in no case shall such utility easement be less than 20 feet in width. Easements
686 must be identified on the final plat;
- 687 2. The applicant shall provide a road maintenance and improvement agreement for the
688 proposed subdivision prior to final plat review by the Board of County Commissioners;
- 689 3. The applicant shall provide a response from Lakeview Irrigation District regarding
690 plans for distribution of irrigation water prior to sketch plan review by the Board of
691 County Commissioners; and
- 692 4. The applicant shall otherwise comply with standards in the Park County
693 Development Regulations and the minimum subdivision requirements as set forth in
694 Wyoming Statute 18-5-306.
695

696 The motion was SECONDED by Commissioner Bonine. The motion carried. See Resolution
697 2021-35 attached hereto and incorporated herein.
698

699 Chairman Brandon-Wintermote delivered the Chair's report.
700

701 The Planning Director delivered a report for the Planning and Zoning Department.
702

703 There being no other business, a MOTION was made by Commissioner Jones to adjourn the
704 meeting at 5:13pm. The motion was seconded by Commissioner Spiering. All in favor.
705

706 Respectfully submitted,
707

707

708

709



Jolene Brakke, Secretary

**RESOLUTION 2021-31
PARK COUNTY PLANNING & ZONING COMMISSION**

**TITLE: RECOMMENDATION TO APPROVE
ROPING THE WIND SIMPLE SUBDIVISION-278 (SS-278) SKETCH PLAN**

WHEREAS, Jerry Woodward proposes to create a one-lot simple subdivision comprised of one 9.04-acre lot for residential use. Creation of this subdivision will result in a remainder parcel of 48.81 acres. The subdivision is located in a General Rural 20-Acre (GR-20) 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 meeting on August 18, 2021 to consider the sketch plan application and made findings as follows:

1. A Minor Subdivision Application, including payment, was received from Jerry Woodward on June 17, 2021;
2. On August 9, 2021, the Planning Director reclassified the subdivision to a simple subdivision and requested a Simple Subdivision Application to replace the Minor Subdivision Application;
3. A Simple Subdivision Application was received on August 11, 2021;
4. A revised sketch plan was received on August 10, 2021;
5. The applicant intends to create a subdivision comprised of one 9.04-acre lot for residential use;
6. Should this subdivision be approved, a 48.81-acre remainder parcel will be created;
7. Applicable Regulations for this development are the *Park County Wyoming 2015 Development Standards and Regulations* adopted September 15, 2015;
8. This subdivision meets the requirements for the classification of a Simple Subdivision;
9. Ownership is affirmed by a Warranty Deed (dated February 18, 2004, Doc. # 2004-1085) to Jerry D. Woodward and Angela C. Woodward, Trustees of the Woodward 2004 Revocable Trust dated February 2, 2004;
10. The property is described as the N1/2NW1/4, Section 20, T.57N., R.102W.,

6th P.M., Park County, Wyoming. Excepting therefrom, Lot 1, Johnson SS-25, according to the plat recorded in Book "G" of Plats, page 133, Park County, Wyoming;

11. The proposed subdivision is located approximately 21.5 miles northwest of Ralston, approximately six miles northwest of the Belfry Highway, west of County Road 8UD on a parcel of land addressed as 189 and 191 Road 8UD, Powell, Wyoming;
12. Using lot size averaging, the lot size (in conjunction with the remainder parcel) conforms to the requirements of the GR-20 zoning district;
13. Under current regulations, no further subdivision of the tract of record will be permitted upon approval of this subdivision;
14. Neighboring land uses are primarily residential and agricultural;
15. This property is relatively level with a gentle slope from the northwest to southeast. This parcel is unirrigated land with native vegetation;
16. There are two residential units and 4 accessory uses located on this parcel;
17. This property is not located within one mile of a municipality; therefore, municipal review is not required;
18. Notice of Intent to Subdivide requirements have been met;
19. A public hearing is not required;
20. All agency referral requirements have been met;
21. Park County Fire District #4 (Clark Volunteer Fire Department) is able to provide fire protection;
22. Park County Public Works has provided their comments on access and runoff and erosion control;
23. The United States Postal Service can provide mail service to this proposed subdivision;
24. Park County School District #1 can provide bus transportation;
25. Nemont can provide broadband, mobile, landline and data management services to this parcel;
26. The Park County Treasurer's Office stated that no taxes are due for the property;
27. Beartooth Electric has the capacity to provide electrical service to this proposed subdivision;
28. Powell-Clarks Fork Conservation District has submitted a soils report;
29. Park County Weed & Pest completed their inspection and determined a Long-Term Noxious Weed Management Plan is not required;
30. A pre-application meeting was held on June 3, 2021;

31. Application submission requirements for sketch plan have been met;
32. Access to the proposed lot will be directly from County Road 8UD;
33. A shared driveway is proposed as a part of this subdivision;
34. Solid waste disposal services are available through private providers;
35. Wastewater requirements pertaining to sketch plan review have been met and conventional septic systems should be sufficient;
36. Domestic water requirements pertaining to sketch plan review have been met;
37. Agricultural impacts have been sufficiently addressed;
38. All water rights requirements pertaining to sketch plan review have been met;
39. Utility requirements pertaining to sketch plan review have been met;
40. Irrigation water is provided from the Bennett Creek Tributary of the Clarks Fork through the Olive May Ditch Permit No. 2831;
41. This proposed subdivision is not located in any Overlay District;
42. No known landslides, rockfalls or other hazardous features are known to exist on the property;
43. No portion of the property is in the mapped special flood hazard area; and
44. 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 Roping the Wind SS-278, 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 place a note on the final plat stating the following: "Lot size averaging was used to create a subdivision lot smaller than 20 acres in the GR-20 Zoning District. In considering future division of Lot 1 or the remainder parcel, neither property may be further divided unless authorized by County or State rules in place at the time further division is proposed.";

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.

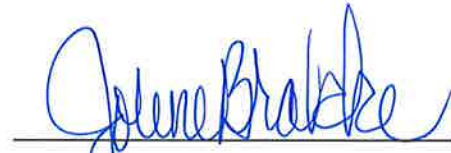
ADOPTED by the Park County Planning & Zoning Commission this 18th day of August, 2021.

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

ATTEST:



Kimberly Brandon-Wintermote, Chairman



Jolene Brakke, Secretary

**RESOLUTION 2021 - 32
PARK COUNTY PLANNING & ZONING COMMISSION**

**TITLE: RECOMMENDATION TO APPROVE
PATRIOT MAJOR SUBDIVISION PRELIMINARY PLAT**

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 preliminary plats;

WHEREAS the Planning & Zoning Commission held a duly noticed public hearing on April 21, 2021 to consider the sketch plan application, and unanimously recommended approval with conditions;

WHEREAS, the Planning & Zoning Commission held a duly noticed public hearing on August 18, 2021 to consider the Preliminary Plat application for Patriot Major Subdivision, and made findings as follows:

1. The Preliminary Plat application, including payment, was received on June 17, 2021;
2. A revised preliminary plat was received on August 3, 2021;
3. The applicant proposes to create a 13-lot subdivision consisting of lots varying in size from 1.0 to 2.14 acres, each for residential use;
4. Applicable Regulations are the *Park County, Wyoming 2015 Development Standards and Regulations* adopted September 15, 2015;
5. This subdivision meets the requirements for classification as a Major Subdivision;
6. Ownership is affirmed by Warranty Deed to Jim Nicholson and Sara Nicholson (Document # 2016-4528);
7. 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;

8. The proposed subdivision proposed subdivision is located approximately one mile west of the City of Powell, and approximately 0.65 miles north of U.S. Highway 14A, on the east side of County Road 11;
9. The lots are configured to conform to the GR-P zoning district where they are located;
10. Surrounding land uses are primarily residential and agricultural;
11. This property is level, vacant, and currently irrigated for agricultural use;
12. This property is located within one mile of Powell city limits; therefore, a municipal review request is required;
13. The City of Powell responded that they have no concerns with the subdivision;
14. All notice requirements have been met;
15. All agency referral requirements have been met;
16. United States Postal Service can provide mail service to this proposed subdivision;
17. Park County Fire District #1 is able to provide fire protection;
18. Garland Light & Power state this development is not in their territory;
19. TCT has terrestrial wireless available in this area and can possibly provide internet and VOIP phone service to this location;
20. Powell-Clarks Fork Conservation District provided a soils report identifying existing soils and potential limitations for septic systems and basements;
21. Rocky Mountain Power has the capacity to provide electrical service to this proposed subdivision;
22. Montana-Dakota Utilities has the capacity to provide natural gas through an existing main in Cora Lane;
23. Northwest Rural Water District has the capacity to supply domestic water;
24. Park County Weed & Pest submitted their initial weed review and determined a Long-Term Noxious Weed Management Plan will be required;
25. Park County Treasurer states property taxes are paid in full;
26. Park County School District #1 was notified and responded that school bus service is available;
27. Wyoming Game & Fish has no wildlife concerns or comments on this development, other than possible hazards posed by deer congregating in subdivisions;
28. Shoshone Irrigation District has been notified and is working on a Water Distribution Plan with the applicant;
29. The applicant submitted an Authorization to Detach Water Rights and a Water Distribution Plan to the State of Wyoming.

30. Park County Public Works has been notified and a detailed response has been received;
31. No public comments have been received;
32. A unsigned draft copy of the Amended By-Laws of the Kobbe/Patriot Homeowners Association Agreement has been submitted;
33. A unsigned draft copy of the Amended and Restated Declaration of Restrictions, Conditions and Protective Covenants for the Kobbe/Patriot Subdivision has been submitted;
34. The DEQ has submitted a letter of "no adverse recommendation";
35. Application submission requirements for preliminary plat have been met;
36. Access to all lots will be from County Road 11 directly to the proposed road (Cora Lane);
37. The Board of County Commissioners approved a resolution to modify the lot frontage widths on proposed Lots 6 & 7, and lot lines angles between Lots 5 & 6 and Lots 6 & 7;
38. The Planning & Zoning Commission reviewed the sketch plan on April 21, 2021 and recommended approval in Resolution 2021-11
39. On-site wastewater systems are planned for this proposed subdivision; and
40. This parcel is located in an Agricultural Overlay District.

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 preliminary plat for the Patriot Major Subdivision, subject to the following conditions:

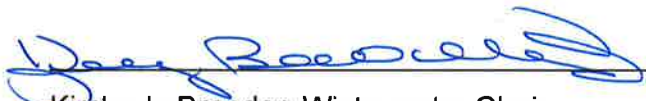
1. The applicant shall provide all easements as requested by applicable utilities and special districts, irrigation districts or public agencies providing services. The width of any utility easement shall be sufficient to allow adequate maintenance of the system, but in no case shall such utility easement 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 final plat shall contain a notice of the Wyoming Right to Farm and Ranch Act of 1991;
4. 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;
5. 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;
 6. The applicant shall submit to the Planning and Zoning Department a draft Subdivision Improvements Agreement for review and approval 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; and
 7. The applicant shall otherwise comply with standards in the Park County Development Regulations and the minimum subdivision requirements as set forth in Wyoming Statute 18-5-306

ADOPTED by the Park County Planning & Zoning Commission this 18th day of August, 2021.

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

ATTEST:



Kimberly Brandon-Wintermote, Chair



Jolene Brakke, Secretary

**RESOLUTION 2021 - 33
PARK COUNTY PLANNING & ZONING COMMISSION**

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

WHEREAS, William Ambrose proposes to create a of a 7-lot major subdivision consisting of lots varying in size from 1.79 to 2.63 acres, each designated 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 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 August 18, 2021 to consider the sketch plan application for Powell Country Club Estates Major Subdivision, and made findings as follows:

1. A Major Subdivision Permit Application, including payment, was received on June 17, 2020;
2. The applicant intends to create a 7-lot subdivision, with lots sizes ranging from 1.79 acres to 2.63 acres;
3. Applicable Regulations for this development are the Park County Wyoming 2015 Development Standards and Regulations adopted September 15, 2015 ("Regulations");
4. This subdivision meets the requirements for classification as a Major Subdivision;
5. Ownership is affirmed by Warranty Deed to William E. Ambrose III, as sole owner, from Timothy K. Kerssen, a single person, dated July 11, 2007 (Document # 2007-5308);
6. The proposed subdivision is located 1.65 miles northwest of Garland, immediately west of County Road 5, and adjacent to the Powell Country Club;
7. The lots are configured to conform to the GR-P zoning district where they are located;
8. Neighboring land uses are primarily agricultural use and some residential, with the Powell Country Club located immediately north and east of this parcel.
9. This property is generally flat and there are no existing structures or uses

on this parcel;

10. This property is not located within one mile of a municipality; therefore, municipal review is not required;
11. All notice requirements have been met;
12. All agency referrals have been met;
13. Park County Fire District #1 is able to provide fire protection;
14. Garland Light & Power has the capacity to provide electrical service to this proposed subdivision;
15. Montana Dakota Utilities has the capacity to provide natural gas service to this proposed subdivision;
16. Keele Sanitation can provide solid waste disposal services to this proposed subdivision;
17. Shoshone Irrigation District has received notice of this subdivision and has asked to receive information regarding future plans to detach water rights and transfer them to the Powell Country Club;
18. Wyoming Game & Fish Department has no wildlife concerns regarding this particular subdivision;
19. Wyoming Game & Fish Department does have concerns with the number of proposed subdivisions;
20. Park County Weed & Pest stated they have completed their inspection and a Long-Term Noxious Weed Management Plan was received in September, 2017. W&P request the applicant sign an addendum to the LTNWMP already on file, extending the date to September, 2026;
21. Park County Public Works submitted a preliminary response and will submit an official response at a later date;
22. TCT has wireless service in the area and has the capacity to provide internet and VOIP phone service to this location;
23. Park County School District #1 stated it will have bus stops at all access points on to County Road 5;
24. The United States Postal Service can provide mail service to this proposed subdivision;
25. The Park County Treasurer's Office stated property taxes are paid for 2020;
26. Powell-Clark's Fork Conservation District provided a soils report identifying existing soils and potential limitations for septic and basements;
27. No public comments have been received;
28. Application submission requirements for sketch plan have been met;
29. No roads are proposed as a part of this subdivision;

30. Proposed access for the benefit of Lot 1 is by way of an access and utility easement between proposed Lots 3 and 4, the maintenance of which will be the responsibility of the owners of proposed Lot 1;
31. Proposed access for the benefit of Lot 2 is by way of an access and utility easement between proposed Lots 6 and 7, the maintenance of which will be the responsibility of the owners of proposed Lot 2;
32. NRWD is within 400 feet of the proposed subdivision but does not currently have the capacity to serve this proposed subdivision; therefore, the applicant is proposing on-site wells for each lot;
33. On-site wells are planned for this proposed subdivision. As a result, DEQ review is required;
34. On-site wastewater systems are planned for this proposed subdivision. As a result, DEQ review is required;
35. The applicant intends to detach existing water rights and have those rights re-appropriated by the Shoshone Irrigation District;
36. All agricultural impacts have been sufficiently addressed;
37. The applicant will be required to extend utility services to each of the proposed lots;
38. The applicant is required to meet all applicable design and improvement standards;
39. A Subdivision Improvements Agreement is required for this subdivision;
40. This subdivision is not located in any Overlay District;
41. No open spaces are proposed; and
42. There are no apparent or identified hazardous conditions on the lots.

WHEREAS, the Planning & Zoning Commission concludes the proposed subdivision is generally consistent with the goals and policies of the Park County Land Use Plan and is consistent with the standards and procedures of the 2015 Park County Development Standards and Regulations;

NOW, THEREFORE, BE IT RESOLVED based on the foregoing, the Planning & Zoning Commission hereby recommends approval of the sketch plan for the Powell Country Club Estates Major Subdivision, subject to the following conditions:

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

2. The applicant shall provide to the Planning and Zoning Department a signed Addendum to the existing Long-Term Noxious Weed Management Plan extending the date to September, 2026, prior to final plat review by the Planning & Zoning Commission;
3. The applicant shall provide to the Planning and Zoning Department evidence of the State's approval to detach water rights prior to final plat review by the Board of County Commissioners;
4. The applicant shall provide to the Planning and Zoning Department a formal response from the Park County Public Works Department prior to preliminary plat review by the Planning & Zoning Commission;
5. 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;
6. The applicant shall submit to the Planning and Zoning Department a letter of "no adverse recommendation" from DEQ regarding the feasibility of on-site domestic water wells prior to preliminary plat review by the Planning & Zoning Commission;
7. If covenants are proposed, the applicant shall provide a copy of the draft covenants to the Planning and Zoning Department prior to final plat review by the Board;
8. The final plat shall contain a notice of the Wyoming Right to Farm and Ranch Act of 1991;
9. The applicant shall submit to the Planning and Zoning Department a draft Subdivision Improvements Agreement for review and approval prior to final plat review by the Board of County Commissioners; 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 18th day of August, 2021.

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

ATTEST:



Kimberly Brandon-Wintermote, Chair



Jolene Brakke, Secretary

**RESOLUTION 2021 - 34
PARK COUNTY PLANNING & ZONING COMMISSION**

**TITLE: RECOMMENDATION TO APPROVE
CORNERSTONE MINOR SUBDIVISION-59 (MS-59) SKETCH PLAN**

WHEREAS, Kevin and Alison French propose to create a five-lot subdivision consisting of one 6.24-acre lot, one 5.81-acre lot, one 5.84-acre lot, one 7.96-acre lot and one 5.74-acre lot, all for residential use. The subdivision is located 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 August 18, 2021 to consider the sketch plan application and made findings as follows:

1. A Minor Subdivision Application, including payment, was received on July 16, 2021;
2. The applicant requests approval of a five-lot subdivision;
3. Applicable Regulations for this development are the *Park County Wyoming 2015 Development Standards and Regulations* adopted September 15, 2015 ("Regulations");
4. This subdivision meets the requirements for classification as a Minor Subdivision;
5. Ownership is affirmed by Warranty Deed (dated June 8, 2021, Doc. #2021-4257) to Kevin D. French and Allison M. French, husband and wife, as tenants by the entirety not as joint tenants or tenants in common;
6. The parcel is located in Farm Unit "N", T.55N., R.100W., 6th P.M., Park County, Wyoming, according to the records of the County Clerk and Recorder of Park County, State of Wyoming;
7. The proposed subdivision is located approximately 0.19 miles northeast of Ralston on the north side of US Highway 14A and east of County Road 14;
8. The lot sizes as proposed are consistent with the GR-P zoning district;
9. Neighboring land uses are agricultural and residential, with two nearby special uses;
10. This parcel is currently vacant irrigated cropland. The topography of the property slopes gently from northwest to southeast;

11. This property is not located within one mile of any municipality; therefore, municipal review is not required;
12. All notice requirements have been met;
13. Agency referral requirements have been met;
14. TCT has the ability to provide terrestrial wireless, internet and VOIP phone service;
15. Park County School District #1 has bus service available to serve this subdivision;
16. Rocky Mountain Power has the capability to supply new electrical service at this location, though rights-of-way and permits may be required;
17. Park County Fire Protection District #1 has the ability to provide fire protection;
18. USPS has confirmed mail delivery is available to this proposed subdivision;
19. Black Hills Energy has the capacity to provide natural gas service to the proposed subdivision;
20. The Park County Treasurer stated property taxes are paid in full;
21. The Wyoming Department of Transportation responded that there is a field access in the southeast corner of the proposed subdivision that is not to be used for residential access and residential access should be through the proposed shared road off County Road 14;
22. Garland Light & Power responded that this development is not within their service territory;
23. Park County Weed & Pest stated no noxious weeds were found to be present, but because of the potential of movement of noxious weeds during development and the possibility of lands sitting fallow, a Long-Term Noxious Weed Management plan is required;
24. Shoshone Irrigation District has responded that they have spoken with the applicant and reviewed the sketch plan;
25. 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;
26. No response has been received from the Powell Clarks Fork Conservation District;
27. A response has been received from Park County Public Works;
28. No public comments have been received;
29. A pre-application meeting was held on July 1, 2021;
30. Application submission requirements for sketch plan have been met;

31. Legal access exists from County Road 14;
32. One road is proposed for this subdivision, the name of which shall be approved by the County prior to final plat;
33. A Homeowners Association Agreement will be required for the road;
34. 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;
35. Due to fast percolation rates, it is likely that a layer of slower percolating material will need to be placed on the floor of any leach fields, otherwise engineered systems may be required;
36. All domestic water requirements pertaining to sketch plan review have been met;
37. A well water sample was collected from a well located at 1303 Highway 14A. The analysis indicates the water sample meets the Safe Drinking Water Act (SDWA) requirements;
38. Agricultural impacts have been sufficiently addressed;
39. Water rights requirements pertaining to sketch plan review have been met;
40. Utility requirements pertaining to sketch plan review have been met;
41. The proposed subdivision lots meet lot size requirements;
42. A Subdivision Improvements Agreement is required;
43. The subdivision is not within an Overlay District;
44. No hazardous features are known to exist on the property; and
45. 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 Cornerstone Minor Subdivision-59 (MS-59), 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 a soils report from the Powell Clarks Fork Conservation District prior to Sketch Plan review by the Board of County Commissioners;
3. A runoff and erosion control plan shall be submitted to Park County Public Works prior to final plat review;
4. Following Board approval of the sketch plan and prior to the Board's review of the final plat, the applicant shall submit an appropriate Subdivision Improvements Agreement for review and approval by the Board;
5. The applicant shall submit a required Homeowner's Association Agreement to the Planning and Zoning Department prior to final plat review by the Board, as well as covenants, if proposed;
6. The applicant shall provide an approved Long-Term Noxious Weed Management Plan to the Planning and Zoning Department prior to final plat review;
7. The final plat shall contain a notice of the Wyoming Right to Farm and Ranch Act of 1991;
8. The applicant shall place a note on the final plat stating the following: "Soils in this subdivision are known to have fast percolation rates. Conventional small wastewater systems may be feasible; however, there is a possibility that engineered systems will be required. Each proposed small wastewater system will require a perc test and groundwater/soil exploration cut at the planned location of the leach field to determine the best wastewater treatment option.";
9. The applicant shall submit to the Planning and Zoning Department a letter of no adverse recommendation on the adequacy of water wells prior to sketch plan review by the Board of County Commissioners; 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.

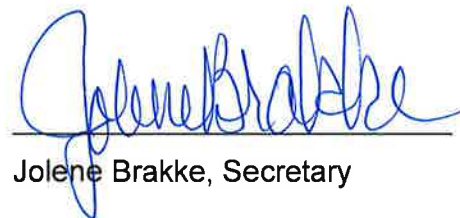
ADOPTED by the Park County Planning & Zoning Commission this 18th day of August, 2021.

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

ATTEST:



Kimberly Brandon-Wintermote, Chairman



Jolene Brakke, Secretary

**RESOLUTION 2021 - 35
PARK COUNTY PLANNING & ZONING COMMISSION**

**TITLE: RECOMMENDATION TO APPROVE
CEDAR MOUNTAIN VIEW MINOR SUBDIVISION-58 (MS-58) SKETCH PLAN**

WHEREAS, Brett Tillery propose to create a four-lot subdivision consisting of four 10.41-acre lots, all 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 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 August 18, 2021 to consider the sketch plan application and made findings as follows:

1. A Minor Subdivision Application, including payment, was received on July 13, 2021;
2. The applicant requests approval of a four-lot subdivision;
3. This subdivision meets the requirements for a classification as a Minor Subdivision;
4. Ownership is affirmed by Warranty Deed (dated March 19, 2021, Doc. #2021-2069) to Brett M. Tillery and Lauren R. Tillery, husband and wife, as tenants by the entirety, not as joint tenants or tenants in common;
5. The property is described as Lot 41-I, Resurvey, T.52N., R.102W, 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 seven miles southwest of Cody on a parcel of land 0.3 miles north of Road 6UU (Diamond Basin Road);
7. The parcel has an address of 39 Star View Road;
8. Applicable Regulations are the *Park County Wyoming 2015 Development Standards and Regulations* adopted September 15, 2015 ("Regulations");
9. The lot sizes as proposed are consistent with the GR-5 zoning district;
10. Neighboring land uses are primarily residential and agricultural. Subdivisions border this property to the east, south, and west;

11. This parcel is currently vacant, partially irrigated land. The topography of the property is relatively flat;
12. This property is not located within one mile of any municipality; therefore, municipal review is not required;
13. All notice requirements have been met;
14. Agency referral requirements have been met;
15. Park County School District #6 has bus service available to serve this subdivision;
16. Park County Fire District #2 responded with a list of apparatus that would likely be used in an emergency;
17. TCT has service available in this area;
18. Two Tough Guys Services has the ability to provide solid waste disposal to this subdivision;
19. Park County Public Works stated the proposed parcel has apparent access from Foothills Drive;
20. Black Hills Energy does not provide natural gas service to this area;
21. The Cody Conservation District has submitted a soils report for the property;
22. Rocky Mountain Power has the ability to supply electrical service to the proposed lots;
23. Because of the presence of noxious weeds, Park County Weed & Pest indicated a Long-Term Noxious Weed Management Plan is required;
24. USPS has confirmed mail delivery is available to this proposed subdivision;
25. The Park County Treasurer stated property taxes are paid in full;
26. Lakeview Irrigation District stated they will review this subdivision on August 11, 2021;
27. NRWD has the capacity to supply domestic water to each proposed lot;
28. The Wyoming Game & Fish Department stated they have concerns with this subdivision regarding the cumulative impacts of all of the recent subdivisions within Park County that will begin to have adverse impacts to white tail and mule deer populations in the future;
29. Two public comments have been received;
30. Notice requirements have been met;
31. A pre-application meeting was held on January 28, 2021;
32. Application submission requirements for sketch plan have been met;
33. No new roads are proposed for this subdivision;

34. Access to each lot is proposed from Foothill Drive, Starview Drive, or Kestral Lane;
35. 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;
36. All domestic water requirements pertaining to sketch plan review have been met;
37. Agricultural impacts have been sufficiently addressed;
38. Water rights requirements pertaining to sketch plan review have been met;
39. Utility requirements pertaining to sketch plan review have been met;
40. The proposed subdivision meets lot size requirements;
41. The subdivision is not within an Overlay District;
42. Impacts on the natural terrain are not expected to be significant;
43. No hazardous features are known to exist on the property; and
44. 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 Cedar Mountain View Minor Subdivision-58 (MS-58), 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 a road maintenance and improvement agreement for the proposed subdivision prior to final plat review by the Board of County Commissioners;
3. The applicant shall provide a response from Lakeview Irrigation District regarding plans for distribution of irrigation water prior to sketch plan review by the Board of County Commissioners; and

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

ADOPTED by the Park County Planning & Zoning Commission this 18th day of August, 2021.

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

ATTEST:



Kimberly Brandon-Wintermote, Chairman



Jolene Brakke, Secretary

PLEASE SIGN IN
PLANNING and ZONING COMMISSION
REGULAR MEETING
August 18, 2021

		Patriot Major Sub. Preliminary Plat	
		Powell Country Club Estates Major Sketch Plan	
		Cornerstone MS-59 Sketch Plan	
		Cedar Mountain View MS-58 Sketch Plan	
	Please PRINT your name	Name of the HEARING OF INTEREST	DO YOU WISH TO SPEAK
1	Steve Murphy	Cornerstone - All, really	?
2	Sonya Murphy	Buck Creek Cornerstone - All	YES?
3	Hothy Graham	Cornerstone	?
4	MEI Hawley	"	YES
5	KEVIN FRENCH	Cornerstone	YES
6	Cody Schetz	All	?
8	Carrie + Hoyt Satterwhite	Cornerstone	?
9	Situz Smith	Cedar MTN	yes
10	Beverly Bartels-Winters	Cedar MTN	yes
11	Graid Leach	Cedar MTN	YES
12	Angie Leach	Cedar MTN	NO
13	Lucas Leach	Cedar MTN	NO
14	Max Leach	Cedar MTN	NO
15	Minnie Cozzens	Proposed Subdivision	yes
16	David Reetz	Country Club Patriot	NO
17	Alex Murphy	Cornerstone	yes
18	Mary Murphy	Cornerstone	yes
19			
20			
21			
22			
23			
24			
25			
26			
27			
28			
29			
30			

PLEASE SIGN IN
PLANNING and ZONING COMMISSION
REGULAR MEETING
August 18, 2021

		Patriot Major Sub. Preliminary Plat	
		Powell Country Club Estates Major Sketch Plan	
		Cornerstone MS-59 Sketch Plan	
		Cedar Mountain View MS-58 Sketch Plan	
	Please PRINT your name	Name of the HEARING OF INTEREST	DO YOU WISH TO SPEAK
1	NICHOLAS HUMMEL	CORNERSTONE + TILLEY	IF NEEDED
2	Zane Flowers	Cornerstone + Tilley	
3	Brett Tilley	Cedar	
4			
5			
6			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			
26			
27			
28			
29			
30			



Park County Planning & Zoning Department

1002 Sheridan Avenue, Suite #109

Cody, Wyoming

(307) 527-8540

PARK COUNTY PLANNING & ZONING COMMISSION AGENDA (UPDATED 8/9/2021)

Meeting 1:00 P.M., **Wednesday, August 18, 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 July 21, 2021 meeting.

CONSENT AGENDA

Roping the Wind SS-278 (Replacing Roping the Wind MS-56)

REGULAR AGENDA

PUBLIC HEARING – Patriot Major Preliminary Plat

PUBLIC HEARING – Powell Country Club Estates Major Sketch Plan

PUBLIC HEARING – Cornerstone MS-59 Sketch Plan

PUBLIC HEARING – Cedar Mountain View MS-58 Sketch Plan

OTHER BUSINESS

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

ADJOURN