NATRONA COUNTY

Development Department

200 North Center Street, Room 202
Casper, WY 82601

AGENDA
Natrona County Planning Commission
Tuesday March 8, 2016 – 5:30 P.M.
Commissioner's Meeting Room
200 North Center St.
Casper, WY 82601

ITEMS ON THIS AGENDA ARE SUBJECT TO A SECOND PUBLIC HEARING BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR FINAL ACTION. RECOMMENDATIONS BY THE PLANNING COMMISSION ON ITEMS FROM THIS AGENDA MAY BE CONSIDERED BY THE BOARD OF COUNTY COMMISSIONERS AT ITS MEETING APRIL 5, 2016 AT 5:30 P.M.

1. Approval of the January 12, 2016 Planning Commission Meeting Minutes.

2. **TA16-1** – A request by Natrona County Development Department staff to consider a text amendment to amend the text of the 2013 Subdivision Regulations of Natrona County, Wyoming.

   (a) To change the statement of Chapter 1, Section 7, Fees to read; The Board shall establish an application fee for review of subdivisions. All costs associated with the publication of legal notices, County Surveyor review, and recording shall be borne by the applicant.

   (b) To remove the statement: All costs associated with the publication of legal notifications shall be borne by the subdivision applicant, in addition to the application fee and recording fee from Chapter 2, Section 2 (a).

   (c) To change the last line in Chapter 4, Section 7(b) to read; All costs associated with the publication of legal notice, County Surveyor review and recording shall be borne by the applicant.

   (d) To change the last line in Chapter 4, Section 7(g) to read; These fees are in addition to the Subdivision Application Fees, publication of legal notices and County Surveyor fees.

   (e) Remove in Chapter 6, Section 5, Preliminary Plat Review (1), remove the following portion of a sentence - including supplementary information and the application and recording fees

   (f) To change the last line in Chapter 6, Section 6(9) to read; These fees are in addition to the Subdivision Application Fees, publication of legal notices and County Surveyor fees.

(g) In Appendix B, add the statement – County Surveyor fees shall be reimbursed prior to recording of the Subdivision Plat. In cases where the subdivision is not approved, withdrawn, or not recorded, the applicant is still responsible for the reimbursement of County Surveyor fees. These fees are in addition to the recording fees.

(h) In Appendices C, D, E, F, add the statement – Legal notice fees and the County Surveyor fees shall be reimbursed prior to recording of the Subdivision plat. In cases where the subdivision is not approved, withdrawn, or not recorded, the applicant is still responsible for the reimbursement of these fees.

---PUBLIC COMMENT---

3. "Public Comment" is a time when citizens may bring forth items of interest or concern that are not on the agenda. Please note that no formal action will be taken on these items during this time, due to the open meeting law provision. However, they may be scheduled on a future posted agenda, if action is required.

ADA Compliance: Natrona County fully subscribes to the provisions of the Americans with Disabilities Act. If you desire to attend this public meeting and are in need of special accommodations, please notify the Natrona County Development Department at (307) 235-9435 so that appropriate auxiliary aids and services are available.

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MINUTES OF THE
NATRONA COUNTY PLANNING COMMISSION
January 12, 2016

MEMBERS PRESENT: Harold Wright, Jim Brown, Hal Hutchinson, and Tom Davis

MEMBERS ABSENT: Bob Bailey

STAFF MEMBERS PRESENT: Jason Gutierrez, Trish Chavis, and Peggy Johnson

OTHERS PRESENT: Charmaine Reed

Chairman Wright called the meeting to order at 5:30 p.m.

ITEM 1
Brown moved and Davis seconded a motion to approve the December 8, 2015 meeting minutes.

Motion carried unanimously.

ITEM 2
Chairman Wright opened the public hearing **CUP15-6** – A request by Bridger Wireless, represented by Darren Hunter of Centerline Solutions for a Conditional Use Permit to allow construction of an approximately 195 foot lattice guyed tower, together with equipment enclosure(s) and a planned six (6) foot perimeter security fence (chain link) on a 100' X 100' leased area from Daniel and Thomas O'Brien located in the NW/4 of the SW/4 of Section 19, Township 38 North, Range 79 West of the 6th Principal Meridian, Natrona County, Wyoming. The property is addressed as 27501 US I-25.

Gutierrez gave the staff report. Staff proposes that the Planning and Zoning Commission enter a motion and vote to recommend approval of the requested Conditional Use Permit, by the Board of County Commissioners and incorporate by reference all findings of fact set forth herein and make them a part thereof.

Discussion between the Planning and Zoning Commission and Staff

Public hearing open

Speaking in favor

Darren Hunter, Golden, Colorado

Discussion between the Planning and Zoning Commission, Staff, and Applicant.

Speaking in opposition – None

Public hearing closed

Brown moved approval of CUP15-6; a Conditional Use Permit to allow construction and operation of an approximately one hundred ninety five (195) foot lattice guyed tower, equipment enclosure(s) and a planned six (6) foot perimeter security fence (chain link) to the Board of County Commissioners, and incorporate by reference all findings of fact set forth herein and make them a part thereof as presented by staff. Contingent on approval from the Department of Transportation on setbacks. Davis seconds the motion. Motion carries unanimously.

ITEM 3

Chairman Wright opened the public hearing **CUP15-7** – A request by John and Maria Antonovich for a Conditional Use Permit to allow Light Agriculture in the Urban Residential Zoning District, located in portions of the SE/4 of the SW/4 of Section 22, Township 33 North, Range 80 West of the 6th Principal Meridian, Natrona County, Wyoming. The property is addressed as 4068 Monument.

Gutierrez gave the staff report. Staff proposes that the Planning and Zoning Commission enter a motion and vote to recommend approval or denial of the requested Conditional Use Permit (CUP), by the Board of County Commissioners and incorporate by reference all findings of fact set forth herein and make them a part thereof.

Member Davis recused himself from this item and went to sit in the audience.

Public hearing opened

Those speaking in favor – Maria Antonovich, Linda Bergeron, Judy Jones, all from Casper

Discussion between the Planning and Zoning Commission, Staff, and the Applicant

Those speaking in opposition –Kathy Allison-Walter, Jim Leslie, Richard Rogers, Anna Kinder, Gail Leslie, all from Casper

Public hearing closed

More Discussion between Planning Commission, and Staff

Hutchinson moved to denial of CUP15-7, a Conditional Use Permit (CUP) to allow Light Agriculture in the Urban Residential Zoning District based on the findings of

fact that it does change/alter the character of the neighborhood area. Brown seconded the motion.

Motion carries unanimously.

ITEM 4

Chairman Wright opened the public hearing **CUP15-8** – A request by Central Wyoming Regional Water System JPB (CWRWSJPB) for a Conditional Use Permit to allow the construction of an elevated 160' water storage tank (after the demolition of the existing water tank) in the SR-1 zoning district located in portions of the SW/4 of the SW/4 of Section 28, Township 34 North, Range 80 West of the 6th Principal Meridian, Natrona County, Wyoming. The property is addressed as 8248 6WN Road.

Gutierrez gave the staff report. Staff proposes that the Planning and Zoning Commission enter a motion and vote to recommend approval of the requested Conditional Use Permit, by the Board of County Commissioners and incorporate by reference all findings of fact set forth herein and make them a part thereof.

Discussions between the Planning Commissioners and Staff

Public hearing opened

Those speaking in favor – Jason Knopp, Barry Venn, Marlin Holmquist, Mike Hendershot, Bob Fawcett, all from Casper

Discussion between Planning Commission and the Applicant

Those speaking opposition Craig Kidder, Ron Kidder, Leslie Vogel, Marie Magrum, Greg Coffey, Brian Anderson, all from Casper.

More discussion between Planning Commission and the Applicant.

Public hearing closed

Brown moved to table CUP15-8, A Conditional Use Permit to allow the construction of an elevated 160' water storage tank, until the February 9, 2016 to allow the applicant time to prepare an comparison on sites 4 & 5. Davis seconded the motion. Motion carries unanimously.

Adjourn for a 10-minute break at 7:40 pm.
Meeting called back to order at 7:50 pm.

ITEM 5

Chairman Wright opening the public hearing **PS15-22** – A request by Horse Ranch Enterprises, LLC (Developer) for approval of the Final Plat for the Horse Ranch Acres Subdivision, a 9-lot Major Subdivision comprised of approximately 117 acres in portions of Section 8 & 17, Township 33 North, Range 80 West of the 6th Principal Meridian,

Natrona County, Wyoming. The parcels are located at the south end of Eight Mile Road.

Gutierrez gave the staff report. Staff proposes that the Planning and Zoning Commission enter a motion and vote to recommend approval or denial of the requested Horse Ranch Acres Major Subdivision, by the Board of County Commissioners and incorporate by reference all findings of fact set forth herein and make them a part thereof.

Discussion between the Planning Commission and Staff.

Public hearing open

Those speaking in favor – Lisa Burridge, Jason Lewis, Bill Ferringer, Jerry Cook, and Judy Jones, all from Casper.

Those speaking in opposition – Paula Thoroughman, Bonnie Wasserburger, both from Casper.

Public hearing closed

Brown moved approval of PS15-22 the requested Horse Ranch Acres a Major Subdivision, as they have met all the criteria for a major subdivision, by the Board of County Commissioners and incorporate by reference all findings of fact set forth herein and make them a part thereof. Hutchinson seconded the motion.

Motion carries unanimously.

ITEM 6

Chairman Wright stated that the public comment portion of this meeting was now over the remaining items would be between the board and client only. We will discuss each item one at a time with this reminder that we will only be discuss events that are from December 7, 2015 till today.

Annell Grant is appealing the Code Enforcement violations that Code Enforcement Officer Wayne Laing notified her of.

Ms. Grant handed out a packet to the Planning and Zoning Commissioners to review.

Gutierrez presented Violation #1 - Property owner can live in a motor or mobile home on the property. A contract for deed does not make you the property owner.

Grant stated that a ruling in 2004 by the Supreme Court that she is an equitable owner in the property.

Some discussion between the Planning Commissioners, Staff, and the Appellant.

Gutierrez presented Violation #2 – Placing accessory building on the property (currently there are 8 RV's and 5 campers).

Discussion between the Planning Commission, Staff, and the Appellant.

Chairman Wright stated lets go through all of them and then come back and decide if there is a violation or not.

Gutierrez presented Violation #3 – Unpermitted mobile homes on the property (currently there are 2 mobile homes).

Discussion between the Planning Commission, Staff, and the Appellant.

Gutierrez presented Violation #4 – Running an animal shelter in the Ranching, Mining Agriculture zoning district. This is not a permitted or a conditional use as the primary use of the property. Ms. Grant does not have any permits for any permanent type structure.

Discussion between the Planning Commission, Staff, and the Appellant.

Gutierrez presented Violation #5 – The use of unpermitted "man camps" on the property. Ms. Grant was told previously that the man camps would not be allowed on the property as an accessory structure as there is no primary use stated.

Discussion between the Planning Commission, Staff, and the Appellant.

Gutierrez presented Violation #6 – The manner in which the animal and human waste is being disposed of is not approved by the Health Department due to ground water contamination and should be addressed by Wyoming Department of Environmental Quality.

Discussion between the Planning Commission, Staff, and the Appellant.

Gutierrez presented Violation #7 and #8 – the failure to keep materials, debris, waste, refuse, or garbage properly contained. And the storage stacking or arrangement of material or equipment in a manner that forms a haven for rats, mice, skunks or other vermin or constitutes a fire hazard to inhabited building or adjacent property.

Discussion between the Planning Commission, Staff, and the Appellant.

Gutierrez presented Violation #9 - Failure to comply with any law or rule regarding sanitation and health. There is not a septic system on this property and waste is being stored in a 55-gallon bucket that is brought to town and dumped. Health department response – transporting human waste to town for disposal in 55-gallon drums is not permitted.

Planning Commissioners decided to start at #9 and go backwards on voting.

Brown moved that #9 was a violation Hutchinson seconded the motion. Motion carried unanimously.

Brown moved that #8 was in violation Hutchinson seconded the motion. Vote was two (Brown and Hutchison) in violation and 1 (Davis) not in violation.

Brown moved that #7 was not in violation Hutchinson seconded the motion. Motion carried unanimously.

Hutchinson moved that #6 was not in violation Davis seconded the motion. Motion carried unanimously.

Brown moved that #5 was in violation Davis seconded the motion. Vote was two (Brown and Davis) for violation, and 1 (Hutchinson) not in violation.

Davis moved that #4 was in violation, Brown seconded the motion. Vote was two (Davis and Hutchinson) for violation, and one (Brown) not in violation.

Davis moved that #3 was not violation Brown seconded the motion. Motion carried unanimously.

Hutchinson moved that #2 was in violation, Brown seconded the motion. Motion carried unanimously.

Brown moved that #1 was in violation Hutchinson seconded the motion. Motion carried unanimously.

Closing remarks
Ms. Grant was found to have 6 violations on her property, the fire area or burn pit is a violation of the fire department. Ms. Grant has not contacted the WDEQ about the ways to handle the waste issues. Gutierrez stated that if Ms. Grant came in to the building department to obtain the demolition permits that he would waive the fees associated with them. It was a consensus of the Board that the sewage and unpermitted buildings were the main issues.

ITEM 7
Chairman Wright asked for a motion to accept the Planning and Zoning meeting calendar for the next year.

Brown moved to accept the calendar, Davis second the motion. Motion carried unanimously.

Adjournment @ 9:55 pm

_____
Harold Wright, Chairman
Natrona County Planning and Zoning Commission

_____
Renea Vitto
Natrona County Clerk

NATRONA COUNTY

Development Department

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"The purpose of the Natrona County Development Department is to provide necessary services to implement sound land use planning and economic development policies to protect and enhance the quality of life for present and future inhabitants of Natrona County."

MEMORANDUM

To: Planning and Zoning Commission

From: Trish Chavis, Planner
Jason Gutierrez, PE Director

Date: February 23, 2016

RE: TA16-1 – Request by the Development Department for amendment to the 2013 Subdivision Regulation text relating to County Surveyor fees.

cc: County Attorney, File

The Development Department has noticed that the cost associated with the review and recommendations made by the County Surveyor in regards to subdivision can greatly vary between subdivisions (Simple vs. Major) and the complexity of the proposed subdivision. These fees are currently paid by the Development Department.

The Development Department has reviewed options and found that instead of adjusting application fees that would affect all applicants; the Development Department is seeking to have the County Surveyor costs reimbursed by the applicant for the review of their individual subdivision. Currently the applicant covers legal advertisements and recording costs. The proposed amendment would also add County Surveyor fees to requirements.