NATRONA COUNTY

Development Department

200 North Center Street, Room 202
Casper, WY 82601

AGENDA
Natrona County Planning Commission
Tuesday April 12, 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 MAY 3, 2016 AT 5:30 P.M.

1. Approval of the March 8, 2016 Planning Commission Meeting Minutes.

2. **ZC16-1** – A request by J.C. Bradley on behalf of Zephyr Estates LLC for approval of a **Zone Map Amendment** from the existing Urban Agriculture (UA) zoning district to the Suburban Residential One (SR-1) zoning district located in a portion of the W/2 of Section 25, Township 33 North, Range 80 West of the 6th Principal Meridian, Natrona County, Wyoming. Both parcels are accessed from Squaw Creek Road.

3. **CUP16-1** - A request by Seth Linaman for a Conditional Use Permit to allow Light Agriculture in the Urban Residential (UR) zoning district, located in a portion of the NE/4 of the NW/4 of Section 13, Township 33 North, Range 80 West of the 6th Principal Meridian, Natrona County, Wyoming. The property is addressed as 4410 Sam Howell Road.

---PUBLIC COMMENT---

4. "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.

NATRONA COUNTY

Development Department

200 North Center Street, Room 202
Casper, WY 82601

MINUTES OF THE
NATRONA COUNTY PLANNING COMMISSION
March 8, 2016

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

MEMBERS ABSENT:

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

OTHERS PRESENT:
Chairman Wright called the meeting to order at 5:31 p.m.

ITEM 1
Hutchinson moved and Davis seconded a motion to approve the January 12, 2016 meeting minutes. **Motion carried unanimously.**

ITEM 2
Chairman Wright opened the public hearing **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 Appendix's 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.

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 Commission and Staff

Public hearing open

Speaking in favor - none

Speaking in opposition – None

Public hearing closed

Brown moved approval of TA16-1 in its entirety as presented by staff. Davis seconds the motion. Motion carries unanimously.

ITEM 3

Development Plan Update – Trish gave an update on how the Development Plan was progressing and the dates that it is available for the public to view and make comments. She also gave them the dates of the Planning Commission work session to review the plan.

Discussion between the Planning Commission and staff.

Bailey moved to adjourn, Davis seconds the motion. Motion carries unanimously.

Adjournment @ 5:55 pm

_____
Harold Wright, Chairman
Natrona County Planning and Zoning Commission

_____
Renea Vitto
Natrona County Clerk

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ZONE CHANGE APPLICATION

(Please read GENERAL INFORMATION AND APPLICATION INSTRUCTIONS before filling out)

I (We), the undersigned, do hereby petition the Board of County Commissioners of Natrona Count, Wyoming; as provided in Section 18-5-201 to 18-5-207, inclusive, of the Wyoming State Statutes, 1977, as amended, and as provided in the 2000 Natrona County Zoning Resolution, to rezone the following described real property:

FROM: UA- Urban Agricultural

TO: SR-1 - Suburban Residential

Applicant:

1. Name J.C. Bradley
2. Address 330 S Center #419 Casper, WY 82601
3. Phone 307-234-5516

Owner:

Name Zephyr Estates, LLC

Address 330 S. Center, #419 Casper, WY 82601

Phone 307-234-5516

4. Legal description and size of property (If within a platted subdivision, give subdivision name, block and lot number. If not within a platted subdivision, give quarter-section, section, township and range). See attached maps

5. Common description of the property to be rezoned (street address and location description): See attached maps

6. Type of sewage disposal: Public __ Septic X Holding Tank __ Other __
7. Source of Water Well
8. This property was purchased from: J.C. Bradley
9. The date this property was purchased: June 7, 2013

I (We) hereby certify that I (We) have read and examined this application and know the same to be true and correct to the best of my (our) knowledge. Granting this request does not presume to give authority to violate or cancel the provisions of any other State or local laws. Falsification or misrepresentation is grounds for voiding this request, if granted. All information within, attached to or submitted with this application shall become part of the public record. I (We) further understand that all application fees are non-refundable.

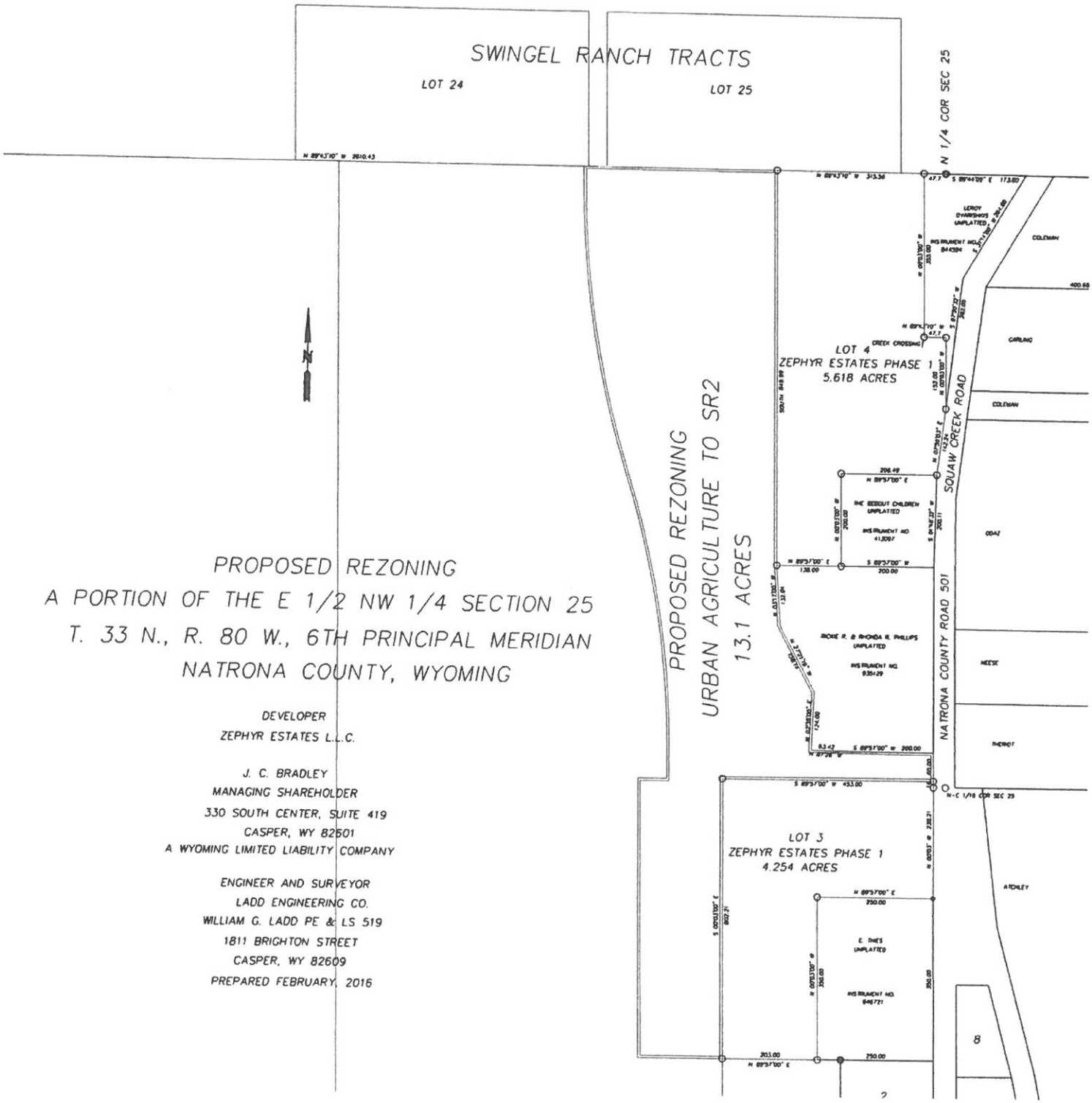
Rev. 9/30/2008

Applicant: Dietra Kessel Date: 2-18-16
(Signature)

Print Applicant Name: Dietra Kessel

Owner: Dietra Kessel Date: 2-18-16
(Signature)

Print Owner Name: Dietra Kessel Zephyr Estates, LLC



PROPOSED REZONING

A PORTION OF THE E 1/2 NW 1/4 SECTION 25
T. 33 N., R. 80 W., 6TH PRINCIPAL MERIDIAN
NATRONA COUNTY, WYOMING

DEVELOPER
ZEPHYR ESTATES L.L.C.

J. C. BRADLEY
MANAGING SHAREHOLDER
330 SOUTH CENTER, SUITE 419
CASPER, WY 82601
A WYOMING LIMITED LIABILITY COMPANY

ENGINEER AND SURVEYOR
LADD ENGINEERING CO.
WILLIAM G. LADD PE & LS 519
1811 BRIGHTON STREET
CASPER, WY 82609

PREPARED FEBRUARY, 2016

PROPOSED REZONING

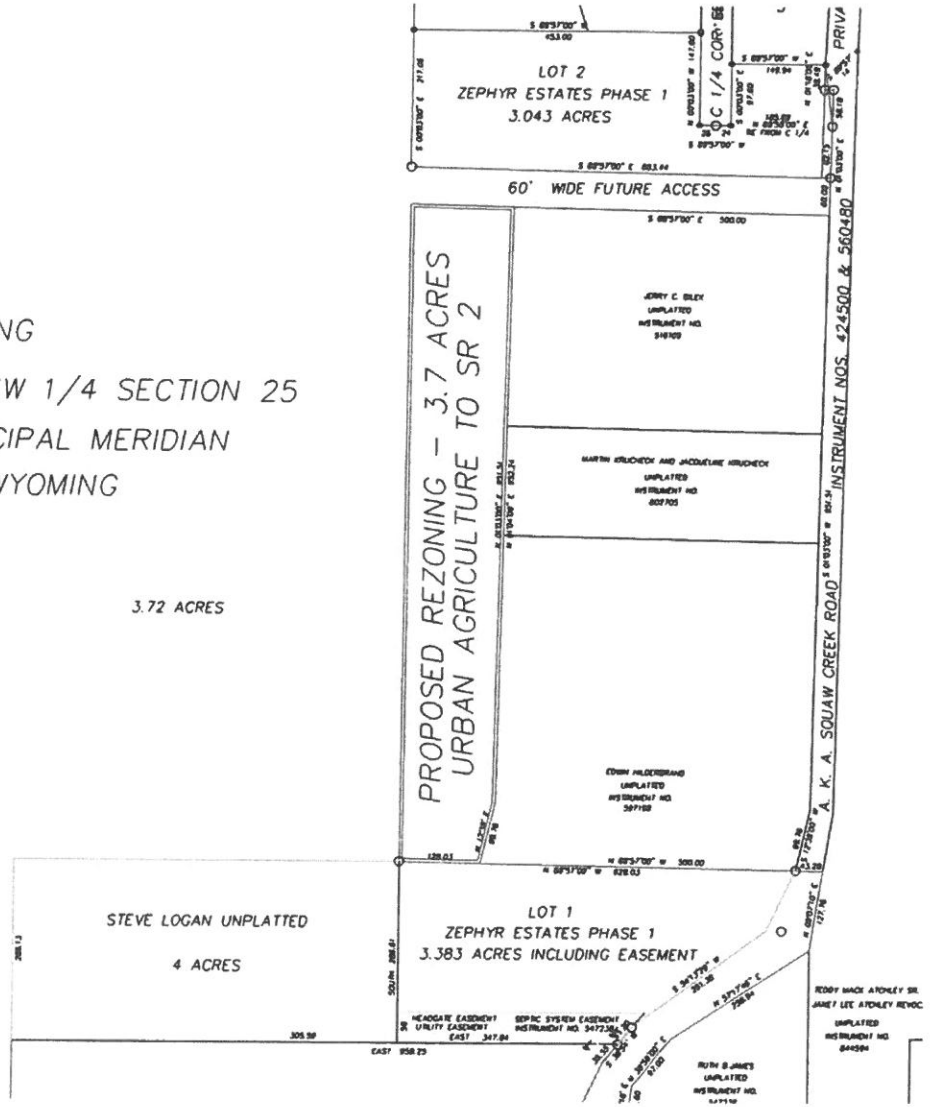
A PORTION OF THE E 1/2 NE 1/4 SW 1/4 SECTION 25
T. 33 N., R. 80 W., 6TH PRINCIPAL MERIDIAN
NATRONA COUNTY, WYOMING

DEVELOPER
ZEPHYR ESTATES L.L.C.

J. C. BRADLEY
MANAGING SHAREHOLDER
330 SOUTH CENTER, SUITE 419
CASPER, WY 82601
A WYOMING LIMITED LIABILITY COMPANY

ENGINEER AND SURVEYOR
LADD ENGINEERING CO.
WILLIAM G. LADD PE & LS 519
1811 BRIGHTON STREET
CASPER, WY 82609
PREPARED FEBRUARY, 2016

3.72 ACRES



REQUEST FOR ZONE MAP AMENDMENT

ZC16-1

STAFF REPORT: Trish Chavis
March 22, 2016

For

April 12, 2016
Planning and Zoning Commission

And

May 3, 2016
Board of County Commission Meeting

Applicant: J.C. Bradley (Zephyr Estates, LLC)

Request: Zone change from Urban Agriculture (UA) to Suburban Residential One (SR-1) zoning for approximately 16.8 acres.

BACKGROUND

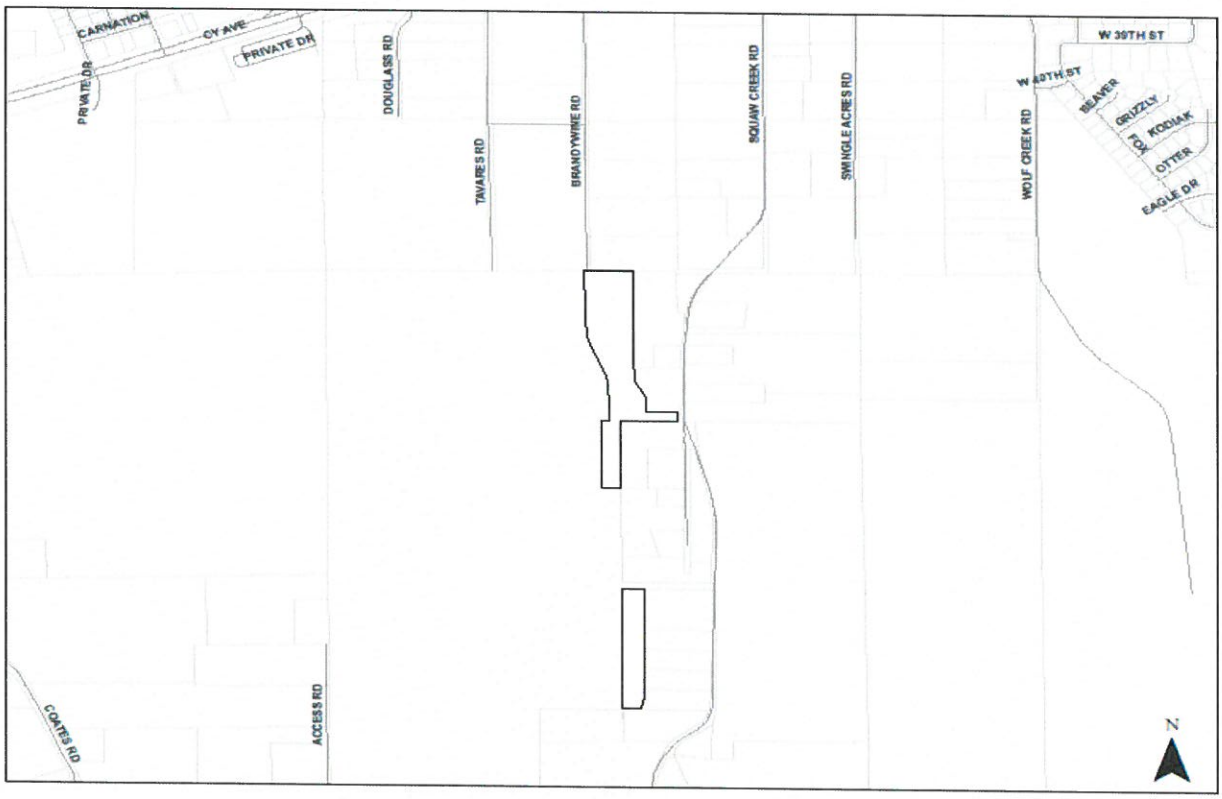
In 2013 the applicant was approved to rezone portions of this area from Urban Agriculture to Suburban Residential One so that he could create Zephyr Estates Subdivision Phase 1, this was also approved and has since been completed.

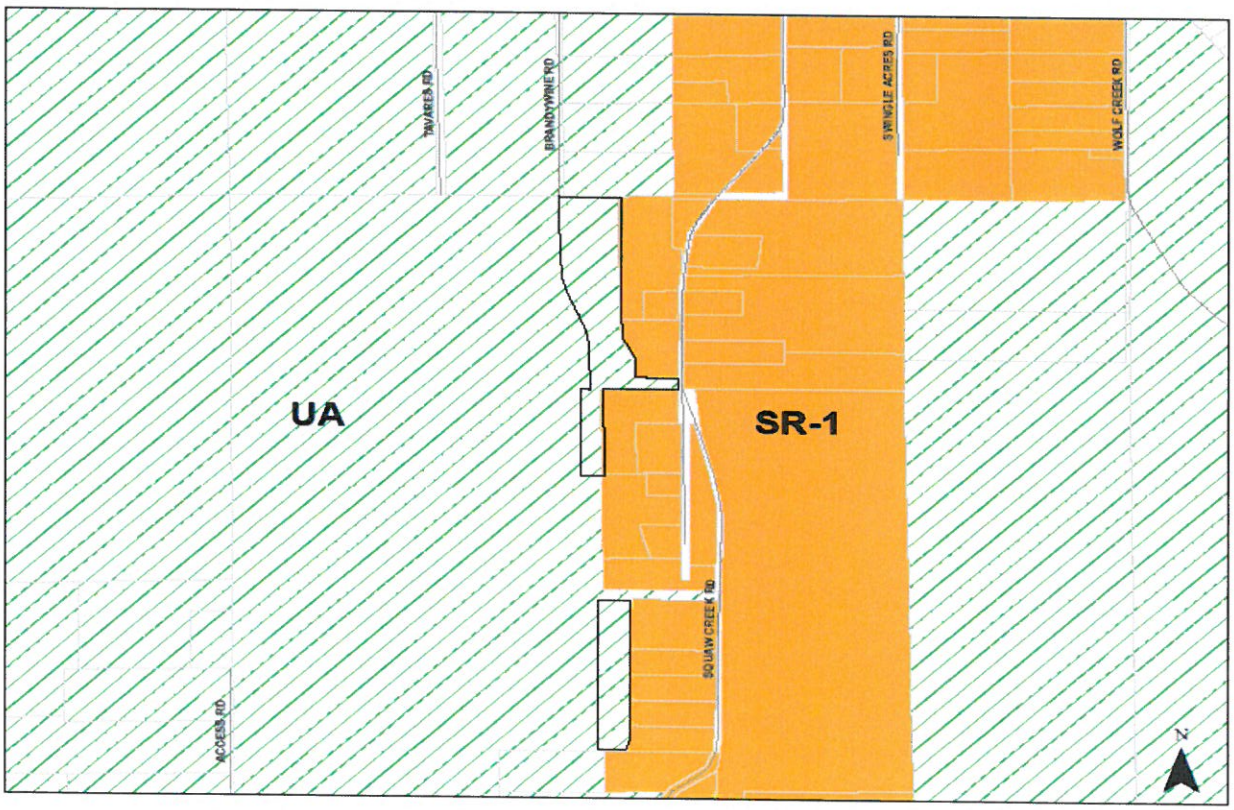
The applicant has been working with adjoining parcel owners so that they can acquire more acreage for their existing parcels. For the adjoining property owners to acquire more land the zoning has to be consistent with their existing zoning district. A zone change from Urban Agriculture to Suburban Residential One zoning is necessary.

LOCATION AND ZONING

The property is located in a portion of Section 25, Township 33 North, Range 80 West of the 6th Principle Meridian, Natrona County, Wyoming. The parcel in located just west of Squaw Creek Rd.

The properties to the east are zoned Suburban Residential One while the north, west and south are Urban Agriculture.


CARNATION
CY AVE
PRIVATE DR
PRIVATE DR
DOUGLASS RD
TAVARES RD
BRANDYWINE RD
SQUAW CREEK RD
SWINGLE ACRES RD
WOLF CREEK RD
W 39TH ST
W 40TH ST
BEAVER
GRIZZLY
FOX
KODIAK
OTTER
EAGLE DR
COATES RD
ACCESS RD
N


TAVARES RD
BRANDYWINE RD
SWINGLE ACRES RD
WOLF CREEK RD
UA
SR-1
SQUAW CREEK RD
ACCESS RD
N

GENERAL STANDARDS
FOR
ZONE MAP AMENDMENTS

Definition: An applicant must demonstrate that at least one of the following criteria is met for the approval to be consistent with the Zoning Resolution:

1) Is necessary to come into compliance with the Natrona County Development Plan.

2) Existing zoning of the land was the result of a clerical error.

3) Existing zoning of the land was based on a mistake of fact.

4) Existing zoning of the land failed to take into account the constrains on development created by the natural characteristics of the land, including but not limited to, steep slopes, floodplain, unstable soils, and inadequate drainage.

5) The land or its surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area or to recognize the changed character of the area.

6) Proposed rezoning is necessary in order to provide land for a community need that was not anticipated at the time of adoption of the Natrona County Development Plan.

Proposed finding of fact:

The Natrona County Development Plan addresses the affected area, referred to as Neighborhood 29 – Wolf-Squaw Creek. The Development Plan recommends residential infill and new dwelling units; zone commercial on CY frontage and zone remainder urban residential; use ISDs for improvement of roadways and utilities and reserve slope/open space.

It is apparent that Neighborhood 29 recommendations do adequately recognize the effects of current residential development in the immediate vicinity.

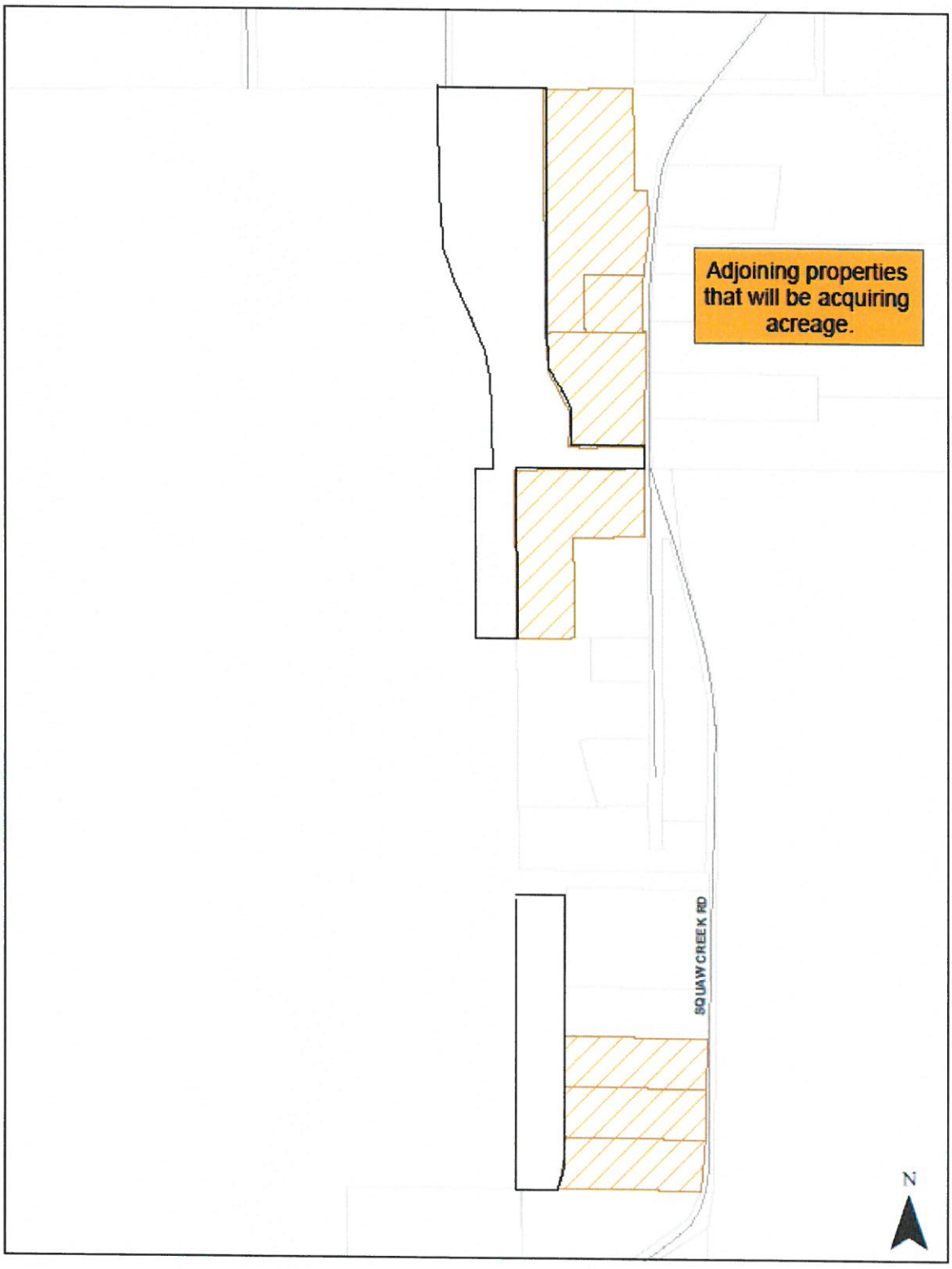
Although the applicant is not requesting the zone change to provide for more residential dwellings, he is utilizing the base of a steep slope so the adjoining property owners may increase their acreage and will ultimately provide more open space as recommended by the Development Plan. Therefore, it is the position of the Planning Department that this criterion has been met.

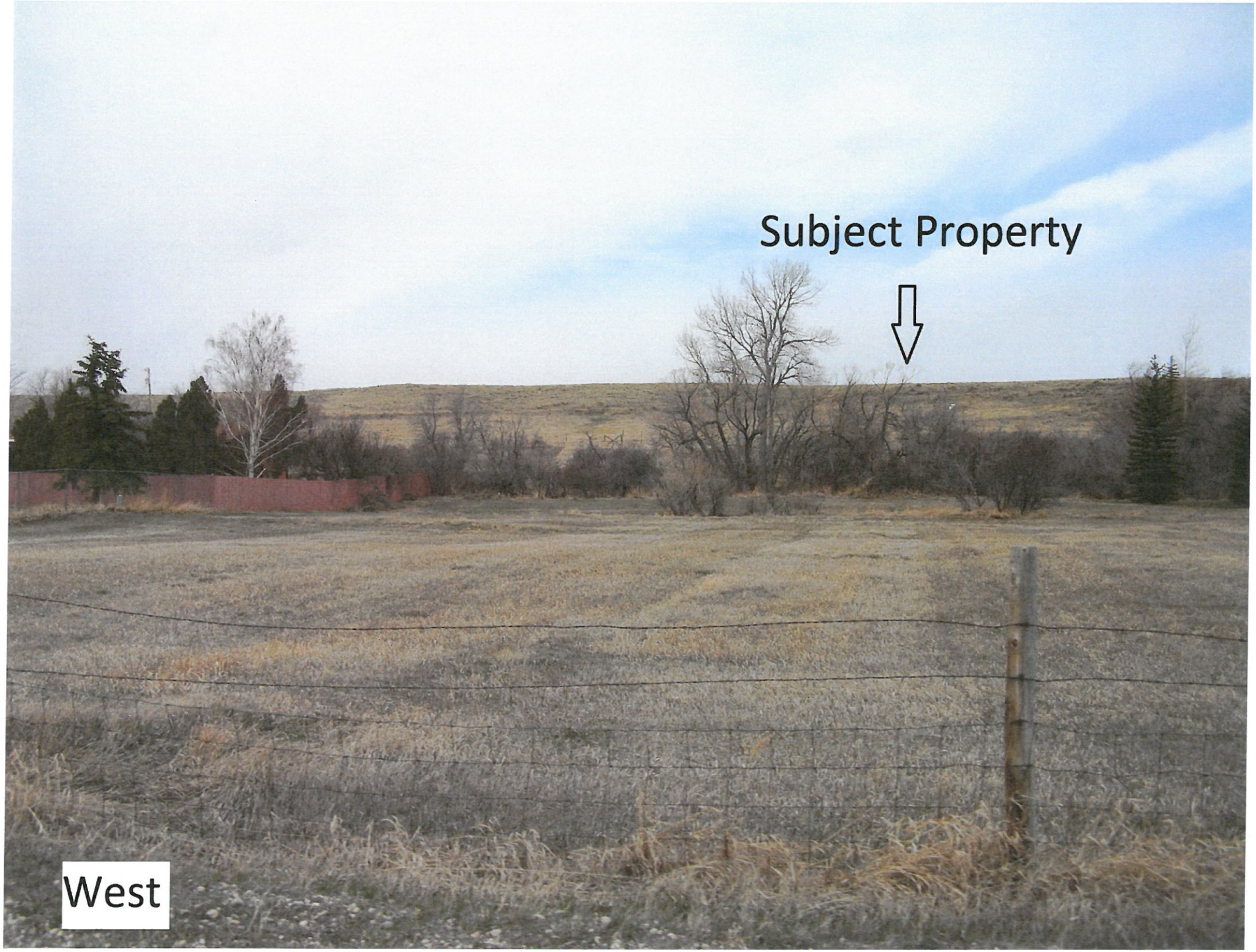
PUBLIC COMMENT

As of the date of this staff report there have been no comments received. Staff sent the public notice to 49 neighbors within ¼ mile.

PROPOSED MOTION

Staff proposes a motion and vote by the Planning and Zoning Commission to recommend approval by the Board of County Commissioners of the proposed zone change from Urban Agriculture (UA) to Suburban Residential One (SR-1) zoning district.


Adjoining properties that will be acquiring acreage.
SQUAW CREEK RD
N


Subject Property
West

East on Squaw Creek Rd.

Subject Property
Northwest

Subject Property
Southwest

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Dec 9th - PZ
Jan 6th BCC

CONDITIONAL USE PERMIT APPLICATION

(Please read GENERAL INFORMATION AND APPLICATION INSTRUCTIONS before filling out)

I (We), the undersigned, do hereby petition the Board of County Commissioners of Natrona County, Wyoming, for a Conditional Use Permit, as provided in Chapter 11, 2000 Natrona Zoning Resolution. By proxy: Talia Thornburgh

Applicant	Owner
1. Name: Seth Lineman	Name: Seth Lineman
2. Address: 4410 Sam Howell Rd	Address: 4410 Sam Howell Rd
3. Phone: 277-9232	Phone: 277-9232

4. Explain why you are requesting this conditional use permit and detail the proposed use: Light Ag
5. Legal description and size of property (If within a platted subdivision, give subdivision name, block and lot number. If not within a platted subdivision, give quarter-section, section, township and range). Tr 13 NENW 13-33-80
6. Current zoning of property: urban ~~resendi~~ residential
7. Type of sewage disposal: Public __ Septic X Holding Tank __ Other __
8. Source of water: well/cistern . city water 2015
9. This property was purchased from: Billy Jean Lowndes
10. The date this property was purchased: ~~Feb 14~~ DEC 13

On separate sheets of paper, please respond to the following questions and provide explanations for your answers:

- **Will granting the conditional use permit contribute to an overburdening of County Services?** NO
- **Will granting the conditional use permit cause undue traffic, parking, population density or environmental problems?** NO
- **Will granting the conditional use permit impair the use of adjacent property or alter the character of the neighborhood?** NO
- **Will granting the conditional use permit detrimentally affect the public health, safety and welfare?** NO

I (We) hereby certify that I (We) have read and examined this application and know the same to be true and correct to the best of my (our) knowledge. Granting this request does not presume to

give authority to violate or cancel the provisions of any State or local laws. Falsification or misrepresentation is grounds for voiding this request, if granted. All information within, attached to or submitted with this application shall become part of the public record. I (We) further understand that all application fees are non-refundable.

Applicant: _____ Date: 4 NOV 14
(Signature)

Print Applicant Name: Seth Linaman

Owner: _____ Date: 4 NOV 14
(Signature)

Print Owner Name: Seth Linaman

1. Granting the conditional use permit will not contribute to an overburdening of County services.

a. The use of the property for food animals will not require any additional services than what are already being utilized in the upper Dempsey Acres area.

2. Granting the conditional use permit will not cause undue traffic, parking, population density or environmental problems.

a. There is currently a small amount of traffic on Sam Howell. I do not foresee the traffic increasing due to the proposed use of the conditional use permit.
b. There is plenty of room on the property for parking if needed so as not to encumber Sam Howell Rd.
c. As for population density, I do not believe there to be an issue with 8+ acres and one family living on said property.
d. Environmental concerns have been addressed in the Erosion Control Plan. Additionally there will be composting to handle any manure issues and the local landfill will be utilized also if needed.

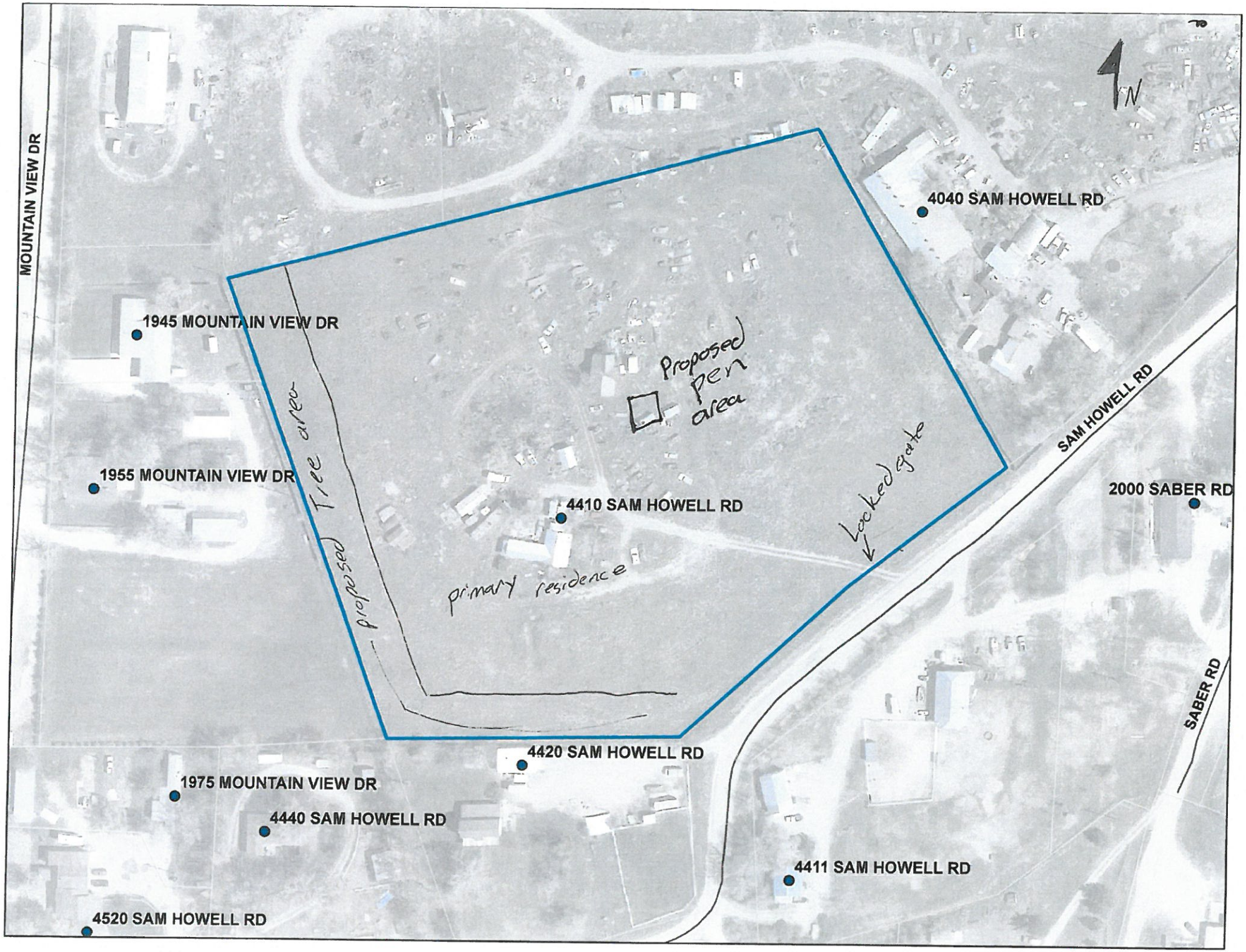
3. Granting of the conditional use permit will not impair the use of adjacent property or alter the character of the neighborhood.

a. Currently the properties boarding the property are a "scrap"/junk yard, and 3 residences. I feel that having food animals will not deter the adjoining properties from continuing to use their properties as they see fit.
b. I believe the property will be in line with the character of the neighborhood in that there are other properties close by that already have horses.

4. Granting the conditional use permit will not detrimentally affect the public health, safety, and welfare, or nullify the intent of the Land Use Plan or this Resolution.

a. Since acquiring this property I have been instrumental in cleaning and improving it. There are no longer any abandoned vehicles on the property. I have a burn permit in with the County Fire department and frequently haul other items to the dump that I cannot burn. This has greatly improved the safety quality of the property. I will be purchasing the required footage of 8" water main this winter to bring Pleasant View Water services to the property in the summer of 2015. This also helps our water district complete a required loop for it to be considered for annexation into Mills Water. To utilize the property in the proposal for the conditional use permit will not put in jeopardy the public's health, safety, and welfare. The proposed ~50'x50' pen will be locked and any animals will be penned up, not allowing them to roam the rest of the

fenced property. This ensures two measures of control in the case that one animal gets out of pen.


MOUNTAIN VIEW DR
1945 MOUNTAIN VIEW DR
1955 MOUNTAIN VIEW DR
1975 MOUNTAIN VIEW DR
4520 SAM HOWELL RD
4440 SAM HOWELL RD
4420 SAM HOWELL RD
4410 SAM HOWELL RD
4040 SAM HOWELL RD
4411 SAM HOWELL RD
2000 SABER RD
SAM HOWELL RD
SABER RD
N
Proposed pen area
proposed Tree area
primary residence
Locked gate

CONDITIONAL USE PERMIT REQUEST
TO ALLOW
LIGHT AGRICULTURE IN THE URBAN RESIDENTIAL ZONING DISTRICT

CUP16-1

STAFF REPORT: Trish Chavis
March 22, 2016

For

April 12, 2016
Planning and Zoning Commission

And

May 3, 2016
Board of County Commissioner Meeting

APPLICANT: Seth Linaman (Owner)

REQUEST: Conditional Use Permit to allow Light Agriculture in the Urban Residential Zoning District.

BACKGROUND

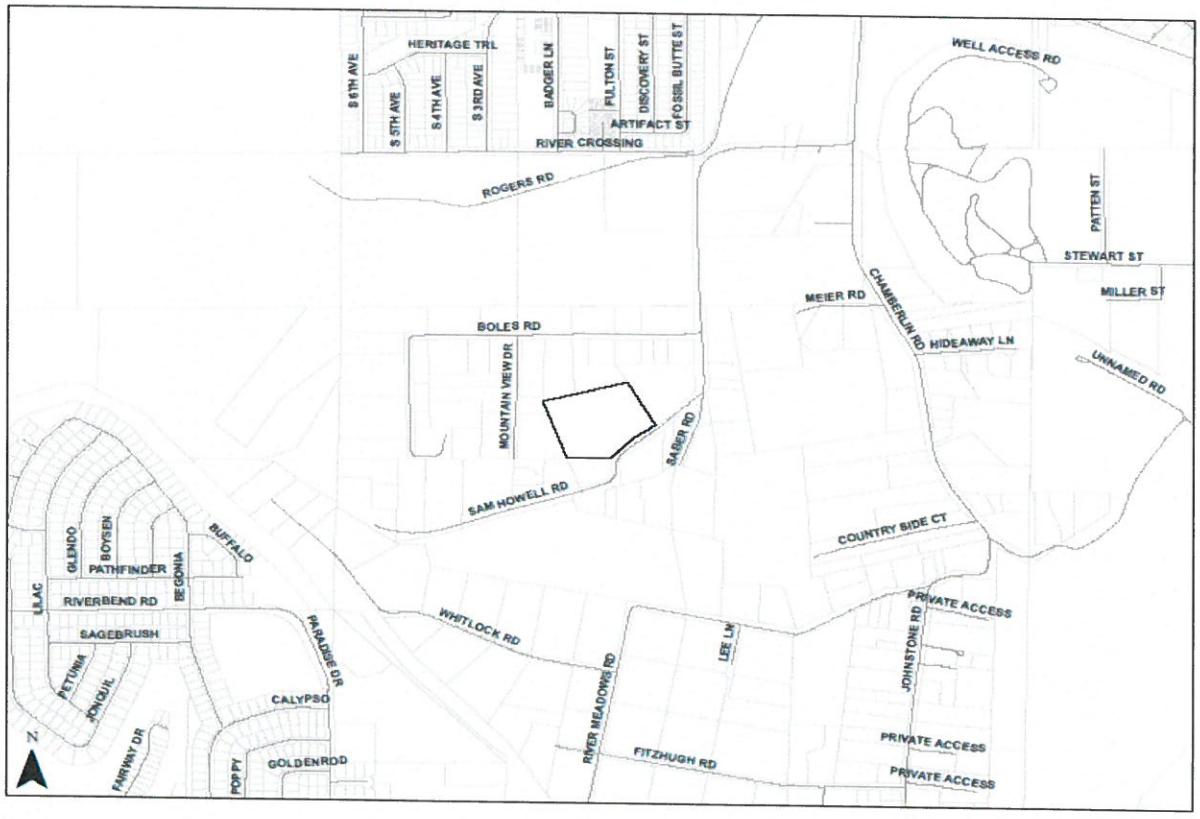
The parcel is approximately 8.35 acres in the Urban Residential zoning district. The applicant proposes to shelter food animals on his Sam Howell Road property. The Light Agricultural land use, keeping of food animals, is a conditional land use in this district and requires the obtaining of a Conditional Use Permit.

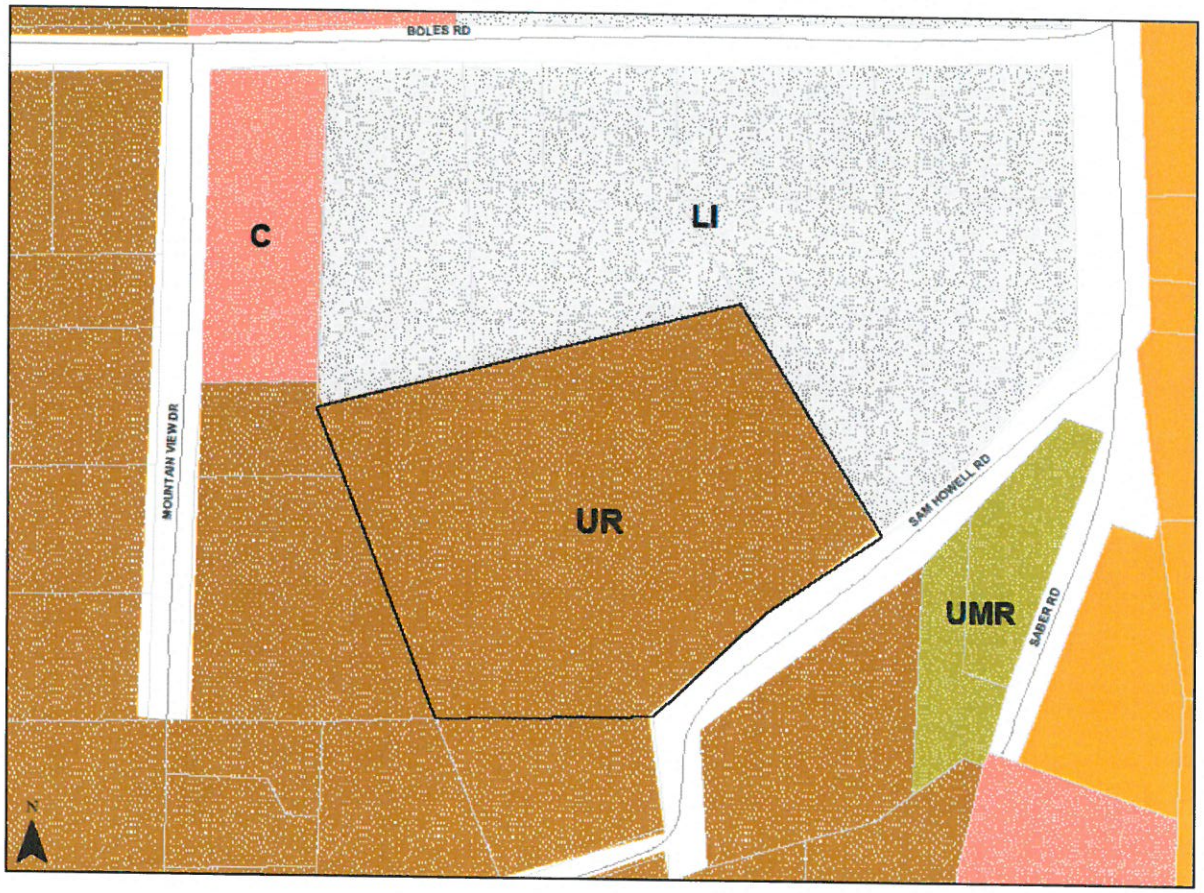
Within the Dempsey Acres vicinity there are several properties whose owners have light agriculture and some have obtained Conditional Use Permits.

LOCATION AND ZONING

The property is located in the NE/4 of the NW/4 of Section 13, Township 33 North, Range 80 West of the 6th Principle Meridian, Natrona County, Wyoming and is more commonly referred to as 4410 Sam Howell Road.

The property to the north is Light Industrial with the south, east and west being Urban Residential.


HERITAGE TRL
S 6TH AVE
S 5TH AVE
S 4TH AVE
S 3RD AVE
BADGER LN
FULTON ST
DISCOVERY ST
FOSSIL BUTTE ST
ARTIFACT ST
RIVER CROSSING
WELL ACCESS RD
ROGERS RD
PATTEN ST
STEWART ST
MILLER ST
MEIER RD
CHAMBERLIN RD
HIDEAWAY LN
UNNAMED RD
BOLES RD
MOUNTAIN VIEW DR
SABER RD
SAM HOWELL RD
COUNTRY SIDE CT
BUFFALO
GLENDO
BOYSEN
PATHFINDER
BEGONIA
LILAC
RIVERBEND RD
SAGEBRUSH
PETUNIA
JONQUIL
PARADISE DR
CALYPSO
FAIRWAY DR
POPPY
GOLDENROD
WHITLOCK RD
RIVER MEADOWS RD
LEE LN
JOHNSTONE RD
PRIVATE ACCESS
FITZHUGH RD
PRIVATE ACCESS
PRIVATE ACCESS
N


BOLES RD
C
LI
UR
UMR
MOUNTAIN VIEW DR
SAM HOWELL RD
SABER RD
N

GENERAL STANDARDS
FOR
CONDITIONAL USE PERMITS

Conditional Use Permit to allow Light Agriculture at 4410 Sam Howell Road.

Criteria for Approval

1. **Will granting the conditional use permit contribute to an overburdening of County Services?**

   Proposed finding of fact: Applicants' use of their property for Light Agriculture will result in no change or need for additional county services.

2. **Will granting the conditional use permit cause undue traffic, parking, population density or environmental problems?**

   There is currently a small amount of traffic on Sam Howell Road. Applicant does not foresee traffic increases due to the proposed use of the Conditional Use Permit. There is plenty of parking available on the property if needed so as not to encumber Sam Howell Road. Regarding population, there is no issue with more than eight acres and one single family dwelling on the property. Applicant has completed the required Erosion Control Plan and will implement it accordingly. Additionally there will be composting to handle any manure issues and the local landfill will also be utilized if needed.

   Proposed finding of fact: Applicants' use of their property for Light Agriculture will not cause undue traffic, parking, population density or environmental problems.

3. **Will granting the conditional use permit impair the use of adjacent property or alter the character of the neighborhood?**

   Currently adjacent properties consist of industrial and residential uses. Light Agriculture on the applicants' property will not interfere with neighboring properties. The placement of any animals will be kept within a significant setback area from adjacent property boundaries and therefore will not contribute to impairment of adjacent use or alter the character of the neighborhood.

   Proposed finding of fact: The placement of these animals will be far enough away from adjacent properties as to not impair their use. The addition of Light Agriculture will not alter the character of the neighborhood as some of the neighbors currently have light agriculture on their properties.

4. **Will granting the conditional use permit detrimentally affect the public health, safety and welfare, or nullify the intent of the Development Plan or Zoning Resolution?**

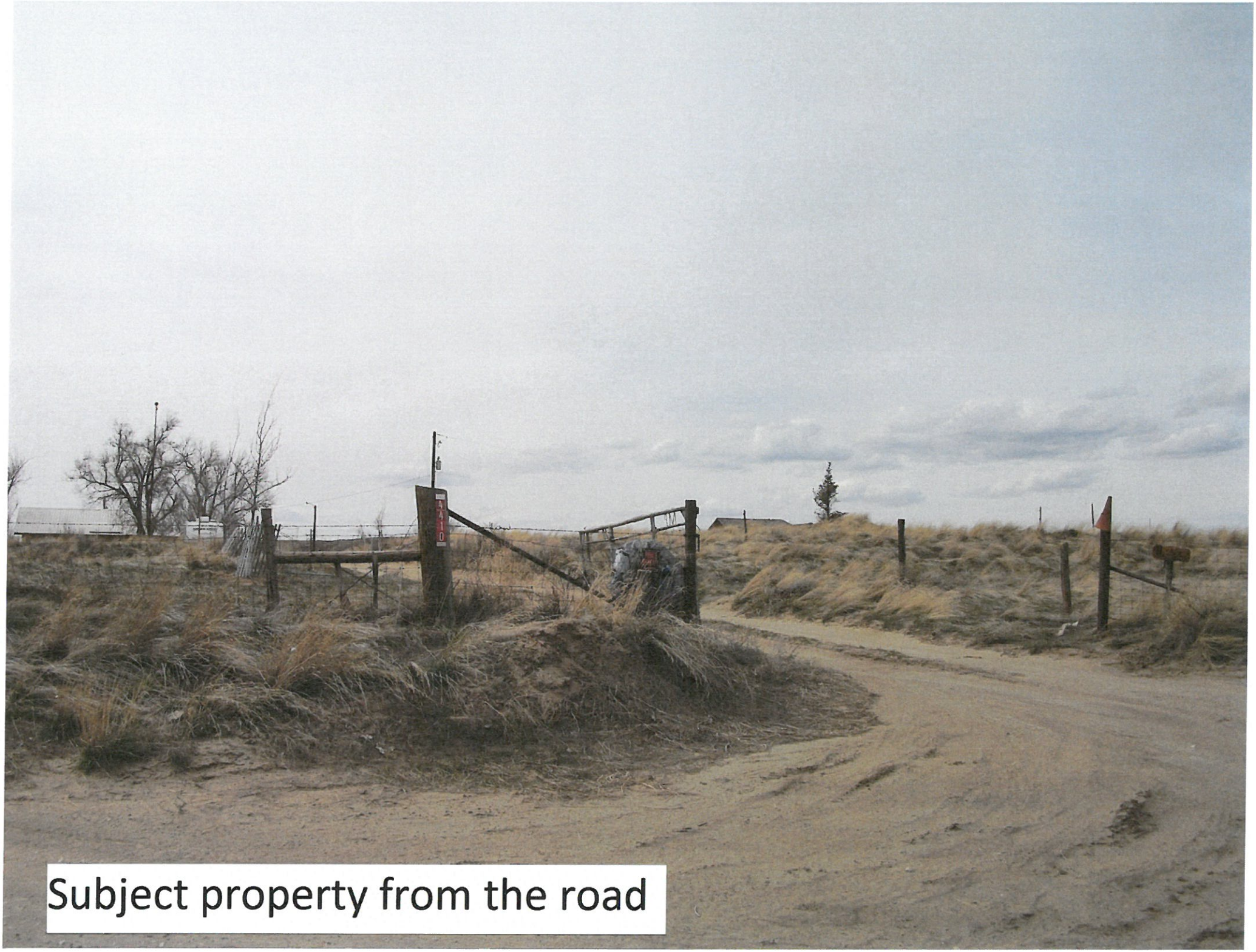
   Proposed finding of fact: As described above, applicant has taken necessary steps to avoid detrimental problems arising from the overburdening of County services, undue traffic and parking, increased population density and environmental issues. The planned measures are intended to ensure that public safety and welfare will not be in question.

PROPOSED MOTION

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.

PUBLIC COMMENT

As of the date on this staff report there have been no comments received. Staff sent the public notice to 56 neighbors within ¼ mile.


Subject property from the road

East

Southeast

Subject Property
Southwest