

Minutes  
Regular Meeting  
Albany County Planning and Zoning Commission  
December 13, 2017  
Albany County Commissioners Room

A regular meeting of the Albany County Planning and Zoning Commission was held on December 13, 2017 at 7:00 p.m. in the Albany County Commissioners' meeting room in the Albany County Courthouse.

**I. PLEDGE OF ALLEGIANCE**

**II. CALL TO ORDER/ROLL CALL**

**Members Present:** Shaun Moore, Keith Kennedy, Carl Miller, John Spiegelberg and David Cunningham

**Staff Present:** David Gertsch, County Planner

**County Clerk:** Jackie R. Gonzales

**County Engineer:** Bill Gorman

**Albany County Attorney:** Peggy Trent

**Board of County Commissioners' Liaison:** Heber Richardson

**Excused Absent Members:** None

**III. Approval of Agenda – MOTION** by Moore, seconded by Kennedy to APPROVE the December 13, 2017 Agenda as presented. Motion carried on voice vote.

**Approval of Minutes – MOTION** by Moore, seconded by Kennedy to APPROVE the November 8, 2017 Minutes as presented. Motion carried on voice vote.

**IV. DISCLOSURES:** Shaun Moore disclosed that he does work with the individual (Bob Davis) who is working with the applicant on the Spotted Horse Acres Second Addition Subdivision Application, but does not have any direct interest.

**V. PUBLIC APPLICATIONS**

**A. Spotted Horse Acres Second Addition Subdivision Application (SD-01-17)** (Gertsch) – Staff report.

David Gertsch, County Planner reviewed the Spotted Horse Acres Second Addition Subdivision Application submitted by Reni Hornamo, applicant. Ms. Hornamo is requesting approval of Preliminary and Final Plats and Subdivision Permit for a five lot subdivision. The site of the proposal is located approximately  $\frac{3}{4}$  of a mile east of the Soldier Springs Road/Pope Springs Road intersection and south of Pope Springs Road. Access to the site is from Tom Tucker Lane which intersects with Pope Springs Road. A proposed cul-de-sac off of Tom Tucker Lane will provide access to each lot. The applicant was accompanied by Bob Davis, Realtor, who is working with the applicant. The Fire Warden, Fire District #1, and County Engineer cited no concerns. Tony Hock, Director of Laramie Rivers Conservation District recommended quick reseeding of disturbed areas



with native grasses. The U.S. Postal Service confirmed new service can be established for this subdivision. The applicant noted that five slots in a recently installed cluster box are reserved for future lot owners of the proposed subdivision. The applicant is proposing to improve Tom Tucker Lane which intersects with Pope Springs Road. In additions, lots are proposed to be accessed off a proposed cul-de-sac that will run west from Tom Tucker Lane. The cul-de-sac exceeds the length standard of the Platting and Subdivision Regulations of being a maximum of 600 feet long. An exception to this standard can be made by the Planning and Zoning Commission if lots are over one acre in size. The applicant has requested that the County waive the requirement that the road be built at the current width standard of 24 feet. They are requesting an 18 foot width on the road. A letter has been provided to justify the request. The property is currently a participant in a road maintenance agreement. Currently, efforts are being made to create an improvement and service district for the maintenance of roads in the area. Covenants exist for Spotted Horse Acres which this proposed subdivision is within. The applicant is proposing to pay into the Albany County Fire District #1 Hauled Water Program in-lieu of installing a water storage cistern. Some of the things in the Staff Report have changed, and this is one of them. Mr. Gertsch is in receipt of a letter from the Fire District that Ms. Hornamo has submitted the paperwork as well as the check. As long as this gets approved, they will be able to put the check in their funds which will take care of the requirement. The application is complete because all of the required information has been provided. The applicant has requested a variance from the current road standards. The applicant is requesting a reduction of width from 24 feet to 18 feet. Platting and Subdivision regulations do not allow a variance of this standard. The length of the cul-de-sac exceeds the maximum length of 600 feet, however, the Platting and Subdivision Regulations allow the Planning and Zoning Commission to grant permission to extend the cul-de-sac an additional length if the lots are larger than once acre which I know staff does not have an issue with. Water will be provided to each lot by individual wells. Future lot owners must follow the State Engineer's requirements for installation of wells. Sewer will be provided by on-site wastewater systems. One of the things noted is that there is an outcrop of limestone and siltstone that are on lots one and three which could pose an issue for the siting of the septic. The applicant needs to make sure to avoid those areas. The requirements of the Albany County Platting and Subdivision Regulations Chapter 1 through 8 for Preliminary and Final Plat have not been met at this point for the reason that the applicant would need to agree to the 24 foot road width from 18 feet to 24 feet. Mr. Gertsch recommends approval of the application based upon and incorporating the following Findings of Fact and Conclusions of Law as listed below with a couple of additional requirements as listed also:

**Findings of Fact:**

- Notice has been provided as required.
- The application is complete except for the following: 1. An acceptable letter of credit has not been provided. 2. A letter from Albany County Fire District #1 has not been provided concerning fire protection.
- All lots are 5 acres or more.



- The applicant has requested a variance from the current road standards. The applicant is requesting a reduction of the width of the road from 24 feet to 16 feet. The Platting and Subdivision regulations do not allow a variance of this standard.
- The length of the cul-de-sac exceeds the maximum length of 600 feet. However, the Platting and Subdivision Regulations allow the Planning and Zoning Commission to grant permission to extend the cul-de-sac an additional length if the lots are larger than one acre.
- Water will be provided to each lot by individual wells.
- Future lot owners must follow the State Engineer's requirements for installation of wells.
- Sewer will be provided by on-site wastewater systems.

**Conclusions of Law:**

- The requirements of the Albany County Platting and Subdivision Regulation, Chapter I-VIII and Appendix A for the Preliminary and Final Plat have not been met. The following must occur to meet these regulations: 1. Acceptable financial assurance is provided to the County for proposed improvements. 2. A letter from Albany County Fire District #1 approving the proposed water source for fire protection. 3. The applicant agrees to build the road to a width of 24 feet.

**Additional Requirements:**

- The note required by Wyoming Department of Environmental Quality shall be added to the Final Plat that notes limestone and siltstone outcrop.
- The above conditions are to be met prior to approval by the Board of County Commissioners.

Bill Gorman, County Engineer provided and reviewed the handout that is attached to these Minutes.

Bill Gorman told the Commission that he has always used 24 feet as the total road way width for subdivisions the last 9 years. On page 2, Bill copied notes from our current regulations. Bill talked about the American Association of State Transportation Officials (AASHTO) Geometric Design, a very low volume local roads guide book for roads with less than 400 vehicles per day. He said the guide would allow for 20 to 28 foot width. Bill indicated that if there is ample off-street parking on driveways and garages, the low end of range could be used.

Discussion continued amongst the Commission and Bill Gorman, County Engineer. Bill recommended sticking with the 24 foot requirement. Chairman Cunningham recommended that his proposal is to follow the County Engineer's recommendations and that they retains these roads at 24 feet.

Ms. Hornamo withdrew her variance request and will comply with the 24 feet as the total width of the road. (18 feet of travel-way and 3 feet on each side of the road).

Hearing no further comments the Hearing was closed at 7:42 p.m.

David Gertsch indicated that the Findings of Fact would have to be amended to remove the second bullet point in the Findings of Fact which states: "The application is complete except for the following: 1. An acceptable letter of credit has not been provided. 2. A letter from Albany County Fire District #1 has not been provided concerning fire protection" since that has been taken care of and the fourth bullet point that reads "The applicant has requested a variance from the current road standards. The applicant is requesting a reduction of the width of the road from 24 feet to 16 feet. The Platting and Subdivision regulations do not allow a variance of this standard" and change it to say that the applicant will comply with the 24 foot road standards.

Conclusions of Law – Remove all of these requirements as they will be met.

MOTION by Moore, seconded by Miller that the Planning and Zoning Commission recommend approval of the Preliminary and Final Plats and a Subdivision Permit for the Spotted Horse Acres 2<sup>nd</sup> Addition (SD-01-17) based upon and incorporating the Findings of Fact and Conclusions of Law as stated in the staff report with the following conditions that the applicant provides updated road plans to the County Engineer that will show there will be an 18 foot gravel surface, which will be the travel area with at least 3 foot shoulders on each side equaling 24 feet as required by state statutes and the outcrop noted on the plat. Motion carried on a voice vote with Spiegelberg voting Nay.

## **V. CURRENT PLANNING PROJECTS**

### **A. Subdivision Road Maintenance Discussion**

David Gertsch informed the Commission that he has not had a chance to prepare anything further regarding Road Maintenance issues. David would like to request that we update the regulations to clean them up as we go along with the subdivision.

Shaun inquired whether or not we have design standards for County roads.

Bill Gorman responded, yes. There are County standards that we use for County roads called the County Road Manual. It tells you what grade of roads to use and its geometric designs.

Shaun Moore suggested that a road standard should be created so that it is black and white for the applicant.

John Spiegelberg stated that each subdivision is unique and each maintenance agreement is tailored to the subdivision.

### **B. Platting and Subdivision Regulations Update Discussion**

David Gertsch stated that we'll start with Chapter 1 that deals with exemptions. He will update the regulations to comply with state statutes. He would like to



require a form that needs to be completed for anyone requesting an exemption. The problem that we're having in my office and the Assessor's Office is that some exemptions are being used without telling anyone. If it starts with the Planning Office, everybody knows what's going on.

No further action was taken.

## **X. OTHER ITEMS/ANNOUNCEMENTS**

### **XI. CITIZEN COMMENTS – Non-Agenda Related Topics**

Keith Kennedy asked David Gertsch if we are within a mile of the City limits, would it be a dual process.

David responded that approval must be done by Council and Commissioners.

Keith questioned whether or not it would change our regulations because there is a proposed committee bill that will do away with the 1 mile radius that passed out of Committee.

David responded that if the City is requiring something that we aren't we'd see that. For us, we'd go with our minimum standards and the City would do their process separately.

John Spiegelberg wanted to revisit the problem that needs to be solved with information coming in at the last minute. He believes the simplest way to solve the problem is to inform the applicant that when adjacent property owners are notified they have an x number of days to make a pro or con comment in writing.

Carl asked if we have a deadline and David responded no.

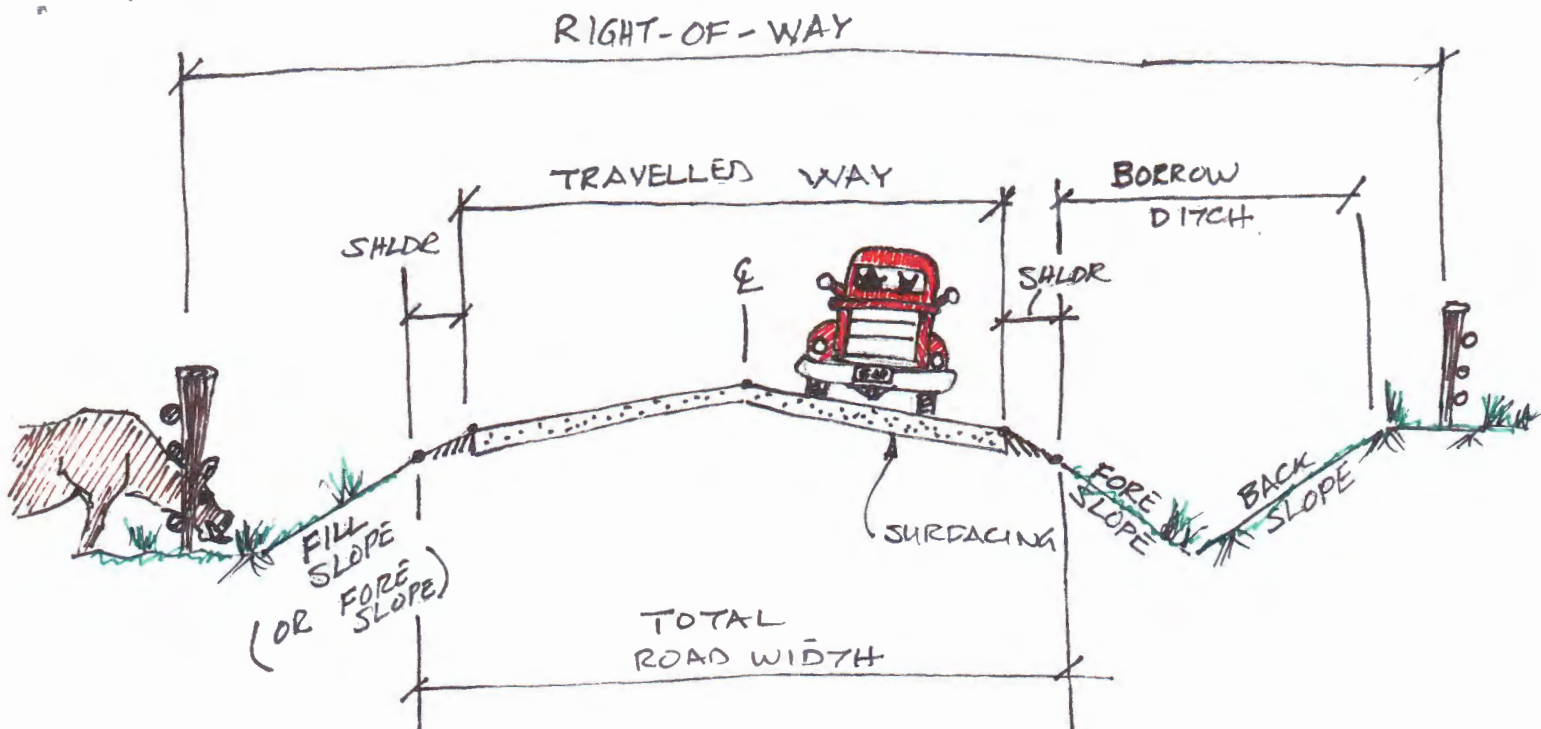
Attorney Trent recommended accepting public comments because of the open forum.

Chairman Cunningham would like to consider how to approach this topic at a later time.

David Gertsch did contact the City Planner and they accept public comment up to the meeting time. If the applicant is not present, the City will postpone any action until the next meeting when the applicant can be in attendance.

### **XII. ADJOURNMENT**

MOTION by Moore, seconded by Miller to ADJOURN the December 13, 2017 Planning and Zoning Commission meeting at 8:21 p.m. Motion carried on voice vote.



DEFINITIONS:

TRAVELLED WAY - DRIVING LANES

SHOULDER - PORTION OF ROADWAY BETWEEN THE FORE SLOPE & TRAVELLED WAY.

FORE-SLOPE - SAME AS FILL SLOPE (OR DITCH SLOPE.)

COUNTY STANDARDS:

ITEM	LARGE SUBDIV.	SMALL SUBDIV.	MOUNTAIN SUBDIV.
RIGHT-OF-WAY	80 FT.	50 FT.	50 FT.
TRAVELLED WAY	24 FT.		
SHOULDERS	3 FT.		
ROAD WIDTH	30 FT.	16 FT.	16 FT.
SURFACING:			
WIDTH	24 FT.	16 FT.	16 FT.
THICKNESS	4 INCH		

Notes:

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County Regs:

Sect. 4.A.a

Right of way shall be 80 feet minimum width and the "travelled way or roadway shall be twenty-four (24) feet."

Sect. 4.A.3

"Roadway shoulders shall be three (3) feet wide as a minimum with slope of 5 feet horizontal for each one foot vertical."

Sect. 4.A.6.c

"Surfacing materials shall be four (4) inches of  $\frac{3}{4}$ " minus crusher run material spread twenty-four (24) feet wide and compacted..."

Possible Basis for modification of road width standards:

AASHTO "Geometric Design of Very Low Volume Local Roads (<400 vpd) 2001 Ed.

p. 20 Exhibit 2:

If the following are true:

- New construction
- Residential street in subdivision
- ADT  $\leq$  400 vpd
- Density is less than 2 residences per acre

Then: Total Road Width = 20 – 28 ft.

Also, if there is ample off-street parking on driveways and garages, can use the low end of range.

ITE Trip Generation Manual, gives an average of 9.57 trips/dwelling unit/day. Gives approx.. 50 trips/day from the subdivision.