

⌘ Minutes ⌘
Regular Meeting
Albany County Planning and Zoning Commission
April 12, 2017

Albany County Commissioner's Room

A regular meeting of the Albany County Planning and Zoning Commission was held on April 12, 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: David Cunningham, Keith Kennedy, Carl Miller and Shaun Moore

Staff present: Susan Adler and David Gertsch

County Engineer: None

Albany County Attorney Liaison: Peggy Trent

Board of County Commissioners' Liaison: Heber Richardson

Public Present: John Erickson, Mitch Edwards, Bern Hinckley, Brett Glass, Erin O'Doherty and Chris Clevon

III. EXCUSE ABSENT MEMBERS – Chairman Cunningham stated he would entertain a motion to excuse absent member John Spiegelberg. **Mr. Moore made a motion to excuse absent member John Spiegelberg of the Commission from the Planning and Zoning Commission Meeting. Mr. Kennedy seconded the motion. Motion carried on voice vote.**

IV. APPROVAL OF AGENDA – Chairman Cunningham indicated he would entertain a motion to accept the agenda as presented. **Mr. Miller made a motion to approve the April 12, 2017, Planning and Zoning Commission Meeting agenda as presented. Mr. Moore seconded the motion. Motion carried on voice vote.**

V. APPROVAL OF MINUTES – Chairman Cunningham indicated he would entertain a motion to approve the minutes of the Planning and Zoning Commission meeting for March 8, 2017, as presented. **Mr. Kennedy made a motion to accept the minutes for March 8, 2017, regular meeting as presented. Mr. Miller seconded the motion. Motion carried on voice vote.**

VI. DISCLOSURES – None

VII. PUBLIC APPLICATIONS

Talia Subdivision Preliminary and Final Plats – Susan Adler, Assistant Planner, gave the staff report. This is a two acre lot in the South Knoll Subdivision at 5011 Chaparral. The applicant would like to have the preliminary and final plats approved for a two lot subdivision. This parcel is within the South of Laramie Water and Sewer District and the South Knoll Road Improvement District. The South of Laramie Water and Sewer District indicated each lot has an existing tap. Records indicate each lot has existing wastewater systems. Surrounding properties are Rural Residential to the east, with Small Lot Residential to the north and south and Commercial to the west. This subdivision is consistent with the Albany County Comprehensive Plan and with other properties in the area. The Chairman opened the public hearing to anyone who wanted to make comments. Mitch Edwards spoke representing Mountain Cement Company. Mountain Cement would like to say that they are opposed to the subdivision but understanding that the historical use has been essentially two properties. If this commission finds it that its best to approve this to create a solution to what was the historical use, that in the finding of fact that it specifically state in there that the reason why this subdivision is being granted is because of the historical issues and that the property has always been used as two separate properties, so that there is no precedence for others wanting to come in and further subdivide their properties. So with that Mountain Cement would like the Planning and Zoning Commission to deny this permit but understanding that the circumstances are the way they are that it would be okay if the Planning and Zoning Commission to recommend approval of the subdivision with the findings of fact that this is being done to clear up the historical issues that were created in the 80's and the historical use of the property.

The Chairman closed the public hearing. After discussion, **Mr. Moore made a motion to certify a recommendation of approval of the Talia Subdivision Application Preliminary and Final Plats SD-0616 to the Board of County Commissioners based upon and incorporating the based upon and incorporating the Findings of Fact and Conclusions of Law listed in the staff report and including Mr. Edward's statement.**

VIII. CURRENT PLANNING PROJECTS

- A. Albany County Comprehensive Plan Amendment – Map 3.5 Priority Growth Area 1- This is an update to Map 3.5 of the Albany County Comprehensive Plan. This will incorporate the changes in zoning that have been approved since the adoption of the plan. After discussion, **Mr. Moore made a motion to certify to the Board of County Commissioners a recommendation for approval of the Amendment to the Albany County Comprehensive Plan regarding Map 3.5 Priority Growth Area as present. Mr. Miller seconded the motion. Motion carried on voice vote.**
- B. Zoning Resolution Amendment ZA-01-17 – County Right-of-Way – David Gertsch, Planning Director addressed the Commission. The County has been approached by a telecommunication company regarding permitting telecommunication towers in the right-of-way. The informal policy of the County Road and Bridge Department has been to require structures be placed outside the right-of-way. The Zoning Resolution does not address this question. The Board of County Commissioners would like to see this addressed in the Zoning Resolution. Peggy Trent, County Attorney, addressed the Commission and indicated that she would be working on this issue and would have some information in the near future. No action was taken on this item.
- C. Zoning Resolution Amendment ZA-02-17- Annual Update. David Gertsch, Planning Director, gave the staff report. He brought forward the changes for an application withdrawal process, changes to density standards, multi-family dwelling, and zoning map changes. After discussion, Mr. Gertsch indicated he would bring back a version incorporating the Commissions comment at the May meeting.
- D. Amendment to Zoning Resolution ZA-03-17 – Zoning Certificate Approval - David Gertsch, Planning Director, gave the staff report. Due to legislative changes, the Board of County Commissioners are granted the authority to delegate to their staff the ability to approve zoning certificates. He brought forward an amendment to make the zoning certificate approval process an administrative process. After discussion, **Mr. Moore made a motion to**

certify to the Board of County Commissioners a recommendation for approval of the Amendment to the Albany County Zoning Resolution regarding Zoning Certificate process (ZA-03-17) as presented. Mr. Kennedy seconded the motion. Motion carried on voice vote.

- E. The Commission had a discussion about the project prioritization worksheet drafted by Chairman Cunningham.

VIII. PUBLIC COMMENT

- **Chris Cleven** – Mr. Cleven advised the Planning and Zoning Commission that he was making progress on the Pope Springs Road Improvement District.
- **Bern Hinckley** – Mr. Hinckley encouraged the Planning and Zoning Commission to clean up the CAPP.

IX. ADJOURNMENT

Chairman Cunningham adjourned the meeting at 9:17 p.m.

Minutes taken by Susan Adler, Administrative Assistant/Assistant Planner