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AGENDA

Albany County Planning and Zoning Commission

Regular Meeting

Wednesday, February 12, 2020 at 2:00 PM

Albany County Commissioners Chambers

PLEDGE OF ALLEGIANCE

CALL TO ORDER/ROLL CALL

APPROVAL OF AGENDA

APPROVAL OF MINUTES – January 8, 2020

DISCLOSURES

ELECTIONS (Chairman and Vice Chairman)

PUBLIC APPLICATIONS

CURRENT PLANNING PROJECTS

- A. Platting and Subdivision Regulations Update (Gertsch)**
- B. Natural Resource Plan (Van Aken)**
- C. Wind Energy Discussion**

OTHER ITEMS/ANNOUNCEMENTS

CITIZEN COMMENTS (non-agenda related topic)

*NOTE – The Albany County Planning and Zoning Commission may table action on any application for which the Applicant or his/her representative is not present at the meeting for which the application is scheduled.

Albany County Planning and Zoning Commission
Script—REGULAR MEETING of January 8, 2020
Minutes

Chairman Moore called the meeting to order (Time 2:00 p.m.)

All members were present at the beginning of the meeting. Mr. Cunningham left the meeting early due to a family emergency.

Approval of Agenda

The Agenda was unanimously approved. The motion was made by **Mr. Kennedy** and Seconded by **Mr. Miller**.

Approval of Minutes

Minutes were unanimously approved. The motion was made by **Mr. Miller** and Seconded by **Mr. Spiegelberg**.

No disclosures were made by Commission members.

PUBLIC APPLICATIONS

A. Brandt Zoning Change Application LUC-08-19

Chris Van Aken gave the staff report. The applicant is proposing a zoning change to Small Lot Residential from rural residential. Staff recommended approval of the application.

Rhett Miller, Representative of Marvin and Anna Brandt, reviewed the application and the area. Noted that the lots in Fox Park Estates average .6 acres in size. Minimum lot sizes

Chairman Moore opened the public hearing for the Brandt Zoning Change Application LUC-08-19.

No public comments were made.

Chairman Moore closed public hearing.

Mr. Cunningham made a motion which was seconded by **Mr. Spiegelberg** making a recommendation of APPROVAL of the Brandt Zoning Change LUC-08-19 to the Board of County Commissioners incorporating the findings of fact and conclusions of law as listed in the staff report.

Motion carried unanimously.

B. Vista Grande Estates, Second Filing Subdivision Application SD-03-19

Chris Van Aken, Assistant Planner, provided the staff report. Staff recommended approval of the preliminary plat.

Chairman Moore opened the public hearing.

Nell Hanley, 78 Clearwater Trail. May 20, 2019 covenants are being violated. Utility lines would need to be above ground. Proposed changes were not communicated to Ms. Hanley. This development will impede their enjoyment of the area. Feels the changes are underhanded and disappointing.

Don Prehoda, Representative of Vista Grande Estates, covenants intent was to allow only one split of the 212 acres lot. The covenants will be amended by the applicant who owns more than 90% of the lots in the Vista Grande Estates Subdivision.

Chairman Moore closed the public hearing.

Motion Options:

A motion was made by **Mr. Kennedy** and seconded by **Mr. Miller** making a recommendation of APPROVAL of the Vista Grande Estates, Second Filing Subdivision Application SD-03-19 to the Board of County Commissioners incorporating the findings of fact and conclusions of law as listed in the staff report.

Motion carried (Mr. Cunningham was not present for this vote)

Adjournment

A motion was made by **Mr. Miller** and seconded by **Mr. Kennedy** for adjournment.

Motion carried.

Meeting adjourned at 2:37 p.m.



MEMORANDUM

To: Planning and Zoning Commission
From: David C. Gertsch, AICP, Planning Director
Date: February 6, 2020
Re: Platting and Subdivision Regulations- Chapter 5, Section 2

I have attached proposed revisions to Platting and Subdivision Regulations, Chapter 5, Section 2 for your review and discussion. The proposed changes to this chapter include the following:

- Added to the vicinity map the requirements showing the township, range, and section.
- Working on the how to identify and ensure maintenance of open space or out lots.
- Added language for the Board of County Commissioners that is already being put on the final plat but is not in the regulations.
- Corrected the reference for flood plain requirements.
- Added the note required by State Statute concerning mineral rights on a property proposed for subdivision.

These are draft comments for discussion. There will be continued work on this section and the rest of the document.

Attachment: Proposed revisions.

Section 2. Final Plat.

- A. The final plat shall be drawn with permanent waterproof ink or by a photographic process (silver image) on a linen or polyester film base material. The overall plat dimensions shall be twenty-two (22) inches by thirty-six (36) inches in size. There shall be a minimum of one and one-half (1-1/2) inches margin on the left side of the short dimension for a binding edge; the remaining three margins shall be one-half (1/2) inch each.
- B. Scale. The final plat shall be drawn to a scale that will show all the details clearly. However, under no circumstances shall the scale be greater than two hundred (200) feet to the inch.
- C. Information Required on the Face of the Final Plat.
 - 1. Title or name of proposed subdivision: The title shall appear on all sheets of the final plat.
 - 2. Statement, executed by the owners of all legal and equitable interests in the property being subdivided, which shall contain the following:
 - a. Names of the persons or entities executing the plat.
 - b. Description of the property being subdivided; if said description contain, references to recorded documents and/or instruments, said information shall be the property indicated on the graphic portion of the plat.
 - c. Formal and complete statement of the title or name of the plat.
 - d. Dedication and acceptance statement regarding all public right-of-way to be dedicated for public use.
 - e. Proper signatures of the subscribing persons and entities affirming the execution of the plat; in the event of execution by a corporation, the corporate seal must be affixed to the plat.
 - 3. Notarial Acknowledgement. Proper statutory acknowledgment by the owner or owners of legal or beneficial interests of their approval of the plat and the dedication of streets and other public areas.
 - 4. Date of preparation, north point, written scale and graphic scale.
 - 5. A vicinity map of the tract at not greater than two thousand (2,000) feet to the

inch. In addition to showing the tract, this map must show the delineation and labeling of the Township(s), Range(s) and Section(s) that the tract is in.

6. Location of land intended to be conveyed or reserved for public use or reserved in the deeds for the use of all property owners in the proposed subdivision and the methods of dedication and maintenance of said lands. This land should be labeled on the plat as open space, out lot, or for the specific purpose it is intended to be used. Future development of this land shall be prohibited. Ownership and maintenance of these lots must be described on the Final Plat. Said lands shall be identified by a tract or parcel.

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7. Surveyors Certification. Certification by a Wyoming licensed surveyor to the effect that the layout represents a survey made by him and that all dimensional and other details are correct.

8. Certificates for execution by each of the following or their duly appointed representatives:

- a. Chairman of the Planning and Zoning Commission.
- b. Albany County Clerk.
- c. Chairman of the Board of County Commissioners.
- d. Acting Albany County Engineer.

- 9.9. Certificate of the Board of County Commissioners. The Certificate of the Board of County Commissioners shall include the following statement: THE ATTACHED (*insert name of subdivision*) WAS SUBMITTED AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF ALBANY COUNTY, WYOMING. THIS APPROVAL DOES NOT OBLIGATE ALBANY COUNTY FOR THE CONSTRUCTION OR MAINTENANCE OF ANY STREET OR ROADS UNLESS SPECIFICALLY ACCEPTED BY SEPARATE LEGAL RESOLUTION. NOTICE IS GIVEN THAT BASIC ACCESS TO RURAL PROPERTIES AND RESPONSE BY EMERGENCY SERVICES MAY BE LIMITED OR UNAVAILABLE DUE TO FACTORS INCLUDING BUT NOT LIMITED TO: ADVERSE WEATHER CONDITIONS THAT MAY ARISE AT ANY TIME, THE REMOTENESS OF THE PROPERTY, OR A COMBINATION THEREOF.

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- 9.10. Relationship to Known Monuments. The subdivision shall be tied by

angles and distances to the nearest accepted monuments, which shall be accurately described on the final plat, in accordance with the requirements of W.S. §34-12-102, as amended.

10.11. Layout. The exact layout shall include:

- a. Boundary lines. The boundary lines with accurate distances and either bearings or internal angles, the exact location and width of all existing or recorded streets intersecting the boundary of the tract. All dimensions to be determined by accurate field survey which must close within the limit of one (1) foot in five thousand (5,000) feet (relative error of closure).
- b. Approximate length, of streets, actual centerlines and actual curve radius, chord bearing and distances of street data where the curvature information will be other than ninety degrees (90°).
- c. Easements shall be designed on the plat as to use and size. They shall be represented by free dash lines or indicated by appropriate statements.
- d. All lines of lots, blocks and other parcels of land shall have accurate dimensions in feet and hundredths with bearings or angles to street and alley lines. Lots must close to one (1) foot in five thousand (5,000) feet and must be surveyable by the information given on the final plat alone.
- e. All lots and blocks in the subdivision shall be numbered consecutively throughout the tract with no omissions or duplications.
- f. The plat shall show the right-of-way lines, widths, locations and street names of all existing and proposed streets or roads within the proposed subdivision. The center-line data or right-of-way data of all curves shall be indicated on the plat either in the rights-of-way or in a curve table.
- g. Areas in designated floodplains. Refer to the current Albany County Flood Damage Prevention ~~Ordinance Resolution, Section 5.1 4, adopted May 1, 1988~~ for specific direction on subdivision proposals.

- h. Location and size of water storage tank or other fire suppression means to be provided, if applicable.

- 12. The subdivider shall state on the plat, "The right is granted to the County to declare any or all streets, alleys or roadways within the subdivision as county roads and are dedicated for public use."
- 14.13. The Board shall be under no obligation to build, repair, maintain or accept any dedication of such roads. If no public maintenance is contemplated, the subdivider shall put a legend on the plat of the subdivision, on all advertisements and solicitations for the subdivision, and on all offers, contracts or agreements for the sale and purchase of lots within the subdivision showing the streets, alleys and roadways and showing in bold capital letters "NO PUBLIC MAINTENANCE OF STREETS OR ROADS".
- 12.14. If no domestic water source is proposed by the subdivider, the words "NO PROPOSED DOMESTIC WATER SOURCE" in bold, capital letters shall appear on all offers, solicitations, advertisements, contracts, agreements, and plats relating to the subdivision.
- 15. Information concerning on-lot sewage disposal shall include results of percolation testing, adequacy and feasibility of separation distances from existing or proposed water supplies, or from individual wells where no water supply is proposed, adequacy of soil conditions and separation from groundwater. If no public sewage disposal systems proposed by the subdivider, the words "NO PROPOSED PUBLIC SEWAGE DISPOSAL SYSTEM" in bold capital letters shall appear on all offers, solicitations, advertisements, contracts, agreements and plats relating to the subdivision.
- 13.16. A legend on the plat and all offers, contracts, and agreements for the sale and purchase of lots within the subdivision must include, in capital letters, the words "THE SURFACE ESTATE OF THE LAND TO BE SUBDIVIDED IS SUBJECT TO FULL AND EFFECTIVE DEVELOPMENT OF THE MINERAL ESTATE".

- D. Details of Improvements. Detail plans, design, and specifications of all proposed improvements shall be submitted. More specifically, these will include:
 - 1. The plans and profiles of all roads, highways and alleys serving the subdivision showing alignments, existing center-line evaluations, and final

centerline grades.

2. The location, size, dimensions and specifications of the water storage tank or any other means proposed for fire suppression purpose.
3. The size and location of all culverts, gutters and other drainage means.
4. Any proposed means of soils stabilization and embankments.
5. Any other information required by the planning office.



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February 5, 2020

To: Planning and Zoning Commission

From: Chris Van Aken, Assistant Planner

Subject: Natural Resource Plan Funding

Early last year, the state legislature passed House Bill 54, which provides funding to counties to create and implement Natural Resource Plans. Counties are guaranteed \$50,000 in funding until July 2020 under this bill. We have been working with the Grants Manager to secure funding and begin the process of writing the plan.

We will also be working jointly with partnering agencies in the area. We have met with WyGISC at the university, and will also likely be partnering with the Laramie Rivers Conservation District. The planning process will involve public input, data gathering, data modeling, and writing the text of the plan to reflect strategies and goals outlined by the planning process.

We would like your support and involvement through every step of this plan. We appreciate your input and want to work with you to provide lasting natural resource protection solutions for Albany County.

Sincerely,

Chris Van Aken