

Albany County Planning and Zoning Commission
REGULAR MEETING
April 12, 2023
Minutes

Staff Present: David Gertsch – Planning Director, Joe Wilmes – Associate Planner, Matt Ayres – County Civil Attorney, Sue Ibarra – Board of County Commissioners Liaison

I. CALL TO ORDER/ROLL CALL (Time 5:04)

Chairman: The Regular Meeting of the Planning and Zoning Commission will come to order.

Chairman: Will the secretary call the roll.

Vote: Ms. Hanning: Present

Mr. Platt: Present

Ms. Kocornik: Present

Ms. Ben-David: Present

Chairman Hinckley: Present

II. Approval of Agenda

Chairman: Are there any additions or deletions to the agenda for April 12, 2023?

Chair will entertain a motion to accept the agenda April 12, 2023, as AMENDED.

Matt Ayres said the moratorium on subdivision permit applications and zoning district amendment applications is set to expire on April 19. In order for the moratorium to continue there would need to be a recommendation from the Planning and Zoning Commission.

So moved by Commissioner Platt approved the agenda with the proposed amendment, and that item be between Current Planning Projects B and C.

Seconded by Commissioner Kocornik.

The vote was unanimous.

Motion Carried.

III. Approval of Minutes

A. Chairman: Are there any corrections to the minutes for the March 15, 2023, meeting?

Chair will entertain a motion to accept the minutes for the March 15, 2023, meeting with corrections.

Commissioner Ben-David pointed out a misspelling.

Chairman Hinckley would like to know how people voted.

So moved by Commissioner Kocornik.

Seconded by Commissioner Platt.

The vote was unanimous.

Motion Carried.

IV. DISCLOSURES/CONFLICTS OF INTEREST:

Chairman: The Chair calls for any disclosures/conflicts of interest to be known.

There were none.

V. PUBLIC APPLICATIONS

Chairman: The discussion will be conducted in accordance with the State Statutes, the Rules of the Planning and Zoning Commission, and other applicable laws. I would ask the individuals who address the Commission to approach the lectern, identify yourself, and state your address.

A. Sixty Last Zoning District Amendment Application (ZDA-01-23)

Commissioner Platt motioned and Commissioner Kocornik seconded to take this application off of the table.

The vote was unanimous. Motion Carried.

Presentation of the Staff Report by Joe Wilmes, Associate Planner.

Questions from Commissioners to Staff.

Chairman Hinckley asked about some language in the staff report.

Commissioner Ben-David asked about changing the zoning of one or two parcels out of a whole zoning category.

Commissioner Platt asked if sympathies are supposed to be considered in a decision.

Commissioner Hanning asked if the Windmill Hill commercial property is non-conforming or if it is conforming and about using City water.

Questions from Commissioners to Applicant.

Jarin Scovil, the applicant's representative, explained that he as a real estate professional has always used the assessor's map for zoning, until this particular parcel. He had no idea there was a separate zoning map and it's news to all real estate professionals in the community. He explained that Mr. Herman doesn't want to change anything but wants to use it for what he bought it for.

Andrew Johnson, leaser of the property, says they are there to be a good neighbor, help their neighbors out, make the community look better, and provide jobs and he feels it is a right to use the property to its best use.

The Chair will open the public hearing – anyone wishing to speak for or against the Sixty Last Zoning District Amendment Application (ZDA-01-23) please approach the lectern, state your name and address.

Commissioner Platt motioned and Commissioner Ben-David seconded to close the public hearing.

The vote was unanimous. Motion Carried.

Open discussion among Commissioners.

Commissioner Platt thinks there are several factors to consider. The first factor being that this land has historically been used commercially. The second factor being that if you look at the greater area surrounding this property, there is a very wide range of zoning on these properties, and if you drive by it, it doesn't look out of place. The third factor being that this is an area that has been identified for growth in the comprehensive plan, and he thinks this area is the most likely place for significant commercial and industrial development. He believes they should approve this application. He also said that for people who are considering purchasing land or considering a use switch, that if they think they don't need to do their homework, they are wrong. Planning and Zoning's function is not a bail out for people who failed to do their due diligence.

Commissioner Ben-David agreed with Commissioner Platt's last comment.

Chairman Hinckley agreed with Commissioner Platt's last comment.

Commissioner Hanning appreciates everything that Commissioner Platt said, and she thinks this is a challenging decision, especially with the water situation.

Chairman Hinckley asked staff what the process is for City comment on the application.

David Gertsch explained that the City can only comment on the subdivision of lots.

Commissioner Platt motioned and Commissioner Ben-David seconded to recommend approval of the Sixty Last Zoning District Amendment Application (ZDA-01-23) to the Board of County Commissioners adopting and incorporating the Staff Analysis, Findings of Fact, and Conclusions of Law as each are stated in the staff report.

The vote was unanimous.

Motion Carried.

VI. CURRENT PLANNING PROJECTS

A. Zoning Resolution Amendment – Accessory Dwellings

- i.** David Gertsch introduced the item.
 - 1.** Discussion was had.
 - 2.** Adjustments need to be made before it comes back before the Commission.
 - 3.** No action was taken.

B. CAPP Update (Update/Discussion)

- i.** Chairman Hinckley introduced the item.
 - 1.** No action was taken.

C. Moratorium on Subdivisions and Zoning District Amendments

- i.** Matt Ayres introduced the item.
 - 1.** Chairman Hinckley asked if we need a moratorium with the current regulations in place.
 - 2.** Matt Ayres said that is up to the Board, but with the expiration coming up it was brought to the Commission.
 - 3.** Commissioner Platt doesn't see a reason for the moratorium.
 - 4.** David Gertsch doesn't see a reason why this is useful at this point.
 - 5.** No action was taken.

D. Growth Area Management Plan (Update/Discussion)

- i.** David Gertsch introduced the item.
 - 1.** Discussion took place.
 - 2.** No action was taken.

VII. OTHER ITEMS/ANNOUNCEMENTS

A. Urban Systems Advisory Committee Appointment – Revisit

- i.** Commissioner Hanning motioned, and Commissioner Kocornik seconded to nominate Commissioner Platt for the Urban Systems Advisory Committee.
- ii.** The vote was unanimous. Motion Carried.

B. Special Meetings

- i.** April 19, 2023, 6:00 p.m. at Albany County Planning Office
- ii.** April 26, 2023, 6:00 p.m. at Road and Bridge

C. Next Regular Meeting May 10, 2023, 5:00 p.m. at Road and Bridge

D. Commissioner Comments

- i.** None.

VIII. CITIZEN COMMENTS – Non-Agenda Related Topics

None.

IX. ADJOURNMENT

Chairman: There being no further business to conduct, the Chair would entertain a motion to adjourn the meeting.

Chair adjourned.

Meeting adjourned at 8:32 p.m.

An audio recording of the meeting can be found on the Albany County website:
<https://www.co.albany.wy.us/agendacenter>

A video recording of the meeting can be found on the Albany County Government – Laramie Wyoming YouTube page:
<https://www.youtube.com/channel/UCEilgbgJIW4AWNAu3EfrjVg/videos?view=57>