

**Minutes of the Proceedings**  
**Laramie County Planning Commission**  
**Prepared by the Office of the Clerk of Laramie County**  
**Laramie County Wyoming**

Thursday, June 26, 2008

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- 080626 00** The Laramie County Planning Commission met in regular session at 3:30 p.m., Thursday, June 26, 2008. Those in attendance were Jody Clark, Chairman; Jim Ward, Commissioner; Frank Cole, Commissioner; and Paula Qualls, Commissioner. Commissioner Jackie Mueller was absent.

Those signing the register wer Bonnie Beth Epler, Mark Eisele, Kaycee Eisele, Brenda Johnson, Julie A. Wilson, Charles D. Seniawski, Jim Willadsen, Bill McCarthy, Susie Lemaster, Sylvia Ruiz, Anna Andersen, Alex Davison, John Francis, Rod Trees, Bill Edwards, and Gary Hickman.

- 01** There was no introduction or action taken on this agenda item.
- 02** Commissioner Ward moved to continue consideration of a Preliminary Plat for Sam's Place Subdivision, located in the SW1/4 Section 15, T.13N., R70W., 6th P.M., Laramie County, Wyoming until July 10, 2008. Commissioner Cole seconded the motion, which passed unanimously.
- 03** County Planner Gary Kranse provided an update on the state of the Wind Energy System Regulations and the directive to reconsider options for the setbacks. The options to consider for setbacks, besides adopting those in the original draft regulations, include: 1) adopt Platte County's standards; 2) adopt GE's recommendation for a siting formula; 3) adopt a formula based on speed and gravity; and 4) exclusion of setback requirements in the regulations. Mr. Kranse detailed the setback requirements in each option. Mr. Kranse recommended adoption of either the existing proposal or the GE alternative, which is appropriate science and direct from the manufacturer of the equipment. Commissioner Qualls indicated she had done some research since the last meeting and through a conversation at a class reunion in Wheatland, believed the Platte County regulations were reasonable. She questioned, however, why the issue of ice throw had not been considered in the Platte County regulations but went on to state she likes the idea of having consistency among neighboring counties. She concluded by stating setbacks are necessary but do not need to be extreme. Commissioner Cole commented on impacts to public roads under Section 13 and asked if those same regulations were put on any other commercial or industrial user of county roads such as agricultural, quarries, and landfills. He also questioned the need for a cost estimate from an engineer. Mr. Kranse responded by stating no other industries are currently regulated for road usage; the need for it in this case is the weight of the equipment being used during the construction phase. The need for the engineer's estimate is to value the bond or financial guarantee for repair to damages caused during the construction phase. Chairman Jody Clark opened the meeting as a PUBLIC HEARING. Brenda Johnson, 794 County Road 103, Granite Canon,

stated the document is coming along and is quite workable and addressed the fact that there will be inconsistencies other than setbacks between the Platte County and Laramie County regulations. She also referenced the proximity of those wind turbines on Happy Jack to the right of way. Ms. Johnson also asked about the variance criteria. Mr. Kranse responded that studies are conducted prior to locating a wind farm and an extremely narrow tract of land would require a variance in order to be utilized for a wind farm and those decisions would be made by the Board of County Commissioners. Ms. Johnson recommended tweaking the variance language in the regulations. Chairman Clark asked about the setback distance of the turbines in the Happy Jack Wind Farm to which Mr. Kranse responded each tower was at least 1000 feet from adjacent roads. Mr. Kranse responded to Ms. Johnson's recommendation of adding the word "dedicated" to the section addressing setbacks from public roads by stating the language of "county maintained" is equivalent to use of "dedicated." Julie Wilson, 1179 Road 215, referring to wind turbines as "monstrosities," asked that the setbacks be set at five miles from existing residential developments due to detrimental affects on property values. John Francis, 1047 Happy Jack Road, stated he will not cover all the property rights issues that were covered two weeks ago, but did want to address individual perceptions of the definition of "monstrosity". His view of a monstrosity is a barn that is falling down, a run down house, and a junk pile in a residential area. He also spoke to the lack of foundation of reports of ice throws and not needing stringent setbacks in undeveloped areas. Mr. Francis also spoke against the need for an engineer's report on potential damages and the desire to assess damages to a single industry when the roads are currently being damaged by other types of heavy loads. His suggestion would be to assess heavy loads. Mr. Kranse stated because of the intensive road usage, we have been able to see the road damage caused and the wind development companies have expressed a willingness to be assessed for road damages. Mr. Francis stated he had spoken to wind development company representatives who are not in agreement with the regulations pertaining to road damage. Kaycee Eisele, 1113 Happy Jack Road, spoke in favor of having the regulations among Laramie, Goshen, Platte, and Albany Counties be consistent. She also stated the damages caused by pipeline construction are more extensive than those caused by wind farm development. Rod Trees, 1412 Blue Willow Lane, indicated he had provided detailed information on concerns with wind farms to the Planning Commission and spoke to matters of accidents, fires, and what code standards are supposed to be included in the regulations; does it include seismic standards? Mr. Trees stated that without county-wide zoning, like Platte County, Laramie County is having more difficulty with developing regulations and should have a one-mile setback on municipal boundaries as Platte County requires. Anna Maria Anderson, 1567 Barberry Ridge, expressed concerns about a wind farm that is being proposed adjacent to her property and wants to have the safety of her family and the value of her property protected. She questioned if a setback of less than 1000 feet granted by variance would be sufficient to protect her safety. Mr. Kranse stated that each situation would be reviewed based on its merits.

Mrs. Anderson asked if the public would be notified if someone was seeking a variance and Mr. Kranse stated that all variance requests require public hearings. Susie Lemaster, 1519 Barberry Ridge, asked Mr. Kranse to repeat the setback requirements adopted by Platte County, which Mr. Kranse did. Her purpose was to clarify the distance from a developed residential area. It was clarified that the setbacks included in the Platte County regulations would not apply in the unzoned portions of Laramie County. Ms. Lemaster wants the maximum possible setback from a residential area and strongly supports a five mile setback. Alex Davison, 2400 Road 156, Pine Bluffs, stated he is an attorney and has represented various landowners in the development of wind farms. Most recently, he has represented a wind farm energy company that is considering siting a system in Laramie County. He is also the attorney for the small towns in Laramie County and Grover, Colorado. All of this has given him two perspectives on this issue. Mr. Davison spoke to the risk assessment issue; particularly to the issue of ice shedding. He could not find much information through either a basic internet search or a westlaw search for lawsuits. His recommendation would be to remove the criteria from the variance process and let each request for a variance live or die on its merits. Mr. Davison said he also researched the topic of property values and read from the executive summary. Studies in California, New York, Connecticut and other states indicated that property values rose more for properties in the view shed of a wind farm and when values declined due to market conditions, the values of homes in the view shed declined less. Mr. Davison recommended adopting the GE formula as it accommodates the landowner and there is real rationale for doing so. Chairman Clark asked Mr. Davison about the existence of technology for de-icing the blades on the turbines, to which he responded there has not yet been an economical or functional solution. Hearing no further comments, the Chairman closed the PUBLIC HEARING. Commissioner Cole moved to recommend the Laramie County Board of Commissioners approve the Resolution to Amend Article V of the Cheyenne and Laramie County Zoning Ordinance 1988 concerning wind energy systems based on findings one through four of the staff report and with the following conditions: 1) setback provisions as proposed by staff in Alternative #2 be adopted; 2) the language "operation or maintenance" be removed from Section 13; 3) the language "engineer's estimate" be removed from paragraph (vi) of Section 13; and 4) exclude the criteria for the variance. Commissioner Qualls seconded the motion, which passed unanimously.

- 04** County Planner Gary Kranse introduced the regulations for manufactured mobile homes. The construction standards for manufactured housing are separated by the 1976 adoption of standards by the U.S. Department of Housing and Urban Development. Mr. Kranse reviewed the goals of the regulations and those items being regulated which include: 1) ability to move homes into or within the County; 2) improving the habitability of existing homes; 3) establishing specific location criteria; 4) limited inspections to homes older than 20 years. The regulations would also have the Planning Commission act as the appeal authority for the regulations. Any unconforming uses in existence at the time the regulations are adopted

would be a non-conforming, legal use. Mr. Kranse stated they had received a number of comments and the Planning Department has tried to incorporate those comments into the regulations. Commissioner Cole objected to language in the regulations that would attempt to permit mobile homes used as temporary offices during construction projects and the compatibility standards set forth in Section 62.025 regulating roof construction, siding requirements, size requirements, etc. Commissioner Cole also questioned how the requirements of Section 62.50 (g) would be affected by the length of time building permits had been required in Laramie County. Chairman Clark opened the meeting as a PUBLIC HEARING. Bill Edwards, 506 Shoshoni Street, spoke in favor of the proposed regulations as they have been needed for fifteen or twenty years. Mr. Edwards stated that without zoning in the County, these types of regulations are the only method for monitoring certain types of uncontrolled growth. Hearing no further public comment, the Chairman closed the PUBLIC HEARING. Commissioner Frank Cole moved to recommend the Laramie County Board of Commissioners approve a Resolution to Amend Article VI (Manufactured Housing) of the Cheyenne and Laramie County Zoning Ordinance, 1988 based on findings one through three of the staff report and with consideration to comments made today. Commissioner Qualls seconded the motion, which passed unanimously.

**CERTIFICATION**

I, Debra K Lathrop, Clerk of Laramie County, do hereby certify the above to be a true and correct copy of the Minutes of the Proceedings for Thursday, June 26, 2008

**SEAL**

Approved by : \_\_\_\_\_

Debra K. Lathrop  
County Clerk

Reviewed by : \_\_\_\_\_

Jody Clark, Chairman  
Laramie County Planning Commission

This information is available in alternate forms. If reasonable accommodations are required, contact Laramie County Human Resources, 310 West 19th Street, Cheyenne, WY 82001, (307)633-4355 within a reasonable time.