

Minutes of the Proceedings
Laramie County Planning Commission
Prepared by the Laramie County Planning & Development Office
Laramie County Wyoming

Thursday, December 09, 2010

- 101209 00** The Laramie County Planning Commission met in regular session at 3:30 p.m. on Thursday, December 9, 2010.

Those in attendance were: Commissioner Jody Clark, Chairman; Commissioners Frank Cole, Jim Ward, Bert Macy; Abby Yenco, Senior Planner; Nancy Trimble, Recording Secretary.

The meeting register was signed by: Brett Walker, Cheyenne Development Office; John and Yvonne Ware.

- 01** Review and action of revisions to Laramie County's Land Use Regulations.

Abby Yenco, Senior Planner, presented a formal continuation request on the proposed regulations, to allow more comments to be considered. This would allow more time to solicit feedback and work through the concerns; which would be heard at the next meeting.

Commissioner Clark asked if there were any comments. Commissioner Cole stated he had several comments. On Section 4.1.102 - Laramie County zoning maps, there needed to be an actual map in the regulations to show as it was proposed; that it needed to be updated accordingly and be approved along with the regulations. He also expressed that in the AR zone in the County, 25 foot setbacks on 5 acre parcels was not adequate, and that the setback requirements should be increased, to keep structures from crowding up next to the road. Commissioner Ward responded that he did not want to see property owners forced to have greater setbacks. Commissioner Cole said that the A-1 and A-2 zones should also have greater setbacks. He then asked about maximum building heights in the LR zone; why was it set at 35 feet and where did the measurement originate (where do you measure height from)? Ms. Yenco asked if he had any suggestions. Commissioner Cole asked how to really measure -- differences in homes with walk-out basements, garages, etc. He also pointed out the MR and HR zones with regard to building heights: these two zones were silent on height, so why did LR have height restriction? He stated that MR was a smaller lot, but had no restriction. He went on to outline height restrictions in the following zones: NB had a restriction of 35 feet, and might need to be increased. CB had a 50 foot height limit, which was not very high. The Director could approve up to 75 feet - what are the guidelines used to determine if the height should be over 75 feet? LI had limit of 50 feet, which was not high enough. What criteria was to be used? What was the basis on Administrative Approval? Ms. Yenco explained that this process was to be taken out of the new regulations, so there could be no arbitrary decisions. Commissioner Cole stated that MU also had a height limit of 35 feet, which was too low and needed to be increased. With regard to PUD, there should be

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a detailed plan of what's going on. He didn't think the Planning Director should be able to change a regulation without the County Commissioners approval.

Commissioner Cole gave staff a copy of the Greenwood Village Ordinance pertaining to notification requirements for all types of hearings, so staff could see how it was outlined, and could see how the requirements might be implemented into our regulations. He stated he hadn't had more time to go through the rest of the regulations. Ms. Yenco reiterated that we wanted to make time for more feedback. Commissioner Cole stated he wouldn't be here for the January 27th meeting. Ms. Yenco said another time could be set up to meet with him before that date.

Commissioner Clark called attention to new folks who had stepped in to the meeting. Ms. Yenco explained that we were postponing, but if there were comments, we would take them under consideration. She stated the regulations were to be heard at the January 27, 2011 Planning Commission meeting, and then go to the Board of County Commissioners on February 15, 2011 for possible adoption. Commissioner Clark invited public comments.

John Ware came forward regarding a storage yard that was set up next to his property, in the vicinity of Roads 148 and 201. He stated that the regulations said that property owners were supposed to get notice; that his elderly neighbor, whose property was also adjacent to the storage yard, was very upset about the dust created by this yard. Ms. Yenco responded that there was no zoning outside of Carpenter, and that these proposed regulations had not yet been passed. Yvonne Ware said in the old regulations, it stated that people had to be notified. Ms. Yenco responded that referenced subdividing land, and was not related to this type of use. She said she would check with staff on this storage yard situation and see what could be done to remedy the situation. Commissioner Clark mentioned if EOG Resources was leasing that land, that some lease agreements mentioned dust control, etc., and she also asked if the property was platted. Ms. Yenco reiterated that the County has less authority on oil and gas situations, than others. She stated that these storage yards were going to crop up all over the County, and that the County was trying to address these types of situations so they don't get out of control. She said she would get back to them next week, but with no zoning, there was little authority to regulate land use.

Brett Walker then came forward with a question about the PUD zoning regulations as to increasing the minimum area requirements -- did the Planning Commission think this was a good idea or bad? Commissioner Cole responded that he wrote the first PUD ordinance, and thought there should be a minimum of 4 to 5 acres. He mentioned that the City's setback for houses didn't meet ordinance requirements.

Commissioner Clark closed the public hearing, and asked for a motion to postpone approval of the regulations. Commissioner Cole motioned to approve the postponement, with the plan to continue work on the proposed regulations through the two meetings in January to ensure all concerns have

been covered. Commissioner Ward seconded the motion; Commissioner Macy stated the oil and gas regulations should also be included. Ms. Yenco responded that those regulations were not ready to be included, but would be added to the adopted draft. Commissioner Macy expressed that whatever was currently in place should be included. Commissioner Cole asked about oil wells that might be drilled in the zoned area. Ms. Yenco stated that the County had very limited authority to regulate drilling. The County may request to be shown the access point, and issue an address for emergency agencies, but did not have the authority to stop drilling. She said with regard to what can be reviewed -- storage yards, warehouses, or possibly a different zone for this type of usage -- there needs to be feedback, especially since zoning to control land uses is not out in the further regions of the county. Commissioner Clark said that possibly was something to be considered during further review of the proposed regulations.

The Planning Commission then voted to approve postponement with a vote of 4 - 0.

Commissioner Clark closed the meeting at 4:12 p.m.