



# Planning & Zoning

600 9<sup>th</sup> Street · Wheatland, WY 82201 · (307) 322-2962

PLATTE COUNTY PLANNING & ZONING COMMISSION  
RECORD OF PROCEEDINGS  
TUESDAY, JULY 13, 2021

## Call to Order – Roll Call

The regular meeting of the Platte County Planning and Zoning Commission was called to order at 7:00 PM on Tuesday, July 13, 2021, by Chairman Shepard in the Platte County Commission Chambers.

Members Present: Chairman Shepard, Commission Member Lockhart, Commission Member Brockman, Commission Member Tiltrum  
Members Absent: Commission Member Klein  
Staff Present: Planner Clark

## Election of Chairman and Vice Chairman

Motion made by Commission Member Tiltrum with a second by Commission Member Lockhart to have Commission Member Shepard as Chairman and Commission Member Klein as Vice Chairman for the 2021-2022 fiscal year.

Upon roll call the vote on the MOTION was:

YES: Chairman Shepard, Commission Member Lockhart, Commission Member Brockman, Commission Member Tiltrum

NO: None

MOTION DECLARED CARRIED

## Citizen Comments

Chairman Shepard asked if there were any citizen comments for items not on tonight's agenda. Merlin Hitt thanked the commission for their patience and professional handling of the last planning and zoning meetings.

## Declaration of Conflicts of Interest

Chairman Shepard asked if any of the Commission Members had any conflicts of interest to declare.

None noted.

## New Business

Request for a Simple Subdivision to divide approximately 138 acres into two parcels one approximately 7-acres and one approximately 130 acres

Planner Clark noted Mr. Irwin has filed an application for a Simple Subdivision to divide approximately 138 acres into two parcels one approximately 7-acres and one approximately 130

acres. The acreage is part of the N2 of Section 22, Township 24 North, Range 68 West, Platte County, Wheatland, Wyoming. Wheatland Irrigation District approved Option 2 of Water Plan Approval for Subdividers on April 7, 2021, and Mr. Irwin provided a copy of the approval from the WID. No agency or neighbor comments received. Both the Town of Wheatland Planning and Zoning and Wheatland Town Council approved the request at their June 2021 meetings. Mr. Irwin's 138-acre parcel is in an agricultural zoning district and his request meets the requirements of a Simple Subdivision as described within Platte County Planning and Zoning Rules and Regulations. Wheatland Irrigation District approved Option 2 of Water Plan Approval for Subdividers which requires Mr. Irwin to include show all WID infrastructure and easements; both recorded and unrecorded, if applicable on the plat; and show the water conveyance facility to each lot to protect each lot owner's right to receive water on the plat. If approved; per Platte County Rules and Regulations, Mr. Irwin shall, within one year, submit the final plat to the Planning and Zoning Commission and the Board of County Commissioners for review and approval record the plat with the Platte County Recorder's Office. Mr. Irwin will need to rename the simple subdivision, because there Irwin Subdivision already exists and could cause some confusion in the future, Mr. Irwin has provided an updated name of Ayers Road Irwin Simple Subdivision for this request. Mr. Irwin has had his surveyor provide the draft plat for review by the Planning Office, Wheatland Irrigation District, and the Platte County Engineer and will be ready to print mylars upon County Commissioner approval.

Motion by Commission Member Brockman was seconded by Commission Member Lockhart to approve Mr. Irwin's request for a Simple Subdivision to divide approximately 138 acres into two parcels one approximately 7-acres and one approximately 130 acres located in part of the N2 of Section 22, Township 24 North, Range 68 West, Platte County, Wheatland, Wyoming.

Upon roll call the vote on the MOTION was:

YES:Commission Member Lockhart, Commission Member Brockman, Commission Member Tiltrum

NO: none

MOTION DECLARED CARRIED

Request for a Rezone request to rezone from Agricultural Classification to Commercial Classification, parcel is approximately 8-acres

Planner Clark noted Robert Hilty has filed an application to rezone from Agricultural Classification to Commercial Classification, parcel is approximately 8-acres, located along 16th Street in part of the NW4SW4 of Section 12, Township 24 North, Range 68 West, Wheatland, Platte County, Wyoming. Mr. Hilty is requesting to rezone to develop a business park. Mr. Hilty has verified with the Wheatland Irrigation District that this parcel does not have any irrigation rights and the previously utilized private ditch along the north edge of the property has not been used since the installation of the pivot on the neighboring parcel. Besides a couple questions about the building being built no agency or neighbor comments were received. Mr. Hilty is requesting to rezone from an Agricultural Classification to a Commercial Classification for this approximately eight (8) acre parcel with plans to develop a business park. Mr. Hilty has completed due diligence with the Wheatland Irrigation District and does not require a water plan, because there are no irrigation rights or plans to subdivide. Mr. Hilty has been working with the Town of Wheatland to enter into agreements to connect to town utilities during the annexation process and plans to annex into town limits and to be zoned Highway Business. For the development of the business park to stay on track, Mr. Hilty is requesting to rezone to Commercial Classification to allow for commercial



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usage of the acreage during the annexation process. The surrounding areas are zoned Agricultural (county), Mobile Home Park (town), and Highway Business (town). The county zone of Commercial is very similar to the town zone of Highway Business, thus this request fits with the surrounding existing zones and usages. It is the opinion of the Planning Office that Mr. Hilty's rezone request be approved. Planner Clark added that Mr. Hilty did present the agreements to the Town Council at last night's meeting.

Merlin Hitt with Platte County Economic Development spoke in support of the rezone as PCED is for anything that can increase jobs and improve the tax base.

Motion by Commission Member Lockhart was seconded by Commission Member Brockman to approve Robert Hilty has filed an application to rezone from Agricultural Classification to Commercial Classification, parcel is approximately 8-acres, located along 16th Street in part of the NW4SW4 of Section 12, Township 24 North, Range 68 West, Wheatland, Platte County, Wyoming.

Upon roll call the vote on the MOTION was:

YES: Commission Member Brockman, Commission Member Tiltrum, Commission Member Lockhart

NO: none

MOTION DECLARED CARRIED

## Final Plat Review of Foland Simple Subdivision

Planner Clark noted that the Planning Office sent one request for adjustments to Laramie Land Surveying before approving for printing. Commission Members did not have any questions or concerns, and Chairman Shepard signed the plat.

## Final Plat Review of Angle Simple Subdivision

Planner Clark noted that the Planning Office sent one request for adjustments to Pipeline Land Services Inc. before approving for printing. Commission Members did not have any questions or concerns, and Chairman Shepard signed the plat.

## **Approval of Minutes**

### Approval of Minutes – June 8, 2021

Commission Member Tiltrum noted a name spelling correction.

Motion by Commission Member Lockhart with a second by Commission Member Brockman was made to approve the minutes of the previous June 8, 2021, meeting as amended.

Upon roll call the vote on the MOTION was:

YES: Commission Member Tiltrum, Commission Member Lockhart, Commission Member Brockman

NO: None

MOTION DECLARED CARRIED

## Board Discussion

Planner Clark noted the next regular meeting will be August 10<sup>th</sup> with a replat.

Planner Clark noted that she did receive any comments from the Commission on the Solar Regulations and asked if the Commission was ready to move forward with a public work session for the regulations. Commission discussed the completeness of the draft provided and asked if the Commissioners want to update chapters as they are reviewed or complete one large update.

Planner Clark stated that she will ask the Commissioners how they would like to proceed.

Commission Member Lockhart asked if updating the subdivision chapter was still needed. Planner Clark noted that there are some updates that are needed due to the updates made to the state statutes. Chairman Shepard added the need for onsite water storage in some areas due. Planner Clark noted bringing this conversation up to the County Commissioners and they did not see an issue with requiring this of the developer and understand that large acreage subdivisions would currently meet the exemption for going through the Platte County subdivision process until large acreage regulations were added to the Platte County Regulations. Commission and Planner discussed other areas of the regulations that need to be updated that included adding setback requirements to agricultural classification, requirements for an RV subdivision, adding subdivision approval condition options, requiring the developer to install a water source for firefighting if recommended by the fire chief, requiring developers to have roads installed before a building certificate can be issued, and requiring lot lines to go to the middle of the road and having roads be access and utility easements.

Planner Clark noted only receiving comments from Commission Member Brockman in relation to the fee schedule and the opinion from the County Commissioners that the fees need to be reviewed and adjusted. Commission had a lengthy discussion on fees that included what would be appropriate, what would current and future residents and developers be willing to pay, when and how the fees could be adjusted, and compared fees to those of other counties around the state and fees that are charged by the towns within Platte County. Ron Lockhart spoke in favor of raising the fees overall and not undercutting the county. Commission Member Brockman made the recommendation to keep the pre-application meeting fee separate from the application fee and to charge by the hour for the pre-application meeting. Commission Member Lockhart noted that several other counties have the pre-application meeting fee separate and either a flat rate or an hourly fee. Merlin Hitt spoke in favor of pre-application meeting fee and stated that it is something that he would pay. Commission discussed if the special use permit fee was enough to cover large energy projects. Chairman Shepard stated that he felt the special use permit fee was enough for large energy projects due to the additional cost that these projects will pay in building certificate fees. Commission members agreed. Commission discussed the building certificate fee percentage and compared it to other counties and municipalities. The increase to 0.5% was agreed upon after comparing the 4-H building permit fee to a project of similar size in the county and the amounts being similar. Planner Clark noted requesting input from Road and Bridge Superintendent Angle in relation to the encroachment license fee and he stated that \$150-\$200 was more in line to cover the time and travel required to process these licenses. Commission recommended changing this fee to \$200. Commission asked to add the engineering/other professional fees to special use permits, floodplain development, simple subdivision, and subdivision. Commission recommended establishing a flat fee for newspaper publications to allow for the fee to be paid upfront and to not have to be collected later. Planner Clark noted that depending on the notice and number of times they have to be in the paper the cost currently runs anywhere from \$60 to \$200. Commission



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recommended a flat fee of \$150 for a notice of publication fee to cover the fees, reduce time spent on accounting, and help cover time spent on getting the notice to the paper. Commission made a final review of the recommended changes to the draft included in the packet, these changes included changing the building certificate fees to 0.5%, first extension to \$100, second extension to \$200, encroachment to \$200, notice of publication to \$150, special use permit to \$250, simple subdivision to \$300, and subdivision per lot cost to \$100. Planner Clark noted she will make the adjustments and forward them to the Commissioners.

Planner Clark noted being contacted by both Matt Taylor, owner of Lot 1 of Remington Ridge and Craig and Pam Evert with Lake Water Company LLC, the water service provider for Remington Ridge. Provided for your reference is the email received by the planning office from the Lake Water Company and the response from the State Engineer's Office. Lake Water Company has provided this information to see if the Commission would allow a re-plat of Lot 1 to divide off this small area vs being required to go through the subdivision process. Per the State Engineer's letter there is adequate easement access to the well in question and Lake Water Company needs to update their state permitting. Commission felt this would be circumventing the subdivision regulations and they would need to go through the subdivision process if they desire to divide still exists.

Chairman Shepard adjourned the meeting at 9:51 PM.

Approve:

  
\_\_\_\_\_  
Chairman, Planning & Zoning Commission

Attest:

  
\_\_\_\_\_  
Planning Director Clark

