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AGENDA

Albany County Planning and Zoning Commission
Regular Meeting
February 8, 2023
5:00 PM

PUBLIC MAY PARTICIPATE IN-PERSON, VIA ZOOM, OR WATCH ON THE ALBANY COUNTY YOUTUBE CHANNEL

If you would like to participate via Zoom, information on how to register can be accessed by following the link below.

REGISTRATION INFORMATION:

<https://us02web.zoom.us/meeting/register/tZ0sf-muqDojGd0Q7CB7uG1BoP2wcz4ZFSfM>

NOTE: Registration Must be Completed in Advance of the Meeting

REGULAR MEETING (5:00 PM)

1. Call to Order/Roll Call
2. Approval of Agenda
3. Approval of Minutes – January 11, 2023 and January 30, 2023
4. Disclosures/Conflicts of Interest
5. Introduction of the New Planning and Zoning Commission Member
6. Election of Chair and Vice-Chair

PUBLIC APPLICATIONS

CURRENT PLANNING PROJECTS

7. Growth Area Management Plan (Update/Discussion)
8. CAPP Update (Update/Discussion)
9. Bylaws/Rules of Procedure (Discussion)
10. Accessory Dwelling Units (Discussion)
11. Transmission Lines (Discussion)

OTHER ITEMS/ANNOUNCEMENTS

12. Schedule Commission Training
13. Next Regular Meeting (**March 15th** at 5 p.m. in the Commissioners Room.) – *Please note the date change.*
14. Commissioner Comments
15. Citizen Comments (non-agenda related topic)
16. Adjourn Regular Meeting

*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
REGULAR MEETING
January 11, 2023
Minutes

Staff Present: David Gertsch – Planning Director, Joe Wilmes – Associate Planner,
Matt Ayres – County Civil Attorney

I. CALL TO ORDER/ROLL CALL (Time 5:08)

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

Chairman: Will the secretary call the roll.

Vote: Mr. Platt: Present

Ms. Kocornik: Present

Ms. Hanning: Present

Chairman Hinckley: Present

II. Approval of Agenda

Chairman: Are there any additions or deletions to the agenda for January 11, 2023?

Chair will entertain a motion to accept the agenda January 11, 2023.

So moved by Commissioner Platt.

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 December 14, 2022, meeting?

Chair will entertain a motion to accept the minutes for the December 14, 2022, meeting with corrections.

So moved by Commissioner Platt.

Seconded by Commissioner Kocornik.

The vote was unanimous.

Motion Carried.

B. Chairman: Are there any corrections to the minutes for the January 3, 2023, special meeting?

Chair will entertain a motion to accept the minutes for the January 3, 2023, special meeting with corrections.

So moved by Commissioner Platt.

Seconded by Commissioner Kocornik.

The vote was unanimous.

Motion Carried.

IV. DISCLOSURES/CONFLICTS OF INTEREST:

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

Commissioner Hanning disclosed that she had followed up with County Engineer Jake Schneider discussing the Fluty Subdivision.

Chairman Hinckley disclosed that he had a discussion with Levi Hime about the Einspahr Subdivision.

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. Fluty Subdivision SD-09-22 Public Hearing and Action

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

Questions from Commissioners to Staff:

Commissioner Hanning asked about the access to the potential new lot, the wastewater application process, and storm water runoff.

Chairman Hinckley commented on the staff report and the public notice.

Questions from Commissioners to the Applicant:

Jerrud Ralph, applicant's representative, answered Ms. Hanning's question about storm water runoff.

The Chair will open the public hearing – anyone wishing to speak for or against the Fluty Subdivision Preliminary and Final Plat Application (SD-09-22) and a Subdivision Permit please approach the lectern, state your name and address.

There was none.

Commissioner Hanning motioned, and Commissioner Platt seconded to close the public hearing.

The vote was unanimous.

Motion carried.

Open discussion among Commissioners.

Commissioner Platt motioned, and Commissioner Kocornik seconded to recommend to the Board of County Commissioners APPROVAL of the Fluty Subdivision Preliminary and Final Plat Application (SD-09-22) and a Subdivision

Permit adopting and incorporating the Staff Analysis, Findings of Fact, and Conclusions of Law as stated in the Staff Report.

The vote was unanimous.

Motion Carried.

B. Einspahr Subdivision SD-12-22 Public Hearing and Action

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

Questions from Commissioners to Staff.

Commissioner Hanning asked about replacement leach fields.

Chairman Hinckley commented on the staff report.

Questions from Commissioners to the applicant.

Chairman Hinckley feels that the questions previously brought up by the Planning and Zoning Commission have been adequately addressed.

Commissioner Platt asked about the numbers used in the Wehrmann Model.

Levi Hime, applicant's representative, explained the numbers being used.

The Chair will open the public hearing – anyone wishing to speak for or against the Einspahr Subdivision Final Plat Application (SD-12-22) and a Subdivision Permit please approach the lectern, state your name and address.

There was none.

Commissioner Hanning motioned, and Commissioner Platt seconded to close the public hearing.

The vote was unanimous.

Motion Carried.

Open discussion among Commissioners.

Commissioner Platt motioned, and Commissioner Hanning seconded to recommend to the Board of County Commissioners APPROVAL of the Einspahr Subdivision Final Plat Application (SD-12-22) and a Subdivision Permit adopting and incorporating the Staff Analysis, Findings of Fact, and Conclusions of Law as stated in the Staff Report, noting that the concerns with groundwater quality have been met.

The vote was unanimous.

Motion Carried.

C. Commnet Centennial Tower Application LUCT-01-22 Public Hearing and Action

Presentation of the Staff Report by David Gertsch, Planning Director.

Questions from Commissioners to Staff.

Commissioner Hanning asked about colocation and the drop zone.

Commissioner Platt asked about the difference in height between the application and drawings, and about the maps.

Chairman Hinckley asked about a statement allowing Albany County to install a communication antenna.

Questions from Commissioners to the applicant.

Jeremy Boone, applicant's representative, answered questions about colocation and drop zone.

The Chair will open the public hearing – anyone wishing to speak for or against the Commnet Centennial Tower Application LUCT-01-22 please approach the lectern, state your name and address.

There was none.

Commissioner Kocornik motioned, and Commissioner Hanning seconded to close the public hearing.

The vote was unanimous.

Motion carried.

Open discussion among Commissioners.

Motion Options:

Commissioner Hanning motioned, and Commissioner Platt seconded to recommend to the Board of County Commissioners APPROVAL of the Commnet – Centennial Tower Application (LUCT-01-22) adopting and incorporating the Staff Analysis, Findings of Fact, and Conclusions of Law as stated in the Staff Report.

The vote was unanimous.

Motion Carried.

IX. CURRENT PLANNING PROJECTS

- A.** Amendments to the Platting and Subdivision Regulations Public Hearing and Action
 - i.** Chairman Hinckley asked if there were any public comments submitted.
 - ii.** David Gertsch said that there have not been any so far.
 - iii.** Matt Ayres some new changes with the resolution – page numbers and internal references. He also explained there is a decision to made before certifying the amendments to the Board of County

Commissioners. There was still an ‘or’ provision in the financial assurance requirements that needs to be chosen.

- iv.** Chairman Hinckley opened the public hearing– anyone wishing to speak for or against Amendments to the Platting and Subdivision Regulations please approach the lectern, state your name and address.
 - Commissioner Platt motioned, and Commissioner Hanning seconded to close the public hearing.
 - The vote was unanimous.
 - Motion Carried.
- v.** Chairman Hinckley asked for staff’s opinion on which ‘or’ provision to go with.
 - David Gertsch recommended having it in Chapter 8
 - Matt Ayres agreed with David Gertsch about it being in Chapter 8.
- vi.** Commissioner Hanning asked Matt Ayres if it would better protect the County if the provision was in Chapter 8 instead of the statutory language.
 - Matt Ayres said yes.
- vii.** Commissioner Hanning motioned, and Commissioner Platt to strike Chapter 5, Section 2, B, 3 leaving only “Financial Assurance. Documentation that the subdivider has complied with the requirements of Chapter 8 of this resolution.”
 - The vote was unanimous.
 - Motion Carried.
- viii.** Commissioner Hanning motioned, and Commissioner Platt seconded to recommend to the Board of County Commissioners the Amendments to the Platting and Subdivision Resolution as presented and amended.
 - The vote was unanimous.
 - Motion Carried.

B. Wind Energy Conversion System Regulations – Environmental Advisory Committee Amendments

- i.** David Gertsch introduced Eric Krszjzaniek from the Environmental Advisory Committee.
- ii.** Eric Krszjzaniek introduced the item.

- Discussion took place about the potential regulation changes.
 - There was no action taken on this item.
- C.** CAPP Update (Update/Discussion)
- i.** Chairman Hinckley introduced the item.
 - ii.** David Gertsch gave an update.
- D.** Growth Area Management Plan (Update/Discussion)
- i.** David Gertsch gave an update.
- E.** Bylaws/Rules of Procedure (Discussion)
- i.** Commissioner Hanning volunteered to begin going through the Albany County Bylaws and introduce them at a future meeting.

X. OTHER ITEMS/ANNOUNCEMENTS

- A.** Determine 2023 Regular Meeting Times
- i.** Regular meetings will be at 5:00 p.m. on the second Wednesday of the month.
- B.** Schedule Commission Training
- i.** Planning and Zoning Commission decided to wait for the fifth member to be named before scheduling a commission training.
- C.** Next Regular Meeting February 8, 2023, 5:00 p.m. in the Circuit Courtroom
- D.** Commissioner Comments
- i.** Chairman Hinckley commented saying the WDEQ will be making some changes to the letters the Planning and Zoning gets.

XI. CITIZEN COMMENTS – Non-Agenda Related Topics

- a. Conor Mullen asked about the timeline for the vacancy on the Planning and Zoning Commission.

XII. ADJOURNMENT

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

Chair Adjourned.

Meeting adjourned at 8:14 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>

Albany County Planning and Zoning Commission
JOINT WORK SESSION of January 30, 2023
Minutes

Staff Present: David Gertsch – Planning Director, Joe Wilmes – Associate Planner,
Matt Ayres – County Civil Attorney

I. Joint Work Session (5:00 PM)

A joint work session took place with the Albany County Planning and Zoning Commission and the City of Laramie Planning Commission

A. CALL TO ORDER/ROLL CALL (Time 5:00 PM)

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

Chairman: Will the secretary call the roll.

Vote: Mr. Platt: Present

Ms. Kocornik: Present

Ms. Hanning: Present

Chairman Hinckley: Present

B. Meeting Objective

Philipp Gabathuler, City of Laramie Principal Planner, introduced the meeting.

David Gertsch explained the County process for adoption.

C. Public Comment

Terri Jones doesn't believe this plan should have been brought forward and thinks it should be thrown out.

Bob Shine thinks we should do everything we can to preserve water and keep it clean.

D. Presentation

Melissa Ruth from Logan Simpson gave a presentation.

The presentation covered meeting objectives, process and public engagement, Growth Area Plan background, plan implementation, and the adoption process/schedule.

Questions were asked throughout the presentation.

E. Discussion and Q&A between Planning Commissioners

Questions were asked from the commissions to the consultant and staff.

Discussion took place.

F. Process Review and Action Items/Next Steps

There will be open houses on February 23, 2023, at 11:30AM-1:30PM at the Laramie Community Recreation Center and on February 23, 2023, at 5:00PM-7:00PM at the Albany County Library.

No action was taken on the draft plan at this meeting.

II. ADJOURNMENT

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

Chair adjourned.

Meeting adjourned at 6:59 p.m.

A video recording of the meeting can be found on the City of Laramie website:
<https://cityoflaramie.org/AgendaCenter/Search/?term=&CIDs=4.&startDate=&endDate=&dateRange=&dateSelector=>



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MEMORANDUM

To: Planning and Zoning Commission
From: David C. Gertsch, AICP, Planning Director
Date: February 1, 2023
Re: Planning and Zoning Commission Bylaws

I have attached the bylaws that Commission Member Hanning has worked on. There is a redlined and clean version.

Chapter 1 – GENERAL PROVISIONS

Section 1. Purpose and Authority. These rules of practice and procedure shall regulate and govern the Albany County Planning and Zoning Commission (PZC) and are promulgated pursuant to the Wyoming Administrative Procedures Act (W.S. §§ 16-3-101 through 16-3-115), as amended, and W.S. § 18-5-202.

Section 2. Applicability of Rules. These rules apply to all public meetings and public hearings of the PZC. Informational meetings and work sessions, wherein no action shall be taken, may be attended by the PZC without compliance with these rules.

Section 3. Amendments. Amendments to these rules of practice and procedure shall require the vote of two-thirds of those PZC members present and voting at any meeting, provided, however, that notification of a proposed amendment be given to each member at least (20) days in advance of said meeting.

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Chapter 2 – PLANS, REGULATIONS, AND APPLICATIONS

Section 1. Plans. The PZC may prepare and amend land use plans including, but not limited to, a comprehensive plan, aquifer protection plan, growth plan, natural resource plan, and any other plans deemed necessary for the purpose of promoting public health, safety, morals and general welfare of the unincorporated areas of the county. The PZC shall certify such plans to the Board of County Commissioners (W.S. § 9-8-301; W.S. § 18-5-202(b)).

Section 2. Regulations. The PZC shall prepare recommendations to effectuate the planning and zoning purposes including, but not limited to, zoning regulations, platting and subdivision regulations, wastewater regulations, nuisance regulations, flood damage prevention regulations, solar and wind energy conversion system regulations, and any other regulations deemed necessary to effectuate the planning and zoning purposes (W.S. § 18-5-202(c)).

Section 3. Applications. The PZC is authorized to receive and evaluate applications for subdivision permits. The PZC shall submit a copy of the application to the department of environmental quality for review as provided by W.S. 18-5-306(c) and, if applicable, to the nearest fire protection district as provided by W.S. 18-5-316(d). The PZC shall make findings and recommendations to the Board of County Commissioners within forty-five (45) days from the date the department of environmental quality submits its recommendation to the PZC or from the date when the recommendation is due if no recommendation is made, whichever is earlier. If no action is taken by the PZC within that time, the plat is deemed to be approved by the planning commission (W.S. § 18-5-307).

Section 4. Public Hearings. Before certifying its plans and regulations, or amendments thereof, or making findings and recommendations on applications for subdivision permits to the Board of County Commissioners, the PZC shall hold at least one (1) public hearing. Notice of time and place of the hearing shall be given by one (1) publication in a newspaper of general circulation in the county at least: thirty (30) days before the date of a hearing pertaining to land

use plans; at least fourteen (14) days before the date of a hearing pertaining to regulations; and, at least five (5) days before a hearing pertaining to applications for subdivision permits (W.S. § 18-5-202(b) and (c)). Likewise, the PZC shall hold at least one (1) public hearing before making findings and recommendations to the Board of County Commissioners on applications for subdivision permits.

Section 5. Right to Petition. Any interested person may petition the PZC requesting the promulgation, amendment, or repeal of any rule adopted under the provisions of W.S. § 18-5-201 through 18-5-208, as amended (W.S. § 16-3-106; W.S. § 18-5-202(b)).

Chapter 3 – MEMBERSHIP AND ADMINISTRATION

Section 1. Membership. The PZC shall be composed of five (5) members, at least three (3) of whom shall reside in the unincorporated area of the county and two (2) of whom shall reside in an incorporated area of the county, to be appointed by the Albany County Board of County Commissioners (W.S. § 18-5-202(a)).

Section 2. Terms of Office. Each member shall be appointed for a term of three (3) years. Any member of the PZC may be removed for cause other than politics or religion and after public hearing by the Albany County Board of Commissioners (W.S. § 18-5-202(a)).

Section 3. Officers. The PZC shall elect two (2) officers at its regular meeting in February, who shall be members of the PZC, and shall consist of a Chair and Vice-Chair. Each officer shall serve one (1) year terms.

A. Chair. The Chair shall preside at all meetings and shall be the chief officer of the PZC. No member shall serve more than three (3) consecutive terms as Chair.

B. Vice-Chair. The Vice-Chair shall exercise the functions of the Chair in the Chair's absence or incapacity. They shall also serve as Chair until the election of officers at the regular meeting in February in the event the office of Chair becomes vacant due to their resignation, removal, incapacity or any other similar circumstances.

Section 4. Secretary. A member of the Planning Department staff shall serve as Secretary to the PZC. The Secretary shall supervise the recording of the minutes of the PZC and perform such other duties as may be consistent with this office (W.S. § 16-4-403(c); W.S. § 18-5-202(a)).

Section 5. Staff. The PZC may appoint employees and staff necessary for its work, and may contract with professional planners and other planning consultants, including any appropriate agencies or departments of the State of Wyoming, for such services as it requires.

Section 6 Financial. The PZC is specifically empowered to contract or otherwise participate in and to accept grants, funds, gifts or services from any Federal, State or local government or its agencies or instrumentality thereof, and from private and civic sources, and to expend funds received therefrom, under provisions as may be required of and agreed to by the

Planning Commission, in connection with any program or purpose for which the planning commission exists.

Section 7. Absenteeism. The PZC shall notify the Board of County Commissioners when any member misses three consecutive regularly scheduled meetings and said member shall have to justify their absence to the Board. Any member may be removed by the Board for inefficiency, neglect of duty, malfeasance or conflict of interest. The removed member shall have the right of appeal to the District Court.

Section 8. Advisory Committees. The PZC may establish such advisory committees to the PZC as are necessary, and the Chair shall appoint the membership of these committees subject to confirmation by the PZC.

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Chapter 4 - PROCEDURES

Section 1. Meetings. The PZC hold regular meetings monthly on the second Wednesday of each month and at such other times as the Chair may direct. All meetings shall be conducted in compliance with W.S. § 16-4-401 through 16-4-408.

Section 2. Meeting Procedural Rules. Except where inconsistent with these rules and procedures, Robert's "Rules of Order" shall govern the conduct of all meetings of the PZC and its committees.

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Section 3. Regular Meeting Agenda and Packet. A meeting agenda will be prepared by Planning Staff in coordination and approval by the Chair. The order of business shall be as follows:

- Call meeting to order;
- Roll call;
- Approval of agenda;
- Approval of minutes;
- Disclosures;
- Public applications, including associated Public Hearings;
- Current planning projects, including associated public comments;
- Other items/announcements;
- Executive session, if applicable; and,
- Adjournment.

The planning director or designee shall prepare and present to the PZC a staff report for each application or item of consideration. Agendas and the packets of materials for PZC consideration shall ordinarily be electronically transferred to PZC members and other county staff at least five (5) days prior to the meeting at which such matters are to be considered.

Section 4. Special Meeting Agenda and Packet. A meeting agenda will be prepared by Planning Staff in coordination and approval by the Chair. The order of business shall be as follows:

- Call meeting to order;
- Roll call;
- Presentation of any materials related to the special business;
- Public Hearing, if any;
- Discussion and decision; and,
- Adjournment.

Section 5. Change in Order of Business. The order of the business may be changed on regular motion carried by a majority of the quorum.

Section 6. Format for Public Hearings on Public Applications.

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- A. Public Hearing Called to Order: For each public application, the Chair shall call the hearing to order and direct the planning staff to provide a staff report for the application under consideration. Comments received prior to and during the hearing shall become part of the permanent public record of the permit application.
- B. Introduction of Applicant and Applicant’s Presentation: The Chair will introduce each applicant at the start of the presentation of any public application item. The applicant will introduce their representative who will be presenting information to the PZC. The public in attendance is asked to refrain from interrupting the applicant’s presentation. Comments or questions will be allowed after the applicant’s presentation.
- C. Citizen Comments and Questions: The Chair shall ask that anyone wishing to speak to raise their hand to be recognized by the Chair. Upon recognition by the Chair please stand, state name; address; and any group representation. Please keep testimony brief (5 minutes maximum) and refrain from repeating previous testimony. Please extend courtesy to all speakers and refrain from interrupting the speaker.
- D. Public Hearing Closed.
- E. Discussion By PZC: Each member will be given an opportunity to direct specific questions to planning staff, the applicant, and/or the public. The order in which Commission members may commence discussion will be determined by the Chair.
- F. Planning Commission Vote: At the conclusion of the discussion by the PZC, the Chair shall request a motion from any member. Any motion for consideration shall state any conditions and recommendations to be forwarded to the Board of County Commissioners. The process for discussion of any motion by the Planning Commission shall follow Roberts Rules of Order.

NOTE: Albany County encourages public participation in the planning process. The intent of the above rules is to allow maximum public participation while providing an equal and timely schedule for consideration of Agenda items.

Section 7. Quorum. Three (3) members shall constitute a quorum for the transaction of business.

Section 8. Voting. Each member shall be entitled to one (1) vote. A majority of votes cast at any meeting shall be required to adopt any matter before the PZC. All votes shall be cast by the members in person, including communication platforms that allow members to connect with video, audio, or phone.

Section 9. Abstention. Any member shall abstain from voting on any matter or issue before the PZC when that member has a pecuniary interest in that matter or issue (W.S. § 6-5-101 through 6-5-118; W.S. § 9-13-101 through 9-13-109).

Chapter ~~H~~ – GENERAL PROVISIONS

ARTICLE I

Section 1. Purpose and Organization Authority. These ~~Bylaws~~ rules of practice and procedure shall regulate and govern the affairs of the ~~Albany~~ County Planning and Zoning Commission known as the Albany County Planning Commission, hereafter known as the “Planning Commission,” (PZC) and are promulgated pursuant to the Wyoming Administrative Procedures Act (W.S. §§ 16-3-101 through 16-3-115), as amended, and W.S. § 18-5-202.

~~is organized pursuant to Wyoming Statutes, Section 18-289.1 through 18-289.9, as amended.~~

Section 2. Applicability of Rules. These rules apply to all public meetings and public hearings of the PZC. Informational meetings and work sessions, wherein no action shall be taken, may be attended by the PZC without compliance with these rules.

Section 3. Amendments. ~~A~~ Changes or amendments to these ~~Bylaws~~ rules of practice and procedure shall require the vote of two-thirds of those ~~Commissioners~~ PZC members present and voting at any meeting, provided, however, that notification of a proposed ~~change or amendment~~ be given to each ~~Commissioner~~ member at least (20) days in advance of said meeting. **Membership.** The Planning Commission shall be composed of five (5) members, at least three (3) of whom shall reside in the unincorporated area of the county, to be appointed by the Albany County Board of County Commissioners.

Section 3. Terms of Office. The terms of the members appointed to the first Planning Commission shall be of such length and so arranged that the term of one member will expire each year, and thereafter each member shall be appointed for a term of three (3) years; provided, that any member of the Planning Commission may be sooner removed for cause other than politics or religion and after public hearing by the Board of Commissioners.

Section 4. Voting. Each Commissioner shall be entitled to one (1) vote.

Chapter ~~H2~~ – PLANS, REGULATIONS, AND APPLICATIONS

ARTICLE II

Section 1. Plans and Regulations. The ~~Planning PZC~~ Commission may prepare and amend land use plans including, but not limited to, a comprehensive plan ~~including land use plans, aquifer protection plan, growth plan, natural resource plan, housing plans, mobile home park regulations, subdivision regulations, zoning regulations, and any other plans, regulations or studies as deemed necessary, and from time to time make amendments thereto~~ for the purpose of promoting public health, safety, morals and general welfare of the unincorporated areas of the county. The PZC shall ~~and~~ certify ~~the such~~ plans to the Board of County Commissioners (W.S. § 9-8-301; W.S. § 18-5-202(b)).

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Section 2. Regulations. The PZC shall prepare recommendations to effectuate the planning and zoning purposes including, but not limited to, zoning regulations, platting and subdivision regulations, wastewater regulations, nuisance regulations, flood damage prevention regulations, solar and wind energy conversion system regulations, and any other regulations deemed necessary to effectuate the planning and zoning purposes (W.S. § 18-5-202(c)).

Section 3. Applications. The PZC is authorized to receive and evaluate applications for subdivision permits. The PZC shall submit a copy of the application to the department of environmental quality for review as provided by W.S. 18-5-306(c) and, if applicable, to the nearest fire protection district as provided by W.S. 18-5-316(d). The PZC shall make findings and recommendations to the Board of County Commissioners within forty-five (45) days from the date the department of environmental quality submits its recommendation to the PZC or from the date when the recommendation is due if no recommendation is made, whichever is earlier. If no action is taken by the PZC within that time, the plat is deemed to be approved by the planning commission (W.S. § 18-5-307).

Section 24. Public Hearings. Before ~~so~~ certifying its plans and regulations, or amendments thereof, ~~or making findings and recommendations on applications for subdivision permits~~ to the Board of County Commissioners, the ~~Planning PZ Commission~~ shall hold at least one (1) public hearing. Notice of time and place of the hearing shall be given by one (1) publication in a newspaper of general circulation in the county at least ~~thirty~~ (30) days before the date of ~~such a hearing pertaining to land use plans; at least fourteen (14) days before the date of a hearing pertaining to regulations; and, at least five (5) days before a hearing pertaining to applications for subdivision permits (W.S. § 18-5-202(b) and (c)).~~ Likewise, the PZC shall hold at least one (1) public hearing before making findings and recommendations to the Board of County Commissioners on applications for subdivision permits.

Section 35. Right to Petition. Any interested person shall have the right to ~~may~~ petition the ~~Planning commission~~ PZC requesting the promulgation, amendment, or repeal of any rule for the amendment of any plan or regulations adopted under the provisions of ~~Section 18-289.1 through 18-289.9 of the Wyoming Statutes~~ W.S. § 18-5-201 through 18-5-208, as amended (W.S. § 16-3-106; W.S. § 18-5-202(b)), ~~as amended.~~

Chapter ~~III~~ – MEMBERSHIP AND ADMINISTRATION

ARTICLE III

Section 1. Membership. The PZC shall be composed of five (5) members, at least three (3) of whom shall reside in the unincorporated area of the county and two (2) of whom shall reside in an incorporated area of the county, to be appointed by the Albany County Board of County Commissioners (W.S. § 18-5-202(a)).

Section 2. Terms of Office. Each member shall be appointed for a term of three (3) years. Any member of the PZC may be removed for cause other than politics or religion and after public hearing by the Albany County Board of Commissioners (W.S. § 18-5-202(a)).

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Section 3. Officers. The Planning-PZCommission shall elect two (2) officers at its regular meeting in February, who shall be members of the PZCommission, and shall consist of a Chairman and Vice-Chairman. Each officer shall serve one (1) year terms.

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A. Chairman. The Chairman shall preside at all meetings and shall be the chief officer of the Planning-PZCommission. No Commissioner-member shall serve more than two-three (23) consecutive terms as Chairman.

A.

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B. Vice-Chairman. The Vice-Chairman shall exercise the functions of the Chairman in the Chairman's absence or incapacity. He-They shall also serve as Chairman until the election of officers at the regular meeting in February in the event the office of Chairman becomes vacant due to his-their resignation, removal, incapacity or any other similar circumstances.

Section 24. Secretary. The Albany County Clerk A member of the Planning Department staff shall serve as Secretary to the Planning-PZCommission. The Secretary shall supervise the recording of the minutes of the Planning-PZC,ommission and perform such other duties as may be consistent with this office (W.S. § 16-4-403(c); W.S. § 18-5-202(a)).

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Section 35. Staff. The Planning-PZCommission may appoint employees and staff necessary for its work, and may contract with professional planners and other planning consultants, including any appropriate agencies or departments of the State of Wyoming, for such services as it requires.

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Section 4.6 Financial. The Planning-PZCommission is specifically empowered to contract or otherwise participate in and to accept grants, funds, gifts or services from any Federal, State or local government or its agencies or instrumentality thereof, and from private and civic sources, and to expend funds received therefrom, under provisions as may be required of and agreed to by the Planning Commission, in connection with any program or purpose for which the planning commission exists.

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Section 67. Absenteeism. The PZCommission shall notify the Board of County Commissioners when any member misses three consecutive regularly scheduled meetings and said member shall have to justify his-their absence to the Board. Any member may be removed by the Board for inefficiency, neglect of duty, malfeasance or conflict of interest. The removed member shall have the right of appeal to the District Court.

Section 28. Advisory Committees. The Planning-ZCommission may establish such advisory committees to the PZCommission as are necessary, and the Chairman of the Commission shall appoint the membership of these committees subject to confirmation by the Planning-ZCommission.

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Chapter **IV4 - PROCEDURES**

ARTICLE IV

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Section 1. Meetings. The ~~Planning-PZCommission~~ hold regular meetings monthly on the second Wednesday of each month and at such other times as the Chair may ~~shall meet at least one~~ (1) time each month and at such other times as the Chairman may ~~direct~~ direct. All meetings shall be conducted in compliance with W.S. § 16-4-401 through 16-4-408.

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Section 2. Meeting Procedural Rules. Except where inconsistent with these ~~Bylaws~~ rules and procedures, Robert's "Rules of Order" shall govern the conduct of all meetings of the ~~Planning-ZCommission~~ and its committees.

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Section 3. Regular Meeting Agenda and Packet. A meeting agenda will be prepared by ~~Planning Staff~~ Planning Staff in coordination and approval by the Chair. The order of business shall be as follows:

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- Call meeting to order;
- Roll call;
- Approval of agenda;
- Approval of minutes;
- Disclosures;
- Public applications, including associated Public Hearings;
- Current planning projects, including associated public comments;
- Other items/announcements;
- Executive session, if applicable; and,
- Adjournment.

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The planning director or designee shall prepare and present to the PZC a staff report for each application or item of consideration. Agendas and the packets of materials for PZC consideration shall ordinarily be electronically transferred to PZC members and other county staff at least five (5) days prior to the meeting at which such matters are to be considered.

Section 4. Special Meeting Agenda and Packet. A meeting agenda will be prepared by ~~Planning Staff~~ Planning Staff in coordination and approval by the Chair. The order of business shall be as follows:

- Call meeting to order;
- Roll call;
- Presentation of any materials related to the special business;
- Public Hearing, if any;
- Discussion and decision; and,
- Adjournment.

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Section 5. Change in Order of Business. The order of the business may be changed on regular motion carried by a majority of the quorum.

Section 62. Format for Public Hearings on Public Applications and Meetings.

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- A. Public Hearing Called to Order: For each public application, the Chair shall call the meeting/hearing to order and direct the planning staff to provide a general description of staff report for the application under(s) scheduled for consideration. Comments received prior to and during at this the hearing shall become part of the permanent public record of this the permit application.
- B. Introduction of Applicant and Applicant's Presentation: The Chair will introduce each applicant at the start of the presentation of any public application item. The applicant will introduce his/her/their representative who will be presenting information to the PZ Commission. The public in attendance is asked to refrain from interrupting the applicant's presentation. Comments or questions will be allowed after the applicant's presentation. The Albany County Planning Commission will take action on any application where the Applicant or his/her Representative is not present at the meeting for which the application is scheduled to be heard. (15 Minutes Maximum)
- C. Citizen Comments and Questions: The Chair shall ask that anyone wishing to speak to raise their hand to be recognized by the Chair. Upon recognition by the Chair please stand, state name; address; and any group representation. Please keep testimony brief (5 minutes maximum) and refrain from repeating previous testimony. Please extend courtesy to all speakers and refrain from interrupting the speaker. (30 Minutes Maximum)

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NOTE: Steps B and C will be repeated when multiple Public Hearings are scheduled.

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C.

D. Public Hearing Closed and Regular Albany County Planning Commission Meeting Called to Order

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E. Discussion By Planning PZ Commission: Each Commission member will be given an opportunity maximum of 10 minutes to direct specific questions to planning the staff, the applicant, and/or the public. The order in which Commission members may commence discussion will be determined by the Chair. (50 Minutes Maximum)

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F. Planning Commission Vote: At the conclusion of the discussion by the Planning PZ Commission member, the Chair shall request a motion from any Commission member. Any motion for consideration shall state any conditions and recommendations to the be forwarded to the Board of County Commissioners. The process for discussion of any motion by the Planning Commission shall follow Roberts Rules of Order.

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NOTE: Albany County encourages public participation in the planning process. The intent of the above rules is to allow maximum public participation while providing an equal and timely schedule for consideration of Agenda items.

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Section 73. Quorum. Three (3) members shall constitute a quorum for the transaction of business. A quorum shall consist of not less than one half of all voting representatives.

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Section 84. Voting. Each member shall be entitled to one (1) vote. A majority of votes cast at any meeting shall be required to adopt any matter before the Planning CommissionPZC. All votes shall be cast by the members in person by the Commissioners, including communication platforms that allow members to connect with video, audio, or phone.

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Section 95. Abstention. Any member of the Planning Commission may shall abstain from voting on any matter or if issue before the Planning CommissionPZC when that member has a personal or financialpecuniary interest in that matter or issue (W.S. § 6-5-101 through 6-5-118; W.S. § 9-13-101 through 9-13-109).

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~~**Section 6. Absentecism.** The Commission shall notify the Board of County Commissioners when any member misses three consecutive regularly scheduled meetings and said member shall have to justify his absence to the Board. Any member may be removed by the Board for inefficiency, neglect of duty, malfeasance or conflict of interest. The removed member shall have the right of appeal to the District Court.~~

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CHAPTER V

ARTICLE V

~~**Section 1. Amendments.** Changes or amendments to these Bylaws shall require the vote of two thirds of those Commissioners present and voting at any meeting, provided, however, that notification of a proposed change or amendment be given to each Commissioner at least (20) days in advance of said meeting.~~

~~**Section 2. Advisory Committees.** The Planning Commission may establish such advisory committees to the Commission as are necessary, and the Chairman of the Commission shall appoint the membership of these committees subject to confirmation by the Planning Commission.~~

CHAPTER VI

ARTICLE VI

~~**Section 1.** These Bylaws shall become effective upon their formal Adoption by the Planning Commission and the Board of County Commissioners.~~

~~**Section 2. Meeting Procedural Rules.** Except where inconsistent with these Bylaws, Robert's "Rules of Order" shall govern the conduct of all meetings of the Planning Commission and its committees.~~

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MEMORANDUM

To: Planning and Zoning Commission
From: David C. Gertsch, AICP, Planning Director
Date: February 1, 2023
Re: Accessory Dwelling Unit Standards

As you are aware, housing issues persist across the nation. Lack of affordable housing, inadequate housing stock, lack of housing choices for those who earn low- to moderate incomes, and homelessness are some of the issues. The Laramie area is not immune to these issues. The housing shortage in Laramie has driven the price of housing up significantly. Lack of housing has led to a difficult environment to recruit workers from outside the area. I believe that this is an important issue that we should discuss.

Last year Mr. Platt brought forward potential changes to the zoning that would allow duplexes in order to increase housing opportunities in our community. The commission decided not to go forward with those changes at that time. I would like to bring up another option that could help alleviate some of the housing issues facing our community. Accessory dwelling units (ADU) are one of the tools in the toolbox that can help alleviate some of the housing issues. ADU standards are being implemented all over the nation. Many Wyoming counties have ADU standards on the books currently. The City of Laramie just recently adopted ADU standards. It would be worth considering the allowance of ADUs in areas that may be appropriate outside municipal boundaries.

What is an ADU?

ADU's are typically defined as a dwelling that is accessory (secondary and subordinate) to the principal or primary use (a home). They can be attached (basement apartment, garage converted to living space, etc.) or detached (separate building, could be an apartment in a barn or other outbuilding – we see this a lot).

ADU's differ from a second residence. Where a second residence typically follows the same standards as the first on the property, an ADU typically has special standards. Some standards may include maximum size (ex. 1500 sq. ft. or 75% of size of principal structure), lot size criteria, allowed only in certain zoning districts, the property owner may be required to live in one of the residences on the property, or a number of other standards.

Albany County should consider ADU standards

While ADU's will not cure the housing issues we are experiencing, it can add to the solution. The benefits, in my opinion, outweigh the minor impacts that may occur. I would ask your consideration of working to adopt ADU standards for the following reasons:

1. ADU's can have a positive impact on the housing shortage issue.
2. ADU's may provide better access to housing for those with lower/middle incomes.
3. ADU's can increase the available housing stock in the Laramie area.
4. Many people who live in the county desire to have small apartments in outbuildings for guests to stay in. That is not currently an option for many unless they go through a somewhat onerous approval process.
5. This could potentially alleviate a burden on staff time depending on the regulatory standards.
6. We have consistently approved zoning district amendments and conditional uses for uses that would meet the typical ADU standards.
7. This can be a source of additional income for property owners.
8. Potential negative impacts can be regulated. Some of these standards may include minimum lot size, limiting to one ADU per parcel, we can prohibit from vulnerable areas, limit the size of the ADU by square feet or by percentage of principal structure.

Request for Direction

I would request your direction on whether you would like to consider ADU standards. I believe this would be a worthwhile endeavor and we can do our part to help alleviate housing issues we are experiencing.