Planning • Building

## MEMORANDUM

TO: Laramie County Board of Commissioners

FROM: Paul Whalen, AICP, Senior Planner

DATE: May 5, 2020

TITLE: PUBLIC HEARING regarding a Subdivision Permit and Plat for Lakota Tracts, All of Tract 2, Situated in a Portion of the W1/2 Sec. 29, T.15N., R.68W., of the 6<sup>th</sup> P.M., Laramie County, WY.

## **EXECUTIVE SUMMARY**

Steil Surveying Services, LLC, on behalf of Dave Coleman Realty, LLC, has submitted a Subdivision Permit and Plat application for Lakota Tracts, located south of Horse Creek Road and west of Little Star Drive. This application proposes subdividing 45 acres to create four residential-use tracts averaging 11.25-acres each.

## **BACKGROUND**

The subject property- Tract 2 was platted in 2017, and is not zoned. The property is surrounded by residential and agricultural properties of varying sizes to the north, south, east and west. The residential development will be accessed via Horse Creek Road (SH Road 211). An access and utility easement to serve the subdivision was provided via separate instrument. A proposed seventy-foot easement will provide access and utilities to each individual site per the final plat.

A plat was recorded in 2017 subdividing the 80-acre property into two tracts, Tracts 1 and 2. Tract 1 consists of 35-acres while Tract 2 is a 45-acre parcel. The plat was exempt from the county's subdivision permit and platting processes as the tracts were 35-acres or larger, (WRS 18-5-303).

## **Pertinent Regulations:**

Section 2-1-101 (a-e) of the Laramie County Land Use Regulations governing the criteria for a subdivision permit and plat.
Section 2-1-103 of the Laramie County Land Uses Regulations governing the Subdivision Development Design Standards.

### **DISCUSSION**

The Laramie County Comprehensive Plan identifies the area as Rural Ag Interface (RAI). Rural residential uses are primarily anticipated in these areas.

This property lies outside of the PlanCheyenne Boundary and the County's Zoned Boundary, and therefore is not subject to these guidelines or regulations.

Water and sewage disposal services shall be provided by individual on-site well and septic systems. With an average tract size of approximately 11.25-acres, the minimum lot size requirements for septic system permits is satisfied. The gross acreage of tracts within the proposed development also meets the minimum requirements for groundwater recharge in Zone 2, based on the AMEC Memo referenced in Section 2-1-103(c)(i) of the Laramie County Land Use Regulations.

Public notice was provided per Section 1-2-104 of the Land Use Regulations. No public comment was received.

A public hearing of this application was held on April 23, 2020 by the Laramie County Planning Commission. Public comment related to the access easement was provided. The Planning Commission voted 4 - 0 to recommend approval of the application to the Board with one condition. That condition must be addressed to the satisfaction of Laramie County prior to recordation of the final plat.

## **RECOMMENDATION and FINDINGS**

### Based on evidence provided, staff recommends the Board find that:

- **a.** This application meets the criteria for a subdivision permit and plat pursuant to Section 2-1-101 (a-e) of the Laramie County Land Use Regulations.
- **b.** This application meets the criteria for the Subdivision Development Design Standards pursuant to Section 2-1-103 of the Laramie County Land Use Regulations.

# and that the Board approve of the Subdivision Permit and Plat for Lakota Tracts with the following condition:

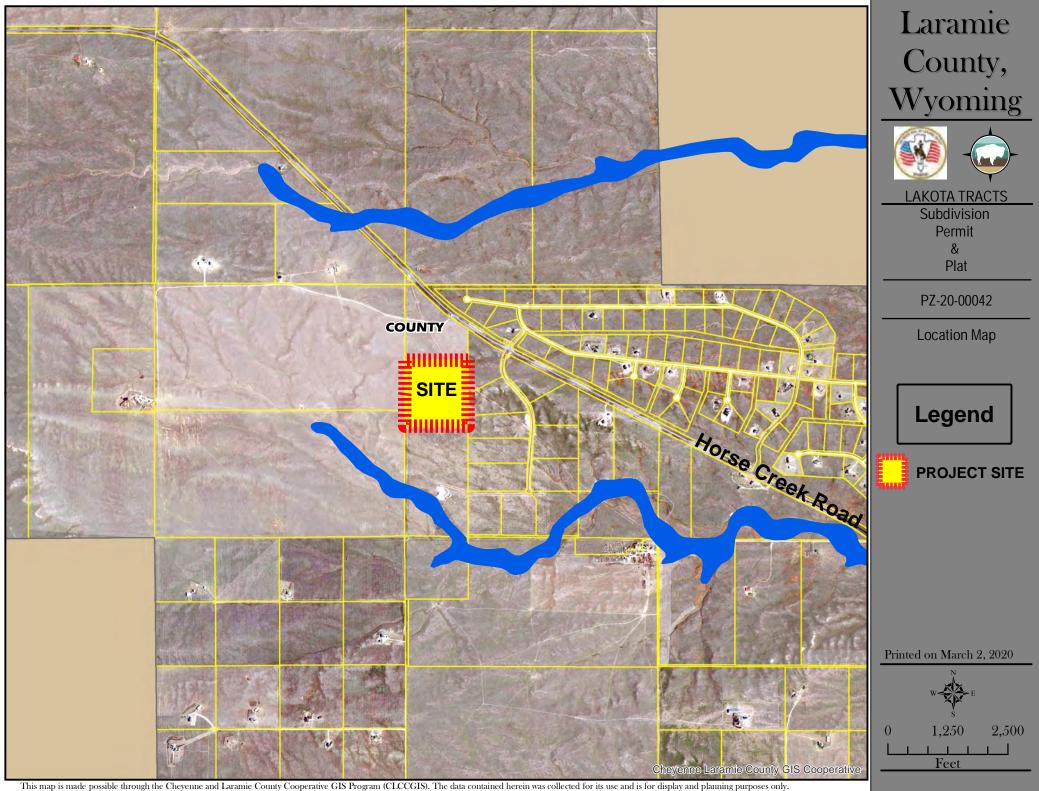
1. All agency comments regarding corrections to the plat are to be resolved prior to recordation of the final plat.

### **PROPOSED MOTION**

I move to approve of the Subdivision Permit and Plat for Lakota Tracts with one condition, and adopt the findings of facts a and b as stated in the staff report.

### **ATTACHMENTS**

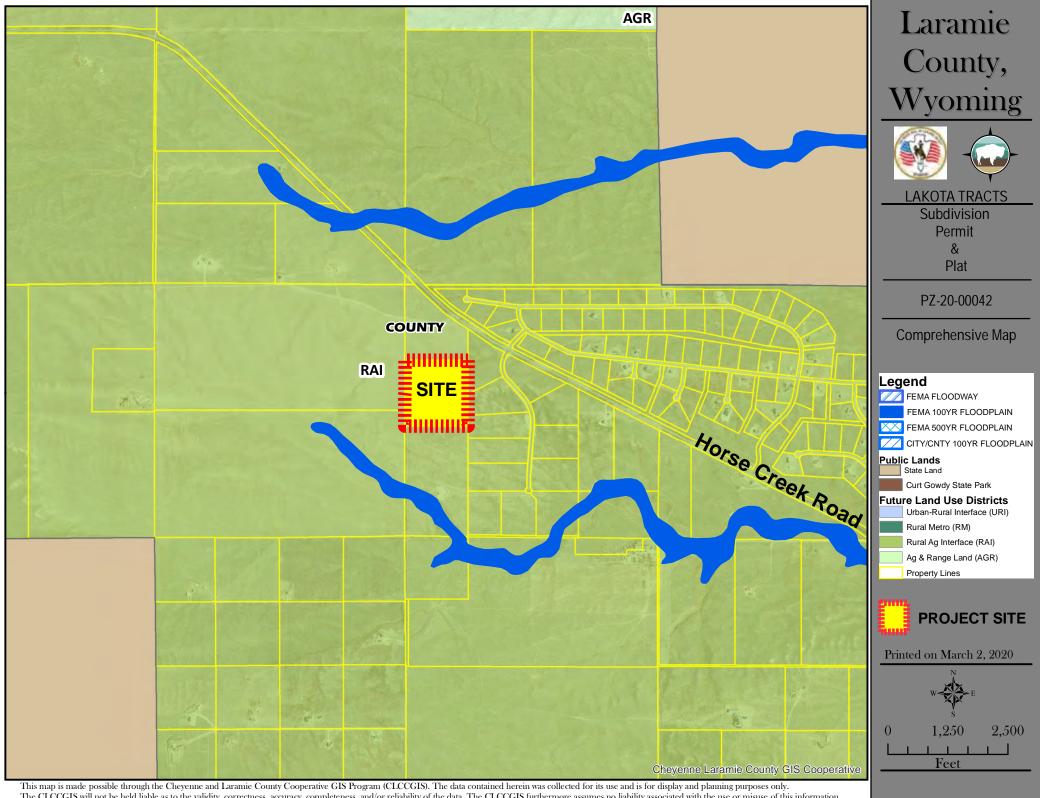
- Attachment 1: Location Map
- Attachment 2: Aerial Map
- Attachment 3: Comprehensive Plan Map
- Attachment 4: Agency Comments Report Revised 4.29.2020
- Attachment 5: Resolution
- Attachment 6: Plat- Revised 4.24.2020



The CLCCGIS will not be held liable as to the validity, correctness, accuracy, completeness, and/or reliability of the data. The CLCCGIS furthermore assumes no liability associated with the use or misuse of this information.



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## Second Review:4.27.2020PZ-20-00042LAKOTA TRACTSSubdivision Permit

Intraoffice: Planning, Paul Whalen, 4/24/2020, COMMENTS ATTACHED PLANNER REVIEW COMMENTS:

1. No comments at this time.

County Assessor: Clarice Blanton, 04/28/2020, COMMENTS ATTACHED

1. No additional comments at this time.

### County Clerk: 3/10/2020, COMMENTS ATTACHED

1. No additional comments at this time.

#### **County Engineer:** Scott Larson, 4/28/2020, COMMENTS ATTACHED Engineer Review:

1. No additional comments at this time.

### County Real Estate Office: Laura Pate, 4/27/2020,

1. No additional comments at this time.

Environmental Health: Roy Kroeger, 04/27/2020 COMMENTS REMAIN

Environmental Health Comments below remain the same for PZ-20-00042. *Regulations:* 

LARAMIE COUNTY SMALL WASTEWATER SYSTEMS REGULATIONS Comments:

WASTEWATER PERMITS ARE REQUIRED FOR EACH LOT.

NON-RESIDENTIAL DEVELOPMENT WILL REQUIRE A COMMERCIAL SMALL

WASTEWATER SYSTEM THAT IS DESIGNED BY AN ENGINEER.

ALL SMALL WASTEWATER SYSTEMS MUST HAVE A 50' SETBACK FROM ALL PROPERTY LINES AND DRAINAGE EASEMENTS.

A SIGNED FINALPLAT SHALL BE SUBMITTED TO THIS OFFICE PRIOR TO APPLICATION FOR ANY PERMITS.

FURTHER LOT DEVELOPMENT WILL REQUIRE DEQ CHAPTER 23 SUBDIVISION REVIEW.

**<u>Fire District No 2</u>**: Cooper McCullar, 04/28/2020, COMMENTS REMAIN Below is LCFD2 comments for the subdivision:

It is difficult to determine if the road on the west side of tract one will be built. Laramie County Fire District 2 would suggest to add another Emergency Turnaround on the road of the West side of tract one if the road on the West Dead-Ends in order for our largest apparatus to be able to turnaround in a safe, and swift manner.

Intraoffice: GIS Mapping, Cambia McCollom, 03/23/2020, NO COMMENTS

### Wyoming Game & Fish: Amanda Withroder, 4/28/2020,

1. No additional comments

### Agencies not Responding:

Laramie Co School Dist No 1; Laramie Co School Dist No 2; Laramie County Weed & Pest; Sheriff's Office; US Post Office; WY State Engineer's Office; Wyoming Game & Fish Dept; Emergency Management; County Attorney; CenturyLink; County Conservation District,

### RESOLUTION NO.

### A RESOLUTION TO APPROVE A SUBDIVISION PERMIT AND PLAT FOR TRACT 2, SITUATED IN A PORTION OF THE W1/2 SECTION 29, T15N., R68W., OF THE 6TH PM, LARAMIE COUNTY WY, TO BE PLATTED AND KNOWN AS "LAKOTA TRACTS".

WHEREAS, Wyoming State Statutes §18-5-201 to 18-5-208; §18-5-301 to 18-5-315 authorize Laramie County, in promoting the public health, safety, morals and general welfare of the county, to regulate the use of land through zoning in unincorporated Laramie County; and

WHEREAS, the Laramie County Board of Commissioners adopted the Laramie County Land Use Regulations; and

WHEREAS, the proposed subdivision and plat is in accordance with section 2-1-101 (a-e) of the Laramie County Land Use Regulations; and

**WHEREAS**, the proposed subdivision and plat is in accordance with section 2-1-103 of the Laramie County Land Use Regulations; and

WHEREAS, this resolution is the subdivision permit for Lakota Tracts.

# NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF LARAMIE COUNTY, WYOMING, as follows:

The Laramie County Board of Commissioners finds that:

**a.** This application is in conformance with section 2-1-101 (a-e) of the Laramie County Land Use Regulations.

# And the Board approves the Subdivision Permit and Plat for Lakota Tracts with the following condition:

1. All agency comments regarding corrections to the plat shall be resolved prior to recordation of the plat.

PRESENTED, READ AND ADOPTED THIS \_\_\_\_\_ DAY OF

, 2020.

LARAMIE COUNTY BOARD OF COMMISSIONERS

Gunnar Malm, Chairman

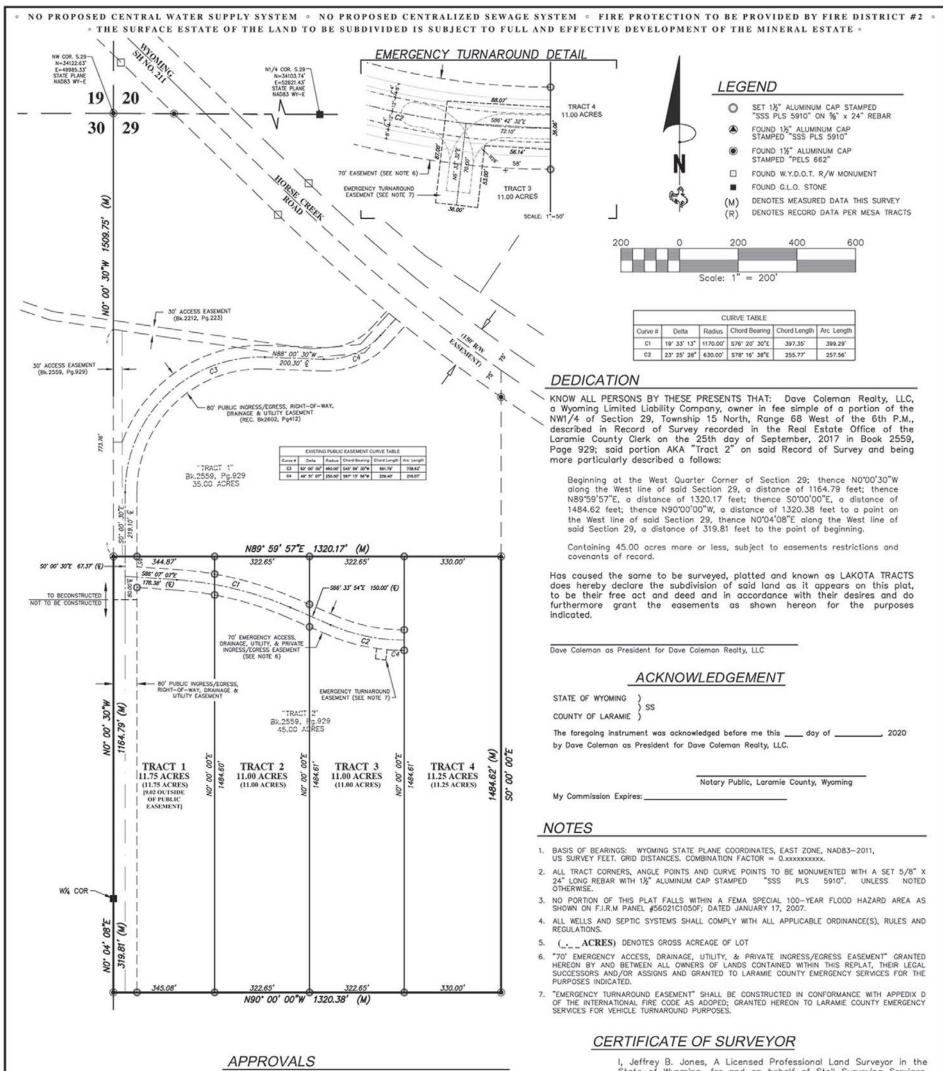
ATTEST:

Debra K. Lee, Laramie County Clerk

Reviewed and approved as to form:

\_\_\_\_\_

Laramie County Attorney's Office



VICINITY MAP	Approved by the Laramie County Planning Commission this day of, 2020.	State of Wyoming, for and on behalf of Steil Surveying Services, LLC, hereby state, to the best of my knowledge, information and belief, that this map was prepared from field notes taken during an actual survey made by me or under my direct supervision; and that this map correctly shows the results of said survey and that the monuments found or set are as shown.
	Chairman Approved by the Board of Commissioners of Laramie County,	lakota tracts
	Wyoming this _ day of, 2020.           ATTEST:         Chairman	SITUATED IN THE NW1/4 SECTION 29, T.15 N., R.68 W. OF THE 6TH P.M., LARAMIE COUNTY, WYOMING
	© COPYRIGHT 2019 STEIL SURVEYING SERVICES, LLC ALL RIGHTS RESERVED \2017 DWG\17296 JACKSON LOT SPLIT S29-15-68\17296A_FINAL2019_S29-15-68.dwg REVISED: 2/28/2020 FILING RECORD	STEIL SURVEYING SERVICES, LLC PROFESSIONAL LAND SURVEYORS PLANNING & DEVELOPMENT SPECIALISTS 1102 WEST 19th ST. CHEYENNE, WY. 82001 • (307) 634.7273
(NOT TO SCALE)		756 GILCHRIST ST. WHEATLAND, WY. 82201 • (307) 322.9789 www.SteilSurvey.com • info@SteilSurvey.com