

RESOLUTION NUMBER _____

ENTITLED: A RESOLUTION ESTABLISHING BYLAWS OF THE LARAMIE COUNTY PLANNING COMMISSION AND VACATING PRIOR BYLAWS

WHEREAS, the City of Cheyenne on February 25th, 2008, passed an ordinance dissolving the Cheyenne-Laramie County Regional Planning Commission which had been approved and established by the Laramie County Commissioners on February 1, 1972, and approved by the Cheyenne City Council on February 14, 1972, and;

WHEREAS, W.S. 18-5-202 states in part:

Each board of county commissioners may by resolution create and establish a planning and zoning commission. The commission shall be composed of five (5) members appointed by the board at least three (3) of whom shall reside in the unincorporated area of the county, provided that this provision shall not affect the membership composition of any existing commission. The terms of the members appointed to the first planning and zoning commission shall be of such length and so arranged that the terms of one (1) member will expire each year, and thereafter each member shall be appointed for a term of three (3) years. Any member of the commission may be removed for cause other than politics or religion and after public hearing by the board of county commissioners. If a vacancy occurs in the commission the board of county commissioners shall fill the vacancy by appointment for the unexpired term. The planning and zoning commission shall organize within thirty (30) days after its establishment, shall adopt rules for the transaction of its business and keep a record of its actions and determinations. Three (3) members shall constitute a quorum for the transaction of business. All meetings, records and accounts of the commission shall be public. Planning and Development staff shall serve as secretary to the commission.

WHEREAS, W.S. 18-5-307 further provides:

The board may allow the county planning and zoning commission authorized under the provisions of W.S. 18-5-201 through 18-5-206 as the proper agency to receive and evaluate applications for subdivision permits. If so authorized the planning commission shall receive the materials required by this article and shall submit a copy of the application to the department of environmental quality for review as provided by W.S. 18-5-306(c). After completing its evaluation, the commission shall make findings and recommendations to the board concerning an application within forty-five (45) days from the date the department of environmental quality submits its recommendation to the commission or from the date when the recommendation is due if no recommendation is

made, whichever is earlier. If no action is taken by the planning commission within that time the plat is deemed to be approved by the planning commission. and;

WHEREAS, it is necessary to establish a Planning Commission for Laramie County to carry out the purposes of state law and to protect the interest of the public in the areas of planning, zoning and the regulation of subdivisions;

NOW, THEREFORE BE IT RESOLVED BY THE LARAMIE COUNTY BOARD OF COMMISSIONERS THAT A LARAMIE COUNTY PLANNING COMMISSION IS HEREBY ESTABLISHED WITH THE FOLLOWING PURPOSES, DUTIES, FUNCTIONS AND RESPONSIBILITIES:

PLANNING COMMISSION

Established. There is hereby established a commission to be known as the “Laramie County Planning Commission.”

Composition. The Planning Commission shall consist of, five (5) members to be appointed in conformance with W.S. 18-5-202 by the Laramie County Board of Commissioners.

Terms. Members of the Planning Commission shall serve for terms of three (3) years, to expire on the last day of June; provided, that the first appointments shall be in a manner to create staggered terms pursuant to W.S. 18-5-202.

Removal. The County Commissioners shall have the power to remove County members of the Planning Commission for cause, including absence at more than three consecutive meetings of absence or more than 25% of meetings over a one year period.

Vacancies. A vacancy occurring on the Planning Commission shall be filled as soon as possible for the unexpired term by the Laramie County Commissioners.

Funding. Funding for the Planning Commission shall be authorized and managed through the Laramie County Planning and Development Department.

Purpose. The Planning Commission is established to carry out the purposes and duties as provided in state law and for such other duties as assigned within the realm of competence of the Commission by the Laramie County Commissioners, including but not limited to such goals as the accomplishment of economic, physical and social welfare and a coordinated and harmonious development of land, buildings and transportation facilities within Laramie County. The Planning Commission shall have the powers necessary to carry out its functions in accordance with this resolution and the Wyoming Statutes related to the role of a Planning Commission in regard to planning, zoning and subdivision. The Planning Commission may be assigned additional powers by the Board of County Commissioners. Decisions or

recommendations of the Planning Commission are non-binding on the governmental authority and are, therefore, not final decisions of an administrative agency.

Meeting Procedures. The Planning Commission shall adopt rules of practice and by-laws in accordance with state law and the terms of this resolution, or in the absence of the adoption of rule and bylaws, adopt the terms and conditions of this resolution as rules of practice and bylaws. Said rules and/or bylaws shall be for the purpose of governing the designations and duties of officers, the conduct of meetings, the basis for establishing a quorum, and any other procedures required for the operation of the Planning Commission. The Laramie County Commissioners may establish and direct the dates and times of Planning Commission meetings if necessary to accommodate the needs of Laramie County government. The Planning Commission shall meet every second Thursday of each month, or as necessary, at 3:30 in the Laramie County Historic Courthouse. A pre-agenda meeting will be held one hour prior to the monthly Planning Commission meeting for discussion of agenda items. No action will be taken at the pre-agenda meetings.

At the first meeting in July the members shall designate officers and their respective duties. The officer positions may be changed upon majority vote of the Board at any subsequent meeting as necessary for the orderly and efficient conduct of the Commission's business.

Meetings of the Planning Commission shall be open to the public. Meetings shall be conducted in an orderly manner at the direction of the Chairman or presiding officer of the Commission present. Decisions by the Commission shall be by motion of any Commission member with a second required for a vote to take place. A quorum of the commission members, consisting of a minimum of three or more commission members, whether meeting in person or virtually, shall be required for any effective decision and a majority vote of the quorum of the members present is required for passage of any motion.

A tie vote constitutes a denial of any motion. Amendments to motions are limited to a maximum of two amendments per motion and must be seconded to modify any motion. Motions and amendments failing to achieve a second shall be considered to have failed or been denied. A failure to achieve decision upon a matter before the Commission which requires a decision or recommendation to move the matter to the County Commissioners shall constitute a recommendation for disapproval.

Virtual Meetings. As needed or as dictated by circumstance, the Planning Commission may assemble for meetings virtually through appropriate electronic means, with all members or some members appearing or participating in the meeting by means of electronic communication. In the event a meeting of the Planning Commission is conducted with all members assembling by virtual electronic means, the meeting will be held in a manner which permits the public to both hear, read or have available relevant documents and discern meeting discussion contemporaneously.

Long-Range Planning. The Planning Commission shall advise the Board of County Commissioners on long-range planning of the physical development of the County. It may recommend surveys and data collection to this end. It shall adopt and certify to the Board of County Commissioners a comprehensive plan or amendments to a comprehensive plan for the physical development of the county. It shall recommend specific provisions for implementation of the plan.

Zoning Ordinance and Subdivision Regulations. The Planning Commission shall adopt and recommend to the Board of County Commissioners regulations or amendments to regulations to accomplish zoning purposes and regulations to control the subdivision of lands and amendments thereto, as provided for in Wyoming state law.

Any person may petition the Planning and Zoning Commission to amend any zoning plan adopted under the provisions of W.S. § 18-5-201 through 18-5-208. No zoning or subdivision regulation or amendment memo thereto shall be submitted to the Board of County Commissioners for review and decision until the Planning Commission has held a public hearing upon the matter and made a recommendation in regard to same and forwarded it to the Board of County Commissioners.

Class B Conditional Permits and Variances.

A. The Planning Commission conduct public hearings in regard to class B conditional uses, and make decisions to approve, approve with conditions, deny, or table such requests or applications.

B. The Planning Commission shall have the authority to hear and decide on applications for any type of variance as provided in the Laramie County Land Use Regulations, as amended (LCLUR). The variances may be from any portion of the (LCLUR) related to any specific standard for application containing any numerical requirement of the regulations with the exception of chapters 3 and four contained within Title 5 of the LCLUR. In determining approval or disapproval of variance requests the Planning Commission shall use the criteria for variances within the LCLUR. In such matters the Planning Commission may approve, approve with conditions, deny, or table the request.

C. Decisions by the Planning Commission in regard to the foregoing, variances and Class B conditional use permits, shall be final administrative decisions. Appeal of such decisions by the Planning Commission shall be made in accordance with W.S. § 18-5-203 and Rule 12 of the Wyoming rules of appellate procedure.

D. Upon the request of the applicant or as necessary in its discretion, the Planning Commission may produce findings and conclusions in regard to its decisions on matters within this subsection of the bylaws.

Additional Duties. The Planning Commission shall make recommendations to the Board of County Commissioners regarding preliminary plats and final plats for Minor and Major subdivisions. The Planning Commission shall have the power to recommend approval or disapproval by the County Commissioners as to matters before the Commission. Recommendations of approval or disapproval may have recommended conditions or specific enumeration of defects or bases for disapproval as decided by the Commission. Any recommendation with conditions shall be presented to the applicant for concurrence or objection. The applicant shall have the right to request action on their application as presented to the Planning Commission without conditions. The Commission is not bound by such a request but shall forward its recommendations to the governing body noting such a request has been made.

The Commission may continue or table a matter before it only under the following circumstances: 1) Upon request of an applicant or, 2) Upon motion and majority vote and upon a finding by the Commission that the matter before it to be continued or tabled is incomplete in its conformance with a requirement of state law, subdivision regulations or other applicable regulation or is in violation of state law or applicable regulation. A continuance or the tabling of a matter, shall be for no longer than the next regularly scheduled meeting unless upon request of the applicant.

The Commission shall approve or disapprove Class B Conditional Use Permits and Variances.

Public Hearings.

Prior to making its recommendation(s) to the Board of County Commissioners regarding adoption of and amendments to comprehensive plans or portions thereof; adoption of or amendments to regulations which accomplish zoning purposes or which control the subdivision of land; adoption of or amendments to the Major Street and Highway Plan; or recommendations regarding the approval or denial of preliminary plats or final plats for minor or major subdivisions, the Planning Commission shall hold public hearings as specified by the State law and by appropriate County regulations or resolutions.

Comprehensive Plan: Pursuant to W.S. § 18-5-201 et seq. the Planning Commission shall meet in a public hearing in order to review and address any comprehensive plan or amendments thereto. The Planning Commission's decision in such matters will be to make recommendations and to certify any comprehensive plan or amendments thereto to the Board of County Commissioners. Before certifying any comprehensive plan or amendments thereto to the Board of County Commissioners, the Planning Commission shall hold at least one (1) public hearing. Notice of the time and place of the hearing shall be given by one publication in a newspaper of general circulation in the county at least thirty (30) days before the date of the hearing.

Applications. The Laramie County Planning and Development Office shall create and

control the form, content and requirements for the filing of applications which come before the Planning Commission. Such procedures shall be publicly available along with the application forms.

Policy Direction. The Planning Commission shall keep itself advised of policies and regulations of the County and shall act in conformance with those policies and regulations. The Planning Commission shall request policy direction from the Board of County Commissioners when it deems such direction is needed.

Staff. The Laramie County Planning and Development Office shall provide staff support to the Planning Commission while remaining an agency of Laramie County solely under the direction and control of the Laramie County Commissioners. This staff support shall include review of applications presented to the Planning Commission and professional recommendations thereon; preparation of documents such as plans, policy statements and recommended amendments to regulations; preparation of agendas; publication of notices of Planning Commission hearings as required by law; processing of applications made to the Planning Commission; and recording of the minutes of regular Planning Commission meetings.

Vacation of prior Bylaws. Prior existent bylaws of the Laramie County planning commission are hereby vacated and no further force and effect having been substituted by the bylaws provided herein.

Effective Date. These Bylaws shall become effective May 1, 2026.

PRESENTED, READ AND ADOPTED THIS ____ DAY OF _____, 2026.

LARAMIE COUNTY BOARD OF COMMISSIONERS

Gunnar Malm, Chairman

ATTEST:

Debra Lee, Laramie County Clerk

Resolution reviewed and approved as to form:

Mark T. Voss, Laramie County Attorney

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