



# LARAMIE COUNTY PLANNING & DEVELOPMENT DEPARTMENT

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## Planning • Building

### MEMORANDUM

**TO:** Laramie County Board of County Commissioners

**FROM:** Paul Whalen, AICP, Senior Planner

**DATE:** December 3<sup>rd</sup>, 2019

**TITLE:** Review and action on a Zone Change for a portion of the SE1/4 SE1/4, Sec. 6, T.14N., R.66W., of the 6<sup>th</sup> P.M., Laramie County, WY., and Subdivision Permit & Plat for Weber Subdivision, located in a portion of the SE1/4 SE1/4, Sec. 6, T.14N., R.66W., of the 6<sup>th</sup> P.M., Laramie County, WY.

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### EXECUTIVE SUMMARY

AVI PC, on behalf of Bruce and Mary Weber, has submitted a Zone Change and a Subdivision Permit & Plat application for the Weber Subdivision. The site at 1410 E Riding Club Road is located approximately one-mile east of the Yellowstone and E Riding Club Roads intersection. Two applications have been submitted to request a zone change from A1 to AR for the proposed subdivision, and to subdivide the 14.15-acre site into two tracts consisting of Tract 1 at 5.25 gross acres and Tract 2 at 9.40-gross acres.

Both applications have been combined into one staff report for ease of presentation and discussion, with separate motions required on the two actions.

### BACKGROUND

The property is currently developed as residential. The surrounding area consists of agricultural and residential properties of varying acreages. There is also an accessory structure currently located on the property, which will remain on the portion of land identified as Tract 1 with the existing residence remaining on Tract 2 as indicated on the final plat exhibit.

### **Pertinent Regulations**

**Section 1-2-103(b)** of the Laramie County Land Use Regulations governing the criteria for a zone map amendment.

**Section 2-1-101(a-e)** of the Laramie County Land Use Regulations governing the criteria for a subdivision permit and plat.

**Section 4-2-100** of the Laramie County Land Use Regulations governing the AR – Agricultural Residential Zone District.

**DISCUSSION**

The Laramie County Comprehensive Plan designates this area as Urban Rural Interface (URI) which transitions the incorporated areas of Cheyenne to the county's rural agrarian live-style. As these areas may have a greater level of public services available including public water, sewer, and roadways, a mix of more intensive land uses is more appropriate. Large-lot residences are allowed but however not preferred.

PlanCheyenne designates this area north of the City of Cheyenne as RR (Rural Residential). The RR land use classification primarily encourages single-family residential on lots averaging 2-1/2-acres with accessory structures such as barns and stables or clustered units on smaller lots to conserve open space, views and other natural features. The roads are typically gravel.

The subject property is primarily bordered by the A1 - Agricultural and Rural Residential zone district to the west, north and east with AR - Agricultural Residential zoned properties to the south. A change in zone for this proposed subdivision would be consistent with the area as it is congruent to the AR-zoned properties to the south.

A preliminary development plan was not required per Section 2-1-100 (b)(ii & iii) of the Laramie County Land Use Regulations that states in effect...*"The Planning and Community Development Director may waive the requirement for the preliminary development plan if":*

- (ii) the proposed subdivision will not require DEQ review, and;*
- (iii) the proposed development will create 5 or fewer lots, is in conformance with all requirements of the Laramie County Land Use Regulations, and is consistent with the Laramie County Comprehensive Master Plan.*

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

At the November 14<sup>th</sup>, 2019 public hearing, the Laramie County Planning Commission found the zone change met criteria i of Section 1-2-103 (b) and recommended approval by a vote of 4-0. The Planning Commission also voted 4-0 to recommend approval of the subdivision permit and plat with one condition:

1. All agency comments regarding corrections to the Zone Change exhibit and Final Plat exhibit, shall be addressed prior to the Board public hearing on December 3<sup>rd</sup>, 2019.

**RECOMMENDATION and FINDINGS**

**Based on evidence provided for the *zone change* request, staff recommends the Board find that:**

- a. This application meets the criteria for a zone map amendment pursuant to Section 1-2-103 (b) of the Laramie County Land Use Regulations.
- b. The proposed change in zone district is in conformance with the requirements of Section 4-2-100 of the Laramie County Land Use Regulations.

**and that the Board approve a Zone Change from A1 to AR –for a portion of the SE1/4 SE1/4, Sec. 6, T.14N., R.66W., of the 6<sup>th</sup> P.M., Laramie County, WY.**

**Based on evidence provided for the *subdivision permit & plat*, 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.

**and that the Board approve the Subdivision Permit and Plat for Weber Subdivision with no conditions.**

#### **PROPOSED MOTION – ZONE CHANGE**

**I move to approve the Zone Change from A1 – Agricultural & Rural Residential to AR - Agricultural Residential for a portion of the SE1/4 SE1/4, Sec. 6, T.14N., R.66W., of the 6<sup>th</sup> P.M., Laramie County, WY, and adopt the findings of facts a and b for the *zone change*, as shown in the staff report.**

#### **PROPOSED MOTION – SUBDIVISION PERMIT & PLAT**

**I move to approve the Subdivision Permit and Plat for Weber Subdivision with no conditions, and adopt the findings of fact a for the *subdivision permit & plat*, as shown in the staff report.**

#### **ATTACHMENTS**

- Attachment 1:      Location Map**
- Attachment 2:      Aerial Map**
- Attachment 3:      Comprehensive Plan Map**
- Attachment 4:      PlanCheyenne Map**
- Attachment 5:      Current Zoning Map**
- Attachment 6:      Combined Agency Comments Report**
- Attachment 7:      Plat Revised November 5<sup>th</sup>, 2019**
- Attachment 8:      Resolution – Zone Change**
- Attachment 9:      Resolution ‘Exhibit A’ - Zone Change Map**
- Attachment 10:     Resolution – Subdivision Permit & Plat**



# Laramie County, Wyoming



**Weber  
Subdivision**

**Zone Change  
Subdivision Permit  
& Plat**

**PZ-19-00280(281)**

**Location  
Map**

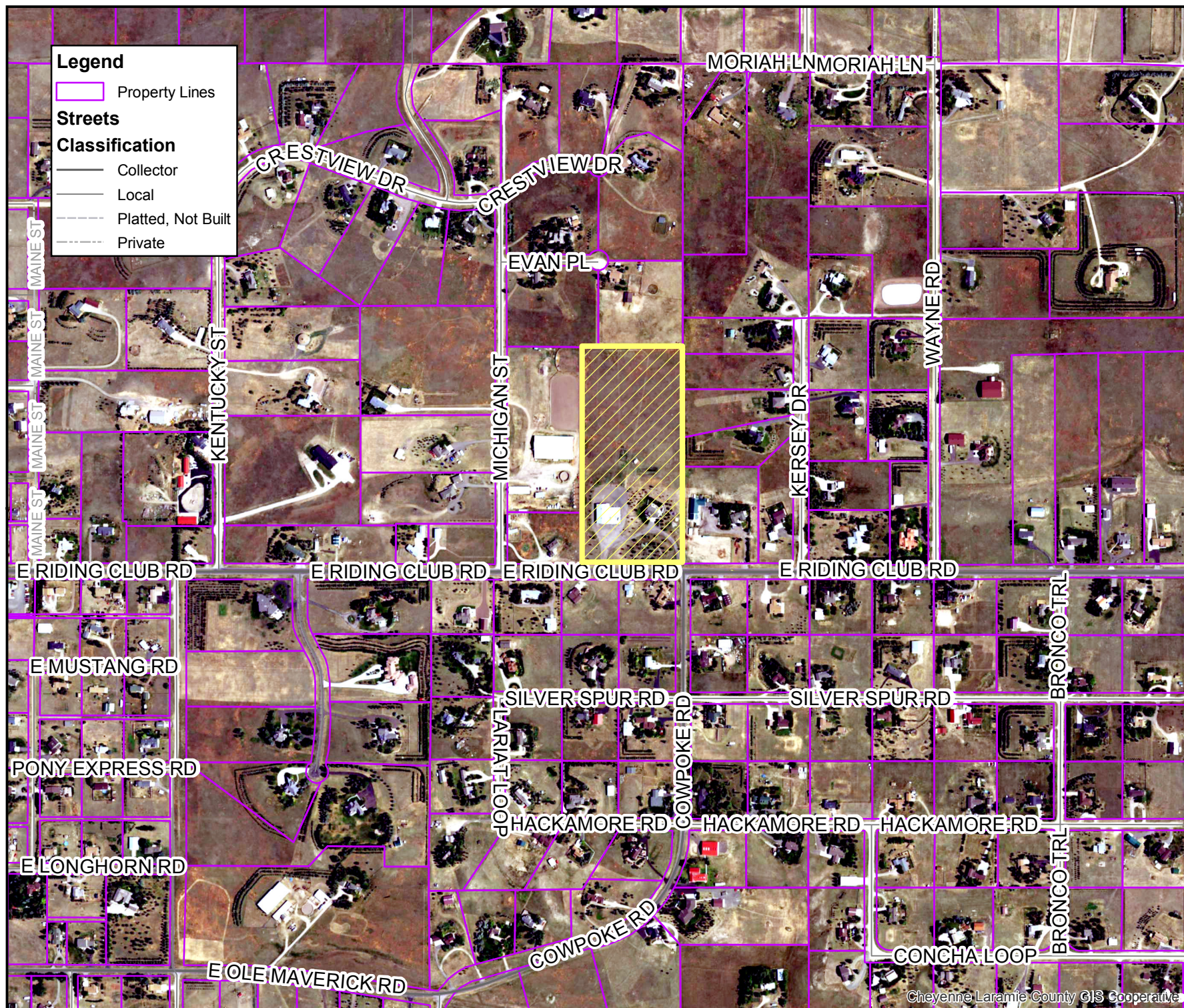
 **Subject  
Property**

July 2019



0 400 800  
Feet

Cheyenne Laramie County GIS Cooperative



## Legend

 Property Lines

## Streets

### Classification

 Collector

 Local

 Platted, Not Built

 Private



# Laramie County, Wyoming



**Weber  
Subdivision**

**Zone Change  
Subdivision Permit  
& Plat**

**PZ-19-00280(281)**

**Aerial Map**

 **Subject  
Property**

July 2019



0 130 260  
Feet


Cheyenne Laramie County GIS Cooperative

## Legend

 Property Lines

## Streets

### Classification

 Collector

 Local

MICHIGAN ST

KERSEY DR

E RIDING CLUB RD

E RIDING CLUB RD

E RIDING CLUB RD

COWPOKE RD

This map is made possible through the Cheyenne and Laramie County Cooperative GIS Program (CLCCGIS). The data contained herein was collected for its use and is for display and planning purposes only. 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.



## Legend

 Property Lines

## Future Land Use Districts

### OTHER

 Urban-Rural Interface (URI)

### Streets

#### Classification

 Collector

 Local

# Laramie County, Wyoming



**Weber  
Subdivision**

**Zone Change  
Subdivision Permit  
& Plat**

**PZ-19-00280(281)**

**Comprehensive  
Plan Map**

 Subject  
Property

July 2019



0 130 260  
Feet

Cheyenne Laramie County GIS Cooperative

MICHIGAN ST

KERSEY DR

URI

E RIDING CLUB RD


E RIDING CLUB RD

E RIDING CLUB RD

COWPOKE RD




**Legend**

 Property Lines


**PlanCheyenne (2014)**


**NEW\_FLUP**

 Rural Residential

**Streets**

**Classification**

 Collector

 Local

# Laramie County, Wyoming



**Weber  
Subdivision**

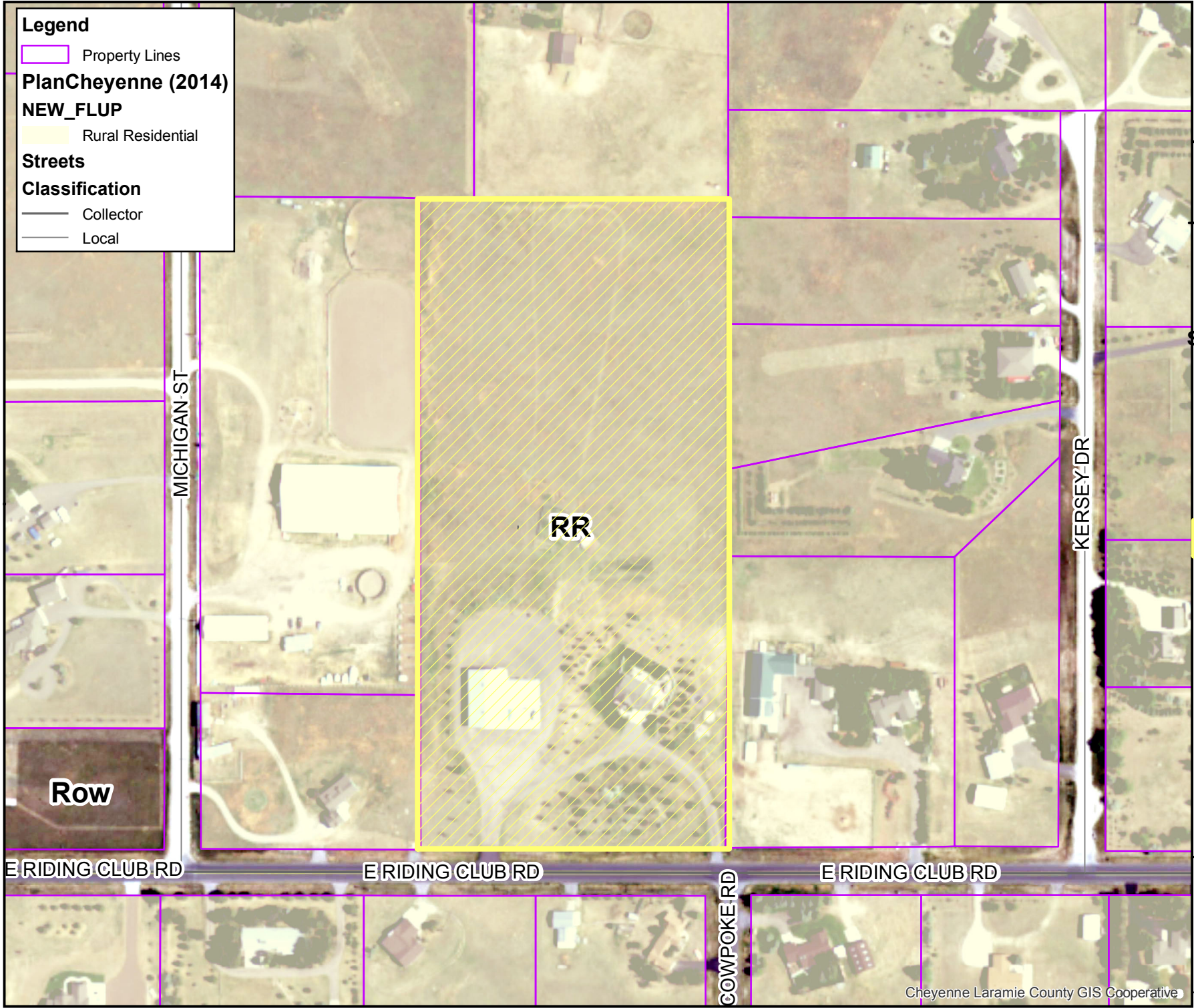
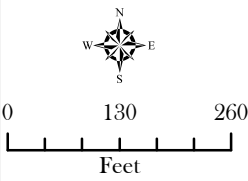
**Zone Change  
Subdivision Permit  
& Plat**

**PZ-19-00280(281)**

**PlanCheyenne  
Map**

 Subject Property


July 2019




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**Legend**

 Property Lines


**Zoning Districts**


 Agricultural and Rural Residential (A-1)

 Agricultural Residentail (AR)

**Streets**

**Classification**

 Collector

 Local

# Laramie County, Wyoming



**Weber  
Subdivision**

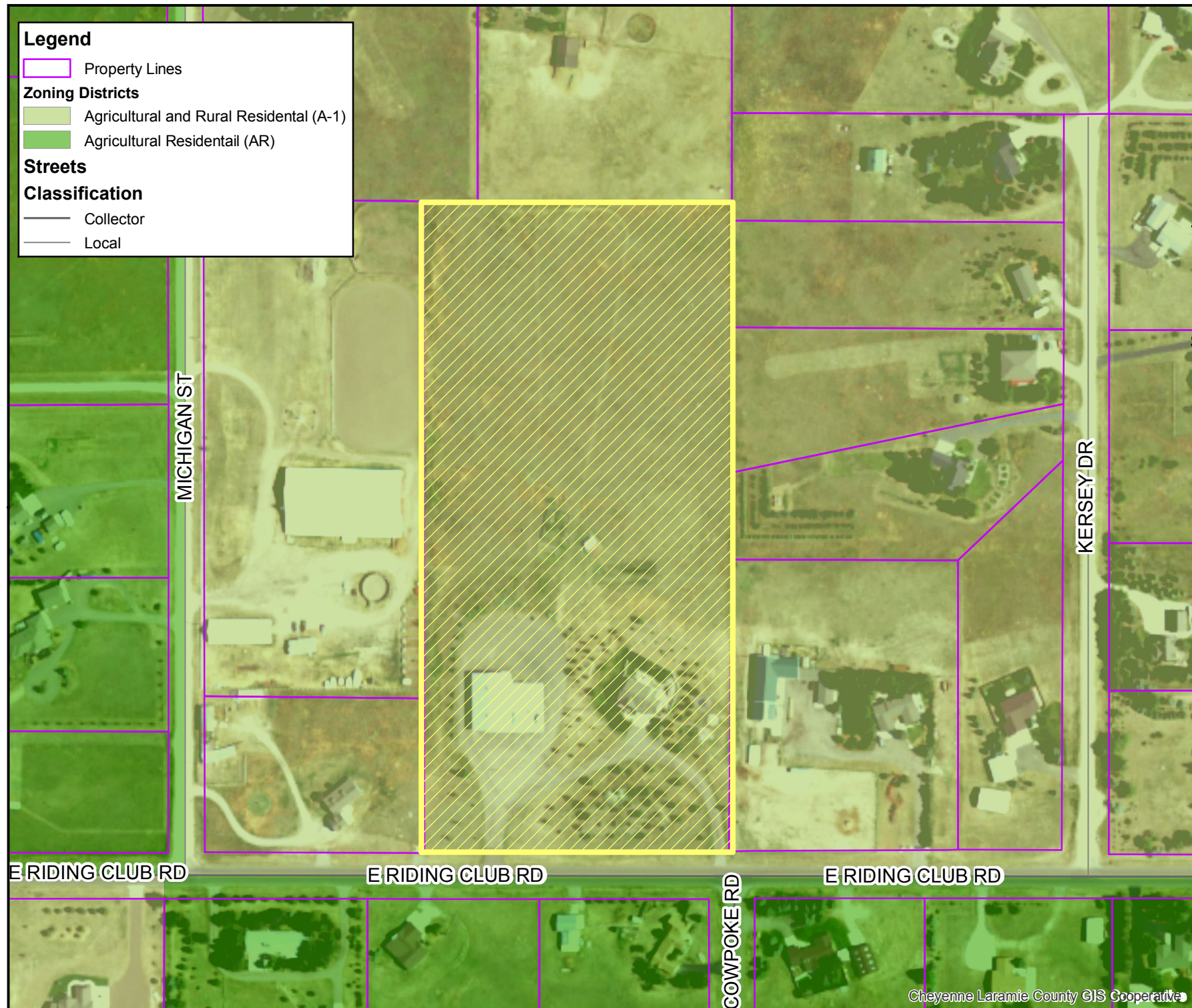
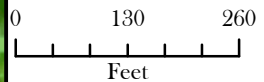
**Zone Change  
Subdivision Permit  
& Plat**

**PZ-19-00280(281)**

**Zoning Map**

 **Subject  
Property**

July 2019



Cheyenne Laramie County GIS Cooperative

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**County Engineer:** County Engineer, Scott Larson COMMENTS ATTACHED 10/31/2019

Other than the issue with the scale, I have no comments regarding the above referenced application.

**Environmental Health:** Environmental Health Department, Roy Kroeger COMMENTS ATTACHED 10/16/2019

Laramie County Small Wastewater System Regulations

The property split shall not create a new tract less than 5 acres.

Any new development will require a perc test and 10' deep site hole with the application for the small wastewater system permit.

**Intraoffice:** Planners, Paul Whalen COMMENTS ATTACHED 10/31/2019

Weber Subdivision Rezone Exhibit Sheet 1 of 1:

Graphic and text scale is incorrect on Sheet 1 of 1;(should read 1" = 100' not 1" = 200').

Also as this is a subdivide with existing structures, please superimpose the building footprints on the exhibit or create a separate site plan showing the relationship of the proposed lot line to the existing buildings with dimensions to ensure setbacks are compliant with AR zone district standards.

Please be aware per Section 1-3-101 DEFINITIONS, Accessory Structure - A structure that is subordinate in extent and purpose to the principal building on the same property. And an,

Accessory Use - A use that is subordinate in area, extent and purpose to the principal use that contributes to the comfort and or convenience of the principal use, is located on the same lot or parcel as the principal use and is under the same ownership in all respects.

Please ensure compliance with all AR zone district standards including the accessory structure on Tract 1 which is limited to agricultural-related uses per Sections 4-2-100(a&b).

[Rezoning case must be approved prior to Subdivision approval].

**AGENCIES WITH NO COMMENTS:**

County Assessor

County Public Works Department

Laramie Co School Dist No 1

**AGENCIES WITH NO RESPONSE**

Cheyenne MPO

Cheyenne Urban Planning Office:

Cheyenne Development Services



County Attorney  
County Real Estate Office  
County Treasurer  
County Conservation District  
Wyoming DEQ  
Wyoming Game & Fish Dept  
US Post Office  
Combined Communications Center  
Emergency Management  
Fire District No 2  
Sheriff's Office  
CenturyLink  
Cheyenne Engineering Services  
Building Dept.  
Laramie County Weed & Pest  
Cheyenne Planning  
Black Hills Energy





A COMMUNITY OF CHOICE

## Planning and Development Department

2101 O'Neil Avenue, Suite 202, Cheyenne WY 82001

(Phone) 307-637-6282 (Fax) 307-637-6366

October 28, 2019

Board of County Commissioners  
310 W 19th St #320  
Cheyenne, WY 82001

### **RE: Weber Subdivision City Comments**

Board of County Commissioners,

In compliance with W.S. 34-12-103 (b) the City hereby submits the following comments regarding the Weber Subdivision Plat:

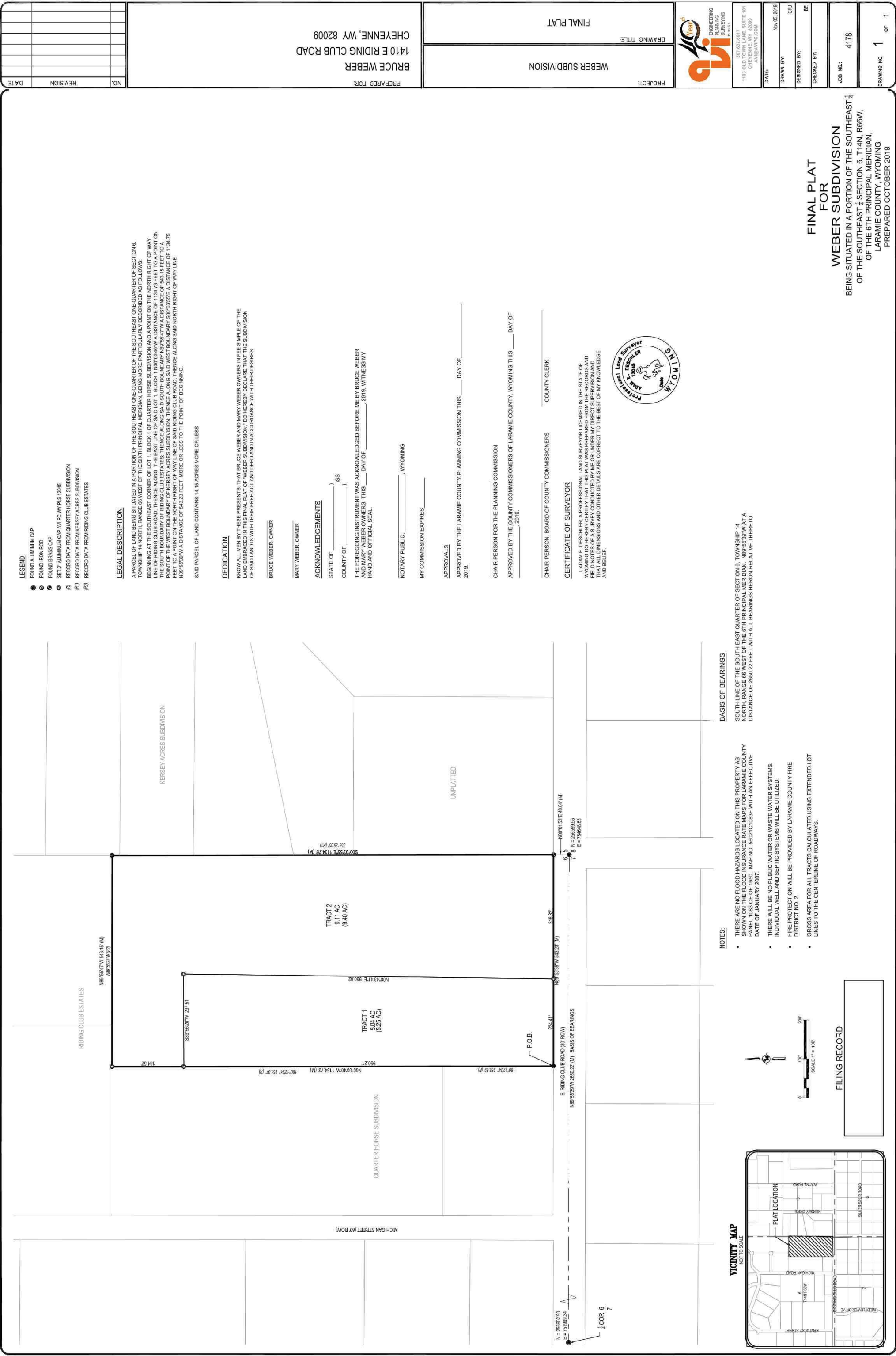
1. Future annexation of the property will prompt review by the City. Concurrent with annexation by petition, public improvements to streets may be required; driveway accesses will be reviewed for conformance with City standards and may require modification; and Community Facility Fees will be required to be paid to the City. The City defers timing of design and construction of public improvements to the County.

I do not believe that there are any items of disagreement that warrant a response by the Board of County Commissioners pursuant to W.S. 34-12-103-(b).

Thank you,

Charles W. Bloom, AICP  
Planning and Development Director





RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION TO APPROVE A CHANGE IN ZONE DISTRICT FROM  
A1 – AGRICULTURAL AND RURAL RESIDENTIAL TO AR– AGRICULTURAL  
RESIDENTIAL FOR A PORTION OF SE1/4, OF THE SE1/4 OF SEC. 6, T.14N., R.66W.  
OF THE 6TH PM, LARAMIE COUNTY, WY.**

**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 previously adopted the Laramie County Land Use Regulations; and

**WHEREAS**, the proposed zone change is in conformance with the requirements of section 1-2-103(b) of the Laramie County Land Use Regulations; and

**WHEREAS**, the proposed zone change is in conformance with the requirements of section 4-2-100 of the Laramie County Land Use Regulations.

**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 meets the criteria for a zone map amendment pursuant to section 1-2-103 (b) of the Laramie County Land Use Regulations.
- b. The proposed change in zone district is in conformance with the requirements of section 4-2-100 of the Laramie County Land Use Regulations.

**And the Board approves a Zone Change from A1 to AR on a portion of land in the SE1/4, of the SE1/4 of Sec. 6, T.14N., R.66W., of the 6<sup>th</sup> P.M., Laramie County, WY., Laramie County, WY, as shown on the attached ‘Exhibit A’ – Zone Change Map.**

**PRESENTED, READ AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.**

LARAMIE COUNTY BOARD OF COMMISSIONERS

\_\_\_\_\_  
Linda Heath, Chairman

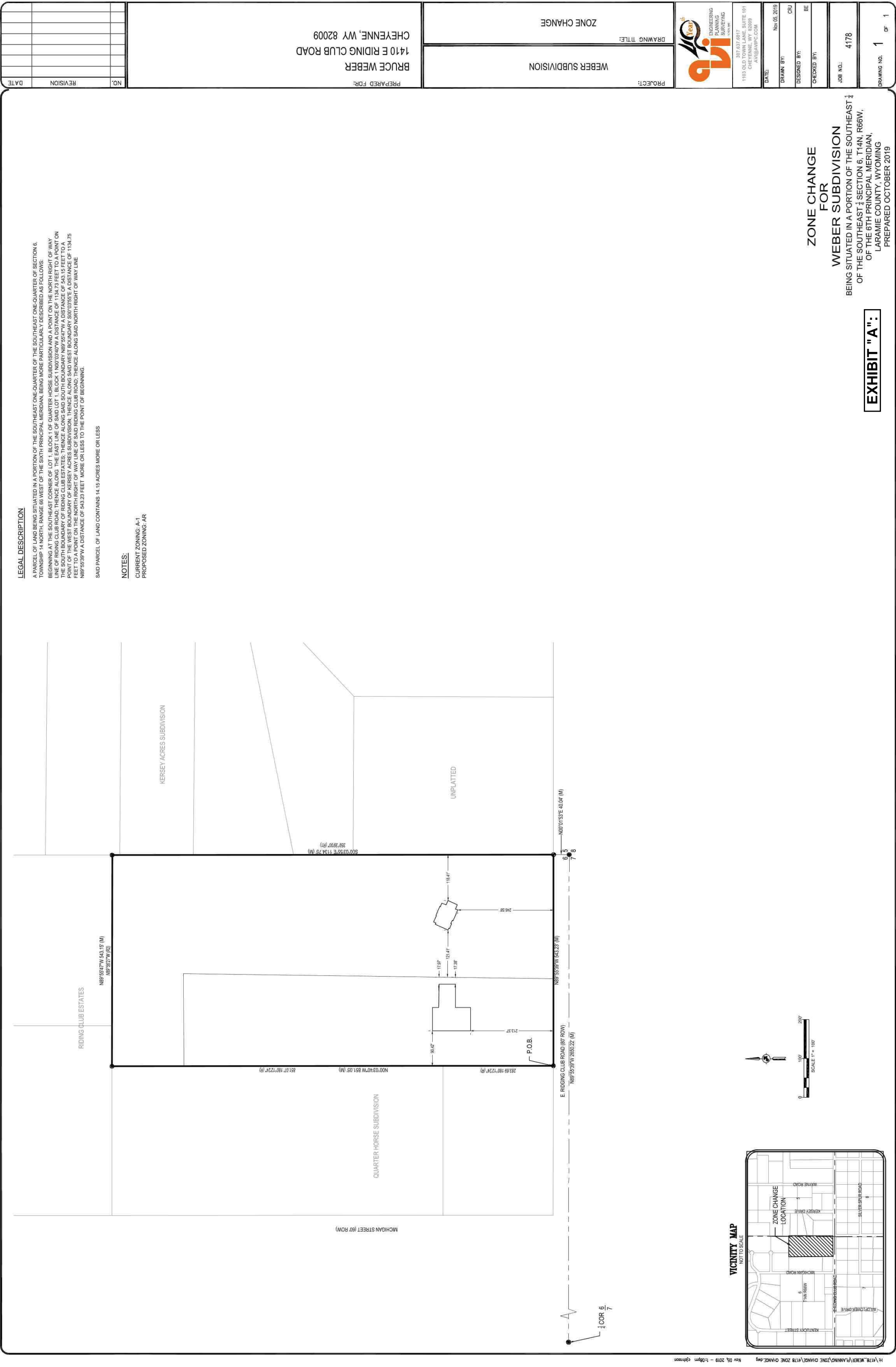
ATTEST:

\_\_\_\_\_  
Debra K. Lee, Laramie County Clerk

Reviewed and approved as to form:

\_\_\_\_\_  
Mark T. Voss, Laramie County Attorney





RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION TO APPROVE A SUBDIVISION PERMIT AND PLAT FOR  
WEBER SUBDIVISION, LOCATED IN A PORTION OF SE1/4, OF THE SE1/4 OF SEC.  
6, T.14N., R.66W. OF THE 6TH PM, LARAMIE COUNTY, WY.**

**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**, this resolution is the subdivision permit for Weber Subdivision.

**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 Weber Subdivision**

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

**\_\_\_\_\_, 2019.**

LARAMIE COUNTY BOARD OF COMMISSIONERS

\_\_\_\_\_  
Linda Heath, Chairman

ATTEST:

\_\_\_\_\_  
Debra K. Lee, Laramie County Clerk

Reviewed and approved as to form:

  
\_\_\_\_\_  
Mark T. Voss, Laramie County Attorney