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**LARAMIE COUNTY PLANNING & DEVELOPMENT DEPARTMENT**  
**Planning • Building**

**M E M O R A N D U M**

**TO: Laramie County Planning Commission**

**FROM: Brad Emmons, Planning and Development Director**

**DATE: December 17, 2019**

**SUBJECT: 2019 Laramie County Land Use Regulations Amendments Adoption**

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**Executive Summary**

In early 2019, staff began the process of looking at the existing 2019 Laramie County Land Use Regulations for changes. Staff advertised the process in the summer of 2019 and sent out an email through constant contact in October of 2019. The following items are a general synopsis of the items included and completed for the Commissioners review.

**Staff Requests**

1. Changes to the definitions of Kitchens, Duplexes and Utilities, Essential Services in Section 1-3-101.
2. Eliminating the pre submittal legal ad for subdivision permits in Section 2-1-101.
3. Adding a streamlined Administrative plat process, a new Section 2-1-101-1.
4. Updating the required gross acreage required in certain zones.
5. Removing the board approval process for Energy Pipelines, water pipelines and High power Transmission lines in Section 2-2-127.
6. Adding requirements to drainage pipes in Section 3-5-108.
7. Allowing 0' setbacks when building construction type allows for such in Section 4-1-104.
8. More specificity on when outdoor storage is allowed in certain zones in Sections 4-2-107 and 4-2-111.

Adoption of any regulation must occur under the rulemaking requirements of Wyoming State Statute § 16-3-103. A 45-day notice period and opportunity for public input is required prior to any adoption of rules. On October 15, 2019, the Board approved the Resolution providing 45-

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day rulemaking public notice of intent to amend the 2019 Laramie County Land Use Regulations. The published deadline for written comments to be submitted to the Laramie County Clerk's office is by noon on December 6, 2019. We received no public comment through the Clerk's office but did receive in the Planning Office as well as the Planning Commission meeting.

On our draft comments we received comments requesting additional clarification to the Development Design Standards and have added additional language for clarification. We also received public comment about the removal of the board approval section of section 2-2-127. We have modified this section based on the public written comments and those received at the Planning Commission. These have been sent to the responding parties for review. We received comments on December 9<sup>th</sup>, 2019 that their comments had been addressed.

During this process we also received public comment on the legal notice section of the code. At this time, we are developing new language for this section. Staff recommends to have this portion of changes on its own or with the next year's amendments.

At the November 14, 2019 Planning Commission meeting the commission voted unanimously to recommend approval of the amendments to the 2019 Laramie County Land Use Regulations with changes to section 2-2-127 being completed to meet the public's comments.

**Proposed motion:**

**I move to approve the amendments to the 2019 Laramie County Land Use Regulations as presented at the December 17, 2019 Board of County Commissioner Meeting.**

**Attachment:**

**Draft Resolution  
Amendments to the 2019 Regulations**

RESOLUTION # \_\_\_\_\_

**RESOLUTION TO AMEND THE 2019 LARAMIE COUNTY LAND USE  
REGULATIONS AND ADOPT THE AMENDED 2019 LARAMIE COUNTY LAND USE  
REGULATIONS.**

**WHEREAS**, Wyoming State Statutes § 16-3-103; §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 2019 Laramie County Land Use Regulations; and

**WHEREAS**, the Laramie County Board of Commissioners has complied with the requirements of W.S. 16-3-103, giving proper public notice and holding public hearings; and

**WHEREAS**, amendments to the 2019 Laramie County Land Use Regulations and adoption of the amended 2019 Laramie County Land Use Regulations are in conformance with section 1-1-107 regarding Amendments to the Regulations.

**NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF LARAMIE COUNTY, WYOMING**, that the Laramie County Board of Commissioners does hereby amend the 2019 Laramie County Land Use Regulations and adopt the amended 2019 Laramie County Land Use Regulations with amendments, to go into effect on January 1<sup>st</sup>, 2020.

**PRESENTED, READ AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

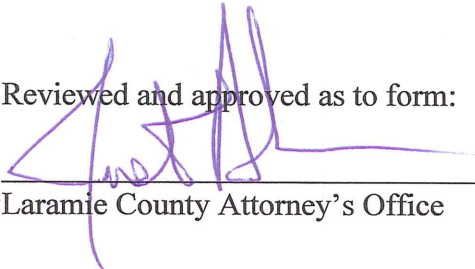
LARAMIE COUNTY BOARD OF COMMISSIONERS

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

ATTEST:

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

Reviewed and approved as to form:

  
\_\_\_\_\_  
Laramie County Attorney's Office

Amendments to the 2019 Regulations by section.

Bold & Red Items are new, Strikethrough items are removed.

Definition changes:

Kitchen - A room or portion of a room devoted to the preparation or cooking of food which contains a sink, refrigerator, and a stove with an oven, requiring a 220-volt electric service or natural gas, referred to as cooking facilities. ~~No more than one kitchen is permitted per dwelling unit.~~

e. Duplex - A structure containing two (2) separate dwelling units each of which have direct access to the outside and used for not more than two single housekeeping units. **EACH UNIT MAY BE ON ITS OWN INDIVIDUAL LOT.**

Utilities, Essential Services - Utilities that operate in accordance with the Wyoming Public Services Commission ~~and have obtained a Certificate of Public Convenience and Necessity.~~ Cellular phone services, cable internet and communication infrastructure shall be considered essential services utilities.

## 2-1-101 SUBDIVISION PERMITS

c. General Standards

i. Applications for a subdivision permit shall meet the requirements of W.S. 18-5-301 through 18-5-315. **LARAMIE COUNTY EXEMPTS THE APPLICANT FROM PLACING A LEGAL AD IN PAPER AS REQUIRED IN WYOMING STATE STATUTES 18-5-306 (A)(IX) FOR SUBDIVISION PERMITS.**

ii. Notification to adjacent landowners, published legal notice and a public hearing before the Planning Commission and the Board are required prior to any action taken on subdivision permit/plat applications. **THE ADMINISTRATIVE PLAT PROCESS SHALL NOT REQUIRE PUBLIC HEARINGS.** All legal notice shall be in accordance with the Public Notice section of this regulation.

e. Plat Requirements

viii. Signature blocks for use by the Chairman of the Planning Commission, the Chairman of the Board and County Clerk for Laramie County, Wyoming. **THESE BLOCKS SHALL BE PLACED DIRECTLY ADJACENT TO THE RIGHT OR BOTTOM BORDER OF THE PLAT.**

## 2-1-101-1 ADMINISTRATIVE PLATS

### A. INTENT

**ADMINISTRATIVE PLAT PROCEDURES ARE INTENDED TO PROVIDE EXPEDITED REVIEW AND APPROVAL FOR MINOR ADJUSTMENTS TO LEGAL BOUNDARIES AND TITLE OF PROPERTY FOR PROPER RECORDING. THESE ADJUSTMENTS HAVE LITTLE OR NO IMPACTS ON PUBLIC FACILITIES AND INFRASTRUCTURE AND ARE WITHIN OWNERSHIP PATTERNS OR DEVELOPMENT PATTERNS THAT HAVE OTHERWISE BEEN DETERMINED IN ACCORDANCE WITH THE LARAMIE COUNTY COMPREHENSIVE PLAN.**

### B. APPLICABILITY

THE ADMINISTRATIVE PLAT PROCESS IS APPLICABLE FOR DIVISIONS OF LAND IN THE COUNTY THAT MEET THE SPECIFIC ELIGIBILITY REQUIREMENTS IN THIS SECTION. THE APPLICATION FOR AN ADMINISTRATIVE PLAT IS INITIATED BY THE PROPERTY OWNER(S) OF ALL PROPERTY SUBJECT TO THE APPLICATION, OR THE AUTHORIZED AGENT OF THE PROPERTY OWNER(S).

**I. GENERAL ELIGIBILITY**

ALL ADMINISTRATIVE PLATS SHALL MEET THE FOLLOWING THRESHOLD ELIGIBILITY REQUIREMENTS:

- (A) THE APPLICATION INVOLVES NO ADJUSTMENTS TO THE LAYOUT OF EXISTING PUBLIC STREETS OR PUBLIC AREAS, BUT MAY INVOLVE THE ADDITION OF RIGHT-OF-WAY TO EXISTING STREETS; AND,
- (B) THE APPLICATION INVOLVES NO DEDICATION OF NEW PUBLIC STREETS OR PUBLIC AREAS; AND,
- (C) THE APPLICATION INVOLVES NO NEW AREA ANTICIPATED FOR POTENTIAL DEDICATION AS PUBLIC STREETS OR PUBLIC AREA, WHETHER THROUGH OFFICIAL PLANS OR BY OPERATION OF DEVELOPMENT REGULATION.

**C. ADMINISTRATIVE PLAT**

**I. ADMINISTRATIVE PLAT REVISIONS**

REVISIONS TO A PREVIOUSLY APPROVED PLAT MAY BE ELIGIBLE FOR ADMINISTRATIVE APPROVAL WHERE:

- (A) THE REVISIONS ARE DUE TO FIELD CONDITIONS THAT COULD NOT HAVE BEEN REASONABLY ANTICIPATED OR DISCOVERED AT THE TIME OF THE PLAT WHICH RESULTS IN NO MATERIAL CHANGE TO THE APPLICATION; OR,
- (B) THE REVISIONS ARE DUE TO CHANGES IN THE DEVELOPMENT PROGRAM, AND THESE CHANGES WILL RESULT IN NO ADDITIONAL LOTS AND WILL IMPACT PUBLIC FACILITIES THE SAME OR SIMILARLY TO THE PREVIOUSLY APPROVED APPLICATION.
- (C) ADJUSTMENTS TO PREVIOUSLY PLATTED LOTS MAY BE ELIGIBLE FOR ADMINISTRATIVE APPROVAL WHEN: THE ADJUSTMENT RESULTS IN NO ADDITIONAL LOTS

**II. SIMPLE PLAT SUBDIVISION**

A SIMPLE SUBDIVISION OF PARCELS OR LOTS MAY BE ELIGIBLE FOR ADMINISTRATIVE APPROVAL WHERE:

- (A) IT RESULTS IN NO MORE THAN TWO (2) TOTAL LOTS; AND,
- (B) NO PORTION OF THE NEW LOTS OR ANY REMAINING PARCEL HAS BEEN CREATED PREVIOUSLY THROUGH AN ADMINISTRATIVE APPROVAL.

**III. EASEMENT ADJUSTMENTS IN ADMINISTRATIVE PLATS**

ADJUSTMENTS OR ADDITIONS OF EASEMENTS MAY BE ELIGIBLE FOR ADMINISTRATIVE APPROVAL WHERE:

(A) THE REVISIONS ARE DUE TO FIELD CONDITIONS THAT COULD NOT HAVE BEEN REASONABLY ANTICIPATED OR DISCOVERED AT THE TIME OF THE FINAL PLAT WHICH RESULTS IN NO MATERIAL CHANGE TO THE APPLICATION; OR

(B) THE REVISIONS ARE DUE TO CHANGES IN THE DEVELOPMENT PROGRAM, AND THESE CHANGES WILL RESULT IN NO ADDITIONAL LOTS AND WILL IMPACT PUBLIC FACILITIES THE SAME OR SIMILARLY TO THE PREVIOUSLY APPROVED APPLICATION.

**D. SPECIFIC PROCEDURES**

AN ADMINISTRATIVE PLAT HAS THE FOLLOWING SPECIFIC PROCEDURES:

**I. PRE-APPLICATION CONFERENCE**

PRIOR TO SUBMITTAL OF AN APPLICATION, THE APPLICANT SHALL SCHEDULE AT LEAST ONE (1) PRE-APPLICATION MEETING WITH THE STAFF TO DISCUSS THE ELIGIBILITY OF THE APPLICATION FOR ADMINISTRATIVE REVIEW AND THE ABILITY OF POTENTIAL FUTURE DEVELOPMENT ON THE PROPERTY TO MEET THE CRITERIA.

**II. STAFF REVIEW**

UPON SUBMITTAL OF A FORMAL APPLICATION, STAFF WILL CONDUCT AN INTERNAL REVIEW AND MAY FORWARD COPIES OF THE APPLICATION TO ANY PERTINENT EXTERNAL AGENCIES FOR REVIEW AND COMMENT.

**(A) COMPLETE APPLICATIONS**

WITHIN SEVEN (7) DAYS OF SUBMITTAL OF THE APPLICATION, STAFF SHALL DETERMINE WHETHER THE APPLICATION IS COMPLETE ACCORDING TO OFFICIAL APPLICATION REQUIREMENTS. STAFF SHALL NOTIFY THE APPLICANT IN WRITING OF ANY DEFICIENCIES IN INCOMPLETE APPLICATIONS, AND PROVIDE DIRECTIONS AND DEADLINES TO CURE THE DEFICIENCIES. STAFF SHALL SCHEDULE COMPLETE APPLICATIONS FOR FORMAL INTERNAL REVIEW SUBJECT TO THE CRITERIA IN THIS SECTION.

**(B) POSTED NOTICE**

PRIOR TO A FINAL DECISION, STAFF SHALL PROVIDE ONE (1) SIGN FOR EACH ROAD FRONTAGE INDICATING THAT THERE IS A PENDING DEVELOPMENT APPLICATION. THE APPLICANT SHALL ENSURE THAT ONE (1) SIGN FOR EACH ROAD FRONTAGE IS POSTED ON THE PROPERTY FOR AT LEAST SEVEN (7) DAYS PRIOR TO THE DECISION. WHEN THE APPLICANT HAS MADE ALL REASONABLE AND GOOD FAITH EFFORTS TO MAINTAIN POSTED NOTICE, FAILURE OF THIS POSTED NOTICE SHALL NOT BE GROUNDS TO INVALIDATE THE APPLICATION.

**(C) FINAL DECISION**

UPON REVIEW ACCORDING TO THE CRITERIA IN THIS SECTION, AND WITHIN TWENTY-ONE (21) WORKING DAYS OF THE DETERMINATION OF A COMPLETE APPLICATION, THE DIRECTOR SHALL TAKE ONE OF THE FOLLOWING ACTIONS:

(I) APPROVE THE APPLICATION; OR,

(II) DENY THE APPLICATION AND STATE THE SPECIFIC REASONS FOR DENIAL.

### III. EFFECT OF DECISION

THE DECISION OF THE DIRECTOR IS THE FINAL DECISION AND SHALL BE MADE IN WRITING. APPROVAL OF THE APPLICATION SHALL BE VALID FOR ONE (1) YEAR. IF NOT ACTED ON AND RECORDED WITHIN ONE (1) YEAR, THE APPROVAL SHALL BE VOID.

### IV. RECORDING

FOLLOWING APPROVAL OF AN ADMINISTRATIVE PLAT, THE DIRECTOR AND THE PUBLIC WORKS DIRECTOR SHALL SIGN THE PLAT. THE APPLICANT SHALL THEN RECORD THE PLAT AND OTHER REQUIRED DOCUMENTS IN THE OFFICE OF THE COUNTY CLERK AND BE RESPONSIBLE FOR ANY ASSOCIATED FEES. THE APPLICANT SHALL SUBMIT A COPY OF THE RECORDED PLAT WITH ANY BUILDING PERMIT APPLICATION(S).

### E. REVIEW CRITERIA

PRIOR TO APPROVING AN ADMINISTRATIVE PLAT, THE DIRECTOR SHALL FIND THAT THE APPLICATION MEETS ALL OF THE FOLLOWING CRITERIA:

- I. THE DIVISION OF LAND SHALL BE CONSISTENT WITH THE COMPREHENSIVE PLAN; AND,
- II. THE DIVISION OF LAND SHALL BE CONSISTENT WITH DEVELOPMENT AND OWNERSHIP PATTERNS IN THE VICINITY, OR CONSISTENT WITH ANY CHANGE IN DEVELOPMENT AND OWNERSHIP PATTERNS IDENTIFIED IN THE COMPREHENSIVE PLAN OR ANY SPECIFIC AREA PLANS; AND,
- III. ALL POTENTIAL DEVELOPMENT RESULTING FROM THE APPLICATION WILL PRODUCE NO MATERIAL AND NEGATIVE IMPACTS ON EXISTING AND PLANNED PUBLIC FACILITIES IN THE AREA; AND,
- IV. ALL PROPOSED LOTS SHALL BE BUILDABLE LOTS ACCORDING TO THE EXISTING ZONING DISTRICT STANDARDS.

## 2-1-103 DEVELOPMENT DESIGN STANDARDS

### c. General Standards

- i. Lot size shall be determined by the requirements of the applicable zone district where zoning exists, **AND/or** by the **MINIMUM** density designations found in the AMEC Memo dated January 31, 2014, and within Zones 2 and 4 to be 5.25 acres gross, **WHICHEVER IS LARGER. THE MINIMUM MAY BE AVERAGED OVER THE OWNERSHIP PARCEL IN ZONES 1 AND 3.** The width, depth, and shape of the lot shall be determined by the proposed use of the site, existing natural features, and all applicable requirements of the Laramie County Land Use Regulations. **THE AMEC MEMO DOES NOT APPLY TO PROJECTS WITH A PUBLIC WATER/SEWER SYSTEM.**

## 2-2-127 HIGHPOWER TRANSMISSION LINES, WATER PIPELINES OVER 12 INCHES IN DIAMETER AND ENERGY PIPELINES

### a. ~~Hearing and Approval~~ **ROUTE MAP** Required

No highpower transmission lines, water pipelines over 12" in diameter serving more than one property or energy pipeline shall be constructed in Laramie County without the ~~approval~~ **A PUBLIC HEARING** of the Board of County Commissioners, **A ROUTE MAP BEING REVIEWED BY THE LARAMIE COUNTY PLANNING DEPARTMENT, TO DETERMINE THE NEED FOR FLOODPLAIN DEVELOPMENT PERMITS, GRADING PERMITS, AND/OR PERMITS FOR WORK IN ANY COUNTY OR PUBLIC.** ~~Prior to approval, the Board shall hold at least one public hearing.~~

#### i. Purpose:

The purpose of the hearing shall be to assure that the highpower transmission line, water pipeline over 12", or energy pipeline will be located so as to minimize disruption of existing county residents and land users.

#### ii. Notice:

Notice of the hearing shall be given in accordance with this regulation. In addition, all property owners of record of land adjacent to and within 1,500 feet of the proposed location of the transmission line, water pipeline over 12" in diameter or energy pipeline shall be notified of the hearing by the applicant via ~~certified letter~~ **REGULAR MAIL.**

### b. ~~Location~~

~~Consolidated utility corridors shall be required unless:~~

~~i. The applicant supplies information, satisfactory to the Board, that locating the line or pipeline adjacent to or within an existing utility corridor is physically impossible.~~

~~ii. The applicant supplies information, satisfactory to the Board, that locating the line or pipeline adjacent to or within an existing utility corridor would increase the financial cost so as to prohibit project development.~~

~~iii. Wherever possible, overhead transmission lines shall be located in a manner to reduce their visual impact on the surrounding landscape. Mitigation strategies may include, but are not limited to, avoiding riparian areas and ridge lines and using color to reduce visual impacts.~~

## 3-5-108 STREET DESIGN

x. Drainage pipes made of steel, aluminum or reinforced concrete of adequate strength to take the road vehicular traffic shall be installed in the road embankments wherever natural drainages are crossed that will cause large overflows of water over the road without a pipe or will damage or inundate property upstream from the road. The pipe shall be of such size that it is capable of passing the flood waters of a storm of two-year frequency without overtopping the road. The minimum acceptable pipe size is 18 inches **UNLESS OTHERWISE APPROVED BY THE COUNTY AND SHALL HAVE FLARED ENDS.**



#### 4-1-104 Zone District Table

	RESIDENTIAL FRONT (PRIMARY)	RESIDENTIAL SIDE (OR SECONDARY FRONT) *	RESIDENTIAL REAR	NON- RESIDENTIAL FRONT (PRIMARY)	NON- RESIDENTIAL SIDE (OR SECONDARY FRONT) *	NON- RESIDENTIAL REAR	OUTDOOR DISPLAY	OUTDOOR STORAGE		
AR - AGRICULTURAL RESIDENTIAL & UNZONED	25	15	15	25	25	25	25	25		
A1 - AGRICULTURAL & RURAL RESIDENTIAL	25	25	25	25	25	25	25	25		
A2 - AGRICULTURAL	25	25	25	25	25	25	25	25		
LR - LOW DENSITY RESIDENTIAL	25	7.5 (10 ST)	20	25	15	20	N/A	N/A		
MR - MEDIUM DENSITY RESIDENTIAL	20	5 (10 ST)	20	20	15	20	N/A	N/A		
HR - HIGH DENSITY RESIDENTIAL	20 (+5 PER STORY ABOVE 3)	5 (10 ST)(+5 PER STORY ABOVE 2)	20	20 (+5 PER STORY ABOVE 3)	15	20	N/A	N/A		
NB - NEIGHBORHOOD BUSINESS	25	5 (25 ST)	20 (25 ST)	25	5 (25 ST)	5 (25 ST)	15 (ALL)	25 (ALL)		
CB - COMMUNITY BUSINESS	25 ADJ ST	5 (25 ST)	20 (25 ST)	25 ADJ ST	5 (25 ST)	5 (25 ST)	15 (ALL)	25 (ALL)		
LI - LIGHT INDUSTRIAL	N/A	N/A	N/A	25 ADJ ST	25 ADJ ST & ALL ZONES EXCEPT CB, LI & HI THEN 5	25 ADJ ST & ALL ZONES EXCEPT CB, LI & HI THEN 5	15 (ALL)	25 ADJ ST & ALL ZONES EXCEPT CB, LI & HI THEN 5		
HI - HEAVY INDUSTRIAL	N/A	N/A	N/A	50 EXCEPT ADJ HI THEN 10	50 EXCEPT ADJ HI THEN 10	50 EXCEPT ADJ HI THEN 10	N/A	50 EXCEPT ADJ HI THEN 10		
P - PUBLIC	N/A	N/A	N/A	25	25	25	15	25		
MU - MIXED USE	25	5 (25 ST)	20	25	5 (25 ST)	20	N/A	N/A		

\* SIDE SETBACKS MAY BE REDUCED TO 0' (ZERO FEET) WHEN CONSTRUCTION METHODS ARE USED TO SEPARATE STRUCTURES SUCH AS DUPLEX AND TOWNHOUSE DEVELOPMENTS

#### 4-2-107 DISTRICT CB - COMMUNITY BUSINESS

vii. Retail, service and wholesale establishments, **WITH OUTDOOR STORAGE.**

#### 4-2-111 DISTRICT MU - MIXED USE

b. Uses Requiring Board Approval

#### iv.V. OUTDOOR STORAGE IN ASSOCIATION WITH AN APPROVED USE