

AGENDA / LEGAL NOTICE

A regularly scheduled public meeting of the Sublette County Planning and Zoning Commission will be held on Thursday, April 16, 2020 at 6:00 p.m. to consider the following agenda items. These agenda items will then be heard before the Sublette County Board of County Commissioners on Tuesday, May 5, 2020 at 1:00 pm. These meetings will be held in the Commissioner's Meeting Room, in the Sublette County Courthouse, located at 21 South Tyler Avenue, Pinedale, and will be available by public media.

Meeting agenda items and how to attend by use of public media will be posted and updated on the Sublette Counties Web Page at: www.sublettewyo.com

1. Sublette County Planning & Zoning will consider proposed updates and changes to Chapter II - Zoning Districts, Section 3, Chapter III - Development Standards, Section 39 & Section 41, Chapter IV - Zoning & Development Permits, Section 4, Chapter VIII - Administration, Section 4, Chapter IX - Family Division, and Chapter XI - Enforcement, Section 6, of the Sublette County Zoning and Development Regulations.

Published in the Pinedale Roundup
April 16, 2020

SUBLETTE COUNTY PLANNING COMMISSION

MARCH 19, 2020

APRIL 16, 2020

NEW BUSINESS

AGENDA ITEM 1

PROPOSED TEXT AMENDMENTS OF THE ZONING & DEVELOPMENT REGULATIONS

The Sublette County Planning & Zoning Department proposes Amendment to the Sublette County Planning and Zoning Regulations, pursuant to Chapter 8, Section 1 of the Sublette County Zoning and Development Regulations, entitled Amendments.

The Sublette County Planning and Zoning Department proposes text amendments to Chapter II - Zoning Districts, Section 3, Chapter III - Development Standards, Section 39 & Section 41, Chapter VIII - Administration, Section 4, Chapter IX - Family Division, and Chapter XI - Enforcement, Section 6, of the Zoning and Development Regulations of Sublette County, Wyoming.

(Text Shown in **Green Bold Font** shall be added to the Zoning and Development Regulations)

(Text Shown as ~~Red Struck-Out~~ shall be deleted from the Zoning and Development Regulations)

CHAPTER II - ZONING DISTRICTS

Section 3. Authorized Uses.

- b. In the Agricultural District (A-1):
- (1) General agricultural uses;
 - (2) One (1) single family dwelling per 35 acres, excluding the use of mobile/nonconforming manufactured homes on eighty (80) acres or less;
 - ~~(3) Outdoor recreation facilities for hunting, fishing, horseback riding, hiking or winter sports uses incidental to the principal agricultural use;~~
 - (4) One (1) Guest House or Cabin per single family dwelling
 - (5) Agricultural Open Space Subdivisions in accordance with Chapter III, Development Standards, Section 44 of the Zoning and Development Regulations.
 - (6) Conditional Uses:
 - (a) Home Business
 - (b) Workers Camp
 - (c) Temporary Camp
 - (d) Sanitary Landfill
 - (e) Landing Strips
 - (f) Industrial Transportation Parking Facilities
 - (g) Public Facilities
 - (h) Temporary storage of heavy equipment

- (l) Guest Ranches, Outfitters, **or indoor/outdoor recreation facilities, including but not limited to hunting, fishing, horseback riding, rodeo, climbing, hiking or winter sports uses;**
- (j) Kennels/Dog Breeder
- (k) Bed and Breakfast
- (l) Fur Farms
- (m) Gravel pits, with washing and screening
- (n) Gravel pit, with washing screening and crushing
- (o) Gravel pits, including a batch plant that mixes gravel with sand, water and cement to produce concrete and associated processing.
- (p) Special Events
- (q) Golf Courses

CHAPTER III - DEVELOPMENT STANDARDS

Section 39. Manufactured Home Design Standards. Manufactured homes shall conform with all applicable development standards in this Resolution and shall also conform to the standards set forth in this section. Manufactured homes located in the R MH, R-R MH, R-R MH 5, R-R MH 10, R-R MH 20, MH, I-L, and R-M Zoning Districts shall be exempt from these standards.

- a. The structure is built in compliance with either the current Manufactured Home Construction and Safety Standards of the U. S. Department of Housing and Urban Development (HUD) or the current Uniform Building Code (UBC). Current standards shall be those in effect as of the date the related application for a zoning and development permit is applied for.
- b. The structure is designed to be attached to a permanent foundation.
- c. The structure shall include a permanent masonry or concrete perimeter wall.
- d. The structure shall ~~not be less than twenty-four (24) feet in width and shall include a~~ **have** minimum gross floor area of ~~1,000~~ **400** square feet.
- e. Roof material shall consist of non-reflective material customarily used for conventional dwellings, including, but not limited to, asbestos shingles, fiberglass shingles, shake shingles, wood shingles, composition shingles, or tile materials. All roofs shall have at least a nominal 4/12 pitch. Roof material shall not include flat or corrugated sheet metal, except for manufactured metal roof panels.
- f. Exterior siding materials shall consist of nonreflective material customarily used for conventional dwellings, including but not limited to wood shingles, wood shakes, vinyl, plywood, clapboard, aluminum, brick veneer, stone veneer, stucco, brick-face stucco or half timbering.
- g. The structure shall include a minimum roof overhang of twelve (12) inches measured from the outside of the exterior wall.

- h. All elements used in transporting the structure to the site, including tongue, towing devices, and wheels shall be removed from the structure, and shall be removed from the construction site within 30 days of delivery.

Section 41. Standards for the Rental of Guest Houses. The rental of a guest house or cabin shall only be allowed in accordance with the terms and conditions of this Chapter, in zoning districts where a guest house or cabin is allowed. In addition, the rental of a guest house or cabin shall meet the following requirements:

- a. Rental of a guest house or cabin shall only be permitted as a Conditional Use.
- b. Rental of a guest house or cabin shall only be permitted if allowed by existing subdivision CCR's (as applicable).
- c. Septic and water system(s) serving the guest house or cabin shall be reviewed by the County Sanitarian and determined adequate prior to the rental of a guest house or cabin being permitted.
- d. A plan for garbage collection and disposal shall be submitted with the Conditional Use application.
- e. Only vehicles used for daily travel by occupants of the guest house or cabin shall be stored outside. All other possessions belonging to occupants of the guest house or cabin; such as secondary or inoperative vehicles, recreational vehicles, trailers, boats, motorcycles, snow mobiles or other similar items contributing to an untidy appearance shall be stored inside an enclosed structure, such as a garage.
- f. Operation of a home occupation or home business by occupants of the guest house or cabin shall not be allowed.
- g. Occupancy of a guest house which is rented shall be limited to ~~4.5~~ **2** persons per bedroom.

CHAPTER VIII - ADMINISTRATION

Section 4. Notice of Public Hearing. An application for a development proposal requiring a public hearing shall be advertised in the legal notice section of a newspaper of general circulation in the County. Such notice shall appear no less than ~~thirty (30)~~ **fourteen (14)** calendar days and nor more than ~~forty-five (45)~~ **Twenty eight (28)** calendar days prior to the public hearing date before the Planning Commission and not less than fourteen (14) days nor more than ~~thirty (30)~~ **Twenty eight (28)** days prior to the public hearing before the Board of County Commissioners; except ~~that the a~~ public hearing on an amendment to the text of the Comprehensive Plan, ~~Zoning and~~ **Zoning and** Development Regulations ~~or Zoning Map~~ shall require publication in a newspaper of general circulation in the County at least (30) days before the Planning Commission public hearing and at least forty-five (45) days before the Board of County Commissioners public hearing. ~~The Said~~ **The Said** legal notice shall include the type of application proposed, a short description of the action requested, address and legal description of the land subject to the application, location, date and time of the public hearing(s) and where additional information may be obtained.

Mailed notice, containing all information required under subparagraph (Notice of Public Hearing) shall be sent by mail to all landowners within 1,000 feet of the land subject to the application, **or greater if determined necessary by the County Planner.** ~~The applicant shall pay the cost of postage and envelopes per notice for any mailings in excess of twenty-five (25) notices.~~ All mailed notices shall be sent no less than fifteen (15) calendar days prior to the first public hearing.

CHAPTER IX - FAMILY DIVISION

Section 1. Family Division Defined. A Family Division is a division of land made outside of platted subdivisions for the purpose of a single gift or sale to a member of the landowner's immediate family, subject to the following requirements:

- a. IMMEDIATE FAMILY MEMBER: A member of the immediate family is limited to any person who is a natural or adopted child, stepchild, spouse, sibling, grandchild, grandparent, or parent of the landowner.
- b. PURPOSE: The purpose of the division is to provide for the housing, business or agricultural needs of the grantee;
- c. TITLE: The land shall have been titled in the name of the grantor for a period of not less than ~~five (5)~~ **ten (10)** years prior to the division and parcels created under this paragraph shall be titled in the name of the immediate family member for whom the division is made for a period of not less than ~~one (1)~~ **five (5)** year unless such parcels are subject to involuntary transfer including, but not limited to, foreclosure, death, judicial sale, condemnation or bankruptcy;
- d. ACREAGE FOR REDIVISION: No parcel smaller than 5 acres created under this Chapter shall be further divided unless the owner obtains a subdivision permit pursuant to this Resolution.
- e. Ownership by Corporation: Where the landowner is a corporation and eighty percent (80%) of the shares are held by individuals related by blood or marriage, the sale or gift may be made subject to the provisions of this section to an immediate family member of any shareholder who has owned at least five percent (5%) of the outstanding shares for at least five (5) years continuously before the date of the sale or gift.
- f. The boundary lines for parcels created as family division(s) shall **only not** be amended or adjusted **by full compliance of Chapter XII, Subchapter IV, Section 4, or the Zoning and Development Regulations.**

*****Amendments to said Section 1, c, reflect amendments adopted by Wyoming State Statute 18-5-303 as of July 1, 2019. *** Secton 1, f, is proposed by Planning & Zoning Staff.*****

CHAPTER XI - ENFORCEMENT

Section 6. Failure to Obtain a Permit Prior to Commencing Development. If a person commences development for which a **zoning and development building** permit is required without first having obtained ~~the~~ said permit, such person shall pay ~~twice the fee~~ **all applicable fees and penalties associated with said violation and make application for the appropriate Zoning and Development Permit. for said permit.**

The payment of such fees **or penalties** shall not relieve the person from fully complying with the requirements of the applicable standards set forth in the Zoning and Development Regulations; nor does it automatically secure the permit or preclude a violation for a given infraction.

PUBLIC COMMENTS

This application was published as a legal advertisement in the Pinedale Roundup on February 7, March 13, and April 3, 2020. No public comment has been received at this time.

These proposed corrections and amendments were discussed at the February 20, 2020 meeting. Corrections to these amendments have been made as pre the discussions at that time. There have been no other comments received at this time.

PLANNING AND ZONING STAFF RECOMMENDATION

Staff recommends that the Planning Commission recommend to the Board of County Commissioners to **APPROVE** the request by the Sublette County Planning and Zoning Department to the proposes text amendments to Chapter II - Zoning Districts, Section 3, Chapter III - Development Standards, Section 39 & Section 41, Chapter VIII - Administration, Section 4, Chapter IX - Family Division, and Chapter XI - Enforcement, Section 6, of the Zoning and Development Regulations of Sublette County, Wyoming.