

**JOHNSON COUNTY PLANNING AND ZONING COMMISSION  
REGULAR MEETING-TUESDAY OCTOBER 5, 2021**

Vice Chairman Julie Baker called the meeting of the Johnson County Planning and Zoning Commission to order October 5, 2021 at 7:00PM.

Those present were Commission member Manny Rodriguez; Planner Jim Waller; County Deputy County Attorney Barry Crago; Travis Pearson by telephone; Layne Qualm and Jake Hatch were absent from this meeting.

Manny Rodriguez moved to approve the minutes of the September 7, 2021 meeting as amended. Travis Pearson seconded; motion carried.

Vice Chairman Julie Baker called for a modification to the agenda as Kaleb Morse will be late.

The next item will be updated status of the current subdivisions moving through the process.

Planner Waller informed the Commission High Chaparral is pending a final plat and the recorded release of the covenants. A draft final plat was reviewed during September.

Planner Waller discussed the Ponderosa Minor was presented to the City of Buffalo Planning and Zoning and approved by the City Planning and Zoning. Planner Waller explained the mylar plat was brought into the office and does not have any signatures. After discussion with the City Planner, the final plat will be presented to the City Council for final approval in mid October.

Josh Johnson representing the Ponderosa Minor Subdivision applicants stated they have approval of City of Buffalo. Planner Waller explained the Final Plat is in accordance with the minor subdivision regulations. Josh Johnson stated the county commissioners are final approval and believes that it can be approved by the County Planning and Zoning Commission. Travis Pearson stated historically Planning and Zoning does not approve unless city has finalized the approval. General questions and discussion on the approval process. Travis inquired about the signature blocks on plat and said as soon as city signed bring for review, signatures first then final presentation. Planner Waller stated everything is in order with exception of final signatures.

Attorney Crago questioned if it had been approved, then it is simply a matter of acquiring the final signatures and holding this chairs signature. The city signs the mylar then the County Planning and Zoning Chairman could sign the plat.

Vice-Chair Baker called for a motion. Travis Pearson moved, once city has signed and finalized, they can submit to the County Planning and Zoning for final approval. General discussion on the motion; Manny Rodriguez asked about the City Planning and Zoning signing plat at their final approval meeting similar to county. Josh Johnson said typically they sign after approval and the County commissioners have last say. Planner Waller explained there have a few times with conditional approval based on the city signatures lacking. Attorney Crago said conditional approval would be adequate if the subdivision has been approved and plat is pending signature vs if the plat is not approved by city. If it is a matter of a signature, then the applicants should be able to get the signature and then this chair could sign, and the plat moves up the process. If city says no to signing, then obviously it is not final approval, that would be the issue. The Commission could make a motion if city has signed and approved and once those signatures are on the mylar, then the County Planning and Zoning Chairman could sign before the next meeting. After discussion the motion dies for lack of second. Vice-Chair Baker asked if there were any other motions.

Manny Rodriguez moved to approve Ponderosa—Conditionally approve; on the condition that the plat have the signature by chairperson of the City of Buffalo Planning and Zoning prior to County Planning and Zoning Chairman signing mylar. Travis Pearson asked to repeat the motion. Manny Rodriguez moved to Approve Ponderosa properties subdivision on the condition that county gets the signature from the City of Buffalo Planning and Zoning chairperson prior to the next Johnson County Planning and Zoning meeting—Attorney Crago corrected Johnson County Commissioner meeting. Travis Pearson, I can second that; Vice-Chair Baker stated it is moved and seconded; motion passed.

Vice-Chair Baker called for the Sketch Plan review on the Morse Minor Subdivision. Planner Waller explained the following report to the Commission:

**Case:** *Minor 2021-006*

**Item:** *Morse Minor Subdivision Sketch Plan Review*

**Applicant:** *Kaleb Morse*

**Summary:** *Subdivision of parts of the NE ¼ NE ¼ of Section 12 T43N R84W*

**Background information:**

1. *Owner of record; Kaleb Morse*
2. *Proposed division is located adjacent to the Town of Kaycee, next to the Town Park.*
3. *Property has limited access due to the Original Town Site.*
  - a. *Access is a 28.6-foot-wide Alley as originally platted.*
4. *This is a 2.28-acre parcel proposed to be subdivided into 2 lots of approximately .41 ac & 1.87 ac. The applicant desires to annex part of the property for town services.*

**Planning Considerations:**

1. *This application was submitted as a minor subdivision.*
  - a. *First consideration and classification discussion held during the September 2021 regular meeting.*
2. *Subdivision Public Notice: 2 consecutive notices appeared in the Buffalo Bulletin and all adjacent landowners were notified.*
3. *Powder River Conservation District shall provide review of proposed subdivisions as per county regulations and state law. Comments are required within 60 days of notice. Owner given information on scheduling and that Conservation District may have specific requirements. The Conservation District Manager said if the property is being annexed into the Town of Kaycee, the review would not be required as the property would be in an urban setting.*
4. *The .41 acre proposed lot will be served by town water and sewer. Septic systems should not be allowed.*
5. *The Middle Fork of Powder River has an extensive floodplain map.*
  - a. *Base Flood Elevations should be identified on the Final Plat.*
6. *The original town site has a 28.6-foot alley way which has been historically used to access the parcel.*
  - a. *The proposed access and utility easement into Lot 2 should at least 30 feet wide.*

**Recommendations:**

1. *Hear any public comments.*
2. *Allow applicant to prepare the Final Plat in accordance with minor subdivision regulations.*
  - a. *Require appropriate warnings regarding sewer & water for each lot.*
  - b. *Require hazard warning for the floodplain. Disclose the Base Flood Elevation from the official flood hazard map for the Town of Kaycee.*
  - c. *Identify the proper unique block numbers for each lot i.e. Block 1 Lot 1/Block 2 Lot 1.*

General discussion on Lot & Block reference.

Vice-Chair Baker asked for public comment. Zoe Loyd provided comments unrelated to the Morse Sketch Plan.

Attorney Crago explained that the Town of Kaycee agreed to allow the subdivision first and then process the annexation. Vice-Chair Baker called for a motion, Manny Rodriguez moved to approve the Morse Minor Sketch Plan based on the recommendations from the planner, Travis Pearson seconded. Motion Carried.

Planner Waller continued to update Commission on status on the current subdivisions moving through the county subdivision regulations.

Freehold Minor was denied by the City of Buffalo due to the proximity of both water and sewer. No further information has been provided on this proposal.

The consultants for Mather Peak inquired about the approval process. There is some confusion on the approval process as the City of Buffalo has indicated the developer must follow the city review process. At the present time, the County Subdivision Regulations require municipal approval on all subdivisions that are within 1 mile of any incorporated limits. Deputy Attorney Crago has reviewed the subdivision regulations as related to subdivisions that fall within 1 mile of the city. W.S. 34-12-103 requires approval. Barry will work with the city attorney for a formal legal opinion.

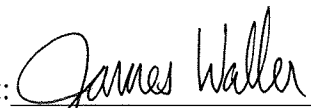
Zoe Lloyd discussed her lot in Robbers Roost Subdivision. There have been some previous discussions about the property. She hopes to build a mother-in-law house or guest house and her son is purchasing all the property. Past discussions have been on subdividing and family exemptions. The covenants restrict further dividing, though they have a process to amend the covenants. A family exemption is not allowed due to the property being a platted lot. General discussion on number of structures as related to the covenants. At this time no action required by the Commission. The planner will reach out to Zoe to discuss building.

The regular meeting was adjourned at 7:35 pm.

Respectfully,

  
Travis Pearson Chairman

12-07-21  
Date

Attest:   
James Waller, County Planner