

CHAPTER VI - CONDITIONAL USES

Section 1. Conditional Use Permit Required. Conditional uses may be established in accordance with Chapters II and III of this Resolution after application, review, and recommendation by the Planning and Zoning Commission and upon approval by the Board of County Commissioners.

1. Refer to Chapter IV – Administration, Section 1. Application Process of Land Use Permits

- ~~a. The application for a conditional use shall be made upon a form provided by the Planning and Zoning Office. A pre-application conference with Planning Department staff shall be held prior to the submission of a conditional use application. The pre-application conference may be held in person or via telephone. The purpose of the pre-application conference shall be to discuss the proposed conditional use based upon the information provided by the applicant and the provision of the County Zoning and Development Regulations.~~
- ~~b. The application shall include the following:~~
 - ~~(1) Name and address of the owner and/or applicant.~~
 - ~~(2) Legal description or other information necessary to identify the site.~~
 - ~~(3) Site plan showing the proposed layout of improvements, including buildings and other structures.~~
 - ~~(4) Provisions for water supply and sewage disposal, if applicable, including the location of any proposed leach fields.~~
 - ~~(5) A bond for reclamation and revegetation if applicable.~~
 - ~~(6) Any additional materials which the applicant may choose to submit or which the Planning and Zoning Administrator may request.~~

Section 2. Procedure.

Action by the applicant.

1. A pre-application conference with Planning and Zoning Department staff shall be held prior to the submission of a conditional use application.
2. A completed application shall be submitted to the Planning and Zoning Office for formal review and after the completed pre-application meeting.

Action by the Planning and Zoning Office.

1. The Planning and Zoning Office staff shall review the application and the material submitted therewith, and, if found to be complete, shall accept the application.
2. The Planning and Zoning Office Staff shall prepare a report covering compliance with all requirements applicable to the proposed development.
 - a. ~~The Planning and Zoning Department may request a review by any qualified person or any public agency that may be interested in the proposed use.~~ **The Planning and Zoning Office may request and select a qualified expert or public agency, recognized by Sublette County, to provide scientific, technical, or specialized**

knowledge of a proposed use. Costs associated with additional reviews from the above mentioned, will be solely the responsibility of the applicant.

3. The Planning and Zoning Office staff shall submit this report to the Planning and Zoning Commission and the applicant *no less than* seven (7) days prior to the public hearing.
4. The applicant shall be notified of the Board of County Commissioner's final action by the Planning and Zoning Office.

Action by the Planning and Zoning Commission.

1. The Planning and Zoning Commission shall review the application, the accompanying material, and the report of the Planning and Zoning Office staff at a public hearing. In making its recommendations the Planning and Zoning Commission shall consider the applicable factors set forth in this chapter.
 - a. The following ~~criteria~~**factors** shall be considered in the ~~review~~**recommendation** and decision:
 - i. Whether a special need will be met, including providing new jobs and an expanded economic base;
 - ii. ~~Whether the proposed location will best serve this interest ;~~
 - iii. **Whether the proposed conditional use is likely to be detrimental to public health, safety, and welfare or significantly injurious to properties or improvements in the vicinity.**
 - iv. Impact on the surrounding environment in terms of noise, odor, particulate emissions, and hazards;
 - v. Impact on the transportation system;
 - vi. Impact on water resources, supply, and pollution;
 - vii. **Does the site plan meet the requirements outlined in Ch. 4 Sec. 1, c, 6. including any unique aspects of the parcel which should be addressed;**

viii. Does the design of the project seek to mitigate or eliminate potential impacts of the proposed conditional use; ~~Design of the project; which seeks to overcome unique aspects of the of proposed conditional use.~~

ix. General conformity with the applicable goals and policies of the Comprehensive Plan.

a. ~~3.The Planning and Zoning Commission may request a review by any qualified person or any public agency that may be interested in the proposed use.~~

2. Before recommending approval of a conditional use permit, the Planning and Zoning Commission and the Board of County Commissioners shall make the following findings, based on the information provided by the applicant, the Planning and Zoning Office, and any outside agency reviews:
 - i. That the proposed location of the use is in accordance with the purposes of this resolution (*Chapter 2 Sec. 3*) and the district in which the site is located.
 - ii. That the proposed ~~location of the~~ use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or significantly injurious to properties or improvements in the vicinity.
3. After the review, the Planning and Zoning Commission shall submit its recommendations, and any prescribed conditions it deems necessary to accomplish the purposes of this Resolution, to the Board of County Commissioners at their next regularly scheduled hearing on planning and zoning items.

Action by the Board of County Commissioners.

1. The Board of County Commissioners may request a further review by any qualified person or by a public agency that may be interested in the proposed use.
2. The Board of County Commissioners shall adopt a resolution approving, modifying, or denying the recommendations of the Planning and Zoning Commission
3. The Board of County Commissioners may defer final action on the application for not more than forty-five (45) days from the first day on which the Board of County Commissioners reviewed the application, unless such a delay is requested or approved by the applicant.

Section 8. Revocation. Conditional use permit may be revoked by the Board of County Commissioners for failure to comply with conditions pursuant to WYO. STAT. ANN §§ 18-5-204 through 18-5-207 (Ch. XI Enforcement).

Section 9. Lapse. Conditional use permits shall expire one (1) year following the date of which the permit was granted if either the permitted use has not commenced or any required construction has not been substantially completed. **The Board of County Commissioners may extend a conditional use authorization if the applicant provides reasoning for the extension.**