



PLATTE COUNTY WYOMING
PLANNING AND ZONING COMMISSION
BY-LAWS

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CHAPTER I GENERAL PROVISIONS

Section 1. Purpose

The Platte County Planning and Zoning Commission shall maintain a comprehensive land use plan including amendments, thereto; for the purpose of promoting the public health, safety, morals and general welfare of the unincorporated areas of the county, and certify the plan, by majority vote of the Commission to the Board of County Commissioners. The Platte County Planning and Zoning Commission shall prepare recommendations to effectuate the planning and land use control purposes set forth in state statutes.

- a. The Commission shall review special use permits, zoning classification change, and division of land requests as defined in the planning and zoning rules and regulations.

Section 2. Authority

The authority pertaining to the Planning and Zoning Commission is contained in Wyoming Statutes §§ 18-5-201, July 2025 as amended.

Section 3. Definitions

As used in these by-laws:

- a. "Board" means the Platte County Board of County Commissioners.
- b. "Chairman" means the Chairman of the Commission or, in his/her absence, the Vice-Chairman or other members as designated by the Commission to preside at the meeting.
- c. "Commission" means the Platte County Planning and Zoning Commission.
- d. "Comprehensive Land Use Plan" means a document which may include maps, charts, diagrams and narrative materials for the long range physical growth and development of Platte County based on studies of the physical, social, economic and governmental factors, conditions and trends. It shall include considerations of conservation, recreation, public services and facilities, public building, community design, housing and such additional elements dealing with other subjects which, in the judgement of the Commission, relate to the physical development of the County.
- e. "Fiscal Year" means July 1st to June 30th
- f. "Land Use" means the development that has occurred or may occur on land.
- g. "Planning Office" means the Platte County Planning Office.
- h. "Platte County Planning and Zoning Regulations" means the regulations authorized by the Board in accordance with W.S. 16-3-101, through 16-3-115 and W.S. 18-5-201 through 18-5-513 July 2025 as amended.
- i. "Recording Secretary" means a member of the Planning Office staff.
- j. "Resolution" means a formal expression of the opinions or will of the Commission
 1. Resolutions may be issued to provide policy for the management and implementation of planning and zoning rules and regulations.
- k. "Zoning Certificate" also referred to as a construction certificate or permit.

Section 4. Promulgation, Amendment or Repeal of Rules

Any amendments to these rules shall become effective as provided by Wyoming Administrative Procedure Act W.S. §16-3-101 through 16-3-115 July 2025 as amended.

Section 5. Applicability of By-laws

- a. These by-laws apply to the Commission with respect to planning and zoning development.
- b. Informal or investigative hearings or site visits may be held by the Commission, Planning Office, or the Board. No decisions on hearing items may be made except in a public meeting duly publicized.

CHAPTER II ADMINISTRATION

Section 1. Membership

The Commission shall consist of five (5) members who shall reside in Platte County to be appointed by the Board.

Section 2. Tenure of Office

The five (5) above members shall be on three (3) year staggered terms as recorded in the County Clerk's office.

- a. Upon expiration of the terms of the members of the Commission, the Board shall appoint members to the Commission who shall serve three (3) year terms. The Board shall have the power to remove any member for cause (see Section 12). A vacancy on the Commission shall be filled for the unexpired term by the Board.

Section 3. Organization

At the first meeting held after the beginning of each fiscal year, the Commission shall elect a Chairman and Vice-Chairman from among its members.

Section 4. Duties of Officers

The duties and powers of the officers of the Commission shall be as follows:

- a. Chairman:
 1. Preside at all meetings of the Commission.
 2. Call special meetings of the Commission in accordance with the by-laws.
 3. Sign documents of the Commission, including revisions to this document.
 4. See that all actions of the Commission are properly taken.
 5. The Chairman shall be an ex-officio member of all committees.
- b. Vice-Chairman
 1. During the absence, disability, or disqualification of the Chairman, the Vice-Chairman shall exercise or perform all the duties and be subject to all the responsibilities of the Chairman.
 2. The Vice-Chairman shall succeed the Chairman if he/she vacates his/her office before his term is completed and serve the unexpired term of the vacated office. A new Vice-Chairman shall be elected at the next regular meeting.

c. Recording Secretary

1. Keep the minutes of all meetings of the Commission.
2. Give or serve all notices required by law, by county rules and regulations, or by the by-laws.
3. Be custodian of Commission records.
4. Inform the Commission of correspondence relating to business of the Commission and to attend to such correspondence.

Section 5. Quorum

- a. Three (3) members of the Commission shall constitute a quorum for the transaction of business.
- b. Each member of the Commission who has knowledge of the fact that he/she will not be able to attend a scheduled meeting of the Commission shall notify the Planning Office at the earliest possible opportunity and, in any event, prior to 5:00 p.m. on the date of the meeting. The Planning Director shall notify the Chairman of the Commission in the event that the projected absences will produce a lack of quorum.

Section 6. Planning Office Requirements

The Board of Commissioners may appoint staff necessary for its work, and may contract with other consultants, including any appropriate agencies or departments of the State of Wyoming, for such service as it requires.

- a. Planning Office staff responsibilities shall include the following:
 1. Prepare the agenda for all meeting of the Commission
 2. Review and provide recommendations to the Commission for all petitions.
 3. Communicate to the Commission significant land use issues and concerns.

Section 7. Expenditure of Funds

The Commission may expend such funds as made available to it by the Board for the purpose intended by the Board in their appropriation.

Section 8. Meetings

The Commission shall meet monthly on the second Tuesday of each month and at such other times as necessary to conduct its business. Special meetings may be called by the Chairman or Vice-Chairman of the Commission by giving verbal, electronic or written notice of the meeting to each member of the Commission and to each newspaper of general circulation, radio or television station requesting the notice. The notice shall specify the date, time and place of the special meeting and the business to be transacted and shall be issued at least eight (8) hours prior to the commencement of the meeting. No other business shall be considered at the special meeting. Proof of delivery of verbal notice to the newspaper of general circulation, radio or television station may be made by affidavit of the clerk or other employee or officer of the agency charged or responsible for distribution of the notice of the meeting. Wyoming Public Meetings Act, W.S. §16-4-404(b)

Section 9. Notification and Publication

The notice for regularly scheduled meetings shall be published in a newspaper of general circulation at least thirty (30) days prior to the scheduled meeting. The notice shall contain the date, time and place of the meeting as specified in W.S. § 18-5-202(b)

Section 10. Minutes and Records

The minutes shall be recorded by the Recording Secretary. All minutes are public record and shall be maintained in the Planning Office. The minutes of the proceedings shall show the vote of each member upon each question or if the member was absent or failed to vote. The Commission shall also keep records of its examination and other official actions; as specified in W.S. § 18-5-202(a)

Section 11. Conflicts of interest

Any member of the Commission who has a conflict of interest on any matter that is on the Planning Commission agenda shall voluntarily excuse himself/herself, vacate his/her seat, and refrain from discussing and voting on said item as a Commissioner.

Section 12. Removal of Members

The Commission shall notify the Board when any member misses three consecutive regular meetings and said member shall have to justify his/her absences to the Board. Any member may be removed by the Board for inefficiency, neglect of duty, malfeasance, or conflict of interest. The removed member shall have the right of appeal to the District Court.

CHAPTER III COMMISSION AGENDA

Section 1. Agenda

An agenda will be set pursuant to W.S. 16-4-401 through 16-4-408.

There shall be a deadline for filing for placement on the agenda for applications/items which require public notice. This deadline shall be in accordance with the Platte County Land Use Rules and Regulations.

- a. Requests for continuance of matters scheduled for a particular agenda shall be filed with the Planning Office at least eight (8) days prior to the scheduled meeting and any additional applicable fees paid.
- b. Matters referred to the Commission by the Board shall be placed on the agenda for consideration and action at the first meeting of the Commission after such reference.

Section 2. General Order of Business

- A. Call to Order – Roll Call
- B. Approval of the Minutes
- C. Declaration of Conflicts of Interest
- D. New Business
- E. Commission Discussion
- F. Old Business
- G. Adjournment

To provide for information to, and encourage the participation of citizens, individuals who wish to speak on any matter on the approved agenda may do so during the public comment period. Comments will not be accepted once the public comment period is closed. All comments must adhere to the attached Public Hearing Rules.

Items that generate a large amount of citizen interest may be taken out of their regular position on the agenda at the discretion of the Chairman as an accommodation to the public.

Section 3. Order of Consideration of Agenda Items

The following procedure will normally be observed; however, it may be rearranged by the Chairman for individual items if necessary, for the expeditious conduct of business. Failure of the applicant or their representative to attend the hearing will be grounds for rejection of the petition.

- a. Staff presentation and recommendation(s).
- b. Applicant presentation (optional)
- c. Appearance at Public Hearings: Any interested individual or group or their representative will be provided an opportunity to participate in a public hearing. Appearance will be granted in the following order:
 1. Those individuals or groups who wish to speak for the proposal set for public hearing.
 2. Those individuals or groups who wish to speak against the proposal set for public hearing.
 3. Those individuals or groups who wish only to comment.
- d. The Commission may ask any questions, at their discretion, and then proceed to vote. Unless postponed at the request of the petitioner, the Commission shall vote for or against the filing and transmit both its vote and findings to the applicant. The Commission may postpone the decision, for reasonable cause, for a maximum of thirty-five (35) days.
- e. The Commission action shall be based upon the purpose and intent of the Platte County Zoning Rules and Regulations and input received at the public hearing.

Written Comments for Public Hearing: Any Individual or group will be provided with an opportunity to submit written comments to be addressed to the Planning and Zoning Commission within the thirty (30) day public notice period prior to the public hearing. The deadline to receive written comments will be posted in the public notices. Written comments shall automatically be incorporated into the public hearing record.

Section 4. Rules of Hearings

Whereas, the Planning & Zoning Commission ("Commission") will consider the following rules for all Planning & Zoning meetings from this day forth; and,

Whereas, the Commission must weigh the public's interest in providing comments on the items to be considered while also weighing the public's interest in proceeding on the matters in an efficient manner.

Whereas, the Commission expects public participation in all matters, the Commission may consider certain rules to ensure each attendee has reasonable time to make comments to the Commission, and that the Commission has adequate time to consider the comments made.

Now, therefore, the Commission will adopt the following rules for use during all public hearings and all public meetings, for the purpose of considering business brought before the Commission.

1. General Decorum Guideline:

- a. Commission members, staff, speakers and audience members will conduct themselves in a civil and respectful manner at all times during public hearings and/or public meetings.
- b. Failure to conduct themselves in a civil and respectful manner may result in removal from proceedings pursuant to W.S. § 16-4-406.
- c. ***The Commission will only consider the business on the approved agenda.***

2. Rules for Speakers in the Public Comment portion of the hearing:

- a. Speakers must write their name, affiliation **and address** legibly on the Public Comment Sign In sheet prior to providing public comment (W.S. § 16-4-403(b)).
 - i. Platte County Planning & Zoning Secretary will need to document each individual providing public comment.
- b. Each speaker must state their first and last name and affiliation prior to addressing the Commission.
- c. Speakers are requested to refrain from making disruptive comments that are:
 - i. indecent or obscene;
 - ii. intended to incite unlawful action or may put the safety of others at risk;
 - iii. derogatory toward others, such as personal criticism, ridicule or name calling; and
 - iv. intended to promote contests, lotteries, products, services, private enterprise, political candidates or ballot measures.
- d. Each speaker will be limited to **three (3) minutes**. Speakers are **required** to keep comments related to the business or applications presented.
 - i. Commission members may ask questions at any time. When a Commissioner member initiates a question of a speaker, that time will not be considered as part of the speaker's three (3) minute allotted time.
 - ii. This will be timed and strictly enforced.

3. Rules for Audience:

- a. Audience members shall refrain from distracting side conversations or speaking out during meetings.
- b. Audience members shall refrain from shouting, booing or other similar unruly behavior that impedes or disrupts the orderly conduct of the meeting.
- c. Audience members shall not approach the Commission table. Any items an audience member would like to present to the Commission are to be presented to the Secretary. The Secretary will hold the items until such time as the Commission requests to see the items.
- d.

4. Enforcement of Decorum Rules:

- a. The Chair will request that a person who is violating a rule of decorum cease their behavior.
- b. If the behavior continues, the Chair will warn the person that he or she will be removed from the building if the behavior continues.
- c. If the behavior continues, the Chair will order the person to leave the building and may request law enforcement assistance to effectuate removal if necessary.
- d. Refusal to remove oneself from the meeting room when ordered to do so may result in criminal prosecution pursuant to W.S. 6-6-303.
- e. Pursuant to W.S. § 16-4-406, continued disruption may result in the Commission recessing the meeting and reconvene in another location.

5. Legal Status:

- a. Interpretation: Whenever the provisions of these regulations are found to be inconsistent with any other regulations, the regulations imposing the more restrictive standards shall control. The provisions of these regulations are minimum requirements that do not preclude imposition of more restrictive standards by agreement or by law.
- b. Amendment and Repeal: The repeal of any resolutions does not revive any other resolutions or portion thereof repealed by said resolutions. Such repeals do not affect nor prevent the prosecution or punishment of any person for the violation of any resolution repealed hereby for an offense committed prior to the repeal.
- c. Severability: Should any section or provision of these regulations be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the resolutions as a whole or any part thereof, which is not specifically declared to be invalid or unconstitutional.
- d. Effective Date: These regulations shall be in effect from the date of adoption by the Board of County Commissioners.
- e. Authority for Revision: Revisions to these regulations require review by the Planning Commission and approval by the Platte County Commissioners. The pages of these regulations shall reflect the current revision. A revision summary page will reflect a summary of each revision the date approved by the Platte County Commissioners.

Wyoming State Statutes reference above from the most current statute books, as of 2025.

§ 16-4-403. Meetings to be open; participation by public; minutes.

(a) All meetings of the governing body of an agency are public meetings, open to the public at all times, except as otherwise provided. No action of a governing body of an agency shall be taken except during a public meeting following notice of the meeting in accordance with this act. Action taken at a meeting not in conformity with this act is null and void and not merely voidable.

(b) A member of the public is not required as a condition of attendance at any meeting to register his name, to supply information, to complete a questionnaire, or fulfill any other condition precedent to his attendance. A person seeking recognition at the meeting may be required to give his name and affiliation.

(c) Minutes of a meeting:

(i) Are required to be recorded but not published from meetings when no action is taken by the governing body;

(ii) Are not required to be recorded or published for day-to-day administrative activities of an agency or its officers or employees.

(d) No meeting shall be conducted by electronic means or any other form of communication that does not permit the public to hear, read or otherwise discern meeting discussion contemporaneously. Communications outside a meeting, including, but not limited to, sequential communications among members of an agency, shall not be used to circumvent the purpose of this act.

§ 16-4-406. Disruption of public meetings.

If any public meeting is willfully disrupted by a person or group of persons so as to render the orderly conduct of the meeting unfeasible, and order cannot be restored by the removal of the person or persons who are willfully interrupting the meeting, the governing body of an agency may order the removal of the person or group from the meeting room and continue in session, or may recess the meeting and reconvene at another location. Only matters appearing on the agenda may be acted upon in a meeting recessed to another location. A governing body of an agency shall establish procedures for readmitting an individual or individuals not responsible for disturbing the conduct of a meeting. Duly accredited members of the press or other news media except those who participated in a disturbance shall be allowed to attend any meeting permitted by this section.

§ 6-6-303. Refusing to desist or remove oneself from facilities.

No person within or upon the facilities of a governing body shall refuse to desist from a course of conduct or to remove himself from the facilities upon request by an authorized representative of the governing body, after having been notified that the conduct or the presence of the person is contrary to or in violation of established policies, rules or regulations of the governing body which are reasonably related to the furtherance of the lawful purposes of the governing body and incident to the maintenance or orderly and efficient use of its facilities for the purposes for which acquired or designated.