

Cherry County Comprehensive and Zoning Status Update

The Cherry County Planning Commission began the process of rewriting the existing 20 year old plan in 2019. Orval Stahr, the consultant who helped write the original Cherry County Comprehensive Plan and Zoning Regulations was rehired to do the update to both. Orval was also asked to assist the Planning Commission with review of a Conditional Use Permit on wind energy, Planning Commission and Board of Adjustments Bylaws and Rules of Procedures updates, and two proposed amendments to the Cherry County Zoning Regulations. The Cherry County Commissioners entered into a contract with Orval Stahr on June 11, 2019. Orval had attended meetings prior to being hired to present the Planning Commission and Board of Adjustment Bylaws and Rules of Procedure in a joint meeting held in March of 2019. The Planning Commission decided to move forward with the suggested changes and continue to discuss. In June of 2019, Orval attended the Planning Commission Public Hearing on the Conditional Use permit for a wind energy facility. He supplied the board with suggestions on how to proceed. On July 18, 2019 Orval passed away from a heart attack.

The Cherry County Planning Commission then proceeded to look at the possibility of another consultant. Keith Marvin, of Marvin Planning Consultants, had applied previously to be the consultant. Upon hearing of Orval Stahr's passing, he reached out to Cherry County and offered to fulfill Orval's contract. On September 25, 2019 the Cherry County Board of Commissioners approved a contract with Marvin Planning Consultants with proposed completion of the Comprehensive Plan and Zoning Regulations in October of 2020. As most are aware, COVID hit and meetings were suspended for most of 2020. During the entire time of this we had various members go off the Planning Commission and meeting quorum for meetings was difficult without a full board. There was also a time, due to pending lawsuits against Cherry County concerning the Cherry County Comprehensive Plan and Zoning Regulations, on the advice of the County Attorney we suspend the process. Also during the last 2-3 years, Keith Marvin has had major health issues. Under doctors orders, he asked to take a step away. Keith was the only personnel in his office, but he's since found an assistant. In 2022, up to this date, the Planning Commission has made great strides to complete their changes to the Comprehensive Plan and are waiting for Keith to start working on the Zoning Regulations. The Comprehensive Plan is what drives the Zoning Regulations so they can't be started until it has been finished. After the Planning Commission completes their review of both the Comprehensive Plan and Zoning Regulations, they will hold public gatherings in the county and a Public Hearing in Valentine before any motions are made and the documents are sent to the County Commissioners.

On June 29th the Cherry County Commissioners hired American Stewards of Liberty's Margaret Byfield to review the Comprehensive Plan and Zoning Regulations. The scope of their work was to include protecting property rights, conservation easements, and productive uses of natural resources. As of March 31, 2022, Margaret had reviewed all of the Chapters in the Comprehensive Plan that she was contracted for. The board then spent time going through her changes and eliminated some things. They sent these changes to Keith to update his documents. The board has sent the final changes to Keith and are waiting for him to send back a final draft of the Comprehensive Plan and then follow with a draft of the Zoning Regulations.

The Cherry County Planning Commission did adopt new Bylaws and Rules of Procedure on January 12, 2022.

As of March 20, 2023