

## CHAPTER XIII – SUBDIVISION RESOLUTION

A RESOLUTION REGULATING THE SUBDIVISION AND/OR PLATTING OF LAND IN THE COUNTY OF SUBLETTE, WYOMING, FOR THE PURPOSE OF TRANSFER OF OWNERSHIP, OR FOR BUILDING DEVELOPMENT; ESTABLISHING MINIMUM SUBDIVISION DESIGN STANDARDS; PROVIDING FOR MINIMUM IMPROVEMENTS BY SUBDIVIDERS; ESTABLISHING PROCEDURES TO BE FOLLOWED IN APPLYING SUCH RULES, REGULATIONS, AND STANDARDS; AND PRESCRIBING PENALTIES FOR THE VIOLATIONS OF ITS PROVISIONS.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SUBLETTE COUNTY, STATE OF WYOMING:

### SUBCHAPTER I: GENERAL PROVISIONS

Section 1. NAME OF THE RESOLUTION. This resolution shall be known and may be cited, as the Subdivision Resolution of the County of Sublette.

Section 2. AUTHORITY. The Subdivision Resolution of the County of Sublette is authorized by Section 18-5-315, Wyoming Statutes, 1977, as amended.

Section 3. INTENT AND PURPOSE. The Board of County Commissioners of the County of Sublette establish this Subdivision Resolution to promote public health, safety, welfare, and orderly growth; to preserve human values and property values; to develop for the County of Sublette its own distinctive character arising from its special climate, topography, economy, and people; to develop subdivisions with optimum view, air, sunlight, orientation, and utilization of natural features; and to maintain the scenic values, and wildlife resources of the County.

These regulations are enacted for the purpose of implementing the Comprehensive Plan by the establishment of requirements and procedures to regulate and control the design and improvement of all subdivisions of land within the County to achieve the following additional purposes:

- a. To ~~insure~~ **ensure** conformance and coordination of land subdivision plans with and among the public improvement plans of the County and its municipalities.
- b. To encourage well-planned subdivisions by establishing environmentally adequate standards for design and improvement thereof.
- c. To improve land records by establishing standards for surveys and maps.
- d. To safeguard the interests of the public, property owner, and the subdivider.
- e. To ensure equitable processing of all subdivision proposals by establishing uniform procedures and standards.

Section 4. JURISDICTION. The territorial jurisdiction of the Subdivision Regulations shall include all of the unincorporated lands within Sublette County, Wyoming.

Section 5. INTERPRETATION. In their interpretation and application, the provisions of this Resolution shall be held to be minimum requirements. No provision of this Resolution is intended to repeal, abrogate, annul, impair, or interfere with any existing Resolution of the County or statute of the State of Wyoming, except as is specifically repealed by adoption of this Resolution, provided that where any provision of this Resolution imposes more stringent regulations, requirements, or limitations than is

imposed by any other Resolution of Sublette County or any statute of the State of Wyoming, then the provisions of this resolution shall govern.

Section 6. SUBDIVISION PERMIT REQUIRED. No person shall subdivide land located in Sublette County, or commence construction of a subdivision without securing a subdivision permit in the manner prescribed in this Resolution. Such subdivision permit shall be signed by the Board of County Commissioners indicating approval of the subdivision. No subdivision permit shall be issued unless and until the requirements of this resolution have been complied with. A subdivision permit may be transferred upon sale of the subdivision. Unless the method of sale is adopted for the purpose of evading the provisions of this resolution, this resolution shall not apply to any subdivision of land that:

- a. Is a Family Division as defined in the County Zoning and Development Regulations;
- b. A division which may be created by any court of this state pursuant to the law of eminent domain, by operation of law or by order of any court in this state;
- c. A division which is created by a lien, mortgage, deed of trust or any other security instrument, easements and rights-of-way;
- d. Lands located within incorporated cities or towns;
- e. A division which is created by the sale or other disposition of land to the state of Wyoming or any political subdivision thereof;
- f. A division which affects railroad rights of way;
- g. A division which is a sale or other disposition of land for agricultural purposes or affects the alignment of property lines for agricultural purposes;
- h. A division which is created by boundary line adjustments where the parcel subject of the sale or other disposition is adjacent to and merged with other land owned by the grantee;
- i. A division which creates cemetery lots;
- j. A division which is created by the acquisition of an interest in land in the name of the husband and wife or other persons in joint tenancy or as tenants in common, and the interest shall be deemed for purposes of this subsection as only one (1) interest;
- k. A division of land creating a parcel five (5) acres or less for the purpose of establishing unmanned communication facilities, compressor stations, metering stations, fiber optic booster stations or similar unmanned facilities;
- l. This Section shall not apply to the sale or other disposition of land where the parcels involved are thirty-five (35) acres or larger, subject to the requirement that ingress and egress and utility easements shall be provided to each parcel by binding and recordable easements of not less than forty (40) feet in width to a public road unless specifically waived by the grantee or transferee in a binding and recordable document.

Section 7. CONFORMITY WITH ZONING AND DEVELOPMENT REGULATIONS RESOLUTION. A subdivision plat shall conform with all applicable regulations prescribed by the Zoning and Development Regulations Resolution.

Section 8. FEES. ~~Each application for a subdivision permit shall be accompanied by a fee to be determined by the Board. The fee shall be the greater of one hundred seventy-five dollars (\$175.00) or fifteen dollars~~

~~(\$15.00) per lot up to a maximum fee of one thousand dollars (\$1,000.00). Said fee shall be paid at the time of filing the preliminary plat application and other materials described in Chapter III. Each application for a variance shall be accompanied by a fee of seventy five dollars (\$75.00).~~

**Each subdivision permit application shall be accompanied by the applicable application fees associated with the preliminary plat or final subdivision plat application. All fees shall be paid at the time of filing the preliminary plat or final plat application along with all other requested information. All other remaining review fees shall be paid prior to filing of the final subdivision plat with the County Clerk's Office.**

Section 9. DEFINITIONS. For the purpose of this Resolution, the following words shall have these meanings. Where not inconsistent, words in the present tense include the future, words in the singular include the plural, and vice versa, and the word "shall" is mandatory.

Acre a measure of land area containing 43,560 square feet.

Administrator is the Planning and Zoning Administrator of Sublette County.

Alley is a minor road which is primarily used, or intended to be used, for secondary vehicular service access to the back or side of properties.

Arterial Street or Road is a street or road of considerable continuity which serves, or is intended to serve, principal traffic flow between separated areas or districts, and which is the main means of access to collector streets or roads and to residential streets or roadway systems.

Board is the Board of County Commissioners of Sublette County, Wyoming.

Collector Street or Road is a street or road which carries traffic from minor streets or roads to arterial streets or roads, including the principal entrance streets or roads of a residential development, and the streets or roads for circulation within a residential development.

Commission is the Planning and Zoning Commission of Sublette County, Wyoming.

Comprehensive Plan is the official statement of the Board of County Commissioners of Sublette County, adopted June 20, 1978, and *as amended*, regarding the future development of Sublette County.

County Engineer is the professional engineer qualified to practice and duly registered under Wyoming State Statutes, who is appointed by the Board of County Commissioners.

County Surveyor is the land surveyor, duly registered under Wyoming State Statutes, who is appointed by the Board of County Commissioners.

Cul-De-Sac Or Dead-End Street or Road is a minor street or road, with only one outlet, which shall be terminated by a permanent turnaround with a minimum radius of sixty (60) feet.

Dedication is a landowner setting apart land for public use, followed by an acceptance of such donation by the appropriate legal entity.

Easement is the quantity of land set aside, or, over which a liberty, privilege, or advantage in land, existing distinct from the ownership of land, is granted to the public, or some particular person, or part of the public.

Exemption is a release from an obligation imposed by this Resolution.

Final Plat is a map or plat of a subdivision which has been accurately surveyed, and such survey marked on the ground so that streets, blocks, lots, and other divisions thereof can be identified.

Flag Lot is a manner of giving access in fee title. The lot is so designed that it has a narrow access way combined with the appurtenant lot.

Frontage is the side of the lot abutting on a street; the front line.

Frontage Street or Road is a minor street or road which is parallel with, and adjacent to, arterial streets or roads, providing access to abutting properties and facilitating protection from through traffic.

Improvements are all such facilities, utilities, sewage and drainage work, and street work to be constructed or installed by the subdivider in and upon streets, easements, and other rights of way, as are necessary for the general use of residents in the subdivision and for local traffic and drainage needs, and are required as prerequisites to the approval of the subdivision permit and the final subdivision plat and acceptance of the land dedicated therewith.

Lot is a parcel of subdivided or divided land, which is shown on a duly approved and recorded subdivision plat, or other legal map, or by metes and bounds.

Net Acre consists of 43,560 square feet of land excluding any street or road right of ways.

Official Road Map of Sublette County is the map established and adopted by the Board of County Commissioners showing public roads.

Owner is a natural person, firm, association, partnership, private corporation, public or semi- public corporation, or any combination thereof, in which full right of title to real property is vested.

Planned Unit Development is a residential development on a site of 5 acres or more designated as a complete, integrated unit in which the dwelling units are concentrated on the portion of the site most suitable for development, and within which prescribed minimum standards for site area, setbacks, and the bulk and spacing of buildings may be modified to achieve preservation of open space areas of 50 percent or more of the total acreage.

Preliminary Plat is a map showing the design of a proposed subdivision, the existing conditions in and around it, and the proposed improvements.

Right Of Way is the right of the public to cross the real property of another person.

Seasonally High Ground Water the highest elevation reached by groundwater during the year.

Street Or Road Right-Of-Way Width is the shortest distance between the lines delineating the right of way of a road or street.

Subdivider is any individual, firm, association, syndicate, co-partnership, corporation, agent, trust, or any other legal entity commencing proceedings under this Resolution to affect a subdivision of land, a stock offering, or a condominium development hereunder for himself or another person.

Subdivision means the creation or division of a lot, tract, parcel or other unit of land for the immediate or future purpose of sale, building development or redevelopment, for residential, recreational, industrial, commercial or public uses. The word "subdivide" or any derivative thereof shall

have reference to the term subdivision, including mobile home courts, the creation of which constitutes a subdivision of land;

Subdivision Permit is a permit indicating approval of the final plat of a subdivision by the Board of County Commissioners, issued upon authorization by the Board at the time a final plat is recorded.

Wastewater Treatment System is any type of system designed and installed for the purpose of collecting and treating wastewater generated by one or more dwelling units or other uses.

Water Supply, Public is a system of water supply distributed by 10 or more service connections for purposes of human consumption and sanitation or other household or business uses.

Zoning is the confining of certain classes of building and land uses to certain localities, areas, districts, or zones, and the regulation of heights, area, bulk, location, and use of private and public structures and premises, and population density.

Zoning And Development Regulations Resolution is that Resolution adopted December 18, 1978, by the Board of County Commissioners to implement the Comprehensive Plan, and includes All Subsequent Amendments to that Resolution.

## SUBCHAPTER II: PROCEDURAL REQUIREMENT

Section 1. REQUIRED PROCEDURES. The procedures prescribed in this chapter shall be followed to secure a subdivision permit.

Section 2. PRE-APPLICATION CONFERENCE. Conferences are to familiarize applicants with the requirements of the Regulations and other relevant information. To schedule a pre-application conference, the applicant shall contact the Sublette County Office of Planning and Zoning with preliminary materials as described in the corresponding application. Information provided by the County at a pre-application conference is not binding and may be modified as the development review progresses. The purpose of the conference shall be to discuss the proposed subdivision concept, its relationship to surrounding development, any site condition that require special consideration or treatment, and requirements of this resolution and the Zoning and Development Regulations that would be applicable. ~~A pre-application conference shall be required. The conference shall be scheduled upon the request of the Administrator or at the request of the applicant. In addition to the applicant or his representative and the Administrator, participants in the conference may include a member or members of the Planning and Zoning Commission and representatives of any public agency that may have an interest in or be affected by the proposed subdivision. The purpose of the conference shall be to discuss informally the proposed subdivision concept, its relationship to surrounding development, any site condition that may require special consideration or treatment, and the requirements of this resolution and of the Zoning and Development Regulations Resolution that would be applicable~~

Section 3. APPLICANT ACTION.

- a. PUBLIC NOTICE. The applicant shall publish in a local newspaper, a notice of his intent to apply for a permit to subdivide, once each week for two (2) weeks within thirty (30) days prior to filing his application with the Planning and Zoning Office. The notice will include the name of the subdivider and the general location of the land to be subdivided.
- b. APPLICATION TO APPROPRIATE AGENCIES. The applicant shall submit a copy of the application to the appropriate agencies, such as Wyoming State Engineer's Office, the Wyoming Department of Environmental Quality, the Sublette County Conservation District, municipalities within one (1) mile of the development, and applicable irrigation

districts as described herein, for required approvals, comments and suggestions.

- c. FILING REQUIREMENTS: PRELIMINARY PLAT. Application for preliminary plat approval shall be filed with the Administrator on the prescribed form which shall contain the name and address of the owner or applicant, and a notarized statement that the applicant, if not the owner, is authorized by the owner to make application and act as agent for the owner. The application shall be accompanied by ~~ten (10) copies of the preliminary plat~~ one (1) printed copy of the preliminary plat, and one (1) copy provided in electronic pdf format, the accompanying material prescribed in Chapter III, page 14, and the required application fee.

Section 4. ZONING ADMINISTRATOR ACTION: PRELIMINARY PLAT. The Administrator shall review the application and the preliminary plat submitted therewith, and if they are found to be complete, shall accept the application and fee. If in the opinion of the Administrator, the preliminary plat contains land that may be needed for a public utility, park, school, or other public facilities; The Administrator shall within ~~three (3) days~~ seven (7) days transmit a copy of the plat to the appropriate public agency together with a request for its comments to be returned within 30 days. Copies of the plat shall be transmitted to the Plat and Map Review Committee, consisting of the County Geographic Information Coordinator, County Planning and Zoning Administrator, appointed surveyor, and appointed abstractor, appropriate Fire Department, Conservation District, and School District, and may be transmitted to any other public agency that may be affected by the proposed subdivision. Within 30 days, the Administrator shall prepare a report covering compliance with all requirements of the regulations contained in this resolution that are applicable to the proposed subdivision. The Administrator shall submit the application, the preliminary plat, a staff report, and any comments received from any public agency to which the plat was referred, to the applicant and the Planning and Zoning Commission no later than 10 days before the next regularly scheduled meeting of the Commission.

Section 5. PLANNING AND ZONING COMMISSION ACTION: PRELIMINARY PLAT. The Planning and Zoning Commission shall review the application, the preliminary plat, the report of the Administrator, and any comments on the proposed subdivision received from a public agency. At its option, the Commission may request review by any qualified professional person, and may conduct such investigations, examinations, tests and site evaluations as it deems necessary to verify the information contained in the application or shown on the plat. The applicant shall grant the Commission or its agent permission to enter upon his land for these purposes.

The Commission shall hold a public review of the application. Within thirty (30) days after said review, the Commission shall recommend to the Board of County Commissioners that the Board:

- a. Approve the preliminary plat.
- b. Approve the preliminary plat subject to such modifications and conditions as the Commission deems necessary to justify it making the findings prescribed in Section 7 of this chapter.
- c. The Planning and Zoning Commission may continue the preliminary plat application until the next regularly scheduled Planning and Zoning meeting if the Commission determines insufficient information or facts have been submitted to allow a decision on the preliminary plat based on the required findings prescribed in Section 7 of this chapter.
- d. Deny the application.

Section 6. BOARD OF COUNTY COMMISSIONERS ACTION: PRELIMINARY PLAT: Within ten (10) days after the action of the Planning and Zoning Commission, its findings and recommendation shall be transmitted to the Board of County Commissioners. At its next regularly scheduled meeting held on Planning and Zoning items the Board shall hold a public review. Within thirty (30) days after the review,

the Board shall:

- a. Approve the preliminary plat.
- b. Approve the preliminary plat subject to such modifications and conditions as the Board deems necessary to justify it making the findings prescribed in Section 7 of this chapter.
- c. The Board of County Commissioners may continue the preliminary plat application until the next regularly scheduled Board of County Commissioners meeting held on Planning and Zoning items if the Commission determines insufficient information or facts have been submitted to allow a decision on the preliminary plat based on the required findings prescribed in Section 7 of this chapter.
- d. Deny the application.

As a condition of approval of a preliminary plat, the Board may require the dedication of land for streets, parks, playgrounds, or other public uses, provided that acceptance of dedication of proposed public lands shall be made only by the Board, and approval of a preliminary plat shall not be deemed an acceptance of dedication.

Section 7. REQUIRED FINDINGS. Before recommending approval or approving a preliminary plat, the Planning and Zoning Commission and Board of County Commissioners shall make the following findings:

- a. The proposed subdivision conforms with all applicable provisions of the Zoning and Development Regulations Resolution of Sublette County.
- b. The proposed subdivision will not interfere with existing agricultural water rights, and that provision has been made to ensure access to agricultural water supplies and systems for maintenance.
- c. The proposed subdivision will not have any significant adverse impact on neighboring properties that are either developed or undeveloped.
- d. The proposed subdivision will not have any significant adverse impact on the County's scenic resources.
- e. The proposed subdivision will not have any significant adverse impact on wildlife habitat, wildlife migration routes, or fisheries.
- f. The proposed subdivision will not cause **significant** traffic congestion or safety hazards.
- g. The proposed subdivision is consistent with the purposes of this resolution.
- h. The proposed subdivision is consistent with the provisions of Sections 18-5-301 through 18-5-315, Wyoming Statutes, 1977, as amended, and as modified herein.
- i. The proposed subdivision is in an area where public services such as schools, police, fire protection, transportation and utilities are available and accessible.

Section 8. DENIAL OF APPROVAL, REAPPLICATION. When an application for preliminary plat approval is denied, the applicant shall be provided with a written statement prepared by the Zoning Administrator and approved by the Board **of County Commissioners** containing the specific reasons for such denial. The applicant may reapply for preliminary plat approval, provided that the application shall include an affidavit that all deficiencies that caused the original application to be denied have been corrected.

Section 9. FILING REQUIREMENTS: FINAL PLAT. Within one year of the date of approval of a preliminary plat by the Board of County Commissioners, the applicant shall have a final plat prepared in accord with the provisions of Chapter XII, Subchapter IV, and shall file with the Administrator an original tracing and electronic pdf format copy of the final plat containing all of the required certifications, and as many copies of the accompanying material prescribed in Chapter XII, Subchapter IV, as shall be required by the Administrator.

Section 10. ZONING ADMINISTRATOR ACTION: FINAL PLAT. Upon acceptance of the final plat containing all of the required certifications, the accompanying materials, and fee, and within ten (10) days thereafter, the Administrator shall review the final plat for conformity with the approved preliminary plat and any conditions of approval thereof, and shall prepare a report thereon.

Section 11. PLANNING AND ZONING COMMISSION ACTION: FINAL PLAT. Planning and Zoning Commission action shall not be required for Final Plat application(s) in which all reviews, regulatory requirements or conditions of approval have been completed and fulfilled. Planning and Zoning Commission action, in the form of a public hearing and recommendation to the Board of County Commissioners, shall be required for Final Plat application(s) in which reviews, regulatory requirements or conditions of approval associated with the Preliminary Plat have not been completed and fulfilled. When a Final Plat application(s) requires action by the Planning and Zoning Commission a public hearing shall be scheduled for the next Planning and Zoning Commission meeting following the deadline date for review(s) to be completed.

Section 12. PLAT REVIEW COMMITTEE ACTION: FINAL PLAT. The applicant shall submit five (5) copies of the final plat to the Administration for review by the Plat and Map Review Committee. The Committee consists of the County GIS Coordinator, County Planning and Zoning Administrator, appointed surveyor and appointed abstractor. The Plat and Map Review Committee shall complete its review within thirty (30) days of receipt of the final plat.

Section 13. BOARD OF COUNTY COMMISSIONERS ACTION: FINAL PLAT. At its next regularly scheduled meeting following receipt of the Planning and Zoning Commission's recommendation and the Plat Review Committee recommendations, the Board of County Commissioners shall review said recommendations and shall consider the completeness and adequacy of the following:

- a. IMPROVEMENTS APPROVAL. The Board shall review the signed statement of the county engineer or surveyor or other authorized individuals, certifying that the enumerated improvements meet the minimum requirements of all pertinent county, state, and federal rules and/or regulations and that the amount of the improvement's security is sufficient.
- b. IMPROVEMENTS SECURITY. The Board shall review the cash bond or letter of credit which has been submitted by the subdivider to assure the actual construction of improvements within the subdivision. The Board shall determine if the type of security is acceptable.
- c. DISPOSITION OF WATER RIGHTS. The Board shall withhold the granting of a subdivision permit until the provisions of Chapter XII, Sub-Chapter III, Section 2, paragraph C, subparagraphs 2 through 4, of this resolution have been met.
- d. FEES FOR OTHER SERVICES. Required reviews including but not limited to the Title Company, Engineer, Surveyor or Specialized Consultant shall be required to be paid by the applicant to the County Clerk at 100% of actual cost prior to the filing of the final plat.

If the Board determines that the final plat, performance guarantees for improvements for the subdivision, and all other requirements of this resolution have been complied with, the Board shall accept the final plat



and shall authorize the issuance of a subdivision permit. The final plat shall be held in the Planning and Zoning Office until recordation by the subdivider or owner.

Section 14. RECORDATION. Within thirty (30) days of approval of the final plat by the Board of County Commissioners, the applicant shall file the original tracing of the final plat bearing all of the required signatures with the County Clerk and shall pay all recording fees.

Section 15. REVOCATION. The Board of County Commissioners may revoke a subdivision permit upon failure to comply with the conditions of approval of a final plat, upon violation of any of the provisions of this resolution, or for fraudulent representations or material omissions made to the Planning and Zoning Commission or the Board, by or on behalf of the applicant.

## SUBCHAPTER III: PRELIMINARY PLAT

### Section 1. PRELIMINARY PLAT CONTENTS.

#### a. DESCRIPTIVE INFORMATION.

1. Title Block. Located in the lower right-hand corner and shall contain the following information:
  - a. Name and number or other designation for the subdivision.
  - b. Location by section, township, range and county.
2. Vicinity Map
  - a. Minimum scale 1"=2000'.
  - b. Location of subdivision, including address if applicable, and the section, township and range.
  - c. All property under the control of the subdivider within one (1) mile of the proposed subdivision.
  - d. Sketch of the prospective street system of the unplatted parts of the subdivider/owner's land.
  - e. Section corners found or set.

#### b. GENERAL INFORMATION

1. Names and addresses of the owner, subdivider, and surveyor or other person that prepared the plat.
2. Date of preparation and date of survey if applicable.
3. North arrow, scale.
4. Acreage, number of lots, density.
5. Land use district within which the proposed subdivision is located.
6. Names of abutting landowners and the abutting boundaries of their parcels.

#### c. INFORMATION ON EXISTING CONDITIONS.

1. Location of nearest horizontal and vertical control monuments.
2. Location, width and names of all existing streets within two hundred (200) feet of the proposed subdivision.
3. Rights of way or easements of record. Give recordation information.

4. Location of parks, public open spaces, permanent buildings and structures.
5. Incorporation lines of towns within one mile.
6. Location of all wells and reservoirs within one hundred (100) feet of the subdivision.
7. Location of sewers, water mains, culverts or other underground facilities within the proposed subdivision and to a distance of at least one hundred (100) feet beyond the subdivision boundaries. Indicate pipe sizes, grades, manholes and exact locations.
8. Location of ditches, culverts, canals, natural drainage channels, and open waterways and proposed realignments thereof.
9. Location of potentially hazardous areas located on or adjoining the proposed subdivision.
10. Contours, existing and finished, at vertical intervals of not more than ten (10) feet, where the slope is 5% to 15% or not more than twenty (20) feet where the natural slope exceeds 15%. If contours are shown, the nearest horizontal and vertical monument shall be shown.
11. High water levels, where known, of all watercourses and any area subject to flooding or shown on the Flood Hazard Boundary Maps.

d. SUBDIVISION LAYOUT INFORMATION.

1. Minimum scale of 1"=200' for lots 10 acres or larger, for lots smaller than 10 acres minimum scale of 1"=100'.
2. Plat size shall be 24" X 36" or 22" x 36".
3. The boundary of the subdivision shall be shown.
4. Layout, width and name of all proposed streets. Minimum width of all access streets and interior streets shall be sixty (60) feet.
5. Easements for utilities, drainage, or other purposes identified by intended use and width thereof.
6. Lot lines, lot numbers, approximate dimensions and area in square feet or acres, as appropriate, for each lot.
7. Areas in open space to be dedicated to the public or to be retained for the use of property owners in the subdivision.
8. On lots where the proposed wastewater treatment system consists of septic tanks and leach fields, the location of two leach field sites, one for immediate use and one to be held in reserve for future use shall be shown on each lot. If site conditions warrant, designated areas for wells and/or leach field sites shall be shown on the final plat.
9. Location of proposed community wastewater treatment facility or community water supply, if applicable.

10. If plat is for a mobile home park, state if the lots are to be rented or sold. (If at a later date the purpose of the lots is changed the plat must be amended.)

Section 2. DRAWINGS, STATEMENTS AND OTHER DATA.

a. DRAWINGS.

1. Typical cross sections and proposed gradients of all streets which do not comply with the County Road Standards.
2. Engineering analysis, plans and drawings for public water supply or wastewater treatment.
3. Drainage plans and drawings.
4. Irrigation plans and drawings.

b. STATEMENTS.

1. Method by which the applicant proposes to provide water supply and wastewater treatment systems. If no community systems are proposed the following statements shall appear:
  - (a) "NO PROPOSED PUBLIC SEWAGE DISPOSAL SYSTEM."
  - (b) "NO PROPOSED DOMESTIC WATER SOURCE."
2. Method by which the applicant proposes to handle stormwater and snowmelt drainage, including provisions for erosion control.
3. If there will be no public maintenance of roads, the statement "NO PUBLIC MAINTENANCE OF STREETS OR ROADS" shall be placed on the plat.

c. OTHER DATA.

1. For a subdivision where slope exceeds 15% evidence that each lot will contain a building site not located in a hazardous or unstable area.
2. The applicant's engineer or surveyor shall certify whether or not water rights are attached to the land and the status of the rights. If a subdivision is proposed for lands that have valid water rights, the subdivider is required to supply evidence concerning his intentions regarding the disposition of the water resource as follows:
  - (a) Abandonment of Water Rights: The applicant must petition for voluntary abandonment to the Board of Control if the water right is adjudicated or to the State Engineer if the water right is unadjudicated.
  - (b) Transfer of Water Rights: The applicant must petition for change of use, point of use or point of diversion which would remove the water right from the proposed subdivided lands and allow it to be transferred, without loss of priority, to other lands in his ownership if the petition were granted

by the Board of Control or the State Engineer.

(c.). Retainment of Water Rights: The applicant must submit a plan certifying as to the accuracy and workability of the plan by a professional engineer or land surveyor registered in the State of Wyoming. This proposal also must include a petition to the Board of Control or State Engineer for change in use, change in place of use, change in point of diversion or means of conveyance, if applicable.

(i) All active ditches and laterals that serve the lots of the subdivision shall be shown on the plat and have specified easement widths adequate for the installation and maintenance of the proposed ditches and laterals.

(ii) The subdivider shall indicate on the deed and plat as to who is to develop and maintain the ditches and laterals.

(iii) The subdivider shall submit evidence of the plan being submitted to the State Engineer's Office.

(d) The Board of County Commissioners shall withhold any granting action until the Board of Control or the State Engineer ultimately either grant or deny the petition submitted to them.

3. If the proposed subdivision is in an irrigation district or is served by a ditch, irrigation company or association or is served by an unorganized ditch, the subdivider must submit evidence that the proper district, company, association or individuals have had the opportunity to review and present recommendations relative to the proposed subdivision. The proper company, association, or individual shall have forty-five (45) days to review the plan as verified by receipt of certified mail. If the subdivision is within an irrigation district, a statement shall be placed on the plat giving the district's name and stating that the lots are subject to tax assessment for the district.
4. The subdivider shall specifically state on all offers and solicitations relative to the subdivision that the seller does not warrant to a purchaser that he shall have any rights to the natural flow of any stream within or adjacent to the subdivision. The subdivider shall further state that Wyoming law does not recognize any riparian rights to the continued natural flow of a stream or river for any persons living on the banks of the stream or river.
5. The Board shall require the applicant to obtain review and recommendations from the local conservation district regarding soil suitability, erosion control, sedimentation, and flooding problems. Groundwater tables must be verified during irrigation season. A private firm may be hired for soil analysis, but approval must come from the local conservation district. The review and recommendations of said district shall be completed within sixty (60) days. If weather conditions prevent soils analysis and no records are available, the time for district review may be extended at the discretion of the Planning and Zoning Commission.
6. Copies of any agreements with adjacent property owners relevant to the proposed subdivision must be submitted.
7. Copy of a conveyance to the owners of record and subdividers, e.g., Warranty

Deed, Quit Claim Deed, Title Insurance and/or Memorandum of Contract. Such additional material as the Administrator may require or the applicant may choose to submit pertinent to the application and the findings prerequisite to the approval of a preliminary plat prescribed in Chapter II, Section 7.

Section 3. SUBDIVISION DESIGN STANDARDS.

a. STREETS OR ROADS.

1. Streets or roads must conform with the county road standards, for subdivisions. An engineered roadway design shall be reviewed and accepted by a civil engineer designated by the Planning Department prior to approval of the Final Plat.
2. Sixty (60) feet minimum right-of-way width shall be required for all access roads to and streets or roads within the subdivision.
3. Provision for continuation of streets or roads in adjoining areas shall be made as may be deemed necessary by the Board.
4. Frontage roads may be required where a subdivision abuts an existing arterial or major street or road.
5. Arterial and collector streets shall be leveled to grade or less than one (1) percent for a distance of one hundred (100) feet from the right of way of an intersection.
6. Roads must be contoured along hills to preserve the character of the terrain.
7. Intersections shall be at minimum eight-five-degree (85°) radius angle with the main road, with one hundred (100) foot tangent from right of way to the point of commencement of the curve
8. Copies of all State and/or Federal access permits must be filed with the Planning and Zoning Office. County access permit shall be obtained to any county road.
9. Traffic control and road name signs, in conformance with County specifications, shall be placed at all road intersections appurtenant to the subdivision.
10. Street and road names must be approved by the Planning and Zoning Office.
11. Easements for cul-de-sacs shall have a minimum 60-foot radius, with a 45-foot radius improved surface.
12. Roads shall be built on the centerline of the easement.

b. ALLEYS.

1. Alleys shall be provided in mobile home park, commercial, business, and industrial districts, except the Board may waive this requirement where other adequate and assured provision is made for service access, off street loading, unloading, parking, and installation of public utilities.
2. No dead-end alleys shall be allowed, except the Board may waive this requirement where such dead-end alleys are unavoidable and adequate turnaround facilities have been provided.

3. Minimum width shall be twenty (20) feet.

c. EASEMENTS.

1. Utility easements with a right-of-way width of ten (10) feet shall be provided along all front, rear, and side lot lines.

~~2. Utility easements shall not be located within the street or road right of way.~~

3. Drainage ditch, irrigation ditch and canal easements of sufficient and specified width for maintenance and viable ingress and egress shall be provided.

4. Easements for roads and utilities to adjoining lands for future development may be required.

5. A protection strip or buffer strip located between a street or road right of way and the adjacent property to limit or control access is prohibited.

6. Where access to a subdivision crosses public lands i.e. BLM, State, Forest Service, the developer shall make provisions to insure that such access will continue after the subdivided lands are resold.

7. All utility easements placed within a subdivision road easement shall be placed in the outermost ten (10) feet of the road easement, with all utility pedestals to be located on the outmost edge of the road easement.

8. When deemed necessary additional easements may be required for the construction of or maintenance of roads.

d. LOTS. Lot size shall be in conformity with the provisions of the Zoning and Development Regulations Resolutions.

1. Minimum lot size shall be:

a. 10,000 square feet if public sewage and water supply are available in the R, R MH, R-R, or R-R MH districts.

b. 2 net acres if individual wells and septic system are utilized in the R, R MH, R-R, or R-R MH district.

c. Lots of four acres or less shall be net acres.

d. In the R-R 5, R-R 10 and R-R 20 zones, where the quarter/quarter section is not a full 40 acres, lots which are 4.5 to 5 acres shall be considered 5 acre lots, lots which are 9.5 to 10 acres shall be considered 10 acre lots, lots which are 19.5 to 20 acres shall be considered 20 acre lots.

2. Principal access to a street or road shall be provided for each lot.

3. Side lot lines shall be substantially at right angles to straight roads or street lines, or radial to curved road or street lines.

4. Corner lots shall be provided with a minimum twenty (20) foot radius.

5. Lots ~~determined~~ ~~deemed by the Board~~ to be subject to flooding or otherwise uninhabitable shall not be platted for residential occupancy, nor for other uses that may endanger health, life or property, or aggravate the flood hazard.
6. Uninhabitable areas may be designated as open space.
7. Lots should not be divided by a roadway. If said division is unavoidable, a note must be placed on the plat stating that the lot cannot be sold as two tracts without first meeting the requirements of this resolution.
8. Minimum width:
  - a. Fifty (50) feet shall be required between radials on the curve of a cul-de-sac.
  - b. Depth to width ratio of greater than three to one (3:1) shall not generally be permitted on lots of 3 acres or less. The minimum lot frontage on any lot shall be 100 feet or 35 feet minimum when the design is on a cul-de-sac. Larger lots shall be of sufficient width to provide a good building site which meets all setback requirements.
9. Residential lots shall be arranged to afford the best possible view, privacy, orientation for sunlight and air, safety, and utilization of natural features.

e. PUBLIC SITES AND OPEN SPACES.

1. Where lot size is less than two (2) acres, parks and playgrounds shall be central in all residential neighborhoods of every fifty (50) lots.
2. Areas reserved for public sites and open spaces shall be in the ratio of one half (1/2) acre for every ten (10) lots where lots are less than two (2) acres.
3. More than one site shall be required for residential subdivisions of more than fifty (50) lots where lots are less than two (2) acres in size.

f. UTILITIES.

1. Water Supply.
  - (a) Where an approved public water supply is reasonably accessible or procurable, the subdivider shall install water lines or shall contract with the local water distributing agency to make the water supply available to each lot within the subdivision.
  - (b) Public water supply shall be provided on lots of less than one acre.
  - (c) If individual wells are proposed, the subdivider shall submit with the application, a hydrology study by a Wyoming professional geologist specializing in hydrology providing evidence that adequate water supply and quality meeting all State requirements will be accessible to the proposed subdivision. The hydrology study shall determine the effect of additional wells on the aquifers and surrounding wells. In addition, the study shall state the potential availability and quality of groundwater within the proposed subdivision.  
A minimum twenty-four (24) hour well pump test, conducted on the proposed subdivision site, to obtain data shall be performed and the



results submitted with the application. If served by a municipal water supply, a hydrology study is not required.

2. Wastewater Disposal.

- (a) Where a public sanitary sewer system is within five hundred (500) feet, or in the opinion of the Board is close enough to require a connection, the subdivider shall connect with such sanitary system.
- (b) Where onsite community wastewater disposal is proposed, the subdivider shall obtain approval from the County and the Department of Environmental Quality to install central sewage treatment facilities.
- (c) Where small wastewater systems are to be utilized, there must be two (2) leach field sites on each lot and shall be shown on the plat where conditions warrant.
- (d) All wastewater shall be disposed of in a manner which meets the standards of the Department of Environmental Quality and Sublette County.
- (e) The depth of the seasonally high ground water shall be greater than 2 feet from the natural ground surface for residential subdivisions utilizing small wastewater systems.
- (f) For those individual site locations where seasonally, high groundwater may be present; high groundwater information shall be required to be collected during the high groundwater season (usually during the height of the irrigation season i.e., mid-June through mid-July).
- (g) When the subdivision is to be served by individual septic systems, subdividers shall furnish the Sublette County Planning and Zoning office a report of percolation tests completed on the land by a registered professional engineer or land surveyor indicating that a sufficient number of percolation tests have been made in separate test holes spaced uniformly over proposed absorption field sites, and that the results of such tests indicate that percolation rates are adequate to permit the installation of the proposed type of soil absorption system without creating sanitation or pollution problems.

3. Electricity and Telephone

- (a) All utility lines must be underground unless terrain or large lot size warrant the installation of overhead main trunk lines.
- (b) Underground utilities shall be provided in subdivisions at developer's expense except any voltage line above distribution circuits.

4. Fire Protection.

All new subdivisions and planned unit developments shall comply with the fire protection requirements set forth in this Resolution. With the exception that subdivisions where all lots within the subdivision are 20 acres or larger shall be exempted from Fire Protection requirements contained in this resolution.

- (a) Subdivisions and Planned Unit Developments with 3 to 9 lots shall provide a year-round water source, with a minimum capacity of 10,000 gallons. One hydrant, connected to the water source shall be provided.
- (b) Subdivisions and Planned Unit Developments with 10 to 19 lots shall provide two year-round water sources, with a minimum capacity of 10,000 gallons each. One hydrant, connected to each water source shall be provided.
- (c) Subdivisions and Planned Unit Developments with 20 or more lots shall provide three year-round water sources, with a minimum capacity of 10,000 gallons each. One hydrant, connected to each water source shall be provided.
- (e) The design of year-round water source(s) and hydrant(s) shall comply with the standards set forth in the document Sublette County Subdivision Fire Protection Guidelines, August 2008, which is available in the Planning Department office. During construction and installation, the water source(s) and hydrant(s) shall be subject to inspection and approval by a designee of the Sublette County Fire Board.

5. Planned Unit Developments (includes all types of multi-unit developments).

- (a) Number of units/lots shall not exceed that allowed by the Zoning and Development Regulations Resolution.
- (b) Design requirements.
  - (i) ~~Landscaping appropriate to the development may be required.~~
  - (ii) Buffer areas of open space or planted screens between abrupt changes of land use within the development may be required.
  - (iii) Common water supply system shall be required in the R and R-R districts.
  - (iv) Common sewage disposal system shall be required in the R and R-R districts.

g. FENCING.

~~Where a subdivision adjoins a stock driveway or open range, the developer shall be required to fence the perimeter of the subdivision.~~

Where a subdivision adjoins a stock driveway or is adjacent to lands upon which livestock can be legally run at large, the developer shall be responsible for the construction of a perimeter fence on that partition of the subdivision. As per WY Statute 11-28-106 b, or as amended.

All new fencing shall comply with the Wyoming Game & Fish Department recommendations for wildlife friendly fencing practices.

If required under W.S. 18-5-319, plans for the construction of perimeter fences, including the type of perimeter fence to be constructed, the materials to be used and the subdivider's plan for paying the costs of the perimeter fence and the construction of the perimeter fence.

~~Section 4. DECLARATION OF RESTRICTIVE COVENANTS AND HOMEOWNERS' ASSOCIATION. The Board shall require that a Declaration of Restrictive Covenants be prepared, duly executed and recorded in connection with the approval of the subdivision permit application. The Board shall require~~

~~that such Declaration of Restrictive Covenants establish a homeowners' association to enforce the provisions of such covenants, and to provide road and ditch maintenance and protection of water rights and snow removal services within the subdivision. The Board shall further require that the provisions of said covenants, or any portion thereof, may not be amended without the prior written consent of the Board. In addition, the Board may require that the covenants authorize third parties, such as ditch associations, in addition to the owners' or homeowners' association, to enforce specified provisions of the Declaration of Restrictive Covenants.~~

## SUBCHAPTER IV: FINAL PLAT

Section 1. PREPARATION. The final plat shall be prepared by a registered professional land surveyor to the following minimum specifications:

- (a) SCALE shall be a minimum of 1"=200' for lots 10 acres or larger and for lots smaller than 10 acres a minimum of 1"=100'. A different scale may be allowed at the discretion of the Planning and Zoning Administrator.
- (b) NORTH shall be to the top whenever possible and a true north arrow on each sheet.
- (c) MAP SIZE shall be size ~~"G" or size "C" in accordance with W.S. a 33-29-139.~~ "D" 24"x36" or 11"x17".
- (d) AN INDEX shall be provided if more than one sheet is necessary.
- (e). CERTIFICATE PAGE: A separate page for certificates may be used if necessary and contain the following additional information:
  - 1. Title block in lower right corner.
  - 2. Date of preparation.

Section 2. CONTENTS. The final plat shall conform with the approved preliminary plat and shall contain all of the information required thereon, except for contour lines. The following additional information shall be included:

- (a) NUMERICAL IDENTIFICATION SYSTEMS for all lots and blocks.
- (b) SURVEY AND DIMENSIONS.
  - 1. Accurate angular and lineal dimensions for all lines, angles and curves used to describe boundaries, streets, alleys, easements, areas to be reserved for public use and other important features shall be given.
  - 2. Perimeter subdivision lines shall be accurately related by distance and bearings to established roads or streets lines, or corners of the Public Land Survey System and closure shall be one foot in 5,000 feet or better.
  - 3. True angles and distances to the nearest established street lines or official monuments, which shall be accurately described in the plat and shown by appropriate symbol.
  - 4. Radii, internal angles, points and curvatures, tangent bearings, and the lengths of all arcs shall be given.
  - 5. The accurate location of all monuments installed, shown by the appropriate symbol, and all United States, State, County or other official bench marks, monuments, or triangulation stations in or adjacent to the property shall be shown.
  - 6. Each lot corner shall be monumented with permanent markers in accordance with the Rules and Regulations of the State Board for Registration of Professional Engineers and Professional Land Surveyors. Descriptions of all

monuments found or set shall be shown either by legend or separate description. Streets, alleys, and roadways shall be monumented on the right of way.

7. Accurate boundaries and legal descriptions of any easement or area to be dedicated for public use, with the purpose indicated thereon, and of any area to be reserved by deed or covenant for the common use of all property owners shall be designated.
8. Where it is proposed that streets be constructed on property controlled by a public agency or utility company, approval of the location, improvement, and maintenance of such streets shall be obtained from the public agency or utility company and entered on the final plat in a form approved by the County Attorney.
9. Gross acreage of each lot depicted upon the plat shall be shown. Additionally, net acreage shall be depicted on lots less than four (4) acres in size.

c. **CERTIFICATES.** The standard forms of the following shall be included:

1. Description of land to be included in the subdivision described in Certificate of Surveyor or Certificate of Owner.
2. Certificate of Surveyor signed by a Land Surveyor registered under the laws of the State of Wyoming and acknowledged.
3. Certificate of Owner in accord with Section 34-12-103, Wyoming Statutes, 1977, as amended, and acknowledged.
4. Certificate of Mortgagee or Certificate of Contract Seller and acknowledged.
5. Certificate of Approval of the County of Sublette, and incorporated towns if the subdivision is within one mile of incorporated limits in accord with Section 34-12-103, Wyoming Statutes, 1977, as amended, sealed and attested.
6. Certification by a Registered Professional Wyoming engineer certifying as to the adequacy and safety of the sewer disposal system proposed for the subdivision, including the adequacy of the proposed system in relation to the topography of the subdivision, proposed population density, soil conditions and watersheds located on or draining into or over the proposed subdivision. If no public sewage disposal system is proposed by the subdivider, the words "NO PROPOSED CENTRALIZED SEWAGE SYSTEM" in bold capital letters shall appear on all offers, solicitations, advertisements, contracts, agreements, and plats relating to the subdivision.
7. Certification by a Registered Professional Wyoming engineer certifying to the adequacy and safety of the domestic water source intended to be used for the subdivision, and that the plan for domestic water supply meets County, State and Federal standards. If no domestic water source is proposed by the subdivider, the legend "NO PROPOSED CENTRAL WATER SUPPLY SYSTEM" shall appear on all offers, solicitations, advertisements, contracts, agreements, and plats relating to the subdivision.

8. Certificate of approval wordage shall be as follows: Pursuant to Section 34-12-103, Wyoming Statutes, 1977, as amended, the foregoing described plat (Name of Subdivision) was approved at the regular meeting of the Board of County Commissioners, Sublette County, Wyoming, held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. Plat approval does not constitute acceptance of the streets and/or roadways as county roads. Designation of county roads is only accomplished by compliance with provisions of Section 24-3-101, Wyoming Statutes, 1977, as amended.
  9. The words "This subdivision may be subject to further divisions, in compliance with Sublette County subdivision regulations in effect at the time of the proposed division" or "This subdivision shall not be subject to further divisions." shall be placed on the final plat.
- d. DEDICATION OF STREETS, ROADS, ALLEYS, PARKS, EASEMENTS AND OPEN SPACE.
1. Dedication shall be made in the certificate of owner and the specific use stated.
  2. All roads shall be private unless the Board of County Commissioners agrees to their dedication to the public.
  3. Access roads lying without the subdivision shall be dedicated to the owners within the subdivision.
  4. Unless the Board specifically accepts responsibility for maintenance and repair of public ways, the plat shall contain a legend, and all advertising materials and contracts for sale of lots within the subdivision shall contain this phrase in capital letters: "NO PUBLIC MAINTENANCE OF STREETS OR ROADS."

### Section 3. OTHER MATERIALS.

- a. COST ESTIMATE FOR IMPROVEMENTS. The subdivider's engineer or land surveyor shall prepare a cost estimate for the construction of all proposed improvements for the subdivision. The estimate shall be submitted to the Planning and Zoning Office for review with the final plat. The Board of County Commissioners may require 150% of the cost estimate for inflation or unanticipated construction costs.
- b. IMPROVEMENTS SECURITY. The subdivider shall file with the Administrator a cash bond or letter of credit suitable to the Board, in an amount specified by the Board to assure the actual construction of such improvements. The time allowed for the completion of the required improvements shall not exceed twelve (12) months from the date of final plat approval by the Sublette Board of County Commissioners. The Planning and Zoning Administrator may allow a one-time twelve (12) month extension, provided that an updated/revised cost estimate and financial surety are provided forty five (45) days prior to the expiration date of the original approval. Any additional extension shall require Board approval. In lieu of an improvements security, the subdivider may install all improvements prior to the filing of the final plat.
- c. AS BUILT DRAWINGS. One (1) set of as-built drawings for streets, water, sewer and drainage shall be submitted to the Planning and Zoning Administrator prior to the release of any improvement's surety for this item. Upon receipt of the as-built drawings the Planning and Zoning Administrator shall release the improvements surety within ten (10) days. A permanent benchmark shall be described on each "plan" sheet of said drawings. The as-built plans shall include the following certification:

I shall certify that these construction plans were prepared under my direct supervision and control, that they accurately represent the referred-to improvements as they have been constructed in the field, and that the improvements as installed conform to the approved design for such facilities per the requirements of Sublette County and other applicable agencies.

Professional Engineer \_\_\_\_\_

Wyoming P.E. No. \_\_\_\_\_

OTHER MATERIALS. Prior to the recording of the final plat, a title report or title commitment or subdivision guarantee prepared current to the final approval of the Board of County Commissioner shall be submitted to the Sublette County Planning office. Title report, title commitment or subdivision guarantee shall include complete name of current owner, mortgagees along with evidence of all easements and deed restrictions on the property and for access and utilities across any properties not under the control of the owner or applicant to the development from a dedicated road

- e. SURVEY PLAT IN DIGITAL FORMAT. Prior to an application for Final Plat being approved by the Board of County Commissioners, unless the applicant or the applicant's agent can demonstrate to the Planning Department that considerable practical difficulty or financial hardship would result from the application of this requirement, the following information shall be submitted by email, CD or other approved media in digital format.

- (1) PDF, DXF or DWG format file. An AutoCAD® 2000 compatible dxf or dwg format file including ownership boundaries, the development boundary, the individual lot or unit boundary lines, easement lines, lot numbers and street names.
- (2) If practical the survey plat shall be tied to the Wyoming State Plane Coordinate System.

Section 4. VACATIONS/MODIFICATIONS TO FILED PLATS.

- a. VACATIONS. Vacations of Plats, as authorized by W.S. § 34-12-106. et seq., Wyoming Statutes, 1977, as amended. Partial vacations, per W.S. § 34-12-108, Wyoming Statutes, 1977, as permitted subject to the following procedure:
1. COMPLETE VACATION OF AN EXISTING PLAT.  
Complete vacation of an existing plat shall be accomplished by the filing of an affidavit with the County Clerk signed by all of the owners of land within the plat.
  2. COMPLETE VACATION OF AN EXISTING PLAT TO AMEND CONFIGURATION. Complete vacation of an existing plat for the purpose of amending the configuration of any part of a subdivision plat materially affecting all, or substantially all, of the lot owners shall be accomplished by the filing of an amended plat of the subdivision.
    - (a) The plat shall carry the name of the original subdivision, followed by "Amended", or "Second Amended", etc.;
    - (b) The Certificate of Owners on the amended plat shall have a clause vacating the existing plat, signed by all owners of an interest in the

existing plat. A Certificate of Mortgagee or Certificate of Contract Seller with acknowledgment shall be included;

- (c) If the amended plat has significant impacts on roads, water, sewer, or utility of infrastructure design, or significantly changes the location of building sites, driveway access locations, or changes the scenic or environmental aspects of the subdivision, or changes the number of lots in the subdivision, or changes the allowable uses in the subdivision, then the amended plat shall be reviewed and approved as a new subdivision. If the configuration and design changes leave the subdivision substantially the same in terms of infrastructure, lot numbers and configuration, and impacts on neighboring properties, then the amended plat shall be reviewed and approved as a Final Plat.

b. **CHANGING LOT CONFIGURATION OR ROADWAY LOCATION.**

Partial vacation of an existing plat for the purpose of changing the lot configuration and/or roadway location in a limited part of the subdivision shall be accomplished in accordance with Section 34-12-108, Wyoming Statutes, 1977, as amended, and the following:

- (a) The area to be altered shall be vacated and a new plat made of record.
- (b) The Certificate of Owners shall have a clause vacating the area to be redesigned, signed by all owners of an interest in the lots involved.
- (c) The Certificate of Mortgagee or Certificate of Contract Seller shall be acknowledged.
- (d) If there is more than one (1) owner of the vacated land, an instrument shall be provided to convey ownership to individual parcels resulting from the replat.
- a) If only one (1) subdivision is involved, the name shall be the name of the original subdivision, followed by a numerical designation. The resulting (new) lots shall be numbered progressively with numbers different from the original subdivision. If two (2) or more neighboring subdivisions are involved, then the new plat shall have a name materially different than any of the original plats.
- (f) If the amended plat has no significant impacts on road, water, sewer, or utility design, and changes only minimally the layout and configuration of lots, building and driveway locations, then the amended plat shall be reviewed and approved as a final plat.
- (g) Any division of a lot not following the above procedures (i.e. by deed only) shall not be recognized as a legal division of said lot by Sublette County.



## SUBCHAPTER V: MINOR SUBDIVISION

### Section 1. MINOR SUBDIVISION.

- (a) A minor subdivision is a subdivision which divides one tract into no more than two tracts, and is exempt from the provisions of Wyoming Statute § 18-5-306, except as provided by this Chapter.
- (b) A subdivision will not be classified as a minor subdivision if the land to be divided is a parcel created under the Family Division provisions of Chapter IX of this Resolution.

Section 2. ONLY ONE MINOR SUBDIVISION ALLOWED: Where land has been divided into two tracts in accordance with this Chapter, there can be no further division without compliance with the subdivision regulations of this Title, including approval by the Department of Environmental Quality.

Section 3. MINOR SUBDIVISION PERMIT REQUIRED. A minor subdivision permit is required where a division of land results in the creation of no more than two lots or tracts under the provisions of this Chapter.

### Section 4. FILING REQUIREMENTS.

- (a) The applicant shall file with the zoning administrator an application for a minor subdivision permit and shall pay the applicable fee. The application shall include the following:
  - (1) Name and address of the owner and applicant and the legal description and any physical address of the property.
  - (2) An original ~~plat~~ tracing ~~and three copies~~ of the minor subdivision plat, with sheet size ~~22" or~~ of 24" X 36", ~~or 11"x17"~~ and with a minimum scale of 1"=200'. ~~Map G~~ ~~Map G Wyoming Statute 33-29-139 (a).~~ , and in electronic pdf format.
  - (3) **A completed review by the Sublette County Conservation District of the proposed site division pursuant to Wyoming state statute 18-5-306 (b).**
- (b) Insofar as applicable, the plat shall comply with the Final plat requirements for subdivisions as set forth in this Resolution.
- (c) Any other information and materials deemed necessary by the Planning and Zoning Administrator.

Section 5. ACCESS AND IMPROVEMENTS. A right-of-way and utility easement of minimum width of thirty (30) feet shall be established of record, providing access and utility service to each lot, which easement shall be perpetual and run with the land. A license or permit for access across public lands is acceptable in lieu of a right-of-way easement.

### Section 6. MINIMUM REQUIREMENTS FOR MINOR SUBDIVISION PERMITS.

- (a) If either lot is to include an individual on-lot sewage system, the application shall include results of a percolation test which demonstrates suitability for such a system. The words "NO PROPOSED CENTRALIZED SEWAGE SYSTEM" in bold capital letters shall appear on all offers, solicitations, advertisements, contracts, agreements and plats relating to the Minor Subdivision.

- (b) The application shall include a plan for an adequate domestic water supply for the lots. If a well is to be used, well data from adjoining property owners may be used to support the plan.
- (c) If there is to be no public maintenance of streets or roads, the subdivider shall put a legend on the plat of the minor subdivision, on all advertisements and solicitations for the subdivision and on all offers, contracts or agreements for the sale and purchase of lots within the subdivision showing the streets, alleys and roadways, showing in capital letters "NO PUBLIC MAINTENANCE OF STREETS OR ROADS."
- (d) Documentation satisfactory to the Board of County Commissioners that the subdivider has adequate financial resources to develop and complete any facility proposed or represented to be the responsibility of the subdivider, including but not limited to water supply systems, sewage systems, streets and roadways. The applicant shall provide a performance bond, acceptable letter of credit or other sufficient financial commitment to assure that any such facilities will in fact be completed as proposed. The amount of the financial assurance shall reflect the estimated costs of providing such facilities.

Section 7. ZONING ADMINISTRATOR ACTION. Upon acceptance of the plat containing all the required certifications, the accompanying materials, the filing fee, and the completed Minor Subdivision permit application, the Administrator will review the submissions for conformity with the requirements of this Chapter. The Administrator will have the plat reviewed by the Plat Review Committee. Following receipt of the Plat Review Committee's report and following any required changes to the plat, the Administrator will make recommendations to the Planning and Zoning Commission to grant the permit, to deny the permit, or to grant the permit with modifications or conditions.

Section 8. PLANNING AND ZONING COMMISSION ACTION. The Planning and Zoning will consider the plat at ~~the next~~ a regularly scheduled meeting, and after consideration may recommend the permit, recommend the permit be denied, or recommend the permit with modification or conditions.

Section 9. BOARD OF COUNTY COMMISSIONERS ACTION. The Board of County Commissioners will consider the plat at the next regularly scheduled meeting after receiving recommendations of the Planning and Zoning Board, and after consideration may grant the permit, deny the permit, or grant the permit with modifications or conditions.

Section 10. LEGAL DESCRIPTION. When a Minor Subdivision plat has been approved by the Board of County Commissioners, it shall be recorded in the office of the County Clerk. After the plat is approved and recorded, lots or tracts within the minor subdivision shall thereafter be described and conveyed only as described in the Minor Subdivision plat.

**Section 11. Subdivision Application Fees. Each subdivision permit application shall be accompanied by the applicable application fees associated with the preliminary plat or final subdivision plat application. All fees shall be paid at the time of filing the preliminary plat or final plat application along with all other requested information. All other remaining or outstanding review fees shall be paid prior to filing of the final subdivision plat with the County Clerk's Office.**