



Park County Wyoming

2015 DEVELOPMENT STANDARDS AND REGULATIONS



Adopted September 15, 2015

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CHAPTER I

ADMINISTRATION

SECTION 1. GENERAL PROVISIONS

- a. **Title:** These standards and regulations shall be known as the *2015 Park County Development Standards and Regulations* consisting of Chapters I through V, plus ancillary information.
- b. **Findings:** The Board of County Commissioners of Park County, Wyoming (Board) does hereby find that due to the continued pressures of urban, rural and recreational development, standards and regulations to guide development are necessary to protect and promote the public health, safety, morals, and general welfare of the unincorporated areas of Park County, Wyoming ("Park County" or "the County"). The Board further finds that Road & Bridge Standards help ensure consistency and objectivity in road maintenance, safe roads, and a transportation network that best serves local industry and the traveling public.
- c. **Resolution:** As a result of these findings, the Board does hereby resolve to adopt these Park County Development Standards and Regulations pursuant to the authority vested by the State of Wyoming in Park County in W.S. §18-5-201 through 317, W.S. §34-12-101 through 115, W.S. §24-1-104 and W.S. §16-3-101 through 115.
- d. **Purpose and Intent:** The purpose of these standards and regulations is to protect, promote and enhance the public health and safety, provide for planned and orderly development in Park County in a manner consistent with constitutional rights of property owners, balance the needs of a changing population with legitimate environmental concerns, and help ensure that new developments pay a fair portion of the public cost associated with those developments. It is the intent of these standards and regulations to establish a balance between the legitimate rights of property owners and the protection of public welfare. Separate chapters herein may set forth more detailed statements of purpose and intent.
- e. **General Authority:** Park County is authorized by Wyoming State Statutes to plan for and regulate the use of land; appoint a Planning & Zoning Commission; adopt a plan for the physical development of the unincorporated territory; adopt zoning; enforce the provisions of its zoning regulations; adopt and enforce subdivision regulations; adopt building codes; and adopt standards that protect and promote the health, safety, and general welfare of the citizens of Park County, including adequate provision for emergency services. The Park County Development Standards and Regulations are adopted pursuant to said authority.

In addition, Park County reserves the right to use authority pertaining to regulation of land use and development granted to counties by Wyoming state statutes whether or

not cited above, or whether added to state law subsequent to the adoption of these standards and regulations. Nothing in these standards and regulations shall be construed as exempting any person from other requirements of Park County, municipal, state, or federal laws and regulations.

- f. Applicability:** These standards and regulations apply to the use of all unincorporated lands within the political boundaries of Park County, Wyoming. No use of any land, building or structure shall have status as a pre-existing use under these standards and regulations that did not have such status at the time of adoption of the Park County Zoning Resolution of September 2000. Except as hereinafter provided, no lot, tract, parcel or other unit of land shall be altered, divided, used or occupied and no structure shall be located, erected, constructed, reconstructed, enlarged, changed, maintained, altered, used, or occupied except in conformity with the provisions of these standards and regulations.
- g. Public lands** - The government of the United States and the State of Wyoming and their agencies, departments and political subdivisions are exempt from the requirements of these regulations when undertaking governmental development activities on their lands, except when compliance with these regulations is required by the same government, agencies and departments.

 - (1) Government and private development activities on government land subject to zoning regulations shall be reviewed according to the zoning district of the majority of adjoining properties.
- h. Mineral Resources** - Per W.S. §18-5-201, these regulations shall not prevent any use or occupancy reasonably necessary to the extraction or production of the mineral resources in or under any lands subject thereto.
- i. Severability:** If any section, clause, provision or portion of these standards and regulations should be ruled unconstitutional or otherwise invalid by a court of competent jurisdiction, the remainder of these standards and regulations shall not be affected, and if such ruling is applied to a particular property, building or structure, the ruling shall not apply to other properties, buildings or structures.
- j. Interpretation:** Nothing herein shall be construed as creating any rights or protection for any third party. The requirements of these standards and regulations are intended to protect and benefit the Park County government only, and not any third party beneficiary.
- k. Effective Date:** These standards and regulations shall take effect and be in force as of the date they are filed in the Office of Clerk & Recorder unless the Board resolution of approval specifies a later effective date. All permit applications submitted after the effective date of these regulations, or applications that have lapsed, shall comply with the requirements of these regulations. Any complete permit application pending on the

effective date of these regulations shall be processed in accordance with the regulations in effect at the time the application was submitted.

- l. Repealer:** The standards and regulations contained in these chapters shall, on their effective date, replace and repeal the Amended 2010 Development Standards and Regulations adopted July 17th, 2012.
- m. Location of Certified Copy:** Upon approval of these standards and regulations, a certified copy including all official maps referred to in these regulations shall be filed in the office of the Park County Clerk & Recorder and the Planning Department.
- n. Conflict with Other Regulations:** To the extent the requirements of these standards and regulations differ from such other applicable laws and regulations, the more restrictive requirements shall apply. Nothing in these regulations shall contravene or limit the authority of Park County to regulate and control land use pursuant to the provisions of W.S. §18-5-201 through 18-5-207.
- o. Suspension of Regulations in an Emergency:** The Board may by emergency resolution suspend all or part of these regulations on a temporary basis to facilitate response to a natural disaster or local emergency that threatens lives or property.
- p. Enforcement:** The Board may seek to enforce the violation or attempted violation of any provision of these regulations, including failure to obtain required permits or abide by conditions of any permit, resolution or order issued thereunder, in any manner provided by law.
- q. Errors and Reconsideration:** Clerical mistakes in final decisions or other parts of the record may be corrected by the Board at any time, of its own initiative, or on the motion of any party and upon notice to all parties. During the pendency of judicial review, such mistakes may be corrected only with leave of the court having jurisdiction. On motion, and upon such terms as are just, the Board may reconsider and relieve a party from a final decision, that has been or will be made, for the following reasons:

 - (1) Mistake, inadvertence, surprise, or excusable neglect;
 - (2) Fraud, misrepresentation, or other misconduct of an adverse party;
 - (3) Any other reason justifying relief from the operation of the decision.
- r. Open Records:** Information presented to the Commission or Board in carrying out their responsibilities, records of their meetings, and any other material resulting from the conduct of their planning and zoning activities shall be kept on file in the Planning Department, and shall be available for inspection by the public upon reasonable request except as provided by law.

SECTION 2. PLANNING & ZONING COMMISSION

- a. Establishment:** The Planning & Zoning Commission has been established pursuant to Wyoming Statute §18-5-201 et seq. The Commission shall consist of five (5) regular members appointed by the Board, at least three (3) who shall reside in the unincorporated area of the county. Each member must be a resident of the County. In making its appointments, the Board shall attempt to have different geographic areas within the County and a variety of professional and civic backgrounds or concerns represented.
- b. Terms for Planning & Zoning Commission Members:** Members of the Commission shall serve terms of three (3) years or until their successors have been appointed. Members may serve an indefinite number of terms, subject to reappointment by the Board.
- c. Appointment of Members:** If a vacancy occurs among the members of the Commission, an advertisement inviting applications shall be placed in at least one (1) newspaper of general circulation in the County, allowing at least three (3) weeks for applications. Candidates shall submit a letter of application or resume describing their qualifications. The Board shall make any required appointment at any regular meeting following the close of the application period. The Board may conduct interviews prior to making an appointment.
- d. Election of Officers:** The Commission shall elect a chairman and a vice-chairman each year at its first regular meeting on or after January 1. The chairman and vice-chairman shall serve for a one (1) year term and may be re-elected for additional terms.
- e. Formation of Committees:** Upon written agreement with the Board, the Commission may form voluntary citizen committees from time to time in order to assist in examining public policy issues related to planning and regulatory measures affecting the County, conduct research and develop recommendations to present to the Commission. Work requested of any committee shall be performed by its members, and shall not involve support from County staff unless the Board approves such support. The Commission shall select a fair and representative membership on all committees.
- f. Quorum and Vote:** Three (3) members of the Commission shall constitute a quorum for the conduct of business. A tie vote shall be deemed a denial of the motion before the Commission. The chairman shall vote only in case of a tie or to create a majority when less than the full body is present. There shall always be at least three (3) votes in favor in order for the motion to pass. Proxies cannot be used for any purpose. When Commissioners absent themselves from consideration of an item because of conflict of interest, the member(s) shall be considered present for purposes of maintaining a quorum. The record of voting shall indicate any abstention or conflict of interest.

A Commission member may not vote on minutes for a meeting they did not attend. A member may not vote on a project unless the member was present at all meetings in which the project was considered, or listened to the audio recording of the meeting(s) from which they were absent, and reviewed the file.

g. Conduct of Members:

- (1) Conflict of Interest: The Planning & Zoning Commission members have the right and obligation to vote on all questions before them and to participate in the body's business except when a conflict of interest exists. A conflict of interest arises when a member's regard for a private interest outweighs a public duty or interest. It is intended that situations resulting in conflicts of interest shall be minimized.

Whenever the Commission is considering a matter that raises a question of conflict of interest for a particular member, the member is responsible for alerting the chairman. Members will vote to determine if a conflict of interest may exist, and if so determined, the member will not participate in the discussion or voting on that item, and may be asked to leave the meeting.

- (2) Ex Parte Contact: Ex parte contact is communication between individuals seeking to influence a decision and members of the Planning & Zoning Commission outside the meeting forum. Such contacts include meeting with an applicant, opponent or their representatives outside of a Commission meeting, or any communication that attempts to influence a member's opinion on a project that will be subject to the member's vote.

Members shall attempt to avoid ex parte conversations and communications concerning proposals. Should any such ex parte contacts occur where relevant information is obtained and considered by a member, the contact and information obtained shall be disclosed at the public hearing or meeting so that participants at such hearing or meeting may be confronted with all facts that influence the disposition of the case and have an opportunity to respond.

- (3) Site Visits: Site visits may be scheduled after a project has been submitted for review. The Planning Department is responsible for scheduling site visits.

- h. Removal of Members:** The Board may remove any member of the Commission for cause upon written notice to the member and after a public hearing. Reasons for removal of a member may include: failure to attend three (3) consecutive, regular meetings or otherwise failing to discharge their duties as a member; failing to abide by the rules of conduct of members; or ceasing to be a resident of the County. A member of the Commission may also be removed if, because of personal, business or professional ties, the member has been rendered ineffective or unable to participate in the decisions on a substantial share of the matters before the Commission.

- i. **Vacancy:** If a vacancy occurs the Board shall fill the vacancy by appointment for the unexpired term.

SECTION 3. MEETINGS AND RULES OF PROCEDURE

- a. **Open Meetings:** Meetings of the Commission shall be open to the public except as provided by law.
- b. **Schedule of Meetings:** The Commission shall have a schedule of regular meetings held at least monthly at a place and time as established by the Planning Department. Special meetings may be called by either the Chairman, the Planning Director, or by a majority of the Commission.

Any meeting day which falls on a holiday, or any meeting canceled because a quorum could not be assembled shall be rescheduled by the Planning Department on behalf of the Commission. A regular Commission meeting shall be canceled if no business is scheduled for discussion.

- c. **Notice and minutes of meetings:** In addition to any specific notice for individual items required by applicable statute, resolution or regulation, the Commission shall publish the agenda of its regular meetings and any special meetings in a newspaper of general circulation in the County at least five (5) days before the meeting and shall publish notice of any cancellation of any such meeting at the earliest possible date.

The Commission may keep an audio recording and shall keep written minutes for each of its regular meetings and any special meetings. The minutes shall be prepared by the Commission Secretary or substitute, and presented to the Commission for approval. The approved minutes shall be maintained as public records in the office of the County Clerk & Recorder.

- d. **Work Sessions:** Work sessions provide an opportunity for project proponents to obtain informal comments on a proposal, or for the Commission to discuss policy issues. No formal action is taken at work sessions. Since these sessions are for discussion purposes and not for decision-making, no formal notice is required. Work sessions may be included on a regular meeting agenda or a special meeting may be called.
- e. **Consent Agenda:** The Planning & Zoning Commission may use the Consent Agenda to expedite the approval process for non-controversial one or two lot simple subdivisions, in addition to routine business. Items may be placed in the Consent Agenda when no Commission comment is anticipated, and the subdivision has unqualified favorable staff recommendation. All items in the Consent Agenda are approved together under a single vote.

- (1) Removal of an item from the Consent Agenda: Any person may request that an item be severed from the Consent Agenda. The Commission will vote on

the request. If an item is removed from the Consent Agenda, it will be placed on the regular agenda for discussion.

- f. **Public Hearings:** Where an individual has filed an application with the Planning & Zoning Commission the application shall be considered at a public hearing if so specified. The Commission may adopt such rules as deemed appropriate to govern the conduct of business. The procedures that follow shall be used for such hearings.
 - (1) Opening of the hearing: The Chairman shall open the hearing and explain the procedure that will be used to conduct the hearing. In the absence of the Chairman, the Vice-Chair will be in charge of proceedings.
 - (2) Planning Department staff report is presented.
 - (3) Applicants' presentation: The applicant or representative may present evidence in support of their request.
 - (4) Public Testimony: Following the applicant's presentation, the Chairman shall invite testimony from the public in attendance at the hearing. The Chairman may institute a time limit for testimony.
 - (5) Decision: The Commission may elect to close the public hearing and take action, to continue the public hearing to a specific date and time, or close the public hearing and take the matter under advisement to be decided at a subsequent meeting. Public hearings continued to a date certain need not be re-noticed. Hearings continued to an indefinite date shall be re-noticed in accordance with these standards and regulations. Hearings closed and then reopened shall be re-noticed unless such reopening occurs at the same meeting and no member of the public is substantially prejudiced thereby.
- g. **Amendment to Rules of Procedure:** The Planning Director or any member of the Commission or Board may propose amendments to these rules of procedure. An amendment must be approved by the Board to become effective.

SECTION 4. AMENDMENTS TO REGULATIONS

- a. Any member of the Board, Commission, Planning Director, County Engineer or any resident or property owner in Park County may propose changes to the provisions of these standards and regulations.
- b. **Submittal requirements for Amendments:** The proponent of an amendment to these standards and regulations shall submit the following information to the Planning Department for Chapters I-IV or Public Works Department for Chapter V except for items waived by the department based on the nature of the request:
 - (1) Proposed revisions or additions;
 - (2) Statement justifying the proposal;
 - (3) Statement describing the consistency of the proposal with the intent of these standards and regulations.

- c. Review Process for Amendments:** The Planning Department for Chapters I-IV and Public Works Department for Chapter V shall review the proposed amendments to these standards and regulations and make recommendations regarding their adoption. The Commission shall conduct a public hearing on proposed amendments for which notice shall be given at least 30 (thirty) days in advance of the hearing by publication in a newspaper of general circulation in the County, and shall recommend, recommend with modifications or not recommend proposed amendments to the Board. The Planning Department is responsible for scheduling consideration of the proposed revisions on the Commission's agenda except for proposed amendments to the Road & Bridge Standards (Chapter V) in which case the County Engineer shall be so responsible.
- d. Action on Amendments:** The Planning Department or Public Works Department shall provide a staff report and any recommendations from the Commission, county departments or other agencies to the Board. Notice of public hearings before the Board shall be given at least 45 (forty-five) days in advance of the hearing by publication in a newspaper of general circulation in the County. The Board shall take action by resolution to approve, approve with modifications or deny the proposed amendments. Failure of a department to submit a staff report shall not be grounds for invalidating the Board's action.
- e. Publication and Filing of Amendments:** Within thirty (30) calendar days from the date an amendment is adopted, the Planning Department shall revise the text of Chapters I - IV of these standards and regulations to reflect the amendments and make this text available to the public. Within thirty (30) calendar days from the date an amendment is adopted, the Public Works Department shall revise the text of Chapter V of the standards and regulations to reflect the amendments and make this text available to the public. The Planning Department shall file a copy of the revised text in the office of the County Clerk & Recorder.

SECTION 5. APPLICATIONS

- a. Complete Application:** The Planning Director or County Engineer may refuse to forward an application to the Commission or Board if items of information required by these regulations have not been submitted. Applicants have the obligation to submit a complete application, as determined by the Planning Department and Public Works, in order for those departments to proceed with review of the proposal, and for the proposal to be scheduled for consideration by the review authority.
- b. Order of Processing:** Applications will be processed and acted upon in the order they are received. An application may be submitted and processed after a related application has been submitted, but it will be processed under the assumption that all previously submitted applications will be approved.
- c. Additional Information for some applications:** These standards and regulations specify information to be submitted with permits, certificates and other applications.

Situations may occur when not all of the items listed will be needed because of the nature of the request. Situations may also occur when items not listed may be needed in order for the County to have sufficient information to evaluate the impacts of a proposal, or to carry out its responsibility to protect health, safety and welfare. The Planning Director for applications submitted under Chapter III and IV, and the County Engineer for road, bridge, access and drainage issues under Chapter III, and applications submitted under Chapter V are hereby authorized to determine, based on the nature of the request, if the requirement to submit items of information may be waived or if additional information is required. Decisions to request additional information not listed as required shall be based on the nature of the proposal. Information requirements may be more comprehensive for proposals involving larger scale, more intensive development, involving uses expected to create significant impacts, or where the County has little experience with the type of use.

- d. Denial of Application: Any discretionary application that is denied by the Board of County Commissioners may not be resubmitted for a period of one year.

SECTION 6. APPEALS

- a. **Intent:** The intent of this section is to provide a process by which aggrieved persons may obtain a review by the Board of any final decision made by the Commission, Planning Director, or County Engineer. Appeals of Board decisions are addressed by the Wyoming Administrative Procedure Act, W.S. §16-3-114.
- b. **Scope of Review:** The Board, by its adoption of these regulations, has delegated authority to the Commission, Planning Director, and County Engineer to act on applications. When decisions are appealed, the Board retains the authority to re-open consideration of the request, to establish conditions of approval, and to take action on the request. The Board's review and action shall be in accordance with the requirements established in these regulations and shall not grant an appeal when amendment of these regulations would be the more appropriate action.
- c. **Applicability:** The Board shall hear and decide appeals from any final decision made by the Commission, the Planning Director, or the County Engineer relative to administration or enforcement of these regulations. Non-binding recommendations of the Commission, Planning Director, or County Engineer are not reviewable under this Article. Decisions regarding classification of subdivisions are considered binding and are subject to appeal.
- d. **Review of the Planning Director or County Engineer decision for additional information:** When a dispute occurs between the applicant and the Planning Director for information submitted under Chapter I through IV, or between the applicant and the County Engineer for information submitted under Chapter V as to the necessity of submitting additional information not listed as required, the failure on the part of the applicant to submit this information shall not result in a refusal on the part of the Planning Director or County Engineer to forward the applicant's request for review.

The Planning & Zoning Commission shall, at its first meeting on the application, be responsible for making a determination whether or not the information requested by the Planning Director or County Engineer shall be required. The Commission's decision may be appealed to the Board. If the Commission agrees that additional information should be required, action on the application shall cease until such information is provided or until the Commission's decision is affirmed or overruled by the Board.

In cases where a person disagrees with a decision or interpretation of the Planning Director or County Engineer to waive items of information required to be submitted with an application, the aggrieved person may request in writing that the Board review such decision or interpretation. The Board shall make a determination concerning the decision or interpretation of the Planning Director or County Engineer within a reasonable time but no later than the second regular meeting following receipt of said written request.

- e. **Timing:** Appeals shall be made within 20 days of any final decision by filing a written notice of appeal with the Board's Administrative Assistant specifying the grounds for the appeal. The Planning Director or County Engineer shall immediately transmit to the Board the complete record of the final decision from which the appeal is taken. The Board's Administrative Assistant shall be responsible for scheduling hearings on appeals. Appeals shall be heard at the next regular meeting of the Board that occurs at least 14 days following the close of the appeal period, or at a special meeting called for that purpose.
- f. **Stay of Proceedings:** This regulation does not provide a stay of any proceedings or permits in connection with a final decision under appeal. Appellants may seek a stay from a court of competent jurisdiction.
- g. **Board Hearing on Appeals:**
 - (1) The Board's Administrative Assistant shall send notices of hearings on appeals to the appellant, and where the request concerns a request for development approval, to all property owners adjacent to the property in question. The notice shall contain the following information; a brief description of the project sufficient to inform the public of the items appealed, the location relative to landmarks or cross streets, an abbreviated legal description, appellant's name, hearing date, time, and place, and how additional information can be obtained. Notices shall be mailed within seven (7) working days following the close of the appeal period.
 - (2) **Testimony at Appeal Hearing:** The Board shall allow an opportunity during the hearing for the appellant and any member of the public to offer either written or oral testimony regarding the proposal under consideration.
 - (3) **Official Record of Appeal Hearing:** The official record of an appeal hearing shall consist of materials submitted by the appellant, correspondence received concerning the proposal, testimony offered at the hearing, any exhibits entered into the record as part of the hearing, resolutions, or official actions, and the

official file maintained by the Planning or Engineering Department on the proposal.

- (4) Continuances: The Board may continue the hearing to a subsequent regular meeting or special meeting called for this purpose. Hearings continued to a date certain need not be re-noticed. Hearings continued to an indefinite date, or hearings closed and then reopened shall be re-noticed.
- (5) Decisions on Appeals: Except as otherwise provided, the Board shall take action by resolution, with appropriate findings, to uphold or overturn a final decision.
- (6) Board Action: The Board may reverse or affirm, wholly or in part, the order, requirement, decision, or determination as necessary, but no power exercised under these regulations shall exceed the power or authority vested in the Planning Commission, Planning Director, or County Engineer. The Board shall issue a written decision to the applicant and the Planning Director or County Engineer.

SECTION 7. VARIANCE

- a. **Purpose:** Provision for variance is to allow flexibility in these regulations when application of certain standards is inappropriate for a specific use or design proposal, or when enforcement of the standard would create a hardship or practical difficulty due to exceptional obstacles associated with the land or site where a particular project is proposed.
- b. **Applicability:** The Board may vary or adjust the strict application of any of the requirements of these regulations if it would deprive the owner of the reasonable use of the land, building, or structure involved. The Board may only vary substantive requirements of these regulations, such as design standards, plat standards, application requirements, etc. The Board may not waive or vary any procedural or statutory requirements for subdivisions set forth in W.S. §18-5-301 through 18-5-317.
- c. **Procedure:** Requests for variances shall be submitted in writing to the Planning Office. The request shall explain the reasons and the manner in which findings required for granting a variance can be satisfied. The Board shall consider the variance at a Public Hearing at its next regularly scheduled meeting allowing time for notice as set forth in Appendix 1, Public Hearing Notice Requirements. In granting approval, the Board may require such conditions as will insure substantial compliance with the objectives and standards of these regulations. The Commission may hear and make recommendations on variance requests if it is processed at the same time as the development proposal.
- d. **Variance Approval Standards:** The Board shall make written findings on the following conditions and all these conditions must be met to grant a variance.
 - (1) There are special circumstances or conditions which are peculiar to the land, building, or structure for which the variance is sought and do not apply generally

to land or buildings in the neighborhood, and have not resulted from any act of the applicant subsequent to the adoption of the regulations;

- (2) Circumstances or conditions are such that the strict application of the provisions of the regulations would deprive the applicant of the reasonable use of the land, building, or structure;
- (3) Granting of the variance is necessary for the reasonable use thereof;
- (4) Granting of the variance is in harmony with the general purposes and intent of the regulations and will not compromise the integrity of the Land Use Plan. It will not be injurious to properties in the vicinity or otherwise detrimental to the public health, safety and welfare.

e. Conditions: In granting a variance, the Board may impose conditions to prevent or minimize adverse effects from the proposed variance on other properties in the vicinity, and on the health, safety and welfare of residents in the County. Such conditions shall be limited to issues directly related to the impacts of the proposed use and shall be proportional to the impacts.

f. Effect of Approval: The development for which the variance was granted shall not be constructed or established until the development has secured all other approvals required by these regulations. The grant of a variance does not ensure that the development approved as a variance will receive other necessary approvals unless all the relevant requirements of these regulations are also met.

g. Expiration: A variance shall expire and become void one year following the date of approval unless construction or development is commenced prior to the expiration date and diligently pursued to completion. The Board may extend authorization for up to an additional year for good cause.

h. Variance for Flood Overlay (FO): In addition to standards specified in other sections of these regulations, the following factors shall also be considered for a variance in flood hazard areas;

- (1) A determination that a granting of the variance would not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud or victimization of the public, or conflict with other local regulations.
- (2) Written notice that with the granting of a variance, the cost of flood insurance will be commensurate with the increased risk.

i. Variance for Airport Overlay (AO): This district includes lands subject to flight patterns and air traffic near Yellowstone Regional Airport and Powell Municipal Airport. Application for a variance shall comply with the provisions of Section 7 a-g above, and:

- (1) Airport Board Review: The Airport Board shall review the proposed variance and recommend approval, conditional approval, or denial of a variance to the Board of County Commissioners. The applicant shall include the recommendation of the Airport Board with their application for variance of the Airport Overlay District Regulations.
- (2) Installation of Markers: Any variance approved by the Board shall be so conditioned as to require the owner of the structure or tree in question to permit airport officials of the public airport at their own expense to install, operate, and maintain such markers and lights as may be necessary to indicate to pilots the presence of an airport hazard.

SECTION 8. VIOLATIONS

- a. **General:** It shall be a violation of these regulations to make any use of property or commence construction or other land development activities not expressly permitted by these standards and regulations.
- b. **Discovery of Violations:**
 - (1) Complaints of violations shall be made to the Planning Staff. Any person, including any resident or landowner, county officer or employee may make a complaint. Anonymous complaints may be made where the complainants name is not recorded.
 - (2) The Planning Staff is authorized to review any public records to discover and investigate violations.
 - (3) The Planning Staff is authorized to discover and investigate violations by:
 - A. Conducting on-site inspections of properties provided the landowner consents to the inspection;
 - B. Inspecting properties by viewing them from public areas including county highways, roads, and easements, or from neighboring properties provided the owner of such neighboring property consents;
 - C. Observing violations in the course of conducting other County business for which the Planning Staff has permission to enter the property or which otherwise allows the Planning Staff to witness a violation;
 - D. Obtaining an inspection warrant from a court of competent jurisdiction if other means of inspecting a probable violation are ineffective; and
 - E. Other methods approved in advance by the County Attorney.
- c. **Informal Resolution:** Upon finding that a violation has occurred, the Planning Staff may attempt to resolve the matter informally by contacting the landowner and discussing the violation. If informal resolution is not successful within the specified time, a notice of violation may be issued.
- d. **Investigation Fee:** If the Planning Staff determines through a complaint, record-checking or inspection that building construction or other land development activity

has taken place prior to the issuance of a permit or approval, the applicant shall pay an investigation fee surcharge before the permit or approval will be issued. The investigation fee shall be set in the Fees Schedule.

e. Notice of Violation: When it has been determined that a violation has occurred and informal resolution is unsuccessful or inappropriate due to the nature of the violation, the Planning Staff may send a notice of violation to the landowner by certified mail, return receipt requested. The notice shall state:

- (1) The location of the property;
- (2) The nature of the violation;
- (3) The sections of the regulations that are violated;
- (4) A time limit for compliance; At the Planning Director's discretion, the time limit for compliance may be extended if the landowner is making progress toward compliance.
- (5) The penalty for violations, and suggested corrective actions.

f. Procedure for Notice to Abate: The provisions of these amended standards and regulations may be enforced by the Board through its authority to abate any violations and enjoin and restrain any person violating these amended standards and regulations pursuant to Wyoming law. Violations of these standards and regulations may be abated under the procedures and standards herein at the election of the Planning Director; however, this procedure shall not be the sole remedy available, and the County may enforce these standards and regulations in any manner provided by law.

(1) **Notification of Violation:** If the Planning Director determines that any development within unincorporated Park County is in violation of the provisions of these standards and regulations, the Planning Director may by certified mail provide a Notice to Abate to the landowner, stating the provisions of these amended standards and regulations being violated, and setting forth a reasonable period of time for the landowner to abate and correct the violation.

(2) **Hearing to Correct Violation:** In the event the landowner fails to comply with the Notice to Abate, a Hearing to Abate shall be held before the Board to ascertain whether abatement should be required under the procedures and standards of this section.

A. **Notice of Hearing:** The Planning Director shall provide notice of the Hearing to Abate to the landowner by certified mail, return receipt requested, a minimum of fourteen (14) calendar days prior to the date established for the hearing.

B. **General:** At the time stated in the Notice of the Hearing to Abate, the Board shall conduct a hearing pursuant to the requirements of the Wyoming Administrative Procedures Act, and shall hear and consider all relevant evidence, objections or protests, and testimony under oath of the alleged violator and all other persons having an interest in the hearing.

- C. Continuance: The Board may continue the hearing from time to time for good cause.
- D. Recommended Order: If after the conclusion of the hearing, the Board finds that a violation of these standards and regulations does exist and there is sufficient cause to prevent division, evict or relocate an illegal use or rehabilitate, demolish, remove or repair an illegal structure, the Board shall prepare an Order to Abate outlining findings and specifying the nature of the violation, the method of abatement and time within which the correction shall be commenced and completed.
- E. Notice of Decision: The Planning Director shall provide a copy of the Board's decision to the landowner by certified mail, return receipt requested.
- F. Effect of Order to Abate: If an Order to Abate is issued, it shall mean that the development is in violation of these amended standards and regulations and the illegal activity shall be discontinued and rehabilitated, repaired, removed, corrected or demolished in the manner and means specifically set forth in the Order to Abate.

g. Suspension or Revocation of Permit: Revocation or suspension of any discretionary permit issued pursuant to these standards and regulations shall be heard by the Board at a hearing under the procedures and standards of these regulations except for the Road & Bridge Standards which set forth a separate procedure.

- (1) Grounds: If the Planning Director determines reasonable grounds exist for the revocation or suspension of a permit under the standards noted below, the Planning Director shall set a hearing before the Board that shall be a *Contested Case Hearing* under the Wyoming Administrative Procedures Act.
- (2) Notification. The Planning Director shall give the permittee notification pursuant to the requirements of the Wyoming Administrative Procedures Act a minimum of twenty (20) calendar days prior to the public hearing. The notification shall also state the grounds for the revocation or suspension of the permit.
- (3) Revocation or Suspension Hearing. The Board shall conduct a hearing on the proposed revocation or suspension pursuant to the procedures set forth in the Wyoming Administrative Procedures Act which is incorporated herein by reference.
- (4) Decision of Board of County Commissioners. After the close of the hearing the Board shall, within thirty (30) calendar days, or at their next regularly scheduled meeting, whichever is longer, render a decision on the revocation or suspension of the permit if either one of the following findings is made:
 - A. The permit was granted based on misleading information or misrepresentation, **or**
 - B. Violation of conditions of permit.

- (5) Notification: Notification of the Board of County Commissioners' decision shall be provided by the Planning Director to the permittee by certified mail within thirty (30) calendar days.
- (6) Cumulative Remedy: The Board's right to revoke or suspend a permit shall be cumulative to any other remedy provided by law.

SECTION 9. PREPARATION AND ADOPTION OF PLANS

- a. **Authority to Initiate:** Any member of the Board, Commission, Planning Director, County Engineer, property owner, or resident of Park County may request preparation of a Land Use Plan or Plan amendment. The Board, upon being presented with a recommendation from the Commission, shall determine whether or not to initiate the preparation of a Plan or Plan amendment.
- b. **Responsibility of Planning Department:** The Planning Department shall prepare comprehensive studies and surveys on existing conditions and probable future growth in the area under consideration as directed by the Commission and Board.
- c. **Citizen Participation:** Every effort shall be made to encourage participation by citizens during formulation of the plan. The method by which this is to be accomplished shall be decided at the time a planning project is initiated and may include formation of citizens' advisory committees, public meetings or citizen surveys.
- d. **Public Hearing on Plans:** Prior to taking any action on a Plan or Plan amendment, the Commission shall hold at least one (1) public hearing for the purpose of considering recommendations from the Planning Department, County Engineer, County departments or other agencies and considering testimony from the public. The Planning Department shall give notice of the time and place of hearing at least thirty (30) days in advance of the hearing by publishing such notice one (1) time in a newspaper of general circulation in the County.
- e. **Findings for Adoption of Plans:** The following findings shall be made by the Planning & Zoning Commission and Board to approve a Plan or Plan amendment:
 - (1) The Plan meets the general purpose of creating coordinated and harmonious development of the area under study and of the County as a whole;
 - (2) The Plan promotes the health, safety, prosperity and general welfare of the County's residents, as well as promotes efficiency and economy in the use of land and its natural resources;
 - (3) The Plan encourages a well-balanced, prosperous economy for Park County;
 - (4) The Plan preserves and enhances Park County's unique character and protects its natural environment; and
 - (5) If the Plan is an amendment to an existing plan, the amendment is consistent with the other provisions of the plan to which it will become a part.

- f. Certification:** The Commission may certify a Plan as a whole by a single resolution, or, as the work of preparing the Plan progresses, may recommend adoption of parts of the Plan that correspond to functional subdivision of the subject matter included in the Plan. The Commission may amend, extend or add to the Plan, or carry any part of it into greater detail from time to time.
- (1) The certification of the Plan, or any part, amendment, extension or addition shall be by resolution carried by the affirmative votes of not less than a majority of the Commission.
 - (2) The resolution shall refer expressly to the maps and text intended by the Commission to form the whole of the Plan, and shall include the required findings. If a Plan or Plan amendment is approved, a copy of the resolution and the signature of the Commission Chairman shall be affixed to the face sheet of the text and to any map included in the plan.
- g. Endorsement of Plans:** Upon receiving a Plan or Plan Amendment certified by the Commission, the Board may take action to endorse the adopted Plan, Plan amendment, or portions thereof. The endorsement of the plan or plan amendment shall be by resolution carried by the affirmative votes of not less than a majority of the membership of the Board after holding a public hearing for the purpose of considering the certification. The Planning Department shall give notice of the time and place of hearing at least thirty (30) days in advance of the hearing by publishing such notice one (1) time in a newspaper of general circulation in the County.
- h. Publication and Filing of Plans:** Upon endorsement of a Plan, a certified copy including all maps referred to in the Plan shall be kept on file in the office of the Park County Clerk and Recorder and in the Planning Department. Within thirty (30) calendar days from the date a Plan is adopted, the Planning Department shall make copies available to the public.
- i. Validity of Plans:** A Plan shall be in effect upon the date approved or otherwise specified in the Board resolution. Technical noncompliance with the procedures and criteria shall not invalidate an adopted Plan.

SECTION 10. FEE SCHEDULE

- a. Standard Fees:** The Board has adopted a fee schedule for review of applications, investigations, and issuance of permits or certificates. Fees for submittals not listed shall be determined by the Planning Director for applications submitted under Chapter III and IV and by the County Engineer for applications submitted under Chapter V based on the similarity between the submittal and the types of applications listed on the fee schedule, and on the estimated number of hours of staff time review of the submittal will require.
- b. Additional Fees:** If the time required for review of a particular submittal exceeds the typical rate because it is especially complex or because of delays caused by the

applicant, the Planning Director for applications submitted under Chapter III and IV and by the County Engineer for applications submitted under Chapter V may levy an additional fee to cover the County's cost of review. If additional fees are to be levied, the applicant shall receive notice of such fees prior to consideration of the case by the decision making body.

- c. **Timing:** Fees for processing of development applications must be paid prior to action by the decision making body. Such fees may include but are not limited to the time and expense related to the County or its authorized agent's review of the costs of facilities and infrastructure construction related to subdivision development where a financial guarantee such as a bond or letter of credit is proposed by the developer.
- d. **Special Studies:** The Board, Commission, Planning Director or County Engineer shall have the authority to require that special studies be prepared for projects that have potential for significant impacts because of the project's location, the physical characteristics of the site and/or the type or scale of development. The cost of the study shall be paid by the applicant proposing the project.

SECTION 11. RELATIONSHIP TO COVENANTS

- a. **No County Obligation:** Persons owning property in the unincorporated area of Park County may have a covenant recorded against their property that affects how the land may be used or developed. Such covenants constitute a private party agreement between the property owner imposing the covenant and subsequent owners. The County does not have the power or obligation to interpret or enforce such covenants. If there is a simultaneous violation of the covenants and county regulations, the County considers covenants the 'first line of defense' and may choose not to enforce the regulations until the covenants have been enforced. If Park County requires particular covenants or is otherwise a party to a recorded covenant, then the County has the authority to enforce the provisions of such covenants.

CHAPTER II

DEFINITIONS

SECTION 1. GENERAL PROVISIONS

This chapter contains definitions of terms used throughout these standards and regulations. The following rules of construction shall apply to the text of these standards and regulations:

- a.** All words and phrases shall be construed and understood according to the common and approved usage of the language, but technical words and phrases that may have a peculiar and appropriate meaning in the law shall be construed and understood according to such peculiar or appropriate meaning;
- b.** The particular shall control the general;
- c.** In the case of any difference of meaning or implication between the text of these standards and regulations and any caption or illustration, the text shall control;
- d.** The word “shall” is always mandatory and not discretionary. The word “may” is permissive;
- e.** When not inconsistent with the context, words in the present tense shall include the future and words in the singular number shall include the plural;
- f.** In computing a period of days, the first day is excluded and the last day is included. If the last day of any period is a Saturday, Sunday, or legal holiday, the period is extended to include the next day which is not a Saturday, Sunday, or legal holiday.
- g.** Terms used shall be as defined in this section unless the context otherwise requires.
- h.** In case of any dispute over the meaning of a word, phrase or sentence, whether defined herein or not, the Planning Director is hereby authorized to make a definitive determination being guided in such determination by the purpose and intent of these development regulations. This determination may be appealed to the Board.

SECTION 2. DEFINITIONS

- (1) AASHTO: American Association of State Highway Transportation Officials.
- (2) Access: Provision for the passage of vehicles by a public or private street, or by a driveway connected to a public or private street, such that delivery of people, goods and services is possible to individual properties or buildings.
- (3) Accessory building or use: A building or use which is incidental and subordinate to a principal building or principal use; subordinate in area, extent, or purpose to the principal building or principal use served; contributes to the comfort, convenience, or necessity of occupants of the principal building or principal use; is on the same lot as the principal building or principal use, or on a common lot serving such building or use; and is established concurrent with or subsequent to establishment of the principal building or principal use.
- (4) Accessory housing unit: A dwelling unit accessory to a principal dwelling unit, located on the same lot or parcel, and smaller in floor area of living space, including but not limited to accessory apartments, caretaker's quarters, guest houses, and housing units for family members or other relatives.
- (5) Acreage, gross: The surface area within the property lines of a parcel of land before roads, easements, or other areas to be dedicated or reserved for public use are deducted.
- (6) Acreage, net: The surface area within the property lines of a parcel of land excluding road easements or rights-of-way, and any easements that prohibit surface use of the land.
- (7) Addition: Any construction joined to an existing structure that increases the size of the structure.
- (8) Adjacent landowners: Refers to land owned contiguous to and/or across the street, road, or highway from any other parcel of land.
- (9) ADT: Average daily traffic.
- (10) Adverse impact: An effect causing damage, harm, or loss or which is injurious to a person, property, or the use of property. For the purposes of these standards and regulations, negative impacts that are minimal, trivial, or *de minimis* in nature shall not be considered adverse impacts.
- (11) Agribusiness: The storage and distribution of agricultural commodities.
- (12) Agriculture: The production, keeping or maintenance, for sale, lease or personal use of plants and animals useful to mankind, including but not limited to: forage and sod crops; grain and seed crops; dairy animals and dairy products; poultry and poultry products;

livestock, including cattle, sheep, swine, horses, ponies, mules, goats or any hybrids thereof; the breeding and grazing of any or all such animals; bees and apiary products; fruits and nuts of all kinds; vegetables; nursery, floral, ornamental and greenhouse products; or lands devoted to a soil conservation or forest management program.

- (13) Agricultural machinery: Any motor vehicle or farm implement used by the owner primarily in the conduct of agricultural operations.
- (14) Agricultural operations: Operations associated with the growing and harvesting of crops and timber, and raising of livestock including such activities as timbering, plowing, planting, scarifying soils, construction and cleaning of irrigation ditches, and construction of roads, buildings, and stock ponds within farm or ranch boundaries.
- (15) Agricultural products: Plant and animal products produced by a commercial agricultural operation.
- (16) Agricultural purposes: For the sole purpose of maintaining, expanding, or promoting the science, business, and art of cultivating the soil, or using the air and / or water for producing crops, food, and fiber, including the raising of livestock, to varying degrees of preparation, for the use of mankind.
- (17) Air contaminant: Any fume, smoke, particulate matter, vapor, gas, or any combination thereof, but not including water vapor or steam.
- (18) Air quality permit: A permit required to be issued by DEQ for the discharge of air contaminants.
- (19) Airport: A facility that provides space for aircraft to take off and land, usually equipped with a control tower, hangars, and accommodations for passengers and cargo.
 - (a) Private: Airport which is used for an individual or corporation private use and not open to the general public.
 - (b) Commercial: A facility open to the general public providing space for aircraft to take off and land, usually equipped with a control tower, hangars, and waiting rooms for passengers and cargo.
- (20) Airport elevation: The highest point of an airport's usable landing area measured in feet from mean sea level.
- (21) Airport hazard: Any structure or object of natural growth located on or in the vicinity of a public airport, or any use of land near such airport which obstructs the airspace required for the flight of aircraft in landing or takeoff at such airport or as otherwise hazardous to such landing or takeoff of such aircraft.
- (22) Airport Overlay Zone: The runway protection zones, transitional zones, horizontal zones, and conical zones as shown on the most recent and applicable airport plans.

- (23) Alley: A thoroughfare that provides a secondary means of vehicular access to a building along its side or rear, but does not provide the primary means of access..
- (24) Alteration: A structural change in or modification to a structure, including an expansion or change in use of a structure or parcel of land.
- (25) Amateur Radio Tower: Non-commercial communication tower, including supporting foundation, guy wires and other structural equipment, considered accessory use. Also known as Ham Radio tower.
- (26) Amusement facilities: (see *recreation facilities*).
- (27) Animal clinic: A facility providing for the care of sick or injured animals that does not include boarding facilities.
- (28) Animal hospital: A facility for the care of sick or injured animals. Such facilities may include veterinarian offices, administrative offices, space for examination, surgery, and recovery, and for boarding of animals while under treatment.
- (29) Animal keeping: Placement of animals on a property as a source of meat, milk, eggs, fur, leather, or other animal-related products for home use or commercial sale, or for breeding or research purposes.
- (30) Animal pound: A facility usually operated by a public agency where licenses for domestic pets are issued, and stray animals are housed until claimed by their owners, adopted, or euthanized.
- (31) Animal sale yard: A commercial establishment consisting of a compound or similar fenced area where animals are kept for sale, auction or trade, usually associated with a commercial feeding operation (see *feedlot*). Excludes the sale of livestock from a working ranch where the livestock sold have also been raised on the property.
- (32) Animal Unit: 1 bovine fed for slaughter, 0.7 mature dairy cow (whether milked or dry cows), 1 swine, 0.5 horses, 10 sheep or lambs or goats, 5.5 turkeys, 10 laying hens or broilers, or 5 ducks. For other animals the animal unit shall be determined based on equivalent weight or production figures.
- (33) A.N.S.I.: American National Standards Institute.
- (34) Approach, transitional, horizontal, and conical zones: These zones apply to the area under the approach, transitional, horizontal, and conical surfaces defined in Federal Aviation Regulations, Part 77, and shown on the approved Airport Airspace Drawing for any public airport in Park County.

- (35) Area of special flood hazard (SFHA): The land in the floodplain within Park County subject to a one (1) percent or greater chance of flooding in any given year. The area may be designated as Zone A on the Park County flood hazard boundary maps.
- (36) Asphalt plant: An industrial establishment or factory where gravel or sand is combined with a mixture of bitumen to create a substance used for paving, roofing and waterproofing.
- (37) Athletic facilities: Fields and facilities used for the playing of sports such as tennis courts, racquetball courts, rodeo and riding arenas, and ball fields.
 - (a) Commercial: Athletic facilities open to the general public where fees are charged for use of facilities and which are operated in order to provide financial gain to the operator or owner.
 - (b) Community: Athletic facilities owned or operated by a government agency or nonprofit entity which are open to the general public and where fees charged are intended to cover the cost of operation and not to provide financial gain to the operator.
 - (c) Private: Athletic facilities owned or operated by a Homeowners Association or membership association for the benefit of members where fees charged are intended to cover the cost of operation and not provide financial gain. Athletic facilities accessory to a dwelling unit for use by the property owner or tenant residing on the property, family members, or guests.
- (38) Auditorium: A building or portion of a building used to accommodate an audience at public meetings or artistic performances, which usually includes a stage and seating.
- (39) Automobile body work, painting, or restoration: The use of any building or land for a business involving replacement of vehicle parts, body components, welding, rebuilding or refinishing of automobiles, trucks, and other motor vehicles.
- (40) Automobile rental: A commercial establishment offering the use of automobiles or trucks in exchange for payment. Such establishments may include office space, parking areas for rental vehicles, parking areas for customers and employees, and servicing and repair facilities, but shall not include facilities for body work, painting, or restoration.
- (41) Automobile repair: The use of any building or land for a business involving the exchange of vehicle parts and vehicle maintenance requiring no open flame or welding, rebuilding, or refinishing of automobiles and trucks where these vehicles have a gross vehicle weight of less than ten thousand (10,000) pounds, but not including junkyards.
- (42) Automobile sales: The use of any building or land for a business involving the sale of new or used motor vehicles and recreational vehicles. Such establishments may include office space, parking lots for the display and storage of vehicles available for sale, parking areas for customers and employees, vehicle repair facilities, facilities for bodywork, painting, or restoration, and sale of parts.

- (43) Automobile service station: The use of any building or land for a business supplying gasoline, oil, minor auto parts, and minor services such as washing windows for motor vehicles. An automobile service station may or may not include repair services (see *automobile repair*).
- (44) Automobile wash: Any building or premises or portions thereof used for the washing, polishing, or detailing of motor vehicles and recreational vehicles.
- (45) Average Lot Size: The result of $A \div N$, where A equals the gross acreage of the parent parcel and N equals the number of lots contained within a subdivision or exempt land division.
- (46) Base flood: The flood having a one (1) percent chance of being equaled or exceeded in any given year; equivalent to a 100-year flood.
- (47) Base flood elevation or BFE. The water surface elevation of the base flood in a specified datum (NAVD 1988) usually expressed in feet above mean sea level (MSL).
- (48) Basement: Area of a structure where the floor is sub-grade on all sides.
- (49) Bed and breakfast: An owner-occupied, single-family dwelling where short-term lodging is provided through the rental of no more than 4 individual rooms to the general public.
- (50) Billboard: A structure which directs attention to a business, commodity, service, or other activity conducted, sold, or offered elsewhere than on the parcel of land where the sign is located.
- (51) Block: A grouping of lots usually bounded by streets or by a combination of streets and public land, railroad rights-of-way, water bodies, or any other physical barriers to the continuity of development, and not traversed by a through street.
- (52) Board: Board of County Commissioners.
- (53) Bonds: A written obligation that acts as financial surety that a project will be complete pursuant to all requirements or conditions. Bonds may include performance, labor or material payment bonds, irrevocable letters of credit, and other instruments of security furnished to Park County by the applicant as surety.
- (54) Bridge: A structure built to span a gorge, valley, road, railroad track, river, body of water, or any other physical obstacle. Bridges are generally composed of three separate parts: substructure, superstructure, and deck.
- (55) Building: Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of any individual, animal, process, equipment, goods, or material of any kind.

- (56) Building setback: Distance a building or use must be removed from a county road or alley right-of-way. Setback from county road right-of-way is 20 feet, and 5 feet from alleys in the unincorporated towns.
- (57) Bunkhouse: A building providing sleeping quarters for employees working on farm or ranch property where the building is located, which may or may not include common kitchen facilities.
- (58) Campground: An outdoor area providing space for vacationers to live on a temporary basis in either tents, tent trailers, campers or recreational vehicles that is open to the general public and operated to provide financial gain to the proprietor. A campground may also include rental cabins and the sale of goods and services to patrons, but its primary function is to accommodate visitors providing their own shelter.
- (59) Cement/clay products manufacturing: The process of producing usable building materials included in the Standard Industrial Classifications of 3241 and 3251.
- (60) Chemical manufacturing: The production of chemicals in a usable form from raw products included in the broad Standard Industrial Classifications.
- (61) Clinic, medical: A facility providing health services, medical, or surgical care for patients where overnight stays are on an emergency basis only (see *hospital*).
- (62) Commission: Planning & Zoning Commission.
- (63) Common area: Land, facilities, or improvements such as open space, a clubhouse, tennis court or swimming pool, or roads, driveways, and parking areas which are located within a development and in which the owners of the development have an undivided interest and a common responsibility for maintenance and repair.
- (64) Communications tower: A structure intended for transmitting or receiving television, radio, telephone, or microwave communications which may include parabolic dishes or microwave relay dishes mounted on the tower.
 - (a) Accessory: Towers that are needed for communications in business or private operations, but communications are not sold, and the primary function of the operation is not telecommunications.
 - (b) Commercial: Towers that are needed for communications in operation of a business that is involved in the sale of communications.
- (65) Community center: A facility owned or leased by a public agency or nonprofit organization offering space and facilities for community events and activities such as use by youth groups, meetings of community groups, and musical and theatrical productions by amateur or nonprofit organizations. Community centers may also include recreational or athletic facilities. The facility may be offered for rent to private groups, but its primary function is to provide space for community activities.

- (66) Community living programs: Program designed to integrate persons back into the fabric of the community as an interim step from time served in a correctional facility or as an alternative to time in a correctional facility. These programs include, but are not limited to, integrated living programs and congregate living programs. No community living program shall be located within one thousand three hundred twenty (1320) feet of another community living program. These facilities are often referred to as “halfway houses.”
- (67) Compatible: Land uses need not be identical to be “compatible”, but must be sited, designed, constructed, and used in such a way that the normal functions and operation of neighboring uses do not seriously conflict, and so that their appearance is generally harmonious.
- (68) Concrete batch plant: An industrial establishment for the manufacture of a building material made from sand, pebbles, and/or crushed stone held together by a mass of cement or mortar, and may include sales to contractors but usually not to the general public.
- (69) Condominium: A form of ownership of real estate in which exclusive title is given to space within a project such as a residence or office along with an undivided interest in the project's common elements.
- (70) Condominium hotel: A building containing rooms or suites which have been sold as condominiums to individual owners, but which is operated as a hotel in that lodging is offered to the general public and reservations are handled through a central management organization.
- (71) Construction staging area: An area used for the storage of construction materials and equipment, parking of vehicles and storage of fuel supplies, placement of trailers used for temporary offices, and storage of supplies and tools for one year or for the duration of a major construction project not located on the same site as the construction project.
- (72) Contractor: A person, partnership, corporation, or other legal entity who undertakes to construct, install, alter, move, demolish, repair, replace, excavate, or add to any improvements or common facilities covered by the County standards and specifications.
- (73) Contiguous: Having a common boundary or edge; connecting without a break within a common boundary.
- (74) Convalescent home: A facility licensed by the Wyoming Department of Health which provides bed and ambulatory care for patients with postoperative convalescent, chronic illness or dietary problems, and for persons unable to care for themselves, but does not include treatment of alcoholics, drug addicts, or persons with mental or contagious diseases. Includes nursing home.

- (75) Convenience market: A commercial establishment, not more than five thousand (5,000) square feet, selling food and other convenience items, where the food is usually packaged, but not a full service supermarket or grocery store (see *supermarket/grocery store*).
- (76) Conventional Subdivision: A subdivision in which the land area of each and every parcel created is equal to or larger than the minimum lot size for the zoning district in which the subdivision is located.
- (77) Convention center: A large scale facility designed to accommodate three hundred (300) or more people in assembly, providing space for business or professional conventions, conferences, and seminars, trade fairs or merchandise marts, product displays, entertainment and athletic events, and usually including food service. Classified as major commercial.
- (78) Corner lot: A lot located at the intersection of two (2) or more streets having an angle of intersection of not more than one hundred thirty-five (135) degrees.
- (79) Corporation: An entity having authority under law and currently registered with the State of Wyoming to act as a single person distinct from those who own it; a group or succession of persons or a single individual established in accordance with legal rules into a legal or juristic entity that has legal personality distinct from the natural person(s) who make it up.
- (80) County Engineer: Park County Engineer or authorized designee.
- (81) Covenant: A private legal restriction on the use of land, contained in the deed to the property or in a separate instrument recorded against the property.
- (82) Crematorium: An establishment for the burning of corpses to ashes. Crematoriums do not include establishments where incinerators are used to dispose of toxic or hazardous materials, infectious materials, or narcotics.
 - (a) Animal: A crematorium for the disposal of animal carcasses.
 - (b) Human: A crematorium for the disposal of human corpses.
- (83) Crude oil refinery: An industrial plant for purifying petroleum into a usable form.
- (84) Crushing, gravel and rock: An industrial operation using machinery in which rock or gravel is broken, pounded, or ground into smaller fragments.
- (85) Culvert: A conduit used to enclose a flowing body of water. It may be, for example, used to allow water to pass underneath a road, railway, or embankment. Culverts can be made of many different materials; steel, polyvinyl chloride (PVC), and concrete are the most common.

- (86) Cut slope: Any slope surface in soil or bedrock material created by man by the removal of such material below the natural land surface.
- (87) Dairy products processing: An establishment that converts raw dairy products into a finished packaged form to be sold for consumption offsite.
- (88) Day care (home): The use of a residence for the care of eleven (11) or fewer children other than the occupant's own children for periods of less than twenty-four (24) hours per day. Home childcare is considered a home occupation. Home day care includes those homes as defined by the Wyoming Department of Family Services consistent with this definition.
- (89) Day care (center): A facility for the care and supervision of more than eleven (11) children for periods of less than twenty-four (24) hours per day. Day care centers include preschools and nursery schools and as otherwise defined by the Wyoming Department of Family Services consistent with this definition.
- (90) Density: The number of dwelling units per gross acre of land.
- (91) DEQ: Wyoming Department of Environmental Quality.
- (92) Design Speed: The maximum safe speed that can be maintained over a specified section of highway when conditions are so favorable that the design features of the highway govern.
- (93) Design Storm: 1 hour 25 year event.
- (94) Developer: The person who is the legal or beneficial owner of land, is the holder of an option or contract to purchase, has enforceable proprietary interests, or has the authority to condemn such land where the person is planning, platting, or is involved in the development, promotion, sale, or lease of subdivisions and/or other development of the land.
- (95) Development: All activities involving earth disturbance to improved or unimproved real estate and requiring a permit; the placement, construction, erection, reconstruction, movement, and alteration of structures or buildings; construction of roads, driveways, and parking areas; placement of paved areas; construction of drainage improvements or alterations of the historic flow of drainage patterns and amounts; installation of utilities; any mining, excavation, or drilling operations; and any extension of use of land.
- (96) Discharge permit: Refers to a permit, issued for the discharge of domestic, municipal, or industrial effluent into the waters of the state, by the Wyoming Department of Environmental Quality or the U.S. Environmental Protection Agency, or other organization legally authorized to issue such permits.

- (97) Discretionary Development Applications: Applications that require approval by the Board of County Commissioner and / or Planning & Zoning Commission, including special use permits, site plans, variances, floodplain permits, and zoning map amendments.
- (98) Dish antenna: A round, parabolic antenna intended to receive signals from orbiting satellites and other sources.
- (a) Commercial: Dish antennas used either by broadcasting stations or for the purpose of receiving transmissions useful in the promotion or operation of a business.
- (b) Private: Dish antennas used for receiving transmission for private use.
- (99) Dormitory: A building or portion of a building providing sleeping quarters for a number of persons as an accessory use to a college, university, boarding school, orphanage, convent, monastery or other similar institutional use; a building for employee housing as an accessory use to a resort; dormitories may or may not have common cooking and eating facilities.
- (100) Driveway: A thoroughfare for vehicles providing access from a public or private street or alley to a dwelling unit or to a parking area serving structures, facilities, or uses. Driveways may serve no more than four (4) single family units, or two (2) duplexes (4 units); otherwise it is considered a road.
- (101) Dude ranch: (see *resort or dude ranch*).
- (102) Duplex: A dwelling with separate entrances for two households, including two-story houses having a complete dwelling on each floor and side-by-side residences on a single lot that share a common wall. A duplex is considered a primary residence AND an accessory unit, not multi-family as defined in these regulations.
- (103) Easement: A right given by the owner of land to another party for specific limited use of that land, contained in the deed to the property or in a separate instrument recorded against the property.
- (104) Electric generating facility: An establishment with a unit designed to convert mechanical energy into electrical energy.
- (a) Commercial: A large-scale operation with generation of electricity as the primary function of the establishment. Electricity is produced for sale to consumers.
- (b) Non-commercial: A small-scale operation with the production of electricity for private utilization in which electrical generation is not the primary use of the land.
- (105) Elevated building: A non-basement structure built to have the top of the elevated floor raised above ground level by means of pilings, columns or shear walls parallel to the flow of water and adequately anchored so as not to impair the structural integrity of the building during a base flood; and a building on fill or solid foundation perimeter walls with openings sufficient to allow the unimpeded movement of flood waters.

- (106) Engineering Department: Park County Engineering Department (Public Works).
- (107) Enlargement: An addition to a structure or the expansion of a use so the use occupies more area, or materials needed to conduct the use are stored in greater quantities.
- (108) Equipment rental: The use of a building or land for the purpose of providing machinery or gear to individuals or businesses on a rental basis.
- (109) Equipment repair: The restoration of machinery or gear to proper and useful condition after damage or normal wear.
- (110) Equipment sales: The sale of machinery or gear such as air compressors, chain saws, welding equipment, concrete mixers, power tools, hardware, tractors, and front end loaders to the general public or to businesses, excluding motor vehicle and recreational vehicle sales.
- (111) Erosion: The detachment and transportation of soil or rock particles by water or wind.
- (112) Exempt Land Division: Division of land that creates new parcels and is exempt from the subdivision permit requirements of the Subdivision Regulations.
- (113) Existing construction: Structures for which the start of construction commenced before the effective date of adoption of the "Park County Development Standards and Regulations" or any amendments thereto; and for floodplain overlay, structures for which the start of construction commenced prior to the effective date of FHBM's or FIRM's in Park County.
- (114) Existing structures: (see *existing construction*).
- (115) Explosives: Any chemical compound mixture, or device, the primary or common purpose of which is to function by explosion; the term includes, but is not limited to, dynamite and other high explosives, black powder, pellet powder, initiating explosives, detonators, safety fuses, squibs, detonating cord, igniter cord, and igniters. Use, storage, manufacture, and transportation of explosives are regulated by the federal government through the Bureau of Alcohol, Tobacco and Firearms (ATF) that Park County relies upon for the public health, safety and welfare.
- (116) Extraction, gravel and sand: The removal of rock from natural or historical deposits through mechanical means and stockpiling of it for the purpose of crushing it into gravel or sand, but excluding any crushing operation (see *crushing, gravel and rock*).
- (117) Extraction, mineral: (see *mining*).
- (118) Factory-built home: Includes mobile, manufactured, modular, panelized, pre-cut, and other pre-fabricated homes.

- (119) Family: A group of individuals not necessarily related by blood, marriage, adoption or guardianship living together in a dwelling unit as a single nonprofit housekeeping unit.
- (120) Federal: Of or pertaining to a department, agency, officer or regulation of the United States Government.
- (121) Feedlot: A lot, yard, corral, or other area or any enclosed facility in which 300 animal units of livestock or other animals are confined for 45 days or more in any 12 month period, primarily for the purpose of feeding and growth prior to slaughter.
- (122) Fence: A structure of any material or combination of materials that serves as an enclosure, screen, or barrier; also includes wall.
- (123) FEMA: Federal Emergency Management Agency.
- (124) Fertilizer manufacturing: The production of a substance used to make soil more fertile included in the Standard Industrial Classifications of 2873 and 2874.
- (125) Fill slope: The slope surface of the outward margins or sides of a fill.
- (126) Final Plat: The map or maps and specified supporting materials to be recorded with the County Clerk, drawn and submitted in accordance with the requirements of these Regulations, including but not limited to requirements noted in Appendix 3.
- (127) Final acceptance: The date on which the County agrees to accept warranted work.
- (128) Financial guarantee: Cash, letters of credit, bonds, or similar financial instruments deposited with the County to assure that required improvements will be constructed or installed and will function as required for a specified period.
- (129) Fire flow: Water that is available on or adjacent to a site for fire suppression.
- (130) Fish hatchery: A commercial establishment where fish eggs are hatched and fish raised and sold for use in stocking streams and lakes, or for food.
- (131) Flood or flooding:
- (a) A general or temporary condition of partial or complete inundation of normally dry land from the overflow of inland waters, the unusual and rapid accumulation or runoff of surface waters from any source, or mudslides (i.e., mudflows) which are proximately caused or precipitated by accumulations of water on or under the ground.
 - (b) The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding the anticipated cyclical levels, or suddenly caused by an unusually high water level in a natural body of water accompanied by a severe storm, or by an unanticipated force

of nature, such as flash flood or by some similarly unusual and unforeseeable event which results in flooding.

- (132) Flood elevation information: The elevation in relation to sea level and depth of flooding which is determined for specific locations in the floodplain.
- (133) Flood Hazard Boundary Map (FHBM): Usually the initial FEMA map depicting approximate special flood hazard areas. All Park County maps are FIRM's.
- (134) Flood Insurance Rate Map (FIRM): those flood hazard boundary maps converted from the emergency phase to regular phase hereafter referred to as FIRM maps. It is the official map of the community on which FEMA has delineated the special flood hazard areas and risk premium zones applicable to the community.
- (135) Flood Insurance Risk Zones: Designations that indicate the level of flood hazard. Park County has Zone A (special flood hazard area 100 year – BFE's are undetermined); Zone D (areas of undetermined flood hazard, but possible); and Zone X (areas determined to be outside the .2% annual chance flood).
- (136) Flood Insurance Study (FIS): An engineering study performed by FEMA to identify flood hazard areas, flood insurance risk zones, and other flood data in a community.
- (137) Floodplain: Land area subject to inundation as a result of the base flood. The physical location of the floodplain on flood hazard maps is representative of existing ground conditions and may be based, among other things, on historical flood records or other readily available data; equivalent to "flood prone area" and 100-year floodplain.
- (138) Flood-proofing: Any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, utilities, and structures and their contents.
 - (a) Wet flood-proofing: Permanent or contingent measures applied to a structure or its contents that prevent or provide resistance to damage from flooding while allowing floodwaters to enter the structure or area. This includes properly anchoring the structure, using flood resistant materials below the Base Flood Elevation (BFE), protection of mechanical and utility equipment, and use of openings or breakaway walls;
 - (b) Dry flood-proofing: water-tight to BFE to prevent flood waters from entering a structure.
- (139) Floor Area, Building: The sum of the gross horizontal areas of the several floors of a building or structure measured from the exterior face of exterior walls, or from the centerline of a common wall separating two buildings, but excluding: any space where the floor-to-ceiling height is less than 6 feet; unheated areas; and interior vehicle parking areas.

- (140) Food processing plant: A commercial facility used to process and package food product for off-premises consumption and sale.
- (141) Freeboard: a factor of safety usually expressed in feet above base flood elevation.
- (142) Functionally dependent use: a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water (i.e. docks).
- (143) Funeral home: A commercial establishment where human corpses are prepared for burial or cremation, and ceremonies are held in connection with burial or cremation of the dead. Excludes a facility with a crematorium (see *crematorium*).
- (144) Fur farm: A commercial establishment where animals are raised for their pelts, which are sold for use in clothing, or where they are bred for this purpose.
- (145) Garage: A building or portion of building in which motor vehicles are stored or kept.
- (a) Garage, private: A garage which is associated with a single family or duplex dwelling unit where motor vehicles belonging to residents or their guests are stored or kept, and where space is not available to the general public. A garage associated with a multifamily residential development where motor vehicles belonging to residents or their guests are stored or kept, or a garage associated with a community or institutional facility for the storage of vehicles associated with the activities of a public agency or an institution are stored or kept, and where space is not available to the general public.
 - (b) Garage, public: A garage, other than a private garage, in which motor vehicles are stored or kept.
 - (i) Accessory: A parking garage associated with a business or group of businesses that is primarily for the use of the customers of the business or businesses.
 - (ii) Public Parking Garage: A public garage which is not associated with a particular business but is operated as an enterprise in and of itself, and is available for parking to the general public for a fee.
- (146) Geologic hazard area: Areas subject to dangers of mass movement, avalanche, earthquake, or flooding.
- (147) Golf course: A large tract of land developed for the game of golf, and may include a clubhouse containing locker rooms, food services, and sale of clothing and sporting goods associated with golf.
- (148) Government facilities: Facilities owned and/or operated by a government agency needed for the operation of government functions. For purposes of these standards and regulations, government facilities are classified as administrative offices and as other facilities such as equipment yards, garages for vehicle storage and repair, or impound yards (see *office, administrative / business / professional*).

- (149) Gravel and sand processing: (see *crushing, gravel and rock*).
- (150) Gravel and sand production: (see *mining*).
- (151) Greenhouse: A building whose roof and sides are made largely of glass or other transparent or translucent material and in which the temperature and humidity can be regulated for the cultivation of delicate or out-of-season plants (see *nursery*).
- (a) Commercial: A business where plants are cultivated for subsequent sale to wholesalers, retailers or to the general public.
 - (b) Private: A greenhouse as an accessory use where plants are cultivated for personal enjoyment or to enhance the interior aesthetics of a residence or a nonresidential facility, and not for commercial sale.
- (152) Gross acreage: The surface area within the property lines of a parcel or lot of land before roads, easements, or other areas dedicated or reserved for public use are deducted.
- (153) Grouped Lot Subdivision: A subdivision in which a specified percentage of the parent parcel is reserved as an open space lot and the lots for building development are concentrated on the remaining portion of the parent parcel.
- (154) Group home or assisted living: A home or facility used to provide twenty-four (24) hour care for: not more than ten (10) children including the staff's or foster family's own children; not more than ten (10) developmentally or physically disabled persons or not more than ten (10) persons sixty (60) years of age or older. Group homes shall include Crisis Centers, Shelters, Group Home Care, or Boarding Homes for any of the above referenced groups of persons, but shall exclude Family Foster Home Care. Group Homes shall not be located within one thousand three hundred twenty (1320) feet of another group home.
- (155) Guest house: An accessory dwelling, incidental and subordinate to the principal dwelling, which is designed and established for temporary accommodation of non-paying guests.
- (156) Gypsum/lime products manufacturing: The conversion of gypsum and lime raw products into a usable form included in the Standard Industrial Classification of 3275.
- (157) Habitat: An area which, for reasons of natural food supply, shelter, isolation, insulation, or other physical or ecological characteristic is uniquely suited to the life and growth of particular forms of wildlife, and consistently is used as the living place of such wildlife either permanently or seasonally.
- (158) Ham Radio: see *Amateur Radio*.
- (159) Health club: A commercial facility providing instruction or equipment designed to promote or improve the health of clients.

- (160) Heavy truck / tractor repair: Industrial use of any building or land for a business involving repair or replacement of heavy machinery parts or components, welding, rebuilding or refinishing of large trucks (>10000 GVW), tractors, and other heavy equipment / machinery. Not applicable to agricultural operations. Classified as Cottage Industry if < than 5000 sq. ft.
- (161) Height: For purposes of determining the height limits in all zones set forth in the Airport Obstruction Regulations, the datum shall be mean sea level elevation unless otherwise specified.
- (162) Height of structure: The vertical distance between the average ground surface elevation where a structure intersects finished grade and the highest point of the structure above finished grade calculated as provided in these standards and regulations
- (163) Heliport: An area, either at ground level or elevated on a structure, licensed or approved for the landing and takeoff of helicopters on a regular basis, and any appurtenant buildings or facilities which may include parking, waiting room, refueling, and maintenance, repair, or storage facilities.
- (164) Helistop: An area, either at ground level or elevated on a structure approved for the landing and takeoff of helicopters, but which does not include refueling, maintenance, repair or storage facilities. Uses on a transient or temporary basis are not considered helistops (i.e. timbering, seismic work, mineral extraction, etc.).
- (165) Highest adjacent grade (HAG): The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.
- (166) Hospital: A facility that provides medical or surgical care and treatment for the sick and the injured, where overnight stays are routine, and including, as an integral part of the institution, related facilities such as laboratories, outpatient, or training facilities (see *clinic, medical*).
- (167) Hotel/motel: A facility offering transient lodging accommodations to the general public, and may provide additional services such as restaurants, meeting rooms and recreation facilities. This includes separate structures such as cabins.
- (168) Horse boarding: see *stable*.
- (169) House trailer: A vehicle without propelling power designed to be drawn by a motor vehicle that is designed, constructed and equipped as a temporary dwelling place, living abode, or sleeping place, 8.5 feet or less in width, excluding appurtenances, aka camping trailer.
- (170) Housing unit: A house, apartment, mobile home, group of rooms, or a single room that is occupied (or if vacant, is intended for occupancy) as separate living quarters. Separate living quarters are those in which the occupants live and eat separately from any other

persons in the building and which have direct access from the outside of the building or through a common hall.

- (171) Hydroplant: A facility in which electricity is generated by conversion of the energy of running water.
 - (a) Large: Hydroplant having the capacity to produce more than fifty (50) kilowatts of power.
 - (b) Small: Hydroplant having the capacity to produce no more than fifty (50) kilowatts of power.
- (172) Ice manufacturing and cold storage: An establishment for the storage (as of food) in a cold place for preservation, or for the production and sales of ice.
- (173) Impoundment yard: A fenced area used for the storage of vehicles retrieved by a towing company or by police personnel until reclaimed by their owners, or disposed of as abandoned.
- (174) Incinerator: A device used to consume something by burning it.
- (175) Initial acceptance: The date on which the County agrees to accept the work under contract. This date usually follows the final walk through and completion of all "punch list" items, and is also commonly referred to as the date of substantial completion. The warranty period usually begins on the date of initial acceptance.
- (176) Inspector: County Engineer or authorized representative assigned to make detailed inspection of construction work to assure compliance with standards, specifications and plans as approved by the County.
- (177) Irrigation District: Organized district that is subject to the provisions of Title 41, Chapter 7 of the Wyoming Statutes.
- (178) Junk: Old or scrap metal, tires, wire, rope, rags, batteries, paper, trash, rubber, debris, waste, or junked, dismantled, or wrecked vehicles or vehicle parts, or appliances or appliance parts, etc.
- (179) Junkyard: Any establishment or place of business which is maintained, operated, or used for storing, keeping, buying or selling junk. This definition also includes scrap metal processors, auto-wrecking yards, salvage and scrap yards, and temporary storage of automobile bodies or parts awaiting disposal as a normal part of a business operation when the business has such materials located on the premises on a customary basis. Also called a *salvage yard*.
- (180) Kennel: A shelter where care for dogs or cats is provided for a fee.

- (a) Boarding: A kennel where boarding, training, or grooming services are offered, but no breeding of animals is conducted.
 - (b) Breeding: A kennel where pedigreed cats or dogs are kept for the purpose of offering stud service or producing offspring for sale.
- (181) Landowner: (see *property owner*).
- (182) Landfill: (see *sanitary landfill / solid waste disposal*).
- (183) Laundromat: Business premises equipped with individual clothes washing machines for the use of retail customers, exclusive of laundry facilities provided as an accessory use in an apartment house or an apartment hotel.
- (184) Land Use Plan: The most current adopted or amended Park County Land Use Plan.
- (185) Levee: A man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.
- (186) Liquid waste disposal facility: A facility or area for accumulation, storage, collection, transportation, or other disposal or resource recovery from liquid waste except sludge placed on land at agronomic rates so as to use the nutrients and/or moisture in the sludge as a soil conditioner or low grade fertilizer for the promotion of vegetative growth.
- (187) Liquor store: A commercial establishment selling alcoholic beverages that are packaged and not sold by the drink (see *bar / tavern*).
- (188) Livestock: Domestic animals, such as cattle or horses raised for home use or for profit. For purposes of these standards and regulations, livestock shall include but not be limited to: cattle, equines, goats, llamas, poultry, sheep, and swine.
- (189) Local access road: Generally, a private road that provides access to private property.
- (190) Lodging rooms: A room with one (1) or more beds, bunks, or other facilities for sleeping purposes for an unspecified number of persons to provide short term lodging for a charge to the public.
- (191) Long term rental (or lodging): The offering or reservation of a residence or lodging room, either by a rental contract or other arrangement, for six (6) months or more on a continuing basis.
- (192) Lot: A designated area of land less than 35 acres identified or established by subdivision plat or town site plat (see *parcel*).

- (193) Lot area: The area contained within the legal boundaries of a subdivision lot excluding any road easements or rights-of-way, whether public or private, and any easements which prohibit surface use of the property, also called the net acreage.
- (194) Lot size: The total land area within the lot lines.
- (195) Lot Size Averaged Subdivision: A subdivision where lots smaller than the minimum lot size are created provided other lots within the subdivision are oversized to compensate for the smaller lots and the total number of lots created does not exceed the number of lots allowed in a conventional subdivision design.
- (196) Lowest adjacent grade (LAG): The lowest level of ground immediately adjacent to a structure.
- (197) Lowest floor: The lowest floor of the lowest enclosed area (including basement) of a structure. An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable flood proofing and design requirements of these regulations.
- (198) Manufactured home: A structure manufactured in one or more sections built on a permanent chassis, transported to a building site on its own wheels, designed to be used a dwelling with or without a permanent foundation when connected to utilities and includes plumbing, heating and electrical systems manufactured in accordance with the HUD code, aka red label (National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C.A §§ 5401-5426)) at a minimum.
- (199) Manufactured Home Park (aka mobile home park): A parcel or contiguous parcels of land under one (1) ownership divided into three (3) or more spaces for the installation of mobile / manufactured homes, where such homes are to be used as dwelling units which are occupied on a frequent or regular basis and where connections to utilities are provided. A development consisting of individual parcel or lot ownership is not considered a manufactured home park. Pursuant to W.S. §18-5-302(a)(vii), manufactured home parks shall require a subdivision permit.
- (200) Mass movement: Refers to the movement of sizeable bodies of soil, rock, or snow in the form of avalanches, rock fall, landslides, mudslides, soil flows, etc.
- (201) Mean Sea Level (MSL): For purposes of the National Flood Insurance Program, the North American Vertical Datum (NAVD) 1988 or other datum to which base flood elevations shown on a community's Flood Insurance Rate Map are referred.
- (202) Medical laboratories: A laboratory that provides bacteriological, biological, medical, x-ray, pathological, and similar analytical or diagnostic services to doctors or dentists. No fabricating is conducted on the premises, except the custom fabrication of dentures.

- (203) Metes and bounds: A system of describing and identifying land by measures (metes) and direction (bounds) from an identifiable point of reference such as a monument or other marker, the corner of intersecting streets, or in rural areas, a tree or other permanent feature.
- (204) Microwave dish: A receiver for ultra-high frequency electromagnetic waves.
- (205) Milling: An industrial operation, as distinguished from mining, in which minerals and rock are ground, crushed or otherwise processed for use in other than raw form.
- (206) Mineral: An inanimate constituent of the earth in a solid, liquid, or gaseous state which, when extracted from the earth, is usable in its natural form or is capable of conversion into a usable form as a metal, metallic compound, chemical, energy source or as a raw material for manufacturing or construction material excluding oil and gas.
- (207) Minimum Lot Size: The smallest total land area within the lot boundaries of a lot that is permitted within a conventional subdivision or conventional exempt land division.
- (208) Mining: The process of removal or extraction of materials including minerals, ore, sand, or rock from within or on the earth, usually by mechanical means, but excluding any crushing or milling operation. Mining operations may also include tailings ponds, stockpiling of raw and processed material (*see crushing, gravel and rock, milling*).
- (a) Commercial: The removal or extraction of materials noted above in order to offer them for sale, either in raw form or after processing, to wholesalers, retailers or the general public, and involves the transport of the raw or processed material off the premises from which it has been extracted.
- (b) Private: The removal or extraction of materials noted above for private consumption, either in raw form or after processing, on the premises from which they were extracted, or for personal use by the person owning the minerals.
- (209) Mini-warehouse: A commercial establishment providing individual storage bays for rent by the general public.
- (210) Mitigate: To take preventative or remedial action to lessen the adverse effects of development and human activity or the impact of a natural hazard.
- (211) Mitigation: An action that will have one or more of the following effects: avoiding, reducing or eliminating a manmade or natural hazard on a property such that use of the property or land will occur with a reasonable expectation of safety; reducing impacts from development on a property's natural features; preventing impacts from development having an adverse effect on either a property's natural features or on the use and enjoyment of neighboring properties; or counterbalancing detrimental effects of development on natural features by rehabilitating areas which have experienced degradation from previous development; improving or enhancing existing plant and

animal habitat and creation of new habitat; or undertaking development in a manner that maintains the vitality of the ecosystem.

- (212) Mobile home: A factory-built home constructed prior to June 15, 1976, or not constructed to a uniform construction code such as the certified Federal Manufactured Home Construction and Safety Standards; is not (HUD) compliant.
- (213) Mobile Home Park: (see *Manufactured Home Park*).
- (214) Modular home: A factory-built off-frame home meeting uniform construction code such as IRC or UBC with no integral chassis, wheels or tongue; where sections (modules) are transported to the construction site and assembled on a permanent foundation. This includes log home packages and panelized homes. Modular homes are equivalent to 'stick-built' structures.
- (215) Motor home: A self-propelled RV which offers self-contained living quarters for travel; includes a vehicle carrying a camper.
- (216) Motor vehicle storage yard: Motor vehicle storage yards can be either private for a landowner's personal use, or commercial where a fee is collected for the service of storing a motor vehicle for others (see *storage yard, motor vehicle*).
- (217) Multifamily housing: A building of three or more dwelling units, not counting accessory housing units, including apartment buildings, townhouses, and triplexes.
- (218) MUTCD: Manual on Uniform Traffic Control Devices
- (219) Net Acreage: The surface area within the property lines of a parcel or lot of land excluding road easements or rights-of-way, and any easements that prohibit surface use of land.
- (220) Net metering: A simplified method of metering the energy consumed and produced at a home or business that has its own renewable energy generator, such as a wind turbine. Under net metering, excess electricity produced by the wind turbine will spin the existing home or business electricity meter backwards, effectively banking the electricity until it is needed by the customer. This provides the customer with full retail value for all the electricity produced. Under existing federal law (PURPA, Section 210) utility customers can use the electricity they generate with a wind turbine to supply their own lights and appliances, offsetting electricity they would otherwise have to purchase from the utility at the retail price. If the customer produces any excess electricity beyond what is needed to meet the customer's own needs and net metering is not allowed, the utility purchases that excess electricity at the wholesale or 'avoided cost' price, which is much lower than the retail price.
- (221) New construction: Structures for which the 'start of construction' commenced on or after the effective date of these standards and regulations or any amendments thereto.

- (222) Nonconforming structure or use, legal: A structure or use which was lawful when established but which does not comply with the provisions of law or regulations passed at a later date.
- (223) Nonresidential: A type of building occupancy that includes, but is not limited to: small business concerns, churches, schools, farm buildings (including grain bins and silos), garages, pool houses, clubhouses, recreational buildings, mercantile buildings, agricultural and industrial buildings, warehouses, nursing homes, licensed bed and breakfasts, and hotels and motels with normal room rentals for less than 6 months.
- (224) Non-Precision Instrument Runway: A runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance or area-type navigation equipment for which a straight-in, non-precision instrument approach procedure has been approved or planned, and for which no precision approach facilities are planned or indicated on the Airport Layout Plan for any public airport in Park County.
- (225) Nordic ski center: A facility offering access to trails for Nordic skiing; may also include skiing instruction, equipment and clothing sales, equipment repair, food service, and other related services and facilities for users of the Nordic center.
- (226) Nordic ski hut: A building offering shelter for Nordic skiers that may include overnight accommodations, cooking, and sanitary facilities. Nordic ski huts may also be used by hikers during the summer season.
- (227) Nuisance: An offensive, annoying, unpleasant, or obnoxious thing or practice; a cause or source of annoyance, especially a continuing or repeated invasion of any physical characteristics of activity or use across a property line which can be perceived by or affects a human; or an excessive or concentrated movement of people or things, including but not limited to, noise, dust, smoke, odor, glare, fumes, flashes, vibration, objectionable effluent, noise of a gathering of people particularly at night, passing traffic, or invasion of road frontage by traffic generated from an adjacent use which lacks adequate parking or circulation facilities.
- (228) Nursery: Land or structures, including greenhouses, used to raise flowers or plants for sale.
- (a) Commercial Retail: A business where flowers, plants, and horticultural products are available for sale to the general public, and which may include the outdoor storage of plants and planting materials. Production of plants & trees grown on-site and occasionally sold to the general public is exempt from permitting requirements.
 - (b) Wholesale: A nursery where flowers and plants grown on the premises are available for sale to landscape contractors and retailers rather than to the general public.
- (229) Office: A building or portion of a building used for conducting the affairs of a business, profession, service, enterprise, or government, but not for use as a residence.

- (a) Administrative/business/professional: An office where activities related to the administrative, clerical, personnel, or financial functions for a particular enterprise are conducted, or the activities of a recognized profession are conducted such as offices for architects, doctors, lawyers, accountants, investment counselors, insurance agents, real estate brokers, government agencies, and secretarial services, but excluding the display of merchandise or sale of products to the general public.
 - (b) Construction: An office located on a project site for use in managing construction activity, and for the conduct of clerical, personnel, or financial functions associated with construction operations.
 - (c) Farm or ranch: An office located on a farm or ranch where accounts are kept and business conducted having to do with the production and sale of products from the farm or ranch where the office is located, or from other farm or ranch property owned by the same person.
 - (d) Property management: An office located within a multifamily residential or commercial development project where individuals responsible for the maintenance and supervision of the project conduct business and necessary records are kept.
 - (e) Real estate sales: An office where sales of real estate, rental brokering, or sales of time shares in real estate are conducted or arrangements for such sales are made.
 - (i) Regular: Offices established on more-or-less permanent basis in an office or commercial development project, where the applicable zoning regulations allow business offices.
 - (ii) Temporary: An office established for up to one year on a property where a residential or nonresidential project is planned, under construction, or just completed for the purpose of selling units or space in the project.
- (230) Office Use: Professional services and other activities including legal, accounting, investment and financial services; engineering, architectural and other design services; counseling and social services; medical, dental, and other health services; insurance and real estate; and administrative and sales offices for business and industry provided only administrative, bookkeeping and clerical types of activities are conducted on site.
- (231) Oil and gas: Relating to crude oil and natural gas.
- (232) Oil field Service Company: An industrial establishment or activity that services natural gas and oil facilities.
- (233) 100-year flood: (see *base flood*).
- (234) 100-year floodplain: (see *floodplain*).
- (235) Open Space: An area of land that is essentially unimproved and is set aside or reserved for agricultural purposes or to be maintained in a natural state.
- (236) Ore smelter: An establishment engaged in the melting or fusing of raw materials.

- (237) Outdoor advertising: Any display outdoors on the same premises as the business with the clear intent to draw in customers (see *outdoor display of artwork, outdoor display of merchandise*).
- (238) Outdoor display of artwork, outdoor display of merchandise: Any outdoor display with the clear intent to draw customers into a place of business, or intended to sell a product in which case the display may be construed as "advertising."
- (239) Outlot: A lot or parcel of land identified on the face of the plat as undevelopable.
- (240) Owner: (see *property owner*).
- (241) Packing and outfitting: Offering of guide services and such provisions as equipment, food supplies, and pack animals for a fee to the general public for trips into the back country.
- (242) Packing house: An industrial establishment for the slaughtering, processing, and packing livestock into meat, meat products, and by-products, aka abattoir.
- (243) Parcel: A contiguous piece of property lawfully created or conveyed as a single piece of property.
- (244) Park/playground: A tract of land designed for and used by the public for active or passive recreation, which may include buildings containing athletic facilities, cooking facilities, and restrooms.
- (245) Parking lot: An area used for parking of motor vehicles.
- (a) Accessory: A parking lot associated with a multifamily residential development which is primarily for the use of residents living in the development or their guests. A parking lot associated with a nonresidential development such as a business or group of businesses, or community or institutional facility that is primarily for the use of the customers of the business or businesses.
- (b) Primary: A parking lot which is not associated either with a particular residential or nonresidential development but is made available for parking by the general public for a fee.
- (246) Correctional Facility: A facility used for the incarceration of criminals.
- (247) Person: An individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, municipality or any other political subdivision of the state, or any interstate body or any other legal entity, and includes a trustee, receiver, assignee, or similar representative of any of the above.
- (248) Permitted Use: Any use allowed by right in a zoning district and subject to the restrictions applicable to that zoning district and to the particular use.

- (249) Photography Studio: An establishment used for the professional services of a photographer.
- (250) Place of Worship: A structure, or group of structures, which is intended for the conducting of organized religious services and associated activities such as religious classes, child care during services, and committee and office work. For purposes of these standards and regulations, references to churches, synagogues, temples, and mosques include all of these facilities.
- (251) Planning Area: Geographic areas within Park County as depicted on the Planning Area maps and described in Appendix 15, Descriptions of the Planning Areas of Park County, Wyoming.
- (252) Planning Director: Park County Planning & Zoning Director or an authorized designee; the administrative official designated by the Board to administer Planning & Zoning regulations.
- (253) Planning Department: Park County Planning & Zoning Department.
- (254) Plans: Profiles, cross-sections, professional reports, drawings, and supplemental drawings approved by the County which show the locations, character, dimensions, or details of the work.
- (255) Plat: A map of certain described tracts of land prepared in accordance with these regulations as an instrument for recording of subsequent real estate transactions by the County Clerk.
- (256) Plumbing/electrical shop: An establishment used for the professional services of a plumber or electrician and/or a place of business that primarily involves the sale of plumbing or electrical accessories.
- (257) Political Subdivision: a political subdivision of the State of Wyoming include cities, counties, school districts, special districts, University of Wyoming, joint powers boards, airport boards, community college districts, public corporations (that include irrigation districts), and other entities defined in state law.
- (258) Precision Instrument Runway: A runway having an existing instrument approach procedure utilizing an Instrument Landing System (ILS) or a Precision Approach Radar (PAR). A precision instrument runway is also a runway for which a precision approach system is planned and is so indicated on the approved Airport Layout Plan for any public airport in Park County.
- (259) Preliminary Plat: The map or maps of a proposed subdivision and specified supporting materials, drawn and submitted in accordance with the requirements of these

Regulations, to permit the evaluation of the proposal prior to more detailed engineering or design.

- (260) Primary road: A road that serves as a collector of traffic with average daily traffic of over seven hundred (700) vehicles per day. It is a means of intra-county travel, and provides a relatively high overall travel speed with minimum interference to through movement also known as an *Arterial Road*.
- (261) Primary surface: A surface longitudinally centered on a runway. The primary surface extends two hundred (200) feet beyond each end of said runway. The width of the primary surface of a runway will be that width prescribed in Part 77 of the Federal Aviation Regulations for the most precise existing or planned approach for either end of said runway. The elevation of any point on the primary surface is the same as the elevation of the nearest point onto the runway centerline.
- (262) Prime agricultural lands: Those lands best suited to sustained agricultural production based on the capability classification of the U.S. Soil Conservation Service (Classes I, II, and III).
- (263) Principal Dwelling Unit: The primary or predominant dwelling unit on a lot or parcel of land.
- (264) Principal structure / building: Structure containing the primary use of land as distinguished from an accessory structure.
- (265) Principal use: The primary use of land or structures as distinguished from a secondary or accessory use.
- (266) Principally above ground: At least fifty-one (51) percent of the actual cash value of the structure, less land value, is above ground.
- (267) Print shop: An establishment for the purpose of reproducing, printing, publishing, or photographing.
- (268) Property lines: The boundaries of a tract of land established either by a recorded subdivision plat or by written, recorded conveyance. Includes lot and parcel lines.
- (269) Property owner or land owner: A person or persons holding legal title to a parcel of land.
- (270) Public airport: Any airport, publicly or privately owned, which is open to public use and meets all appropriate state and federal operational criteria.
- (271) Public improvements: Improvements under the ownership or control of the County including, but not limited to, the components of the street system and storm drainage system covered by the County standards and specifications. The term also includes

similar improvements being built in connection with a subdivision that are intended to be dedicated to the County.

- (272) Public or Community Sewer: Municipal, city or town, or quasi-municipal (such as a sanitation district) operating trunk outfall lines and treatment facilities.
- (273) Public utility yard: An area used for storage for establishments engaged in public services or utilities.
- (274) Radio tower: (see *communications tower*)
- (275) Rail transport facility: A transportation use engaged in the loading, recovery, and maintenance of goods transported by rail.
- (276) Rail yard: An area used for storage by an establishment engaged in rail services.
- (277) Record Drawings: Record Drawings (*As-Built Plans*) are site plans specifying the locations, dimensions, elevations, capacities, and capabilities of facilities as constructed. Such drawings must be signed and sealed by a state registered professional engineer.
- (278) Recreation facilities: Land, buildings, structures, or equipment used in recreational activities such as sports, games, arts, crafts, picnicking, kite flying, sauntering, strolling, and meditating.
 - (a) Minor commercial recreation business: A commercial business offering amusement, recreational, or entertainment activities such as indoor riding arenas, bowling alleys, movie theaters, pool halls, game arcades, and amusement rides when such activities are contained within a building.
 - (b) Minor outdoor recreation facility: A commercial business offering on-site amusement, recreational, or entertainment activities which are predominantly conducted outdoors such as drive-in theaters, batting cages, miniature golf, water slides, amusement rides, go carts, and archery ranges.
 - (c) Major recreation facility: Any commercial recreation business of outdoor recreation facility with over 5,000 square feet of building floor space or over one acre of land developed in association with the use including such uses as driving ranges, golf courses, shooting ranges, skeet and trap ranges, commercial bird raising and hunting operations, outdoor riding arenas, and cross country ski centers.
- (279) Recreational road: A road that provides access to few, if any, year-round residents.
- (280) Recreational vehicle park (RV Park): A facility designed to accommodate recreational vehicles by providing parking spaces and either individual utility hookups or a common water supply and sanitary facilities. A recreational vehicle park may also include recreational amenities such as a clubhouse, playground, and athletic facilities for use by persons staying in the park, but not available to the general public.

- (281) Residential road: A road used primarily for the use of local residents within a neighborhood and providing access to secondary and primary roads. The average daily traffic count is ninety-nine (99) vehicles or less.
- (282) Resort or dude ranch: A centrally managed facility which provides full service lodging, dining or cooking facilities, and onsite recreational activities for overnight guests or members. A resort or dude ranch typically includes an organized program of activities such as hunting, fishing, nature study, arts and crafts, skiing, snowmobiling, boating, rafting, horseback riding, hiking, and pack trips. A resort or dude ranch may also include corporate or religious retreats or conference facilities. A dude ranch or resort does not solicit one-night accommodations and provides bar or food service only to guests. Motels and hotels are not considered resorts or dude ranches. Guest lodging within a resort or dude ranch shall not be used for long-term (greater than 6 months) residency.
- (a) Accessory: A resort or dude ranch in which agriculture and/or ranching is the primary function on the property and dude ranching is a secondary use.
- (b) Primary: A resort or dude ranch in which that use is the main activity and source of income.
- (283) Responsible Party: Any individual, corporation, partnership, or other legal entity involved in developing improvements covered by the County standards and specifications. These include subcontractors, contractors, developers, and owners as applicable in the development process.
- (284) Restaurant: A commercial establishment in which meals are prepared and served to the public.
- (285) Retirement home: A commercial facility which provides living quarters for persons fifty-five (55) years of age or older with common dining and cooking facilities and/or individual kitchens in each living unit. A retirement home may include limited nursing care, but is not intended to be a convalescent or nursing home.
- (286) Review Authority: The appointed or elected official, or body of appointed or elected officials responsible for reviewing and/or rendering a decision upon plans, amendments, proposals, or requests for a development permit as specified in these standards and regulations.
- (287) Right-of-way (ROW): An area dedicated to public use for pedestrian, equestrian, or vehicular movement; railroads; public utilities; and water and sanitary sewer facilities.
- (288) Road: Any vehicular way, whether improved or unimproved, that: (1) is an existing state, county, or municipal roadway; (2) is shown upon a subdivision plat approved and recorded in the land records of the Park County Clerk; (3) is an access easement shown upon a survey recorded in the land records of the Park County Clerk; or (4) is approved by other official action of the Board of County Commissioners.

- (289) Road & Bridge Department: Park County Road & Bridge Department.
- (290) Road & Bridge Supervisor: The director of the Road & Bridge Department or authorized designee.
- (291) Road & Bridge Standards: Park County Road & Bridge Design and Construction Standards as approved and adopted by the Board of County Commissioners.
- (292) Road Frontage: The length of that side of a lot or parcel that abuts on a road.
- (293) Rooming house: (see *boarding house*).
- (294) Runway: A defined area on a public airport, prepared for landing and takeoff of aircraft along its length, including both existing and proposed, as shown in the approved Airport Layout Plan for any public airport within Park County.
- (295) Sanitary landfill / solid waste disposal: Disposal of refuse on land without creating a nuisance or hazard to public health and safety by utilizing the principles of engineering to confine the refuse to the smallest practical area, to reduce it to the smallest practical volume, and to regularly cover it with a layer of earth, on a daily or more frequent interval as may be necessary.
- (296) Satellite dish: (see *dish antenna*).
- (297) Sawmill: A facility in which timber is cut into lumber.
- (a) Commercial: A sawmill where timber is processed into lumber to offer it for sale to wholesalers, retailers, or the general public, and involves the transport of lumber off the premises where it is processed.
- (b) Private: A sawmill where timber is processed into lumber for the private use of the sawmill owner, and the lumber is used on the site where the mill is located.
- (298) Secondary road: A road that serves as a collector of traffic from residential and recreational areas to the primary road system with average daily traffic counts between one hundred (100) and six hundred ninety-nine (699) vehicles per day. It allows movement of through traffic through neighborhoods at relatively high speeds with minimal interruption.
- (299) Setback: An open space of fixed width within a parcel along the front, side, or rear property line which shall remain free of any development except as provided in these standards and regulations. The minimum distance that shall be maintained between a parcel's boundaries and any structure built within that parcel.
- (300) Sewage treatment plant: A facility designed to process and treat waste matter collected through a system of pipes, and the operation of the facility complies with state and federal standards.

- (301) Shooting range: A facility designed to provide practice in the use of firearms under controlled conditions so public health and safety are protected. Shooting ranges may include the sale of firearms, associated equipment or supplies, food, and sanitary facilities.
- (a) Public: A shooting range which is open to the general public, or to public safety personnel, and at which a fee may or may not be charged for its use.
 - (i) Indoor: A shooting range which is contained within an enclosed building such that noise caused by shooting activity is not detectable from outside the building, and materials used to construct the building are capable of preventing the escape of any discharged bullets.
 - (ii) Outdoor: A shooting range where part or all of the area used for firing practice is located outdoors.
 - (b) Private: A shooting range for the personal use of the property owner or tenant residing on the property, family members, or guests.
- (302) Short term rental: The offering or reservation of a residence or lodging room, either by a rental contract or other arrangement, for less than six (6) months on a continuing basis.
- (303) Sight triangle: A triangular area in which objects would block the vision of drivers at an intersection or driveway.
- (304) Sign: Any device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol, or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public.
- (305) Sign Area: The entire face of a sign, including the advertising surface and any framing, trim, or molding, but not including the supporting structure. For two-sided signs, sign area is computed as the sign area of one of the two faces.
- (306) Sign, Freestanding: Any sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building.
- (307) Site: A parcel or combination of parcels of land for which a project proposal is submitted which presents a coordinated approach to the design and development of the project, or a parcel or combination of parcels where a coordinated project has been developed, and where the requirements in the Park County Road & Bridge Standards for qualification as a site applicable to the situation have been met.
- (308) Site area, gross: The total area of a site measured to the centerline of all adjacent streets.
- (309) Site area, net: The gross site area less any road easements and rights-of-way, whether public or private, and all easements that prohibit the surface use of the land.

- (310) Sketch Plan: The sketch map or maps of a proposed subdivision, drawn and submitted in accordance with the requirements of these regulations, to evaluate feasibility and general design characteristics at an early stage in planning.
- (311) Ski area: A tract of land developed for the sport of alpine skiing, which may include lifts, groomed trails, lodging, food service, lockers and restrooms, sale of clothing and sporting goods, instruction, and equipment rental. Ski areas may also include other facilities and activities such as an athletic club, Nordic center, ice skating, sleigh rides, and child care as accessory uses (see *Nordic ski center*).
- (312) Sludge: Solids removed from sewage during wastewater treatment and then disposed of by incineration, dumping, or burial.
- (313) Sludge disposal: Placement of sludge in a landfill facility that has received permits from the State of Wyoming for sludge disposal.
- (314) Sludge storage, temporary: Placement of sludge in a temporary storage facility during the winter season, with winter season being from October to April, until disposal through either land application or placement in a dedicated disposal site.
- (315) Solid waste disposal: (see *sanitary landfill*).
- (316) Special use: A proposed use for property that is not among the list of uses by right within a particular zoning district, but is among the list of conditional uses. A 'special use' is allowed only after a public hearing and approval by the Board of County Commissioners.
- (317) Stable: A facility where horses and other equines are kept either within a building or in corrals, which may also include an indoor or outdoor exercise area, and storage for tack, grooming supplies, and feed.
- (a) Commercial (boarding / instruction / rental): A stable where space is offered for keeping of horses and other equines for payment of a fee, and where the general public may receive riding instruction and/or may rent horses for riding on an hourly, daily, or weekly basis. Commercial stables may also have training facilities for schooling horses stabled at or transported to the facility. This is considered a major home occupation.
- (b) Community: A stable owned by a Homeowners Association where space is provided for the keeping of horses and other equines owned by members of the association, and space is not offered to the general public. A stable owned by a group of property owners within the same subdivision where space is provided for the keeping of horses and other equines owned by property owners or residents in the subdivision, and space is not offered to the general public.
- (c) Private: A stable where space is provided for the keeping of horses owned by or under the care of the owner or occupant of the property in which the stable is located, and

the number of horses owned by people other than the owner or occupant of the property does not equal or exceed the number owned by the owner or occupant.

- (318) Staff: Planning Director or any Planning & Zoning staff authorized by the Planning Director or the Board of County Commissioners to administer the development regulations.
- (319) Standards and specifications: The body of directions, provisions, and requirements describing the method and manner of construction and the qualities and quantities of the materials and work to be furnished.
- (320) State: Of or pertaining to a department, agency, officer, or regulation of the State of Wyoming.
- (321) Storage: The keeping of machinery, equipment, vehicles (including recreational vehicles, parts, materials) or other goods at the same location for a period of time in excess of seventy-two (72) hours.
- (322) Storage area: An area of land used for keeping of possessions, belongings, goods, materials or other items. Includes storage yards.
 - (a) Private: Items stored by the owner on the owner's property.
 - (b) Commercial: A fee is charged for the service of storing items for others.
- (323) Storage building: An enclosed building used for the keeping of possessions, belongings, goods, materials, or other items.
 - (a) Private: A building used for storing items by the owner on the owner's property.
 - (b) Commercial: A fee is charged for the use of the building for storing items for others.
- (324) Storage yard: An outdoor area used for keeping of possessions, belongings, goods, materials, or other items in which the items are screened from view in accordance with these standards and regulations.
 - (a) Equipment: A storage yard associated with a business or made available to the general public for the keeping of equipment or machinery, but not for the storage of vehicles.
 - (b) Motor vehicle: A storage yard made available to the general public usually for a fee for the keeping of vehicles, operable or inoperable, other than recreational vehicles.
 - (c) Nonresidential storage: An outdoor area on a residential lot used for the storage of nonresidential items in which the items are screened from view.
 - (d) Recreational vehicle:
 - (i) Commercial: A storage yard made available to the public usually for a fee for the storage of recreational vehicles.

- (ii) Private: A storage yard associated with a multifamily residential development or manufactured home park for use by owners or residents for storage of recreational vehicles belonging to them.
- (325) Structure: That which is built or constructed; a combination of materials to form a permanent construction for use, occupancy, or ornamentation whether installed on, above, or below the surface of land or water including but not limited to buildings, bridges, towers, and overhead transmission lines; a walled and roofed building, including a gas or liquid storage tank that is principally above ground.
- (326) Studio, dance / music / video: A room or building where dance is studied or taught, or music and / or videotapes is produced.
- (327) Subdivision: 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.
- (328) Subdivision Development Agreement: An agreement by a developer or applicant with the County which clearly establishes the developer's responsibility regarding project phasing, the establishment or improvement of public and private facilities, and any other mutually agreed to terms and requirements adopted by the County.
- (329) Substantial damage: Damage of any origin sustained by a structure where the cost of restoration to its original condition is greater than 50 percent of the market value before the damage occurred.
- (330) Substantial Improvements: Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure either before the improvement or repair is started, or if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, 'substantial improvement' is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions; or any alteration of a structure listed on the National Register of Historic Places.
- (331) Substation: Any facility designed to provide switching, voltage transformation, or voltage control required for the transmission and distribution of electricity and any appurtenant facilities.
- (332) Territory: All areas within the statutory boundaries of Park County, Wyoming.

- (333) Theater. A building, room, or outdoor area for the presentation of plays, motion pictures, or other dramatic performances.
- (a) Indoor: A theater entirely contained within a building.
 - (b) Outdoor: A theater located partially or entirely outdoors, within a roofed structure having sides open to the outdoors, or within a tent.
- (334) Timbering (logging): The harvesting of timber for use as a building material, as firewood, or for other purposes, or for the clearing of land, considered an agricultural activity.
- (a) Commercial: An operation in which timber is harvested in order to offer it for sale to wholesalers, retailers, or the general public, and involves the transport of the timber off the premises where it is cut.
 - (b) Private: An operation where timber is harvested for private consumption on the premises where it is cut and for personal use by the person owning the timber.
- (335) Tract: (see *Parcel*).
- (336) Tract of Record: An individual parcel of land, other than land previously platted as a lot in a subdivision, as legally existed on July 1, 2001, irrespective of ownership, that can be identified by legal description, independent of any other parcel of land, using documents on file in the records of the county clerk and recorder's office. Each individual tract of record continues to be an individual parcel of land unless the owner of the parcel has joined it with other contiguous parcels by filing with the County Clerk & Recorder:
- (a) an instrument of conveyance in which the aggregated parcels have been assigned a legal description that describes the resulting single parcel and in which the owner expressly declares the owner's intention that the tracts be merged; or
 - (b) record of survey or subdivision plat that shows that the boundaries of the original parcels have been expunged and depicts the boundaries of the larger aggregate parcel.

An instrument of conveyance does not merge parcels of land under "a" above unless the instrument states, "This instrument is intended to merge individual parcels of land to form the aggregate parcel(s) described in this instrument" or a similar statement, in addition to the legal description of the aggregate parcels, clearly expressing the owner's intent to effect a merger of parcels.

- (337) Trailer / RV sales: An establishment or area for the purpose of trailer, or recreational vehicle sales, service, or repair.
- (338) Transmitting station, radio or TV: A structure with electronic equipment that generates and amplifies a carrier radio or TV wave, modulates it, and radiates the resulting signal from an antenna.

- (339) Transport runway: A runway that is used for five hundred (500) or more (actual or forecasted) annual aircraft operations. Aircraft using said transport runway are twelve thousand five hundred (12,500) pounds maximum gross weight or more.
- (340) Truck Terminal: A place of business where goods carried by motor transport can be received, transferred from one vehicle to another, or shipped, where the primary purpose is not storage of goods but the provision for a point of transfer of goods.
- (341) Unit of Land: Any acreage with a separate and distinct legal description as legally established by record in the office of the Park County Clerk and Recorder.
- (342) Use: The purpose or activity for which a parcel of land, a building, or structure is designed, arranged, constructed, altered, moved, enlarged, or intended, or for which it is occupied or maintained.
- (343) Utility: Any firm, partnership, association, cooperative, company, corporation, governmental agency, special or metropolitan district, and the directors, trustees or receivers thereof, whether elected or appointed, which is engaged in providing electric, rural electric, telephone, telegraph, communications, cable television, gas pipeline carrier, water, sewerage or pipeline facilities and services (see *utility, public*).
- (344) Utility facilities:
- (a) Major: Electric transmission lines, power plants, substations of electrical utilities, wastewater treatment plants, water treatment plants, water storage tanks, communication towers over thirty-five (35) feet in height, commercial wind turbines, wind turbines over 35 feet in height, pipelines and storage areas of utilities providing natural gas or other petroleum derivatives, and more than two (2) microwave dishes in one (1) location, including any extensions, expansions, or enlargements of such facilities.
 - (b) Minor: Water, sewer and gas mains, electric and telephone distribution lines, gas regulator stations, public lift or pumping stations for domestic water and sewer service, communication towers not more than thirty-five (35) feet in height, wind turbines not more than 35 feet in height and no more than two (2) microwave dishes in one (1) location with the diameter of any microwave dish limited to ten (10) feet or less.
- (345) Utility, public: A utility regulated by the Wyoming Public Utilities Commission.
- (346) Utility runway: A runway that is used by aircraft of twelve thousand five hundred (12,500) pounds maximum gross weight or less.
- (347) Utility storage area: Any facility designed to store fifty (50) million cubic feet or more of natural gas or thirty-five thousand (35,000) barrels or more of petroleum derivatives, including any extensions, expansions, or enlargements of such facilities.

- (348) Variance: A grant of relief from the requirements of these standards and regulations which permits construction or use in a manner that would otherwise be prohibited by these standards and regulations.
- (349) Vehicle: Any conveyance in or by which people or objects are transported.
- (350) Visual obstruction: Any fence, wall, tree, hedge, or shrub, or combination thereof limiting visibility.
- (351) Visual runway: A runway intended solely for the operation of aircraft using visual approach procedures with no straight-in instrument designation indicated on the FAA approved Airport Layout Plan for any public airport in Park County.
- (352) Warranty period: The time frame during which the Responsible Party is held liable for all work performed and materials utilized prior to final acceptance by Park County.
- (353) Water treatment plant: A facility for the treatment of water to insure health standards are met prior to its distribution for human use which complies with state and federal standards.
- (354) Waterway: A river or stream containing water which flows on a more-or-less continuing basis, although flow may be interrupted during the summer months if fed by snow melt.
- (355) Wetland: Areas including lakes, streams, ponds, areas of seasonal standing water, areas with a predominance of wetland vegetation (such as willows, rushes or sedges), or areas with boggy soils. Wetlands do not include areas that are saturated solely by the application of agricultural irrigation water. Manmade lakes or ponds built for the purpose of detaining runoff are not considered wetlands in the context of these standards and regulations.
- (356) Wind Turbine: Includes wind turbines, wind generators, wind towers, and all similar towers and structures used to obtain a power supply from the wind.
- (a) Commercial wind turbine – where the production of energy exceeds the needs of the tract on which the generator/tower/turbine is located, and is sold for profit;
 - (b) Non-commercial wind turbine – The production of energy is intended primarily for use on the tract on which it is located. Net metering is permitted.
- (357) Zoning District: A specifically designated area within the County within which uniform regulations and requirements govern the use, placement, spacing, and size of land and buildings.

CHAPTER III

SUBDIVISION STANDARDS AND REGULATIONS

SECTION 1. GENERAL PROVISIONS

- a. Purpose:** These subdivision regulations establish standards of design and construction for subdivisions platted in Park County. The purpose of these regulations is to:
- (1) Safeguard the public health, safety, and general welfare;
 - (2) Assure well-organized and uniform land records to facilitate the transfer, development and use of land;
 - (3) Promote orderly and proper growth;
 - (4) Protect Park County's environmental qualities and scenic beauty;
 - (5) Maintain and enrich the human environment; and
 - (6) Provide for equitable processing of all subdivision applications through the establishment of uniform procedures and standards while safeguarding the interests of the public, the landowner and the developer.
- b. Authority:** These regulations are adopted under the authority of Wyoming Statutes W.S. § 18-5-201 through 18-5-318 and § 34-12-101 through 34-12-115.
- c. Subdivision Permit required:** No person shall subdivide land or commence the physical layout or construction of a subdivision without first obtaining a subdivision permit from the Board. Such subdivision permit shall be constituted by the Board's certificate of approval on the final subdivision plat. The application for a subdivision permit is continuing in nature throughout the subdivision review process.
- d. Sale of land in unapproved subdivision:** No owner or agent of an owner of any land shall transfer or sell any land by reference to, exhibition of, or use of a plan or plat of a subdivision before such plan or plat has been approved and recorded. The description of such lot or parcel by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring shall not exempt the transaction from these provisions. Notwithstanding the foregoing, in the case of condominium or townhouse type developments, an owner may enter into binding agreements to sell lots or units subsequent to approval of a Final Plat. Conveyance of individual lots or units, however, shall not occur until approval and recordation of Final Plat.
- e. Penalties:** Any person who willfully violates any provision of these regulations or any resolution or order of the Board adopted in compliance with these regulations shall upon conviction be fined not more than \$500.00 or be imprisoned in the County jail for not more than 30 days or both. Each day of violation constitutes a new offense.

- f. **Zoning:** Lot sizes established in the subdivision process must comply with zoning requirements.

SECTION 2. CLASSIFICATION OF SUBDIVISIONS

- a. **Types of Subdivisions:** These Subdivision Regulations apply to simple, minor and major subdivisions as set forth below. These regulations reflect the policy of the State of Wyoming. The State Legislature has determined that a subdivision resulting in five or fewer lots, each lot being less than 35 acres in size, does not necessarily require the same level of review as a subdivision creating more than five such lots. A county must by rule exempt such smaller subdivisions from certain minimum subdivision requirements as set forth by Wyoming Statute in order to take advantage of this policy (see W.S. §18-5-306(a)). These regulations provide for less detailed review of such smaller subdivisions as set forth in specific sections herein.

For divisions exempt from subdivision review by State Law, see *Exemptions*.

- b. **Classification of Subdivisions:** After a complete application is submitted, a subdivision shall be classified as a simple, minor, or major subdivision by the Planning Director. If the application is deemed to be incomplete, the applicant will be notified within ten (10) working days of deficiencies and how they can be corrected. The application must be resubmitted within sixty (60) days or will be deemed withdrawn.

- c. **Simple Subdivision:** A simple subdivision is the division of a tract of record into not more than two (2) lots, each lot being smaller than 35 acres. An existing subdivision lot may be divided using the simple subdivision process so long as the division creates no more than two (2) lots each smaller than 35 acres within the existing subdivision or tract of record. Simple subdivision lots do not need to be configured to create a contiguous developed area. A subdivision shall NOT be classified as a simple subdivision under the following circumstances:

- (1) The subdivision will be served by a central sewage disposal system or central water supply system not owned and operated by a public entity; review will be as a **major** subdivision;
- (2) The land to be subdivided is unsuitable for simple subdivision. Land unsuitable for simple subdivision is defined as land that if subdivided would be detrimental to the health, safety, or general welfare of existing or future residents because of potential hazards including flooding, landslides, steep slopes, rock falls, high water table, polluted or non-potable water supply, high voltage lines, high pressure gas lines, danger from fire or explosion or other hazardous features, as determined by the Planning Director. The presence of any of these features determined by the Commission to be detrimental to the health, safety or general welfare of existing or future residents if the land is subdivided does not preclude subdivision approval provided the subdivision is reviewed as a **major** subdivision and the hazards are eliminated or will be overcome by approved design and construction plans, where applicable.

d. Minor Subdivision A minor subdivision is the division of a tract of record¹ into not more than five (5) lots, each lot being smaller than 35 acres. An existing subdivision lot may be divided using the minor subdivision process so long as the division creates no more than five (5) lots each smaller than 35 acres within the existing subdivision or tract of record. Minor subdivision lots shall be configured to create a contiguous developed area. Minor subdivisions must comply with the Minor Subdivision Review Process. A subdivision shall NOT be classified as a **minor** subdivision under the following circumstances:

- (1) The number of lots in the proposed minor subdivision in combination with existing lots on the underlying tract of record would result in more than five (5) lots each smaller than 35 acres. If more than five (5) such lots, the proposed subdivision must follow the **major** subdivision review process.
- (2) The land to be subdivided is a lot in a platted subdivision and the number of lots created by the proposed division in combination with all other lots in the existing subdivision would exceed five (5) lots. If more than five (5) lots, the proposed subdivision must follow the **major** subdivision review process.
- (3) The subdivision will be served by a central sewage disposal system or central water supply system not owned and operated by a public entity;
- (4) The land to be subdivided is unsuitable for minor subdivision. Land unsuitable for minor subdivision is defined as land that if subdivided would be detrimental to the health, safety, or general welfare of existing or future residents because of potential hazards including flooding, landslides, steep slopes, rock falls, high water table, polluted or non-potable water supply, high voltage lines, high pressure gas lines, danger from fire or explosion or other hazardous features or potential therefore as a result of the proposed subdivision as determined by the Planning Director. The presence of any of these features determined by the Commission to be detrimental to the health, safety or general welfare of existing or future residents if the land is subdivided does not preclude subdivision

¹ A tract of record means an individual parcel of land, other than land previously platted as a lot in a subdivision, as legally existed on July 1, 2001, irrespective of ownership, that can be identified by legal description, independent of any other parcel of land, using documents on file in the records of the county clerk and recorder's office. Each individual tract of record continues to be an individual parcel of land unless the owner of the parcel has joined it with other contiguous parcels by filing with the clerk and recorder:

(i) an instrument of conveyance in which the aggregated parcels have been assigned a legal description that describes the resulting single parcel and in which the owner expressly declares the owner's intention that the tracts be merged; or

(ii) a record of survey or subdivision plat that shows that the boundaries of the original parcels have been expunged and depicts the boundaries of the larger aggregate parcel.

An instrument of conveyance does not merge parcels of land under (i) above unless the instrument states, "This instrument is intended to merge individual parcels of land to form the aggregate parcel(s) described in this instrument" or a similar statement, in addition to the legal description of the aggregate parcels, clearly expressing the owner's intent to effect a merger of parcels.

approval provided the subdivision is reviewed as a **major** subdivision and the hazards are eliminated or will be overcome by approved design and construction plans, where applicable

Example 1: Landowner A owns a 160-acre tract of record. Landowner A divides the 160 acres into four 40-acre parcels and sells the four parcels to B, C, D and E. B proposes a three-lot subdivision on one 40-acre parcel, each lot being smaller than 35 acres. B may follow the **minor** subdivision review process. C then proposes a three-lot subdivision on the 40-acre parcel, each lot being smaller than 35 acres. C must follow the **major** subdivision review process because C's proposal would create more than five (5) lots, each smaller than 35 acres, on the original tract of record.

Example 2: Landowner A owns a 160-acre tract of record. Landowner A develops a two-lot subdivision, each lot being five (5) acres in size. Landowner A sells the remaining 150 acres to B. B then proposes a four-lot subdivision on the 150 acres, each lot being less than 35 acres in size. B must follow the **major** subdivision review process because B's proposal would create more than five lots, each smaller than 35 acres, on the original tract of record.

Example 3: Lot owner A owns a lot in an existing four-lot subdivision. Lot owner A proposes to divide a subdivision lot into two lots.² Lot owner A may proceed through the **minor** subdivision review process because the proposal creates no more than five (5) lots within the existing platted subdivision.³ Lot-owner B then proposes to divide the lot into two (2) lots. Lot-owner B must proceed through the **major** subdivision review process because B's proposal would create more than five (5) lots within the existing subdivision.

- e. **Major Subdivision:** A major subdivision is the division of a tract of record into six (6) or more lots, each smaller than 35 acres. Major subdivisions lots shall be configured to create a contiguous area. A major subdivision also includes any subdivision that does not qualify as a simple or minor subdivision. Major subdivisions must comply with the Major Subdivision Review Process.

SECTION 3. REQUIREMENTS FOR SIMPLE, MINOR, AND MAJOR SUBDIVISIONS

- a. **Pre-application meeting:** Pre-application meetings are required for all subdivisions unless waived by the Planning Director. Pre-application meetings are held between a project proponent, Planning and Public Works Department staff prior to submittal of an application. The purpose of the meeting is to discuss such items as submittal requirements, issues that need to be addressed and the review schedule.
- b. **Applications:** Initial application submissions for all subdivisions shall include the following:
 - (1) Fees;
 - (2) Application and required submittals, including:

² This assumes the division will not create lots smaller than the minimum lot size for the zoning district within which the subdivision lies.

³ This assumes there are no other lots of less than 35 acres in size on the original tract of record.

- A. Proof that a "Notice of Intent to Subdivide" has been published in a local newspaper in the legal notice section once each week for two (2) weeks within 30 days prior to filing the application. The notice shall include the name of the subdivider, general location of the land to be subdivided, number and size of lots proposed, and intended uses within the subdivision;
- B. Title report;
- C. Identification of entities responsible for road construction and maintenance including snow removal and drainage facilities;
- D. Garbage disposal availability;
- E. Fire protection availability;
- F. Postal service and mail delivery points;
- G. School bus stop/pullout locations;
- H. Information on availability of service providers for cable TV, telephone, gas and electricity with addresses and phone numbers, indicating which of these services has been extended to the lots in the subdivision;
- I. Any known information concerning landslides, steep slopes, rock falls, high water tables, polluted or non-potable water supply, high voltage lines, high pressure gas lines, danger from fire or explosion or other hazardous features on the property;
- J. Evidence that a soils report has been requested from the Local Conservation District;
- K. Evidence the Irrigation District has been contacted;
- L. Evidence the Weed & Pest District has been contacted;
- M. Proof of ownership showing encumbrances of record.

(3) Legible and reproducible 11" x 17" Sketch Plan for the proposed subdivision showing:

- A. Legal description;
- B. Boundaries of the area to be subdivided;
- C. Lot layout indicating the approximate dimensions and acreage of lots, total acreage of the subdivision, size of recreational, open and/or dedicated spaces and the current county zoning classification;
- D. Existing structures, wells and septic facilities;
- E. Irrigation facilities including laterals, head gates and waste ditches, and direction of flow where flood irrigation is proposed;
- F. Means of access from the lots to the public road system;
 - i. All lots and parcels shall have legally enforceable access. Access shall be provided to all lots and parcels by: public road rights-of-way; private rights-of-way by recorded perpetual easement; or by verified access easements or rights-of-way over public land, which need not be perpetual or recorded. This legal access requirement shall not be construed to require the County to locate, repair or

maintain any such public or private rights-of-way. All roads developed to access more than four (4) parcels shall be constructed to Park County Road & Bridge Standards.

- ii. In the case of direct access to a county or state road, the applicant shall submit a valid state or county right-of-way permit or a letter from the governing body indicating favorable “access review” where the specific point of access has not yet been determined. In the case of an access easement, the applicant shall provide copies of documents evidencing legal access.

G. Existing uses of adjoining properties.

c. Wastewater Requirement:

- (1) Where a minor or major subdivision is within 400 feet of an existing collector or main sewer line connected to a municipal sewage treatment plant, or a municipal sewer line is planned within two years from the date of application and the municipality agrees to serve the development, the development shall connect to the sewer line. The development must meet all requirements of the municipality operating the system, and DEQ requirements.
- (2) Variance for requirement to connect to existing municipal wastewater system: In order to grant a variance from this requirement, the Board must find that one or more of the following conditions exist:
 - A. An exceptional elevation difference between the development and the sewage line that makes connection unduly burdensome;
 - B. Presence of an intervening body of water, water course, or wetland that makes connection unduly burdensome;
 - C. The environmental impact of connecting to the sewage line exceeds the environmental impact that would result from installation of an onsite system;
 - D. Inability, after a good faith effort and evidence of that effort, to obtain easements across intervening land or a permit for crossing an intervening highway;
 - E. Any other condition the Board deems valid.
- (3) All properties proposing a new centralized / shared sewage system(s) or connections to such systems must proceed through **major subdivision** review. The applicant must submit a report to the DEQ evaluating the adequacy and safety of the proposed system. The report shall at a minimum comply with W.S. §18-5-306(a) (iv) and any requirements of the DEQ. The developer must obtain a permit for construction issued by the DEQ, and shall also meet all adopted rules and regulations of Park County. A written letter of “no adverse recommendation” from the DEQ shall be presented as part of the preliminary plat documentation. The applicant must provide the County with a complete copy of

the report that was submitted to the DEQ that resulted in the letter of recommendation.

- (4) All properties proposed for a commercial or industrial purpose with a septic effluent output of greater than 2,000 gallons per day shall submit an application for review and approval to the DEQ for any on-site wastewater disposal system and proceed through **major subdivision review**.
- (5) On-site wastewater systems for Simple and Minor Subdivisions: Prior to sketch plan review, the applicant shall submit the following to the Small Wastewater Administrator:

A. Subsurface Evaluations:

- i. At least one percolation test must be performed on a minimum of half of the proposed lots according to the procedures described in Chapter 11, Part D, Appendix A of Wyoming Water Quality Rules and Regulations (Appendix 13). Raw data from those percolation tests must be tabulated and submitted with the application;
- ii. The depth to groundwater and / or impervious soils or rocks must be determined on a minimum of half the proposed lots by excavating trenches to a depth of at least ten (10) feet, or the first occurrence of saturated soils;
- iii. The applicant must demonstrate that the separation of the base of the proposed drain fields relative to groundwater, impervious soils and/or rock types will meet or exceed the minimum standards established in Chapter 11, Part D, Section 36(c) (as amended) of Wyoming Water Quality Rules and Regulations (Appendix 13).

B. Diagrams:

- i. A map showing lot configurations and their surface topographies and the locations of proposed septic systems and domestic water sources for each lot;
- ii. A map showing the locations of percolation tests performed as a component of the application and their stabilized rates. This map shall also show the location and depth to seasonal high groundwater discovered in the trenches excavated for subsurface evaluation.

C. The above information will be utilized, in part, to determine the type of wastewater treatment system necessary that may include a wastewater treatment solution engineered by a Wyoming Registered Engineer.

D. Prior to sketch plan review, the Small Wastewater Administrator shall submit a letter to the Planning Director indicating that septic systems are feasible on the lots and noting any special conditions that may apply.

E. The Planning Director may consult with a qualified professional to determine the potential for adverse effects on groundwater as a result of the proposed simple or minor subdivision. The Planning Director may make

a determination whether or not the applicant's plan for septic facilities shall be reviewed by the Department of Environmental Quality (DEQ) pursuant to W.S. §18-5-306(c). If DEQ review is required, the applicant shall proceed through **major subdivision** review.

- F. Plat language: 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.

(6) On-site wastewater systems for Major Subdivisions:

- A. The applicant must submit a report to the DEQ evaluating the adequacy and safety of the proposed wastewater system(s). The report shall at a minimum comply with W.S. §18-5-306(a) (iv) and any requirements of the DEQ.

d. Domestic Water Requirement:

- (1) Where a major subdivision is within 400 feet of an existing water main connected to a water treatment plant, or a water main extension is planned within two years from the date of application and the operator agrees to serve the subdivision, the developer shall install distribution lines contiguous to each lot.

- A. System Operator Requirements: Any subdivision proposing to connect to an existing public water system must meet all requirements of the district or agency operating the system.
- B. Installation and Maintenance: Maintenance of common water facilities must be accomplished through covenants and a property owners' association or a separate perpetual maintenance agreement acceptable to the Board. The Landowner and / or Developer are responsible for any Operations and Maintenance fees until those fees are taken over by subsequent landowners.
- C. Cost and security: The cost of installing all water supply improvements shall be borne by the developer.

- (2) Variance for requirement to install water distribution lines adjacent to each lot: in order to grant a variance from this requirement, the Board must find that one or more of the following conditions exist:

- A. An exceptional elevation difference between the development and the water line which makes connection unduly burdensome;
- B. Presence of an intervening body of water, water course, or wetland which makes connection unduly burdensome;
- C. The environmental impact of installing the water lines exceeds the environmental impact that would result from installation of an onsite system or wells;

- D. Inability, after a good faith effort and evidence of that effort, to obtain easements across intervening land or a permit for crossing an intervening highway;
 - E. Any other condition the Board deems valid.
- (3) All properties proposing centralized / shared water systems must go through **major subdivision review**.
- (4) On-site wells for Simple and Minor Subdivisions: Prior to sketch plan review, the following water analysis must be submitted to the Planning Office:
- A. Ambient groundwater quality must be established by means of the analysis of one or more representative water wells in the same formation as the area of the proposed subdivision, but no more than 1/2 mile away. If existing sample results are not publicly available, new representative samples must be collected and analyzed. At a minimum, analytical laboratory results must be provided for the elements and compounds listed in Chapter 23, Section 7(C)(III) of Wyoming Water Quality Rules and Regulations. In certain circumstances, this condition may be waived based on other available data.
 - i. When there are no wells within the ½ mile radius, it must be stated on the final plat **“NO WATER ANALYSIS WAS CONDUCTED AND THE AVAILABILITY AND QUALITY OF POTABLE WATER IS UNKNOWN. CISTERNS MAY BE REQUIRED”**.
 - B. The estimated total number of gallons per day required for the subdivision;
 - C. Plans for the mitigation of water right conflicts resulting from the use of water within the proposed subdivision.
 - D. All wells shall meet all requirements of the Wyoming State Engineer.
- (5) On-site water systems for Major Subdivisions
- A. The applicant must submit a report to the DEQ evaluating the safety and adequacy of the system, including quality, quantity and dependability of the system where a new source of water supply to be developed is proposed. The report shall at a minimum comply with W.S. §18-5-306(a) and any requirements of the DEQ. A written letter of “no adverse recommendation” from the DEQ shall be presented as part of the preliminary plat documentation. The applicant shall provide a complete copy of the application submitted to the DEQ that resulted in the approval letter and/or recommendations.

e. Agricultural impacts:

- (1) Impact Mitigation: Subdivisions shall be designed to mitigate adverse impacts to agricultural operations including, but not limited to: control of weeds, pests and

litter; confinement of domestic pets that may threaten livestock; and protection and maintenance of irrigation facilities and ditches that cross private property. Fences or restrictive covenants may be required to control adverse impacts.

- (2) Right to Farm and Ranch: Subdivisions shall be designed to minimize problems resulting from exposure to legal and generally accepted agricultural practices in the vicinity. The plat shall contain a notice of the Wyoming Right to Farm and Ranch Act of 1991 (W.S. §11-44-101) and shall be subject to Ch. IV Section 5c (1) Agricultural Overlay District review.
- (3) Existing Irrigation Facilities: Existing irrigation structures and easements may not be relocated or otherwise disturbed without the approval of the owner of the structure or easement. Existing ditches and facilities may be subject to the right of access for other water right holders.
- (4) Irrigation Easements: Subdivision plats shall provide irrigation easements prohibiting building construction and allowing access for maintenance as provided by state law.

f. Water Rights: With respect to any water rights appurtenant to lands to be subdivided, the subdivider shall provide:

- (1) Evidence that the subdivider has submitted to the state engineer the documentation necessary to relinquish the water rights, **or**
- (2) Evidence that the subdivider has submitted to the state engineer the documentation necessary to change the use, place of use or point of diversion to provide for beneficial use of the water rights outside the subdivision; **or**
- (3) A plan, a copy of which was submitted to and approved by the state engineer prior to the final approval of the subdivision application, for the distribution of the water rights appurtenant to the land to be subdivided. The plan shall specify the distribution of the water to the lots within the subdivision and shall include all appropriate applications for change of use, change of place of use or change in point of diversion or means of conveyance in accordance with W.S. §41-3-103, 41-3-104 or 41-3-114; and
 - A. If the subdivision is located within lands served by or crossed by a ditch, irrigation company or association, or by an unorganized ditch, evidence that the plan has been submitted to the company, or association, or the remaining appropriators in the case of an unorganized ditch for their review and recommendations;
 - B. Evidence that the subdivider will specifically state on all offers and solicitations relative to the subdivision the intent to comply with this paragraph and that the seller does not warrant to a purchaser that there are any rights to the natural flow of any stream within or adjacent to the proposed subdivision. It shall further be stated that Wyoming law does not recognize any riparian rights to the continued natural flow of a stream or river for persons living on the banks of the stream or river;
 - C. If the subdivision is located within the boundaries of an area that is subject to the provisions of Title 41, Chapter 7 of the Wyoming statutes, the

application shall include a review and recommendations from the irrigation district regarding the attached water rights and the irrigation district's easements. If there is a conflict with the irrigation district's recommendations, the applicants shall certify they have met with and made a good faith effort to resolve any conflicts with the irrigation district;

- D. If the subdivision will create a significant additional burden or risk of liability to the irrigation district, company, association or remaining appropriators, including appropriators on an unorganized ditch, the applicant shall provide an adequate and responsible plan to reduce or eliminate the additional burden or risk of liability.
- E. Subdivisions retaining all water rights with no change of use are exempt from state review.

g. Utilities:

- (1) Simple subdivisions are not required to install any utilities.
- (2) Minor and major subdivisions shall install electrical power service adjacent to the lot lines. Gas, if available within 400 ft., shall also be stubbed to the lot lines. Telephone service shall be stubbed with a service connection to the edge of each lot unless quality consistent wireless cell service is available.
- (3) Utility Standards:
 - A. Installation standards: Utility installations at a minimum shall meet requirements of the utility providing the service.
 - B. Underground installation requirement: All utilities shall be located underground, except in situations or locations where a variance is warranted.
 - C. Variances: Variances may be granted by the Board if the underground placement is not physically or financially feasible. Conditions where a variance may be granted include:
 - i. Areas of extreme rockiness;
 - ii. Areas heavily irrigated or sub-irrigated;
 - iii. Subdivisions with an average lot size of more than five acres; or
 - iv. Overhead utilities exist within the bounds of the subdivision.
 - D. If the subdivider proposes to use or occupy adjoining property for wastewater systems / lines, water lines, drainage, power lines or other utilities, the subdivider shall provide copies of binding easements of not less than twenty (20) feet in width for the proposed facilities from each property owner over whose land such services shall extend and shall provide a minimum access roadway right-of-way of sixty (60) feet to the subdivision for all public ways.
 - E. All underground utility installations must be registered with One-Call.

- h. Design and Improvement Standards:** All subdivisions must comply with Section 9 Design and Improvement Standards, except:
- (1) For simple and minor subdivisions, the applicant need not submit covenants or a Homeowners Association Agreement unless the proposal includes roads or other common facilities maintained by the lot-owners. If common maintenance of facilities is proposed, a Homeowners Association must be formed to address terms of common maintenance.
 - (2) The Planning Director may, for good cause shown, determine such standards are not applicable.

SECTION 4. SUBDIVISION REVIEW

- a. Referral Agencies:** The Planning Office shall forward applications to Public Works, Fire District, Weed & Pest Control District, Small Wastewater Administrator, Wyoming Game & Fish Department and any other county official or agency the Planning Director deems appropriate. Failure to receive comments within a reasonable period of time shall not prevent the Planning Director from proceeding to classify the sketch plan.
- b. Meeteetse Planning Area:** For applications within the Meeteetse Local Planning Area, the Planning Director shall forward applications to the Meeteetse Local Planning Area Advisory Committee at the same time applications are submitted to the referral agencies. The Planning Director shall forward said Committee's comments to the Commission and the Board.
- c. Municipal Review:** Any subdivision within one (1) mile of the boundaries of an incorporated city or town shall be jointly approved by both the Board of County Commissioners and the governing body of said city or town before it can be filed and recorded in the office of the County Clerk.
- d. Staff Report:** Planning Staff shall write a staff report with discussion of relevant issues pertaining to compliance of the application with County plans, development regulations and issues raised by referral agencies and members of the public.
- e. Sketch Plan Review:**
 - (1) The application and staff report will be forwarded to the Commission for review at the next available regularly scheduled meeting, taking into account calendar availability, the necessity for review time, or any other reasonable factor. The Planning Director and the Commission shall nonetheless work to place the matter on the calendar as expediently as possible. In conducting review of the sketch plan, the Commission should:
 - A. Give particular attention to the arrangement, location and dimensions of the lots and the means of access, their relationship to the topography of the land, relationship to the geologic and hydrologic setting, sewage

disposal, drainage, arrangement for domestic water, the potential future development of adjoining land, and the goals and objectives of the County's Land Use Plan;

- B. Review whether the design and development of subdivisions makes every effort to retain the natural terrain, natural drainage, existing topsoil, trees, wildlife and fish habitats;
 - C. Review impacts to agriculture;
 - D. Review whether land subject to hazardous conditions such as landslides, rock falls, possible subsidence, shallow water table, open quarries, floods, and polluted or non-potable water supply has been identified and that the hazards have been eliminated or will be eliminated by the subdivision and construction plans;
 - E. Review whether land subject to flooding has been set aside for uses which will not aggravate the danger of flood hazard, will not be endangered by flooding, or will not endanger the general health, safety or welfare of the public;
 - F. Review whether land for natural areas, schools, parks, open spaces, and future road rights-of-way are reserved and located according to good planning practices and principles;
 - G. Make specific written requirements for changes in the subdivision to address identified problems and ensure compliance with these regulations. The applicant shall incorporate any required changes in the next submission to the County;
 - H. Subdivisions may be reclassified by the Commission to receive additional evidence and testimony for good cause shown.
- (2) Simple subdivisions are exempt from public hearing requirements and may be eligible for approval under the Consent Agenda.
- (3) Minor subdivisions:
- A. The Commission shall hold a public hearing on the sketch plan for minor subdivisions. The hearing shall be scheduled and noticed in accordance with Appendix 1 Public Hearing Notice Requirements. The Commission shall render to the Board a recommendation to approve, conditionally approve or deny the sketch plan within 45 days of the hearing. This time limit may be extended with consent of the applicant and the Commission. Failure to take action within 45 days results in the sketch plan going to the Board without a recommendation.
 - B. The Board shall hold a public hearing on complete minor subdivision sketch plan applications. The hearing shall be noticed in accordance with Appendix 1 Public Hearing Notice Requirements. The Planning Director shall forward the Commission's recommendations and staff report to the Board for consideration at their hearing.

(4) Major subdivisions:

- A. The Commission shall hold a public hearing on the sketch plan for major subdivisions. The hearing shall be scheduled and noticed in accordance with Appendix 1 Public Hearing Notice Requirements. Sketch plan is not reviewed by the Board.

(5) Validity of Sketch Plan: Approval of a sketch plan shall lapse after twelve (12) months unless the applicant submits an application for final plat as set forth below. Upon written request and for good cause shown, the Board may grant one extension of time for a period not to exceed six (6) months. Sketch plans that have lapsed may be resubmitted for consideration and action by the Commission following the same procedure as for the original request.

f. Preliminary Plat Review: Only major subdivisions are subject to preliminary plat review.

(1) Before approval of the major subdivision sketch plan lapses, the applicant shall file for preliminary plat approval including all of the following materials and information:

- A. Preliminary Plat: The applicant shall submit seven (7) full size prints of the preliminary plat and one reproducible 11" x 17" copy. All Preliminary Plats shall include the information as required in Appendix 2 Preliminary Plat Specifications.
- B. Department of Environmental Quality: Provide the letter of recommendations from the DEQ resulting from the submittal of a study evaluating the sewage system and water supply system proposed for the subdivision as required by Wyoming Statute §18-5-306(a)(iv) through (vi). Provide a complete copy of the application that was submitted to the DEQ that resulted in the letter of recommendations.
- C. Access: Documentation that adequate access has been provided and that all proposed streets, alleys and roadways within the subdivision conform to the minimum standards adopted by the Board. If, however, the subdivider proposes to make any streets, alleys or roadways private, then the subdivider shall submit to the Board properly acknowledged written certification that certain streets, alleys or roadways within the subdivision shall remain private and the Board shall be under no obligation to repair, maintain or accept any dedication of such roads to the public use.
- D. Proposed Covenants/Homeowners Association Agreement: A copy of any Homeowner's Association agreement and covenants proposed for the subdivision;
- E. Mail/Utilities: A letter from the utility companies stating capacity exists to serve the proposed development and a letter from the U.S. Postal Service stating circumstances relevant to mail service;

- F. Miscellaneous: Other information requested by the Commission during the sketch plan review;
 - G. Fees: Evidence showing payment of all applicable fees.
- (2) The Commission shall hold a public hearing on all complete preliminary plat applications. The hearing shall be noticed in accordance with Appendix 1, Public Hearing Notice Requirements. The Planning Director shall prepare a staff report and submit it to the Commission and developer. The public hearing shall be held no later than 45 days after receipt of the DEQ recommendation (1 B above). However, failure of the applicant to timely submit a complete application constitutes a waiver of this 45 day time requirement.
- A. The Commission shall review the complete application and render a recommendation to the Board to approve, approve with conditions, deny or table the preliminary plat to a specific future meeting date. The Commission shall only recommend approval for those preliminary plats found to be in accordance with the intent, standards, and criteria specified in these regulations.
- (3) The Board shall hold a public hearing on all complete preliminary plat applications. Upon receipt of a complete application, the Planning Director shall schedule the date of the hearing at the next available Board meeting taking into consideration the requirement for public notice. The hearing shall be noticed in accordance with Appendix 1 Public Hearing Notice Requirements.
- A. The Board shall consider the complete preliminary plat application and approve, approve with conditions or deny the application. If approved, the applicant may proceed to submission of a final plat.
 - B. Approval of a preliminary plat shall be effective for one year from the date of approval. If a complete final plat application is not submitted within the time limit, all approvals shall expire. Failure of the applicant to timely submit complete applications constitutes a waiver of any time requirement within which the Board must approve a subdivision application and issue a permit or ruling.
- g. Final Plat Review:** Final Plats are reviewed by the Board; a public hearing is not required. Upon completion of all required conditions, the Board shall review a complete final plat at their next available regular meeting date, such availability to be determined based on calendar availability, the necessity for review time, and any other reasonable factor. The Planning Director and the Board shall nonetheless work to place the matter on the calendar as expediently as possible. At the meeting, the Board shall approve, approve with conditions, or deny the application based on conformation to terms of the sketch plan for simple and minor subdivisions, or preliminary plat approval for major subdivisions, if the subdivision meets the requirements of these regulations and applicable state laws, and platting requirements have been met.

(1) Submissions:

- A. The applicant shall submit seven (7) full size prints of the final plat. All final plats shall include the information as required in Appendix 3 Final Plat Specifications. Final plats must contain the Standard Platting Conditions set forth in Appendix 5 and the Certification and Approval Statements set forth in Appendix 7 unless inapplicable as determined by the Planning Director.
 - B. Supporting Documents Required: The applicant shall submit the supporting documents as specified in Appendix 4 Final Plat Supporting Documents.
 - C. Subdivision Improvements Agreement. A subdivision improvements agreement, if required, detailing the improvements to be constructed and the type of financial guarantee utilized. See Appendix 11.
- h. Validity of Final Plat:** Approval of a final plat shall lapse after eighteen (18) months unless the final plat is signed by the Chairman of the Board and recorded by the Clerk and Recorder. Upon written request and for good cause shown, the Board may grant one extension of time for a period not to exceed six (6) months. Final plats that have lapsed may be resubmitted for consideration and action by the Commission and Board following the same procedure as for the original request.
- i. Deviations:** Minor deviations from an accepted final plat may be approved by the Planning Director. Minor deviations are changes to an accepted final plat that appear necessary in light of technical or engineering considerations first discovered during development that are not reasonably anticipated during the initial approval process. Minor deviations shall comply with the standards of these Development Standards and Regulations and do not include reductions in the amount of open space set aside or changes to required resource protection. Requests for significant deviations, amendments or alterations must come before the Board for consideration.

SECTION 5: PHASED MAJOR SUBDIVISION DEVELOPMENT

The Board may permit a development to be divided into two or more phases and impose such conditions upon the filing of the phases as it may deem necessary to assure orderly development of the subdivision. In addition, the following requirements shall apply:

- a. Master Plan:** The applicant shall submit a master plan illustrating the entire project. Planning staff will analyze the master planned project for the impacts that will be created at full build-out.
- b. Agreements:** Separate subdivision improvement agreements shall be entered into for each phase before the final plat for that phase is approved.
- c. Security for phases:** The Board may require that security be in such amount as is commensurate with the phase or phases of the plat to be filed.

- d. **Dedications:** The applicant may also file irrevocable offers to dedicate streets and public improvements in all phases.

SECTION 6: FINAL PLAT RECORDATION

After the Board has approved the final plat and the Planning Office has obtained all necessary signatures, the applicant may submit the approved final plat with required fees for recordation to the Clerk & Recorder. The approved final plat must be accompanied by a signed / notarized disclosure statement (Appendix 6), Board of County Commissioners resolution of approval, covenants, weed abatement plan, Homeowners Association documents, irrigation plans, easements, rights-of-way, and the subdivision improvements agreement. These items shall be recorded concurrently with the final plat.

The final plat must contain an instrument number and recording reference for these documents.

Figure 3-1. SIMPLE SUBDIVISION REVIEW PROCESS

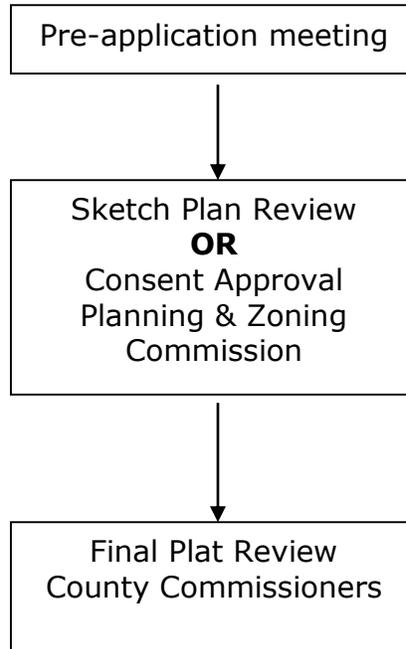


Figure 3-2. MINOR SUBDIVISION REVIEW PROCESS

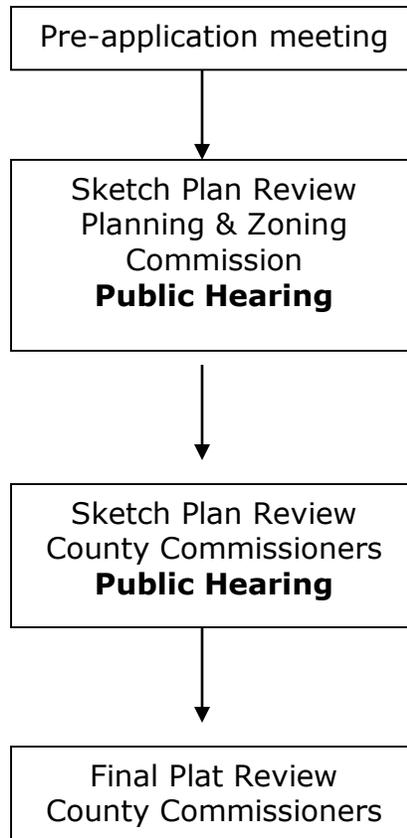
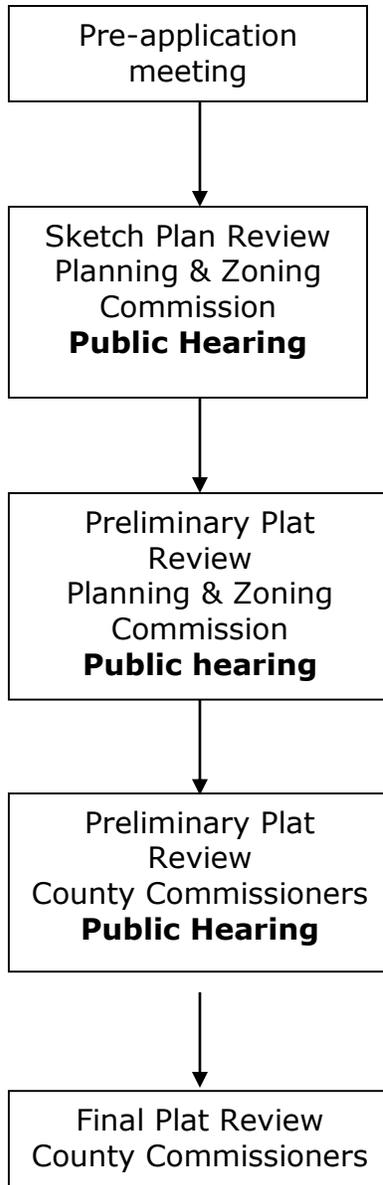


Figure 3-3. MAJOR SUBDIVISION REVIEW PROCESS



SECTION 7: LARGE ACREAGE SUBDIVISION

a. Exempt Large Acreage Subdivision (35-40 acres): Where no more than 10 (ten) parcels of land are subdivided that are thirty-five (35) acres up to forty (40) acres, these parcels are *exempt from subdivision review*, but shall comply with the following:

- (1) Boundary lines of each parcel shall be established by recordable survey containing the following:
 - A. Date of preparation, scale and north arrow;
 - B. The location of the subdivision units, including section, township, range;
 - C. Location and dimension of access and utility easements conforming to the requirements of W.S. §18-5-303(b).
- (2) If the subdivision is located within an Irrigation District or served by a ditch, irrigation company or association or unorganized ditch, evidence the plan has been submitted to the district board company, association, or remaining appropriators in the case of an unorganized ditch for their review and recommendations;
- (3) Evidence the subdivider will specifically state on all offers relative to the subdivision the intent to comply with this paragraph and that the seller does not warrant to a purchaser there are any rights to the natural flow of any stream within or adjacent to the proposed subdivision. It shall further state that the Wyoming law does not recognize any riparian rights to the continued natural flow of a stream or river for persons living on the banks of the stream or river.
- (4) If a centralized water supply system is proposed, a study evaluating the water supply system safety and adequacy. The study shall include information relative to the potential availability and quality of groundwater proposed within the parcel or parcels which may consist of new data, existing data on other working wells in the area, or other data, including drilling logs, from a test well drilled on the parcel or parcels indicating soil types, depth, quantity and quality of water produced in the test well. Where individual on-lot wells are proposed, the study shall not be required and the words “**NO PROPOSED CENTRAL WATER SUPPLY SYSTEM**” in bold capital letters shall appear on all offers, contracts, agreements and plats relating to the parcel or parcels.
- (5) Evidence the parcels comply with applicable zoning requirements, including roads that access more than 4 (four) parcels are built to county standards.

b. Non-exempt Large Acreage Subdivision (35-40 acres): A subdivision permit will be required where 11 (eleven) or more parcels are created of 35 acres up to 40 acres. The following requirements shall apply:

- (1) A survey plat containing the following:
 - A. Date of preparation, scale and north arrow;

- B. The location of the subdivision including the section, township and range;
 - C. The location and dimension of existing and proposed lots, units, tracts, parcels, streets, alleys, roads, highways, public ways, utility rights-of-way, easements, parks and the location of proposed permanent buildings and structures if known.
- (2) Where individual on-lot sewage systems are proposed, the words **“NO PROPOSED CENTRALIZED SEWAGE SYSTEM”** in bold capital letters shall appear on all offers, contracts, agreements and plats relating to the subdivision. For centralized waste disposal systems, documentation is required evaluating the adequacy and safety of the system;
- (3) If the subdivider proposes to utilize adjoining property for sewers, drainage, sewer lines, power lines or other utilities, the subdivider shall provide copies of binding easements of not less than twenty (20) feet in width for the proposed facilities from each property owner over whose land such services shall extend and shall provide a minimum access roadway right-of-way of sixty (60) feet to the subdivision for all public ways. Where no or limited on-lot utility connections are proposed, the words **“NO PROPOSED UTILITY CONNECTIONS”** or **“LIMITED UTILITY CONNECTIONS”** as appropriate, in bold capital letters shall appear on all offers, contracts, agreements and plats relating to the subdivision. A permit shall not be denied for failure to provide on-lot utility connections;
- (4) Where individual on-lot wells are proposed, the words **“NO PROPOSED CENTRAL WATER SUPPLY SYSTEM”** in bold capital letters shall appear on all offers, contracts, agreements and plats relating to the subdivision. For central water supply systems, documentation is required to evaluate the adequacy and safety of the system. The study shall include information relative to the potential availability and quality of groundwater proposed within the subdivision which may consist of new data, existing data on other working wells in the area, or other data, including drilling logs, from a test well drilled within the proposed subdivision indicating soil types, depth, quantity and quality of water produced in the test well.
- (5) Documentation that adequate ingress and egress access has been provided to all proposed lots, units, tracts and parcels and that all proposed lots, units, tracts, parcels, streets, alleys and roadways within the subdivision conform to the minimum standards adopted by the Board. If the subdivider proposes to make any streets, alleys or roadways private, a properly acknowledged written certification that declares certain streets, alleys or roadways within the subdivision shall remain private, and the board shall be under no obligation to repair, maintain or accept any dedication of these roads to the public use. If no such public maintenance is contemplated on any of the roads, the subdivider shall put a legend on the plat of 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 SPECIFIED STREETS OR ROADS”**;

- (6) Documentation there are adequate financial resources to develop and complete any facility that is the responsibility of the developer, 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 facilities proposed or represented to be part of the subdivision will in fact be completed as proposed, or escrow sufficient monies out of land sales to guarantee that the above facilities are installed. The amount of any bond or other financial commitment or escrow required under this paragraph shall reflect the estimated costs of providing the facilities;
- (7) Obtain review and recommendations from the local conservation district regarding soil suitability, erosion control, sedimentation and flooding problems. The review and recommendations shall be completed within sixty (60) days.
- (8) Obtain review and recommendations from a fire protection district in which any portion of the subdivision lies, or from the nearest fire protection district if no part of the subdivision lies within a fire protection district, regarding adequacy of fire protection measures. If the entire subdivision does not lie within a fire protection district and no city, town or fire protection district is obligated to provide fire protection pursuant to an agreement authorized by law, the subdivider shall put a legend on the plat of the subdivision and on all offers, contracts or agreements for the sale and purchase of lots within the subdivision showing in capital letters **“LOTS ARE NOT PART OF A FIRE PROTECTION DISTRICT AND FIRE PROTECTION IS NOT OTHERWISE PROVIDED”**.
- (9) A legend shall be placed on the plat and on all offers, contracts or agreements for the sale and purchase of lots within the subdivision showing in capital letters **“THE SURFACE ESTATE OF THE LAND TO BE SUBDIVIDED IS SUBJECT TO FULL AND EFFECTIVE DEVELOPMENT OF THE MINERAL ESTATE”**.
- (10) With respect to any water rights appurtenant to lands to be subdivided in accordance with this section and prior to final approval of the subdivision the developer shall provide for state requirements for disposition of water rights (Ch.III Sec.3 e).
- (11) Evidence the parcels comply with zoning requirements, including roads that access more than 4 (four) parcels are built to county standards.
- (12) Public hearing(s) with the Planning & Zoning Commission and Board of County Commissioners.

c. Large Acreage Subdivisions 41-140 acres: Ingress and egress and utility easements shall be provided to each parcel by binding and recordable easements of not less than 40 or more than 60 feet in width to a public road unless specifically waived by the grantee or transferee in a binding and recordable document. All parcels created pursuant to this exemption shall have access as required by Ch. III Sec.3 b F. Roads that access more than 4 (four) parcels must be built to county standards.

SECTION 8: DESIGN AND IMPROVEMENT STANDARDS

a. Lot Standards:

- (1) Corner Lots: Corner lots shall have sufficient area to meet all County visual clearance area and driveway intersection spacing requirements.
- (2) Depth to width ratio: Depth to width ratio of greater than three to one (3:1) shall not be permitted on lots of three acres or less.
- (3) Frontage: 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 that meets any setback requirements.
- (4) Lot lines: Side lot lines should be at substantially right angles or radial to road lines, or follow natural drainage patterns, existing ditches, or natural topography when applicable.
- (5) Ingress and Egress: All lots shall have legal and physical access.

b. Block Standards: Blocks shall be designed to maximize traffic safety and ease of traffic control and circulation. Blocks shall allow for two tiers of lots unless topography or other factors indicate an alternative arrangement is more desirable. Block lengths shall be designed to provide for safe and convenient access and circulation for emergency vehicles.

c. Easement Standards:

- (1) The applicant shall provide all easements as requested by applicable utilities and special districts, Irrigation Districts, or public agencies providing the service. Where central water and sewer services are not available, utility easements for sewer and water lines shall be provided along appropriate alignments to facilitate the installation of such lines in the future should service become available. The applicant shall also provide easements for any existing or planned main distribution or collection lines crossing the property to be subdivided to allow for the coherent development and maintenance of such systems. The width of any easement shall be sufficient to allow adequate maintenance of the system, but in no case shall such easement be less than 20 feet in width.
- (2) Right-of-way dedications for roads shall conform in width to the requirements in the Road & Bridge Standards including sufficient width to include all drainage improvements, associated cut and fill slopes, intersections, curb returns, snow storage, and other road appurtenances;
- (3) Platting of Easements for Private Accessways; Easements must be platted for all private alleys, common driveways, or other accessways, and shall include at a minimum the width of the travel surface plus two (2) feet on either side, any associated cut and fill slopes, and any drainage improvements.

d. Road Standards: Roads serving lots shall be required of every subdivision except where all lots can be accessed from a public road and the applicant has approved access rights for each lot from the relevant governing authority. As a condition of

approval of any subdivision, the applicant shall be required to provide the following road improvements:

- (1) Construction of all new roads and any new bridges shown on the final plat in accordance with Road & Bridge Standards;
- (2) Construction of roads outside the subdivision necessary to establish a connection between the subdivision and the existing public road system, with the design and construction standards for such connections to be determined by the County Engineer;
- (3) All curbs, gutters, and sidewalks required by Road & Bridge Standards;
- (4) All improvements necessary for road drainage including, but not limited to, culverts, drainage pans, inlets, curbs, and gutters;
- (5) Traffic control devices including but not limited to signs and signals, road name signs, road lighting, striping and pedestrian crosswalks in conformance with the criteria contained in "The Manual on Uniform Traffic Control Devices for Streets and Highways", current edition, as adopted by the State of Wyoming pursuant to W.S. §31-5-112 and County Road & Bridge Standards;
- (6) Road medians and median landscaping if required;
- (7) Any common driveways; and
- (8) Where roads are temporarily dead-ended in anticipation of future expansion, the County Engineer may require construction of a temporary turnaround.

e. Upgrading of roads:

- (1) Compliance with plans: When any County or municipality adopted plan indicates plans for the establishment, realignment, or widening of a road which traverses the area to be subdivided, the applicant must dedicate the necessary right-of-way for the establishment, realignment, or widening of the road at the request of the County or appropriate municipality. The County or appropriate municipality shall be responsible for negotiating for acquisition of the right-of-way. In no case shall the County or appropriate municipality be required to pay more than the appraised value as determined by an independent appraiser selected jointly by the property owner and the County or appropriate municipality to acquire the right-of-way;
- (2) Connections to existing road system: Where roads outside a subdivision must be constructed to establish a connection between the subdivision and the existing public road system, or existing roads which will be used for such connection need to be upgraded to accommodate added traffic from the subdivision, the applicant must obtain the necessary rights-of-way for these improvements and must plat them as dedicated rights-of-way at the applicant's expense.

f. Drainage standards: Subdivision drainage systems shall be designed to meet Road & Bridge Standards.

g. Sidewalk and Pedestrian Walkway Standards:

- (1) Sidewalks: Sidewalks are required where a subdivision is contiguous to a municipality that requires sidewalks for the type of subdivision proposed. Design of sidewalks shall conform to that of the contiguous municipality.
- (2) Walkways: Pedestrian walkways may be required to provide access to parks or open spaces, schools or other similar areas where in the opinion of the Commission significant pedestrian circulation is needed. Easements of 10 feet in width may be required where deemed necessary.

h. Street Lighting Standards: Street lighting capable of illumination of roads and pedestrian walkways for safe movement of vehicles and pedestrians at night may be required where:

- (1) Densities are greater than six units per acre; or
- (2) The subdivision is contiguous with a municipality that requires lights; the municipal standards shall apply.

i. Alley Standards:

- (1) Minimum width: Where alleys are platted, a minimum width of 20 feet shall be required.
- (2) When required: Alleys are required in mobile home parks, commercial, business, and industrial districts. 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.
- (3) Dead ends: No dead-end alleys shall be allowed, except the Board may waive this requirement where such alleys are unavoidable, and adequate turnaround facilities have been provided.

j. Fire Protection Standards:

- (1) For subdivisions with a density of greater than one residence per five acres, fire protection facilities shall be reviewed by the local fire district referencing National Fire Protection Association (NFPA) standards for rural subdivisions. Water supply for fire-fighting may be required (with Board approval) by the local fire district consisting of stored, static water sources available year-round or hydrants supplied by a pressurized system, or a combination of both. If static water sources are used, an amount of stored water equal to 3,000 gallons per residence, up to a maximum of 30,000 gallons per subdivision, will normally be required. However the local fire district may review other options that they deem equivalent. Facilities, including all access roads required for emergency access, shall be installed and made serviceable prior to and during times of construction. The fire district representative shall review each firefighting facility.

- (2) Hydrants or draft hydrants shall meet fire district requirements.
- (3) Forest or range management programs may be required for any subdivision in areas where one or more planned homes could be threatened by wildland fire. These programs could include requirements for: reduction of wildland fuels near structures, construction of additional access roads, construction of additional water sources, limitations on certain building materials.
- (4) Prior to final approval or release of a financial guarantee, slash (fallen trees, shrubs, pulled stumps, and other combustible material) shall be removed and disposed of from within the road right-of-way. Slash shall not be placed in road fills. All hazardous slash must be removed from the home sites prior to construction.
- (5) Proposed subdivisions may be required to prepare a fire protection plan, possibly including nearby property owners and homeowner's associations, and reviewed by the fire protection district.

k. Open Space Standards: Subdivisions may be required to provide developed or undeveloped open space. Developed open space shall be designed to provide active recreational facilities to serve the residents of the subdivision. Undeveloped open space shall be designed to preserve important site amenities, including environmentally or visually sensitive areas, wildlife corridors, or important agricultural lands.

- (1) Amount of open space required: In any grouped-lot subdivision, at least 50 percent of the unit of land proposed for development shall be set aside for open space.
- (2) Size of open space parcels: The area of each open space parcel shall be of such minimum dimensions as to be functionally usable for recreational purposes or to meaningfully preserve natural amenities. Open space may consist of a single parcel, or multiple parcels.
- (3) Location of open space parcels: Developed open space parcels shall be reasonably convenient to the lots they are intended to serve.
- (4) Deed Restrictions: Any lands dedicated for open space shall contain appropriate covenants and deed restrictions ensuring that:
 - A. Open space areas will not be further subdivided in the future;
 - B. Use of the open space will continue in perpetuity for the purposes specified;
 - C. Appropriate provisions will be made for the maintenance of the open space; and
 - D. Common undeveloped open space shall not be turned into a commercial enterprise admitting the general public for a fee.
- (5) Restriction on building lot: When any portion of an individual building lot is restricted as open space or as part or all of a required open space area, the deed for the lot shall contain a notice of restrictions on use and reference to the plat upon which the restricted area shall be delineated.

- (6) Open Space Ownership: The applicant, subject to the approval of the Board, shall select the type of ownership of land dedicated for open space purposes. Type of ownership may include, but is not necessarily limited to;
- A. Non-profit entities, subject to their acceptance;
 - B. Homeowners Associations;
 - C. Shared undivided interest by all property owners in the subdivision; or
 - D. Individual lot owners when the open space is a contiguous area comprised of portions of individual building lots restricted against development by a conservation easement.
- (7) Homeowners Association: If the open space is to be owned and maintained by a Homeowners Association, the developer shall file a declaration of covenants and restrictions that will govern the association. The provisions shall include, but are not necessarily limited to;
- A. Homeowners Association must be established before any lots are sold;
 - B. Membership must be mandatory for each lot owner and any successive owner;
 - C. Open space restrictions must be permanent, not just for a period of years;
 - D. The association must be responsible for liability insurance, local taxes and assessments, and the maintenance of recreational and other facilities;
 - E. Homeowners must pay their pro rata share of the costs, and the assessment levied by the association can become a lien on the property if allowed in the instruments establishing the association;
 - F. The association must be able to adjust the assessment to meet changed needs; and
 - G. Provisions are not subject to modification.
- (8) Maintenance of Open Space: The person or entity identified as having the right of ownership or control over the open space shall be responsible for its continuing upkeep and proper maintenance. Open space shall not be allowed to become a nuisance by the growth or propagation of weeds. Park County bears no responsibility for the activities on or maintenance of areas defined as open spaces.

SECTION 9: SUBDIVISION IMPROVEMENTS

a. Responsibility of Subdivider:

- (1) Required Improvements: The applicant shall be responsible for the construction of all required subdivision improvements.

- (2) Proposed Improvements: In cases where the applicant proposes improvements that are in excess of the minimum standards of these regulations, the proposed improvement shall be considered as a required improvement.

b. Construction of Improvements: All required improvements shall be designed and constructed according to these Regulations. The applicant is responsible for financing and constructing all improvements internal or external to the proposed subdivision required by these regulations unless suitable evidence is submitted that other public agencies have the responsibility for the construction and costs of improvements.

c. Subdivision Improvements Agreement:

- (1) All improvements, including an irrigation water distribution system, shall be designed and constructed according to the applicable standards approved by Park County and other regulatory authorities having jurisdiction over the property to be subdivided, including the Irrigation District where the lands proposed for subdivision are located.
- (2) No final plat shall be approved until the applicant has submitted an executed subdivision improvements agreement, approved by the County Attorney and Board. The agreement shall guarantee construction of all required improvements and shall specify a method of guaranteeing construction of the improvements. The applicant shall elect one of the following two methods of guaranteeing completion of all improvements:
 - A. provide a financial performance guarantee for the completion of all improvements; or
 - B. agrees not to record the plat and not to sell any lots until all improvements are completed.

d. Sale of Lots Guarantee: At the request of the applicant, the Board may approve a final plat and instruct the Planning Director to retain the plat from recording until such time as all improvements are completed. This procedure constitutes a financial guarantee that the improvements will be built. An executed subdivision improvements agreement shall be submitted with the final plat. The agreement shall require that all improvements be completed in accordance with Release of Financial Guarantee below, before the Planning Director will allow the plat to be recorded. By recording the plat, the lots are released for sale.

e. Financial Guarantee:

- (1) Cost Estimate: The applicant shall provide the County with an itemized estimate of the costs of required improvements, including any irrigation water distribution system, prepared by a Wyoming Registered Engineer. The County may require the applicant to pay costs incurred in reviewing the cost estimates and determining their validity.
- (2) Financial Guarantee Specifications: The subdivider shall execute a financial guarantee from a corporate surety authorized to conduct business in the State

of Wyoming and shall be of a form acceptable to the Board. Acceptable forms of financial guarantee include a renewable and irrevocable letter of credit, payment and performance bonds, cash bond, or certificate of deposit from one or more financial institutions subject to regulation by the state or federal government. The financial guarantee shall meet the following specifications:

- A. Shall be 125% of the total cost of improvements, including labor and materials;
- B. Shall provide for payment to Park County upon demand if the developer has not performed the obligations specified in the subdivision improvements agreement and the issuer has been notified of such default; and
- C. Shall specify an expiration date or dates no less than 18 months from approval of a final plat at which time the Board may use the funds available to pay for completion of construction of the required improvements. The developer is responsible for ensuring that any financial guarantee does not expire prior to construction and inspection of the improvements.

- (3) Use of Guarantee: If all improvements are not constructed in accordance with these Regulations and the provisions of the Subdivision Improvements Agreement, the Board shall notify the applicant in writing of noncompliance and propose a schedule for correcting the noncompliance. If the Board determines that the applicant will not or cannot construct any or all of the improvements in accordance with all of the construction plans and specifications, these Regulations or the Subdivision Improvements Agreement, the Board shall have the power to withdraw and employ such funds from the financial guarantee as may be necessary to construct and complete the improvements in accordance with the construction plans and specifications, these Regulations, and the Subdivision Improvements Agreement.
- (4) Plat Notice: The Subdivision Improvements Agreement shall be recorded prior to recordation of the final plat. The final plat shall contain a notice of the Subdivision Improvement Agreement and its recording information.

f. Release of Guarantee: The Board shall release any financial guarantee when the following conditions are met:

- (1) The subdivider provides a letter from an engineer licensed in Wyoming certifying that all improvements, including utilities, have been completed in accordance with the Subdivision Improvements Agreement, construction plans and specifications, and these Regulations;
- (2) "As built" road and bridge plans shall be submitted from an engineer licensed in Wyoming. All deviations from the approved plans shall be listed and shown on the "as-built" plans. Release of the guarantee shall not occur if the County Engineer determines deviations are present which have not received prior approval and are not consistent with generally accepted engineering design;

- (3) Letters are submitted from appropriate utilities or special districts indicating improvements required by the agreement have been installed in accordance with approved plans; and
- (4) The applicant provides a commitment letter from a title company stating that the improvements are free of liens and encumbrances.
- (5) As improvements are completed, the developer may apply to the Planning Director for a release of part of the guarantee. Upon receipt of the above requirements for the improvements completed, the Planning Director shall release a portion of the guarantee, always retaining an amount 125% of the estimated cost of improvements yet to be completed.

g. Release of Lots for Sale: In the case where the applicant has signed a Subdivision Improvements Agreement guaranteeing the completion of all improvements prior to the sale of any lots, the Planning Director shall record the plat when the conditions of Release of Financial Guarantee, above, are met.

h. Improvements to be completed within 18 months: The subdivision improvements shall be completed within eighteen (18) months from the date of approval. Failure to complete all improvements within the established time shall result in:

- (1) Revocation of the subdivision permit: If no lots have been conveyed during the approved time period, the Board may revoke the subdivision permit; or
- (2) Revocation of surety: If lots have been conveyed during the approved time period, the Board may revoke the surety on said subdivision to the extent necessary to complete the improvements.
- (3) Extension: The Board may grant an extension of up to six months for completion of improvements upon written request and for good cause shown.

SECTION 10: SALE OF ENTIRE SUBDIVISION

The subdivider may sell an entire subdivision that is subject to Sale of Lots Guarantee before improvements have been completed. All the terms of the Subdivision Improvements Agreement, including the withholding of recordation of the plat and the ban on sale of individual lots, shall run with the land and deemed a covenant with respect thereto, binding upon the subdividers heirs, successors and assigns.

SECTION 11: OFF-SITE IMPROVEMENTS

- a. Purpose:** This section is intended to ensure a *pro rata* share allocation of the costs for off-site improvements necessitated by a new subdivision.
- b. Cost Allocation:** An applicant may be required to provide, at their own expense and as a condition of approval, changes or improvements on access or easements outside the boundaries of the proposed subdivision that are required as a result of the impact of the proposed subdivision.

c. **Agreement:** The developers' responsibility for off-site improvements and manner and method of payment shall be included in the Subdivision Improvements Agreement.

d. **Maintenance of Improvements:**

- (1) Association: A Maintenance and Service district, Homeowner's Association, or equivalent governing agency or organization shall be established for the purpose of maintaining roads, snow removal, irrigation facilities, drainage facilities, open space, or other common facilities in a reasonable order and condition. This governing agency or organization shall have the authority to assess each lot a maintenance fee.
- (2) Developer Responsibility: The developer has the option of dedicating the roads to the lot owners or the public. The developer shall be required to maintain all required public improvements on the individual subdivided lots and provide for snow removal on streets and sidewalks until acceptance of the improvement by the governing body or private association as applicable.
- (3) No obligation for County: The dedication of improvements in no way obligates the Board to maintain such improvements or accept them as county property, nor does it relieve the developer of the obligation to construct improvements according to the requirements set forth in Article 3 of these regulations. Roads dedicated for public use on a plat do not constitute public county roads. Procedures for the establishment of public roads as specified by state statute must be followed prior to such roads becoming public county roads.

SECTION 12: EXEMPT DIVISIONS

a. **Generally:** The Wyoming Real Estate Subdivision Act (W.S. §18-5-303) establishes several exemptions from the requirement that subdivisions undergo review and obtain a subdivision permit by the County. This section provides the definitions, interpretations, and required procedures for such exempt divisions. An exemption established after July 1, 2001 does not create a new tract of record. All roads developed to access more than four (4) exempt parcels as defined by W.S. §18-5-303 (a & b) shall be constructed to Park County Road & Bridge Standards.

b. **Exemptions defined:** Unless the method of sale or other disposition is adopted for the purpose of evading the provisions of these regulations, a subdivision permit shall not be required for any subdivision of land that is exempt. The following subdivisions are subject to requirements which may be adopted by the Board of regarding documentation of the proper use and implementation.

c. **Family Divisions:** A division of land made *outside of platted subdivisions* for the purpose of a single gift or sale to a member of the landowner's immediate family¹ shall

¹ The County interprets this provision to mean that: Grantors can make one family division for each eligible member of the grantor's immediate family; this provision may only be used once for each eligible grantee regardless of how many parcels the grantor may own; an

be exempt from the subdivision permit requirement, subject to the following requirements:

- (1) Immediate Family Member: A member of the immediate family is limited to any person who is a natural or adopted child, stepchild, spouse, sibling, grandchild, grandparent or parent of the landowner. Where the landowner is a business entity and eighty percent (80%) of the ownership interest or shares are held by or in the name of the trust controlled by individuals related by blood or marriage, the sale or gift may be made, subject to the provisions of W.S. § 18-5-303, to an immediate family member of any shareholder who has owned at least five percent (5%) of the outstanding shares for at least five (5) years continuously before the date of the gift or sale;
- (2) Purposes: The purpose of the division is to provide for the housing, business or agricultural needs of the grantee;
- (3) Title: Parcels created under this section shall be titled in the name of the grantor, or in the name of a trust controlled by the grantor for a combined period of not less than five (5) years prior to the division and titled in the name of the immediate family member for whom the division is made for a period of not less than one (1) year, unless such parcels are subject to involuntary transfer including, but not limited to foreclosure, death, judicial sale, condemnation or bankruptcy;
- (4) Acreage for re-division: No parcel smaller than five (5) acres created by a family division shall be further divided unless the owner obtains a subdivision permit pursuant to W.S. §18-5-304 and these regulations.

d. Miscellaneous Exemptions: The following types of divisions of land shall be exempt from the subdivision permit requirement:

- (1) 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;
- (2) Created by a lien, mortgage, deed of trust or any other security instrument, easements and rights-of-way;
- (3) Lands located within incorporated cities or towns;
- (4) Created by the sale or other disposition of land to the state of Wyoming or any political subdivision thereof;
- (5) A division that affects railroad rights-of-way;
- (6) A sale or other disposition of land for agricultural purposes or affects the alignment of property lines for agricultural purposes;
- (7) 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;
- (8) Creates cemetery lots;

eligible grantee may only receive one parcel by family exemption and may not receive additional parcels from additional landowning relatives. The grantee must be an immediate family member of each and every grantor except as otherwise specified.

- (9) 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 interest;
- (10) Creating a parcel five (5) acres or smaller for the purpose of establishing unmanned communication facilities, compressor stations, metering stations, fiber optic booster stations or similar unmanned facilities.

e. Minor Boundary Adjustments:

- (1) Purpose of minor boundary line adjustment:
 - A. Lot line adjustment between two subdivision lots, or the combining of two lots of an approved recorded subdivision;
 - B. Adjustments for encroachments, setbacks and boundary disputes;
 - C. Adjustment to combine adjacent parcels.
- (2) Minor boundary line adjustments may be approved by the Planning Director provided that the rights of the other lot owners are not compromised or abrogated. If it is determined by the Planning Director that the rights of the other lot owners may be compromised or abrogated, the lot line adjustment shall require a public hearing before the Board.
- (3) In no case may a boundary line adjustment create a separate parcel; the divided portion must be merged with and combined into an adjoining parcel by means of a Boundary Line Adjustment Record of Survey or another acceptable recorded instrument, as appropriate and determined by the Planning Director.
- (4) The resulting parcels shall conform to the zoning district in which they are located.

SECTION 13: RECORD OF SURVEY REQUIREMENT FOR EXEMPT DIVISIONS

- a. **A Record of Survey** is required to be filed with the County Clerk and Recorder for all parcels that are exempt from the subdivision permit requirement. The survey shall accompany and be referenced by all instruments recorded in the Office of the Clerk and Recorder that divide land or realign property boundaries pursuant to W.S. §18-5-303 (Exempt Divisions). The reference shall locate the survey by citing its document number, deed book and page number, or plat cabinet and page number.

SECTION 14: FILING AND RECORDING PROCEDURE

- a. **Certification required for all instruments:** The owners or agents of a property owner seeking to record deeds, records of survey, contract for deeds, or other instruments shall present to the County Clerk a Certificate of Filing indicating whether the instrument creates any division or subdivision of land (Appendix 9). The certification shall further indicate that any division of land created by the instrument conforms to one or more of the subdivision exemptions of these regulations.

- b. Nullification of Exempt Division:** Any exempt division may be nullified by the grantee and grantor by recording an instrument with a form approved by the County Attorney. The effect of filing such an instrument shall be to rescind the original exemption and merge the exempt parcel with the original parent parcel, thereby reverting the land to its original configuration as it existed prior to the exempt division.
- c. Requirements for Agricultural Divisions:** In addition to the Certificate of Filing, owners or agents of a property owner seeking to record deeds, records of survey, contract for deeds, or other types of instruments that divide land through agricultural exemption shall present to the County Clerk a covenant to be recorded with the instrument that conforms to Appendix 10, Covenant for Agricultural Purposes Exemption.

SECTION 15: VACATIONS AND MODIFICATIONS TO FILED PLATS

a. Complete vacation of existing plat:

- (1) Complete vacation (no lots sold): Any plat may be vacated by the proprietors thereof at any such time before the sale of any lots therein by a written instrument declaring the plat to be vacated, duly executed, acknowledged or proved and recorded in the same office with the plat to be vacated. The execution and recording of such writing shall operate to destroy the force and effect of the recording of the plat so vacated, and to divest all public rights in the streets, alleys, commons and public grounds laid out or described in such plat.
- (2) Complete vacation (lots sold): In the case where lots have been sold, all the owners of lots in such plat shall join in the execution a written instrument declaring the same to be vacated, duly executed, acknowledged or proved and recorded in the same office with the plat to be vacated. The execution and recording of such writing shall operate to destroy the force and effect of the recording of the plat so vacated, and to divest all public rights in the streets, alleys, commons and public grounds laid out or described in such plat.
- (3) Board of County Commissioners: No plat or portion thereof for which a subdivision permit has been obtained pursuant to W.S. §18-5-304 shall be vacated without the approval of the Board of County Commissioners.
- (4) Duty of County Clerk: The County Clerk, in whose office the plats are recorded, shall write in plain, legible letters across that part of said plat that is vacated, the word "vacated", and also make a reference on the plat the volume and page in which the said instrument of vacation is recorded.
- (5) Record of Survey: A record of survey and legal description shall be prepared by a licensed surveyor and recorded in the Office of the County Clerk and Recorder describing all lots and/or parcels vacated from an existing subdivision.

b. Partial vacation of an existing plat

- (1) Partial Vacation of a Recorded Plat: Partial vacation of a recorded Final Plat is permitted for the purpose of changing the lot configuration, adjusting the

boundary lines between platted lots and adjacent unplatted parcels, or revising building envelopes or notes shown on the plat. Partial vacation of a recorded Final Plat is also permitted for building a new road or changing the roadway location in a limited part of the subdivision. An amended plat is required to show the new configuration of the plat.

- (2) Board of County Commissioners: No plat or portion thereof for which a subdivision permit has been obtained pursuant to W.S. §18-5-304 shall be vacated without the approval of the Board.
- (3) Re-subdivision of Approved Plat: The subdivision of any lots, tracts, parcels, within an approved and properly recorded subdivision shall follow the procedures outlined as if it were a new subdivision, and as such, the proposal shall meet the standards and policies for subdivisions in effect at the time of the new application.
- (4) Lot Line Adjustments: Adjusting the boundary lines between platted lots and adjacent unplatted parcels are allowed by filing an Amended Plat. The Amended Plat may be approved by the Board without a public hearing for simple lot line adjustments, provided that the rights of the other lot owners are not compromised or abrogated. If it is determined by the Planning Director that the rights of the other lot owners may be compromised or abrogated, the lot line adjustment shall require a public hearing before the Board. Any lot line adjustment that is not classified as a Minor Boundary Line Adjustment must follow the Amended Plat procedure.
- (5) Vacated Lots: A lot or land vacated from an existing subdivision shall not be considered an individual tract of record for purposes of future subdividing unless such lot or land was vacated prior to July 1, 2001.
- (6) Record of Survey: A record of survey and legal description shall be prepared by a licensed surveyor and recorded in the Office of the Clerk and Recorder describing all lots and/or parcels vacated from an existing subdivision.

c. Amended Plat process:

- (1) The required fees and amended plat shall be provided to the Planning Office for review prior to the scheduling of the proposal for a meeting.
- (2) There shall be a public hearing with the Board of County Commissioners for review, noticed pursuant to Appendix 1 Public Hearing Notice Requirements unless it has been determined that the Amended Plat can be approved without a public hearing.
- (3) The area to be altered shall be vacated and a new plat made of record. The new plat shall meet the following requirements:
 - A. The Certificate of Owners on the new plat shall have a clause vacating the area to be redesigned, signed by all owners of record of the lots involved.
 - B. If there is more than one owner of the vacated portion of the plat, instruments shall be recorded conveying ownership of individual parcels resulting from the amended plat.

- C. If only one subdivision is involved, the name shall be the name of the original subdivision, preceded by "Amended Plat of" or "Second Amended Plat of", etc. The resulting changed lots shall be numbered consecutively with numbers different from the original subdivision.
- D. If two or more neighboring subdivisions are involved, the new plat shall have a name materially different than any of the original plats. The applicant shall provide a recordable document from both Homeowner's Associations regarding the status of the changed lot(s) in relationship to the membership of the Association(s). If this document cannot be provided, the Board of County Commissioners may decide which Home Owner's Association the lot(s) will be a part of upon final approval.
- E. The boundary between a platted lot and an unplatted parcel may be adjusted, provided that no additional lots or parcels are created. The adjusted unplatted parcel is not required to become a part of the subdivision, however the new configuration of the unplatted parcel shall be shown on the plat and an instrument acceptable to the County Attorney shall be recorded to establish the newly adjusted parcel.
- F. Each of the resulting lots or parcels shall conform to the zoning district in which it is located and the degree of nonconformity of any lot or parcel shall not be increased.
- G. A Certificate of Dedication, Certificate of Registered Land Surveyor, Certificate of Approval by the Board, and a Statement for Filing of the Plat in the Office of the County Clerk and Recorder shall be included on the plat in conformance with Appendix 7.

d. Errors or omissions on Final Plats:

- (1) Minor Errors: In cases where a typographical error was made upon a plat, or an omission was made such as a key measurement or signature, an affidavit prepared by the registered professional land surveyor who signed the plat shall be filed with the correction to the plat. In cases of a missing signature, the person is required to sign the plat. Upon the filing of the affidavit, the County Clerk and Recorder shall place a copy of the affidavit with the original recorded plat together with a reference to the recorded affidavit.
- (2) Amending Plats to Correct Errors: An Amended Plat shall be required to correct the following errors:
 - A. The subdivision plat contains one or more significant errors;
 - B. The division of the section, or government tractor lot was incorrectly set forth and the correct division of land changes the exterior boundaries of the subdivision;
 - C. There are six or more errors or omissions, typographical or otherwise, in the filed plat;
 - D. The plat omitted a strip of land between a legal 1/16th (one-sixteenth) line and a highway right-of-way that should have been included within

the perimeter, and the revisions would change lot lines, areas, access, etc.; or

E. The plat omitted easements for sewer, water, or other utilities.

SECTION 16: PLAT / SURVEY REVIEW:

- a. The Planning Director or County Engineer, with a plat review committee (if available), may review all submitted plats / surveys for errors and omissions, and such instruments may not be recorded until identified corrections or changes have been made.

CHAPTER IV
ZONING REGULATIONS

SECTION 1. GENERAL PROVISIONS

- a. General Purpose:** The purpose of these zoning regulations is to implement the 1998 Park County Land Use Plan and to promote the public health, safety, morals, and general welfare of the County by regulating and restricting the location and use of buildings and structures and the use and condition of use or occupancy of lands for residential, recreational, agricultural, industrial, commercial, public use or other purposes.
- b. Authority:** Zoning regulations are adopted under the authority of W.S. §18-5-201 through 18-5-207, and the State Land Use Planning Act, W.S. §9-8-101 through 9-8-302, and are hereby declared to be in accordance with all provisions of the statutes.
- c. Compliance with Zoning Regulations:** No person shall locate, erect, construct, reconstruct, enlarge, maintain or use any structures or use any land without complying with zoning requirements. All structures and land uses legally established and existing on the effective date of the September 1, 2000 zoning resolution that do not comply with the zoning resolution shall be permitted to continue to the extent provided in and subject to the provisions of Ch. IV Sec.3 b(2).
- d. Penalties:** The penalty for any violation of any provision of the zoning regulations shall be a fine of not more than the amount set by statute (currently \$750) per day for each violation. When other means of enforcement have failed, or in cases warranting immediate abatement, the County Attorney is authorized to pursue additional legal remedies pursuant to W.S. §18-5-205, and such lawful action as is necessary to prevent or remedy the violation.
- e. Applicability:** The zoning requirements shall apply to all unincorporated territory located within Park County, Wyoming.
- f. Pending Land Use Approvals:** Development applications submitted prior to the effective date of these zoning regulations shall be reviewed and all actions taken shall be in accordance with the County land use regulations in effect at the time of application.
- g. Property Tax Assessment Disclaimer:** Nothing in these zoning regulations requires that any tax assessment status or privilege shall be automatically conferred based on a property's zoning designations.
- h. Addressing:** All new construction must comply with address standards as specified in Chapter V.

SECTION 2. ZONING DISTRICT REGULATIONS

- a. Zoning Districts:** The unincorporated territory of Park County is hereby divided into the following zoning districts:

RURAL DISTRICTS

GR-M	General Rural Meeteetse
GR-P	General Rural Powell
GR-40	General Rural 40-Acre
GR-35	General Rural 35-Acre
GR-20	General Rural 20-Acre
GR-5	General Rural 5-Acre
RR-2	Rural Residential 2-Acre

URBAN DISTRICTS

R-H	Residential 1/2-Acre
C	Commercial
I	Industrial
T	Transitional

OVERLAY DISTRICTS

FO	Floodplain Overlay
AO	Airport Overlay
AGO	Agricultural District Overlay

- b. Official Zoning Map:** The locations and boundaries of the zoning districts are as shown on the map entitled "Park County Official Zoning Map" on file at the County Clerk's and County Planning Department office.

- c. District Boundaries:** In determining the boundaries of districts shown on the map, the following rules shall apply:

- (1) Where district boundaries are indicated as approximately following the centerlines of streets, highways, waterways, or utility rights-of-way or such lines extended, such centerlines shall be construed to be such boundaries. Where district boundaries are indicated as approximately following property lines or U.S. Public Lands Survey lines, such lines shall be construed to be such boundaries.
- (2) Determination of Boundary Lines: In case of uncertainty as to the true location of a district boundary line in a particular instance, the Planning Director shall make a determination. This determination is subject to appeal to the Board.
- (3) Properties in two or more districts:

- A. Where a lot or parcel smaller than 400 acres held in ownership and of record on the effective date of the 9-1-2000 Zoning Resolution is divided by zoning district boundary lines, the entire lot or parcel shall be considered to be within the zoning district with the majority of the land area within that lot or parcel. This provision shall not apply if the minority of the land area is more than 20% of the total land area within the parcel or lot **and** the land

area to be reclassified is more than 40 acres, **or** the land area to be reclassified is more than 100 acres.

- B. Parcels with more than two zoning districts or that do not meet the above criteria shall retain the multiple zoning districts within the parcel or lot boundaries. All proposals must meet the requirements for the zoning district in which the particular proposal is proposed. Land development proposals shall not cross zoning district boundary lines without an approved variance.
- C. This provision shall not apply for modification of Overlay District boundary lines.

d. District Purposes: This section specifies the purposes and intent of the zoning districts established by these zoning regulations.

(1) Rural districts include all GR districts and the RR-2 district. These are applied on territory designated by the Park County Land Use Plan as “Medium Intensity Rural” “Low Intensity Rural” and “Conservation” land uses. The RR-2 district is also applied on territory designated as “High Intensity Rural.”

- A. General Rural Meeteetse (GR-M). This district is applied in the Meeteetse local planning area only and is intended to implement the Meeteetse Local Area Land Use Plan and Policy Statement. This district provides flexible development standards appropriate given the area’s low rate of growth and development. Lots with on-site septic systems shall have a one-acre minimum lot size. Otherwise, no other minimum lot sizes are specified. Subdivision densities will be set in the subdivision review process based on consideration of site and area characteristics and the land use guidelines of the Land Use Plan. Performance-based review criteria are used to evaluate proposed land uses. Allowed and disallowed uses are not predefined. All uses are potentially allowed, subject to review for compliance with pre-established performance standards covering such topics as waste disposal, utilities, traffic access, parking, etc.
- B. General Rural Powell (GR-P). The GR-P district allows low and moderate-intensity land uses. Lots with on-site septic systems shall have a one-acre minimum lot size. Otherwise, no other minimum lot sizes are specified. Subdivision densities will be set in the subdivision review process based on consideration of site and area characteristics and the land use guidelines of the Land Use Plan. A variety of uses are permitted in this district in recognition of the varied land uses typical of rural areas. This district is also intended to promote the retention of open space, agricultural land, wildlife habitat, riparian habitat and scenic areas and prevent development on unstable geologic features.
- C. General Rural 40-Acre (GR-40). The GR-40 district promotes the retention of open space, agricultural land, wildlife habitat, riparian habitat and scenic areas and prevents development on unstable geologic features. The

district provides for the lowest housing density as well as for recreational development, agricultural, timbering, and other uses traditionally associated with the more remote areas of the county. Conventional housing developments will average 40 acres per housing unit to retain the low-density, remote, rural character of areas zoned GR-40.

- D. General Rural 35-Acre (GR-35). The GR-35 district promotes the retention of open space, agricultural land, wildlife habitat, riparian habitat and scenic areas and prevents development on unstable geologic features. The district provides for low housing density as well as for recreational development, agricultural, timbering, and other uses traditionally associated with the more remote areas of the county. Conventional housing developments will average 35 acres per housing unit to retain the low-density, remote, rural character of areas zoned GR-35.
 - E. General Rural 20-Acre (GR-20). The GR-20 district allows low-intensity rural land uses in areas that are not well suited for higher intensity development. Conventional subdivisions will average 20 acres per housing unit. A variety of uses is permitted in this district in recognition of the varied land uses typical of rural areas. This district is also intended to promote the retention of open space, agricultural land, wildlife habitat, riparian habitat or scenic areas and prevent development on unstable geologic features.
 - F. General Rural 5-Acre (GR-5). The GR-5 district allows moderate-intensity land uses. Conventional subdivisions will average 5 acres per housing unit. A variety of uses is permitted in this district in recognition of the varied land uses typical of rural areas. This district is also intended to promote the retention of open space, agricultural land, wildlife habitat, riparian habitat and scenic areas and prevent development on unstable geologic features.
 - G. Rural Residential 2-Acre (RR-2). The RR-2 district allows a higher density of residential development served by on-site wastewater disposal systems. Conventional subdivisions will average 2 acres per housing unit. Because of the higher residential densities permitted in this district, nonresidential uses are limited to prevent potential conflicts.
- (2) Urban Districts include the R-H, C, I, and T Districts. These districts are intended for application in territory designated by the Park County Land Use Plan as “Urban” and “High Intensity Rural” land uses. In addition, urban districts may be applied in territory not designated by the plan as “Urban” or “High Intensity Rural” provided such territory is in or adjacent to the population centers of Garland, Frannie, and Ralston.
- A. Residential 1/2-Acre (R-H): The R-H district allows moderate density (1/2 acre average density) residential housing developments served by public water and sewer.
 - B. Commercial (C): The C district provides sufficient space in appropriate locations for a wide variety of commercial and service activities.
 - C. Industrial (I): The I district provides sufficient space in appropriate locations for a wide variety of industrial and manufacturing uses.

D. Transitional (T): The T district serves as an urban land holding zone for land around cities and towns. The T district is applied to land that is suitable for urban development but which is presently characterized by less intense and mixed land uses that lack clearly defined residential, commercial or industrial land use patterns. It is intended that land in the T district will be rezoned to other urban zoning districts or rural residential when specific residential, commercial or industrial development plans are proposed. Where a rural residential subdivision is proposed within the T or R-H zoning districts are not appropriate due to water and/or septic limitations, the property shall be rezoned to whichever of the following rural zoning districts is applied to the majority of adjoining properties: GR-M, GR-P, GR-40, GR-35, GR-20, GR-5, or RR-2.

(3) Overlay Districts are zoning districts superimposed over all other districts to address development constraints requiring special attention and treatment regardless of the underlying land use allowed by the zoning regulations. Overlay district regulations include special development standards for each overlay district. When the provisions of the overlay district and the basic district conflict, the overlay district provisions shall control.

A. Floodplain Overlay (FO): This district includes lands subject to inundation in a 100-year flood. Regulations that apply to the floodplain overlay district meet requirements of the federal flood insurance program.

B. Airport Overlay (AO): This district includes lands subject to flight patterns and air traffic near Yellowstone Regional Airport and Powell Municipal Airport.

C. Agricultural Overlay (AGO): The AGO overlay district identifies important agricultural areas of the county for application of special development requirements designed to promote the continuation of agriculture.

e. **Schedule of Uses:** Table 4-1 Schedule of Uses, identifies uses permitted as a matter of right or allowed as special uses pursuant to Special Use Permits in each zoning district. Any use not specifically enumerated in Use Classifications is expressly prohibited unless a similar use determination is made by the Planning Director.

(1) Use Classifications: All by-right uses and special uses are classified and defined as follows:

A. Residential Uses.

i. Accessory housing unit: A dwelling unit accessory to a principal dwelling unit, located on the same lot or parcel, and smaller in floor area of living space, including but not limited to accessory apartments, caretaker's quarters, guest houses, and housing units for family members or other relatives.

- ii. Employee housing: A dwelling unit accessory to a business or agricultural operation occupied by a full-time employee and employee's family.
- iii. Manufactured / Mobile Home Park: A residential development occupied or intended for occupancy by 3 or more manufactured / mobile homes where manufactured / mobile homes and / or sites are for rent or sale.
- iv. Multi-family housing: Buildings containing three or more dwelling units such as triplexes, apartments and townhouses.
- v. Single family dwelling: A freestanding building containing one dwelling unit constructed on site.

B. Residential Businesses.

- i. Minor home occupation: A business located in the proprietor's home or out building on the same parcel as the proprietor's home, the size of which does not exceed 1,000 square feet and which is clearly incidental and subordinate to the use of the property as a residence.
- ii. Major home occupation: A business located in the proprietor's home or out building on the same parcel as the proprietor's home, the size of which does not exceed 2,000 square feet.
- iii. Cottage industry: A business located in the proprietor's home or out of other buildings on the same parcel as the proprietor's home with no more than 5,000 square feet of building floor area devoted to the business and no more than five (5) non-resident employees. Dog boarding/kenneling is considered a cottage industry.
- iv. Bed and Breakfast: An owner-occupied, single-family dwelling where short-term lodging is provided through the rental of no more than 4 individual rooms to the general public.
- v. Contractor business: A construction business, including a general contractor, home builder, excavation contractor, carpenter, mason, plumber, electrician and other building construction trades, located in the proprietor's home or other buildings on the same parcel as the proprietor's home.
- vi. Day Care home: The use of a residence for the care of 11 or fewer children or other people other than the proprietor's family members for periods of less than 24 hours per day.

C. Agricultural Uses.

- i. Agricultural production: All agricultural operations and related buildings and structures, including dry land farming, irrigated farming, turf farming, tree farming, wholesale nurseries, ranching, dairying, and other livestock operations, but not including feedlots.

Agricultural buildings exceeding 10,000 square feet are considered large impact structures and must follow large impact structure permitting requirements.

- ii. Feedlot: A lot, yard, corral, or other area or any enclosed facility in which 300 animal units of livestock or other animals are confined for 45 days or more in any 12 month period, primarily for the purpose of feeding and growth prior to slaughter. The term does not include areas used primarily for the raising of crops, hay, grass or other vegetation upon which livestock are allowed to graze or feed.
- iii. Irrigation facility: Any facility, structure or system for the collection, storage, transportation, and application of irrigation water including any accessory hydro-electric generating facilities.
- iv. Timbering: The harvesting of logs for saw logs and pulp, including stockpiling of logs.

D. Community, Public, Utility & Quasi-Public Uses.

- i. Minor community use: Public and quasi-public buildings and land uses operated by a governmental agency or non-profit community organization including non-residential schools, churches, cemeteries, meeting halls, parks, fairgrounds, animal shelters, governmental offices, fire, sheriff, and ambulance stations, and post offices, where the size of all buildings on site is less than 5,000 square feet and less than one acre of land is developed in association with the use.
- ii. Major community use: Community uses where the size of all buildings on site is 5,000 square feet or more or more than one acre of land is developed in association with the use, and campgrounds and recreational facilities of any size.
- iii. Minor utility use: Water, sewer and gas mains, electric and telephone distribution lines, gas regulator stations, public lift or pumping stations for domestic water and sewer service, communication towers, amateur radio antennas, and private wind turbines not more than 35 feet in height, and no more than 2 microwave dishes with a diameter of 10 feet or less in one location.
- iv. Major utility use: Electric transmission lines, power plants, substations of electrical utilities, solid waste disposal facilities, wastewater treatment plants, water treatment plants, water storage tanks, communication towers over 35 feet in height, commercial wind projects, private wind turbines over 35 feet in height, pipelines and storage areas of utilities providing natural gas or other petroleum derivatives, amateur radio antennas over 35 feet in height, and more than 2 microwave dishes in one location.

E. Institutional Uses.

- i. Minor institutional use: Group homes, day care centers, hospitals, nursing homes, convalescent homes, retirement homes and similar uses.
- ii. Correctional facility: Prisons, jails, half-way homes for criminals, youth correctional facilities and similar uses.
- iii. Minor residential religious use: Monasteries, convents and similar religious facilities providing long-term residential accommodations.
- iv. Minor residential schools: Public or private schools, colleges, universities, and training schools providing long-term residential accommodations.
- v. Major institutional use: Any general institutional, residential religious use or residential school with more than 5,000 square feet of associated building space or more than one acre of land developed in association with the use.

F. Temporary Uses.

- i. Construction home: A conventional dwelling unit, mobile home, or recreational vehicle temporarily occupied up to one year while a permanent residence is being constructed or reconstructed on the same site.
- ii. Construction Staging Area, Minor: An area used for a construction project not located on the same site as the project for the storage of construction materials, equipment, tools, and supplies, parking of vehicles, storage of fuel supplies, on less than one acre of land and used for less than six months.
- iii. Construction Staging Area, Major: An area used for the duration of a major construction project not located on the same site as the construction project for the storage of construction materials, equipment, tools, and supplies, parking of vehicles, storage of fuel supplies, placement of trailers used for temporary offices, and temporary worker housing.
- iv. Real estate sales office: An office established for up to one year on a property where a residential or nonresidential project is planned, under construction, or just completed for the purpose of selling units or space in the project.
- v. Seasonal agricultural products sales: Seasonal sale of agricultural products such as roadside produce stands and Christmas tree sales.
- vi. Special event: Any outdoor event or one held in a temporary structure or tent, open to the general public and attended by more than 100 people over an 8-hour period including music festivals, concerts, theatrical exhibitions, public shows, entertainment,

- circuses, amusements, races, rodeos, speeches, craft fairs, flea markets, etc., but excluding auctions.
- vii. Temporary heliport: An area or structure used for the landing and takeoff of helicopters which may include refueling, maintenance, repair or storage facilities and is used on a transient or temporary basis for up to one year for such purposes as timbering, seismic work, mineral extraction, etc.
 - viii. Highway/Road Maintenance Areas: Areas outside a highway right-of-way operated for less than one year and reclaimed by a public agency for the construction or maintenance of a public road/highway; includes borrow site and material stockpiles where sand, gravel, rock, stone and/or topsoil are removed and/or stored but are not processed (not washed, screened, crushed nor made into asphalt or concrete); includes areas for the storage and maintenance of road working equipment.
 - ix. Work Camp: "Work camp" or "man camp" means housing facilities designed and intended to be used for a temporary period of time to house workers. Such facilities are not intended to accommodate families with children. Construction camps may include the use of bachelor dwellings, recreational vehicles, campers, mobile homes or a combination of these.

G. Transportation Uses.

- i. Bus terminal: A facility providing space for arrival and departure of busses offering transportation to the public, usually equipped with waiting rooms for passengers and facilities for fueling and servicing of busses.
- ii. Commercial airport: A facility open to the general public providing space for aircraft to take off and land, usually equipped with a control tower, hangars, and waiting rooms for passengers and cargo.
- iii. Heliport: An area approved for the landing and takeoff of helicopters on a regular basis, and any appurtenant buildings or facilities including parking, waiting rooms, refueling, maintenance, repair, or storage facilities.
- iv. Landing strip: A surface or land area for fixed-wing aircraft to take off and land used for an individual's private use, and not open to the general public, and including hangers and areas or buildings for aircraft parking, refueling, maintenance or repair.
- v. Railroad facility: Rail yards, rail terminals, and similar facilities.
- vi. Railroad rights-of-way: A strip of land acquired by reservation, easement, dedication, prescription, or condemnation and intended to be used by a railroad.
- vii. Truck terminal: A place of business where goods carried by motor transport can be received, transferred from one vehicle to another,

or shipped, where the primary purpose is not storage of goods but the provision for a point of transfer of goods.

viii. Transmission pipeline: A pipeline for the transportation of natural gas, oil and other petroleum products and related facilities including facilities or stations for compression, metering and regulating of the product.

H. Recreational Uses.

- i. Minor commercial recreation business: A commercial business offering amusement, recreational, or entertainment activities such as indoor riding arenas, bowling alleys, movie theaters, pool halls, game arcades, and amusement rides when such activities are contained within a building.
- ii. Minor outdoor recreation facility: A commercial business offering outdoor on-site amusement, recreational, or entertainment activities such as drive-in theaters, batting cages, miniature golf, water slides, amusement rides, go carts, and archery ranges.
- iii. Major recreation facility: Any commercial recreation business or outdoor recreation facility with over 5,000 square feet of building floor space or over one acre of land developed in association with use including driving ranges, golf courses, shooting ranges, skeet and trap ranges, commercial bird raising and hunting operations, outdoor riding arenas, and cross-country (Nordic) ski centers.
- iv. Campground: An outdoor area providing space for vacationers to live on a temporary basis in either tents, tent trailers, or recreational vehicles which is open to the general public and operated to provide financial gain to the proprietor. A campground may also include rental cabins and the sale of goods and services to patrons, but its primary function is to accommodate visitors providing their own shelter.
- v. Dude ranch and resort: A centrally managed facility which provides full service lodging, dining or cooking facilities, and recreational or educational activities. A dude ranch or resort typically includes an organized program of activities such as hunting, fishing, nature study, arts and crafts, skiing, snowmobiling, boating, rafting, horseback riding, hiking, and pack trips. A dude ranch or resort does not solicit one-night accommodations and provides bar or food service only to guests. Motels and hotels are not considered resorts or dude ranches. Guest lodging within a resort or dude ranch shall not be used for long-term (greater than 6 months) residency.
- vi. Accessory dude ranch or resort: A resort or dude ranch in which agriculture and/or ranching are the primary functions on the property, and dude ranching is a secondary use.

- vii. Packing/outfitting: Guide services and provisioning of equipment, food supplies, and pack animals for a fee to the general public for trips into the backcountry.
- viii. Ski center: A tract of land developed for alpine skiing, Nordic skiing, and/or snowboarding, including lifts, groomed trails, lodging, food service, lockers and restrooms, sale of clothing and sporting goods, instruction, and equipment rental. Ski centers may also include other facilities and activities such as an athletic club, ice-skating, sleigh rides, and child care as accessory uses.

I. Commercial Uses.

- i. Minor commercial business: Retail and service businesses and office uses with building sizes less than 5,000 square feet of floor area and less than one acre of land developed in association with the use.
- ii. Major commercial business: Retail and service businesses and office uses with building sizes of more than 5,000 square feet of floor area or more than one acre of land developed in association with the use.
- iii. Highway commercial business: A business that provides a substantial portion of its goods and services to tourists and travelers, including motels, hotels, restaurants, gift shops, automobile service stations, gasoline filling stations, and truck stops.
- iv. Agricultural support business: A business specializing in goods or services necessary to the operation of farms and ranches or other agricultural operations such as veterinarians, feed stores, farm machinery dealers and repair shops.
- v. Commercial storage: Storage yards and buildings where a fee is charged for the storage of equipment, motor vehicles, boats or recreation vehicles, including mini-warehouses and self-service storage facilities for the storage of belongings, possessions, materials, and other goods.
- vi. Adult use: Retail and/or entertainment establishments primarily engaged in offering adult entertainment and/or the sale of sexually explicit materials, including adult book and video stores, strip clubs, establishments featuring nude dancers, and similar uses.

J. Industrial Uses.

- i. Minor industrial use: Manufacturing, processing, fabrication and assembly operations with up to 10 employees, buildings of less than 5,000 square feet, and less than one acre of developed land area associated with the industry

- ii. Major industrial use: Manufacturing, processing, fabrication and assembly operations with more than 10 employees, buildings larger than 5,000 square feet, or more than one acre of developed land area associated with the industry and incinerators regardless of size.
- iii. Minor wholesale business: Wholesale businesses such as animal sale yards, bottling distributors, warehouses, bulk fuel storage, lumber yards and building material sales with a building size of less than 5,000 square feet and less than one acre of developed land area associated with the business.
- iv. Major wholesale business: Wholesale businesses with building sizes of more than 5,000 square feet of floor area or developed land of over one acre.
- v. Rock products mine, large: Removal of sand, gravel, rock, limestone, and topsoil for use or sale off site exceeding 2,000 cubic yards per year, including washing, screening, crushing, and other processing of material produced on-site; includes locations where material produced off-site is processed (washed, screened, crushed, processed and/or made into asphalt). Irrigation Districts and unorganized ditches are exempt for topsoil and sand removal for use or sale off site.
- vi. Rock products mine, small: Removal of sand, gravel, rock, limestone, and topsoil for use or sale off site not exceeding 2,000 cubic yards per year without processing other than washing and screening of material produced on-site. Irrigation Districts and unorganized ditches are exempt for topsoil and sand removal for use or sale off site.
- vii. Rock products mine, minor: Removal of sand gravel, rock, limestone, and topsoil for use or sale off site not exceeding 48 cubic yards per year without processing other than washing and screening of material produced on-site. Irrigation Districts and unorganized ditches are exempt for topsoil and sand removal for use or sale off site.
- viii. Salvage yard: Any establishment or place of business maintained, operated, or used for storing, keeping, buying or selling junk including scrap metal processors, auto-wrecking yards, salvage and scrap yards, and temporary storage of automobile bodies or parts awaiting disposal, resale, or reuse as a normal part of a business operation when the business has such materials located on the premises on a customary basis.
- ix. Mineral mining, oil and gas extraction: All operations reasonably necessary for mineral mining, oil and natural gas extractions.
- x. Value-added agricultural business: Business or industry converting agricultural products into more finished products.
- xi. Slaughterhouse/Abattoir: A facility where farm animals are killed and processed into meat products.

- xii. Crematorium: An establishment for the burning of corpses/ remains to ashes, either animal or human.

K. Accessory Uses.

- i. Accessory use: A building or use customarily incidental to a principal building or principal use and subordinate in area, extent, or purpose to a principal building or principal use and on the same site as the principal building or principal use.
- ii. Large impact structure: Any building larger than 10,000 square feet accessory to any use.

(2) Planning Area Exceptions to Use Regulations: In the GR-20, GR-5 and GR-P zoning districts: Certain uses are permitted by Special Use Permit only in the Planning Areas as indicated in Table 4-2 Planning Area Exceptions to Use Regulations. The boundaries of the Planning Areas are shown on the Zoning Map and are described in Appendix 15 Descriptions of the Planning Areas of Park County, Wyoming.

	ZONING DISTRICTS											Conditions
	RURAL DISTRICTS						URBAN DISTRICTS					
	GR-M	GR-P	GR-40	GR-35	GR-20	GR-5	RR-2	R-H	C	I	T	
Residential uses												
Accessory housing unit	P	P	P	P	P	P	P	P	P		P	3a(1)
Employee housing	P	P	P	P	P	P	P	P	P	P	P	3a(5)
Mobile home	P	P	P	P	P	P	P	P	P	S	P	3a(7)
Mobile home park	S							S	S			3a(8)
Multi-family housing	S							S	S			
Single family dwelling	P	P	P	P	P	P	P	P	P	S	P	3a(9)B
Residential businesses												
Minor home occupation	P	P	P	P	P	P	P	P	P	P	P	2e(1)Bi
Major home occupation	P	P	P	P	P	P	P	S	P	P	P	2e(1)Bii
Cottage industry	S	S	S	S	S	S	S		P	P	S	2e(1)Biii
Bed and Breakfast	P	P	P	P	P	P	P	P	P	P	P	2e(1)Biv
Contractor business	P	P	P	P	P	P	P		P	P	P	2e(1)Bv
Day Care home	P	P	P	P	P	P	P	P	P	P	P	2e(1)Bvi
Agricultural uses												
Agricultural production	P	P	P	P	P	P	P	P	P	P	P	
Feedlot	S	S	S	S	S	S						
Irrigation facility	P	P	P	P	P	P	P	P	P	P	P	
Timbering	P	P	P	P	P	P	P	P	P	P	P	
Public, utility & quasi-public uses												
Minor community use	S	S	S	S	S	S	S	S	S	S	S	
Major community use	S	S	S	S	S	S	S	S	S	S	S	
Minor Utility use	P	P	P	P	P	P	P	P	P	P	P	2e(1)Diii
Major utility use	S	S	S	S	S	S	S	S	S	P	S	
Institutional uses												
Minor institutional use	P	S	S	S	S	S	S	S			S	
Correctional facility	S	S	S	S	S	S	S		S	S		
Minor residential religious use	S	S	S	S	S	S	S	S			S	
Minor residential schools	S	S	S	S	S	S	S	S			S	
Major institutional use	S	S	S	S	S	S	S					

TABLE 4-1. SCHEDULE OF USES

“P” indicates uses permitted by right with a zoning permit (Sec. 4a)

“S” indicates uses permitted by Special Use Permit Sec. 4b)

“E” indicates uses permitted by SUP only in certain Planning Areas (Sec. 2e(2) & Table 4-2).

	ZONING DISTRICTS										Conditions	
	RURAL DISTRICTS						URBAN DISTRICTS					
	GR-M	GR-P	GR-40	GR-35	GR-20	GR-5	RR-2	R-H	C	I		T
Temporary uses												
Construction home	P	P	P	P	P	P	P	P	P	S	P	2e(1)Fi
Construction staging area, minor	P	P	P	P	P	P	P	S	P	P	P	
Construction staging area, major	S	S	S	S	S	S	S		S	P	S	
Real estate sales office	P	P	P	P	P	P	P	P	P	P	P	2e(1)Fiv
Seasonal agricultural products	P	P	P	P	P	P	P	P	P	P	P	
Special event	S	S	S	S	S	S	S	S	P	P	S	
Temporary heliport	P	P	P	P	P	S	S	S	P	P	P	2e(1)Fvii
Highway/Road Maintenance Areas	P	P	P	P	P	P	S	S	P	P	P	2e(1)Fviii
Work Camps	S	S	S	S	S	S	S	S	S	S	S	
Transportation uses												
Bus terminal	S								S	P	S	
Commercial airport	S	S	S	S	S	S			S	S		
Heliport	S	S	S	S	S	S			S	P		
Landing strip	S	S	S	S	S	S				S		
Rail facility	S	S	S	S	S	S			S	P		
Railroad rights-of-way	S	S	S	S	S	S	S		S	P	S	
Truck terminal	S								S	P		
Transmission pipeline	P	P	P	P	P	S	S		P	P	S	
Recreation uses												
Minor commercial recreation b	S	S	S	S	S	S			P	S	S	
Minor outdoor recreation facility	S	S	S	S	S	S			P	S	S	
Major recreation facility	S	S	S	S	S	S			P	S		
Campground	S	S	S	S	S	S			P			
Dude ranch and resort	S	S	S	S	S	S			P			
Accessory dude ranch/resort	P	P	P	P	P	P			P			
Parking/outfitting	P	S	P	P	P	S	S		P			
Ski center	S	S	S	S	S	S						

TABLE 4-1. SCHEDULE OF USES, Continued (2)

"P" indicates uses permitted by right with a zoning permit (Sec. 4a)

"S" indicates uses permitted by Special Use Permit (Sec. 4b)

"E" indicates uses permitted by SUP only in certain Planning Areas (Sec. 2e(2) & Table 4-2).

	ZONING DISTRICTS										Conditions	
	RURAL DISTRICTS						URBAN DISTRICTS					
	GR-M	GR-P	GR-40	GR-35	GR-20	GR-5	RR-2	R-H	C	I		T
Commercial uses												
Minor commercial business	S	S			E	E	S		P	P	S	
Major commercial business	S								S	P		
Highway commercial business	S	E			E	E			P	S	S	
Agricultural support business	S	S	S	S	S	S	S		P	P	S	
Commercial storage	S	S	S	S	S	S	S		P	P	S	
Adult uses	S								S	S		3a(3)
Industrial uses												
Minor industrial uses	S	E			E	E			S	P	S	
Major industrial uses	S								S	S		
Minor wholesale business	S								S	P	S	
Major wholesale business	S								S	S		
Rock products mine, large	S	S	S	S	S	S				S		
Rock products mine, small	S	S	S	S	S	S			S	S	S	
Rock products mine, minor	P	P	P	P	P	P			P	S	P	
Salvage yard	S	E				E				S		2e(2)
Mining, oil & gas extraction	P	P	P	P	P	P	P	P	P	P	P	
Value-added agricultural	S	S	S	S	S	S	S		S	P	S	
Slaughterhouse/Abattoir	S	S	S	S	S	S	S		S	S	S	
Crematorium	S	S	S	S	S	S	S		S	S	S	
Accessory uses												
Accessory uses	P	P	P	P	P	P	P	P	P	P	P	
Large impact structure	S	S	S	S	S	S	S	S	S	P	S	

TABLE 4-1. SCHEDULE OF USES, Continued (3)

“P” indicates uses permitted by right with a zoning permit (Sec. 4a)

“S” indicates uses permitted by Special Use Permit (Sec. 4b)

“E” indicates uses permitted by SUP only in certain Planning Areas (Sec. 2e(2) & Table 4-2).

TABLE 4-2. PLANNING AREA EXCEPTIONS (ALLOWED) USE REGULATIONS

USES	ZONING DISTRICTS		
	GR-P	GR-20	GR-5
MINOR COMMERCIAL USES	POWELL LOCAL	CLARK UPPER CLARKS FORK	NORTH FORK CODY LOCAL
HIGHWAY COMMERCIAL USES	POWELL LOCAL	CLARK UPPER CLARKS FORK	NORTH FORK CODY LOCAL
MINOR INDUSTRIAL USES	POWELL LOCAL	ALL PLANNING AREAS EXCEPT SUNLIGHT	CODY LOCAL
SALVAGE YARDS	POWELL LOCAL	NO PLANNING AREAS	CODY LOCAL

(3) Determination of similar use:

- A. Permitted or Special Use: The Planning Director shall, upon written request, determine whether a use not listed in Table 4-1 Schedule of Uses is to be considered a permitted or special use in a particular zoning district based on its similarity to the uses listed and on the intent of these regulations and the land use plan. If a similar use determination is made in the affirmative, the proposed use shall be authorized with the same permissions and restrictions as the use to which it was determined to be similar. Any affirmative determination the Planning Director makes pursuant to this provision shall be in writing and presented to the Planning & Zoning Commission at a public meeting.
- B. Appeal of Use Determination: A similar use determination may be appealed to and reversed by the Board of County Commissioners.

SECTION 3. SPECIAL DEVELOPMENT STANDARDS

a. Standards for specific uses

(1) Accessory Housing Units:

- A. Location: Accessory housing units may be contained within or detached from the principal dwelling unit.
 - B. Lot Size Requirements for Accessory Housing Units:
 - i. A maximum of one accessory housing unit is permitted on lots or parcels of (one) 1 to 4.99 acres.
 - ii. On lots or parcels of five acres or more, a maximum of two accessory housing units shall be allowed. All other housing units shall be considered principal dwellings and shall follow the requirements of Principal Buildings and Uses. Employee housing for Agricultural Uses shall follow the requirements of Employee Housing.
 - C. Rental Accessory Housing Unit: Only one accessory housing unit may be rented on any lot or parcel, except as provided in Subsection D, below.
 - D. Pre-existing Housing Units: Accessory housing units constructed prior to January 7, 1998, may be rented at any time.
- (2) Accessory Uses: Permitted accessory uses are not enumerated in the zoning regulations. Any use shall be considered a permitted accessory use provided the use is customarily incidental and subordinate in area, extent, or purpose to a principal building or principal use and is on the same site as the principal building or principal use.
- (3) Adult Uses: Adult uses shall be located at least 1,500 feet from an existing residence, school, church, playground, or another adult use.
- (4) Construction Home: A zoning permit is required for a construction home. An approved means of sewage disposal shall be required. The construction home shall be removed or converted to a permitted accessory use within one year. An extension of the one-year time limit may be granted pursuant to Temporary Uses.
- (5) Employee Housing:
- A. With Residential Uses: Employee housing for residential use is considered an accessory housing unit and shall comply with the requirements of Accessory Housing Units ((1) A-D above).
 - B. With Agricultural Uses: Employee housing for agricultural uses is limited to occupancy by persons employed full-time in the agricultural operation and their families. Employee housing shall be located on the employer's farm or ranch.
 - C. With Other Uses: Employee housing for commercial, industrial, and other non-agricultural and non-residential uses is limited to one such unit per site. Occupancy is limited to persons employed full time in the business, industry, etc., and their families. Additional units of employee housing are considered expansions of the principal use (see Table 4-1 Schedule of Uses) and shall be permitted in the same manner as any other expansion of the principal use.
 - D. Work Camps: See Temporary Uses.

TABLE 4-3. SPECIFICATIONS FOR HOME OCCUPATIONS AND COTTAGE INDUSTRIES

	MINOR HOME OCCUPATION	MAJOR HOME OCCUPATION	CONTRACTOR BUSINESS	COTTAGE INDUSTRY
MAXIMUM FLOOR AREA	1,000 square feet	2,000 square feet	2,000 square feet	5,000 square feet
EMPLOYEES	Limited to residents of dwelling	No more than one non-resident employee	No specific limit	No more than 5 non-resident employees
HOME OCCUPIED BY PROPRIETOR	Required	Required	Required	Required
OUTDOOR STORAGE, ASSEMBLY, OR DISPLAY	Not permitted	Up to 1,000 square feet, which is counted in total maximum floor area. Storage of vehicles awaiting repair counts as outdoor storage.	Up to 1,000 square feet, which is counted in total maximum floor area.	Not specifically limited
TRAFFIC IMPACTS	Limited to incidental levels consistent with residential setting	Limited to 10 vehicle round-trips per day	Limited to 10 vehicle round-trips per day, including contractor's vehicles and employees' vehicles	Not specifically limited
COMMERCIAL VEHICLES	Must be stored in an enclosed building	One commercial vehicle may be stored outdoors	One commercial vehicle may be stored outdoors	No specific limitation
LOT SIZE	No minimum	Minimum one acre	Minimum one acre	Minimum two acres

(6) Residential Businesses:

- A. Specifications: Table 4-3 Specifications for Home Occupations and Cottage Industries contains the maximum floor area, maximum number of employees, lot or parcel size, owner occupancy, commercial vehicle storage, and traffic impacts that pertain to minor home occupations, major home occupations, contractor businesses, and cottage industries. Residential businesses may exceed the specifications of Table 4-3 for major and minor home occupations and for contractor businesses by complying with the requirements for cottage industries. The employee number limit for cottage

industries (five employees) shall not apply to contractor businesses that comply with all other cottage industry requirements.

- B. Use Limitations: The following uses may be considered residential businesses only if the proposed use meets the specifications listed in Table 4-3, and does not require Site Plan Review: minor commercial business, agricultural support business, minor industrial use, minor wholesale business, and value-added agricultural business. All other uses must follow the requirements listed in Table 4-1 Schedule of Uses.
- C. Parking: All parking required for residential businesses, as defined in Ch. IV Section 2e Residential Businesses, shall be provided on site in accordance with parking requirements.
- D. Location: Residential businesses may be conducted in the residential building on site or in accessory buildings on site provided any applicable maximum floor area limitation is not exceeded.
- E. Nuisances: A Special Use Permit for a residential business shall not be granted if the proposed residential business will constitute a safety hazard to neighboring residences, will adversely affect neighboring property values, or constitute a nuisance or otherwise be detrimental to neighbors because of excessive traffic, excessive noise, odors, or other circumstances.

(7) Factory built homes / RV's:

- A. All manufactured / mobile homes shall be located on a foundation, or blocked, skirted, and tied down within 60 days of placement. Skirting shall be waterproof, rigid, and durable.
- B. Only off-frame modular factory built homes are permitted in the Sunlight, Upper Southfork and Northfork Planning areas, except any existing factory built home may be replaced with another factory built home.
- C. Recreation Vehicles / Campers: RV's and campers, except those in a commercial campground, shall not be used for residential occupancy for more than 90 days in any calendar year unless the unit can be granted a zoning permit as a principal or accessory housing unit or construction home and has an approved means of sewage disposal.
 - i. RV's and campers are not permitted in the Sunlight, Upper Southfork, and Northfork Local Planning Areas when utilized for permanent living. Permanent means when any occupants reside or stay in the house trailer, camper or motor home exceeding 90 days in any year;
 - ii. RV / campers may be permitted in the Sunlight, Upper Southfork and Northfork Planning Areas as a construction home for longer than 90 days with a zoning permit and variance.

(8) Manufactured Home / Mobile Home Park Standards: Any tract of land owned as one parcel under single ownership (which can include a number of persons owning

property in common) divided by renting or leasing, including mobile / manufactured home parks, are considered a subdivision. Mobile / manufactured home parks will be reviewed under the procedures of Minor or Major Subdivisions, as may be appropriate, except the developer shall submit a detailed professional-quality site plan drawn to scale, showing spaces rather than lots.

- A. Mobile / manufactured home spaces must be arranged to permit the safe and practical placement and removal of mobile homes;
- B. All mobile/manufactured homes must be located at least:
 - i. 25 feet from any property boundary line abutting upon a public street or highway right-of-way, and
 - ii. 15 feet from other boundary lines of the park, and
 - iii. 10 feet from the street that serves it.
- C. The size of the mobile / manufactured home pad must fit the dimensions of mobile / manufactured homes anticipated, and provide adequate support for the placement and tie-down of the mobile / manufactured home.
- D. A mobile / manufactured home pad may not occupy more than one-third (1/3) of the area of its space. The total area occupied by the home and its roofed accessory buildings and structures may not exceed two-thirds (2/3) of the area of a space.
- E. No mobile / manufactured home or its attached structures, such as awnings and carports, may be located within 20 feet of any other mobile home or its attached structures.
- F. No detached structure, such as a storage shed, may be located within five feet of any mobile / manufactured home or its attached structures.
- G. A minimum of two off-street parking spaces must be provided on or adjacent to each mobile / manufactured home space. The driveway must be located to allow for convenient access to the mobile / manufactured home from an interior road.
- H. One guest parking space must be provided for each 10 mobile / manufactured home spaces. Group parking may be provided.
- I. The limits of each mobile / manufactured home space must be clearly marked on the ground by permanent flush stakes, markers or other suitable means. Location of space limits on the ground must be approximately the same as those shown on the approved plans. Precise engineering of space limits is not required either on the plans or on the ground.
- J. Each mobile / manufactured home must be skirted within 60 days after it is moved to a space within the mobile / manufactured home park. The skirting must be of a fire-resistant material similar to that of the mobile / manufactured home exterior.
- K. Roads within a mobile / manufactured home park must meet the standards specified in Park County Road & Bridge Standards, and designed to allow safe placement and removal of the homes.
- L. Electrical systems must be designed and constructed in accordance with the applicable state electrical standards.

M. Gas Systems:

- i. Gas equipment and installations must be designed and constructed in accordance with the applicable codes adopted by the authority having jurisdiction OR such installation must be designed and constructed in accordance with the applicable provisions of the “National Fuel Gas Code” (NFPA Pamphlet 54) and the “Standard for the Storage and Handling of Liquefied Petroleum Gases” (NFPA Pamphlet 58).
- ii. A readily accessible and identified shutoff valve controlling the flow of gas to the entire gas piping system must be installed near to the point of connection of the liquefied petroleum gas container.
- iii. Each mobile / manufactured home lot must have an accessible, listed gas shutoff installed. This valve must not be located under a mobile home. Whenever the mobile home lot gas outlet is not in use, the shutoff valve must be plugged to prevent accidental discharge.

N. The governing body may also require provision for:

- i. storage facilities on the lot or in compounds located within a reasonable distance;
- ii. a central area for storage or parking of boats, trailers, or other recreational vehicles;
- iii. landscaping or fencing to serve as a buffer between the development and adjacent properties;
- iv. off-street area for mail delivery; and
- v. street lighting.

O. Improvements: The developer shall install all required improvements before renting or leasing any portion of the subdivision. All required improvements will be inspected in order to assure conformance with the approved construction plans and specifications.

(9) Principal Buildings and Uses:

- A. Multiple Principal Buildings and Uses: On any lot or parcel of land, establishment of three or more principal buildings or uses for residential, recreational, industrial, commercial or public uses requires a subdivision permit pursuant to the Park County Subdivision Regulations. Establishment of a third principal building or use shall not be authorized prior to the issuance of a subdivision permit. Buildings and uses that qualify as accessory buildings or uses pursuant to Accessory Uses are not principal buildings or uses and shall not count for the purpose of this section. This section does not impose any limits on the number of accessory buildings that may be constructed on any lot or parcel.
- B. Single Family Dwellings: On any lot or parcel of land used principally for residential usage, only one single-family dwelling may be permitted, as well

as any number of accessory uses and accessory buildings. Accessory housing units and employee housing units are permitted pursuant to Accessory Housing Units.

- (10) Temporary Uses: Certain temporary uses, including construction homes, temporary heliports, and real estate sales offices have one-year time limits on the duration of the use. Such time limits shall be extended for up to one additional year when the use has not been the subject of complaints of violations, is in compliance with these zoning regulations, and the use will be terminated at the end of the extension period.
- A. Work Camps: The use of work camps and accessory uses shall be considered a special use, and as such a Special Use Permit is required. The Special Use Permit may be approved or denied depending upon the compatibility with surrounding land uses and compliance with these regulations.
 - B. The Special Use Permit for a work camp will be valid for two years. An applicant may request a renewal of the SUP at the end of each two-year period. The following services and facilities must be provided in a work camp:
 - i. water and sewage and solid waste disposal facilities approved by the Wyoming DEQ;
 - ii. Adequate access to the site and parking;
 - iii. Maintenance of the site;
 - iv. Emergency medical and fire facilities and security services;
 - v. Electrical service;
 - vi. Laundry facilities.
 - C. Roads accessing the site must be reviewed by the County Engineer for adequacy and safety;
 - D. Density of residential units shall be set at the time of review; however, in no case shall density surpass more than 10 units per acre;
 - E. Restoration of site: Applicant shall provide a written plan and agreement together with a bond or other financial guarantee setting forth how the construction camp will be dismantled, and the area restored to an unoccupied condition.
- (11) Wind Power – Non-Commercial: The purpose of these requirements is to provide for construction and operation of wind turbines that will preserve public health and safety and minimize adverse impact on neighboring properties.
- A. All wind turbines shall have automatic braking, governing or feathering system to prevent uncontrolled rotation, over-speeding and excessive pressure on the tower, blades and turbine components.
 - B. The minimum distance between the ground and any part of the rotor shall be 15 feet. Wind turbines must limit climbing access.

- C. Wind turbines shall have a minimum setback distance from property lines, overhead utility lines, dwellings, public buildings, and other wind turbines no less than 1.5 times the sum of the height of the tower plus rotor radius.
- D. Noise shall not exceed 50 dba as measured at the property line.
- E. The applicant must mitigate or eliminate interference with electromagnetic communication such as radio, telephone, or television, or microwave communications.
- F. Colors and surface treatment shall be non-reflective neutral colors.
- G. If any wind energy system is not operated for a continuous 12-month period, or is considered unsafe, the county will notify the owner of record by certified mail and provide 45 days for response. In such response the owner shall set forth reasons for operational difficulty and reasonable timetable for corrective action. If the county deems the timetable or corrective action unreasonable, the owner will be notified that within 120 days the turbine must be removed. Agricultural use is exempt from this requirement.
- H. Wind turbines that may present a threat to the public health, safety, or welfare, regardless of height, shall require a Special Use Permit.

(12) Wind Power – Commercial: This section governs the siting of Wind Energy Projects that provide electricity sold to wholesale or retail markets. In addition to applicable requirements as a major utility facility, a Special Use Permit and site plan review are required in all zoning districts except I. Facilities that plan more than 30 units are subject to state standards, in addition to county review and approval.

A. Appearance:

- i. There shall be no signage or logo of any type allowed on the wind tower(s) with the exception of safety signs, warning signs and emergency contact signs. Any other signage shall only be allowed as approved by the County.
- ii. All Wind Energy project facilities must be of neutral, non-reflective colors.
- iii. To minimize the degradation of the visual character of the area, additional performance standards may be adopted by the County upon formal consideration, review and public hearing(s).

B. Setbacks: All Wind Energy Project structures shall be set back at least:

- i. One-quarter mile or more from any residential structure. The owner of the residential structure may waive this setback requirement, but in no case shall a tower be located closer to a than 1.5 times the tower height;
- ii. A distance of at least 1.5 times the tower height from third party transmission lines and communication towers;
- iii. At least 1.5 times the tower height from adjacent property lines;

- iv. One mile from any incorporated municipality, unless waived by the municipality;
 - v. Except transmission lines, one-quarter mile from state highways, and 1.5 times the tower height from public roads;
 - vi. Setback distances may be modified at the discretion of the County Commissioners.
- C. Use of Public Roads: An Applicant(s), Owner(s), Operator(s) or transportation company(s) proposing to use any county road(s) for the purpose of transporting Wind Energy Project, substation parts and/or equipment for construction, operation, or maintenance of the Wind Energy Project or Substation(s), shall:
- i. Identify all such public roads and submit detailed mapping of haul routes;
 - ii. Obtain applicable weight and size permits from relevant government agencies prior to transport;
 - iii. Obtain new access, access modification or change of use of access permit;
 - iv. The Applicant(s) may be requested to provide additional studies and reports prepared by a qualified professional(s) to determine if impacts to public roads will occur. If impacts are determined, a mitigation plan and/or long term road maintenance agreement will be required at the discretion of the County Commissioners.
- D. To the extent the Applicant(s), Owner(s), Operator(s) or transporters must obtain a weight or size permit from the County, the Applicant(s), Owner(s), Operator(s) and/or transporters shall:
- i. Conduct a pre-construction baseline survey to determine existing road conditions for assessing potential future damage; and
 - ii. Secure financial assurance in a reasonable amount at the discretion of the County Commissioners for the purpose of repairing any damage to public roads caused by transporting, constructing, operating or maintaining the Wind Energy Project;
 - iii. The use of public roads and other infrastructure shall be in accordance with and compliance of Federal, State and County regulations governing such activities. Any degradation to or damage of public roads or other infrastructure by parties affiliated with the transportation, installation, operation or maintenance of Wind Energy Project will bear all costs required to return the public roads or other infrastructure to their original or better condition prior to their use of same.
- E. Additional Permitted Uses: The County may allow the applicant(s) to include certain accessory type uses on the Wind Energy Project facility property,

such as a visitor center where the public may be permitted to view a facility and obtain information about the specific facility and wind farms in general.

- F. Decommissioning Plan: Each Commercial Wind Energy Project shall have a Decommissioning Plan outlining the anticipated means and cost of removing Wind Energy Project facilities at the end of their serviceable life or upon becoming a discontinued use. The cost estimates shall be made by a competent party such as a Professional Engineer, a contractor capable of decommissioning, or a person with suitable expertise or experience with decommissioning. The plan shall also identify the financial resources that will be available to pay for the decommissioning and removal of the Wind Energy Project and accessory facilities.
- (13) Amateur Radio Antenna: Amateur radio antennas may be individually reviewed for placement, screening or height of antennas based on health, safety or aesthetic considerations. Any requirement must be crafted to reasonably accommodate amateur communications and represent the minimum practicable regulation to accomplish the legitimate purpose. See also W.S. §18-2-114 and PRB-1 “Amateur Radio Preemption, 101 FCC2d 952 (1985)”.

b. Standards for All Uses

- (1) Legal Access Requirement: All lots and parcels shall have legally enforceable access. Access shall be provided to all lots and parcels by: public road rights-of-way; private rights-of-way by recorded perpetual easement; or by access easements or rights-of-way over public land, which need not be perpetual or recorded. This legal access requirement shall not be construed to require the County to locate, repair or maintain any such public or private rights-of-way. All roads developed to access more than four (4) parcels as defined by W.S. §18-5-303 (a) and (b) shall be constructed to Park County Road & Bridge Standards.

- (2) Nonconformities:

A. Nonconformities Defined:

- i. Nonconforming lot or parcel: Any lot or parcel of record legally existing at the time of the 9-1-2000 Zoning Resolution enactment and smaller than the present minimum lot size requirements of the zoning district where it is located.
- ii. Nonconforming building or structure: Any building or structure having the following characteristics: the building or structure legally existed at the time of enactment of the 9-1-2000 Zoning Resolution and the building or structure does not conform to the present requirements of the zoning district for setbacks or other dimensional requirements.
- iii. Nonconforming use: Any use of land, premises, building or structure legally existing prior to enactment of the 9-1-2000 Zoning Resolution

which has been continuously in use and is not a permitted use, permitted accessory use, or special use in the zoning district where it is located. Such uses are permitted to continue subject to the terms of this Section until they are abandoned. Cessation of use for twelve (12) consecutive months shall constitute abandonment of the nonconforming use.

B. General Provisions:

- i. Construction approved prior to enactment of the 9-1-2000 Zoning Resolution: Nothing contained in these standards and regulations shall require any change in plans, construction or designation of use of a building for which a zoning permit has been issued and which is actively under construction within one year of the issuance of such permit.
- ii. Transference: Rights granted to nonconforming lots or parcels, structures and uses pursuant to this section shall remain with the land when title is transferred.
- iii. Pre-existing special uses:
 - a. Any use of land or buildings which was established prior to the enactment of the 9-1-2000 Zoning Resolution and which is permissible as a special use in the district where it is located shall be considered a conforming use, except if discontinued for one year or more. Thereafter, a Special Use Permit shall be required to re-establish the use.
 - b. Such pre-existing special use shall not be enlarged, relocated, extended or increased in intensity unless an application is made for a Special Use Permit and approved. The Special Use Permit is necessary only for the additional activity.

C. Nonconforming Lots or Parcels:

- i. The lot area of a nonconforming lot or parcel may not be reduced in size by division or subdivision of the lot, except as provided in Section 3c(4)A Pre-existing Residences. Boundary line adjustments and Amended Plats cannot create lots/parcels smaller than the current minimum lot sizes within the zoning district.
- ii. A nonconforming lot or parcel may be merged with an adjoining lot(s) or parcel(s) provided the entirety of the nonconforming lot or parcel is so merged.
- iii. A nonconforming lot may be enlarged to make it less non-conforming through a boundary line adjustment or amended plat provided that no other lots/parcels are made non-conforming or more non-conforming in the process.

- iv. Nonconforming Lots Larger Than One Acre: A nonconforming lot or parcel larger than one acre shall qualify for a zoning permit for a permitted use or special use if it meets all other applicable zoning requirements, including sewage disposal requirements.

D. Nonconforming Buildings or Structures:

- i. Enlargement: Nonconforming buildings or structures may be enlarged or altered provided such construction will not result in the increase of any nonconformity in setback, or other dimensional requirement; all new construction shall conform to setbacks and other applicable dimensional requirements.
- ii. Maintenance: Nothing in this section shall prevent normal maintenance and repair of any nonconforming building or structure.
- iii. Relocation of structure: No nonconforming building or structure shall be moved to another location where such building or structure would also be nonconforming.
- iv. Reconstruction: Any nonconforming building or structure may be restored or reconstructed after being destroyed or damaged by fire, accident or other act of God provided that the restoration or reconstruction is started within one year after such damage is incurred.

E. Nonconforming Uses

- i. Enlargement: Any building, structure or land area used for a nonconforming use may be enlarged, extended or additional buildings or structures added only upon issuance of a Special Use Permit, At the discretion of the Board or Commission, the cumulative total of all floor area or actively used land area associated with the use since it became nonconforming may be expanded no more than 50%.
- ii. Maintenance: Nothing in this section shall prevent normal maintenance and repair of any building or structure housing a nonconforming use.
- iii. Extension throughout buildings: Any nonconforming use may be extended throughout any parts of the building that were manifestly arranged or designed for such use when the use became nonconforming.
- iv. Discontinuance: Whenever a nonconforming use of a building, structure, or land area has been discontinued for a period of one year, such use shall not thereafter be re-established, and any future use shall conform to the provisions of these regulations.
- v. Relocation: No nonconforming use shall be moved to another location where such use would also be nonconforming.
- vi. Reconstruction or re-establishment: Any building or structure housing a nonconforming use may be restored or reconstructed and the use

reestablished after being destroyed or damaged by fire, accident or other act of God provided that the restoration or reconstruction is started within one year after such damage is incurred.

- vii. Change to conforming use: A nonconforming use may be changed to a conforming use. Thereafter, the use may not be changed back to a nonconforming use.
- viii. Change to other nonconforming use: A non-conforming use may be changed to another nonconforming use only upon issuance of a Special Use Permit, provided impacts from the new use are less intense than those of the previous use.

F. Prior Land Use Approvals:

- i. General: All land use changes, planned unit developments, special use permits, and variances previously approved by the County pursuant to the Park County Land Use Implementation Program shall remain in effect unless converted to a current zoning district pursuant to the following sections. However, land use changes granted for developments which have been abandoned, inactive, or not substantially advanced for 5 years from the effective date of the 9-1-2000 Zoning Resolution are deemed expired unless the recorded documents of approval preclude such expiration. All planned unit developments, special use permits, and variances shall remain in effect in accordance with the original terms of approval.
- ii. Conversion to current zoning district: Land use changes previously approved by the County pursuant to the Land Use Implementation Program may closely correspond to one of the established zoning districts. In such cases, either at the initiative of the County or landowner, the official zoning map may be amended to place the subject property in the current zoning district, and thereafter the zoning of the subject property will not be subject to the expiration requirements of this subsection.
- iii. Nullification by landowner: The landowner of a property subject to a prior land use change may prefer to have a zoning district applied instead of the prior land use change. To effect such a change, the landowner shall file a written request bearing the notarized signatures of all landowners and any security interest holders with the Planning Director. Upon receipt of such a request, the Planning Director shall revise the official zoning map to remove the notation of the prior land use change and to place the property in the zoning district in which it would have been placed upon expiration as indicated on the zoning map.

- G. Zoning of Territory Added to County Jurisdiction: Any territory that is de-annexed from a city or town shall be automatically zoned as Transitional. Any lands which are transferred out of federal or state ownership within one mile of a city or town shall automatically be zoned Transitional. Other lands which

are transferred out of federal or state ownership shall automatically be zoned to whichever zoning district the majority of adjoining properties are within.

(3) Parking

- A. Required Spaces: Off-street parking and loading spaces shall be provided for any new structure or use, or the enlargement of any existing structure or use in accordance with the following requirements:
 - i. Residential uses: two parking spaces for each dwelling unit.
 - ii. Non-Residential Uses: One parking space for each 400 square feet of floor area.
- B. Reduction of Required Spaces: Any applicant for a special use permit or site plan review, may request a reduction of up to 50% in the number of required parking spaces. The Board may grant a reduction if it determines that the traffic generated by the proposed use can be accommodated with a reduced number of parking spaces.
- C. Requirement of Additional Spaces: The Board may require up to 50% additional parking spaces if it determines that the traffic generated by the proposed use will exceed the parking space requirements of this section.
- D. Design of Parking Spaces: The size and shape of parking spaces and access lanes shall conform to the specifications of Appendix 16 Design of Parking Spaces.

(4) Approved Sewage Disposal System Required: The owner of any structure or land where people live, work, or congregate shall insure that the structure or land site contains adequate, convenient and sanitary toilet and sewage disposal systems approved by Park County and in good working order. No zoning permit or discretionary development approval shall be granted unless the applicant provides evidence that an approved sewage disposal system serves or will serve the proposed use or structure.

(5) Signs:

- A. Exempt Signs: The following signs are exempt from the requirements of this section: traffic control signs on public or private property; informational signs of a public agency; warning or hazard signs; works of art that do not include a commercial message; political signs; governmental flags; signs restricting access or use of property, such as “no trespassing” signs; temporary signs containing no commercial message; real estate signs advertising the sale of the site on which the sign is located; and identification signs not exceeding 24 square feet.
- B. Sign Specifications: The number and size (area) of signs shall conform to the specifications of Table 4-4. The number and size of signs shall be computed and applied based on the entire site, as opposed to the parcel or lot. Double-faced, back-to-back and V signs are considered one structure.

TABLE 4-4. SIGN SPECIFICATIONS

ZONING DISTRICTS											
		RURAL DISTRICTS					URBAN DISTRICTS				
		GR-M	GR-40 & GR-35	GR-20	GR-5 & GR-P	RR-2	R-H		C	I	T
The maximum total number of all freestanding signs on a site shall not exceed the lesser of the following:											
NUMBER OF FREESTANDING SIGNS	Maximum per site	4	4	6	6	2	2		N/A	N/A	6
	Per feet of road frontage	1 per 300	1 per 300	1 per 300	1 per 200	1 per 200	1 per 200		1 per 100	1 per 100	1 per 200
The maximum total area of all signs on a site shall not exceed the lesser of the following:											
SIGN AREA OF ALL SIGNS	Maximum per site	200 S.F.	200 S.F.	200 S.F.	400 S.F.	32 S.F.	16 S.F.		600 S.F.	600 S.F.	400 S.F.
	Percentage of ground floor area of principal building	4%	4%	4%	4%	N/A	N/A		10%	8%	4%
	Maximum for any single sign	24 S.F.	24 S.F.	24 S.F.	80 S.F.	32 S.F.	16 S.F.		200 S.F.	200 S.F.	80 S.F.

(6) Weed and Pest Control: The applicant for each discretionary development permit shall establish a long-term noxious weed control plan in cooperation with the Park County Weed and Pest Control District, unless the plan requirement is waived by Park County Weed and Pest.

(7) Junk Vehicles:

A. Limits on Location: The outdoor storage of more than four (4) unregistered motorized vehicles, including motor homes, inoperable farm equipment / machinery on property where no agricultural activities occur, or major portions of such vehicles, is not permitted if vehicles are visible from a public road for more than 30 consecutive days.

- i. Vehicles or parts noted above may be concealed from public view through the use of fencing or screening that meets the following standards:
 - a. Minimum of 6 feet in height;
 - b. Uniform composition, in neutral colors, constructed of such materials as approved for use by the Planning Director;
 - c. Fences and screens shall be kept in a good state of repair and condition at all times, and properly painted where the material is such that painting is required;
 - d. Gates shall be the same height as the corresponding fence, open only for the purpose of ingress and egress.
 - ii. Screen / fence construction for this use requires a zoning / building permit.
 - B. Uninhabitable Mobile Homes: The outdoor storage of more than one uninhabitable mobile home is not permitted.
 - C. Agricultural Equipment: Inoperable agricultural equipment or machinery stored on an operating farm or ranch for future restoration or for use as a source of spare parts for other equipment in use on the farm or ranch shall not be subject to the provisions of this section.
- (8) Nuisances: Any use or non-use of real or personal property that causes material injury to others or endangers life, health or safety. It shall be unlawful for any person to maintain or permit the existence of any nuisance upon property within the unincorporated areas of the county.
- A. Trash Disposal: No dumping of refuse/trash shall be permitted on any land except at those places designated by the City or County as official refuse disposal or transfer sites.
 - B. Animal Waste: Accumulations of animal manure and waste products that allows for the breeding and propagation of insects and/or rodents, runoff of surface water from areas having deposits of animal manure or waste products onto adjacent properties or into water drainages shall be prohibited.
 - C. Commercial or Household: Appliances, equipment, machinery, building parts and fixtures, vehicles, vehicle parts, tires, waste petroleum, other chemical products, solid waste, or similar items which by reason of its presence or manner of storage presents a danger to the public from surface or groundwater contamination, evaporation to the gaseous state, direct physical contact, collapse, fire, entrapment, burning, or harboring of vermin shall be prohibited.
 - D. Farm Products: Retention of farm products, supplies, equipment, and reusable materials at a working farm or ranch shall not be prohibited, as long as such items and material are kept in such a manner that would not constitute a threat to public health, safety or welfare.

- E. Nuisance Abatement: The Board may issue an order declaring a property a nuisance under W.S. 18-2-101(a)(viii). See Appendix 24 for complete procedure.
 - F. Nothing herein shall be construed to impair or modify any rights afforded to farm and ranch operations pursuant to the Wyoming Right to Farm and Ranch Act.
- (9) Lighting: The purpose is to establish outdoor lighting standards that reduce impacts of glare, light trespass, overlighting, skyglow and poorly shielded or inappropriately directed lighting, to promote safety and energy conservation.
- A. All outdoor lighting fixtures shall be designed, aimed, located and maintained to shield adjacent properties and not produce glare onto adjacent properties or roadways.
 - B. Lights must be fully shielded, down directed and screened to limit light trespass to 0.5 of a foot-candle as measured at the property line.
 - C. Motion sensor lights must only be triggered by motion within the boundaries of their property and remain lit for durations of 15 minutes or less.
 - D. Lighting installed for temporary holiday displays, public safety, lighting of the American flag, temporary construction, or traffic control are exempt.

(10) Building Setbacks:

- A. Application: No building or structure shall be built or located within 20 feet of county road rights-of-way, or within 5 feet of alleyways.
- B. Exceptions: The building setbacks shall not apply to irrigation facilities, earthworks, fences, non-illuminated signs, and minor utility uses.
- C. Measurement for road rights-of-way: The building setback shall be measured from the edge of the road right-of-way. The building setback from any county road may be measured beyond a point 30 feet from the center of the road if the location of the county road right-of-way is not known.

c. Dimensional Requirements:

- (1) Table 4-5 Dimensional Requirements contains the lot size requirements for each zoning district.
- (2) Definition of Terms: Terms used in Table 4-5 Dimensional Requirements, are defined as follows (also see Fig. 4-1 Illustration of Subdivision Types for explanation of conventional, lot size averaged, and grouped lot subdivisions):
 - A. Minimum Lot Size: The smallest total land area within the lot lines of a lot that is permitted within a conventional subdivision or conventional exempt land division.
 - B. Special Minimum Lot Size: The smallest total land area within the lot lines of a lot that is permitted within a lot size averaged subdivision or exempt division or within a grouped lot subdivision.

C. Lot Grouping Bonus: The number of additional parcels allowed in grouped-lot subdivisions. For any given property, the bonus is calculated as the Lot Grouping Bonus percentage from Table 2-4 multiplied by the number of lots permitted for a conventional subdivision. For example, a 100-acre parcel in the GR-20 district is permitted up to 5 conventional subdivision lots (100 divided by 20). The bonus (40% of 5) yields two additional lots. Up to seven lots would be allowed if the subdivision were a grouped lot subdivision

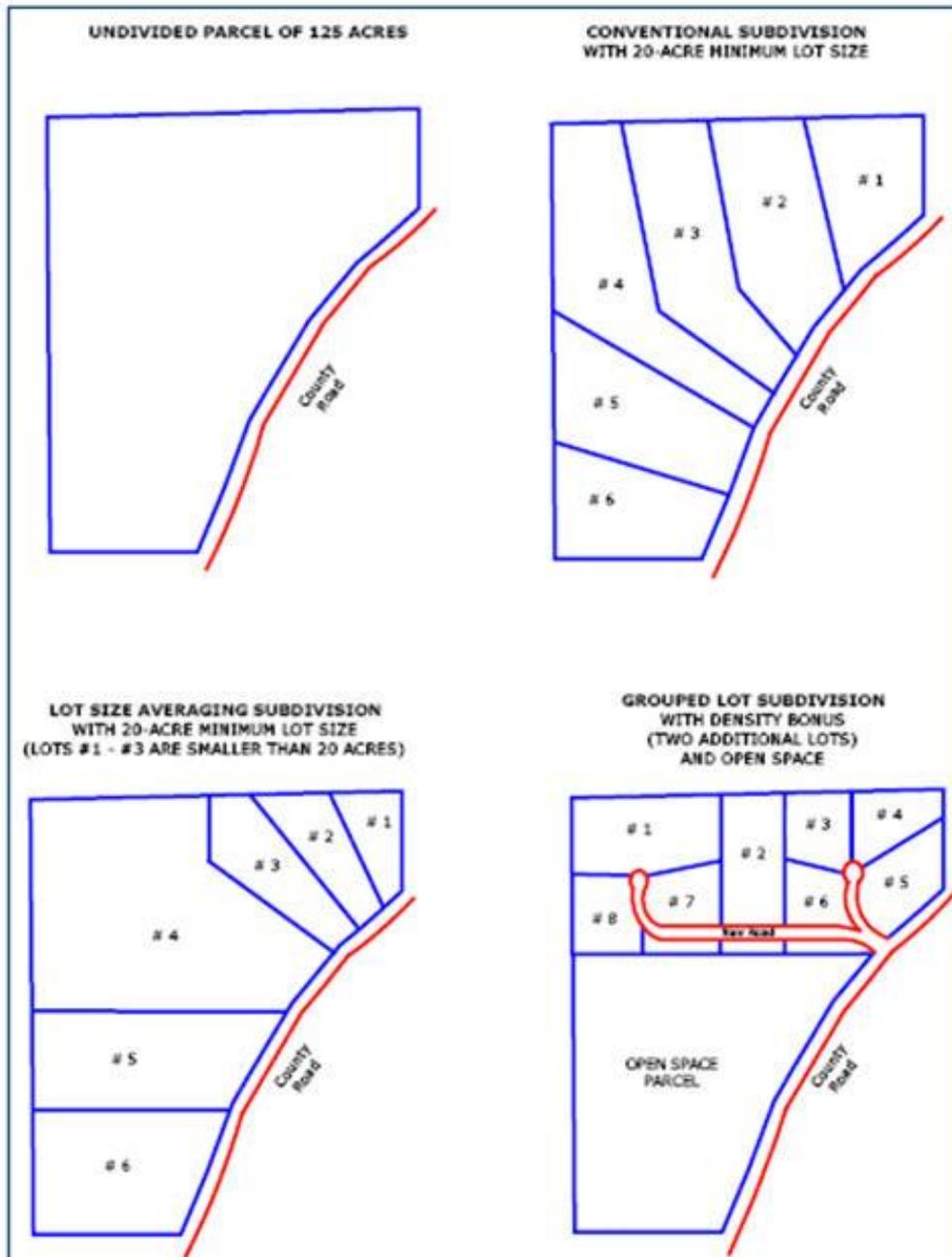
Table 4-5: Dimensional Requirements

ZONING DISTRICT	MINIMUM LOT SIZE	SPECIAL MINIMUM LOT SIZE	LOT GROUPING BONUS
GR-M	one acre	one acre	NA
GR-P	one acre	one acre	NA
GR-40	40 acres	5 acres	40 %
GR-35	35 acres	4 acres	40 %
GR-20	20 acres	2 acres	40 %
GR-5	5 acres	one acre	30 %
RR-2	2 acres	37,000 SQ FT	20 %
R-H	1/2 acre	7,000 SQ FT	10 %
C	1/2 acre	1/2 acre	0 %
I	1/2 acre	1/2 acre	0 %
T	1/2 acre	1/2 acre	0 %

FIGURE 4-1. ILLUSTRATION OF SUBDIVISION TYPES

This illustration shows how a parcel of 125 acres can be subdivided. 20 acres is the minimum lot size in this example. The landowner has the choice of which type of subdivision to create.

The conventional subdivision yields six lots, each at least 20 acres. The lot size averaging example shows no increase in the number of lots (still six lots), but more variation in the size of the lots, including lots smaller than 20 acres. The average lot size in this example is still greater than 20 acres. The grouped lot subdivision has half of the original parcel as an open space parcel. The lot-grouping bonus allows two additional lots for a total of eight building sites.



(3) Rules Pertaining to Minimum Lot Sizes:

- A. Principal Structures: No principal structure shall be built or moved on to a lot or parcel that does not meet the minimum lot size requirements for the zoning district in which the lot or parcel is located without first complying with the applicable requirements of Nonconforming Lots or Parcels.
- B. Application to Lots and Parcels: Except as provided by Exceptions to Lot Size Minimums, all lots or parcels hereafter created shall comply with the minimum lot size requirements of the district in which the lot or parcel is located unless the special minimum lot size applies to such lots or parcels (see C, below).
- C. Application of Special Minimum: The special minimum lot size shall only apply to lots or parcels that meet the requirements for grouped lots or for lot size averaging.
- D. Lot Size Averaging Requirements: A parcel may be subdivided or divided by exempt division using lot size averaging provided all of the following requirements are met:
 - i. No lots or parcels shall be smaller than the special minimum lot size;
 - ii. The average lot size of all lots or parcels created shall equal or exceed the minimum lot size for the zoning district in which the lots or parcels are located;
 - iii. When a parcel is divided or subdivided using lot size averaging so that the maximum allowed number of lots or parcels are created, no such lot or parcel shall be further divided or subdivided. The plat or record of survey shall bear a notation to this effect and the deeds of conveyance shall contain a notice of this restriction;
 - iv. A lot or parcel 35 acres or larger that is used for lot-size averaging for the purposes of creating subdivision lots smaller than the minimum lot size shall be surveyed and indicated as a separate parcel on the final plat.
 - v. When a parcel is divided or subdivided using lot size averaging so that fewer than the maximum allowed number of lots or parcels are created, the plat or record of survey shall indicate which lots or parcels may be further divided or subdivided and how many lots or parcels may be created from each lot that is eligible for further division or subdivision. Lots or parcels that may not be further divided shall be so indicated on the plat or record of survey and the deeds of conveyance shall contain a notice of this restriction;
 - vi. Once a parcel is divided or subdivided using lot size averaging, no part of the parcel may be combined with another parcel for the purpose of calculating the number of allowed lots in a subsequent division or subdivision;
 - vii. The requirements of the Subdivision Regulations for subdivisions or exempt divisions, as applicable, are met.

- E. Lot Grouping Requirements: Grouped lot subdivisions shall meet all of the following requirements:
- i. No lots or parcels shall be smaller than the special minimum lot size;
 - ii. The number of lots created, not counting open space lots, shall not exceed the number of lots permitted for a conventional subdivision plus the number permitted by the grouped lot bonus;
 - iii. A minimum of 50 percent of the acreage of the parent parcel shall be open space configured as a separate parcel or parcels functionally usable as open space owned and managed by a Homeowners Association or other entity. The open space can also be a contiguous area comprised of portions of individual building lots restricted against development by a conservation easement. Such areas shall meet the open space requirements of the subdivision regulations and shall be indicated on the plat or record of survey. The deeds of conveyance shall contain a notice of restrictions on use;
 - iv. All lots included in the grouped lot subdivision shall not be further divided or subdivided. The plat shall bear a notation to this effect and all instruments of conveyance shall contain a notice of this restriction;
 - v. The open space of one subdivision shall not be counted as open space for another subdivision for the purpose of awarding any grouped lot bonus;
 - vi. The requirements of the Park County Subdivision Regulations are met.

(4) Special Lot Size Rules:

- A. Exceptions to Lot Size Minimums: Certain parcels of land may be divided to create parcels smaller than the minimum lot size of the applicable zoning district:
- i. Pre-existing residences: A parcel may be divided or subdivided to create parcels smaller than the minimum lot size of the applicable zoning district where such division would create a separate parcel for separate residential buildings built before January 7, 1998. This exception is only available if the original parcel is not large enough to create a lot meeting the minimum lot size for each residential building. Buildings permitted or historically used as residential accessory buildings, including guesthouses, are not eligible for this exception.

SECTION 4. APPLICATIONS AND ADMINISTRATION OF ZONING REGULATIONS

The zoning regulations contain two basic types of application and decision-making procedures required for new developments; administrative permits managed by the Planning Director, and discretionary approvals which are the responsibility of the Planning & Zoning Commission and / or Board of County Commissioners.

Administrative permits include zoning and small wastewater permits. The Planning Director’s administrative decisions to grant or deny these permits may be appealed to the Board of County Commissioners.

Discretionary approvals include special use permits, site plans, variances, zoning map amendments, and floodplain permits. Applications for discretionary development approval follow the uniform procedure which specifies the details of the application process common to all types of discretionary applications. Table 4-6 Development Review Procedures highlights the main procedural aspects for each type of development application.

TABLE 4-6. DEVELOPMENT REVIEW PROCEDURES

APPLICATION TYPE	NOTICE REQUIRED	NOTICE PERIOD	PLANNING DIRECTOR REVIEW	AGENCY REFERRALS	PLANNING & ZONING COMMISSION REVIEW	BOCC REVIEW
ADMINISTRATIVE PERMITS AND APPEALS						
ZONING PERMIT	No	N/A	Yes	No	No	Yes (on Appeal)
APPEALS	Yes	10 days	No	No	No	Yes (Final)
SMALL WASTE WATER PERMIT	No	N/A	Yes	No	No	Yes (on Appeal)
DISCRETIONARY DEVELOPMENT APPLICATIONS						
FLOODPLAIN DEVELOPMENT PERMIT	Yes	14 days	No	Yes	No	Yes (final)
SPECIAL USE PERMIT	Yes	14 days	No	Yes	Yes	Yes (Final)
SITE PLAN REVIEW	Yes	14 days	No	Yes	Yes	Yes (Final)
VARIANCES	Yes	14 days	No	Yes	Yes, if concurrent	Yes (Final)
ZONING MAP AMENDMENTS	Yes	30 days	No	Yes	Yes	Yes (Final)

a. Building / Zoning Permit: A Building / Zoning permit is a non-discretionary administrative permit issued by the Planning Office for uses and structures that are permitted by right by these regulations. The purpose of a building / zoning permit is to ensure that uses and construction conform to applicable zoning requirements.

(1) Applicability: A building / zoning permit issued by the Planning Department is required to:

- A. Locate, erect, or construct any building or structure;
- B. Enlarge the outside dimensions of any building or structure;
- C. Reconstruct any building or structure within the designated floodplain

- D. Change the use of any building or structure; or
 - E. Change the use or occupancy rating of a building so as to increase the building's sewage design flow.
- (2) Application Requirements: All applications for a building / zoning permit shall contain a sketch or plot plan showing the actual dimensions and angles of the lot to be built upon and the exact size and location on the lot of the building or accessory buildings to be constructed, erected, relocated or changed. Each application shall state the purpose for which the structure or land is to be used and general description of the type of construction. Upon request of the Planning Director, additional information (such as drawings, data, computations) necessary to ensure compliance with these regulations shall be provided by the applicant.
 - (3) Approval Standards: No permit shall be issued unless plans for the building, structure, or use fully comply with the provisions of these regulations. The Planning Director shall grant zoning permits when the plans for the proposed construction or use comply with the requirements of these regulations
 - (4) Action by Planning Director: The Planning Director shall approve or deny all applications for zoning permits within 14 days of the receipt of the complete application. The denial of an application shall be in writing setting forth all the reasons for the denial. The decisions to approve or deny zoning permit applications may be appealed to the Board of County Commissioners.
 - (5) Expiration: If construction authorized by a zoning permit has not been started within one year, said permit shall be null and void. Zoning permits for projects not completed within 3 (three) years from the date of approval shall expire and a new permit shall be required prior to completion.
 - (6) Penalty: Failure to obtain a building / zoning permit or abide by the conditions of a permit is a violation of these regulations (Ch. I Sec.8, Ch. IV Sec. 1d) and subject to penalties.

b. Small Wastewater Permit: A small wastewater permit is an administrative permit issued by the Planning Office for sewage disposal facilities. County Sewage Disposal System Regulations were adopted by the Board November 14, 1995 pursuant the provisions of W.S. 35-11-301 (a) and 35-11-304 (a).

- (1) Applicability: A wastewater permit issued by the Planning Department is required to:
 - A. Locate, erect, or construct any building or structure;
 - B. Change the use or occupancy rating of a building so as to increase the building's sewage design flow.
- (2) Application Requirements: All applications for a wastewater permit shall contain a site plan, perc test, distance to groundwater or impervious layer, and proposed system components and design. Upon request of the Designated Local Official (DLO), additional information necessary to ensure compliance with small wastewater regulations shall be provided by the applicant.

- (3) Approval Standards: No permit shall be issued unless plans for the wastewater system fully comply with the provisions of the small wastewater regulations or DEQ regulations, whichever is more stringent. If the proposed system complies with these regulations, a permit will be issued and a copy mailed to the applicant. **Construction may not begin until the permit has been issued.** An on-site inspection of the installed system is required prior to backfill.
- (4) Expiration: If construction authorized by a wastewater permit has not been started within one year, said permit shall be null and void. .
- (5) Penalty: Violation of the Sewage Disposal Regulations may result in penalties as provided by law and these regulations.

c. Uniform Procedure for discretionary development applications: The following regulations describe the Uniform Procedure which shall be used for all discretionary development applications including special use permits, site plans, variances, and zoning map amendments.

- (1) Pre-application work session: The pre-application work session is optional and scheduled at the applicant's request. The purpose of the work session is for the applicant to obtain information regarding the relevant provisions of these regulations. Work sessions are normally held with the Planning & Zoning Commission, but may also be held with the Board of County Commissioners if the Board renders the only decision. The work session shall be scheduled at the next available time and date on the Board or Commission schedule, but no later than 60 days following the request.
- (2) Filing Applications: Applications shall be submitted by the landowner or authorized agent to the Planning Director, including required fees and information specified for the type of application. Within 10 days of receiving a submission, the Planning Director shall determine if the application is complete. If the application is incomplete, the applicant will be notified of the deficiencies by the end of the 10 day period. When the application is deemed complete, the public hearing will be scheduled.
- (3) Scheduling of Public Hearings: The hearing shall be scheduled and noticed in accordance with Appendix 1 Public Hearing Notice Requirements. Hearings shall be scheduled at the next available time and date on the Board's or Commission's schedule, but no later than 60 days after receipt of a complete application.
- (4) Agency Referrals:
 - A. The Planning Director is authorized to refer the application to any local, state, or federal agency or office that may have relevant interests or expertise.
 - B. The Planning Office shall refer all discretionary development applications in the GR-M district to the Meeteetse Local Planning Area Advisory Committee for review for conformance with the 1996 Meeteetse Local Area Land Use Plan and Policy Statement (see Appendix 17 Meeteetse Local Planning Area Advisory Committee Referral Procedure).
 - C. The Planning Office shall refer all discretionary development applications within one mile of incorporated city / towns to the respective city / town Planning & Zoning Commissions.

- (5) **Planning Director Review:** The Planning Director shall prepare a staff report on the application that assesses compliance with the requirements of these development regulations, and send such report to the applicant and the body holding the hearing.
- (6) **Planning & Zoning Commission Review:** The Commission shall conduct a public hearing on all applications pursuant to Table 4-6 Development Review Procedures. The Commission shall evaluate the application's compliance with the approval standards applicable to the type of application and render a recommendation within 45 days of the hearing. This time limit may be extended with consent of the applicant.
- (7) **Referral of Application to Board:** The Planning Director shall refer the application and the Commission's recommendations, if required, to the Board. Upon completion of recommendations required prior to final approval, the Planning Director shall schedule a hearing date. Scheduling of the hearing may be delayed once up to 90 days at the applicant's request.
- (8) **Board Review:** The Board shall conduct a public hearing on all applications as specified in Table 4-6. The Board shall evaluate compliance with the approval standards and shall render a decision within 45 days of the hearing. This time limit may be extended with consent of the applicant.
- (9) **Continuances:** The body responsible for conducting a public hearing may continue the hearing to a subsequent regular meeting or special meeting called for this purpose. Public hearings continued to a date certain need not be re-noticed. Hearings continued to an indefinite date, or hearings closed and then reopened shall be re-noticed as required for new applications.
- (10) **Concurrent Review:** Projects that require approval of more than one type of development application may be reviewed concurrently. Whenever concurrent processing is used, the submittals shall include the information required for each application.
- (11) **Financial Guarantees:** The Board or Commission is authorized to require the applicant to provide an agreement guaranteeing construction of physical improvements required as a condition of a discretionary development approval. The Board or Commission may require such agreement to include a financial guarantee in the amount of the estimated cost of the required improvements.
- (12) **Property Valuation and Tax Assessments:** Applicants for discretionary development approvals are hereby advised that approval of their request may lead to increased property valuation and tax assessment on the subject property.
- (13) **Approvals Run with the Land:** All discretionary development approvals granted by the Board or Commission shall run with the land and the current property owner is responsible for compliance with the provisions of approval.

d. Special Use Permits: Special Use Permits provide flexibility through a review process for certain specified uses as an alternative to outright prohibition of such uses. Such uses are designated as special uses. Without proper review, special uses can be disruptive or incompatible with other uses within the zoning district. Special uses are permitted provided the use is reviewed and adverse impacts are identified and mitigated.

- (1) Applicability of Review Requirements: Special Use Permit approval is required before commencing or establishing any use specified in Table 4-1 Schedule of Uses. Special Use Permits are also required pursuant to Nonconforming Uses and Airport Overlay District.
- (2) Application Requirements: The following information shall be submitted to the Planning Department with any application for a Special Use Permit unless the Planning Director waives information requirements because the specified item(s) is / are not relevant to the project review.

A. Written Material:

- i. Completed application form;
- ii. Written statement from the property owner consenting to the filing of the application if the applicant is not the property owner;
- iii. Legal description and acreage;
- iv. Description of proposed use including, if applicable: amount of building square footage; types of activities; method of operation; hours of operation; and characteristics having impact on adjacent properties.
- v. Evidence that an adequate water supply in terms of quantity, quality, and dependability for the use is or will be available;
- vi. Evidence that an adequate means of sewage and wastewater disposal is or will be available;
- vii. Evidence that utilities, public services and infrastructure are available to serve the use;
- viii. Soils report prepared by the local soil conservation district, or a professional soils engineer or geologist when appropriate;
- ix. Proposed covenants, if any;
- x. Statement of how the required findings for approval of a Special Use Permit can be met by the proposal;
- xi. Statement of how compatibility with adjacent properties will be achieved;
- xii. If special criteria as defined in Standards for Specific Uses have been established for the proposed use, a statement of how these criteria will be met; and
- xiii. If the proposal is in an Airport Overlay District, a written recommendation from the appropriate airport board or official;
- xiv. If the development is located within the boundaries of an Irrigation District, the applicant shall establish a plan regarding the attached water rights and easements for irrigation facilities.

B. Graphic Material:

- i. Vicinity map;
- ii. Plan-view drawing showing building locations, parking areas, access and circulation, storm water drainage, and activity areas;
- iii. Building floor plans and elevations; and

- iv. Map showing site topography and natural features.
- (3) Approval Standards: The Planning & Zoning Commission and the Board of County Commissioners shall approve a Special Use Permit only if it is found that:
- A. Compatibility and Impacts: The use is in harmony and compatible with surrounding land uses and with the neighborhood and will not create a substantial adverse impact on adjacent properties;
 - B. Services and Infrastructure: Adequate services and infrastructure are available to serve the use, or the applicant has agreed to provide services and infrastructure in sufficient time to serve the proposed use.
 - C. Specific Criteria: The use complies with all specific criteria stated in these regulations for the use; and
 - D. Overlay Districts: The use complies with additional requirements of overlay districts, if applicable.
- (4) Conditions of Approval: In approving a Special Use Permit, the Planning & Zoning Commission and / or Board of County Commissioners may impose any reasonable conditions to ensure that the proposed use is compatible with surrounding land uses, and the development and operation of the proposed use are performed in a manner consistent with public health, safety, and welfare. Such conditions shall be limited to issues directly related to the impacts of the proposed use and proportional to the impacts.
- (5) Amendments to Approved Special Use Permits: Minor changes to an approved Special Use Permit may be approved by the Planning Director. Otherwise, a Special Use Permit may be amended, varied, or altered only upon approval of the Board at a public hearing. If the amendment requires Site Plan Review Applicability of Review Requirements, the request shall proceed as a new application. An amended Special Use Permit replaces the previous Special Use Permit.
- (6) Expiration: If activities allowed by a Special Use Permit have not been established within one year of the approval of the permit or have ceased to occur for at least one year after having been established, the Special Use Permit shall expire and no such activities may resume unless an application is filed and approved in accordance with the procedures for review of new Special Use Permits. The Planning Director may extend this time limit one additional year when the activities permitted by the Special Use Permit have been delayed due to circumstances beyond the applicant's control.

e. Site Plan Review

- (1) Intent and Purpose of Site Plan Review: A site plan is a graphical plan, drawn to scale, showing uses and structures proposed for a parcel of land and site development features, both natural and manmade including, where applicable, lot lines, roads, locations of proposed buildings, utility lines, parking areas, reserved open space, steep slopes, floodplains, etc. Site plan review is the process whereby county officials review the plans of a developer to assure they meet the stated purposes and standards of the regulations , provide for the necessary public

facilities such as roads and drainage structures, adequate site development including sewage disposal facilities, parking, water supply and other requirements through appropriate siting and design of structures and other improvements.

(2) Applicability of Review Requirements:

A. When Required: Site plan review is required prior to the construction or commencement of any use listed in Table 4-7 Uses Subject to Site Plan Review provided the development exceeds any one of these threshold conditions:

- i. Construction of any building or building addition that cumulatively exceeds 5,000 square feet of floor area.
- ii. Development of more than one acre for a land use without buildings.

Commencement of a use shall include change in the type of use as defined in Use Classifications. Construction of a use shall include site preparation for a use or structure which itself requires site plan approval. Uses not listed in Table 4-7 do not require site plan review. Developments that do not exceed the threshold conditions do not require site plan review. In addition, any use eligible for a site plan review exemption pursuant to Subsection B, below, does not require site plan review

B. Exemptions: The Planning Director may waive the site plan review requirement provided all of the following conditions are met:

- i. No improvements are required for the proposed use that might require a performance bond.
- ii. The proposal will not involve an increase in the intensity of impacts on neighboring lands or public facilities including roads.
- iii. The proposal will not result in an increase of more than 50 percent in either the floor area of the structure housing the use or in the outdoor area used.
- iv. The proposal shall not involve a change in the type of use.

C. Other Approvals: Site plan review is required as designated regardless of whether the proposed use also requires another form of discretionary development approval (special use permit, variance, or zoning map amendment). Such approvals may be obtained prior to site plan approval or may be applied for and processed concurrently.

(3) Application Requirements: An application for site plan approval shall be accompanied by information described in Appendix 18 Content Requirements for Site Plans, unless a waiver of such requirements, or a portion thereof, is granted by the Planning Director as not relevant to project review.

(4) Site Plan Standards:

- A. Site Plan Standards Generally: The Board and Commission shall approve site plans meeting the basic site plan standards and the special site plan standards, if applicable. The Board and Commission shall deny approval to any site plan not meeting the standards.

TABLE 4-7. USES SUBJECT TO SITE PLAN REVIEW	
Uses are defined in Ch. IV Sec. 2e <u>Use Classifications</u>	
<p>Residential Uses Mobile home park Multi-family housing</p>	<p>Recreational Uses Minor commercial recreation business Minor outdoor recreation facility</p>
<p>Residential Businesses Cottage industry</p>	<p>Major recreation facility Campground</p>
<p>Agriculture Feedlots</p>	<p>Dude ranch and resort Ski center</p>
<p>Public & Quasi-Public Uses Minor / major community use Major utility use</p>	<p>Commercial Uses Minor / major commercial business Highway commercial business Agricultural support business Commercial storage Adult use</p>
<p>Institutional Uses Minor institutional use Correctional facility Minor residential religious use Minor residential school Major institutional use</p>	<p>Industrial Uses Minor / major industrial use Minor / major wholesale business Rock products mine, except minor Salvage yard Value-added agricultural business</p>
<p>Temporary Uses Construction staging area Work Camp</p>	<p>Accessory Uses Large impact structure</p>
<p>Transportation uses Bus terminal Commercial airport Heliport Landing strip Rail facility Railroad right-of-way Truck terminal</p>	

B. Basic Site Plan Standards: All site plans shall meet the following basic site plan standards:

- i. Domestic water supply: Where reliance on individual water supplies is proposed, the proposed development shall provide evidence that an adequate quantity and quality of water is available or can be provided.
- ii. Where reliance on a public or central water system is proposed, the proposed development shall demonstrate that the water system can and will serve the development's water supply needs.
- iii. Sewage disposal: All on-site sewage disposal systems shall be designed in accordance with state and county standards. The proposed development shall demonstrate compliance with such standards, as applicable. Where sewage disposal is proposed via a public or central sewage treatment system, the proposed development shall demonstrate that the sewage treatment system can and will serve the development's sewage disposal needs.
- iv. Solid waste disposal: Solid waste shall be stored in enclosed buildings or containers and handled in a manner that minimizes the attraction of rodents, flies, or other animals; minimizes the generation of liquid runoff or odors perceptible off the site; and minimizes wastes blown by the wind off the site. Solid waste handling and storage areas for multifamily, commercial or industrial uses shall be effectively screened from public view.
- v. Hazardous substances: The proposed development shall demonstrate compliance with state and federal regulations on the handling, storage and disposal of hazardous substances, if applicable.
- vi. Utilities: Adequate easements or rights-of-way shall be provided as necessary for all utilities proposed to serve the development. Power, telephone, and gas lines necessary to serve the development shall be installed underground except in situations or locations where topography or other factors make underground utilities undesirable as determined by the Planning Director, or by the concerned utility supplier in consultation with the Planning Director. The proposed development shall demonstrate arrangements for utilities comply with the standards of each utility and that the utilities can and will serve the proposed development.
- vii. Signs: The proposed development shall demonstrate compliance with signage requirements.
- viii. Parking and loading areas: The proposed development shall demonstrate compliance with parking requirements.
- ix. Roads and access: The proposed development shall demonstrate that access points on county or state highways conform to county and state highway access requirements, as applicable.

- x. Fire protection: The proposed development shall demonstrate compliance with recommendations of the local fire district for emergency vehicle access, firefighting water supply, wildfire mitigation, and requirements of the State Fire Marshal, if applicable.
- xi. Protection of irrigation systems: No development shall divert storm water or snowmelt runoff into any irrigation system without the consent of the appropriate irrigation authority. Developments shall not adversely impact the operation of any irrigation system. Any proposed development on or adjacent to irrigated lands or containing irrigation facilities shall demonstrate compliance with the requirements of this paragraph.
- xii. Water quality: The proposed development shall demonstrate compliance with state and federal water quality regulations, if applicable.
- xiii. Wetlands: The proposed development shall demonstrate compliance with federal wetlands regulations, if applicable.
- xiv. Runoff and erosion control: A runoff and erosion control plan shall be implemented when a cumulative total on more than one acre of land will be disturbed, or where more than 10,000 square feet of contiguous impervious surfaces will be created. In addition, a runoff and erosion control plan shall be developed, approved, and implemented whenever a development will result in an increase in storm water runoff discharging to a public road right-of-way maintained by the county. Whenever there are practical difficulties involved in carrying out the provisions of this standard, the County Engineer may approve Administrative Relief. Specifications of runoff and erosion control plans are contained in Appendix 19 Runoff and Erosion Control.
- xv. Air quality: The proposed development shall demonstrate compliance with state and federal air quality regulations, if applicable.
- xvi. Nuisances: The proposed development shall not produce a light or reflection of light in excess of the lighting standards defined in Ch. IV Sec.3b (9) *Standards for All Uses*. . The proposed development shall minimize harmful or offensive fumes, vapors, gases, or odors perceptible beyond the property line. Any continuous, regular or frequent sound produced shall not exceed the maximum permissible sound level as specified by Appendix 20 Detailed Standards for Noise.
- xvii. Overlay districts: The proposed development shall demonstrate compliance with all applicable requirements of Ch. IV Section 5 Overlay District Regulations.
- xviii. Standards for specific uses: The proposed development shall demonstrate compliance with Standards for Specific Uses, if applicable.
- xix. Building setbacks along highways: Building setbacks shall be increased 20 feet for every 5,000 square feet of floor area for buildings located on properties adjoining a state or county highway.

The Board or Commission may reduce the required increase of the setback distance by up to 50 percent provided the site design mitigates the adverse effects of the reduced setback.

- xx. Other zoning requirements: The proposed development shall demonstrate compliance with all applicable zoning requirements, including but not limited to building setbacks, minimum lot sizes, etc.
- C. Special Site Plan Standards: The following special site plan standards shall apply to all site plans in the following local planning areas: Clark's Fork, Lower Southfork, Middle Southfork, Northfork, Sage Creek, Sunlight, Upper Clark's Fork and Upper Southfork.
- i. Stream corridors: The open space use of stream corridors and the retention or restoration of riparian vegetation shall be encouraged. A 100-foot setback distance from perennial streams and lakes shall be maintained to the fullest practical extent.
 - ii. Steep slopes: No development shall be permitted on or near steep slopes as identified in Appendix 22 Slope Conditions Warranting Engineering Review, unless an engineer certifies that such development is not subject to a significant hazard due to slope failure or accelerated soil erosion. Open space use of steep slopes (15 percent or greater) shall be encouraged.
 - iii. Wildlife habitats: Developments that will disturb more than two acres of crucial big game habitat, as identified on the latest edition of the Wyoming Game and Fish Department's Big Game Seasonal Range Overlays, shall implement a plan for the protection of such habitat that identifies:
 - a. crucial wildlife habitat area, the principal species present, and species used as "indicators" of the habitat protection plan;
 - b. existing wildlife habitat elements, including sources of water, vegetative cover, and migration routes or other wildlife use areas;
 - c. how land disturbance will be minimized in order to maximize retention of wildlife habitat;
 - d. how the site plan provides for movement of wildlife through and around developed areas and the connection of wildlife habitats;
 - e. how temporarily disturbed areas will be re-vegetated and how re-vegetation will result in a volume, structure, and diversity of vegetation similar to that found in the existing wildlife habitat; and
 - f. how occupants will promote long range maintenance of the wildlife habitat and all protection features of the plan.
 - iv. Designated Scenic Byways: Developments within one mile of state-designated Scenic Byways (Chief Joseph Highway WYO 296) shall prove to the satisfaction of the Commission or Board that site design

has mitigated significant visual impacts of the new development. Each of the following design techniques shall be incorporated in the site design unless the applicant shows that no significant visual impact will be created or use of the technique is cost-prohibitive or impractical and requiring its use would prevent development of the project:

- a. Concentrating structures in the least visually obtrusive portions of a property;
- b. Locating structures at or below tree lines;
- c. Locating structures below ridgelines;
- d. Installing utilities underground;
- e. Using natural terrain contours to mitigate the visual impact of new roads;
- f. Re-vegetating cleared areas with native plants;
- g. Using natural materials such as stone or wood, earth tone colors and ranch or lodge type architectural structures.
- h. The applicant may use other design techniques as a substitute for items a – g, provided they mitigate any significant visual impact.

D. Exception From Specific Site Plan Standards: The Planning & Zoning Commission or Board of County Commissioners are authorized to grant such exceptions from these site plan approval standards as may be reasonable and within the general purpose and intent of these regulations, if literal enforcement of the standards is impractical or will exact undue hardship because of peculiar conditions pertaining to the land in question.

- (5) Conditions: The Board and Commission, in approving site plans, may impose such conditions, safeguards and restrictions upon the physical development of the site as deemed necessary to secure compliance with the approval standards of this section. Such conditions shall be limited to matters directly related to impacts of the proposed use and shall be proportional to the impacts.
- (6) Effect of Approval: No structure or land use requiring site plan approval shall be commenced until the Planning & Zoning Commission and Board of County Commissioners has approved the site plan in accordance with this section.
- (7) Expiration: A site plan approval shall expire if the use is not commenced and diligently pursued within one year of the date of approval. The Planning Director may extend this time limit one additional year when the development permitted by the site plan approval has been delayed due to circumstances beyond the applicant's control.
- (8) Minor Deviations: Minor deviations from an approved site plan shall be approved by the Planning Director. Allowable minor deviations and adjustments are those that are necessary in light of technical or engineering considerations first discovered during actual development and that are not reasonably anticipated during the approval process. Minor deviations shall not include any change that materially or substantially alters the design or configuration of the development. All

changes not qualifying as minor deviations shall be considered amendments subject to Amendments to Approved Site Plans.

- (9) Amendments to Approved Site Plans: An approved site plan may be amended, varied or altered only pursuant to these standards and procedures for approval of the original site plan, except for minor deviations noted above.

f. Zoning Map Amendments: The following regulations provide a means for changing zoning district boundaries depicted on the Official Zoning Map.

- (1) Application requirements: The application shall consist of the following information:

- A. Proposed Map Amendment: A legal land description or graphical description of land and proposed zoning district designation of land included in any amendment to the Official Zoning Map;
- B. Consistency With Standards: A written statement describing the consistency of the proposal with Approval Standards (below);
- C. Landowner's Authorization: Any applicant proposing an amendment pertaining to a single property or site shall provide the landowner's authorization pursuant to Filing Applications. Amendments of general application or of wide-area application are not required to have such authorization.

- (2) Exceptions to Notice Requirements: Amendments of general application or broad-area application are exempt from the requirements of mailed notice requirements to individual landowners.

- (3) Approval Standards for Map Amendments.

- A. The proponent of any zoning map amendment bears the burden of proof to show that the following criteria are met:

- i. The map amendment does not single out a parcel of land for a zoning classification that would promote a land use that is incompatible and inconsistent with the existing or planned uses of the surrounding area;
- ii. The map amendment is in accordance with the County's land use plan and with any municipal plans having jurisdiction.
- iii. The map amendment substantially addresses a public purpose or need that outweighs any detriment to the rights of neighboring property owners;
- iv. In addition, a map amendment may be made at the sole discretion of the Board to classify a parcel of land as Commercial or Industrial that has historically been utilized for commercial or industrial uses if there is verifiable evidence that the use was existing in that location prior to 2000, and has been in continuous use.

- (4) Board Action: The Board shall approve, approve with modifications, or deny all applications for map amendments.

- (5) Effect of Approval: Within 14 days from the date the Board adopts an amendment, the Planning Department shall revise the Official Zoning Map to reflect the amendment, and make this available to the public. The Planning Department shall also file a copy of the revised map with the Park County Clerk. The amendment shall be effective upon filing with the County Clerk unless the Board resolution of approval specifies a later date.

SECTION 5. OVERLAY DISTRICT REGULATIONS

Overlay districts are zoning districts that are superimposed over all other zoning districts and impose additional requirements above those required by the underlying zone. Overlay districts shall be regarded as supplementary to the regulations of any underlying zoning district. Whenever the regulations of the overlay district and any other zoning district conflict, the more restrictive provisions shall apply.

a. Floodplain Overlay District:

- (1) Statutory authority to enforce floodplain development regulations and meet standards for federal flood insurance is derived from the National Flood Insurance Act of 1968 (42 U.S.C. [4001] et seq.) and W.S. § 18-5-201 through 208.
- (2) Findings of Fact:
 - A. The flood hazard areas of Park County are subject to periodic inundation, which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.
 - B. Flood losses may be caused or exacerbated by the cumulative effect of obstructions in areas of special flood hazard that increase flood heights and velocities, and contribute to damages in other areas. Uses that are improperly installed, located, anchored, flood-proofed, elevated or otherwise protected from flood damage contribute to flood losses.
- (3) Statement of Purpose: It is the purpose of these regulations to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions by provisions designed to:
 - A. Protect human life and health;
 - B. Minimize expenditure of public money for costly flood control projects;
 - C. Minimize the need for rescue and relief efforts associated with flooding and undertaken at the expense of the general public;
 - D. Minimize prolonged business interruptions;
 - E. Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in areas of special flood hazard;

- F. Help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas
- G. Have minimal adverse impact on adjacent properties within and near flood prone areas:
- H. Ensure that the flood storage and conveyance functions of the floodplain are maintained;
- I. Minimize the impact of development on the natural, beneficial values of the floodplain;
- J. Prevent floodplain uses that either hazardous or environmentally incompatible; and
- K. Meet community participation requirements of the National Flood Insurance Program.

(4) Objective - Reducing Flood Losses: In order to accomplish its purposes, these regulations include methods and provisions for reducing flood losses through:

- A. Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in flood height, velocity or erosion;
- B. Requiring uses vulnerable to floods, including facilities that require a waterfront location, are protected against flood damage at the time of initial construction;
- C. Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
- D. Controlling filling, grading, dredging, and other development which may increase flood damage;
- E. Preventing or regulating the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards in other areas.

(5) General Provisions

- A. These floodplain regulations apply to all areas of special flood hazard within the jurisdiction of Park County.
- B. Special Flood Hazard Areas: For the purposes of these regulations, the following studies and / or maps are adopted per procedures outlined in W.S. §18-5-202 (b) and (c) for the preparation and amendment of zoning regulations. The areas of special flood hazard identified by the Federal Emergency Management Agency in a scientific and engineering report entitled "Flood Insurance Study for Park County, WY" dated June 16, 2010, with accompanying Flood Insurance Rate Maps (FIRMS). Such maps and/or studies and any adopted revisions are on file at the Park County Planning & Zoning Office.
 - i. The 2010 Park County FIRM's do not identify base flood elevation or floodway data. The Floodplain Administrator shall obtain, review and

reasonably utilize scientific or historic base flood elevation data available from other sources to establish a base flood elevation. Other studies and / or maps that may be relied upon for establishment of the flood protection elevation, delineation of the 100-year floodplain or other areas of special flood hazard, include but not limited to information from:

- a. Corps of Engineers Floodplain Information Reports;
 - b. U.S.D.A. Natural Resources Conservation Service and Conservation Districts;
 - c. Any hydrologic and hydraulic engineering analysis authored by a registered Professional Engineer in the State of Wyoming and approved by Park County;
 - d. Other sources acceptable to the Board of County Commissioners.
- ii. A person contesting the establishment of county determined flood hazard areas may appeal to the Board of County Commissioners (Ch. I Sec.6 Appeals).
- C. Compliance: It shall be unlawful for any person to begin construction or other development activity including but not limited to filling, bank stabilization; grading; construction; alteration, remodeling, or expanding any structure; or alteration of any watercourse wholly within or partially within any identified special flood hazard area unless a floodplain development permit is obtained from the Floodplain Administrator. Such a permit shall show that the proposed development activity is in conformity with the provisions of these regulations.
- D. Abrogation and Greater Restrictions: These regulations are not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where these regulations and another regulation, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.
- E. Interpretation: In the interpretation of these regulations, all provisions shall be considered as minimum requirements, liberally construed in favor of the governing body, and deemed neither to limit nor repeal any other powers granted under state statute.
- F. Warning and Disclaimer of Liability: The degree of flood protection required by these regulations is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. These regulations do not imply that land outside the areas of special flood hazards or uses permitted within such areas of special flood hazards will be free from flooding or flood damages. These regulations shall not create liability on the part of Park County, any officer, employee or officials thereof, the Wyoming Emergency Management Agency, or the Federal Emergency Management Agency for any flood damages that result

from reliance on these regulations or any administrative decision lawfully made thereunder.

(6) Administration:

- A. Designation of the Local Administrator: The Planning Director is hereby appointed to administer and implement these regulations in accordance with its provisions.
- B. Duties and responsibilities of the Floodplain Administrator shall include, but are not limited to:
 - i. The Floodplain Administrator shall make interpretations where needed as to the location of areas of special flood hazard in relation to proposed development. If the proposed development is clearly outside of the flood hazard area, the Floodplain Administrator may waive the flood permit requirement. Where it is unclear whether a development is in a special flood hazard area, or there is a conflict between mapped boundaries and actual field conditions, the Floodplain Administrator may require information prepared by a certified engineer or registered land surveyor to clarify location.
 - ii. Issue permits to develop in special flood hazard areas when the provisions of these regulations have been met, or refuse to issue the same in the event of noncompliance;
 - iii. Review proposed developments to assure all necessary federal and state permits have been or will be obtained;
 - iv. Enforce the provisions of these regulations;
 - v. Inspect buildings and lands to determine whether any violations of these regulations have been committed;
 - vi. Permanently keep all records for public inspection necessary for the administration of these regulations including Flood Insurance Rate Maps, Letters of Map Amendment and Revision, records of issuance and denial of permits to develop in special flood hazard areas, determinations of whether development is in or out of special flood hazard areas for the purpose of issuing floodplain development permits, elevation certificates, variances, and records of enforcement actions taken for violations of these regulations;
 - vii. Notify adjacent communities and the Wyoming Office of Homeland Security prior to any alteration or relocation of a watercourse and submit evidence of such notification to FEMA.
- C. Floodplain Development Application: An application for a floodplain permit shall be required for specified development activities located wholly or partially within an identified special flood hazard area. Such application shall be made by the owner of the property or authorized agent, herein referred to as the applicant, prior to the actual commencement of any development activity on a form furnished for that purpose.

- i. A development site may be removed from the flood hazard area through Letter of Map Change (LOMC), an official FEMA determination to amend or revise effective Flood Insurance Rate Maps and Flood Insurance Studies. It is the responsibility of the applicant to have technical data prepared in a format required for a Letter of Map Change and submitted to FEMA. An accessible site with a LOMC will not require a county floodplain permit.
 - ii. Emergency Waiver: An emergency waiver is granted by the Floodplain Administrator when immediate action is required to protect public health, safety and welfare, property and the environment. In certain cases this waiver may be granted verbally prior to the emergency repair. The property owner must obtain a permit following the emergency situation. An emergency waiver does not constitute a permanent permit.

- D. Permit Application: A completed application for a floodplain permit shall include information and materials specified on the permit for a given activity.
- E. Decisions on Floodplain permits: Requests for a floodplain permit shall be reviewed by the Board as a discretionary permit requiring a public hearing. Approval or denial of a permit shall be based on all the provisions of these regulations and the following relevant factors:
 - i. The danger to life and property due to flooding or erosion damage;
 - ii. The susceptibility of the property to flood damage and the effect of such damage on the owner;
 - iii. The danger that materials may be swept onto other lands to the injury of others;
 - iv. The compatibility of the proposed use with existing and anticipated development;
 - v. The safety of access to the property in times of flood for ordinary and emergency vehicles;
 - vi. The costs of providing governmental services during and after the flood conditions, including maintenance and repair of streets, bridges, public utilities and facilities;
 - vii. The sedimentation of the flood waters;
 - viii. The necessity for a waterfront location;
 - ix. The availability of alternative locations not subject to flooding or erosion damage;
 - x. The relationship of the proposed use to the Land Use Plan.

- F. Inspections: The Floodplain Administrator may make periodic inspections at appropriate times throughout the period of construction in order to monitor compliance with permit conditions.
- G. Floodplain Development Permit Expiration: A floodplain development permit shall expire one (1) year after issuance unless the permitted activity has been substantially begun and is thereafter pursued to completion. The permit may

be extended for 6 months through administrative approval for good cause shown.

- H. Revocation of Floodplain Permit: A floodplain development permit shall be revocable if the actual development activity does not conform to the terms of the application and permit granted thereon. In the event of a notice of revocation of a permit, the aggrieved party may appeal the decision to the Board of County Commissioners.

(7) Subdivision proposals with any lots in a flood zone:

- A. All subdivision proposals shall be consistent with the need to minimize flood damage;
- B. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;
- C. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage;
- D. Base flood elevation data / flood study shall be required for subdivision proposals and other development more than 50 lots or five acres, whichever is less, unless the area within the flood zone is set aside as open space

(8) Structures within Flood Zone: Structures in the SFHA must be 'reasonably safe from flooding'.

- A. Residential Structures: the lowest floor (or the metal frame for mobile / manufactured homes) of all new and substantially improved structures must be elevated a minimum of 2 feet above BFE or 3 feet above HAG:
 - i. Elevated on foundation walls, post, piers;
 - ii. Elevated on Fill;
 - iii. In addition to elevation, mobile / manufactured structures not installed on permanent foundations meeting IRC or UBC codes must meet the following anchoring standards:
 - a. Over-the-top ties provided at each of the four corners of the manufactured or mobile home, with two additional ties per side at intermediate locations, with manufactured or mobile homes less than 50 feet long requiring only one additional tie per side;
 - b. Frame ties provided at each corner of the home with five additional ties per side at intermediate points, with manufactured or mobile homes less than 50 feet long requiring only four additional ties per side;
 - c. All components of the anchoring system shall be capable of carrying a force of 4,800 pounds;
 - d. Any additions to the manufactured or mobile home shall be similarly anchored.

B. Non-residential structures: New or substantially improved non-residential structures must be elevated 2 feet above BFE, or 3 feet above HAG, except:

i. Accessory Structures: Carports, gazebos, picnic pavilions, decks etc. that do not have at least two rigid walls are not considered buildings for flood management purposes, thus do not need to be elevated or flood-proofed, but must be anchored and constructed using flood resistant materials.

a. Fences: Open fences (wire) require no review or permit. Larger fences, especially closed fences perpendicular to flow, or fences that would be likely to collect debris that could create an obstruction must be evaluated for the potential to impact neighbors, so require a permit.

b. Decks: on-grade or below grade decks of concrete, rock and brick are exempt from review.

c. "Low-value" accessory structures (<10 % of value of property) like a single detached garage, storage shed or pole barn may be built on-grade with flow-thru venting, anchored, and built of flood resistant materials.

ii. Agricultural Structures: May be built to wet flood-proofed standards, along with venting and anchoring requirements with a variance.

C. Recreational vehicles placed within a flood zone must:

i. be on-site for less than 180 consecutive days;

ii. be fully licensed and ready for highway use (on wheels with quick disconnect utilities and no permanent additions), OR

iii. meet elevation and anchoring requirements for manufactured homes.

D. Other development requiring permits:

i. Bridges and culverts;

ii. Pipelines or other major utility lines;

ii. Bank stabilization;

iii. Placement of fill, grading, dredging, flood barriers, watercourse alterations.

a. Alteration or relocation of a watercourse requires certification from an engineer, surveyor or other qualified professional that the flood carrying capacity is maintained.

(9) Construction Standards in the SFHA:

- A. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant or impervious to flood damage;
- B. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage;
- C. For fully enclosed areas below the lowest floor, openings are required that automatically equalize hydrostatic flood forces:
 - i. A minimum of two openings that must be 1 square inch per 1 square foot of enclosed area;
 - ii. Openings must allow automatic entry and exit of flood waters;
 - iii. No more than 1 foot above ground.
- D. Utilities:
 - i. All new construction and substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
 - ii. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
 - iii. New and replacement sanitary sewage systems shall be located and designed to minimize or eliminate infiltration of flood waters into the system, and discharge from the system into flood waters.

b. Airport Overlay District:

- (1) Purpose and Intent: The Board hereby finds that obstructions to airport operations endanger the lives and property of users of public airports in Park County and property or occupants of land in the vicinity thereof. If the obstruction type reduces the size of the area available for the landing, takeoff, or maneuvering of aircraft, thus destroying or impairing the utility of public use airports within Park County and the public investment therein, then it is declared that the creation or establishment of an airport obstruction is a public nuisance and an injury to the region served by the public airports in Park County, and it is necessary in the interest of the public health, safety, morals, and general welfare that the creation or establishment of airport hazards be prevented, and the prevention of these hazards should be accomplished to the extent legally possible by the adoption and implementation of airport obstruction regulations. The Board further declares that the prevention of airport obstructions and establishment of airport safety regulations along with the elimination, removal, alteration, mitigation, or marking and lighting of existing airport hazards is in the public interest.
- (2) Applicability: In order to carry out the provisions of these regulations, there are hereby created and established airport zones which include all of the land lying within the runway protection zones, transitional zones, horizontal zones, and conical zones as they apply to a public airport, as shown in the most current

approved airport plans. The various zones are hereby established and defined as follows:

- (3) Runway Protection Zones: The runway protection zone consists of those areas depicted on the Airport Airspace Drawing, and includes the horizontal, conical, approach, and primary surfaces which pertain to Federal Aviation Regulations (FAR), Part 77. Within the runway protection zone are the following defined sub-zones:
 - A. Utility Runway Visual Approach Sub-Zone: The inner edge of this approach zone coincides with the width of the primary surface and is 250 feet wide. The approach zone expands outward uniformly to a width of 1,250 feet at a horizontal distance of 5,000 feet from the primary surface, its centerline being the continuation of the centerline of the runway.
 - B. Runway Larger than Utility with a Visibility Minimum Greater Than 3/4-Mile Non-Precision Instrument Approach Sub-Zone: The inner edge of this approach zone coincides with the width of the primary surface and is 500 feet wide. The approach zone expands outward uniformly to a width of 3,500 feet at a horizontal distance of 10,000 feet from the primary surface, its centerline being the continuation of the centerline of the runway.
 - C. Transitional Sub-Zone: These zones are hereby established as the area beneath the transitional surfaces. These surfaces extend outward and upward at 90 degree angles to the runway centerline and the runway.
 - D. Horizontal Sub-Zone: The Horizontal zone is hereby established by swinging arcs of 10,000 foot radii from the center of each end of the primary surface of each runway, and connecting the adjacent arcs by drawing lines tangent to those arcs. The horizontal zone does not include the approach and transitional zones.
 - E. Conical Sub-Zone: The conical zone is hereby established as the area that commences at the periphery of the horizontal zone and extends outward there from a horizontal distance of 4,000 feet. The conical zone does not include the precision instrument approach zones and the transitional zones.
- (4) Airport Zone Height Limitations: Except as otherwise provided for in these regulations, no structure or tree or use of land shall be erected, altered, allowed to grow, or be maintained in any zone created by these regulations to a height in excess of the applicable height limit herein established for such zone or sub-zone. Where an area is covered by more than one zone, the more restrictive height limitation shall prevail. The following applicable height limitations are hereby established for each of the zones and sub-zones as follows:
 - A. Utility Runway Visual Approach Sub-Zone: This zone is defined as sloping upward 20 feet horizontally for each foot vertically, beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.
 - B. Runway Larger Than Utility with A Visibility Minimum Greater Than 3/4-Mile Non-Precision Instrument Approach Sub-Zone: This zone is defined as

sloping upward 34 feet horizontally for each foot vertically, beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline.

- C. Transitional Sub-Zones: This zone is defined as sloping upward and outward 7 feet horizontally for each foot vertically beginning at the sides of and at the same elevation as the primary surface and the approach zones, and extending to a height of 150 feet above the airport elevation. In addition to the foregoing, there are established height limits sloping upward and outward 7 feet horizontally for each foot vertically beginning at the sides of and at the same elevation as the approach zones and extending to where they intersect the conical surface.
- D. Horizontal Sub-Zone: This zone is defined as sloping 150 feet above the airport elevation.
- E. Conical Sub-Zone: This zone is defined as sloping upward and outward 20 feet horizontally for each foot vertically, beginning at the periphery of the horizontal zone and at 150 feet above the airport elevation and extending to a height of 350 feet above the airport elevation.
- F. Excepted Height Limitations: Nothing in these regulations shall be construed as prohibiting the growth, construction, or maintenance of any structure, tree, or use to a height up to 35 feet above the surface of the existing ground elevation on the land.

(5) Use Restrictions

- A. General: Notwithstanding any other provisions of these regulations, no use may be made of land or water within the airport zones established by these regulations in such a manner as to create electrical interference with navigational signals or radio communications between the airport and aircraft, to make it difficult for pilots to distinguish between airport lights and other lights, to result in glare in the eyes of pilots using the airport, to impair visibility in the vicinity of the airport, or to otherwise create in any way a hazard, or endanger the landing, takeoff, or maneuvering of aircraft intending to use the public airport in Park County. Any land or water use which would tend to promote or increase wildlife, waterfowl, or bird populations, and thereby increase the likelihood of a wildlife or bird strike problem shall be reviewed by public airport officials and the Board of County Commissioners. Notwithstanding any other provisions of these regulations, no use may be made of land or water within the approved runway protection zones established by these regulations in a manner which would promote or increase large congregations of people and/or above ground storage of flammable substances without prior review by the public airport officials and approval of a Special Use Permit by the Board of County Commissioners.
- B. Specific Uses: The uses listed in Table 4-8 Special Uses in Airport Overlay Zones, when located in an Airport Overlay Zone, shall require a Special Use Permit in accordance with Special Use Permits. In case of a conflict between Table 4-8 and Table 4-1 Schedule of Uses, the more restrictive requirements shall apply.

TABLE 4-8. SPECIAL USES IN AIRPORT OVERLAY	
Residential Uses Employee housing Mobile home park Multi-family housing	Temporary Uses Special events Temporary heliports
Residential Businesses Cottage industry	Transportation Uses Commercial airport Heliports Landing strip
Public & Quasi-Public Uses Community uses Major community use Major utility use	
Institutional Uses General institutional uses Correctional facility Residential religious uses Residential schools Major institutional use	Recreation Uses Outdoor recreation facilities Major recreation facilities Campgrounds Dude ranches and resorts

- (6) Nonconforming Uses: The Airport Obstruction Regulations shall not be construed to require the removal, lowering, or other changes to, or alterations to any structure, tree, or use of land not conforming to these regulations as of the effective date of these regulations, or otherwise interfere with the continuance of a nonconforming use. Nothing contained within the Airport Obstruction Regulations shall require any change in the construction, alteration, or intended use of any structure, the construction or alteration of which was begun prior to the effective date of these regulations (October 20, 1987).
- (7) Marking and Lighting: Notwithstanding the provisions of Ch. IV Section 3b (2) Nonconformities, the owner(s) of any existing nonconforming structure or tree is hereby required to permit the installation, operation, and maintenance thereon of such markers and lights as shall be deemed necessary by the Park County Commissioners. The purpose of said markers and lights is to indicate to the operators of aircraft in the vicinity of the airport the presence of such airport hazards. The following procedures shall be used to determine whether marking and lighting are required for any nonconforming use.

- A. Investigation: Any airport Board and/or officials representing the public airport shall make an identification investigation in a comprehensive nature to determine airport hazards.
- B. Board Hearing: Upon recommendation from such airport officials, the Board of County Commissioners shall hold a public hearing to hear public comment regarding the placement of recommended marking and lighting.
- C. Board Action: The Board shall act to approve or deny the recommendation. The decision of the Board shall be issued in letterform to the landowners affected by the proposal to place markers and lights.
- D. Marker Expenses: All markers and lights shall be installed, operated, and maintained at the expense of the owner of the public airport.

(8) Permits and Approvals:

- A. Zoning Permit: No zoning permit shall be granted which would allow the establishment or creation of an airport hazard, or permit a nonconforming use, structure, or tree to become a greater hazard to air navigation than it was on the effective date of these standards and regulations (October 20, 1987) or any amendments thereto.
- B. Discretionary Development Applications: The Planning Staff shall refer to the airport officials all discretionary development applications for land within the runway protection zone. The airport board shall review the application and recommend approval, conditional approval, or denial of the application to the Planning & Zoning Commission and/or Board of County Commissioners.

c. Agricultural Overlay District

- (1) Purpose: The changing nature of land use and demography in particular parts of and throughout Park County has increased the incidence of conflict between agricultural operators and visitors to and residents of Park County. Such conflicts may threaten the economic viability of agricultural operations and arise from harassment of livestock and livestock losses due to free roaming dogs; trespass by livestock; leaving of gates open; fence construction and maintenance; problems with the maintenance of ditches across private property and burning of ditches; complaints about noise, dust, odors and light; weed and pest control; and trespass. The Board of County Commissioners or Planning & Zoning Commission shall review all the discretionary development applications in the Agricultural Overlay (AGO) district or on land adjoining the AGO district to identify impacts to commercial agriculture.
- (2) District Boundaries: Boundaries of the AGO district are depicted on the Official Zoning Map. The provisions of this section shall apply to the entirety of any parcel that is divided by the AGO district boundary line.
- (3) Agricultural Impact Review: The Board of County Commissioners and Planning & Zoning Commission shall review all discretionary development applications in the

AGO district, or on lands adjoining the AGO district, to identify impacts to commercial agriculture as follows:

- A. Impacts on Agricultural Operations: The Board or Commission shall examine the effects of non-agricultural development on nearby commercial agricultural operations in the AGO district not including agricultural operations of the applicant, if any. The review may identify reasonable changes to the design or operating features of a development that shall be implemented to mitigate adverse impacts to commercial agriculture. Such requirements may include, but are not limited to: control of weeds, pests and litter; confinement of domestic pets that may threaten livestock; and protection and maintenance of irrigation facilities and ditches that cross private property.
 - B. Vulnerability of Use to Agricultural Practices: Examine whether the proposed use will be particularly vulnerable to problems resulting from exposure to legal and generally accepted commercial agricultural practices in the vicinity. Uses that will be vulnerable to agricultural noise, dust, odors, light, etc., shall be designed and operated to minimize such problems.
 - C. Use of Marginal Land: Examination of the location of the proposed non-agricultural development relative to the conversion of productive agricultural land to non-agricultural use. Applicants shall minimize such conversion by locating non-agricultural use on the least productive or agriculturally-marginal portions of the applicant's property if this is practical given consideration of other factors involved in siting the use.
 - D. Limitations on Review: This review shall not be used as a basis for denial of approval for any use that is permitted by right or by Special Use Permit in the zoning district in which the subject property is located.
- (4) Major Utility Facilities: Major utility facilities shall be sized to serve existing or planned uses within the AGO district and shall not be over-sized so as to induce or facilitate additional development within the AGO district. Major utility facilities shall be sited to minimize the disruption of agricultural operations.
- (5) Extension of Overlay District:
- A. Procedure: The Board of County Commissioners may include additional land in the AGO district pursuant to the procedures for zoning map amendments.
 - B. Requirements: Lands added to the AGO district shall be areas dominated by commercial agriculture. Areas may be included in the AGO district based on consideration of the following characteristics:
 - i. Predominant soil types are favorable for agricultural production;
 - ii. Most land is currently in production;
 - iii. Parcels are generally large enough to support commercial agriculture;
 - iii. Outside areas identified for future urban expansion;
 - iv. Any other characteristic deemed pertinent by the Board or Commission.

CHAPTER V

ROAD & BRIDGE STANDARDS & SPECIFICATIONS

SECTION 1. Introduction

- a. **Purpose and intent:** The Park County Road & Bridge Standards, hereinafter referred to as “Standards,” establishes a uniform road development policy throughout Park County.

The purpose and intent of these Standards is to provide safe and attractive travel corridors, efficient traffic flow, effective maintenance and to protect the public investment in the infrastructure.

Procedures are outlined in these Standards for the design and construction of roads and bridges within Park County. The County may accept other rights-of-way and roads; however, that does not constitute an acceptance of maintenance responsibilities. Acceptance of maintenance responsibilities is at the sole discretion of the Board of County Commissioners.

Except as otherwise provided for in the Park County Development Standards and Regulations, these Standards apply to all roads within the County that are properly established County roads, roads constructed or to be constructed within established County rights-of-way and those roads accessing any division of land created under the Wyoming Real Estate Subdivision Act, W.S. §18-5-301 through 316.

- b. **Authority:** The State of Wyoming, by W. S. §24-1-104, “Management and Control of County Roads,” authorizes the Board of County Commissioners to administer the County road system including, but not limited to, maintenance, layout, establishment, alterations, vacations, property acquisition and traffic regulations.

W.S. §18-2-101, “General Powers” and §18-3-504, “Powers and Duties” authorizes the Board of County Commissioners to manage the business and concerns of the County in the exercise of its corporate or administrative powers.

W. S. §24-3-101, et seq. outlines the authority and procedures to be followed in the establishment, vacation or alteration of County highways. These Standards are considered minimum and are not intended to replace or to conflict with this nor any other federal or state law or regulation. Should there be a conflict, the more stringent law, regulation or statute shall apply. Wyoming Statute W.S. §18-5-306 (a)(vii) provides for a county’s authority over subdivision roads, and W.S. §18-5-201, et seq., provides for a county’s authority over the use and occupancy of lands.

W.S. § 35-10-401 provides that public highways, including county road rights-of-way, shall not be obstructed, and provides for criminal penalties. W.S. §6-6-301 through 307, prohibits unlawful conduct within governmental facilities, including land under the control of a governmental body. W.S. §24-6-101 through 111, provides counties with additional authority over access issues related to public highways.

The County Engineer and the Road & Bridge Foreman have been delegated authority by the Board of County Commissioners to enforce these Standards, issue Rights-of-Way permits, hereinafter referred to as "ROW Permit(s)," review plans and conduct inspections. The County Engineer and/or a Road & Bridge Foreman may designate a designee as appropriate to enforce these Standards.

- c. **Types of Roads:** Roads contained in the County-wide circulation system are classified based on the functional use and traffic volumes. Ownership of the road rights-of-way and who has responsibility for maintenance is determined in accordance with state statutes. Establishment of the road rights-of-way does not guarantee the road is eligible for or maintained by the County.

Examples of road types are as follows:

- (1) County owned and maintained roads: Under this category, Park County, through the Board of County Commissioners, in accordance with State Statute has accepted the road rights-of-way and has assumed responsibility for the road maintenance.
- (2) County owned roads, but maintained by others: In certain cases, private property owners using County owned roads for access desire a higher level of service than the County provides. In such cases, the County and property owners may reach an agreement assigning maintenance responsibilities to the property owners.

In other cases, County owned roads may be maintained by an adjacent town. Such arrangements have been made when it makes more sense for the town to maintain a portion of a County road because of its location and its connection to town streets in exchange for the County maintaining sections of outlying town roads.

- (3) County road rights-of-way not maintained by County: In some instances the County has accepted road rights-of-way but does not routinely maintain the roadway. These rights-of-way are available for the use of the public or reserved for the future needs of the County.
- (4) Privately owned and maintained roads: This category includes all roads where the adjacent property owners retain ownership interests in the road rights-of-way, and generally hold responsibility for maintenance. Included are subdivision roads, whether private or available for public travel.

Current road functional classifications include Primary (Arterial), Secondary (Collector), Residential, Local Access and Recreational. Definitions of each category are contained in Chapter V, Section 2.b. of these Standards.

- d. **Road Numbering:** All County roads within Park County are assigned a County road name or number which is used for identification purposes to help speed emergency access by fire and ambulance, and to assist in locating utilities. County road names or numbers do not necessarily mean the roads are established as County roads or are maintained by the County.

- e. **Application of Standards:** All new road and bridge construction, and any upgrading of the existing roads or bridges, commencing after the effective date of these Standards shall adhere to these Standards unless an Administrative Relief is granted in accordance with Chapter V, Section 7, et seq. of these Standards.

- f. **Upgrading of existing County roads:**

- (1) Upgrading needed to accommodate new development: Where new development is proposed along existing County roads, the developer's proposal, if required by the County Engineer, shall include an analysis of the projected traffic volumes and impacts, along with information on existing road widths, curves, intersections and drainage. This information shall be reviewed by the County

Engineer and recommendations shall be made as to what improvements are necessary to accommodate the ultimate traffic to be generated by the new development.

If requested by the County Engineer, a traffic impact study in accordance with accepted traffic engineering standards shall be submitted by the developer.

These Standards establish maximum traffic volumes for certain classifications of roadways as stated in Table 5-1. If a proposed development will cause these maximum limits to be exceeded on the adjacent roads, the developer may be subject to "Upgrading existing roads" (h)(1)(a)(ii).

Table 5-1 DESIGN CAPACITY FOR CLASSES OF ROADWAYS	
CLASSIFICATION	ADT
Primary (Arterial)	>700
Secondary (Collector)	100 - 700
Residential	≥99
Local Access	<99
Recreational	N/A

(2) Upgrading requested by property owners: Upgrading existing substandard roads within a subdivision shall be at the expense of the property owners served by such roads. Upon request of the property owners, the County may assist in the formation of a Local Improvement District as provided by W.S. §18-12-101 et seq. Completion of the improvements does not in itself constitute acceptance by County for maintenance.

g. Construction of new roads:

(1) New roads to be built by developers: Where new roads are proposed to be built by a developer, the developer's proposal shall include an analysis of the projected traffic volumes, information on topography, drainage and extent of cuts and fills, along with construction plans and specifications. The road design and construction specifications shall be reviewed and approved by the County Engineer in conjunction with the preliminary plat, or if no plat is required, prior to commencement of construction. The total cost of roads required to serve new development shall be borne by the developer. It shall be the developer's obligation to obtain all necessary rights-of-way, permits, agreements and easements prior to approval of construction plans.

h. Upgrading existing roads:

(1) Design Standards: Roads requiring upgrading or improvement shall be built according to these standards.

(a) Serving new developments:

(i) Requirement for upgrading: Existing County roads serving a new development or an area proposed for either platting or re-platting may be required to be upgraded to the Standards when one (1) or more of the following conditions occur:

- (A) Existing roads which do not meet these Standards for the classification are improved or modified;
 - (B) Existing roads meet local access standards, but the projected ADT will exceed one hundred (100);
 - (C) Existing roads meet local access standards, but the projected ADT exceeds the maximum for local access;; and/or
 - (D) The County Engineer determines that a threat to public safety and welfare exists due to the increase in traffic volumes caused by the new development.
- (ii) Payment of costs: The developer may be responsible for a portion of costs incurred to upgrade existing County roads. The portion of costs to be paid by the developer shall be determined using a formula of proportionality as agreed upon by the County Attorney and the Board of County Commissioners. Administrative Relief from this requirement MAY be granted in accordance with Section 7 of these standards.
- i. **Permits for road and bridge construction:** Prior to the commencement of construction within the County rights-of-way of any road, bridge, structure or facility, the project proponent shall obtain approval of construction plans and have obtained a County ROW Permit from the County Engineer in accordance with Chapter V, Section 4, et seq., of these Standards. County projects are exempt from obtaining ROW Permits, but are not exempt from complying with these Standards.
- j. **Establishment, vacation or alteration of County roads:** Any party wishing to initiate a road or easement (establishment, vacation or alteration) must conform to the statutory requirements of W.S. §24-3-101, et seq.

SECTION 2. Road & Bridge Design Criteria.

- a. **Purpose and intent:** This section sets forth specific standards for roadway and bridge design in Park County, and is intended for use by design engineers and developers. These Standards establish criteria for roadways in the County to be used by the traveling public, to assure their health, safety and welfare and to assure County resources and funds will not need to be expended to later rectify inadequately designed and constructed facilities.

The basis for design used in these Standards is AASHTO, A Policy on the Geometric Design of Highways and Streets. The basis for construction used in these Standards is the WPWSS (Wyoming Public Works Standard Specifications).

All applicable specifications of agencies or organizations listed in Appendix 25 are made a portion of these Standards by reference, and shall be the latest edition or revised thereof. It is recognized guidelines and standards within various agencies and organizations identified in Appendix 25 may identify options or alternatives to these Standards. These options or alternatives may be incorporated into designs provided they are approved in advance by and at the sole discretion of the County Engineer.

Materials including, but not limited to, culverts, signs and conduits, shall be new unless approved by the County Engineer.

b. Road classification: County roads are classified according to functional classifications. Functional classifications shall be established by the County Engineer and the Road and Bridge Foreman. The County Engineer will determine which classification applies to any given road. Criteria used to design roadways are based on their functional classification and traffic volume. For planning purposes, Park County uses the following functional classifications:

- (1) Primary roads (arterial): They provide a means of intra-county travel. Primary roads should provide for relatively high overall travel speeds with minimum interference to through movements. Typically the average daily traffic (ADT) is greater than seven hundred (700) vehicles per day (VPD).
- (2) Secondary roads (collector): Secondary roads serve as collectors of traffic from residential and recreational areas to the primary road system. Secondary roads provide a link between local roads and arterial, and allow for the movement of through traffic in neighborhoods. Secondary roads should be designed so they do not disrupt the activities and land uses they serve. Secondary roads should provide for relatively high overall travel speeds. In addition, access to secondary roads should be designed so as to minimize interruption of traffic flows. Typically the ADT is greater than one hundred (100) VPD but less than seven hundred (700) VPD.
- (3) Residential roads: Residential roads are primarily for the use of local residents within the neighborhood and for providing access to the secondary and primary road system. This type of road is for use by property owners, the general public, and service vehicles such as trash trucks, delivery trucks and snowplows. Typically the ADT is greater than ninety-nine (99) VPD.
- (4) Local access roads: Generally, local access roads provide access to private property such as farm, ranch or sparsely populated residential areas. Typically the ADT is less than ninety-nine (99) VPD.
- (5) Recreational roads: Recreational roads provide access to few, if any, year round residents.

c. Road design:

- (1) Future planning: Prior to the design of a new road, projections of future development and densities, estimates of future traffic volumes and appropriate classifications and design speeds shall be determined if required by the County Engineer. The road classification determines the geometric cross section and maximum sustained grades, while the design speed determines minimum or maximum standards for elements of alignment such as stopping and passing sight distances, radii of curvature, tangent lengths and superelevation transition lengths.
 - (a) Design period: roadway design shall be based on the projected needs twenty (20) years after construction.
 - (b) Projected development: Projections of development over the design period shall be based on zoning, existing land use, proximity to developed areas, historic growth and other factors, such as County or Municipal development plans which can be expected to influence development.
 - (c) Projected traffic volumes: Table 5-2 illustrates traffic generated for various types of development. For example, residential property generates an ADT count of ten (10) trips per unit. These per unit ADT counts are applied to the projected development to generate estimates of the design year traffic volumes. When per unit ADT counts are not listed for a type of development,

or an ADT has not been established for a particular category or location by the County Engineer, the design engineer shall use an acceptable reference approved by the County Engineer such as the ITE "Trip Generation Handbook," current edition, to obtain the appropriate ADT count.

- (d) Access to subdivisions shall be from roads constructed within dedicated public rights-of-way, private road rights-of-way or recorded perpetual easements. Two (2) points of access into the subdivision shall be provided if the proposed subdivision contains twenty (20) or more lots.
- (e) Road rights-of-way shall be provided from the proposed subdivision roads or streets to adjacent or adjoining lands if such easements or rights-of-way would improve access to the potentially developable lands or potentially landlocked lands and would facilitate the development of a coordinated road system developing within the area.
- (f) Roads shall be designed and aligned to join with planned or existing roads.

Table 5-2 PER UNIT AVERAGE DAILY TRAFFIC

TYPE	UNIT	PER UNIT ADT
Residential	Per dwelling unit	10.0
Condominium/Townhouse	Per dwelling unit	7.0
Mobile Home Park	Per mobile home	5.0
Hotel	Per room	9.0
Restaurant	Per 1,000 S.F. gross	90.0
Commercial	Per 1,000 S.F. gross	115.0
Office	Per 1,000 S.F. gross	11.0
Campground	Per space	7.0
RV Park	Per space	7.0
Super Market	Per 1,000 S.F. gross	102.0
Other uses as referenced in the Park County Development Standards and Regulations, Table 2.1, Schedule of Uses		Per Unit ADTs shall be approved by the County Engineer

(2) General design elements:

- (a) Design capacities: Table 5-1 presents the range of ADT's anticipated for classes of roadways. If traffic volumes on a particular road exceed the range specified for its functional classification, the road shall be reclassified to the appropriate category. However, roads may carry lower volumes than stated for their functional classification without being reclassified. In such cases, the function of the road rather than traffic volumes will determine design requirements. All road classifications must be approved by the County Engineer.
- (b) Design speed: The selection of design speed is influenced principally by the character of terrain, traffic volumes and appropriate range of design speeds for each road classification.

- (c) Surfacing requirements: All roads serving areas or subdivision roads expected to carry a traffic volume of one hundred (100) ADT or greater shall be paved. Other roads may have a gravel or paved surface.
- (d) Right-of-Way: The minimum right-of-way widths required for each road classification are specified in Table 5-3. Additional rights-of-way may be required for drainage improvements, cuts or fills, intersections, curb returns, snow storage and other road appurtenances.

Table 5-3 SUMMARY MINIMUM OF ROAD DESIGN ELEMENTS

DESIGN ELEMENT	PRIMARY	SECONDARY	RESIDENTIAL	LOCAL ACCESS	RECREATIONAL
Right-of-Way(min)(ft)	80	60	60	60	40
Minimum Recommended Design Speed (mph)	65	60	40	40	30
Number of Lanes	2-4	2	2	2	2
Lane Width (ft)	12	12	12	12	10
Shoulders (ft)	6	4	2	NA	NA
Maximum Sustained Grade	6%	6%	6%	8%	10%
Bridge Width (min)(ft)	36	32	24	24	24
Design Loading	HS20-44	HS20-44	HS20-44	HS20-44	HS20-44
Return Radius (ft)	35	30	25	20	20
Typical Speed Limit	65	55	30	30	30
Cross Slope w/o Super Elevations (%)	4 (max)	4 (max)	4 (max)	2 (min)	2 (min)
Max. Super Elevation (%)	4	4	4	4	4
Minimum Road Grade (%)	0.5	0.5	0.5	0.5	0.5
Maximum Road Grade (%)	6	6	6	6	8
Maximum Grade at Intersection	2% for 400'	2% for 300'	4% for 150'	4% for 100'	4% for 100'
Minimum Pavement Sections: Full Depth HMA Composite (HMA/Crushed Gravel)	8" N/A	6" 3"/8"	6" 3"/6"	6" NA/6"	N/A N/A

NOTE: Variations may be approved by County Engineer based on generally accepted engineering practices, references and standards.

- (e) One-Way roads: One-way roads will not be allowed for the following reasons:
 - (i) Property owners at the far end of a one-way loop road tend to take short cuts and drive the wrong way to reach their properties, thus increasing the chances for accidents;
 - (ii) Emergency vehicles must, in certain cases, take a more circuitous route to reach their destinations;
 - (iii) One-way roads can cause confusion for people not familiar with the area; and
 - (iv) In winter, snow plowing often reduces the driving surfaces of roads because snow accumulates along the edges. On one-way roads, this reduction may pose a serious safety problem because it hampers access for emergency vehicles and limits the area available for their operation.
- (3) Specific design elements:
 - (a) Alignment: The major considerations in alignment design are safety, grade, profile, road width, design speed, sight distance, topography, drainage and the maneuverability, braking and performance of heavy duty vehicles. Alignment should provide for safe and continuous operation at a uniform design speed. In mountainous areas, consideration should be given to locating the road so that a southern exposure will be obtained wherever possible to avoid drifting of snow. Road layout should bear a logical relationship to existing or platted roads in adjacent properties and to the principles of good engineering practice.
 - (i) Horizontal alignment:
 - (A) Stopping sight distance: Horizontal alignment must provide at least the minimum stopping distance of the design speed at all points. This includes visibility at intersections as well as around curves and roadside encroachments. The minimum stopping sight distance is the distance required by the driver of a vehicle traveling at the design speed to bring the vehicle to a stop after an object on the road becomes visible. Stopping sight distance is calculated in accordance with the following formula, or Table 5-5, whichever is greater:
$$D = 1.47Vt + \frac{V^2}{30(f + G)}$$

V= speed in MPH
t= reaction time (2.5 seconds)
G=grade, in percent
f=coefficient of sliding friction with f equaling the following factors based on design speed of roadway, from Table 5-4.

Where an object off the pavement restricts sight distance, the minimum radius of curvature is determined by the stopping sight distance, but in no case will it be less than as specified in Table 5-5.

Table 5-4 SIDE FRICTION FACTORS	
DESIGN SPEED (MPH)	f (DESIGN CRITERIA: SNOW PACKED)
20-40	0.24
40-50	0.22
50-60	0.21
60-70	0.20

Offset clearance to achieve stopping sight distance on horizontal curves shall be in accordance with current AASHTO Policy. The centerline of the inside lane is used, with the offset distance measured from the centerline of the inside lane to the obstruction.

- (B) Passing sight distance: Passing sight distance is the minimum sight distance that must be available to enable the driver of a vehicle to pass another safely and comfortably without interfering with oncoming traffic traveling at the design speed. Two-lane roads should provide adequate passing zones. Required passing sight distance for given design speeds is stated in Table 5-5.
- (C) Curvature: Table 5-6 specifies the minimum centerline radius of curvature for specific design speeds. This table is based on speed alone and does not take into consideration sight distance factors. Every effort should be made to exceed the minimum values.

Consistency in design speed and curve radius should be used to avoid surprising the driver. Where changes in the design speed are necessary, the design speed between approach tangents and curves will not change by more than ten (10) MPH. Under no condition will a low speed curve be introduced at the end of a long tangent where high approach speeds are anticipated. Compound curves should be avoided. Reversing curves without an intervening tangent will not be permitted where design speeds exceed twenty-five (25) MPH.

The minimum lengths of such tangents are specified in Table 5-6.

- (D) Curb returns: Minimum curb returns or pavement rounding radii at intersection corners are as follows:

<u>ROAD CLASS</u>	<u>CURB RETURN RADIUS</u>
Primary road	35 Feet
Secondary Road	30 Feet
Residential Street	25 Feet
Local Access	20 Feet

Additional right-of-way may be required to provide a minimum clear distance for fifteen (15) feet between the curb or edge of pavement and the right-of-way limit.

- (E) Intersections: The minimum distance between intersections for various road classifications is as follows:

<u>ROAD CLASS</u>	<u>DISTANCE</u>
Primary Road	1,300 Feet
Secondary Road	600 Feet
Residential Street	300 Feet
Local Access	150 Feet

Distance is measured from the inside edge of each right-of-way.

Table 5-5 MINIMUM STOPPING AND PASSING SIGHT DISTANCE		
DESIGN SPEED (MPH)	STOPPING SIGHT DISTANCE (Feet)	PASSING SIGHT DISTANCE (Feet)
15	125	700
20	125	800
25	150	900
30	200	1,100
35	250	1,300
40	325	1,500
45	400	1,650
50	475	1,800
55	550	1,950

- (ii) Vertical alignment:
- (A) Minimum and maximum grades: Minimum and maximum sustained grades shall be as listed in Table 5-3 except as provided in Item (B) below.

The minimum and maximum design grade should be used infrequently rather than as a value to be used in most cases.

(B) Exceptions to maximum grades: A local access or low volume road may have sections with a maximum grade of ten (10) percent, provided all of the following conditions are met:

- (I) The section shall be no longer than five hundred (500) feet;
- (II) The section shall have a horizontal radius of fifteen hundred (1,500) feet or greater;
- (III) Grades shall not exceed six (6) percent for five hundred (500) feet on either end of the section;
- (IV) Curves with a horizontal radius of less than six hundred (600) feet shall not be within five hundred (500) feet on either end of the section; and
- (V) Land on each side of the section must be designated permanent open space.

Table 5-6 MINIMUM RADIUS OF CURVATURE		
DESIGN SPEED (MPH)	MINIMUM CURVATURE RADIUS (Feet)	MINIMUM TANGENT LENGTHS (Feet)
15	100	50
20	150	75
25	225	100
30	300	150
35	450	200
40	600	250
45	775	250
50	950	250
55	1,200	250

(C) Vertical curves: Vertical curves must be designed to provide adequate stopping and passing sight distance, headlight distance, driver comfort and good drainage.

Minimum lengths of crest vertical curves are controlled by stopping sight distance requirements. The minimum length for sag and crest vertical curves shall be determined by current AASHTO criteria.

Vertical curves that are long and flat may develop poor drainage and should therefore be avoided.

- Vertical curves are not required where the algebraic difference in grade is less than two-tenths (0.2) percent ($A < 0.2$).
- (D) Sight Distance: The grade line must meet sight distance requirements for the design speed.
 - (iii) Switchbacks: A switchback is defined as a curve with a delta greater than one hundred twenty (120) degrees and a radius less than one hundred (100) feet.
 - (A) Use of switchbacks: Switchbacks will not be allowed on primary or secondary roadways. On residential, local access, low volume or primitive roadways when other alternatives may cause significant adverse impacts, the use of switchbacks may be allowed on a case-by-case basis with approval from the County Engineer.
 - (B) Minimum standards: Switchbacks shall be designed for speeds of not more than ten (10) to fifteen (15) MPH. Maximum centerline grades within twenty-five (25) feet of a switchback curve and throughout the curve shall not exceed four (4) percent. Curve widening shall be in accordance with Chapter V, Section 2.c(3)(b)(vii) of these Standards. Minimum centerline radius of the curve will be fifty (50) feet. Adequate area for snow storage shall be provided.
 - (iv) Alignment coordination: When vertical and horizontal curves are superimposed, the superelevation may cause distortion in the outer pavement edges. Where this may be the case, edge of pavement profiles shall be plotted and smooth curves introduced to remove any irregularities. Sharp horizontal curves should not be introduced at or near a pronounced summit or sag.
 - (b) Geometric cross sections:
 - (i) Typical sections: A typical cross section is shown on Figure 5-1.
 - (ii) Travel lane width: The minimum travel lane widths are provided in Table 5-3.
 - (iii) Crown slope: On undivided roads in tangent alignment, the high point of the crown will be centered on the pavement and the pavement sloped toward the edges on a uniform grade. In mountainous terrain, unpaved roads will be sloped toward the cut side of the road on a three (3) percent slope to alleviate surface erosions. On divided multi-lane roads on tangent alignment, each travel way will have a uniform cross slope with the high point at the edge nearest the median.
 - (iv) Superelevation: To account for snow and ice conditions which occur frequently in Park County, the maximum superelevation will be limited to four (4) percent (see Table 5-3). The axis of rotation of undivided roadways is usually the centerline. For curves following long, level tangents, the axis of rotation may be taken at the inside edge of the pavement, with approval from the County Engineer.
 - (v) Superelevation transition: Superelevation transition is the progression of the roadway from the normal crown section to a fully superelevated section. To meet the requirements of safety and

comfort, the length required to effect the transition should be adequate for the likely travel speeds. Suggested minimum tangent lengths are given in Table 5-6. It is recommended that sixty (60) percent to eighty (80) percent of the superelevation runoff be on the tangent.

- (vi) Spiral curves: Where the alignment includes spiral curves, superelevation is applied entirely on the easement curve.
- (vii) Curve widening: Curves will be widened on the inside radius in accordance with the current AASHTO criteria.
- (viii) Cul-de-sacs and turnarounds: Using cul-de-sacs should be avoided. Where cul-de-sacs are the only alternative, turnarounds shall be provided. An alternative to the bulb type turnaround is the use of a hammerhead turnaround. Hammerhead turnarounds will only be allowed when, in the opinion of the County Engineer, a standard cul-de-sac is not practical. Figures 5-2 through 5-4 illustrate acceptable cul-de-sac and hammerhead configurations. Other configurations may be approved by the County Engineer. Whenever possible, roadway systems shall provide at least two (2) access points to lots platted for development.

The maximum length of roads ending in turnarounds shall be one thousand (1,000) feet. Adequate snow storage shall be provided to keep turnarounds clear. Dead end roads which do not have turnarounds are not allowed.

- (c) Structural sections: Structural sections shall be designated for all new roads, driveways or roads being upgraded due to increased traffic. Pavement designs shall be in accordance with currently acceptable design procedures and must be approved by the County Engineer. Approved procedures include, but are not limited to, WYPWSS, AASHTO, and the Asphalt Institute. In any case, the minimum pavement thicknesses listed in Table 5-3 must be adhered to.
- (d) Side Slopes: Any slope designed steeper than four-to-one (4:1) shall be certified for stability by a registered engineer qualified in soils analysis. Where heavy snowfall is expected, flatter slopes in cuts on the southern side of the roadway should be used to provide maximum exposure to the sun. Flatter slopes should be used wherever possible to reduce erosion, to decrease maintenance costs, to facilitate plant growth and to provide safer operations.

Transition slopes shall be provided between adjoining cuts and fills, and shall be designed for pleasing appearance. Where cut or fill slopes intersect the original ground surface, the cross section shall be rounded to blend the slope into the natural ground surface.

Note: Table 5-9 Maximum Permissible Velocities has been moved and now follows Chapter V, Section 2.c.(3)(e)(i)(D).

Where the side slopes of the original ground approach one and one-half-to-one (1.5:1), the embankment shall be contained with a suitable retaining wall

to avoid long fill slopes. Side slopes in rock will be based on the stability of the formation.

Benching of side slopes should be used sparingly and only where justified by sound engineering reasons, including the following:

- (i) To stabilize material where benching is more economical than flattening;
- (ii) To intercept drainage in long and deep cuts; and/or
- (iii) To intercept and store loose material.

(e) Drainage:

- (i) General: The primary objective of drainage design is protection of the County roads and property while minimizing the possible flood damage to surrounding properties and structures. Water flowing in a roadside ditch shall be diverted away from the road as quickly as possible. Design Events shall be one (1) hour duration, twenty-five (25) year frequency.

Culverts under all roads shall be designed to accommodate a twenty-five (25) year frequency storm runoff utilizing the maximum available head. The maximum available head shall be determined by the uppermost ponding elevation chosen to prevent flood damage to upstream properties.

Inlets and other facilities draining the road surface shall accommodate the twenty-five (25) year frequency storm runoff. All roads shall remain free of ponding. At least one (1) travel lane shall remain open during a one hundred (100) year design storm.

All drainage installations shall be designed to permit free, unobstructed passage of debris and silt or provide for their deflection and/or collection at a point upstream that will not create an expensive maintenance problem. Settlement basins shall be provided when a silting problem exists downstream. Modification of natural channels or transferring runoff from one basin to another is not permitted except where no reasonable alternative exists and where the proposal has been reviewed and approved by the County Engineer.

A recurring problem on Park County roads is ice build-up in winter. Drainage design shall anticipate areas of potential ice build-up. Additional design considerations may be required in these areas.

The developer/contractor is responsible for obtaining and complying with all applicable local, state and federal permits.

- (A) Storm runoff estimates: The following methods may be used for estimating peak flows:
 - (I) Runoff from stream flow records;
 - (II) HEC-1 Computer Program from the Corp of Engineers;

- (III) "Peak Flow Characteristics of Wyoming Streams", Kirk A. Miller, U.S. Geological Survey, Water Resources Investigation Report 03-4107;
- (IV) The Rational Method, as follows:
 $Q=CIA$
 Where
 Q=runoff in cubic feet/second
 C=coefficient of runoff (see Table 5-7)
 I=average intensity of rainfall in inch/hour for a duration of the time of concentration
 A=drainage area in acres
 The rational method should be used only on areas of less than ten (10) acres;
- (V) Tabular method as per Technical Release MO55 from the Engineering Division of the U.S. Department of Agriculture; or
- (VI) SCS Method; or
- (VII) Other methods, if approved by County Engineer

Table 5-7 CO-EFFICIENT OF RUNOFF	
TYPE OF SERVICE	VALUE OF C=RAINFALL
Roofs	0.97
<u>Pavements</u>	
Concrete or Asphalt	0.97
Gravel, from clean loose to clayey and compact	0.60
<u>Earth Surfaces</u>	
Sand, from uniform grain size, no fines, to well graded, Some clay or silt:	
Bare	0.60
Light Vegetation	0.45
Dense Vegetation	0.35
Clay, from course sandy or silty, to pure colloidal clays	
Bare	0.70
Light Vegetation	0.50
Dense Vegetation	0.40

- (B) Culverts: Culverts shall be located at each natural draw or water course as conditions warrant to prevent excessive accumulation of flow in roadside ditches or along the toe of slopes. Draws and water courses shall be cleared of debris for a distance of one hundred (100) feet upstream from all culvert inlets.

Inverts at the inlet shall be slightly elevated above the normal flow line in steep or natural draws to avoid plugging by debris. Inlets shall not be elevated in those instances where

ponding or accumulation of backwater would be objectionable (stagnation, irrigation ditches, etc.).

The culvert shall slope downward in the direction of natural flow and be designed to be self-cleaning. The outlet shall be designed not to discharge on unprotected fills or unstable material or at adverse angles to streams or open channels. Head-wall(s), rip-rap or other approved means of protection are required at inlets and/or outlets where erosion might occur.

Velocities of flow in culverts shall be calculated using acceptable design charts or formulas. Where the Manning Equation is used, the following “n” values will apply (see Table 5-8)

Reinforced Concrete Pipe (RCP) shall be used for all installations which cross a County road or are within a County right-of-way.

Corrugated metal pipe (CMP) may be used for driveway crossings.

Alternative materials, including PVC, HDPE, etc., may be approved by the County Engineer provided supporting documentation and justification addresses load analysis, corrosion protection, erosion/abrasive resistance and soil characteristics such as ph. Plastic type pipe will not be allowed where there exists a reasonable expectation of vegetation burning.

Minimum diameter for round pipe shall be eighteen (18) inches. Arch pipe openings, at a minimum shall be equivalent to an eighteen (18) inch round pipe.

Table 5-8 MANNING EQUATION OF “n” VALUES	
MATERIAL	MANNING EQUATION “n” VALUES
Corrugated Steel Pipe	0.027
Reinforced Concrete Pipe	0.013
Concrete	0.013 to 0.020
Asphalt	0.016

When a battery of pipes is used, a clear spacing of one-half (½) the pipe diameter (one (1) foot minimum, four (4) foot maximum) must be provided between pipes. Maximum and minimum cover, pipe metal gauge and strength classification shall be as specified on culverts.

Manholes shall be used for cleanouts. Cleanout access shall be provided at least every two hundred (200) feet for pipes twenty-four (24) inches in diameter or less, and at least every four hundred (400) feet for larger pipes. Cleanout access shall also be provided at each angle point and at each change in grade.

- (C) Open channels and ditches: Channels and ditches shall be designed to avoid roadside safety hazards. The minimum flowline slope shall be one (1.0) percent. Maximum slopes shall be controlled by the maximum permissible velocities given in Table 5-9.

Manning’s equation shall be used to estimate velocities.

$$V = 1.486 \frac{R - S^{1/2}}{n}$$

where

V=velocity of flow in channel in feet per second

n=roughness coefficient (Table 5-9)

R=hydraulic radius in feet per foot

Where the channel is comprised of a combination of the materials given in Table 5-9, the maximum permissible velocity elected should prevent undue scouring of the finer materials.

- (D) Subsurface drainage: Subgrades subject to poor drainage, underground seepage or a high water table shall be adequately drained for roadbed stabilization. Drains shall be installed to prevent the high ground water level from coming within four (4) feet of the roadway pavement. Perforated pipe shall be used to carry away collected water. Other drainage systems may be approved by the County Engineer. French drains which contain no pipe are unacceptable.

Table 5-9 MAXIMUM PERMISSIBLE VELOCITIES		
CHANNEL MATERIAL	“n”	VELOCITY (ft/sec)
Lines or well established grass	.05	5
Bunched grasses with exposed soil	.04	3
Fine sand or silt	.02	1
All other bare soils	.03	2

- (ii) Subdivision and/or Development Drainage Facilities:
 - (A) Runoff: Runoff from a project site after construction shall not exceed the level of runoff which occurred prior to

construction. Any runoff in excess of pre-construction levels shall be detained on-site and infiltrated or evaporated. The entire drainage area upstream from the project site shall be considered when determining runoff quantities

- (B) The applicant shall submit a drainage plan and report addressing the historic and developed flows from the proposed development. The report and drainage plans shall, at a minimum, provide a written and graphical representation of the project pre and post development. At a minimum, the drainage plan and report shall address the following:
 - (I) Historic vs. developed flows for the one hundred (100) year and twenty-five (25) year events.
 - (II) Developed flows must be shown going to a defined drainage capable of handling the developed flows on site.
 - (III) Irrigation flows must be considered separately from stormwater flows.
 - (IV) All calculations used in the report, including detention/retention requirements, control structure requirements, all hydrology and hydraulics, pipe, ditch and conveyance calculations.
 - (V) Topography (historic and developed) of the proposed development and the drainage basin.
 - (VI) Construction plans showing all necessary information for the construction and maintenance of the facilities required to implement the drainage plan improvements.
- (C) Design of Drainage Improvements: Drainage reports, drainage plans and erosion control plans shall be prepared by a licensed Wyoming Engineer and shall carry the Engineer's seal and signature. In addition, the following design requirements shall be required to be met and documented, as applicable.
 - (I) Detention and retention: Detention systems shall be designed to store the difference between the developed volume and the historic volume of runoff during the twenty-five (25) year event. Discharge from the detention system will be at twenty-five (25) year historic rates. Retention systems shall be designed to store the entire twenty-five (25) year twenty-four (24) hour event from the developed site.
 - (II) Culvert Sizing: Culverts shall be sized to handle the anticipated quantity and debris flows anticipated for the drainage. Consideration should be given to erosion, scour, flow velocity and the culvert capacity and maintenance. Head-wall(s), wing-wall(s) and/or flared end sections may be required.
 - (III) Ditch and Open Channel Sizing: Ditches shall be

sized to handle the anticipated quantity and debris flows anticipated for the drainage. Consideration should be given to erosion, scour the flow velocity and the ditch capacity and maintenance.

(IV) Gravel Trenches: Gravel trenches shall be designed to store the entire volume in excess of historic rates of runoff, and to allow this runoff to percolate into the soil. In designing gravel trenches, the assumption shall be made that gravel has twenty percent (20%) porosity. The percolation rate of the soil shall not be slower than sixty (60) minutes per inch.

(V) Facility capacity and maintenance.

(VI) Storm Flow Routing: As required to define an acceptable drainage way.

(VII) Other Methods: Other methods for controlling runoff may be approved or required by the County Engineer.

(D) Required Improvements: Approval of any final plat shall include the required drainage improvements constructed in accordance with these Standards. The improvements shall be included as part of the subdivision improvement agreement and any financial guarantee.

(E) Responsibility: All drainage detention, retention, filtration and facilities including, but not limited to, culverts or evaporation areas are the responsibility of, and shall be maintained by, the subdivision and/or the Homeowner's Association. A "Detention/Retention and Drainage Facilities Maintenance Plan" shall be submitted with all drainage plans and reports.

(4) Payment of costs for road construction:

(a) Developer responsibility: Any and all costs of new road construction in new developments are the responsibility of the developer. The developer is also responsible for the design, rights-of-way acquisition and construction of the new roads, whether public or private, according to these Standards.

(b) Payback agreements: During the approval process for a proposed development, the developer may be required to construct a new road or to make improvements to an existing road which also benefits future developments. The Board of County Commissioners may establish a plan of compensation to the original developer whereby subsequent beneficiaries pay a fair share for the use of future benefiting developments. The Board of County Commissioners shall determine the equitable distribution of benefits and costs.

d. Bridge design:

(1) Design standards for bridges: Bridges shall conform to AASHTO Standard Specifications for Highway Bridges, latest edition. The design loading requirements shall conform, at a minimum, to AASHTO HS20-44 specifications. Plans and a design report shall be prepared by a Wyoming licensed structural engineer and shall be submitted to the County Engineer for review and approval prior to construction. Clear deck width, at a minimum, must accommodate the full width of the travel lanes of approach roads, as indicated in Table 5-3.

The waterway area shall accommodate a one hundred (100) year frequency storm, unless otherwise specified by the County Engineer. Where flood studies from the U.S. Army Corps of Engineers or the Federal Emergency Management Agency are available, bridges shall be designed to accommodate the "Standard Project Flood". A minimum of two (2) foot of freeboard is required. Additional freeboard shall be required when debris laden flows are anticipated.

- (2) Payment of bridge construction costs: If the design of the roadway serving a new development requires construction of new bridges or upgrading of existing bridges, the developer shall be required to pay the cost of such construction. Where construction of a bridge benefits future developments or cures a safety hazard affecting more than the proposed development, the Board of County Commissioners may establish a plan of compensation to the original developer whereby other beneficiaries pay a fair share for use of the bridge.

e. Traffic safety:

- (1) Traffic control devices: All signs, striping, markers, delineators, signals and other traffic control devices shall conform to the requirements of the Manual on Uniform Traffic Control Devices, latest edition, hereinafter referred to as the MUTCD, published by the U.S. Department of Transportation, Federal Highway Administration. In new developments, all required street sign names, speed limit signs, stop signs and other traffic control devices shall be paid for by the developer, and installed by the County unless otherwise approved by the County Engineer. Non-standard signs or other traffic control devices are subject to rigid control and approval by the County Engineer shall be obtained for their use. All signing and striping plans shall be submitted to the County Engineer for approval.
- (2) Signs within subdivisions, except for road name signs, are to be maintained by the developer or homeowners.
- (3) Sight distance triangle:
 - (a) Determining dimensions and location of sight distance triangles: For safety and visibility purposes, a sight distance triangle shall be maintained at street intersections and where driveways intersect streets. The distances along the legs of the sight distance triangle shall be measured from the corner or intersection point along the rights-of-way lines or along the edge of the driving surface for driveways as shown in Figure 5-11. Where a road right-of-way is wider than normal or varies in width because it has been expanded to include cut and fill slopes or drainage improvements, the line along which the legs of the sight distance triangle are measured shall be parallel to the roadway at normal right-of-way width for the type of road under consideration.

No landscape materials, earth berm, signs, structures or other visual obstructions shall be allowed between two and one-half (2½) feet and six (6) feet above the surface within the sight triangle. This regulation is not intended to prohibit the planting of trees or retention of existing trees in the sight distance triangle, if they are pruned so branches are higher than six (6) feet.

- (b) Incorporating requirements for sight distance triangles into subdivision design: Developers shall incorporate the requirement for maintenance of a sight distance triangle at street intersections and intersections of driveways

with streets in the design of subdivisions submitted for County review after the effective date of these Standards.

- (c) Enforcing requirement when Building/Zoning Permits are issued.
 - (i) Where a Building/Zoning Permit is filed for property which is unplatted or was platted prior to the effective date of these Standards, no Building/Zoning Permit shall be issued for a structure which interferes with maintenance of a sight distance triangle unless application of the requirement would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the individual proposing development of the property. The County Engineer shall have authority to waive the requirement for maintenance of a sight distance triangle for such property only when an administrative relief does not create or compound a safety problem or concern.
 - (ii) Where an Application for Building/Zoning Permit is filed for property which was platted or re-platted after the effective date of these Standards, no Building/Zoning Permit shall be issued for any structure which would interfere with the maintenance of a sight distance triangle required by these Standards.
 - (d) Property owners shall be responsible for maintaining sight distance triangles free of visual obstructions for the portion of a triangle which falls within the boundaries of their property. When the County Engineer receives a complaint concerning visual obstructions at a particular intersection or other locations, the County Engineer shall be responsible for inspecting the intersection and for taking the following measures:
 - (i) Determine whether the visual obstruction is on public property, then request the appropriate jurisdiction remove the obstruction. If the obstruction is in the County right-of-way, the County may remove the obstruction.
 - (ii) If the visual obstruction is on private property, notifying the property owner of the requirement that visual obstructions must be removed within thirty (30) days except as follows:
 - (A) The obstruction is a permanent structure which was built prior to the effective date of these Standards, as long as it does not create a hazardous condition; or
 - (B) Where the obstruction is caused by the natural or historic topography of the property and not by earthwork undertaken by the current property owner or his immediate predecessors, the property owner shall not be required to regrade his property in order to remove the obstruction.
- If the property owner does not comply within thirty (30) days, further enforcement action shall be taken as provided in Chapter V, Section 8 of these Standards.

f. Driveways and parking areas:

- (1) Requirement for ROW permit: Whenever a property owner, developer, contractor or other individual proposes to connect a driveway or parking area to a public roadway, they must obtain a ROW Permit from the County Engineer prior to commencing construction. The submittal requirements and procedure for obtaining ROW Permits are stated in Chapter V, Section 4 of these Standards.

- (2) Standards for driveway design: A driveway is an access for vehicles providing a connection from a public or private roadway to either individual parcels, residences, multiple residences, commercial businesses, recreational, institutional or industrial land uses or a combination of land uses. Maintenance of driveways, including but not limited to culverts, drainages and surfacing shall be the responsibility of the property owner.

This Standard shall only apply to that portion of the residential driveway that is within two hundred (200) feet of the centerline of the public roadway.

Access to uses, including multiple residences, commercial business, recreational, institution, industrial or a combination of land uses, shall conform to Table 5-10 and these Standards.

The actual location, width and construction requirements are dependent on the use of the driveway(s), including circular and/or multiple accesses and will be reviewed and approved by the County Engineer during the ROW Permit process.

- (a) Location of driveways relative to intersections: Driveways shall be placed so the following minimum distances are maintained to any street intersection, including a T-intersection on the opposite side of the street from a property where a driveway is proposed.
- (i) Where the driveway connects to a local access or low volume road, a minimum distance of fifty (50) feet from curve return to curve return shall be maintained.
 - (ii) Where a driveway connects to a collector or larger road, a minimum distance consisting of the left turn stacking distance plus twenty (20) feet as measured from curve return to curve return shall be maintained. The left turn stacking distance shall be determined by the County Engineer based on available data from an acceptable traffic study.
- (b) Spacing of driveways: Driveway openings shall be separated by at least thirty (30) feet as measured from curve return to curve return, or else shall be combined. More spacing may be required for traffic safety and proper traffic operation.
- (c) Shared driveways: Developers or property owners proposing the use of shared driveways shall record an easement defining the location of the driveway and either a covenant or deed restriction requiring construction of the driveway at the location.
- (d) Driveway widths: The dimensions of driveway widths, openings, and radii shall be as shown in Table 5-10.

Table 5-10 DRIVEWAY/CLEAR ACCESS SURFACE WIDTHS		
TYPE OF SERVICE	MINIMUM DRIVEWAY	RETURN RADIUS MAXIMUM
Commercial/Other	20 feet	*
Field Entrance	10 feet	10 feet
Individual Residence	10 feet	10 feet
Duplex or Multiple Residences	18 feet	10 feet
Multi-family	18 feet	10 feet

* To be determined at time of site plan review

Note: Actual driveway widths shall be provided on ROW Permit and shall be approved by County Engineer or designee prior to construction.

- (e) Driveway grades: Driveways shall have a maximum grade of eight (8) percent, and shall provide a reasonable transition in terms of grade between the driveway and the roadway it joins over a distance of not less than twenty-five (25) feet. For single family residences and duplexes located on lots having difficult terrain, driveway grades may exceed eight (8) percent as long as approved by the County Engineer.
 - (f) Vehicle turnarounds: All driveways exiting onto roadways with average daily counts greater than five hundred (500) VPD shall be designed to avoid vehicles having to back onto the roadway when exiting.
 - (g) Surfacing of driveways: Driveways serving single family residences or duplexes may be either graveled or paved. Where a driveway is to be graveled, the surface shall be constructed of six (6) inches of crushed road base compacted to ninety-five (95) percent standard proctor. Where a driveway is to be paved, the surface shall be constructed with a minimum of six (6) inches of crushed road base compacted to ninety-five (95) percent and two (2) inches of asphalt. Driveways serving multi-family residences or commercial uses shall be designed in accordance with Chapter V, Section 2 of these Standards.
 - (h) Provisions for drainage: Driveway design shall make adequate provision for drainage and prevention of erosion. All driveways shall have minimum eighteen (18) inch diameter culverts to handle roadside drainage unless otherwise approved by the County Engineer.
 - (i) Minimum sight distance: Driveway shall be designed and located to provide a minimum sight distance clear of all obstructions, natural or man-made, for at least two hundred (200) feet in either direction on local access roads and four hundred (400) feet on collector roads. See Figure 5-11.
 - (j) Driveway Access Approach to Public Road: Driveways shall be constructed to access perpendicularly to the public road. If perpendicular access to the public road is not feasible, then a request for waiver of the perpendicular requirement shall be submitted in writing to the County Engineer for review and approval.
- (3) Standards for parking areas

- (a) Parking area grades: Parking areas shall have a maximum grade of four (4) percent, and a minimum grade of (1) percent to facilitate drainage.
 - (b) Surfacing of parking areas: All parking areas shall be constructed with a minimum of six (6) inches of crushed road base compacted to ninety-five (95) percent standard proctor. Paving of two (2) inches of asphalt will generally be required when fifteen (15) or more parking spots are established for commercial or industrial facilities. Due to the frequency of use and specific function, the design and construction of parking lots comprised of fifteen (15) or more parking spaces shall be approved by the County Engineer.
 - (c) Provision for drainage in parking areas: Parking area design shall make adequate provision for drainage and prevention of erosion.
 - (d) Placement of parking areas on fill: If a parking area is to be placed on fill, the fill used shall be suitable material as specified by a registered geotechnical engineer. The fill shall be compacted to ninety-five (95) percent standard proctor with slopes at no more than three-to-one (3:1) and protected to prevent erosion. Parking areas on fill may be designed using retaining walls as an alternative in accordance with the County's Zoning Regulations, and approved by the County Engineer.
- g. Landscaping:** Whenever roadway or bridge construction results in earth disturbance, revegetation and reforestation is required and shall be completed during the first planting season after construction. Native or similar horticultural material shall be used. All areas disturbed by construction operations not otherwise covered by structures or pavement must be seeded, fertilized, mulched, planted and otherwise treated to provide an established stand of vegetation in accordance with WPWSS Standards. Cut and fill slopes must be treated to prevent erosion. Areas not disturbed by construction shall be left in their present vegetative state, except the thinning of trees may be required.

SECTION 3: Road & Bridge Construction Specifications

- a. Purpose and intent:** This section sets forth specific standards for roadway and bridge construction in Park County, and is intended for use by developers, property owners, contractors, utilities and others engaging in construction of new roads, upgrading of existing roads, building of bridges and other construction activities within the County road rights-of-way.
- b. Construction of roads:**
 - (1) Permits required for road construction: Whenever road construction within County Road rights-of-way results in earth disturbance, the individual responsible for the construction must obtain an approved ROW Permit from the County Engineer's office prior to commencing construction. The submittal requirements and procedure for obtaining ROW Permits are stated in Chapter V, Section 4 of these Standards.
 - (2) Construction testing: Quality control supervision of the construction shall be done by the developer's engineer at no expense to the County. The County Engineer shall be permitted access to the construction site at all times to make spot checks of quality control. Any additional testing or corrective work deemed necessary shall be done within the time determined by the County Engineer at no expense to Park County.
 - (a) Sampling of materials: Samples for preliminary approval or production control may be submitted by the producer to the developer's engineer. The developer's engineer shall use an appropriate ASTM or AASHTO procedure to determine the acceptability or rejection of the sample.

- (b) Periodic inspection during construction: The County Engineer may conduct periodic inspections during construction to assure compliance with approved construction plans. The County Engineer may establish specific checkpoints when inspections must be conducted and approvals granted before construction is continued. The contractor or developer shall contact the County Engineer twenty-four (24) hours in advance of any required inspections.
 - (c) Final inspection: Upon completion of construction and prior to County approval of the completed work, copies of the "As-Built" plans, concrete cylinder test reports, compaction test reports and other test data shall be delivered to the County Engineer. In addition, a certification shall be given by the developer's engineer that construction has been completed in conformance with the approved construction plans and standards and specifications. The County Engineer may conduct an inspection to determine if the construction meets County Standards. If the inspection discloses any work, in whole or in part, as unsatisfactory, the County Engineer shall give the developer's engineer the necessary instructions for correction, and the contractor shall comply with and execute such instructions. At the discretion of the County Engineer, the County may withhold the granting of future Building/Zoning Permits or ROW Permits until such time corrective work is completed.
- (3) Site preparation:
 - (a) Utilities protection: The developer or contractor shall at all times take proper precautions to assure the protection of utilities, service lines or other public or private installations, and shall be responsible for the repair of any damage. The developer or contractor shall notify One-Call of Wyoming not less than a minimum of two (2) full business days before excavation begins so the utility company can locate the services. Refer to W.S. §37-12-301 thru 305.
 - (b) Clearing and grubbing: All large rocks, brush debris, structures and all other unsuitable material shall be cleared to a depth of at least twelve (12) inches below subgrade or as approved by the County Engineer and replaced with suitable material. Locating suitable disposal sites shall be the responsibility of the contractor or developer, subject to County approval. Trees, except those designated to be saved, and all stumps shall be removed to a depth of at least eighteen (18) inches below the finished subgrade elevation. All trees designated to be saved shall be protected during clearing and subsequent construction operations. Suitable material removed from the excavation may be used in so far as practical, in the formation of embankments, backfilling and for other such purposes.
- (4) Structural embankment construction: Embankment construction consists of constructing roadway embankments, including preparation of the areas upon which they are placed, constructing dikes within or outside the rights-of-way, placing and compacting of approved material within roadway areas where unsuitable material has been removed and placing and compacting of embankment material in holes, pits and other depressions within the roadway area. Only approved materials shall be used in the construction of embankment and backfills.
 - (a) Benching: When an embankment is placed and compacted on slopes steeper than four-to-one (4:1), the roadway shall be continuously benched over those

areas. A bench is required at vertical intervals of ten (10) feet maximum. Benching shall be well keyed and where practical, a minimum of eight (8) feet wide. Each horizontal cut shall begin at the intersection of the original ground and the vertical sides of the previous cuts. Material thus cut out shall be recompacted along with the new embankment material at the contractor's expense.

- (b) Compaction: Minimum compaction shall be ninety-five (95) percent of the maximum dry density at \pm two (2) percent of the optimum moisture content as determined by ASTM D-698.
 - (c) Rip-rap: Where embankments encroach on stream channels or lakes, calculations of the flows or wave action shall be made and submitted to the County. Based on these calculations, the developer's engineer shall determine the appropriate size rip-rap, and this rip-rap shall be placed along the toe of the slope to protect the embankments against erosion from water action. Rip-rap shall be placed where the potential exists for erosion. The developer's engineer shall provide documentation supporting the size of rip-rap selected.
 - (d) Prohibited materials: Car bodies, waste concrete and asphalt waste products, organic, wet, frozen or other unsuitable materials shall not be used for any structural embankment construction.
- (5) Trench excavation: Trenches shall be excavated so pipes can be laid straight at uniform grade, without dips or humps, between the terminal elevations shown on the drawings.
- (a) Trench widths: Trenches shall be excavated to a width which will provide adequate working space and side clearances for proper pipe installation, jointing and embedment and compaction. Minimum trench widths at or below an elevation six (6) inches above the top of installed pipe shall not be less than outside diameter (OD) plus twenty-four (24) inches. All excavations to be in compliance with OSHA regulations.
 - (b) Excavation below pipe subgrade: Except where otherwise required, pipe trenches shall be excavated below the under-side of the pipe as shown in Figure 5-6 to provide for the installation of granular bedding material.
 - (c) Bedding material: Approved bedding shall be used for all pipe installations or as specified on the plans.
 - (d) Placement and compaction: Bedding material shall be spread, compacted and the surface graded to provide a uniform and continuous support beneath the pipe at all points between bell holes or pipe joints.

After each pipe has been graded, aligned and placed in final position on the bedding material and shoved home, sufficient pipe embedment material shall be deposited and compacted under and around each side of the pipe and back of the bell or end to hold the pipe in proper position and alignment during subsequent pipe jointing and embedment operations. Bedding material shall be deposited and compacted uniformly and simultaneously on each side of the pipe to prevent lateral displacement.

Approved bedding shall be compacted to a minimum of six (6) inches above the top of the pipe in all areas where compacted back fill is specified.

Whenever crushed rock is used as bedding for thirty-six (36) inch and larger pipe, the portion above the bottom of the pipe shall be vibrated with a mechanical vibratory compactor during placement to ensure all spaces beneath the pipe are filled.

- (e) Backfill over concrete: All backfill over concrete shall conform to the following requirements.
 - (i) Initial Backfill: To aid curing, no more than eight (8) inches of loose backfill shall be placed over concrete after the concrete has reached its initial set.
 - (ii) Final backfill: Additional backfill shall not be placed over arch encasements or blocking until the concrete has been in place at least fourteen (14) days or until the concrete has reached eighty (80) percent of its ultimate design strength.
 - (f) Compacted backfill: Compacted backfill may consist of job excavated material, finely divided and free from debris, organic material, cinders or other corrosive material, and stones larger than three (3) inches in greatest dimension. Masses of moist, stiff clay shall not be used. Job excavated materials shall be placed in uniform layers not exceeding eight (8) inches in uncompacted thickness. The method of compaction and the equipment used shall be appropriate for the material to be compacted, and shall not transmit damaging shocks to the pipe. Job excavated material shall be compacted to ninety-five (95) percent of the maximum dry density at \pm two (2) percent of optimum moisture content as determined by ASTM D-698. Compacted backfill is required for the full depth and width of the trench above the bedding material within all rights-of-way and easements.
- (6) Culverts for driveway crossings: This section covers corrugated metal pipe culverts used for driveway crossing.

Culvert sizing shall be in accordance with Chapter V, Section 2.c.(3)(e) of these standards and regulations. Corrugated metal pipe shall be furnished and installed with all jointing materials, accessories and appurtenances as indicated on the drawings and as specified.

- (a) Material: Materials used for driveway crossings shall conform to the applicable. WPWSS for Storm Drains and Culverts
 - (i) Circular pipe: Corrugated metal pipe shall be galvanized and corrugations may be annular or spiral with annular ends, as shown in Figure 5-7.
 - (ii) Coupling bands: All field joints in corrugated metal pipe shall be made with coupling bands, fabricated from the same material as the pipe. Coupling bands for field joints in corrugated metal pipe for all culverts shall be the pipe manufacturer's standard coupling band type.
 - (iii) End sections: Flared metal end sections shall be provided on all culverts unless otherwise specified by the County Engineer. The end sections shall be fabricated from sixteen (16) gauge galvanized sheet metal for thirty (30) inch diameter and smaller pipe, fourteen (14) gauge for thirty-six (36) inch through forty-eight (48) inch, and twelve (12) gauge galvanized sheet metal for fifty-four (54) inch diameter

and larger pipe. The end sections shall be provided with a rolled reinforced edge and a galvanized top finish plate.

- (b) Handling: Pipe, couplings and accessories will be handled in a manner that will ensure installation in sound, undamaged condition. Equipment, tools and methods used in unloading, reloading, hauling and laying pipe will be such that the pipe is not damaged.
- (c) Cleaning: The interior of the pipe and any couplings shall be thoroughly cleaned of all foreign matter before being installed. Before jointing, all joint contact surfaces shall be wire-brushed, if necessary, wiped clean, and kept clean until jointing is completed.
- (d) Installation:
 - (i) Installation requirements: Corrugated metal pipe shall be laid true to the grade required by the drawings, and shall be installed in accordance with the following requirements.
 - (A) Pipe: The pipe shall be installed in accordance with the details indicated on Figures 5-6 and 5-7 and the applicable portions of Chapter V, Section 3. The pipe shall be protected from lateral displacement by means of an approved bedding material as specified for trench backfill. The minimum cover for corrugated metal pipe is twelve (12) inches.
 - (B) Couplings: Sections of the corrugated metal pipe shall be joined together using metal coupling bands, centered on the joint, with the pipe sections as close together as possible. Each coupling band shall be bolted in place and tightened sufficiently to ensure a tight joint and to form a continuous conduit capable of resisting all stresses.
 - (C) Flared end sections: The end sections shall be attached to the culvert by threaded rod and connecting lug.
 - (D) Rip-rap: If required, culverts shall have a rip-rap bed of ten (10) feet by ten (10) feet at the inlet and outlet for erosion control. The rip-rap shall consist of hard, dense, sound, rough fractured stone as nearly cubic as practical and a minimum $d_{50} = 18"$. Slab type stones and flaking rock shall not be used. Alternate rip-rap size may be approved by County Engineer provided developer's engineer provides supporting documentation or reference for a different size rip-rap.
 - (ii) Use of culverts at access point to roads: Driveways or road connections to a County road shall not be constructed in such a way as to impede the normal flow of drainage in roadside ditches, culverts, underdrains, bridges or other drainage works, or to cause such drainage to flow onto or across the driving surface of a County road. In the event such an impediment results in damage to a County road, the Road & Bridge Department will remove the impediment and bill the property owner for the costs of repairs to the road, including labor, equipment and materials.

In certain instances, a culvert may not be required by virtue of the topography. This shall be determined during the ROW Permit process.

- (7) Borrow: In the event sufficient suitable fill material is not obtainable within the limits of the project to provide all the embankment required, the contractor shall furnish such additional fill material (borrow) to complete the designated embankment. Borrow shall be an acceptable type of embankment material selected by and approved by the County Engineer and developer's engineer before being placed.
- (8) Sub-grade: The bottom of the excavation for the road section, or top of the fill, shall be known as the sub-grade and shall conform to the lines, grades and cross sections shown on the approved plans.

Prior to the road being excavated, all service cuts shall be tested to see if the backfill meets density requirements. If deficient, they shall be re-compacted and brought up to the density specified.

After excavation and embankment is completed and the sub-grade brought to final grade, it shall be rolled with a rubber-tire, sheep foot roller or other compaction equipment as required to bring the sub-grade to the required density and stability. All soils shall be compacted to a minimum of ninety-five (95) percent of standard proctor maximum dry density as determined by ASTM D-698. The minimum moisture content shall not be less than two (2) percent below "Standard Optimum Moisture." Additional wetting may be required when the minimum water requirement is not sufficient to produce a stable condition in the sub-grade soil.

No sub-base or base shall be placed on soft, spongy, frozen or unstable sub-grade which is considered unsuitable by the County Engineer.

Should the finished sub-grade not be compacted under the oversight of a developer's engineer, heavy construction equipment or loaded trucks (over 50,000 lbs. tandem) shall be driven over the finished sub-grade and deflections noted. Soft and yielding material and portions of the sub-grade which show deflection shall be scarified and re-rolled, or shall be removed and replaced with approved sub-grade material, then placed and compacted as specified herein. Sub-grade shall not be approved for further road construction until it is uniformly stable and unyielding. The County Engineer or designated representative shall be present to inspect the proof rolling operation.

- (9) Sub-base construction, as necessary by design:
 - (a) Materials: Sub-base material shall be composed of granular material consisting essentially of sand, gravel, rock, slag, disintegrated granite or a combination of such materials. The coarse portions of the material shall be sound fragments of the crushed or uncrushed materials enumerated above. Supplied material shall be a well-graded mixture containing sufficient soil mortar, crushed dust or other proper quality binding material which, when placed and compacted in the roadway structure, shall result in a firm, stable foundation. Material composed of uniform size particles, or which contains pockets of excessively fine or excessively coarse material shall not be acceptable for use.

The material need not be crushed, but shall be graded within the following limits:

Table 5-11 SIEVES	
STANDARD SIZE OF SIEVE	% BY WEIGHT PASSING SIEVE
2 1/2"	100%
2"	95% - 100%
No. 4	30% - 60%
No. 200	5% - 15%
Liquid Limit	35% Maximum
Plasticity Index	6% Maximum

- (b) General: The specifications presented in this subsection are performance oriented. The objective in setting forth these specifications is to achieve an acceptable quality of roadway structures.
- (c) Random tests: The County Engineer may order random tests of materials used in the County to verify compliance with material specifications. Any and all materials used to construct public and private improvements that are not from a certified source, or are from a certified source and fails one (1) or more random material tests, shall be subject to complete removal. The extent of the material to be removed shall be at the discretion of the County Engineer.
- (d) Use of materials not listed: Materials listed in this subsection and provided with a set of specifications are those deemed to be the primary structural materials commonly or typically used in public and private improvements. Alternative materials for construction may be proposed for use, except where expressly prohibited. Decisions on acceptability of alternative materials shall be made by the County Engineer.
- (e) Construction: The construction of sub-base shall consist of furnishing and placing approved sub-base material to form a stable foundation on which to construct base course, in conformity with the lines, grades and typical cross sections shown on the plans. In addition, sub-base material shall be used to replace unsuitable foundation materials at locations shown on the plans, or as directed by the County Engineer.

Each layer of material shall be placed and spread so after compaction it shall conform to the width and crown of the typical cross sections. The wetting of sub-base layers shall be done with sprinkling equipment of a type which ensures uniform and controlled distribution of the water. All wetting shall be done by uniformly sprinkling each layer of material being placed with only that amount of water needed to obtain maximum density of the material.

Travel may be allowed over sub-base to assist in compaction of the material. Mixing and blading of the sub-base material on the road shall be required if the material is spotty and non-uniform. However, blading shall be held to a minimum in order to avoid the floating of the heavier rock particles to the surface.

- (10) Crushed road base course:
- (a) Crushed road base course specifications: Placement of crushed road base material shall conform to the lines, grades, cross sections and thickness shown on the approved plans. Crushed road base material shall conform to WPWSS Grading "H" or "W" Specifications. Use of Grading "H" is preferred, when available. When placed and compacted, it shall result in a firm, dense, unyielding foundation.
 - (b) Compaction of crushed road base course: Crushed road base material shall be deposited and spread without particle segregation in loose layers not to exceed eight (8) inches in depth or, when compacted, the layer shall have a thickness not to exceed six (6) inches. The material shall be compacted to at least ninety-five (95) percent of the maximum dry density as determined by ASTM D-698 and the moisture content must be no more than \pm two (2) percent of the optimum. Rolling equipment shall consist of one (1) or more of the following: rubber tired roller-or flat wheel steel roller.

Crushed road base course shall not be placed upon a soft, spongy, frozen sub-grade or sub-base.
 - (c) Wetting operations: The wetting of sub-base layers shall be done with sprinkling equipment of a type which ensures uniform and controlled distribution of the water. All wetting shall be done by uniformly sprinkling each layer of material being placed with only that amount of water needed to obtain maximum density of the material.
- (11) Trenching, backfilling and reconstruction of road surfaces: The method used in trenching for underground utilities and for backfilling trenches shall comply with these Standards and the WPWSS requirements for Trench Excavation. Jetting of backfill is not permitted within County rights-of-way.

Upon completion of installation, the roadway shall be repaired or reconstructed as required Standards for sub-base preparation, base course material thickness and compaction and final surfacing so as to restore the roadway to current construction standards for that type of road.

- (a) Gravel roads: Suitable material excavated from trenches may be used for backfill, subject to approval of the County Engineer. At no time shall contaminated, wet, soggy, frozen or other unsuitable material be used as backfill. If proper backfill is not available at the site, suitable material shall be imported and unsuitable material removed from the site. Compacted backfill shall extend to the sub-grade of the road or to natural ground.
- (b) Paved roads: Following approval by the County Engineer, all cuts made in asphalt or concrete surfacing shall be made mechanically, cutting a horizontal and vertical line, and shall be cut twelve (12) inches wider than the edges of the trench or the damaged area. The final pavement cut shall not be made until immediately prior to patching. All excavations made in paved roads shall be completely restored as soon as possible, but in no case longer than thirty (30) days after backfill is completed

In the event weather conditions preclude restoration by a hot mix asphalt pavement, temporary repairs may be made by tamping and rolling into place

a cold mix asphalt. Such cold mix patches shall be removed and replaced by a permanent hot mix asphalt pavement as weather and availability of materials permit. Permanent hot mix patches shall be no less than four (4) inches in thickness, or not less than the thickness of the existing pavement, plus one (1) inch adjacent to the excavation, whichever is thicker. Permanent patches shall be installed in accordance with Figure 5-5.

Damaged pavement shall be repaired by appropriate methods as approved by the County Engineer. In general, cracks shall be filled with an approved crack filler and chip sealed. An overlay with pavement fabric, the full width of the paved surface, shall be required in those instances where, in the opinion of the County Engineer, the ride quality, safety or appearance of the finished roadway has been impaired. Sub-grade failures caused by the permittee's operation of heavy equipment shall be rectified by reconstructing the pavement sub-grade layers, replacing the sub-base, crushed base and paving.

The County Engineer shall use the following criteria in evaluating the requirements of an overlay:

- (i) Four (4) or more cuts are made within a one thousand (1,000) foot section;
- (ii) There is no more than \pm three-eighths (3/8) inch deviation in the roadway surface in a ten (10) foot span; or
- (iii) Construction traffic has caused rutting, raveling or shoving of the existing pavement surface.

d. Bituminous materials:

- (1) General: The intent of this section is to specify materials and methods to be used for the construction, overlaying, seal coating and pavement rejuvenating of roads, parking lots, walks and other miscellaneous work. The work covered shall include general requirements applicable to aggregate base course pavements of the plant mix type, bituminous prime coat, bituminous tack coat, rejuvenating applications and asphalt concrete overlay.

All workmanship, materials, and methods of preparation and construction shall be in accordance with specifications in these and WPWSS requirements for Plant Mix Pavements and in conformity with the lines, grades, depths, quantity requirements and the typical cross section shown on the plans or as directed by the County Engineer.

- (2) Hot mix plant asphalt pavement: All pavement shall be hot mix asphalt pavement of the plant mix type unless otherwise approved in writing by the County Engineer.
 - (a) Hot plant mix asphalt pavement: This material shall consist of a mixture of aggregate, filler (if required) and asphalt cement. The job mix formula or mix design shall meet the grading requirements of WPWSS for Aggregates, Plant Mix Pavements
 - (i) The job mix formula shall be submitted for review and approval a minimum of seven (7) days prior to placing mix on the project. The mix design shall be performed using either the Marshall or Hveem

Procedures as outlined in the Asphalt Institute, Mix Design Methods for Asphalt Concrete (MS-2), current edition.

- (ii) An additive may be used to meet the requirement for index of Retained Strength, if necessary. Such additives may be hydrated lime, Type I Portland cement or anti-stripping agent as identified in WYPWSS, Specifications for Plant Mix Pavement.
 - (iii) After the formula is established, all mix furnished shall conform to it within the following range of tolerances.
- (b) All commercial testing and laboratory work necessary to establish the job mix formula and all testing necessary to assure conformance of materials and workmanship to the requirements of the specifications throughout the construction period shall be performed at the developer's expense. Two (2) copies of all test reports shall be submitted directly to the County Engineer.
- (3) Tack coat: When tack coat is specified on the approved plans or required by the County Engineer, all materials, application and construction shall be in accordance with the WYPWSS requirements for Bituminous Materials and Tack Coats. The type of bituminous material, cover aggregate and rates of application shall be as shown on the approved construction plans.
- (4) Seal coat: When seal coat is required, all materials and construction shall be in accordance with the WYPWSS requirements for Bituminous Materials and Seal Coats. The type of bituminous material, cover aggregate and rates of application shall be as shown on the approved construction plans.
- (5) Grinding: Grinding shall consist of "milling", "grinding" or "cold planing" the existing pavement surface to establish a new surface profile and cross section in preparation for a bituminous overlay. After grinding, the surface shall have a grooved or ridged finish, uniform and resistant to raveling or traffic displacement. This textured surface shall have grooves of one-fourth ($\frac{1}{4}$) inch plus or minus one-eighth ($\frac{1}{8}$) inch. The existing surface to be ground shall include bituminous pavement, concrete utility patches and a very small amount of concrete pavement.

Grinding around utility castings to the depth of cut shall be included in the area of the pavement surface ground. The contractor may choose to remove the entire existing bituminous pavement around the castings where grinding is not completed and replace it with bituminous surface course, placed and compacted in three (3) inch lifts. The contractor shall vertically cut the limits of the area to be patched, mechanically compact the existing base course and prime the bottom and vertical edges before backfilling.

The contractor shall remove the cuttings immediately behind the grinding machine. The removed material shall be disposed of as approved by the County Engineer.

The grinding and cleaning equipment shall utilize a watering system for dust control.

e. Bituminous construction requirements:

- (1) General conditions: Bituminous plant mix pavement construction shall meet the WYPWSS requirements for Plant Mix Pavements.

f. Roads built on unstable ground: Where conditions require a road be constructed on unstable ground (i.e. soft, soggy or otherwise unstable or unsuitable ground) a special geotechnical investigation and pavement design shall be required by the County Engineer.

- g. As-built record drawings:** Prior to granting construction acceptance, as-built drawings are required on all construction. As-built drawings shall include revision blocks, as necessary, and shall be signed and sealed by a Wyoming Professional Engineer. The as-built drawings will be field checked by the County Engineer.

Should the County Engineer determine the as-built drawings do not correctly represent constructed field data, the as-built drawings will be returned for verification and correction.

As-built drawings shall include, but not be limited to, the following information:

- (1) Plan:
 - (a) Property and/or rights-of-way lines, easement and/or tracts. Type and dimension of easement or tract clearly labeled: property lines and rights-of-way lines dimensioned;
 - (b) Lots and blocks shown and numbered;
 - (c) All drainage facilities, including culverts, detention, retention areas, drainage channels and erosion controls to be shown;
 - (d) Survey lines and stations, based on centerline stationing. Stationing equated to flow-line at bubbles, cul-de-sacs, horizontal curves and other departures from normal road cross-section, and two hundred (200) feet from all intersections;
 - (e) Road and road names, including road width;
 - (f) Match-lines referring to next sheets of design;
 - (g) Station and elevation (flow-line) of all curb returns, horizontal P.C.s, P.T.s, etc., also the high or low point on all vertical curves;
 - (h) Directional flow arrows on each side of the road;
 - (i) Curb return radius, existing and proposed;
 - (j) Complete horizontal curve data, radius, delta, length, tan, cord, cord bearing.
 - (k) Centerline stations of all intersecting roads;
 - (l) Survey line ties to section corners and quarter corners;
 - (m) Handicap and mid-block ramp locations;
 - (n) All storm sewer laterals, mains or trunk lines shall be tied to perpendicular off the centerline;
 - (o) Storm sewer manholes, numbered and stationed;
 - (p) Inlets numbered and stationed;
 - (q) Size, type of pipe, slope and footage noted between all manholes, appurtenances and inlets;
 - (r) Benchmark description with elevations;
 - (s) Mailbox locations;
 - (t) Revegetation Plan; and
 - (u) Traffic control and sign plan.
- (2) Profile:
 - (a) Existing ground profile (dotted or dashed) and labeled;
 - (b) All as-built elevations shall be centerline, flow-line or invert of pipe; top pipe is acceptable for existing utilities;
 - (c) Centerline or flow-line stationing continuous for entire length of road project with centerline station of all intersecting roads;
 - (d) Existing improvements in the profile shall include, but not be limited to, sidewalks, curbs and gutters, with certified as-built grades and elevations;

- (e) Existing and proposed utilities including, but not limited to, water, gas, telephone, storm sewer, sanitary sewer, irrigation ditches, electric, structures, cable, conduits and under-drains where crossed with grades and elevations;
 - (f) Invert elevations at all stubs;
 - (g) Station and elevation of all horizontal P.C., P.T., etc.;
 - (h) Station and elevation of grade breaks;
 - (i) As-built construction, including stations and elevations (vertical curves, with VPI, VPC and VP high and low point, not the middle ordinate;
 - (j) Curb return profiles;
 - (k) Storm sewer manholes numbered, stationed, rim elevations and invert elevations (E., W., N., and S.) and dimensioned offset from centerline;
 - (l) Size, type of pipe, footage and slope (in Percent) of storm sewer between manholes and inlets; and
 - (m) Match-lines indicating references to next sheets.
- (3) Details: Details of special conditions and construction shall be as-built.
- h. Landscaping installations:** Earth-cuts, embankment slopes and all other areas where the ground cover has been disturbed during the course of road construction shall be well revegetated and reforested equal to or better than conditions existing prior to construction. Landscaping material shall be installed in accordance with plans approved as part of any ROW permit and/or approved construction plans, and shall be fertilized, mulched, watered and otherwise treated to provide an established stand of vegetation by the end of the first full growing season after completion of construction. All Landscaping shall conform to these Standards and the WPWSS requirements for Landscaping.
- i. Specification by reference:** All applicable specifications of agencies or organizations listed in Appendix 25 are made a portion of these Standards and Specifications by reference, and shall be the latest edition or revision thereof.

SECTION 4: Right-of-Way (ROW) Permits

- a. Purpose and intent:** A ROW Permit shall be obtained whenever a developer, contractor, property owner, utility company or other individual proposes to install utility lines or culverts or do any work in County road rights-of-way. ROW Permits are required to assure the method of installation meets the specifications in these Standards, provide for the safety of the public, follow generally accepted engineering practices and adequate re-vegetation of disturbed areas outside the roadway is done. They are also intended to assure adequate reconstruction and/or repair of any damage caused to County roads or road rights-of-way.

Road cuts are discouraged by Park County on paved roadways. All paved roadways shall be bored unless a bore would create an unsafe or hazardous condition. If, after the contractor attempts a bore, and the bore is shown to be physically impossible using standard boring techniques, the County Engineer may allow an open cut. Open cuts will only be allowed when the County Engineer determines that a bore is impossible based on a field inspection of the bore location.

If an open cut is allowed, the contractor, at his own expense, shall meet the following minimum criteria:

- (1) Submit a Traffic Control Plan for approval;
- (2) Install and maintain all traffic control devices prior to the start of and during construction;

- (3) Work continuously to complete the work as expeditiously as possible;
- (4) Trench backfill shall be made with WPWSS Grading "W" crushed base compacted to ninety-five (95) percent Standard Proctor at \pm two (2) percent of optimum moisture in accordance with ASTM D-698 or with an approved lean concrete slurry. Compaction by flooding the trench shall not be allowed; and
- (5) Any other requirements deemed necessary by the County Engineer and the Road & Bridge Foreman.

b. Surety: Before issuance of a ROW Permit, the County Engineer may require the applicant to post surety, in the form of a bond, letter of credit, cashier's check or other approved form, in an amount sufficient to complete the project or restore the construction area. The estimated costs shall be costs for the County to complete the project, including all legal and administrative costs.

Criteria to be used in determining whether a surety will be required may include, but is not limited to:

- (1) Estimated cost of the project. If the project's estimated costs are less than seven hundred fifty dollars (\$750.00), generally a surety will not be required;
- (2) Location of the proposed work. If the work involves cutting or disturbing a paved roadway, a surety may be required; and
- (3) Past experience with the contractor/developer.

Except for emergencies, if the work and installation are not completed as stated and in accordance with these Standards determined by the County Engineer, the County shall give written notice of the defects to the permittee at least thirty (30) days prior to the expiration date of any bond. The notice shall also state the bond will be called unless satisfactory corrective work is done within twenty (20) days of the notice. If satisfactory corrective work is not done within the required time limit, the work shall be in default and the County shall call the bond. In an emergency, the contractor shall make modifications immediately to protect the health, safety and welfare of the public.

To maintain a reasonable uniform road surface appearance, the County Engineer may require a chip seal over the area of disturbance plus ten (10) feet on either side. Should this be required and the contractor is unable to chip the area due to weather or other causes, the contractor may bond the work or a cost shall be determined by the County Engineer and invoiced to the contractor upon completion of the chip surfacing by the County.

c. Submittal requirements for ROW permits: Applications for ROW Permits shall be submitted to the County Engineer for review and action. Approval shall be granted only if the proposed work meets the purpose, intent and specifications in these Standards, and any required fees have been paid.

Approval of a ROW Permit may be accompanied by any conditions deemed reasonable by the County Engineer to assure protection of health, safety and welfare of the public, the protection of public facilities and compliance with these Standards.

Applications for ROW Permits shall be submitted at least four (4) business days prior to planned commencement of construction for minor installations, which may include, but not be limited to, mailbox and turnout installations, driveways and minor utility work.

Twenty (20) business days prior for major installations, which may include utility and irrigation installations and subdivision access(es), applications for ROW Permits shall be submitted.

ROW permits will not be issued more than sixty (60) business days in advance of any installation. Construction shall not commence without an approved ROW Permit.

Consideration shall be given to how the proposed installation affects County road maintenance and improvement programs.

Approval shall be granted only if the proposed installation meets these Standards, the required fees paid and surety posted, if required.

The ROW Permit must be signed by the County Engineer and a Road & Bridge Foreman for approval.

The following information, including specific dimensions for lengths, widths and relative locations must be submitted with any application for a ROW Permit, unless specific items are waived by the County Engineer as unnecessary:

- (1) Fee as required by resolution of the Board of County Commissioners;
- (2) Completed permit form;
- (3) Permit submittal requirements:
 - (a) For minor installations, sketch plan showing the following:
 - (i) Location of any excavations using dashed lines;
 - (ii) Location of road and road rights-of-way;
 - (iii) Location of any driveways;
 - (iv) Existing structures, if any; and
 - (v) Proposed structures, including any garages;
 - (b) For major installations, construction plans and specifications
 - (i) All required items as outlined for minor installations;
 - (ii) Evidence of legal access, easements, etc;
 - (iii) Construction schedule: As part of its approval of any permit, the County Engineer shall review and approve a construction schedule. The approved schedule shall not be changed after the permit is issued without the written consent of the County Engineer; and
 - (iv) Traffic Control Plan, in conformance with the MUTCD.
- (4) Additional permit requirements: In addition to the requirements listed above, the following may also be required in the permit application for a ROW Permit. At a minimum, a site plan showing the following information:
 - (a) Well location, if any;
 - (b) Septic system location, if any;
 - (c) Location of property lines;
 - (d) Location of required setbacks and their dimensions;
 - (e) Location of proposed driveways, accesses and their grades;
 - (f) Parking areas, see Chapter V, Section 2.f. of these Standards;
 - (g) Location and size of drainage culverts, if applicable;
 - (h) Mailbox locations;
 - (i) Location and size of trees and shrubs within one hundred (100) feet of the proposed point of access;

- (j) Surety covering the cost of reconstruction and/or repair of damage caused to County road or road rights-of-way;
 - (k) Pre and post construction photos as required; and
 - (l) Revegetation plan.
- d. **Supervision of right-of-way work:** The permittee shall at all times conduct work within County rights-of-way so as to avoid obstruction and hazard to the traveling public and in conformance with the approved Traffic Control Plan. Materials and/or equipment necessary for construction shall not be stored in the County rights-of-way at any time unless approved in advance by the County Engineer. The roadway and roadside area where work has been performed shall be thoroughly cleared of all debris and extraneous material, and shall be restored to a condition equal to or better than the original when construction is concluded.
- e. **Inspection and testing of work:** Adequate inspections to assure compliance with these Standards are required. It is the responsibility of the permittee to contact the County Engineer at least three (3) business days in advance of any required inspections. In progress inspections of all elements of work will eliminate the need for extensive post testing. At least one (1) inspection at the conclusion of construction is required. In making this inspection, the County Engineer or a Road & Bridge Foreman shall check for compliance with these Standards and approved plans and permits, any damage to public facilities and for adequate cleanup of roadway surfaces and the rights-of-way.

Any work or material which does not conform to these Standards, pavement failures or broken asphalt, damaged signs or fencing and remaining debris either in the roadway or adjacent property, or improper drainage shall be brought to the attention of the permittee. Any work in which untested or unaccepted materials are used shall be ordered removed and replaced at the permittee's expense. Any required corrective work shall be made at the permittee's expense and shall be done to the satisfaction of the County Engineer. If immediate corrections are not made, further construction shall be stopped.

In determining whether or not the work done by a permittee is acceptable, the County Engineer will consult with the Road & Bridge Department. If a determination is made that testing is required, the number and location of the tests shall be determined by the County Engineer. If the County Engineer determines testing by an independent lab is necessary, the cost of such testing shall be paid by the permittee.

- f. **Responsibility for rework:** The permittee shall be fully responsible for the maintenance and correction of any faulty construction, including unstable road cuts and chuck holes developed during the construction period and for a period of two (2) years following the final inspection of the work. All deficiencies shall be resolved to the satisfaction of the County Engineer at the property owner's and/or permittee's expense. Failure to do so could be cause to deny acceptance and denial of future permits.
- g. **Guarantee period for rights-of-way work:** The permittee shall be responsible for a period of two (2) years after completion of work for any maintenance or repair necessary to keep the roadway in an acceptable condition.
- h. **Construction specifications and schedule for work within the County rights-of-way:** All work undertaken within the County road rights-of-way shall conform to these Standards, and to approved plans and specifications. In issuing a ROW Permit, the County Engineer shall also review, and if acceptable, approve a Construction Schedule and Traffic Control Plan. The approved construction plans, specifications and schedule cannot be changed without the approval of the County Engineer, except in emergency situations.

i. **Road Closure Procedure:** Road closures are not permitted unless justified on the basis of overall benefit to the general public. Requests for road closures shall be specified on the permit form submitted by the applicant, and no road closures shall be undertaken unless approved as part of the ROW Permit issued by the County Engineer. All requests for ANY road closure shall be submitted in written format (Temporary Road Closure Application) as outlined by event type further described below. Road closures are only permitted between the hours of 8:00 a.m. and 5:00 p.m. unless otherwise authorized by the County Engineer. At a minimum, the following information shall be submitted with the request for closure:

- (1) Simple Event Closure (Closure for non-complicated event – less than eight (8) hours in a single day):
 - (a) Temporary Road Closure Application to be submitted a minimum of ten (10) business days prior to the anticipated need for the closure;
 - (b) A completed ROW Permit Application;
 - (c) Traffic control plan conforming to the requirements of the MUTCD, to include a detour plan (if necessary) or plan to maintain access for local residents, school buses, postal delivery vehicles and all emergency services (including but not limited to Sheriff's Department, local Police Department(s), Fire Districts, Search & Rescue and Highway Patrol);
 - (d) Reason and time frame of the anticipated closure, including a sketch plan / diagram of work to be completed;
 - (e) List of names and phone numbers of responsible persons (at least two (2)); and
 - (f) Proof of Liability Insurance in the amount of one million dollars (\$1,000,000.00). A copy of liability insurance to be on file in Public Works Office.
- (2) Complex Event Closure (Closure for complicated event – more than 8 hours and/or multiple days):
 - (a) Temporary Road Closure Application to be submitted a minimum of twenty (20) business days prior to the anticipated need for the closure;
 - (b) All items as outlined in "Simple Event Closure"; and
 - (c) Detailed schedule of closure times and locations including when closure will be suspended each day during construction period (special conditions apply to overnight and weekend/holiday closures - closure of intersections must be avoided whenever possible and are not permitted for overnight or weekend/holiday closures).

Except in an emergency, contractors may only close roads after obtaining approval from the County Engineer. The extent, time of closure(s), location of closure(s) and frequency of closure(s) is at the discretion of the County Engineer.

The contractor shall furnish, erect and maintain at their own expense all necessary barricades, suitable and sufficient flashers, signs and any other items necessary to ensure safe road closure procedures. All traffic control devices shall conform to the MUTCD, current edition. Contractors shall also provide, when necessary and determined by the County Engineer, a sufficient number of certified flagmen and take necessary precautions for the protection of the work and safety of the public around their construction operations. Details shall be provided in the traffic control plan.

The contractor may be required to place notification of the pending closure in the news media and/or at appropriate locations along the route to be closed a minimum of five (5) business days prior to the initial road closure. The contractor shall be responsible for notifying any local residents of the closure. Park County shall notify all appropriate school districts, postal offices, utilities and emergency services including, but not limited to County Sheriff's Department, local police departments, fire districts, Search & Rescue and state highway patrol office.

The contractor is responsible for returning the road to a safe and passable condition prior to re-opening the road, including overnight and weekend/holiday openings. Permanent repairs shall be completed according to the requirements of the ROW Permit and these Standards. Should the closure need to be extended beyond the approved closure time, advance notification is required and must be approved by the County Engineer. Upon completion of the project and reopening of the road, the contractor is responsible for the prompt removal of all signs, barricades, etc. and notification to the County Engineer.

Road closures that extend beyond the permitted period and not previously approved by the County Engineer will be in violation of these Standards. It may also be reported to the Board of County Commissioners for review and appropriate additional actions.

- j. **Emergencies:** If a true emergency exists where time is not available to follow the procedures for obtaining a ROW Permit or for making modifications to the approved plans, specifications and schedule, a contractor may, after receipt of approval by the County Engineer or a Road & Bridge Foreman, proceed with the work. Within twenty-four (24) hours, the applicant shall submit an application for a ROW Permit.
- k. **Expiration of Permits:** ROW Permits are for work to be completed within twelve (12) months of requested start date, or a new ROW Permit must be obtained. All work authorized by each ROW Permit issued by the County Engineer under the provisions of these Standards shall expire if the work is not substantially begun within six (6) months from the date of the permit. If the construction of work authorized by the permit is suspended or abandoned for a period of six (6) months at any time after the work is begun, a new ROW Permit shall be required before such work can be resumed, or an extension may be allowed provided no changes in the original approved plans and specifications have been made or required by the County Engineer.

Any permittee holding an unexpired ROW Permit may apply for an extension of the time within which work may begin under the permit if the permittee is unable to begin work within the time required by this section for good cause and the cause is acceptable to the County Engineer.

Permits expire when the end of the approved construction schedule is reached and must be renewed in advance to prevent the County from calling any bond or financial guarantee posted by the permittee.

- l. **Posting of ROW Permits:** ROW Permits shall be available on the job site.
- m. **Protection of public safety and convenience:** The permittee shall at all times conduct work to ensure the least possible obstruction and hazard to the traveling public. The permittee shall provide for the safety and convenience of the residents along roads where work is being done, and for the protection of persons and property at all times. Adequate warning signs, barricades, lighting, flags and other devices as specified in the MUTCD, and as approved by the County Engineer, shall be provided, maintained, and paid for by the permittee. Certified flagmen shall

be posted to guide the traveling public where only one (1) traffic lane remains open, or through otherwise unsafe operations.

If, in the opinion of the County Engineer or Road & Bridge Foreman, an unsafe condition exists, or the contractor is not in conformance with the approved traffic control plan, the County Engineer may suspend **ALL** operations until the situation is corrected. If the contractor does not remedy the situation immediately, the County Engineer may correct the problem and bill the contractor for any expenses incurred.

- (1) Construction procedures for rights-of-way work: The permittee shall plan rights-of-way work so it does not create safety hazards or maintenance problems, render portions of rights-of-way unusable for future road improvement or obstruct major floodways.
- (2) Compliance with safety standards: The permittee's operations shall conform to the applicable requirements established by the Federal Occupational Safety and Health Act (OSHA), and any other applicable laws or regulations.
- (3) Staging of installations: Staging of projects may be required by the County Engineer to produce the least disruption possible for the traveling public. A permit for any subsequent stages may not be issued until the prior stage has satisfactorily progressed or has been completed.

- n. **ROW Permit work suspension or revocation:** The County Engineer or Road & Bridge Foreman may suspend or revoke any permit, in writing, issued under the provisions of these Standards whenever the permit is issued in error or on the basis of incorrect information supplied by the applicant, or when the applicant is not in compliance with the permit conditions or a hazard is created which would pose a threat to the health, safety and welfare of the public.

Should the ROW Permit be revoked or suspended, all work shall be suspended until a new permit or work under the revoked or suspended permit is authorized by the County Engineer. The County Engineer may remove any hazard or work determined not to be in compliance with permit conditions. Any cost incurred by the County shall be billed to the applicant.

SECTION 5. Road Establishment

- a. **Road Establishment:** There are several subdivision roads and existing roads within Park County which are not County roads. In State Statute WS §24-3-101, et seq, there is a process to be followed to petition the County to establish a non-County road as a County road. The Board of County Commissioners may, at their sole discretion, grant or deny establishment of these roads. Any road petitioned shall be brought up to current County Standards prior to requesting the road be established as a County road.
- b. **Acceptance procedure for roads constructed by developers:** The Park County Development Standards and Regulations require developers to construct roads necessary to serve approved subdivisions and developments. These roads shall be built to County Standards. The developer may propose to build either public or private roads.

SECTION 6. Miscellaneous Policies

- a. **Snow removal policy:** It is the County's policy to plow after an accumulation of at least four (4) inches of snow.

Snow removal operations will start early enough to allow for the necessary snow removal on the main school bus routes prior to the scheduled bus runs.

During major snow storms, snow removal operations will concentrate on keeping the main traveled roads open during normal school/working hours. Driveway approaches and mail box pull-outs may be plowed only after the road system has been plowed and clean up operations can commence. Driveway entrances are generally the responsibility of the property owner with possible exception to emergency situations.

Snow removal operations will not be conducted between the hours of 9:00 p.m. and 4:00 a.m. for any reason except a life threatening emergency. Snow removal operations utilize the following priority system (see Table 5-12):

Table 5-12 SNOW REMOVAL OPERATION PRIORITY SCHEDULE	
ROAD CLASSIFICATION	PRIORITY
Primary/Arterial	1
Secondary/Collector	2
Residential	3
Local Access	4
Recreational	5

Exceptions to this priority system include school bus routes and emergency access requirements. It is the County's policy to provide snow removal operation in a consistent and economical manner on County roads.

The County does not provide snow removal operation on private roads, except in emergency conditions.

The County may move a vehicle that causes an obstruction to a County road so the vehicle does not cause such obstruction. The County is not responsible for any damage caused to the vehicle.

b. Mailbox policy:

- (1) All mailbox installations shall require the approval of the U.S. Postal Service, and the County Engineer. All mailbox installations shall conform to the requirements shown on Figures 5-9 and 5-10. Any deviations from these requirements shall be reviewed and approved by the County Engineer and the Postmaster.
- (2) Mailboxes shall have pullouts constructed as a joint project of the box holder, Park County and the U.S. Postal Service. All mailboxes and turnouts must be designed, constructed and installed in conformance with all applicable sections of these Standards, including but not limited to requirements to obtain a ROW Permit, sight triangle and distance restrictions and traffic safety requirements.
 - (a) Box holders may remove and replace their existing mailboxes and stands at their own expense, provided the design of their structure is not deemed a safety hazard by the U.S. Postal Service or the County Engineer and the required ROW Permit is acquired.
 - (b) When Park County has a road reconstruction, repair or upgrade project, the Road & Bridge Foreman will be responsible for pullout construction, notification of box holders and scheduling of construction. This does not apply to subdivision mailboxes within the subdivision.

- (3) A mailbox damaged by the impact of plowed snow or ice shall be replaced or repaired by the mailbox owner and at the owner's expense. When a mailbox is hit by a plow and damaged, it will be replaced by the County.

c. **Fence policy:** Park County does not install or maintain fences along its rights-of-way. Should a property owner wish to install a fence along the County rights-of-way, the fence must be installed in accordance with these Standards. Maintenance of the fence shall be the responsibility of the property owner. Generally, fences are to be installed beyond the County rights-of-way. If a property owner requests fence to be installed within the County rights-of-way system, per W.S. §11-28-105, the Board of County Commissioners shall consider the request and recommendations of the County Engineer and/or Road & Bridge Foreman and may authorize the construction. The Board of County Commissioners shall be responsible for determination if owner or County shall be responsible for payment.

(1) Standards:

- (a) All fences within County rights-of-way shall be installed in accordance with WYDOT Standard Specifications, Section 607. Any deviations from these WYDOT Standard Specifications must be reviewed and approved by the County Engineer and the Road & Bridge Foreman.
- (b) All fences within County rights-of-way shall be designed, constructed and installed in conformance with all applicable sections of these Standards, including but not limited to, requirements to obtain a ROW Permit, sight triangle and distance restrictions and traffic safety requirements.

d. **Cattle guard policy:** Park County maintains existing cattle guards on the County Road System. If a property owner requests a new cattle guard within the County road rights-of-way system, the Board of County Commissioners, per W.S. §11-28-105, shall consider the request and recommendations of the County Engineer and/or Road & Bridge Foreman and may authorize the installation. The Board of County Commissioners shall be responsible for determination if owner or County shall be responsible for payment. The property owner is responsible for all fencing to connect to the new cattle guard.

(1) Standards:

- (a) All cattle guard installations shall conform to the requirements shown on Figures 5-12, 5-13, 5-14 and 5-15. Any deviations from these Standards must be reviewed and approved by the County Engineer and Road & Bridge.
- (b) All cattle guard installations must be designed, constructed and installed in conformance with all applicable sections of these Standards, including but not limited to, requirements to obtain a ROW Permit and traffic safety requirements.

e. **Irrigation facility policy:** Park County recognizes the need and importance of irrigation facilities. However, these facilities may create hazards or be detrimental to the purpose and function of the County road system. It is therefore the policy of Park County to locate irrigation facilities outside of County rights-of-way whenever possible.

- (1) Irrigation facilities within County road rights-of-way: Irrigation facilities which must be within the County rights-of-way shall be constructed to reduce impacts to the road system and eliminate hazards to the traveling public.

At a minimum, the following practices shall not be allowed within the County rights-of-way:

- (a) New supply and waste ditches;
- (b) New diversion structures; or

- (c) Open or unlined channels.

Park County will work cooperatively with irrigators to resolve conflicts with new and existing facilities.

- (2) Irrigation facilities within subdivisions: Subdivision irrigation improvements shall conform to the requirements of the State Engineer's Office and any applicable irrigation district or ditch company. Construction Plans for all irrigation facilities required for the development shall be submitted with all other construction plans.

f. Utility company facilities: Park County recognizes the need and importance of public utility facilities to be placed within the County rights-of-way. These facilities may create hazards or be detrimental to the purpose and function of the County road system. It is therefore the policy of Park County to locate these facilities in accordance with the following standards.

- (1) Standards: All utilities shall be installed in accordance with the plans and specifications approved by the utility owner and the County Engineer. Where applicable, the plans for installation must bear the name, seal and signature of a registered Wyoming Professional Engineer responsible for their preparations. The alignment of all utilities within County rights-of-way and major floodways is subject to approval by the County Engineer. All alignments of utilities within special flood hazard areas must have a floodplain permit.

- (a) Underground utilities: All accesses to underground utilities from the road surface (e.g. manholes, vaults) shall be of heavy duty construction made of cast iron, capable of safely supporting anticipated maintenance equipment and vehicular traffic and a minimum AASHTO HS-20 loading. No aluminum castings will be allowed. Concrete collars in conformance with the WPWSS standard drawings are required.

All valves, manholes, vaults or other appurtenant structures located within the rights-of-way shall not interfere with the County's use of the rights-of-way and shall be buried a minimum of twelve (12) inches, except in paved areas. In paved areas, these appurtenant structures shall conform to the finished grade of the road.

Seep plugs shall be installed in trenches used for underground utilities at no less than five hundred (500) foot intervals if the possibility exists that the surrounding water table will be lowered and this will have an adverse effect on surrounding wells and vegetation dependent on the water table elevation.

All non-metallic facilities shall have tracer wire installed with the facility. Minimum wire shall be #12AWG, solid copper.

Park County accepts no responsibility for facilities not adequately marked or buried.

- (b) Aboveground utilities: All aboveground utilities shall be located and installed so as not to cause unnecessary obstruction to pedestrian and vehicular traffic or damage to the utility itself. No pole or structure above ground shall be placed within a pedestrian walkway nor set closer than twelve (12) feet to the shoulder of any County road. A lesser distance, however, may be allowed if insufficiently cleared right-of-way is available to meet this minimum distance.

In no case will a pole, guy and/or anchor be permitted within twelve (12) feet of the shoulder of a County road except light and traffic control poles with breakaway bases. Overhead lines shall be permitted to sag under worst anticipated conditions no lower than eighteen (18) feet above the roadway and shall preferably be no closer than twenty-three (23) feet.

- (c) Utilities in major floodways: All utilities within or adjacent to major floodways shall comply with the Park County Floodplain Regulations and other applicable floodplain regulations and shall be located and installed in a manner that will prevent objectionable damage such as land erosion, water pollution or flood diversions.
- (d) Changes affecting utilities: Future changes to County roads may require the relocation or removal of utility installations. For minor changes, the affected utility company shall complete the relocation or removal within thirty (30) days after notification by the County Engineer. For major utility relocation projects involving extensive design and securing of contracts or material orders, the affected utility company shall complete the relocation or removal within ninety (90) days, or a time frame as mutually agreed upon, with approval from the County Engineer of the final design. To avoid the necessity for such changes, utility companies are encouraged to locate their facilities consistent with future plans for County roadways. Any removal and/or relocation of utilities within the County rights-of-way shall be the expense of the Utility.

g. Survey monument policy: Park County recognizes the need to allow access to survey monuments within County road rights-of-way. In some cases access to these monuments may cause damage to the road surface and become a maintenance problem and hazard to the public. It is therefore the desire of Park County to coordinate with the surveying community to provide the access and to repair the pavement around the monuments.

h. Rural road and driveway naming and addressing policy

- (1) Statement of Purpose: It is the purpose of these Standards to promote the public health, safety and general welfare, and to provide for a coordinated and uniform road naming and addressing system within Park County:
 - (a) To protect human life and health;
 - (b) To optimize the response for emergency services, such as fire, ambulance, rescue and relief efforts undertaken at the expense of the general public;
 - (c) To apply to all addressing within the jurisdiction of Park County, including but not limited to, state, county, public and private roads and easements; and
 - (d) The following Wyoming Statutes are incorporated herein by reference: W.S. §1-1-120; 18-2-101; 18-3-504; 18-5-201 through 208; 16-9-101 through 108' 24-1-104; 35-9-401 through 406.

All residences on a single parcel of property shall submit an application for an address with the appropriate fee and shall have a County assigned address. Other facilities, such as barns, trailers, commercial structures etc. may be required to be addressed.

- (3) Definitions. Unless specifically defined below, words or phrases used in these Standards shall be interpreted so as to give them the meaning they have in common usage and to give these Standards the most reasonable application. The following definitions are specific to this section.

- (a) **County Road:** A right-of-way established according to state statute within the jurisdiction of Park County.

- (b) **Public Road:** A road right-of-way or easement dedicated or established for the use of the general public.
- (c) **Private Road:** A roadway for the use of an individual or particular group of individuals.
- (d) **Subdivision Road:** A road right-of-way or easement dedicated or established through the subdivision process.
- (e) **State Highway:** A right-of-way established according to statute by the State of Wyoming, under the jurisdiction of the State of Wyoming.
- (f) **City Street:** A right-of-way established according to state statute and municipal code, under the jurisdiction of a town or city.
- (g) **Existing Address:** A number assigned, recorded and/or used which was issued by the County or fire district.
- (h) **New Address:** An address number yet to be assigned and recorded by the County.
- (i) **Residence:** A house or facility/establishment which may be any structure, such as a building, or temporary, such as a trailer, which is occupied/lived-in for some continuance of time on a parcel of property.

(3) General Provisions:

- (a) A formal written procedure follows, as outlined in Sections (4) (Application) and (5) (Process) below.
- (b) Land to which these Standards apply. These Standards shall apply to all areas within the jurisdiction of Park County.
- (c) Basis for establishing. To provide for a uniform coordinated rural addressing system for Park County. Park County uses a mileage- based system for addressing, which means addresses are assigned from a known point, usually the beginning of the road.
- (d) Designation of addressing responsibility. The Public Works Department, under the direction of the County Engineer, shall be responsible for the implementation of these Standards.
- (e) The duties shall include, but not be limited to, implementation and enforcement of these Standards.
- (f) Address Review Committee. An Address Review Committee will be comprised, at a minimum, of members from the following agencies:

Park County Engineer's Office	Park County Sheriff's Office
City of Cody	City of Powell
Town of Meeteetse	
Fire Districts, including: Clark, Cody, Powell and Meeteetse.	

- (g) Road name signs. It is neither the desire nor the intent of the County, through its addressing policy, to differentiate between public and private roads, nor to imply a right of ingress or egress. Generally, the following sign conventions will be followed:
 - (i) County Roads - Formally established County roads will be marked with a County Route Marker, MUTCD designation M1-6. **County road names or numbers do not necessarily mean the roads are established as County roads or are maintained by the County.**

- (ii) Other Named Roads and driveways - Other named roads, public, private, subdivision, etc., will be marked with a Street Name Sign, MUTCD designation D3.

Requests for signs with additional wording such as "Private Road", "Private Drive" or other private signs will be denied by the County. This does not preclude the property owner, at his expense, from installing these signs on private property. Such signs shall be installed outside of any County or public rights-of-way and may not be attached to the road name sign or signpost.

- (h) Interpretation. In the interpretation of these Standards, all provisions shall be:
 - (i) Considered as minimum requirements;
 - (ii) Liberally construed in favor of the governing body; and
 - (iii) Deemed neither to limit nor repeal any other powers granted under state statute.
- (i) Warning and disclaimer of liability. The degree of protection required by these Standards is considered reasonable for regulatory purposes. These Standards shall not create liability on the part of Park County, any officer or employee thereof for any damages that result from reliance on these Standards or any administrative decision lawfully made thereunder.

(4) Application

- (a) Application for an address. Application for an address shall be made on forms furnished by Public Works.

(5) Process

- (a) Application review. Upon receipt of a Request for an Address form, Public Works will review for the following:
 - (i) Legal access;
 - (A) Proof of legal access may be required to be furnished by the applicant.
 - (ii) Property ownership;
 - (iii) If address location is on a currently named road - proceed to (5)(b) below; and
 - (v) If a private road name will be required - proceed to (5)(c) below.
- (b) New address location on a currently named road.
 - (i) Public Works shall provide the applicant with an approved marker and instruct the applicant to place the marker at the location of the proposed driveway; and
 - (ii) Public Works shall determine an address for the location based on location of applicant placed marker.
- (c) Address location on a road or driveway requiring a road name. A road or driveway shall be named in the following cases:
 - (i) New address is the third address located on a particular access;
 - (ii) Increased development is anticipated to be located on a particular access that may result in three (3) or more addresses off of a known road;
 - (iii) Any road or driveway that in the opinion of any member of the Address Review Committee should have a new road name; and
 - (iv) Once it is determined a new road name is required, the following procedure shall be followed:

- (A) The County reviews the property ownership on adjacent properties to the road in question;
 - (B) The property owners are contacted in writing and given the opportunity to nominate names for consideration;
 - (C) Once submitted, the Address Review Committee reviews the nominations;
 - (I) Any conflicts or perceived conflicts between proposed road names and existing road names, which are already established in Park County, will not be allowed. All names not disqualified through the review process will be submitted to the landowners so they have a chance to vote.
 - (II) If the landowners cannot agree, the County Engineer will assign a road name.
 - (D) Once a road name is accepted, all the affected landowners will be notified outlining the new road name and corresponding new addresses. A copy is sent to emergency services, utility companies, county offices, postal service, etc.; and
 - (E) The County sign technician is notified for installation of the new road sign and address markers.
- (d) Modification of an existing address. If Public Works or a member of the Address Review Committee determines a modification of an existing address is needed, Public Works will initiate a change following the procedures outlined in Sections (b) and (c) above.
 - (e) Assignment of road name(s) and address(es). Once the Applicant and Public Works have complied with the requirements of these Standards, Public Works will assign an address, and if required, a road name.
 - (f) Notification of address. Once a road name and an address are determined, Public Works will notify the applicant and appropriate agencies.
 - (g) Correction of self-assigned address. When an unauthorized address is discovered, Public Works shall notify the property owner of the violation and initiate the process in accordance with these Standards to correct the address.
- (5) Minimum fees
- | | | |
|-----|---|-----------------------|
| (a) | Street name sign | \$ 150.00 |
| (b) | Address marker - new address | \$ 150.00 |
| (c) | Replacement marker - worn out naturally | \$ 0.00 |
| (d) | Replacement marker - other causes | \$ 50.00 |
| (e) | Correction of self-assigned address | \$ 250.00 |
| (f) | Failure to properly mark driveway | \$ 50.00 plus mileage |
| (g) | Change by applicant of driveway location or address marker | \$ 150.00 |
| (h) | Exception to charges: | |
| | (i) County or Agency required changes | |
| | (A) New subdivisions will obligate developers to pay for street name signs. | |
- (6) Enforcement

- (a) No address number(s) shall be released until all required County permits have been issued.
- (b) No address number(s) shall be released until all costs have been received.

SECTION 7. Administrative Relief from Design and Construction Standards: Whenever there are practical difficulties involved in carrying out the provisions of these Standards, the County Engineer may approve Administrative Relief. Relief from the design criteria and construction specifications contained in these Standards may be granted by the County Engineer under the following circumstances.

- a. The practical difficulties arising from application of these regulations are significant or create exceptional and undue hardship upon an applicant, provided the conditions of Section 7.d. below are met.
- b. If an individual is proposing to construct a low volume or local access road and the application of these Standards would result, in the opinion of the County Engineer, in excessive cut and fill slopes, visual scarring or other environmental damage, Administrative Relief in road design standards may be granted if granting the Administrative Relief will result in lessened environmental damage, and the conditions in Chapter V, Section 7.d. of these Standards are met.
- c. If documentation is provided including, but not limited to, technical references from recognized professional organizations, or significant changes to standards adopted by reference in Appendix 25 offer options to these Standards, Relief may be granted by the County Engineer. Further, if it is determined at the sole discretion of the County Engineer the option is an improvement or viable alternative which maintains the same level of care and safety intended by these Standards, Administrative Relief may be granted.
- d. Administrative Relief from the difficulties or hardships described in Chapter V, Sections 7.a. and b. of these Standards may be granted provided Relief will not result in substantial detriment to public health, safety and welfare, or substantial impairment of the road design and construction standards. Prior to taking action, the County Engineer and the Road & Bridge Foreman shall review the request for an Administrative Relief and, if necessary, refer any request for Administrative Relief to the appropriate fire district, the Sheriff's Department and other interested agencies for comment. The County Engineer shall make a determination on whether or not an Administrative Relief request should be granted.

In reviewing such requests, the County Engineer shall, at a minimum, consider the following:

- (1) The effect of using a lesser standard of public health and safety including the ability of emergency vehicles to gain access using roads built to a lesser standard;
- (2) The severity of the terrain crossed by the road alignment;
- (3) The availability of alternative alignments where the same or more stringent road standards could be met with the same or less environmental damage;
- (4) The length of road segments which will be built to a lesser standard; and
- (5) Future maintenance requirements, including, but not limited to, snow removal.

Costs may be included in the review of an Administrative Relief request, but shall not supersede public health, safety and welfare or substantial impairment of the road design and construction standards. If costs are considered, the County Engineer shall consider the initial and long term costs. The applicant shall provide all cost data requested by the County Engineer, as required, to provide a complete cost analysis.

If an applicant does not agree with the determination made by the County Engineer, the applicant may appeal the decision to the Board of County Commissioners.

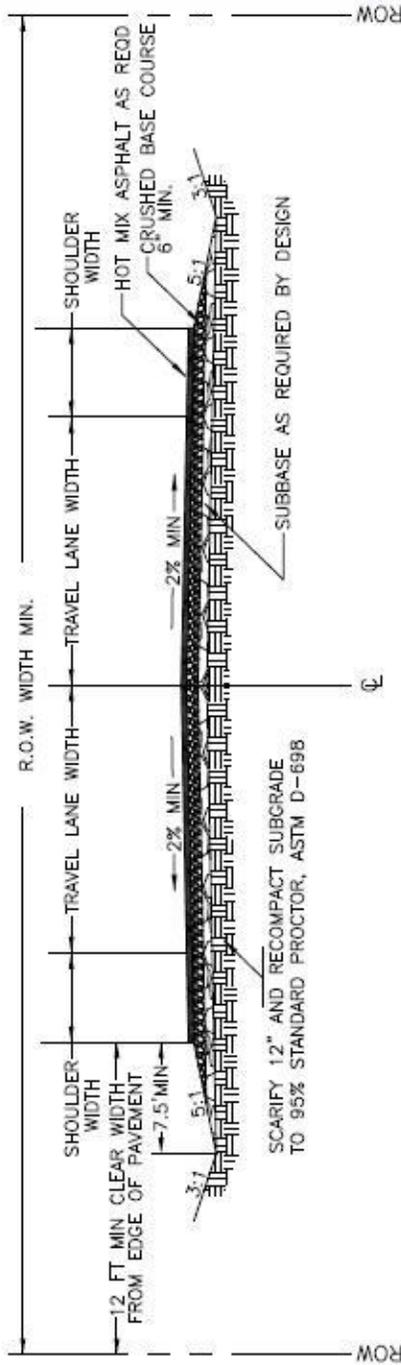
SECTION 8. Enforcement of Design and Construction Standards

- a. **Organization and enforcement:** The County Engineer is authorized and directed to enforce all provisions of these Standards. The County Engineer may appoint the Road & Bridge Foreman, construction inspector or other related technical officer or inspector or other employee to act as an authorized representative.

Whenever any work is being done contrary to the provisions of these Standards, the County Engineer may order the work stopped by a written notice which shall be served on any persons engaged in the doing or causing of such work to be done, and any such persons shall forthwith stop such work until authorized by the County Engineer to proceed.

- b. **Liability:** Park County, or its authorized representative charged with the enforcement of these Standards, acting in good faith and without malice in the discharge of duties set forth herein shall not be rendered liable for any damage that may accrue to persons or property as a result of any act or by reason of any act or omission in the discharge of such duties.
- c. **Violations:** It shall be unlawful for any person, firm or corporation to construct, enlarge, alter, repair, move, improve, remove, excavate, convert or demolish any public improvements or common facilities or permit the same to be done in violation of these Standards. Contractors who violate these Standards shall be subject to denial of future ROW Permits.

**FIGURE 5-1
TYPICAL ROAD SECTION**



MINIMUM ROAD SECTION PROPERTIES (REFERENCE TABLE 5-3)							
CLASSIFICATION	ADT	R.O.W. WIDTH FT. MIN.	NO. LANES	TRAVEL LANE WIDTH FT.	SHOULDER WIDTH FT.	SECTION MINIMUMS	
						FULL DEPTH HMA IN.	CRUSHED BASE/HMA IN.
PRIMARY (ARTERIAL)	> 700	80'	2	12'	6'	8"	DESIGN REQ'D
SECONDARY (COLLECTOR)	100-700	60'	2	12'	4'	6"	8"/3"
RESIDENTIAL	≥ 99	60'	2	12'	2'	6"	6"/3"
LOCAL ACCESS	< 99	60'	2	12'	2'	N/A	6"/N/A
RECREATIONAL	N/A	40'	2	10'	N/A	N/A	6"/N/A

NOTES:
 ADDITIONAL ROW MAY BE REQUIRED TO PROVIDE A MINIMUM CLEAR DISTANCE OF TWELVE (12) FEET FROM EDGE OF PAVEMENT TO ROW LINE.
 PAVEMENT SECTION AS PER APPROVED PAVEMENT DESIGN OR MINIMUM SECTION PER TABLE 5-3.

**PARK COUNTY
ROAD & BRIDGE STANDARDS
STANDARD DRAWINGS**

ISSUED: 8-10-10

REVISED: 2-23-10

DRAWING NO.:

5-1

**FIGURE 5-2
TYPICAL CUL-DE-SAC**

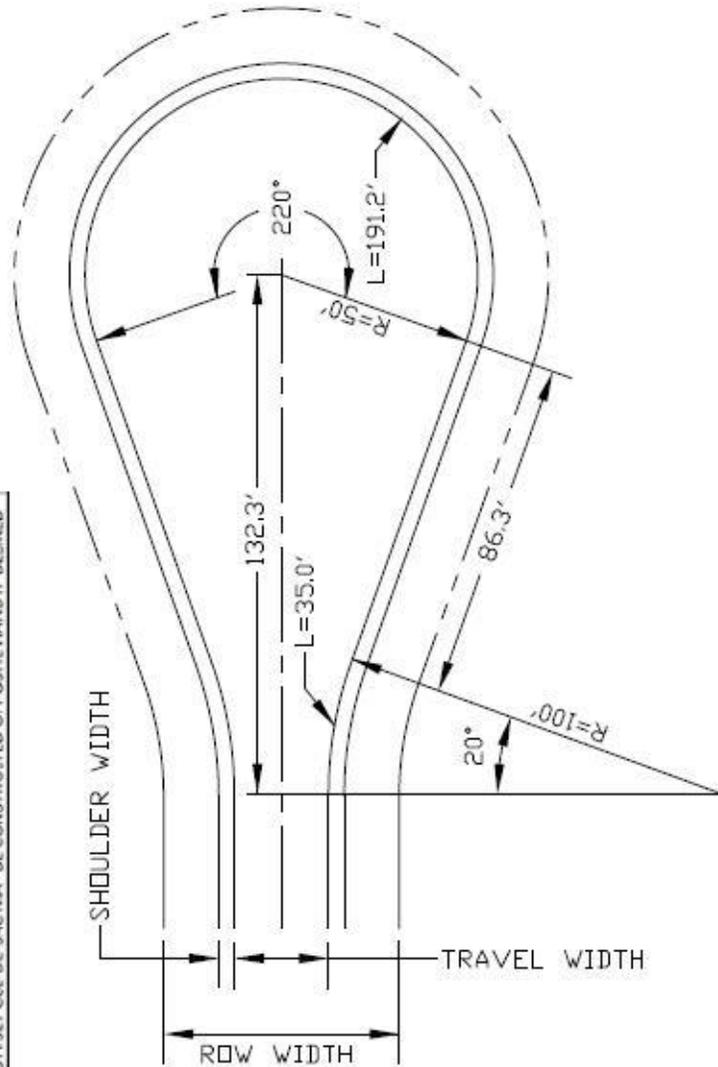
CLASSIFICATION	ADT	ROW WIDTH	TRAVEL WIDTH	SHOULDER WIDTH	PAVEMENT REQUIRED
PRIMARY	> 700	80	24	6	YES
SECONDARY	100-700	60	24	4	YES
RESIDENTIAL	≥ 99	60	24	2	BY DESIGN
LOCAL ACCESS	< 99	60	24	2	N/A
RECREATIONAL	N/A	40	20	N/A	N/A

NOTES:

ADDITIONAL ROW MAY BE REQUIRED TO PROVIDE A MINIMUM CLEAR DISTANCE OF TWELVE(12) FEET FROM EDGE OF PAVEMENT TO ROW LINE.

PAVEMENT SECTION AS PER APPROVED PAVEMENT DESIGN OR MINIMUM SECTION PER TABLE 5-3

OFFSET CUL-DE-SAC MAY BE CONSTRUCTED OPPOSITE HAND IF DESIRED



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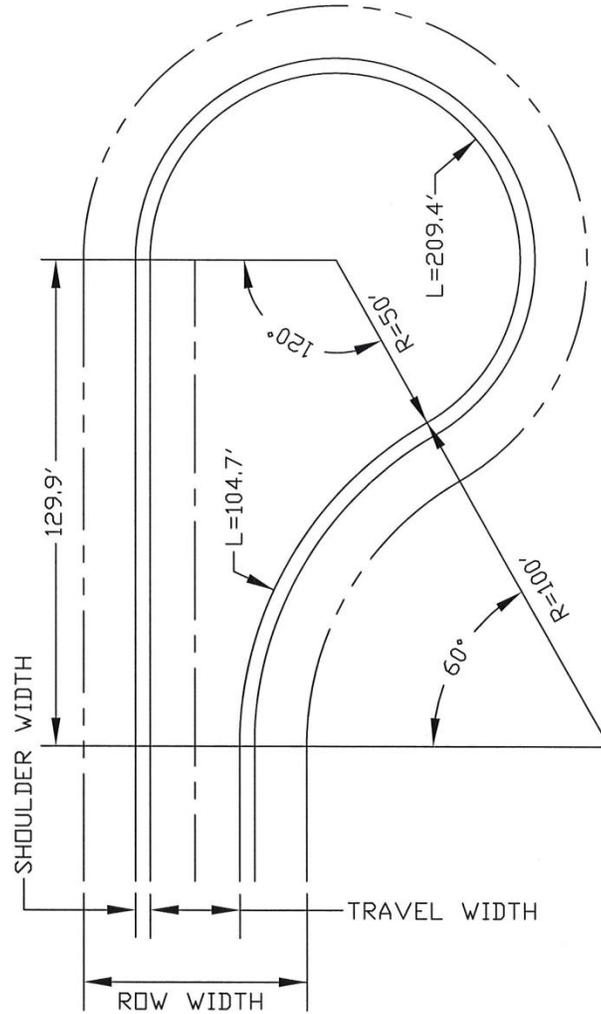
ISSUED: 8-10-10
REVISED: 2-23-10

DRAWING NO.:
5-2

**FIGURE 5-3
OFFSET CUL-DE-SAC**

CLASSIFICATION	ADT	ROW WIDTH	TRAVEL WIDTH	SHOULDER WIDTH	PAVEMENT REQUIRED
PRIMARY	> 700	80	24	6	YES
SECONDARY	100-700	60	24	4	YES
RESIDENTIAL	≥ 99	60	24	2	BY DESIGN
LOCAL ACCESS	< 99	60	24	2	N/A
RECREATIONAL	N/A	40	20	N/A	N/A

NOTES:
 ADDITIONAL ROW MAY BE REQUIRED TO PROVIDE A MINIMUM CLEAR DISTANCE OF TWELVE(12) FEET FROM EDGE OF PAVEMENT TO ROW LINE.
 PAVEMENT SECTION AS PER APPROVED PAVEMENT DESIGN OR MINIMUM SECTION PER TABLE 5-3
 OFFSET CUL-DE-SAC MAY BE CONSTRUCTED OPPOSITE HAND IF DESIRED

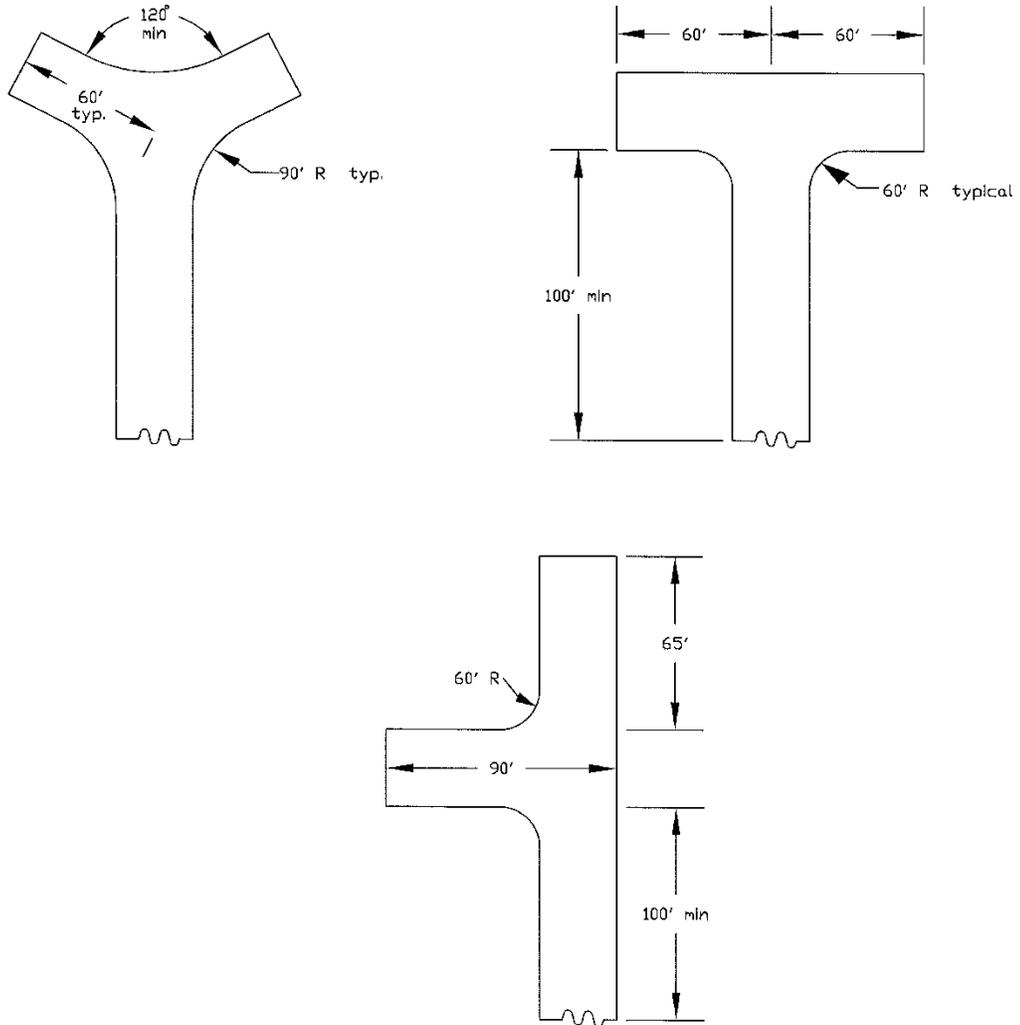


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*FIGURE 5-4
HAMMERHEAD DESIGNS*



ROAD WAY WIDTH IN HAMMERHEAD SHALL AT A MINIMUM MATCH THE ROADWAY WIDTH WITH SHOULDERS OF THE TYPICAL ROAD SECTION.

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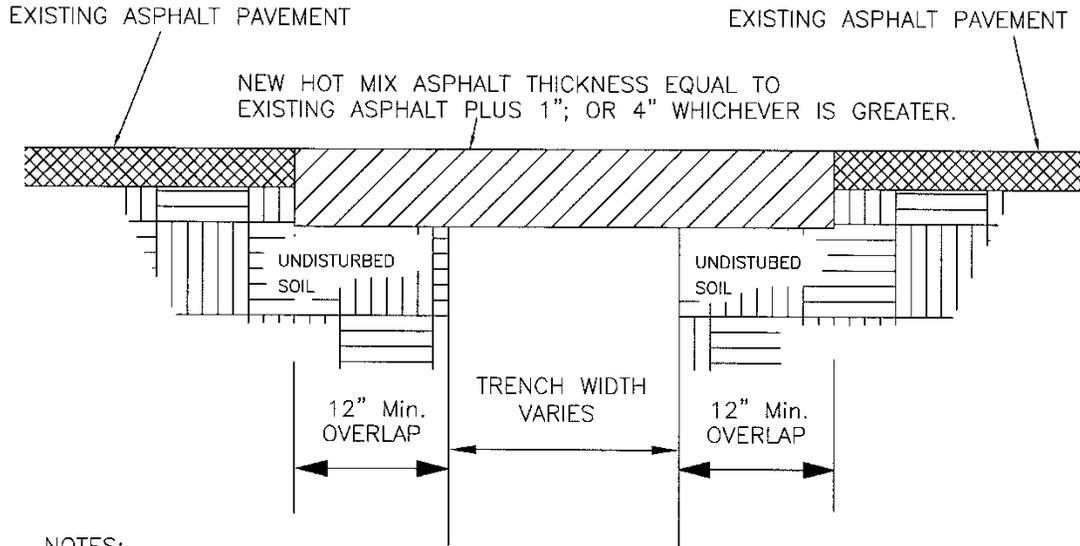
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5-4

*FIGURE 5-5
TYPICAL ASPHALT ROADWAY PATCH*



NOTES:

1. ALL PAVEMENT EDGES SHALL BE SAWCUT ENTIRE DEPTH OF ASPHALT. ALL SAWCUTS SHALL BE IN NEAT AND STRAIGHT LINES.
2. ALL EXISTING ASPHALT EDGES SHALL BE CLEANED AND TACKED PRIOR TO INSTALLATION OF THE NEW HOT MIX BITUMINOUS PATCH.
3. THIS PATCH STANDARD APPLIES TO ALL PAVED SURFACES. FOR THE PURPOSES OF THESE STANDARDS, PAVED SURFACES ARE DEFINED AS BEING ANY IMPROVED SURFACE NOT COMMONLY MAINTAINED WITH A ROAD GRADER. PAVED SURFACES SHALL INCLUDE, BUT NOT BE LIMITED TO CHIP SEALS AND ASPHALTIC CONCRETE SURFACES.
4. NEW HOT BITUMINOUS PAVEMENT SHALL BE INSTALLED IN MAXIMUM 3" LIFTS.

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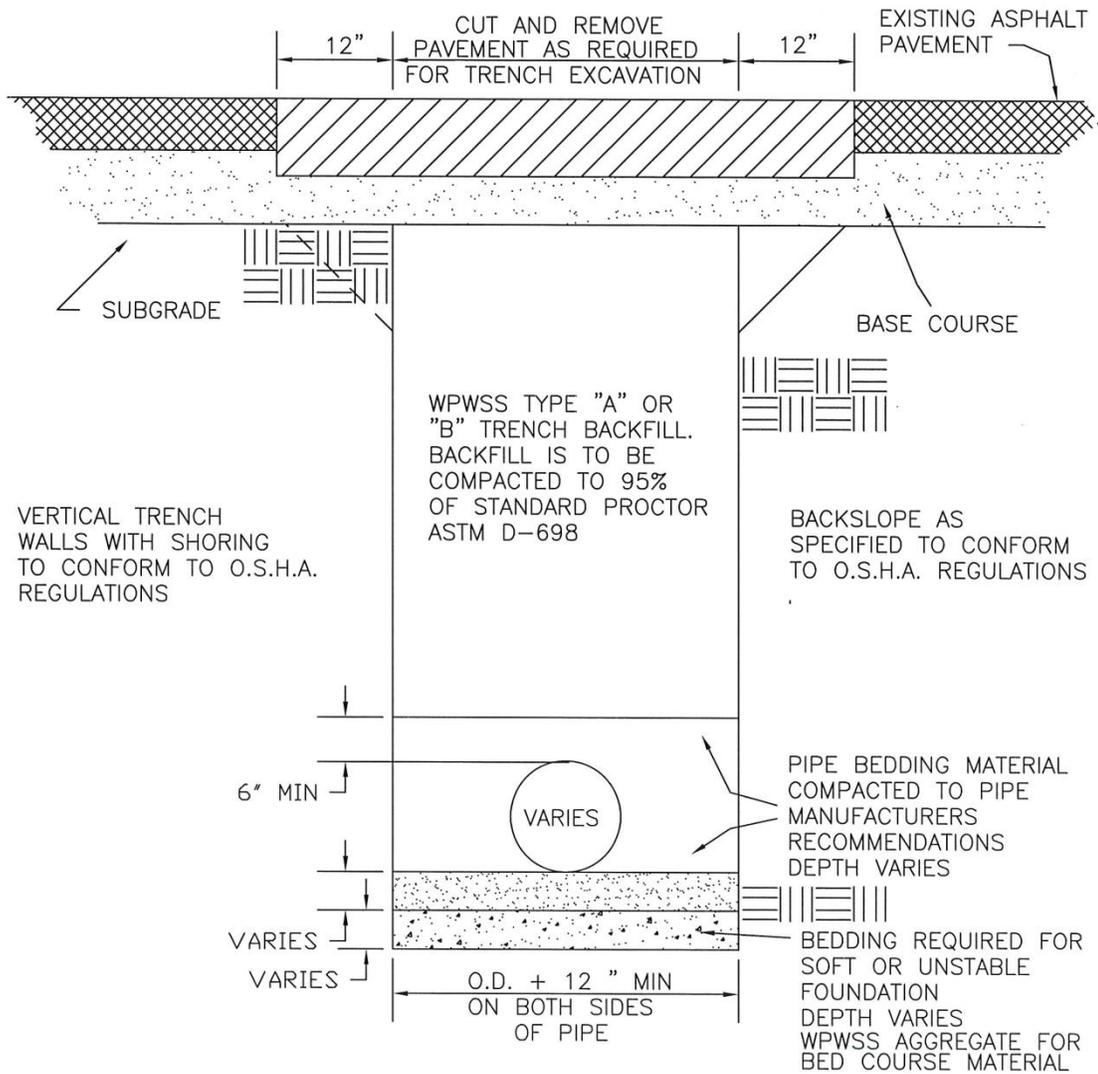
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FIGURE 5-6
TYPICAL TRENCH DETAIL



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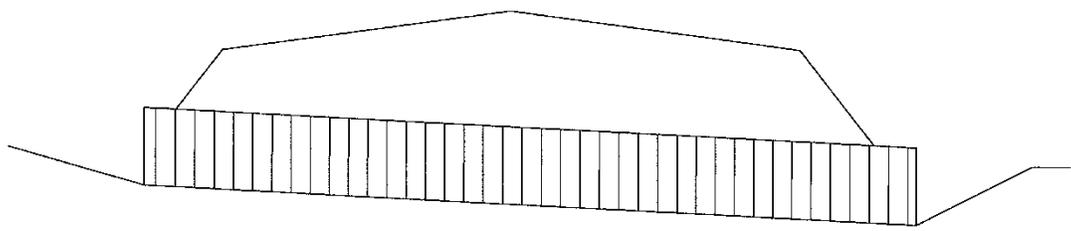
ISSUED: 8-10-10

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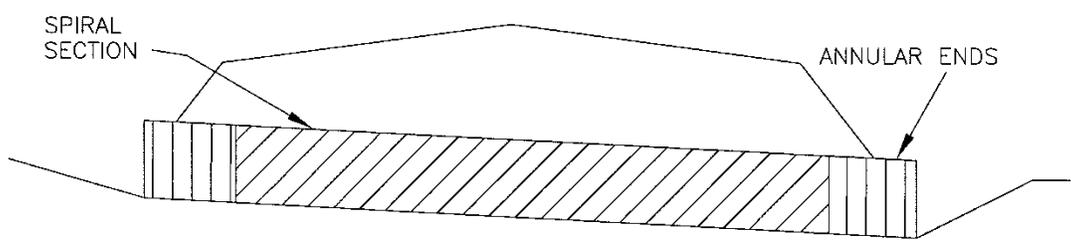
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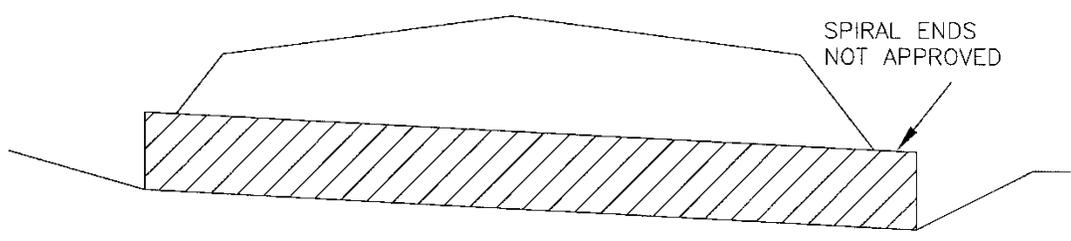
*FIGURE 5-7
EXAMPLES OF TYPICAL
CULVERT APPLICATION*



ACCEPTABLE ANNULAR CULVERT



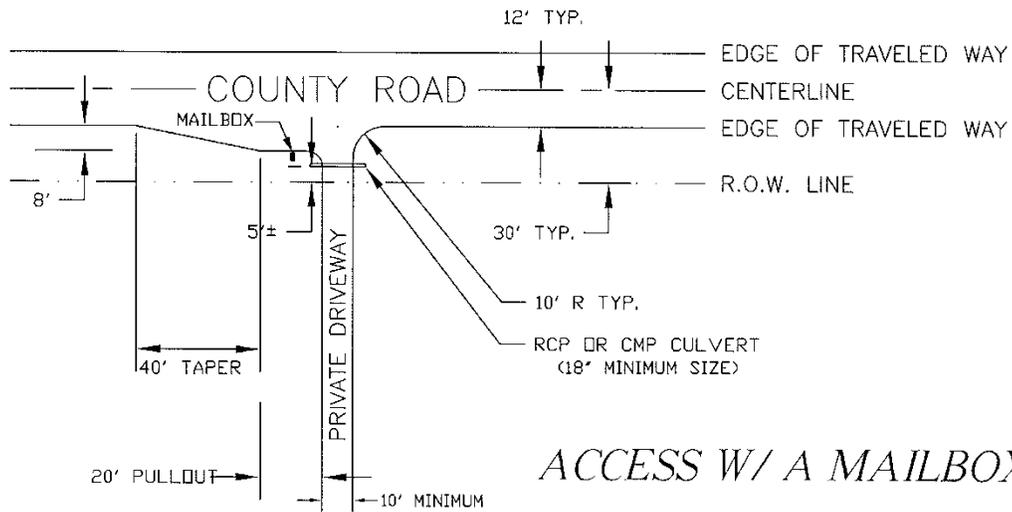
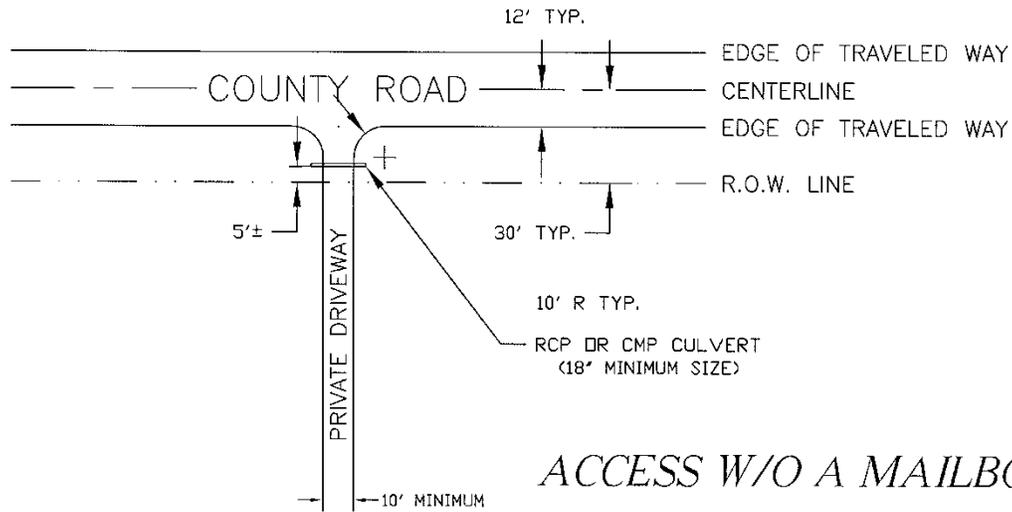
ACCEPTABLE SPIRAL CULVERT WITH
ANNULAR ENDS



UNNACCEPTABLE SPIRAL CULVERT

<p><i>PARK COUNTY ROAD & BRIDGE STANDARDS STANDARD DRAWINGS</i></p>	ISSUED:8-10-10
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FIGURE 5-8
TYPICAL RESIDENTIAL ACCESS



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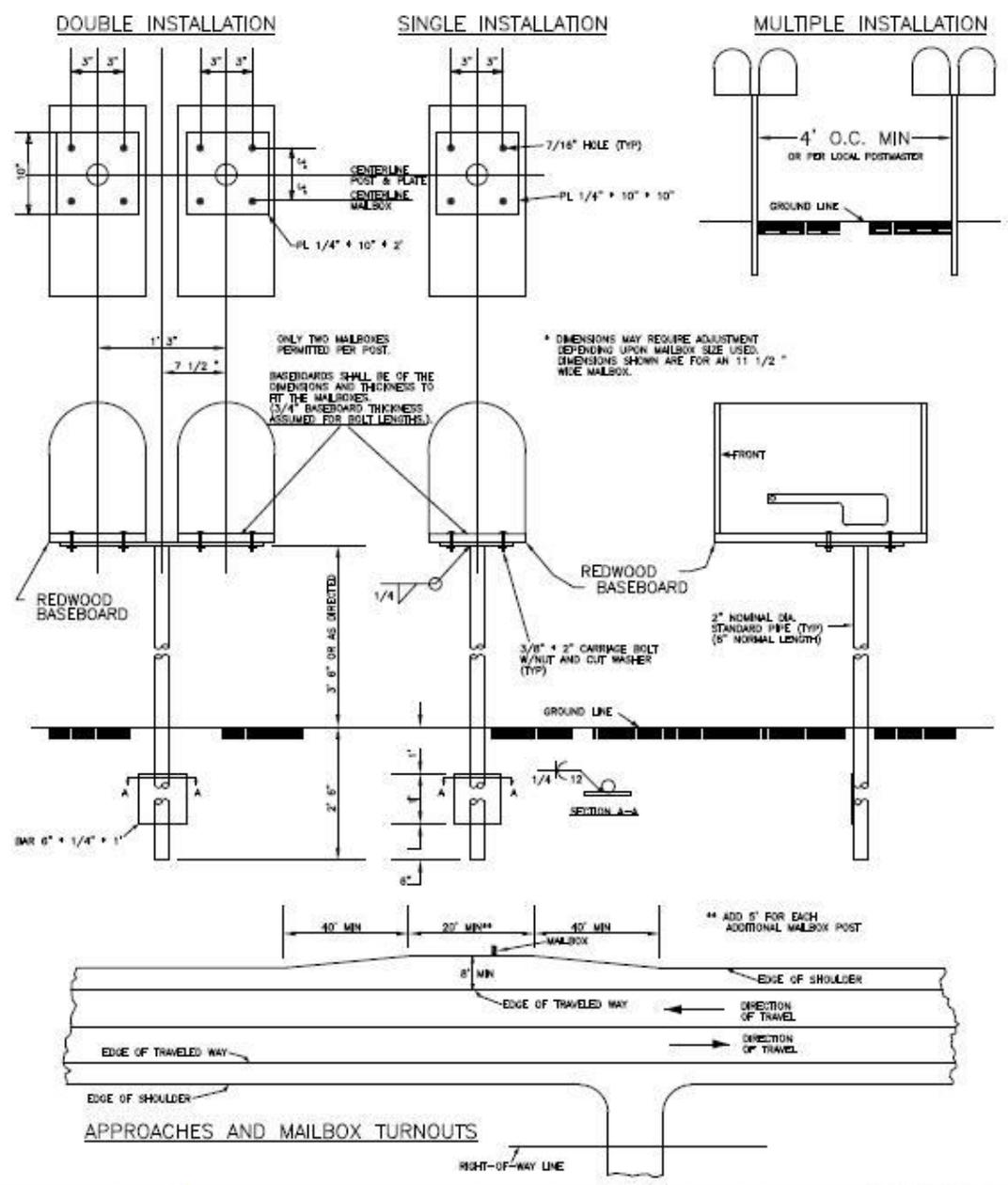
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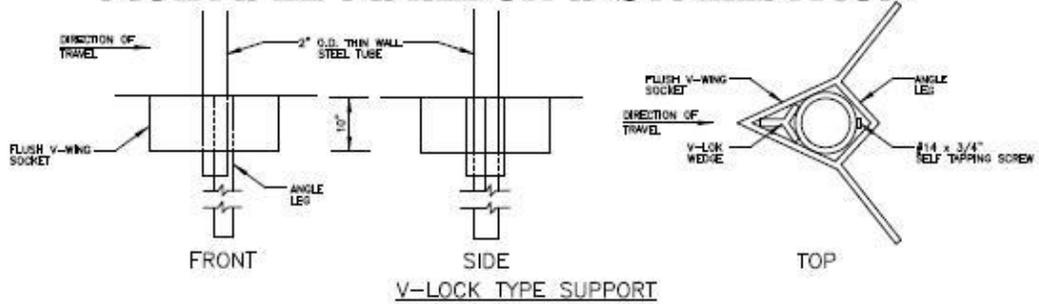
FIGURE 5-9 MAILBOX POSTS AND TURNOUTS



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FIGURE 5-10 MULTIPLE MAILBOX INSTALLATION

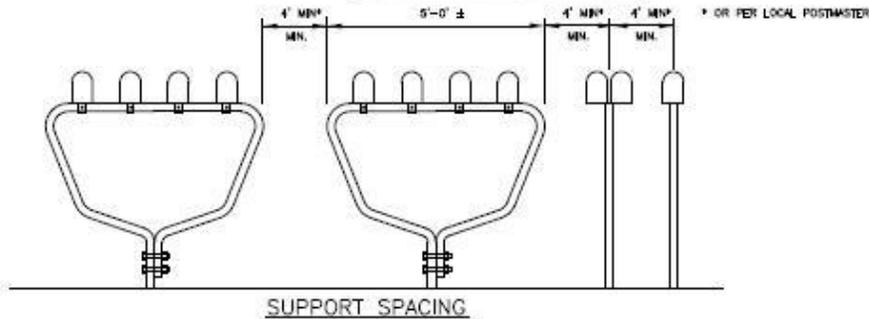
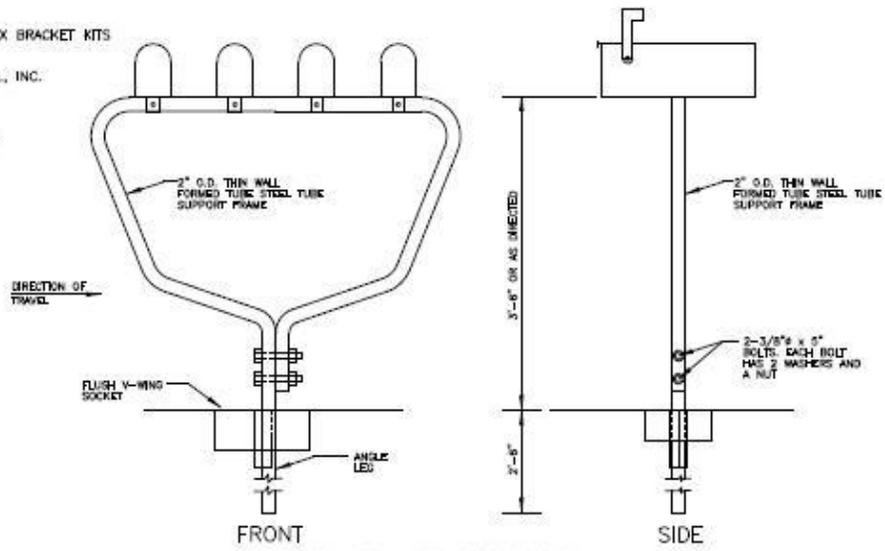


TYPICAL INSTALLATION - TRAFFIC & PARKING CONTROL CO., INC OR EQUIVELANT (TAPCO)

20-M2 MULTIPLE LARGE MAILBOX SUPPORT KIT

- 2" OD 14 GA. FORMED POST
- 20-VR3 V-LOCK SOCKET
- SW-1 WEDGE
- FOUR MBB-M (MULTIPLE) MAILBOX BRACKET KITS

TRAFFIC & PARKING CONTROL CO., INC.
5100 W BROWN DEER ROAD
BROWN DEER, WI 53223
PHONE: 1.262.814.7000
TOLL FREE PHONE 800.236.0112
QUICK LINK INFO@TAPCONET.COM



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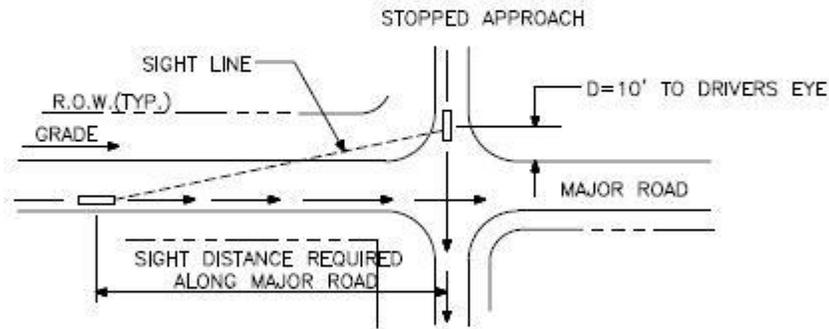
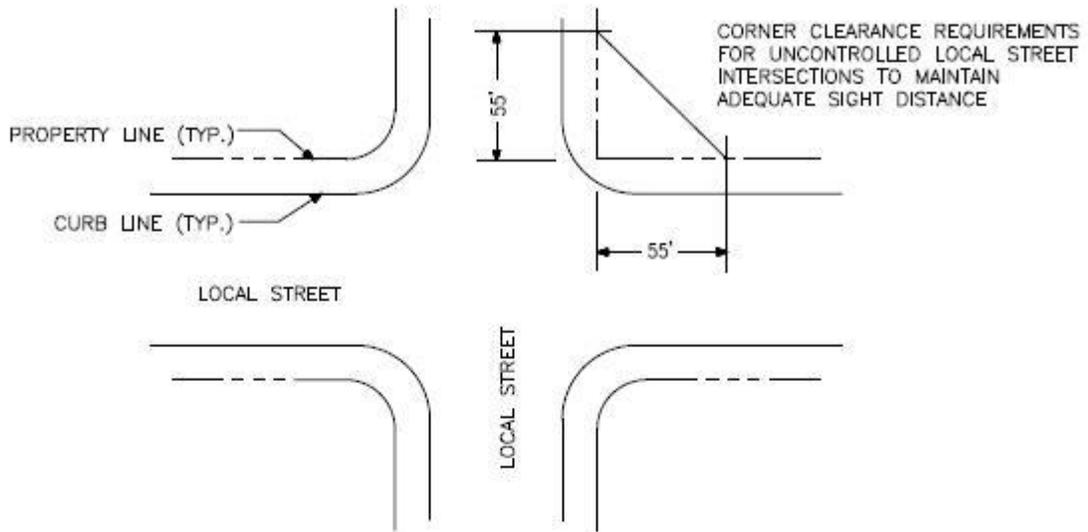
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5-10

**FIGURE 5-11
SIGHT DISTANCE**



DESIGN SPEED OF THRUROADWAY (MPH)	MINIMUM SIGHT DISTANCE FOR STOPPED VEHICLE (FT.)	GRADE CORRECTION DISTANCE (FT.)			
		UPGRADE TO		FOR DOWNGRADES	
		3%	6%	3%	6%
25	250				
30	300	25	0	-10	+10
35	350	30	0	-10	+10
40	400	35	-10	-15	+10
45	450	40	-10	-20	+10
		45	-15	-25	+15

**PARK COUNTY
ROAD & BRIDGE STANDARDS
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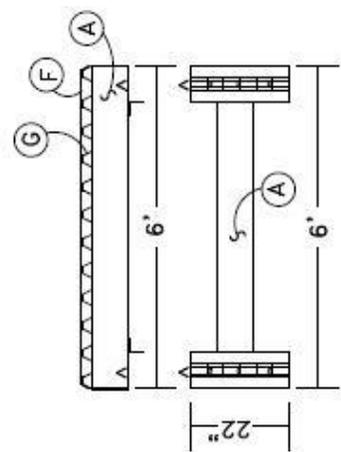
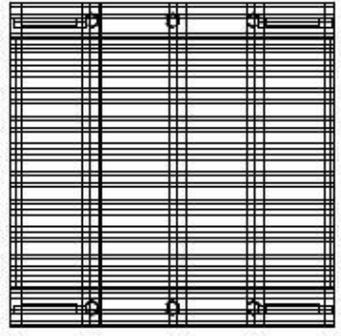
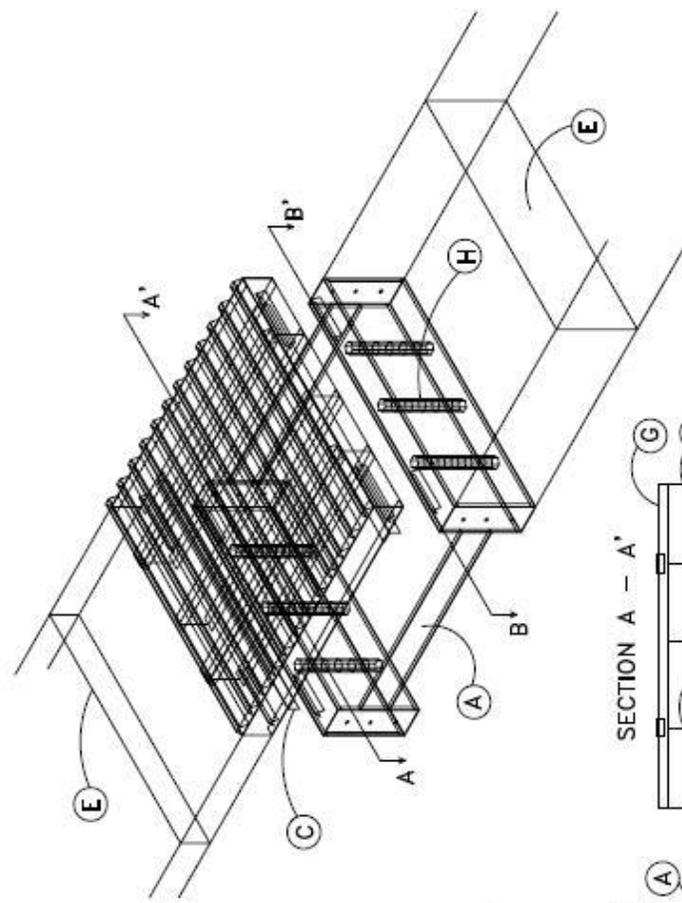
ISSUED: 8-10-10

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5-11

FIGURE 5-12
STANDARD TYPE "A" CATTLEGUARD



CONNECTION SPECS: 100% WELD LH 7018 CONTINUOUS FEED WIRE.	
Holes:	

PARK COUNTY
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5-12

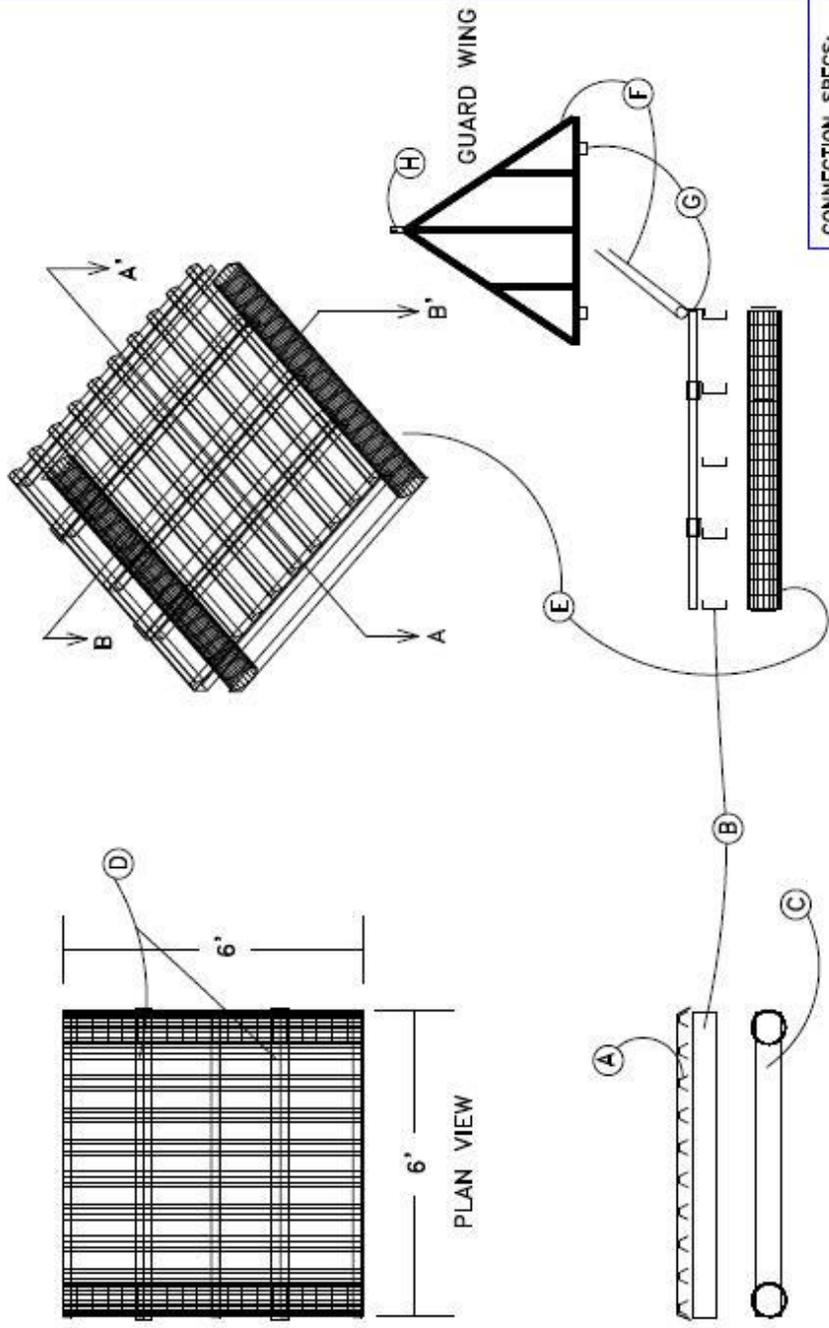
FIGURE 5-13

**MATERIALS LIST FOR STANDARD
TYPE "A" CATTLEGUARD
(MATERIALS FOR A 6' SECTION)**

<u>PART</u>	<u>DESCRIPTION</u>	<u>AISC DESIGNATION</u>	<u>LENGTH</u>	<u>QTY.</u>
A	STRUCTURAL CHANNEL 8" x 2-1/4" x 11.5 lbs.	C 8 x 11.5	21.5" 6'	12 24
B	WIDE FLANGE BEAM 8" x 4" x 13 lbs.	W 8 x 13	6'	9
C	STRUCTURAL ANGLE 3" x 3" x 1/4" x 4.9 lbs.	L 3 x 3 x 1/4	6' 17.5" 12"	6 12 12
D	BAR ANGLE 2" x 1-1/2" x 3/16"		20'	3
E	PLATE 10 GA. (7/16") 21" WIDE 8-1/2" WIDE		6' 6'	6 6
F	PLATE 12 GA. (3/8") 4" WIDE		6'-4"	6
G	ROLL FORMED OPEN FACE RAIL (7 GA., A572 GRADE 50 STEEL)		6'	36
H	PIPE SUPPORT 3" DIA.		21.5"	18

<p><i>PARK COUNTY ROAD & BRIDGE STANDARDS STANDARD DRAWINGS</i></p>	ISSUED: 8-10-10
	REVISED:
	DRAWING NO.: 5-13

FIGURE 5-14
STANDARD TYPE "B" CATTLEGUARD



CONNECTION SPECS: 100% WELD LH 7018 CONTINUOUS FEED WIRE.	HOLES: 3/4" 1.5"
--	----------------------------

SECTION A - A'

SECTION B - B'

NOTE: WHEN A 12 OR 18 FOOT SECTION IS REQUIRE,
PART E - 8" STEEL PIPE SHALL BE ONE SOLID PIECE OF PIPE.

PARK COUNTY
ROAD & BRIDGE STANDARDS
STANDARD DRAWINGS

ISSUED: 8-10-10
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DRAWING NO.:
5-14

FIGURE 5-15

MATERIALS LIST FOR STANDARD TYPE "B" CATTLEGUARD (MATERIALS FOR A 6' SECTION)

<u>PART</u>	<u>DESCRIPTION</u>	<u>AISC DESIGNATION</u>	<u>LENGTH</u>	<u>QTY.</u>
A	ROLL FORMED OPEN FACE RAIL (7 GA., A572 GRADE 50 STEEL)		6'	30
B	STRUCTURAL CHANNEL 6" x 2-1/8" x13 lbs.	C 6 x 13	6'	15
C	PLATE 10 GA. (7/16") 6" WIDE		6'	6
D	PLATE 12 GA. (3/8") 4" WIDE		6'-4"	6
E	STEEL PIPE (EXTRA STRONG) 8" DIAMETER (0.500 Wall Thickness)		6'	6
F	ANGLE - 2" x 2" x 1/4" (GUARD WINGS)	L 2 x 2 x 1/4	6'-2"	4
			6'-10"	2
			5'-2"	2
			2'-7"	4
G	PLATE 12 GA. (3/8") 4" WIDE - SIZED TO ENGAGE CHANNEL FLANGE			4
H	PLATE - 12 GA. (3/8") 4" x 4" WITH SLOTTED HOLE			2

NOTE: MATERIAL LIST SHOWN IS FOR A SIX FOOT SECTION. WHEN A 12 OR 18 FOOT SECTION IS REQUIRED, PART E - 8" STEEL PIPE SHALL BE ONE SOLID PIECE OF PIPE.

*PARK COUNTY
ROAD & BRIDGE STANDARDS
STANDARD DRAWINGS*

ISSUED:8-10-10

REVISED:

DRAWING NO.:

5-15

**APPENDIX 1.
PUBLIC HEARING NOTICE REQUIREMENTS**

Scheduling of Public Hearings: The Planning Department shall be responsible for scheduling public hearings. Public hearings shall be conducted at regular meetings of the Board of County Commissioners or Planning & Zoning Commission, or at a special meeting called for that purpose.

Public Notice: The notice of a public hearing shall be published two times in at least one newspaper of general circulation in Park County. Only one such notice must be published at least 14 days before the hearing.

Notice Contents: Notices for public hearings shall include the following:

- A. A brief description of the proposal;
- B. The property's location relative to landmarks or cross roads and the address if available;
- C. An abbreviated legal description;
- D. Applicant's name;
- E. Hearing date, time, and place; and
- F. How additional information can be obtained.

Mailed Notice: Written notice shall be mailed to owners of all properties within 660 feet of the subject property as shown in the property ownership records of the County Assessor. In addition, notice shall be mailed to the applicant, to security interest holders as identified by the applicant, and to any person who requests to be informed of a pending hearing. Failure to notify landowners due to clerical oversight or failure of mail delivery shall not affect the validity of the hearing or the reviewing authority's decision.

Continuances: The body responsible for conducting a public hearing may continue the public hearing to a subsequent regular meeting or special meeting called for that purpose. Public hearings continued to a date certain need not be re-noticed. Hearings continued to an indefinite date shall be re-noticed in accordance with the requirements of this Appendix.

**APPENDIX 2.
PRELIMINARY PLAT SPECIFICATIONS**

A. Presentation

1. **General:** Show the name of the applicant, designer, and owner or owners of record, as applicable including addresses and phone numbers. Indicate the preparing registered engineer or surveyor licensed by the State of Wyoming and the date of preparation. Provide the legal description of the property to be subdivided.
2. **Subdivision Name:** The name of the subdivision shall be stated and shall not be such that it tends to duplicate that of an existing subdivision unless it is a division of lots or tracts included in a previously approved subdivision. In this case, the lot number and name of the original subdivision shall be included in the name or subtitle of the proposed subdivision.
3. **Scale, orientation, and location:** The drawing shall be made at a scale of 1"= 100' or less. Where lot size is greater than 5 acres a scale of 1"= 200' may be used. Show North arrow. Identify township, range, section, and principle meridian.
4. **Vicinity sketch:** Provide a sketch scaled to 1"=1000' or 1"=2000' showing the perimeter outline of the plan and man—made or natural features of the surrounding area. Show the location of existing streets, and other pertinent features such as railroads, structures, parks, cemeteries, drainage ditches, and bridges.
5. **Adjoining properties, overlapping jurisdictions:** Show the location of adjoining property over which any easement is required, the names of adjoining developments, and boundaries of adjoining or overlapping jurisdictions (i.e. irrigation district).

B. Features

1. **Physical and vegetative characteristics:** Show the general location within the subdivision of any significant vegetation, bodies of water (swamps, creeks, streams, rivers, lakes, or wetlands), or other natural features. Where high and low water levels could impact development, reference these elevations to the U.S.G.S datum plane. Show general location within the subdivision of floodplains as delineated on maps available from the Planning Director. In heavily wooded areas, indicate the outline of the wooded area adapted from available information such as aerial photographs or U.S.G.S. mapping. The intent of this provision is to assist in the overall design of the subdivision.
2. **Topography:** Existing contours at 2-foot intervals for small lot urban developments, and 5 foot contours for predominant ground slopes over 20 percent grade. Elevations where possible, shall be referenced to USGS control. Where minimum lot size is greater than 10 acres, 20-foot intervals adapted from USGS topographical maps may be accepted.
3. **Lots & Blocks:** Show total area to be subdivided divided into lots and blocks that are numbered consecutively. Show dimensions of all lots to the nearest foot (may be scaled) and lot acreages to the nearest acre.

4. **Ground and surface waters:** Show permit numbers for surface and ground water rights registered with the State Engineer's Office and identifying the lands affected by the permits, both within and adjacent to the subdivision. Indicate direction of flow.
5. **Multiple Uses:** Show proposed sites, if applicable, for multiple—family residences, commercial, industrial, quasi-public uses including sites to be reserved for parks, playgrounds, schools, or open space, and single-family residential areas. Where open space is reserved for common use, provide a statement delineating how maintenance will be carried out and any conditions applicable to the reserved area.
6. **Easements:** Identify existing and proposed easements showing dimensions and purpose, including but not limited to easements for potable or irrigation water delivery, irrigation returns, sewer lines, power lines, natural gas lines, telephone or other utilities within, to, and from the subdivision.
7. **Survey data and boundaries:** Survey plat description of the perimeter of the proposed subdivision with dimensions of all boundary lines of the property in feet and decimals of a foot. This description shall be tied to existing section monuments or other legally established monuments of record.
8. **Location of soil test holes:** Identify location and distribution of percolation test holes and excavations used to determine the soil profile.

C. Improvements and Infrastructure

1. **Access:** Name and location and dimensions of all existing or recorded roads, alleys, pedestrian ways, easements, rights-of-way, and other similar features within and adjacent to the proposed subdivision including proposed grades and curvatures of each. Show proposed road names, which shall not duplicate any name used for a county road, or used in the county rural addressing system, or used in any other county subdivision unless it is an extension of an existing road. Road names shall comply with County addressing policy. Provide a plan and profile road cross section.
2. **Utilities:** Show the location, size, grade, and depth of all existing and proposed surface and underground improvements. This shall include but not be limited to potable and irrigation water, gas, electric, geothermal and telephone lines, sanitary and storm sewers, utilities, mains, fire hydrants, and pipelines. Submit plans for sewage disposal, water supply, irrigation supply and drainage, storm water drainage, noxious weed control, and solid waste disposal.

APPENDIX 3. FINAL PLAT SPECIFICATIONS

A. Presentation

1. **Preparation:** The plat shall be prepared and certification made as to its accuracy by a registered land surveyor licensed in the State of Wyoming. The plat shall be properly sealed and signed as per Wyoming requirements.
2. **Size:** The plat shall be completed in black drawing ink on 24 inch by 36-inch mylar. The border on the left side shall be 1.5 inches. All other borders may be .5 inches. Index all sheets and clearly identify match lines.
3. **Sheets:** Except for simple subdivisions, parcels not contiguous shall not be included in one plat. Not more than one plat shall be made on the same sheet. Contiguous parcels owned by different parties may be embraced in one plat. A final plat may be submitted in sections covering representative and reasonable portions of the subdivision tract. In such cases submission shall include a key map indicating the sections designated for the entire tract, and each sheet numbered accordingly to include title, legend, match lines, and other appropriate information.
4. **Title block:** The title block shall contain the name of the subdivision, the date of preparation, the name of the applicant, and owner or owners of record, as applicable.
5. **Scale, orientation, and location:** The drawing shall be made at a scale of 1"= 100' or less. Where lot size is greater than 5 acres, a scale of as small as 1"= 300' may be used. Delineate the scale numerically and show a bar scale. Show a North arrow. Identify township, range, section, and principle meridian.
6. **Dimensioning:** The bearings, distances and curve data of all perimeter boundary lines shall be indicated outside the boundary line. Lot dimensions shall be indicated on the inside of boundary lines.
7. **Vicinity Map:** The plat shall contain a vicinity map of a scale not more than one inch equals two thousand feet (1" = 2000'). Said map shall extend at least one (1) mile in all directions beyond the boundaries of the proposed subdivision. Such map shall show existing streets, highways, natural drainage courses and any other information as may be needed to properly locate the proposed subdivision.

B. Features

1. **Lots & Blocks:** Show total acreage of the subdivision and the total number of lots or tracts, block and lot numbers. Bearings and lengths shall be given for all lot lines, except for interior lot lines where the bearing and length are the same as those of both end lot lines. Delineate acreage to the nearest one-hundredth acre for the entire subdivision and for each lot or tract. All blocks and all lots within each block shall be consecutively numbered.
2. **Adjoining properties:** Show the location and the names of adjoining subdivisions.
3. **Remainder parcels:** Remainder parcels shall be marked "not included in this subdivision" and the boundary completely indicated by bearings, distances and curve data.

4. **Set-Asides:** The location and dimensions of all property proposed to be set aside for park or playground use, or other public or private reservation, with designation of the purpose of those set-asides, and conditions, if any, of the dedication or reservation.
5. **Easements:** All easements shall show bearings, dimensions, and purpose.
6. **Boundary description:** Show the location of all section corners, section lines and legal subdivision corners of sections pertinent to the subdivision boundary or located within the plat. The perimeter survey description of the proposed subdivision shall include at least one tie to an existing section monument of record. Provide a description of all monuments, both found and set, which mark the boundaries of the property, and a description of all control monuments used in conducting the survey.
 - a. **Irregular boundary:** When the plat is bounded by an irregular shoreline or bodies of water, the bearings and distances of closing meander traverses should be given and a notation made that the plat includes all land to the centerline of the stream.
7. **Curve data:** On curved boundaries and all curves on the plat, sufficient data shall be given to enable the re-establishment of the curves on the ground. Curve data shall be presented in tabular form and include the following for circular curves: radius of the curve, central angle, tangent length, arc length, chord bearing and length, and notation of non-tangent curves.
8. **Accuracy:** Lengths shall be shown to hundredths of a foot, and angles and bearings shall be shown to one second of arc. Include a statement by the surveyor explaining how bearings, if used, were determined. Calculate mathematical errors of closure for all parcels, lots, tracts, and other figures created by the final plat. Such closures will meet or exceed a precision ratio of one part in fifteen thousand parts, expressed as a ratio of the closure error length to the total perimeter length of the figure.

C. Improvements and infrastructure

1. **Roads, sidewalks, and alleys:** Show location, bearings and dimensions for all proposed and existing roads, streets, sidewalks, alleys, roads, highways, public ways, utility rights-of-way, easements, parks and the location of proposed permanent buildings and structures if known. Roads shall be named according to County addressing policy. Show recorded and apparent rights-of-way. Show proposed street right-of-way and building setback lines.
2. **Irrigation Facilities:** Irrigation facilities including laterals, head gates, and wastewater ditches shall be shown on the final plat.
3. **Access and maintenance:** If no public maintenance is contemplated for streets, alleys and roadways within the subdivision, a legend shall appear on the plat of the subdivision, on the advertisements of the subdivision and on the contracts or agreements for the sale and purchase of lots within the subdivision showing the streets alleys and roadways, the words in bold capital letters “**NO PUBLIC MAINTENANCE OF STREETS OR ROADS.**” If no roads are necessary as part of the subdivision, show on the plat in bold letters “**NO ROADS ARE PROPOSED AS A PART OF THIS SUBDIVISION.**”
4. **Statement of future use:** A statement of future use of each lot and any common land with regard to the future construction of water and sewer systems, re-subdivision, and

other potential changes that may significantly alter the subdivision as approved by the Board with regard to the criteria and standards of these regulations, shall appear on the plat. Such statement shall also contain a notice, when applicable, of the Homeowner's Association responsibility for maintenance of roads, irrigation ditches, culverts and detention areas, or other common facilities, and that failure to adequately maintain same may result in a lien upon lots affected.

5. **Domestic Water Supply:** Where individual on-lot wells are proposed, the words "**NO PROPOSED CENTRAL WATER SUPPLY SYSTEM**" in bold capital letters shall appear on the plat and on all offers, solicitations, advertisements, contracts, and agreements, relating to the subdivision.
6. **Sewage Disposal System:** Where individual on-lot sewage systems are proposed the words "**NO PROPOSED CENTRALIZED SEWAGE DISPOSAL SYSTEM**" in bold capital letters shall appear on the plat and on all, offers, solicitations, advertisements, contracts, and agreements, relating to the subdivision.

D. Certifications and Statements:

1. A Certification of Dedication, Certificate of Registered Land Surveyor, Certificate of Approval by an Incorporated City or Town (when applicable), Certificate of Approval by the Board, and a Statement for Filing of the Plat in the Office of the County Clerk shall be included in the plat in conformance to **Appendix 6**.
2. Statement regarding further subdivision. The statement, "**THIS SUBDIVISION SHALL NOT BE SUBJECT TO FURTHER DIVISION**" shall be placed on the final plat if, according to Park County regulations, no further density can be ascribed to the development parcel.

APPENDIX 4.
FINAL PLAT SUPPORTING DOCUMENTS

Final Plat Supplemental Information: As appropriate to each subdivision, one (1) copy of the following technical and financial documents and plans submitted with the final plat.

A. Administrative

1. **Covenants.** Provide copies of protective and restrictive covenants and homeowner's association documents, if applicable.
2. **Notarized Disclosure Statement.**
3. **Miscellaneous.** Any other information as required by the Commission or Board, such as special improvement district papers, maintenance bonds, special agreements, reviews and recommendations from WYDOT, approvals from cities and towns, or reviews and recommendations from other affected entities. All documents are to be in a form acceptable to the County Attorney and the Board.

B. Financial

1. **Financial Guarantee.** The applicant shall provide a performance bond, an irrevocable and renewable letter of credit, cash bond, or other sufficient financial commitment from one or more financial institutions subject to regulation by the state or federal government in the amount stipulated in the Subdivision Improvements Agreement. This financial commitment shall reflect the estimated costs of providing facilities proposed or represented to be the responsibility of the developer, including but not limited to water supply systems, sewage systems, streets and roadways. The financial commitment will assure that any such facilities proposed or represented to be part of the subdivision shall in fact be completed as proposed. The amount of any bond or other financial commitment or escrow required under this paragraph shall be in the amount of 125% of the estimated costs as approved by the County Engineer for providing the facilities including labor and materials.
2. **Subdivision Improvements Agreement.** A subdivision improvements agreement or contract agreeing to construct the required improvements as shown in plans, plats and supporting documents including but not limited to water systems, sewage systems, streets and roadways.
3. **Endorsements.** Provide an endorsement by every person having a security interest in the subdivision property that they are subordinating their liens to all covenants, servitudes, and easements imposed on the property.
4. **Certification of Taxes.** Certification from the Park County Treasurer's office that all ad valorem taxes applicable to the proposed subdivision for years prior to the year in which approval is under consideration have been paid.

C. Legal

1. **Evidence satisfactory to the board that:**
 - a. The developer or agent who offers any part of the subdivision for sale or who solicits any offers for the purchase thereof, may convey merchantable title subject only to noted reservations or restrictions of record and subject only to a proportionate share of real property taxes or assessments charged or assessed for the year in which any such sale may be legally effected; or
 - b. Binding arrangements have been made by the person or agent who offers any part of the subdivision for sale, to assure purchasers of any part of the

subdivision that upon full payment of the purchase price a deed can and will be delivered conveying merchantable title subject only to noted reservations or restrictions of record and subject only to a proportionate share of such taxes and assessments thereon as may be levied or assessed for the year in which the sale may be legally effected.

2. **Certificate of Dedication.** When a subdivision road or easement must cross other private property or public property, a copy of appropriate road dedication, easement, Special Use Permit or equivalent document shall be submitted.
3. **Binding Easements.** If the developer proposes to utilize adjoining property for potable or irrigation water delivery and drainage, sewer lines, power lines, natural gas lines, or other utilities, the developer shall provide copies of binding easements, of not less than twenty (20) feet in width for the proposed facilities from each property owner over whose land such services shall extend and shall provide a minimum access roadway right-of-way of sixty (60) feet to the subdivision for all public ways.
4. **Warranty Deed to County.** When applicable, a warranty deed to Park County conveying all public lands, other than roads, shown on the plat.

D. Technical

1. **Access permits.** Documentation satisfactory to the Board shall be provided that adequate access has been or can be provided. When any road will intersect with a state highway or county road, an approved and signed copy of the state highway or county road access permits shall be submitted. Where general access routes to county roads are known but specific points of access have not yet been determined, a letter from the County Engineer (stating that providing access permits to the subject property at some future date is not anticipated to cause problems) will serve in lieu of the county access permit itself.
2. **Roads.** Documentation satisfactory to the Board shall be provided that all proposed streets, alleys, and roadways within the subdivision conform to the minimum standards adopted by the Board and applied uniformly throughout the county. Dedication of roads on the plat shall state whether they are dedicated to the public or private entities.
 - a. **Dedicated to the Public.** Roads being dedicated to the public shall not constitute consent of the Board to locate, repair or maintain roadways and facilities.
 - b. **Private.** If the developer proposes to make any streets, alleys or roadways private, then the developer shall submit to the Board properly acknowledged written certification that certain streets, alleys or roadways within the subdivision shall remain private. The Board shall be under no obligation to locate, repair, maintain or accept any roads to the public use whether designated private or otherwise.
3. **Irrigation Districts.** If the lands proposed for subdivision are located within the boundaries of an Irrigation District, the review of the plan regarding the attached water rights and easements for irrigation facilities from that Irrigation District along with any agreements reached with the Irrigation District to govern such water rights and/or easements shall be provided.
4. **Documentation of changes in water rights.** Evidence that the applicant has complied with these regulations regarding appurtenant water rights.
5. **Domestic Water Supply.** A written certification of a licensed Wyoming engineer or geologist 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.

6. Sewage Disposal System. Written certification of a licensed Wyoming engineer or geologist, certifying as to the adequacy and safety of the sewage disposal system proposed for the subdivision, including the type and adequacy of the proposed system in relation to the topography of the subdivision, the proposed population density, soil conditions, and water sheds located on or draining into or over the proposed subdivision.

7. Recommendations and Reviews from Park County Weed & Pest Control District. This shall include a copy of the completed noxious weed and pest control plan.

E. Graphic materials.

1. Final grading, drainage and erosion control plans;
2. Final revegetation plan;
3. Road improvement plans including cross-sections and construction specifications;
4. Composite utility plans;
5. Closure sheets;
6. Final plat meeting all required specifications.

APPENDIX 5.

STANDARD PLATTING CONDITIONS

Platting Conditions: The following wording shall be used as conditions on all final plats, if applicable, unless otherwise approved by the Planning Director and/or County Engineer as appropriate:

1. RIGHT-OF-WAY. The right-of-way for ingress and egress for service and emergency vehicles is granted over, across, on, and through any and all private roads and drives now or hereinafter established.

2. ROAD CONSTRUCTION AND ACCEPTANCE. The County shall not accept the maintenance of any road or bridge within the boundaries of (*name of subdivision*) until and unless the road or bridge meets all County Road & Bridge specifications and all requirements of the Statutes of the State of Wyoming regarding establishment of a public road in effect at the time a petition for acceptance is filed with the Park Board of County Commissioners. The Board shall have sole authority to determine whether or not to accept maintenance. Nothing shall require the Board to assume maintenance.

3. If no public maintenance is contemplated on any of the roads, the subdivider shall put a legend on the plat of 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 SPECIFIED STREETS OR ROADS”**;

4. MINERAL ESTATE. The surface estate of the land to be subdivided is subject to the full and effective development of the mineral estate.

5. AGRICULTURAL NOTICE: This property is in an area of historic agricultural use and lies within the Agricultural Overlay District. This use is preserved by the Wyoming Right to Farm and Ranch Act of 1991. (W.S. §11-44-101 through 103). Historic agricultural use may cause noise, odors, dust, flies and other factors that are consequences of accepted agricultural practices. This subdivision and its lots and neighboring lands are located in an area that has been used historically for flood irrigated crop production. Historic farming practices (including flood irrigation of crops and the use of ditches to move water) may cause a significant rise in the water table in the area. The water table in the area may rise dramatically during irrigation season. Purchasers of subdivision lots should make this factor an important consideration when buildings are constructed on subdivision lots.

6. Where ambient groundwater quality must be established by means of the analysis of one or more representative water wells in the same formation as the area of the proposed subdivision, but no more than 1/2 mile away, and there are no wells with the 1/2 mile radius, it must be stated on the final plat **“NO WATER ANALYSIS WAS CONDUCTED AND THE AVAILABILITY AND QUALITY OF POTABLE WATER IS UNKNOWN. CISTERNS MAY BE REQUIRED”**.

7. Where individual on-lot wells are proposed, **“NO PROPOSED CENTRAL WATER SUPPLY SYSTEM”** in bold capital letters shall appear on all offers, contracts, agreements and plats relating to the parcel or parcels.

8. Where individual on-lot sewage systems are proposed, the words **“NO PROPOSED CENTRALIZED SEWAGE SYSTEM”** in bold capital letters shall appear on all offers, contracts, agreements and plats relating to the subdivision.

9. Where no or limited on-lot utility connections are proposed, the words **“NO PROPOSED UTILITY CONNECTIONS”** or **“LIMITED UTILITY CONNECTIONS”** as appropriate, in bold capital letters shall appear on all offers, contracts, agreements and plats relating to the subdivision

10. If the entire subdivision does not lie within a fire protection district and no city, town or fire protection district is obligated to provide fire protection pursuant to an agreement authorized by law, the subdivider shall put a legend on the plat of the subdivision and on all offers, contracts or agreements for the sale and purchase of lots within the subdivision showing in capital letters **“LOTS ARE NOT PART OF A FIRE PROTECTION DISTRICT AND FIRE PROTECTION IS NOT OTHERWISE PROVIDED”**.

11. If any parcels are adjacent to, or contain stream or river: **SELLER DOES NOT WARRANT TO THE PURCHASER THAT THERE ANY RIGHTS TO THE NATURAL FLOW OF ANY STREAM WITHIN OR ADJACENT TO THE PROPOSED SUBDIVISION. WYOMING LAW DOES NOT RECOGNIZE ANY RIPARIAN RIGHTS TO THE CONTINUED NATURAL FLOW OF A STREAM OR RIVER FOR PERSONS LIVING ON THE BANKS OF THE STREAM OR RIVER.**

12. OWNERS AGREEMENT AND APPROVAL:

In consideration of the Board of County Commissioners' determination of this division of land as a "subdivision" and "subdivided land" as noted hereon:

I/we hereby waive all claims against Park County for damage or loss to our persons and/or property which may be caused by such determination, and I/we hereby agree to hold harmless, indemnify, and defend Park County in any action which may arise in connection with any and all errors, omissions, or mistakes in this land survey plat and/or other information which I/we have submitted in connection with this request.

I/we hereby further acknowledge and state under oath that I/we am/are the legal owner(s) of the property described herein. The subdivision of (legal description of parcel subdivided) as appears on this plat is with the free consent and in accordance with the desires of the undersigned owners and proprietors.

I/we hereby further agree that sheets 1 through ____ of this plat when recorded in the Office of the Clerk and Recorder establishes vested property rights. I/we hereby agree to abide by the conditions and stipulations contained herein, and in the Commissioners Resolution / Subdivision Permit.

In witness whereof, the said owner (*printed name of owner*) has caused his name to hereon to be subscribed this day of ____ (*month*), (*year*).

Owner Acknowledgment:
State of Wyoming, County of Park

13. Board of County Commissioners Resolution _____ recorded as Document # _____

Also, if applicable:

Protective covenants are recorded as Document # _____
Homeowners Association documents are recorded as Document # _____
Subdivision Improvements Guarantee is recorded as Document # _____

County Clerk (Recorder of Deeds)

APPENDIX 7.

CERTIFICATION AND APPROVAL STATEMENTS

All signatures on the following certification and approval statements appearing on the final plat shall be in permanent black ink.

Dedication of Roads and Easements (Public Roads)

The owners and proprietors have by these presents laid out, and surveyed as (*subdivision name*), and with the specific intent to do so, do hereby dedicate and convey to and for the public use forever the roads as are laid out and designated on this plat, and do also reserve perpetual easements for the installation and maintenance of utilities and for irrigation and drainage facilities as are laid out and designated on this plat. The undersigned hereby waives and releases all rights under and by virtue of the homestead exemption laws of the State of Wyoming. Offers of Dedication of the road or roads on this plat in no way obligate the Park County Commissioners to accept the offer and/or maintain such roads nor does it relieve the developer of the obligation to construct such road or roads according to the requirements of the Park County Subdivision Regulations. Witness our hands and seals this ____ day of _____, 20 ____.

Lien holder, Owner(s), Mortgagee
(*Signature(s) shall be notarized*)

Dedication of Roads and Easements (Private Roads)

The owners and proprietors have by these presents laid out, and surveyed as (*subdivision name*), and do hereby dedicate and convey to and for the use of lot owners within the subdivision forever hereafter the roads as are laid out and designated on this plat, and do also reserve perpetual easements for the installation and maintenance of utilities and for irrigation and drainage facilities as are laid out and designated on this plat. The undersigned hereby waives and releases all rights under and by virtue of the homestead exemption laws of the State of Wyoming. The dedication of the road or roads on this plat in no way obligates the Park County Commissioners to maintain such roads or accept them as county roads nor does it relieve the developer of the obligation to construct such road or roads according to the requirements of the Park County Subdivision Regulations, witness our hands and seals this _____ day of _____, 20 ____.

Lien holder, Owner(s), Mortgagee
(*Signature(s) shall be notarized*)

Certificate of Registered Land Surveyor

I (*name of surveyor*), a duly registered land surveyor in the State of Wyoming, do hereby certify as follows:

Between (*dates*) the (*name of subdivision*) subdivision; shown hereon was surveyed (by me) or (under my direct supervision). The land surveyed is correctly described in the owner's certificate of dedication and the subdivision thereof is correctly shown on this plat which is drawn to the scale indicated. I am familiar with the Park County Subdivision Regulations and believe this subdivision complies with them in every respect.

APPENDIX 8.

PROOF OF OWNERSHIP REQUIREMENTS

The applicant for any subdivision permit shall submit proof of ownership to the Planning Director. It shall be demonstrated that the subdivided land is free of all encumbrances and that the person who offers any part of the subdivision for sale or who solicits any offers for the purchase thereof, directly or through agents, may convey merchantable title, subject only to noted reservation or restrictions of record, but free of encumbrances and subject only to a proportionate share of real property taxes or assessments charged or assessed for the year in which any such sale may be legally effected.

If the applicant is under contract to purchase the subject land, it shall be demonstrated that binding arrangements have been made by the person who offers any part of the subdivision for sale, directly or through an agent, to assure purchasers of any part of the subdivision that upon full payment of the purchase price a deed can and will be delivered conveying merchantable title subject only to noted reservations or restrictions of record and free of encumbrances not specifically assumed by the purchaser, subject only to a proportionate share of such taxes and assessments thereon as may be levied or assessed for the year in which such sale may be legally effected.

This proof of ownership shall be evidenced by at least one of the following:

- (a) A title insurance policy issued by a title insurance company that accurately reflects the current status of the proposed subdivision.
- (b) An older title insurance policy plus an endorsement from the title insurance company that issued the original title insurance policy that accurately reflects the current status of the proposed subdivision.
- (c) An older title insurance policy augmented by an attorney's title opinion, which accurately reflects the current status of the proposed subdivision.

APPENDIX 9.
Certificate of Filing

This form is required for recording any deed, record of survey, or contract for deed pertaining to land in the unincorporated areas of Park County.

_____ as owner(s) and Grantor(s) of the real estate described by the attached deed, record of survey, or contract for deed, certify that the property being conveyed is exempt from subdivision review in that:

- The property boundaries are not changed by this deed, record of survey, or contract for deed.**

- OR The changes to the parcel boundaries, including any divisions, conform to one of the exemptions contained in the Wyoming Real Estate Subdivision Act (W.S. § 18-5-303) and Chapter III Section 12 of the Park County Development Standards and Regulations.** A *Record of Survey*, as required by Chapter III Section 13 is attached to the deed or the deed contract.
 - 35-Acre Exemption – All parcels created pursuant to this exemption shall have access as required by Chapter IV Section 3b (1). Ingress and egress and utility easements shall be provided to each parcel by binding and recordable easements of not less than 40 or more than 60 feet in width to a public road unless specifically waived by the grantee or transferee in a binding and recordable document.

 - Boundary Line Adjustment – In no case may a boundary line adjustment create a separate parcel; the divided portion must be merged with and combined into an adjoining parcel by means of a Boundary Line Adjustment Record of Survey or another acceptable recorded instrument, as appropriate and determined by the Planning Director.

 - Family Exemption – A division of land made ***outside of a platted subdivision*** for the purpose of a single gift or sale to a natural or adopted child, stepchild, spouse, sibling, grandchild, grandparent or parent of the landowner, to provide for the housing, business or agricultural needs of the grantee.

Grantor Ownership date _____ (5 years min) Relationship to Grantee _____
Grantee of Family Exemption must hold property for 1 year _____

- Agricultural Exemption – Also requires Covenant for Agricultural Exemption

- Other Exemption _____

Signature of Grantor

Date

Signature of Grantor

Date

Planning Office

Date

APPENDIX 10.
COVENANT FOR AGRICULTURAL PURPOSES EXEMPTION

The undersigned, being Grantors (and owners) and Grantees of a certain conveyance to which this Covenant is attached, being presented to the Park County Clerk for recording purposes, and all being of lawful age, and first duly sworn upon our oaths depose and state as follows:

1. That Grantors are the present owners of property described on Exhibit "A" which is attached hereto and made a part hereof and have this date delivered a Deed conveying Grantors' right, title and interest in and to such property to Grantees, and all of the parties hereto making application to the County Clerk of Park County, Wyoming, to record such Deed pursuant to the agriculture exemption set forth in the State of Wyoming subdivision laws, and Grantors and Grantees hereby claiming that such conveyance is in fact exempt from the subdivision requirements set forth in such laws as well as other applicable County subdivision regulations for the reason that the lands described in this conveyance are agricultural lands, and the undersigned hereby stating and covenanting that such property as set forth on Exhibit "A" shall be used only for agricultural purposes (production of crops, livestock or other agrarian industry for the primary purpose of obtaining monetary income).

2. The parties hereto understand and acknowledge that this Covenant (that the property will be used for agricultural purposes) is binding upon the property and shall inure to the benefit of the respective successors, assigns and heirs of the Grantees. The undersigned further acknowledge that if the property is not used as stated and agreed herein, both parties may be subject to prosecution under the laws of the State of Wyoming and the Subdivision Regulations of Park County, Wyoming. The parties further understand that the property will be used exclusively for agricultural purposes until a proper request is made and the County grants a subdivision permit allowing this division of property for non-agricultural purposes. The Grantees specifically acknowledge that any future conveyance of the subject property will be subject to the Covenant contained herein.

3. The undersigned state and agree that they have executed this Covenant in good faith and not for the purpose of evading the Subdivision Regulations.

DATED and signed this _____ day of _____ 20_____.

(Signature)

(Signature)

(Print) Grantor

(Print) Grantee

(Signature)

(Signature)

(Print) Grantor

(Print) Grantee

Before me, _____, a Notary Public in and for _____, County, State of Wyoming, personally appeared _____, a person whose identity was made known to me by

- (1) The person offering to sign is known to me personally;
- (2) The person presented a valid picture I.D. in the form of a _____;
- (3) Two witnesses known to me or having valid I.D. swore as to the identity of the person offering to file this affidavit; and being first duly sworn by me upon ab oath, says that the facts stated in the foregoing document are true.

Witness my hand and official seal this ____ day of _____, 20____.

Notary Public

My Commission Expires: _____

APPENDIX 11.

**SUBDIVISION IMPROVEMENTS AGREEMENT
(BOND OR LETTER OF CREDIT FORM)
FOR
THE _____ SUBDIVISION**

THIS AGREEMENT is made and entered into as of this _____ day of _____, 20__ by and between COUNTY OF PARK, a body corporate and politic of the State of Wyoming (the "County") and _____ (the "Developer" and/or "Owner").

WITNESSETH

WHEREAS, the Developer is the property owner of that land known as: (*insert legal description of entire parcel*), containing (*insert acreage*) acres, Park County, Wyoming (the "Property")

WHEREAS, the County adopted the Park County Development Standards and Regulations which guide and control the subdivision of land within Park County, Wyoming, hereinafter referred to as the "Park County Development Standards and Regulations;" and

WHEREAS, the Developer intends to subdivide the property (the "Development") in accordance with the specific terms and conditions of the Park County Development Standards and Regulations and those set forth herein; and

WHEREAS, the Developer and County are required to set forth their agreements with respect to the Development; and

WHEREAS, the County has determined that the terms and conditions set forth herein will serve a public use and will promote the public health, safety, and general welfare;

NOW, THEREFORE, in consideration of the premises above and the terms and conditions set forth below, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the County and the Developer hereby agree as follows:

ARTICLE 1

PUBLIC AND DEVELOPMENT IMPROVEMENTS

A. Scope of Improvements

The improvements are to be provided in accordance with the terms and conditions of this Agreement and are described in detail in the Final Plat, the Utility and Signage Plan, the Road Plan and the Drainage and Grading Plan (Final Plat Submissions) which exist as approved in the official file of the Planning Department or as otherwise recorded in the Office of the County Clerk and Recorder and are incorporated herein and made a part of this agreement by reference, and generally set forth below:

1. Utility Improvements – shall include the following described improvements as shown on the Final Plat Submissions including:
 - a. Sanitary sewer laterals and treatment facilities;
 - b. Domestic water supply storage, distribution and treatment system or connection to an existing water system;

- c. Water supply and hydrants for firefighting purposes;
 - d. Storm sewers or storm drainage system, including grading and erosion controls;
 - e. Irrigation system;
 - f. Utilities, such as telephone, cable TV, electric and gas service;
 - g. Signage.
2. Road and Drainage Improvements – shall include the following described improvements shown on the Final Plat Submissions including:
 - a. Roads and related improvements including and all appurtenant drainage, road signs including road name and traffic control signs, street lights, alleys, etc.;
 - b. Sidewalks and pedestrian walkways.
 3. Other Improvements – shall be required pursuant to the plat identified in the Final Plat Submissions, including:
 - a. Park and open space improvements;
 - b. Permanent reference monuments and monument boxes; and
 - c. Other facilities as may be specified in the Final Plat submissions.

B. Responsibility for and Warranty of Improvements

The Developer agrees to undertake all responsibility for funding and completing the improvements and warrants that the Improvements will be installed in a good and workmanlike manner and in substantial compliance with the plans and requirements of this agreement and shall be substantially free of defects in materials and workmanship.

C. Other Agreements Concerning Improvements

1. All Improvements shall be designed and constructed in accordance with the Development Standards and Regulations and the plans and specifications set forth in the Final Plat submissions.
2. The Developer may record the final plat and thereby transfer title to subdivision lots or tracts upon the Developer providing documentation satisfactory to the Board of County Commissioners that guarantees the Developer has adequate financial resources available to develop and complete the improvements required to be constructed by the Developer as set forth herein. The amount of any such financial guarantee shall be ONE HUNDRED AND TWENTY-FIVE PERCENT (125%) of the total cost of constructing the Improvements, including labor and materials, as estimated by the Developer and approved by Park County. The estimate is itemized in detail to show the amount for each part of the work to be performed and attached hereto as Exhibit A.
 1. Such financial guarantee shall provide for payment to Park County upon demand if the Developer has not performed the obligations specified in this Subdivision Improvements Agreement following notice from the County to the Developer of noncompliance as set forth herein.
 2. The financial guarantee shall be for a term of six (6) years from the date of issue, unless earlier released as set forth herein. Such financial guarantee may be in the form of:
 - a. an irrevocable letter of credit from a bank or other reputable institution approved by the Board;

- b. an Escrow Account in a bank approved by the Board; or
 - c. a surety performance bond from a bonding company authorized to do business in the State of Wyoming.
 3. At any time, but not more often than once a month, Developer may submit to the Planning Director, with a copy to the County Engineer, an application for periodic reduction of the amount of the financial guarantee in an amount covering work completed on the Improvements as of the date of the application and accompanied by appropriate supporting documentation. As part of the notice, Developer shall present to the Planning Director and County Engineer valid waivers, bills of sale, invoices or other documentation from all persons providing materials or performing work on the Improvements, warranting that the work, materials and equipment are free from liens.
 1. Within a reasonable time after receipt of each application for reduction, the County shall make an inspection of the completed Improvements. Within fourteen (14) working days of the inspection, the County shall either: (i) indicate in writing approval of the reduction and present the approval to the Developer; or (ii) return the application to the Developer indicating in writing the County's reasons for refusing to approve the reduction. As part of its review of the application, the County may perform an inspection to verify completion of the work specified in the notice. If the County refuses to approve the reduction, the Developer may make the necessary corrections and resubmit the application.
 - a. Upon receipt of an approval or upon an application for reduction being deemed approved through expiration of time, the Developer may submit to the issuer of the financial guarantee an approved application, and the issuer shall reduce the amount that the County may draw against the financial guarantee pursuant to this agreement by the amount specified in the application.
 - b. The County shall release the Developer's financial guarantee if the County accepts a new security from any developer or lender who acquires the property from the Developer. Such acceptance shall not be unreasonably withheld.
 4. The Developer agrees to complete all the Improvements required by Article 1 within eighteen (18) months of the date the Subdivision Plat is approved; the developer may request a 6 month extension. Failure to complete the Improvements within the approved time as stated shall result in:
 1. if no lots have been conveyed during the approved period, automatic revocation of the subdivision permit; or
 2. if lots have been conveyed during the approved period, the County may call the bond or other form of guarantee to the extent necessary to complete the guaranteed Improvements.
 5. Upon completing construction of the improvements, the Developer shall submit to the County Engineer "as-built" road and bridge plans including a list and drawings of all deviations from the approved plans and specifications set forth in the Final Plat Submissions; and letters from any utility or special district providing service to the development indicating that the Improvements are installed in accordance with the approved plans and specifications.
 6. The financial guarantee shall be completely released when the following conditions are met:

- i. the Developer submits a letter to the Planning Director requesting release of the financial guarantee; and
 - ii. “as-built” road and bridge plans are submitted, with all deviations from the approved plans shall be listed and shown on the “as-built” plans. Release of collateral will not occur if the County Engineer determines deviations are present which have not received prior approval and are not consistent with generally accepted engineering design; and
 - iii. letters are submitted from appropriate utilities or special districts indicating Improvements are installed in accordance with approved plans as set forth in paragraph C.5, Article 1 hereof.
7. If it becomes necessary for the County to exercise its right to complete the Improvements, the County, any contractor under the County, or any successor to the Developer, their agents, subcontractors and employees shall have the right to enter upon the streets and easements shown on the subdivision final plat and upon any part of the subdivision owned by the Developer or successor to the Developer for purposes of completing the Improvements.
 8. In the event that it costs the County more to build the Improvements than provided by the bond or letter of credit, the Developer shall bear all such additional costs.

**ARTICLE 2
MISCELLANEOUS**

A. Agreement as Covenant

The County and the Developer agree that this Agreement, and all obligations contained herein, shall run with the land and shall be deemed a covenant with respect thereto, and shall be binding upon the parties and their respective heirs, successors and assigns. In order to effectuate this provision, the parties agree that this Agreement shall be recorded in the real estate records of the Office of the Clerk and Recorder at the Developer’s expense.

B. Integrated Agreements and Amendments

This Agreement and any special terms and conditions appended hereto at the time of execution of the Agreement, as permitted below, constitute the entire, integrated agreement of the parties hereto with respect to the matters addressed herein. This Agreement, and each and every one of its terms and conditions, may be added to or amended only by the mutual written agreement of the parties hereto, which agreement will be executed with the same formalities as this Agreement shall have been executed. Special terms and conditions, if any, which are agreed upon by the parties hereto at the time this Agreement is executed shall be reduced to writing in accordance with this paragraph and appended to this Agreement.

C. Notice

Any notice, demands, or other communications required or permitted to be given in writing hereunder shall be delivered personally or sent by registered or certified mail, postage prepaid, return receipt requested, addressed to the parties at the addresses set forth below, or at such other address as either party may hereafter or from time to time designate by written notice to the other party given in accordance herewith. Notice shall be considered given when personally delivered or mailed and shall be considered received by the party to whom it is addressed on the third day after such notice is given.

Notice to the County:

Notice to the Developer:

Park County Planning Director
Park County Planning & Zoning Dept.
Park County Courthouse
1002 Sheridan Avenue
Cody, Wyoming 82414

(insert Developer's name/address)

D. Severability

It is understood and agreed by the parties hereto that if any part, term or provision of the Agreement is held by the courts to be illegal or in conflict with any law of the State of Wyoming, the validity of the remaining portions or provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain that particular part, term or provision held to be invalid.

E. Enforcement

This Agreement shall inure to the mutual benefit of the parties hereto and their respective heirs, successors and assigns, and shall be enforceable according to its terms and conditions under the laws of the State of Wyoming and shall be covenants running with the land and be binding upon all future owners of the Property. In this regard, the parties hereto agree that this Agreement may be enforced by an action in law or in equity, by decree of specific performance or damages, or pursuant to such other legal and/or equitable relief as may be available under the laws of the State of Wyoming. Developer hereby gives the County and its authorized employees permission to enter the subject property to perform all necessary inspections for purposes set forth herein including enforcement.

F. Defaults and Remedies

1. Default by Developer. A default by Developer shall exist as hereinafter provided if:
 - a) Developer fails to construct the Subdivision Improvements in substantial compliance with the Plans and other requirements of this Agreement;
 - b) Developer fails to complete construction of the Subdivision Improvements by the Completion Date provided herein as the same may be extended;
 - c) Developer fails to cure any noncompliance specified in any written notice of noncompliance within a reasonable time after receipt of the notice of noncompliance;
 - d) Developer otherwise breaches or fails to comply with any obligation of Developer under this agreement;
 - e) Developer becomes insolvent, files a voluntary petition in bankruptcy, is adjudicated a bankrupt pursuant to an involuntary petition in bankruptcy, or a receiver is appointed for the Developer;
 - f) Developer fails to maintain in full force and effect a letter of credit or bond in the amounts specified in this Agreement.
2. Remedies of County. If the Board determines that a default by Developer exists, and if Developer fails to cure such default within the time specified by the Board of County Commissioners, the County shall be entitled to:
 - a) Make a draw on the letter of credit or bond for the amount reasonably determined by the County to be necessary to cure the default in a manner

consistent with the approved Plans up to the face amount of the letter of credit; and sue the Developer for recovery of any amount necessary to cure the default over and above the amount available under the letter of credit or bond.

G. Other

1. Schedules. All schedules, exhibits and addenda attached to this Agreement and referred to herein shall for all purposes be deemed to be incorporated in this Agreement by this reference and made a part hereof.
2. Compliance with applicable laws. The performance by the parties hereto of their respective obligations provided for in this Agreement shall be in strict compliance with all applicable laws and rules and regulations of all government agencies having jurisdiction on the Property.
3. Authority of signatories. Each of the parties hereto represents to the other that as of the effective date of the Agreement, each such party has full power and authority to execute, deliver, and perform this Agreement; and that such execution, delivery, and performance will not contravene any contractual restriction binding upon such party or any of its assets; there is no legal action, proceeding or investigation of any kind now pending or, to the knowledge of such parties, threatened against or affecting such party as the same may pertain to execution, delivery or performance of this Agreement.
4. Headings. The article and paragraph captions of this Agreement are inserted for convenience and reference only and shall not be deemed to define, limit or construe the provisions hereof.
5. Waiver. Any one or more waivers of any covenant or condition by any party hereto shall not be construed as a waiver of a subsequent breach of the same covenant or condition; and a consent or approval to, or of, any act requiring consent or approval shall not be deemed to waive or render unnecessary such consent or approval to, or of, any subsequent similar acts.
6. Default. In the event a party alleges that the other is in default hereunder, the non-defaulting party shall first notify the defaulting party in writing of such default. The defaulting party shall have 20 working days from receipt of such notice within which to cure such default before the non-defaulting party may exercise any of its remedies hereunder.
7. Indemnification. Developer shall indemnify and shall save and hold County harmless and free from any suit or cause of action, claim, demand, obligation or liability of every nature and description brought or made against the County or its successors in interest which may arise from the performance or nonperformance of the construction of the subdivision improvements by the Developer as provided herein or as a result of Developer's failure to comply with any and all other conditions of this Agreement. Unless otherwise agreed to by the County, Developer shall remain liable for performance of the obligations of Developer under this Agreement. Developer shall be responsible for all liability for design and construction of the improvements installed or work done pursuant to this Agreement and that County shall not be liable for any claim arising from acts of the County in approving, reviewing, checking, or inspecting any work or construction. In the event County is required to institute legal action to complete performance of this Agreement, or to defend any suit or claim, or liability resulting from or arising out of this Agreement, Developer shall pay to County the amount of any and all judgments against the County and all reasonable attorney's fees, costs of suit, and all other expenses of litigation incurred by County in connection therewith.
8. Governmental immunity. Nothing contained in this Agreement shall constitute a waiver of the County's immunity under common law and/or applicable state law.

9. No third party beneficiary. Except as herein provided, no person or entity other than a party to this Agreement shall have any right of action under this Agreement including, but not limited to, lenders, lot or home buyers, laborers or others providing work, services or materials for the Improvements.
10. Entire Agreement. This Agreement, and any agreement or document referred to herein, constitutes the entire understanding between the parties with respect to the subject matter hereof and all other prior understandings or agreements shall be deemed merged in this Agreement.

COUNTY OF PARK, STATE OF WYOMING

By: _____

Chairman, Board of County Commissioners

ATTEST:

By: _____

Clerk and Recorder

APPROVED AS TO FORM:

By: _____

County Attorney

DEVELOPER:

STATE OF WYOMING)

) ss.

COUNTY OF PARK)

The foregoing instrument was acknowledged before me by _____ this
 _____ day of _____, 20__, by _____.

WITNESS my hand and official seal.

 Notary Public

My commission expires: _____

**SUBDIVISION IMPROVEMENTS AGREEMENT
(BUILD IMPROVEMENTS FORM)**

FOR

THE _____ SUBDIVISION

THIS AGREEMENT is made and entered into as of this _____ day of _____, 20__ by and between COUNTY OF PARK, a body corporate and politic of the State of Wyoming (the "County") and _____ (the "Developer" and/or "Owner").

WITNESSETH

WHEREAS, the Developer is the property owner of that land known as: *(insert legal description of entire parcel)*, containing *(insert acreage)* acres, Park County, Wyoming (the "Property"); and

WHEREAS, the County adopted the Park County Development Standards and Regulations which guide and control the subdivision of land within Park County, Wyoming; and

WHEREAS, the Developer intends to subdivide the Property (the "Development") in accordance with the specific terms and conditions of the Park County Development Standards and Regulations and those set forth herein; and

WHEREAS, the Developer and County are required to set forth their agreements with respect to the Developer; and

WHEREAS, the County has determined that the terms and conditions set forth herein will serve a public use and will promote the public health, safety, and general welfare; and

NOW, THEREFORE, in consideration of the premises above and the terms and conditions set forth below, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the County and the Developer hereby agree as follows:

ARTICLE 1

PUBLIC AND DEVELOPMENT IMPROVEMENTS

A. Scope of Improvements

The improvements are to be provided in accordance with the terms and conditions of this Agreement and are described in detail in the Final Plat, the Utility and Signage Plan, the Road Plan and the Drainage and Grading Plan (Final Plat Submissions) which exist as approved in the official file of the Park County Planner or as otherwise recorded in the Office of the Clerk and Recorder and are incorporated herein and made a part of this agreement by reference, and generally set forth below:

1. Utility Improvements – shall include the following described Improvements as shown on the Final Plat Submissions including:
 - a) Sanitary sewer laterals and treatment facilities;
 - b) Domestic water supply storage, distribution and treatment system or connection to an existing water system;
 - c) Water supply and hydrants for firefighting purposes;

- d) Storm sewers or storm drainage system, including grading and erosion controls;
 - e) Irrigation system;
 - f) Utilities, such as telephone, cable TV, electric and gas service;
 - g) Signage.
2. Road and Drainage Improvements – shall include the following described improvements shown on the Final Plat Submission including:
 - a) Roads and related improvements including and all appurtenant drainage, road signs including road name and traffic control signs, street lights, alleys, etc.;
 - b) Sidewalks and pedestrian walkways;
 3. Other Improvements – shall be required pursuant to the plan identified in the Final Plat Submissions.
 - a) Park and open space improvements;
 - b) Permanent reference monuments and monument boxes; and
 - c) Other facilities as may be specified or required by these regulations.

B. Responsibility for Improvements

The Developer agrees to undertake all responsibility for funding and completing the improvements and warrants that the Improvements will be installed in a good and workmanlike manner and in substantial compliance with the Plans and requirements of this Agreement and shall be substantially free of defects in materials and workmanship.

C. Other Agreements Concerning Improvements

1. All Improvements shall be designed and constructed in accordance with the Development Standards and Regulations and the plans and specifications in the Final Plat Submissions.
2. The Developer agrees not to transfer title to any portion of the Property until and unless the Developer meets the obligations under this Article 1 and the lots have been released for sale by the Planning Director.
3. The Developer further agrees that the Clerk and Recorder may reject the recording of the deeds or contracts for deed transferring of any portion of the Property until and unless the Developer meets the obligations under this Article and the lots have been released for sale by the Planning Director.
4. The Developer further agrees that the Planning Director may deny the issuance of any or all zoning permits for the construction of any buildings on the Property or use of any portion of the Property until and unless the Developer meets the obligations under this Article, and the lots have been released for sale by the Planning Director.
5. Upon completion of the construction of the Improvements, the Developer shall submit to the County Engineer “as built” road plans including a list and drawings of all deviations from the approved plans and specifications set forth in the Final Plat Submissions; and letters from utility or special district providing

service to the development indicating that the Improvements are installed in accordance with the approved plans and specifications.

6. The Planning Director shall release lots within the development for sale when the Developer has met the obligations under this Article. The release of the property shall take the form of a letter to the Developer. The letter shall be recorded in the Office of the Clerk and Recorder and shall be effective at the time of recording. The Planning Director shall withhold the letter releasing the property for sale if the County Engineer determines deviations from the plans and specifications are present which have not received prior approval, and are not consistent with good engineering design, or if it is determined that the over-lot drainage plan (including on-site and off-site improvements necessary to accommodate over lot drainage) does not meet the requirements of the Development Standards and Regulations.
7. The Developer agrees to complete all the Improvements required by Article 1 within eighteen (18) months of the date the Subdivision Plat is approved; the developer may request a 6 month extension. The potable water system shall be completed within one (1) year of the date the Subdivision Plat is approved. If the Developer fails to complete all the improvements within the timeframes specified, the County shall automatically revoke the subdivision permit.

ARTICLE 2

MISCELLANEOUS

A. Agreement as Covenant

The County and the Developer agree that this Agreement, and all obligations contained herein, shall run with the land and shall be deemed a covenant with respect thereto, and shall be binding upon the parties respective heirs, successors and assigns. In order to effectuate this provision, the parties agree that this Agreement shall be recorded in the real estate records of the Office of the Clerk and Recorder at the Developer's expense.

B. Integrated Agreements and Amendments

This Agreement and any special terms and conditions appended hereto at the time of execution of the Agreement, as permitted below, constitute the entire, integrated agreement of the parties hereto with respect to the matters addressed herein. This Agreement, and each and every of its terms and conditions, may be added to or amended only by the mutual written agreement of the parties hereto, which agreement will be executed with the same formalities as this Agreement shall have been executed. Special terms and conditions, if any, which are agreed upon by the parties hereto at the time this Agreement is executed shall be reduced to writing in accordance with this paragraph and append to this Agreement.

C. Notice

Any notice, demands, or other communications required or permitted to be given in writing hereunder shall be delivered personally or sent by registered or certified mail, postage prepaid, return receipt requested, addressed to the parties at the addresses set forth below, or at such other address as either party may hereafter or from time to time designate by written notice to the other party given in accordance herewith. Notice shall be considered given when personally

delivered or mailed and shall be considered received by the party to whom it is addressed on the third day after such notice is given.

Notices to the County:

Park County Planning Director

Park County Planning and Zoning Depart.

Park County Courthouse

1002 Sheridan Ave.

Cody, WY 82414

Notice to the Developer:

(insert subdivider's name)

(insert mailing address)

D. Severability

It is understood and agreed by the parties hereto that if any part, term or provision of the Agreement is held by the courts to be illegal or in conflict with any law of the State Of Wyoming, the validity of the remaining portions or provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain that particular part, term or provision held to be invalid; provided, however, that the parties shall use their best efforts to attempt to accomplish the same objective of the invalidated provisions through other means.

E. Enforcement

This Agreement shall insure to the mutual benefit of the parties hereto and their respective heirs, successors and assigns, and shall be enforceable according to its terms and conditions under the laws of the State of Wyoming. In this regard, the parties hereto agree that this Agreement may be enforced by an action in law or in equity, by decree of specific performance or damages, or pursuant to such other legal and/or equitable relief as may be under the laws of the State of Wyoming. Developer hereby gives the County and its authorized employees permission to enter the Property to perform all necessary inspections for purposes set forth herein including enforcement.

F. Other

1. Schedules. All schedules, exhibits and addenda attached to this Agreement and referred to herein shall for all purposes be deemed to be incorporated in this Agreement by this reference and made a part hereof.
2. Compliance with applicable laws. The performance by the parties hereto of their respective obligations provided for in this Agreement shall be in strict compliance with all applicable laws and rules and regulations of all government agencies having jurisdiction on the Property.
3. Authority of signatories. Each of the parties hereto represents to the other that as of the effective date of the Agreement, each such party has full power and authority to execute, deliver, and perform this Agreement; and that such execution, delivery, and performance will not contravene any contractual restriction binding upon such party or any of its assets; there is no legal action, proceeding or investigation of any kind now pending or, to the knowledge of such parties, threatened against or affecting such party as the same may pertain to execution, delivery or performance of this Agreement.

4. Headings. The article and paragraph captions of this Agreement are inserted for convenience and reference only and shall not be deemed to define, limit or construe the provisions hereof.
5. Waiver. Any one or more waivers of any covenant or condition by any party hereto shall not be construed as a waiver of a subsequent breach of the same covenant or condition; and a consent or approval to, or of, any act requiring consent or approval shall not be deemed to waive or render unnecessary such consent or approval to, or of, any subsequent similar acts.
6. Default. In the event a party alleges that the other is in default hereunder, the non-defaulting party shall first notify the defaulting party in writing of such default. The defaulting party shall have 20 working days from receipt of such notice within which to cure such default before the non-defaulting party may exercise any of its remedies hereunder.
7. Indemnification. Developer shall indemnify and shall save and hold County harmless and free from any suit or cause of action, claim, demand, obligation or liability of every nature and description brought or made against the County or its successors in interest which may arise from the performance or nonperformance of the construction of the subdivision improvements by the Developer as provided herein or as a result of Developer's failure to comply with any and all other conditions of this Agreement. Unless otherwise agreed to by the County, Developer shall remain liable for performance of the obligations of Developer under this Agreement. Developer shall be responsible for all liability for design and construction of the improvements installed or work done pursuant to this Agreement and that County shall not be liable for any claim arising from acts of the County in approving, reviewing, checking, or inspecting any work or construction. In the event County is required to institute legal action to complete performance of this Agreement, or to defend any suit or claim, or liability resulting from or arising out of this Agreement, Developer shall pay to County the amount of any and all judgments against the County and all reasonable attorney's fees, costs of suit, and all other expenses of litigation incurred by County in connection therewith.
8. Governmental immunity. Nothing contained in this Agreement shall constitute a waiver of the County's immunity under common law and/or applicable state law.
9. No third party beneficiary. Except as herein provided, no person or entity other than a party to this Agreement shall have any right of action under this Agreement including, but not limited to, lenders, lot or home buyers, materialmen, laborers or others providing work, services or materials for the Improvements.
10. Entire Agreement. This Agreement, and any agreement or document referred to herein, constitutes the entire understanding between the parties with respect to the subject matter hereof and all other prior understandings or agreements shall be deemed merged in this Agreement.

COUNTY:

COUNTY OF PARK
STATE OF WYOMING

By: _____

Chairman, Board of County Commissioners

APPROVED AS TO FORM:

By: _____

Park County Attorney

DEVELOPER:

ACKNOWLEDGEMENT:

STATE OF WYOMING)

) ss

COUNTY OF PARK)

The foregoing instrument was acknowledged before me by _____ this
_____ day of _____, 20__.

Witness my hand and official seal:

Notary Public

My commission expires: _____

APPENDIX 12.

SAMPLE IRREVOCABLE LETTER OF CREDIT

(Date)

Non-Transferable

Park County, Wyoming
1002 Sheridan Avenue
Cody, Wyoming 82414

We hereby issue this Irrevocable Letter of Credit in your favor, available in the following manner and on the following terms:

1. DRAFT. Each draft drawn on the Issuer must be negotiated on or before ninety (90) days after the completion dates described in paragraph 4 hereof, and each draft must state upon its face "Drawn under Letter of Credit Number _____, dated _____, of (name of bank)."

2. PURPOSE. The purpose of this Irrevocable Letter of Credit is to ensure that _____ "Customer", who has obtained this Irrevocable Letter of Credit, will comply with the subdivision laws of the State of Wyoming and Park County, Wyoming, will install the facilities and improvements described in paragraph 3 hereof, in the _____ Subdivision, according to the specifications for such facilities and improvements approved by the County Commissioners of Park County, Wyoming, within the time period described in paragraph 4 hereof, and to insure that Customer will be financially responsible should he fail to install said facilities and improvements in the specified time and manner.

3. FACILITIES AND IMPROVEMENTS. The following described facilities and improvements are the subject matter of this Letter of Credit, and the dollar amount listed next to each facility or improvement is the amount of credit authorized to be paid to the beneficiary, Park County, Wyoming, in the event Customer fails to install such facility or improvement in accordance with the specifications of such facilities and improvements as approved by the County Commissioners of Park County, Wyoming, and Park County, Wyoming, presents a notice of default according to the terms hereof:

- a. Road Paving – \$_____;
- b. Water Line Improvements – \$_____;
- c. Other improvements (specify each) - \$ _____;

The total sum or sums of all drafts drawn under this Letter of Credit shall not exceed in total \$_____.

4. TIME OF INSTALLATION AND/OR CONSTRUCTION. The following dates of completion for the facilities or improvements listed shall be the date when the computation of the default period may be commenced by the Beneficiary, Park County, Wyoming:

- a. Road Paving - _____;
- b. Water Line Improvements - _____;
- c. Other improvements (specify each) - _____

5. NOTICE OF DEFAULT. Drafts, when presented for negotiation, must be accompanied by a copy of a notice of default mailed to Customer which complies with the following conditions:

- a. Statement of Default – the notice must state that Customer has defaulted in Customer’s agreement to install or construct facilities or improvements.
- b. Specification of Payments – the notice must specify which facility or improvement was not installed in accordance with the specifications thereof, and how such facility or improvement failed to comply with the requirements or specifications thereof.
- c. Amount of Demand – the notice of default must contain a statement of the amount which the Beneficiary, Park County, Wyoming, will demand from the Issuer if the default is not remedied by Customer.

6. TERMINATION. This Irrevocable Letter of Credit shall terminate on _____or when Customer has supplied the Issuer hereof with a copy of notification from the Board of County Commissioners of Park County, Wyoming that the facilities and improvements described herein have been satisfactorily installed. This Irrevocable Letter of Credit may be terminated in part if the Customer is installing several different improvements or facilities, upon receipt by Issuer hereof of a copy of notification from the Board of County Commissioners of Park County, Wyoming that certain portions of the common facilities or improvements have been satisfactorily installed. In the event of partial termination, this Irrevocable Letter of Credit shall be terminated insofar as it applies to those facilities or improvements which have been certified as satisfactorily installed by the Board of County Commissioners of Park County, Wyoming.

7. RULES APPLICABLE. This Irrevocable Letter of Credit is subject to the Uniform Customs and Practices for Documentary Credits (1993 Revision) International Chamber of Commerce, Brochure #500 and governed by the Uniform Commercial Code in force in Wyoming on the date of this Irrevocable Letter of Credit.

IN WITNESS WHEREOF, we set our hands, this ___ day of _____, 20___.

BANK

By:_____

APPENDIX 13.

Small Wastewater Systems Percolation Test Procedure

(a) Location. The percolation test holes shall be spaced uniformly over the proposed absorption field site. A minimum of three test holes are required.

(b) Preparation. A 4 inch to 12 inch hole shall be dug or bored to the proposed depth of the absorption field. The walls shall be vertical. To expose a natural soil surface, the sides and bottom shall be scraped with a sharp pointed instrument and the loose material shall be removed from the hole. Coarse sand or gravel shall be placed in the bottom of the hole to prevent it from scouring and sealing.

(c) Presoaking. The purpose of presoaking is to have the water conditions in the soil reach a stable condition similar to that which exists during continual wastewater application. The minimum time of presoaking varies with soil conditions but must be sufficiently long so that the water seeps away at a constant rate. The following presoaking instructions are usually sufficient to obtain a constant rate.

(i) In sandy soils, place 12 inches of water in the hole and allow it to seep away. Fill the hole again with 12 inches of water and if the water seeps away in ten minutes or less, it indicates that the soil is excessively permeable and requirements in Section 36(d) of these regulations shall be followed. If the water remains after ten minutes, additional saturation is necessary. Refer to Appendix A(c)(ii) below.

(ii) In other soils, maintain 12 inches of water in the hole for at least four hours. After the four hours of water contact, allow the soil to swell for 12 hours before starting the percolation rate measurement as stated in Appendix A (d) below.

(d) Percolation rate measurement. The water level should be adjusted to six inches above the gravel initially and after each time interval measurement when necessary.

(i) In other soils, establish a fixed reference point and measure the drop in water level at constant intervals. The water level drop should be measured to the nearest 1/8 of an inch. The test may be terminated when the water drop is consistent for three consecutive measurements.

(ii) The percolation rate for each hole is calculated as follows:

Time Interval (Minutes) = Percolation Rate Final Water Level Drop (inches)
(minutes/inch)

If only three to five percolation tests are performed, the design percolation rate for the absorption system is the slowest rate from all the holes tested. If six or more percolation tests are performed, the design percolation rate for the absorption system is the average of all the holes tested as determined by the above formula.

CHAPTER 11, PART D, SECTION 36(c)

(c) Groundwater protection and bedrock or impermeable soil separation.

(i) For single-family homes, the depth to bedrock or impermeable soil must be at least four feet from the bottom of the absorption system stone and the natural ground surface. The depth to seasonally high groundwater must be at least four feet from the bottom of the absorption system stone and at least two feet from the natural ground surface.

(ii) For all systems other than single family homes up to 2000 gallons per day, the depth to bedrock or impermeable soil must be at least four feet from the natural ground surface. The depth to seasonally high groundwater must be at least four feet from the bottom of the absorption system stone and at least two feet from the natural ground surface. Also, a minimum of three feet of unsaturated soil shall be maintained between the bottom of the absorption system stone and the estimated groundwater mound imposed on the seasonally high groundwater table. The height of the groundwater mound may be estimated from Figures 1 through 6. The average daily flow should be used and may be estimated as 0.6 times the flow determined from Table 1.

(iii) For all systems larger than 2000 gallons per day, a minimum of three feet of unsaturated soil shall be maintained between the bottom of the absorption system stone and the estimated groundwater mound imposed on the seasonally high groundwater table. The maximum height of the groundwater mound shall be estimated by the design engineer.

CHAPTER 23, SECTION 7(d)(vii)(C)(III)

(III) If the well surveys in subsections (I) and (II) of this part do not reveal any existing wells used for domestic purposes, ambient groundwater quality of the unconfined or semi-confined aquifer must be established, either from existing representative sample results or by collection of new representative samples. At a minimum, analytical laboratory results must be provided for:

- (1) Total Dissolved Solids (TDS)
- (2) Nitrate + Nitrite as N
- (3) Total Coliform
- (4) Sulfates
- (5) Chloride
- (6) Zinc
- (7) Lead
- (8) Copper
- (9) Arsenic
- (10) ph
- (11) Selenium
- (12) Additional constituents as may be deemed necessary by the department to classify the groundwater.

APPENDIX 14.

WYOMING SUBDIVISION STATUTES

ARTICLE 3 - REAL ESTATE SUBDIVISIONS

18-5-301. Authority vested in board of county commissioners.

The regulation and control of the subdivision of land in the unincorporated areas in each county is vested in the board of county commissioners of the county in which the land is located. Nothing in this article shall contravene or limit the authority of any county to regulate and control the subdivision of land pursuant to the provisions of W.S. 18-5-201 through 18-5-207.

18-5-302. Definitions.

(a) As used in this article:

(i) "This article" means W.S. 18-5-301 through 18-5-317;

(ii) "Board" means the board of county commissioners of the county in which the land sought to be subdivided is located;

(iii) "Encumbrance" means a mortgage or other lien of record, securing or evidencing indebtedness and affecting land to be subdivided including liens for labor and materials. Taxes and assessments levied by public authority are not an encumbrance under this article except such taxes and assessments as may be delinquent;

(iv) "Person" means a natural person, firm, corporation, partnership, or association, or any combination of the above, or any other legal or commercial entity;

(v) "Sell" or "sale" includes sale as evidenced by the delivery of a deed, contract for deed, lease, assignment, auction or award by lottery concerning a subdivision or any part of a subdivision. "Sell" or "sale" does not include a contract to sell which is expressly contingent upon the recording of the final plat by the county clerk, if all funds paid by the buyer under the contract are escrowed with a financial institution located in this state or a title company licensed to do business in this state until the final plat is recorded and the seller tenders the deed or the contract to sell is cancelled or the buyer and seller agree otherwise in writing;

(vi) "Subdivider" means any person who lays out any subdivision or parts thereof either for the account of the subdivider or others;

(vii) "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;

(viii) "Sewage system" means all pipelines, conduits, pumping stations, force mains and other constructions used for collecting or conducting wastes to a treatment plant or disposal system; any plant or other works used for the purpose of treating, stabilizing or holding wastes; and any system used for disposing of wastes, either by surface or underground methods, including any treatment plant, disposal wells and absorption fields;

(ix) "Water supply system" includes development of the source and all structures for conveyance of raw water to the treatment plant or delivery systems; all water treatment plants including disinfection facilities; water supply systems used for irrigation and stock water; and all finished water delivery systems including pipelines, pumping stations and finished water storage facilities;

(x) "Parcel" means a contiguous piece of property lawfully created or conveyed of record as a single piece of property.

18-5-303. Exemptions from provisions.

(a) Unless the method of sale or other disposition is adopted for the purpose of evading the provisions of this article, this article shall not apply to the following subdivisions of land however, the following subdivisions are subject to requirements which may be adopted by the board of county commissioners regarding documentation of the proper use and implementation of the following exemptions:

(i) A division of land made outside of platted subdivisions for the purpose of a single gift or sale to a member of the landowner's immediate family, subject to the following requirements:

(A) A member of the immediate family is limited to any person who is a natural or adopted child, stepchild, spouse, sibling, grandchild, grandparent or parent of the landowner;

(B) The purpose of the division is to provide for the housing, business or agricultural needs of the grantee;

(C) The land shall have been titled in the name of the grantor for a period of not less than five (5) years prior to the division and parcels created under this paragraph shall be titled in the name of the immediate family member for whom the division is made for a period of not less than one (1) year unless such parcels are subject to involuntary transfer including, but not limited to, foreclosure, death, judicial sale, condemnation or bankruptcy;

(D) No parcel smaller than five (5) acres created under this paragraph shall be further divided unless the owner obtains a subdivision permit pursuant to W.S. 18-5-304;

(E) Where the landowner is a corporation and eighty percent (80%) of the shares are held by individuals related by blood or marriage, the sale or gift may be made subject to the provisions of this section to an immediate family member of any shareholder who has owned at least five percent (5%) of the outstanding shares for at least five (5) years continuously before the date of the sale or gift.

(ii) 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, except that this paragraph shall not exempt a partition of real property pursuant to W.S. 1-32-101 through 1-32-122 from compliance with this article if the division would otherwise be subject to the provisions of this article;

(iii) A division which is created by a lien, mortgage, deed of trust or any other security instrument, easements and rights-of-way;

(iv) Lands located within incorporated cities or towns;

(v) A division which is created by the sale or other disposition of land to the state of Wyoming or any political subdivision thereof;

(vi) A division which affects railroad rights-of-way;

(vii) A division which is a sale or other disposition of land for agricultural purposes or affects the alignment of property lines for agricultural purposes;

(viii) 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;

(ix) A division which creates cemetery lots;

(x) 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;

(xi) 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;

(xii) A division which creates a cluster development pursuant to and in accordance with article 4 of this chapter;

(xiii) The sale or disposition of separate parcels of land that were separate when lawfully created or conveyed and which have not been combined by a recorded instrument of conveyance signed by all of the owners.

(b) Except as provided in W.S. 18-5-316, this article 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.

18-5-304. Subdivision permit required.

No person shall sell land subject to subdivision regulation under this article, record a plat or commence construction of a subdivision without first obtaining a subdivision permit pursuant to W.S. 18-5-306 or, if applicable, W.S. 18-5-316 from the board of the county in which the land is located.

18-5-305. Enforcement; rules and regulations.

Each board shall enforce this article and in accordance with the Wyoming Administrative Procedure Act shall adopt such rules and regulations as necessary to implement the provisions of and to insure compliance with the intent and purposes of this article.

18-5-306. Minimum requirements for subdivision permits.

(a) The board shall require, and with respect to paragraph (xii) of this subsection may require, the following information to be submitted with each application for a subdivision permit,

provided the board may by rule exempt from any of the following requirements of this subsection or subsection (c) of this section and may exempt from paragraph (xii) of this subsection the subdivision of one (1) or more units of land into not more than a total of five (5) units of land:

(i) Evidence satisfactory to the board that the proposed subdivision complies with any applicable zoning or land use regulations;

(ii) A survey plat submitted by the subdivider containing the following:

(A) Date of preparation, scale and north arrow;

(B) The location of the subdivision including the section, township and range;

(C) The location and dimension of existing and proposed streets, alleys, roads, highways, public ways, utility rights-of-way, easements, parks and the location of proposed permanent buildings and structures if known.

(iii) Evidence satisfactory to the board that:

(A) The subdivider or his agent who offers any part of the subdivision for sale or who solicits any offers for the purchase thereof, may convey merchantable title subject only to noted reservations or restrictions of record and subject only to a proportionate share of real property taxes or assessments charged or assessed for the year in which any such sale may be legally effected; or

(B) Binding arrangements have been made by the person or his agent who offers any part of the subdivision for sale, to assure purchasers of any part of the subdivision that upon full payment of the purchase price a deed can and will be delivered conveying merchantable title subject only to noted reservations or restrictions of record and subject only to a proportionate share of such taxes and assessments thereon as may be levied or assessed for the year in which the sale may be legally effected.

(iv) A study evaluating the sewage system proposed for the subdivision and the adequacy and safety of the system. The study shall, at a minimum, include the following:

(A) Identification of the type of sewage system to serve the subdivision and identification of the entity or entities responsible for the design, construction, operation and maintenance of the proposed facility;

(B) For all types of sewage systems except individual on-lot sewage systems, a report submitted by the subdivider as to the adequacy and safety of the proposed sewage system. The report shall address, at a minimum, the following issues:

(I) An assessment of the adequacy of the proposed sewage system in relation to the proposed population density of the subdivision and any other existing or proposed land and water uses in the vicinity of the subdivision that may affect the adequacy of the system;

(II) An estimate of the total number of gallons per day of sewage generated by the proposed subdivision where a central sewage system is proposed;

(III) A demonstration that technical requirements and design standards of the department of environmental quality applicable to central sewage systems can and will be met;

(IV) Where utilization of or connection to an existing private or public sewage system is proposed, documentation that application to such entity has been made and that the entity can and will provide service;

(V) A detailed demonstration that the proposed sewage system for the subdivision is compatible with the proposed water supply system for the subdivision. The study shall demonstrate that the operation of the sewage system will not affect the suitability or safety of the proposed water supply system and a determination of the potential impacts of down gradient use of groundwater;

(VI) Demonstration that the proposed sewage system will meet all county, state and federal standards. The demonstration shall address the relationship of the development to any local or state approved water quality management plans established pursuant to section 201 of the federal Clean Water Act, 33 U.S.C. section 1281 and demonstrate no conflict exists with any state approved local wellhead protection plan or local source water protection plan established pursuant to the federal Safe Drinking Water Act.

(C) Where individual on-lot sewage systems are proposed by the subdivider, a report submitted by the subdivider shall document the safety and adequacy of the proposed on-lot sewage systems including the following:

(I) Adequacy of separation distances;

(II) Separation of drainfield relative to groundwater and impervious soils;

(III) Suitability of the subdivision soil conditions;

(IV) Suitable topography;

(V) Proposed population density;

(VI) Protection of groundwater uses; and

(VII) Watersheds located on or draining into, under or over the proposed subdivision.

(D) Where individual on-lot sewage systems are proposed, 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.

(v) If the subdivider proposes to utilize adjoining property for sewers, drainage, sewer lines, power lines or other utilities, the subdivider shall provide copies of binding easements of not less than twenty (20) feet in width for the proposed facilities from each property owner over whose land such services shall extend and shall provide a minimum access roadway right-of-way of sixty (60) feet to the subdivision for all public ways;

(vi) A study evaluating the water supply system proposed for the subdivision and the adequacy and safety of the system. The study results shall, at a minimum, include the following:

(A) Identification of the type of water supply system proposed to serve the subdivision and identification of the entity or entities responsible for the design, construction, operation and maintenance of the proposed facility;

(B) For all water supply systems except individual on-lot wells, a report submitted by the subdivider demonstrating the adequacy and safety of the proposed water supply system. The report shall address, at a minimum, the following issues:

(I) The estimated total number of gallons per day for the subdivision water supply system;

(II) Documentation that the proposed water supply system will be compatible with and not adversely affected by the sewage system proposed for the subdivision or any other sources of pollution within a reasonable distance;

(III) List of all surface and groundwater rights which will be used or which will likely be affected, including state engineer application and permit numbers and description of expected effects identified by the study;

(IV) Plans for the mitigation of water right conflicts which will likely result from the use of water within the proposed subdivision, as identified by the study, unless such conflicts are deemed not to exist to the satisfaction of the board;

(V) When connecting to an existing water supply system, the report shall also contain:

(1) Documentation that public or private water suppliers can and will supply water to the proposed subdivision, stating the amount of water available for use within the subdivision and the feasibility of extending service to that area;

(2) Documentation concerning the potability of the proposed water supply for the subdivision.

(VI) Where a centralized water supply system is proposed containing a new source of water supply to be developed, the report shall also demonstrate that the water supply system is sufficient in terms of quality, quantity and dependability and will be available to ensure an adequate water supply system for the type of subdivision proposed. The report shall include a narrative summary of:

(1) Where the water supply system source is derived from groundwater, the geologic setting of the water supply system source and the area of influence such as nearby communities, sources of pollution, surface water bodies and aquifers described by a Wyoming registered professional geologist;

(2) The quantity, quality and source of the water to be used including proposed and existing surface and groundwater facilities and their locations. Where the proposed water supply system for the subdivision is from a groundwater source, a written report submitted by the subdivider demonstrating that the proposed source is sufficient in terms of quality, quantity and dependability for the type of subdivision proposed;

(3) The proposed disposal of water not consumed, including water obtained under permits, storm drainage, dewatering, sewage and other wastewater sources;

(4) A delineation of primary sources of water, secondary sources and occasional or seasonal sources;

(5) Graphic location of all water supply sources including wells, raw water intakes, treatment facilities, treated water storage facilities and ponds;

(6) Documentation of all data sources on the occurrence and availability of surface and groundwater;

(7) Historic stream flows and well levels;

(8) Senior water rights;

(9) Flood damage and flood protection;

(10) Impact of and protection from supply shortages.

(C) Where individual on-lot wells are proposed as the water supply system, a report submitted by the subdivider demonstrating the safety and adequacy of the water supply system shall address, at a minimum, the following:

(I) The estimated total number of gallons per day for the subdivision;

(II) Information relative to the potential availability and quality of groundwater proposed within the subdivision which may consist of new data, existing data on other working wells in the area, or other data, including drilling logs, from a test well drilled within the proposed subdivision indicating soil types, depth, quantity and quality of water produced in the test well;

(III) Documentation that the proposed water supply system will be compatible with and not adversely affected by the sewage system proposed for the subdivision or any other sources of pollution within a reasonable distance;

(IV) List of all surface and groundwater rights which will be used or which will likely be affected, including state engineer application and permit numbers, and description of expected effects identified by the study; and

(V) Plans for the mitigation of water right conflicts which will likely result from the use of water within the proposed subdivision, as identified by the study, unless such conflicts are deemed not to exist to the satisfaction of the board.

(D) Where individual on-lot wells are proposed, the words "NO PROPOSED CENTRAL WATER SUPPLY SYSTEM," in bold capital letters shall appear on all offers, solicitations, advertisements, contracts, agreements and plats relating to the subdivision.

(vii) Documentation satisfactory to the board that adequate access has been provided and that all proposed streets, alleys and roadways within the subdivision conform to the minimum standards adopted by the board and applied uniformly throughout the county which shall not in itself constitute consent of the board to locate, repair or maintain roadways and facilities. If, however, the subdivider proposes to make any streets, alleys or roadways private, then the subdivider shall submit to the board properly acknowledged written certification that certain streets, alleys or roadways within the subdivision shall remain private and the board shall be under

no obligation to repair, maintain or accept any dedication of such roads to the public use. If no such public maintenance is contemplated, the subdivider shall put a legend on the plat of the 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";

(viii) Documentation satisfactory to the board 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 facilities proposed or represented to be part of the subdivision will in fact be completed as proposed, or escrow sufficient monies out of land sales to guarantee that the above facilities are installed. The amount of any bond or other financial commitment or escrow required under this paragraph shall reflect the estimated costs of providing the facilities;

(ix) Proof that the applicant has published notice of his intent to apply for a permit once each week for two (2) weeks within thirty (30) days prior to filing his application. The notice shall include the name of the subdivider and the general location of the land to be subdivided;

(x) Any other information consistent with this article and the board's published rules and regulations which the board deems pertinent or relevant to the evaluation of the application;

(xi) With respect to any water rights appurtenant to lands to be subdivided in accordance with this chapter and prior to final approval of the subdivision the subdivider shall provide the following:

(A) The intended disposition of the water rights, by:

(I) Evidence that the subdivider has submitted to the state engineer the documentation necessary to relinquish the water rights and has notified purchasers and the board of this action;

(II) Evidence that the subdivider has submitted to the state engineer the documentation necessary to change the use, place of use or point of diversion to provide for beneficial use of the water rights outside the subdivision; or

(III) A plan, a copy of which was submitted to and approved by the state engineer prior to the final approval of the subdivision application, for the distribution of the water rights appurtenant to the land to be subdivided. The plan shall specify the distribution of the water to the lots within the subdivision and shall include all appropriate applications for change of use, change of place of use or change in point of diversion or means of conveyance in accordance with W.S. 41-3-103, 41-3-104 or 41-3-114.

(B) If the subdivision is located within lands, served by or crossed by a ditch, irrigation company or association or by an unorganized ditch, evidence that the plan has been submitted, at least sixty (60) days prior to the submittal of the application for the subdivision permit to the company, or association, or the remaining appropriators in the case of an unorganized ditch for their review and recommendations;

(C) Evidence that the subdivider will specifically state on all offers and solicitations relative to the subdivision his intent to comply with this paragraph and 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 proposed subdivision. He shall further state that the Wyoming law does not recognize any riparian rights to the continued natural flow of a stream or river for persons living on the banks of the stream or river;

(D) If the subdivision is located within the boundaries of an irrigation district that is subject to the provisions of title 41, chapter 7 of the Wyoming statutes, the application shall include a review and recommendations from the irrigation district regarding the attached water rights and the irrigation district's easements. If there is a conflict with the irrigation district's recommendations, the applicant shall certify that it has met with and made a good faith effort to resolve any conflicts with the irrigation district; and

(E) If the subdivision will create a significant additional burden or risk of liability to the irrigation district, company, association, or remaining appropriators including appropriators on an unorganized ditch, the applicant shall provide an adequate and responsible plan to reduce or eliminate the additional burden or risk of liability.

(xii) Evidence that all parcels of land created by the subdivision will be subject to written and recorded covenants or other instruments creating an entity, binding on subsequent owners of the land within the subdivision. The entities that may be used include, but are not limited to, special improvement districts, homeowners associations and mutual benefit corporations. The board shall not mandate the creation of an entity with the ability to interfere with any owner's ability to use his private property, except to collect any assessment. The entity shall have the ability to address the following topics:

(A) Maintenance and responsibility for common areas, roads and water supply systems and assessments against all parcels of land in the subdivision to defray the costs thereof;

(B) Continued management of the entity.

(b) 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. The review and recommendations shall be completed within sixty (60) days.

(c) Upon receipt of a subdivision permit application filed with a county and prior to subdivision permit approval, the county or subdivider shall send three (3) copies of the portions of the application prepared under this section to the department of environmental quality for review of the safety and adequacy of the proposed sewage system and proposed water supply system. The review shall be conducted in accordance with the following guidelines:

(i) The department may request assistance from the state engineer, the Wyoming water development office and any other state agency or local governmental entity in preparing its review. Any agency or entity requested to assist in the review shall fully cooperate to the extent possible with the department and shall furnish the information or recommendations requested within the time period specified by the department;

(ii) To the extent requested by a county government, the administrator of the water quality division, with the approval of the director of the department of environmental quality, shall delegate authority to the county to review any reports or studies required by this section directed at determining the safety and adequacy of the proposed sewage or water supply system

contained as part of a subdivision application. Any authority delegated under this section shall be subject to the following conditions:

(A) The county entity shall demonstrate to the administrator of the water quality division that all sewage or water supply systems will be reviewed by a qualified professional with expertise in surface and groundwater protection from pollution and safe and adequate water supply systems;

(B) The local government shall demonstrate that the review of water supply and sewage systems will be in a manner as stringent as the department of environmental quality would require under this section;

(C) The review of subdivisions with a proposed sewage system consisting of wastes requiring an underground injection control permit under department of environmental quality regulations or sewage systems with a proposed surface water discharge shall not be delegated to the county; and

(D) The administrator shall periodically review the administrative programs of each county governmental entity receiving a delegation of authority under this section and may, with the consent of the director, revoke or temporarily suspend the delegation agreement entered into with any entity which has failed to perform its delegated duties or has otherwise violated the terms of its agreement of delegation.

(iii) The department shall file its written comments and recommendations on the application with the commission or board within thirty (30) days after receipt of the application. The department may extend its review period for an additional thirty (30) days if an extension is necessary to complete the review.

(d) If the permit is approved the board shall require the applicant to put a legend on the plat and on all offers, contracts or agreements for the sale and purchase of lots within the subdivision showing in capital letters "THE SURFACE ESTATE OF THE LAND TO BE SUBDIVIDED IS SUBJECT TO FULL AND EFFECTIVE DEVELOPMENT OF THE MINERAL ESTATE".

18-5-307. Planning commission may receive applications and make recommendations.

The board may allow the county planning and zoning commission authorized under the provisions of W.S. 18-5-201 through 18-5-206 as the proper agency to receive and evaluate applications for subdivision permits. If so authorized the planning commission shall receive the materials required by this article and shall submit a copy of the application to the department of environmental quality for review as provided by W.S. 18-5-306(c) and, if applicable, to the fire protection district, fire protection authority or the nearest fire protection district as provided by W.S. 18-5-316(d). The commission shall make findings and recommendations to the board concerning an application within forty-five (45) days from the date the department of environmental quality submits its recommendation to the commission or from the date when the recommendation is due if no recommendation is made, whichever is earlier. If no action is taken by the planning commission within that time the plat is deemed to be approved by the planning commission.

18-5-308. Approval by the board.

(a) The board shall approve or disapprove the subdivision application and issue a subdivision permit or ruling:

(i) Within forty-five (45) days after receiving a report from the planning commission; or

(ii) If no planning and zoning commission has been appointed, within sixty (60) days after the department of environmental quality submits its recommendation to the board or from the date when the recommendation is due if no recommendation is made, whichever is earlier.

(b) If any part of the subdivision lies within one (1) mile of the boundaries of an incorporated city or town the approval of the governing body of the city or town must also be obtained in accordance with W.S. 34-12-103.

(c) If a subdivision application is approved by the board notwithstanding an adverse recommendation by the department of environmental quality, the subdivider shall furnish to all potential purchasers a copy of the department's recommendation prior to sale. The subdivider need not furnish the potential buyer with a copy of the department's recommendation if the board in approving the subdivision enters a written finding that the subdivider has corrected the inadequacy set forth in the department's recommendation. Any person violating this subsection is subject to the penalty provided by W.S. 18-5-314.

18-5-309. Permit fee.

Each application for a subdivision permit shall be accompanied by a reasonable fee not to exceed the cost of processing the application as determined by the board. All fees collected shall be credited to the county general fund.

18-5-310. Repealed By Laws 2001, Ch. 169, 1, Ch. 208, 2.

18-5-311. Investigatory powers.

(a) If the board has reason to believe that a person has engaged in activity which violates any provision of this article it shall make an investigation and may administer oaths or affirmations and upon its own motion or upon request of any party may subpoena witnesses, compel their attendance, adduce evidence and require the production of any matter which is relevant to the investigation, including the existence, description, nature, custody, condition and location of any books, documents or other tangible things and the identity and location of persons having knowledge of relevant facts or any other matter reasonably calculated to lead to the discovery of admissible evidence.

(b) If any person subject to the provisions of this article has records required in W.S. 18-5-311(a) located outside this state, the person shall either make them available directly to the board or pay the reasonable and necessary expenses for the board or its representative to examine them at the place where they are maintained. The board may designate representatives, including comparable officials of the state in which the records are located, to inspect them on the board's behalf.

(c) Upon failure without lawful excuse to obey a subpoena or to give testimony and upon reasonable notice to all persons affected thereby, the board may apply to any district court for an order compelling compliance.

18-5-312. Enforcement.

The provisions of this article are enforceable by all appropriate legal remedies including but not limited to injunctive relief or a writ of mandamus. Upon failure or refusal of any county attorney to

act upon a violation of the provisions of this article, the attorney general at the request of the board shall initiate civil or criminal proceedings to enforce the provisions of this article.

18-5-313. False statement or misrepresentation; penalty.

Any person who knowingly authorizes, directs or aids in the publication, advertisement, distribution or circulation of any false statement or misrepresentation concerning any subdivision for sale in this or any other state, and every person with knowledge that any such advertisement, prospectus, pamphlet or letter concerning land or any subdivision thereof contains any written statement that is false or fraudulent in any material part or who issues, circulates, publishes or distributes the same or causes the same to be circulated, published or distributed shall upon conviction be imprisoned for a period not to exceed thirty (30) days or be fined not to exceed five hundred dollars (\$500.00). Each day of violation constitutes a new offense.

18-5-314. Penalties.

Any person who willfully violates any provision of this article or any rule or order issued under this article shall upon conviction be fined not more than five hundred dollars (\$500.00) or imprisoned in a county jail for not more than thirty (30) days or both. Each day of violation constitutes a new offense.

18-5-315. Provisions minimum.

If any board has or enacts resolutions or regulations which impose requirements on subdividers or subdivisions which are more restrictive than the provisions of this article, the authority to enact such local resolutions or regulations being hereby granted, the local provisions are not superseded by the provisions of this article.

18-5-316. Requirements for large acreage subdivision permits.

(a) Except as otherwise provided, a county may, by resolution, elect to apply the provisions of this article on a uniform basis to the sale or disposition of any land where the subdivision creates parcels that are thirty-five (35) acres or larger and up to one hundred forty (140) acres. Except as provided in this subsection, each lawfully recorded parcel of land on July 1, 2008 shall be exempted from all provisions of this section other than compliance with paragraphs (i) through (iii) of this subsection and W.S. 18-5-317 and shall be allowed to be divided into not more than ten (10) parcels of one hundred forty (140) acres or less in size, provided that each new or remaining parcel is no less than thirty-five (35) acres. Parcels created pursuant to this exemption may be created at any time and may be created over a period of years through separate transactions. In no case, however, shall this exemption be used to create more than ten (10) parcels of land from each original parcel and each parcel created after July 1, 2008 shall be subject to this section and W.S. 18-5-317 as otherwise provided in this section. Boundary adjustments between or among parcels shall not be considered as a division of property subject to the limitations in this section. If a county elects to apply this article to sales or dispositions where the subdivision creates parcels that are thirty-five (35) acres or larger and up to one hundred forty (140) acres, unless the property is exempted under this subsection, the subdivider shall obtain a subdivision permit pursuant to this section. The provisions of W.S. 18-5-306 and 18-5-315 shall not be applicable to a subdivision of land under this section but nothing in this sentence shall prohibit application of lawfully adopted zoning provisions. Before granting the exemption provided in this subsection the board may require the person seeking the exemption to submit any or all of the following:

- (i) A legal description or recordable survey containing the following:

(A) Date of preparation, scale and north arrow;

(B) The location of the subdivision units including the section, township and range;

(C) The location and dimension of access and utilities easements, which shall conform to the requirements of W.S. 18-5-303(b).

(ii) Evidence of compliance with paragraph (b)(ix) of this section;

(iii)(A) If a centralized water supply system is proposed for the subdivision, a study evaluating the water supply system proposed and the adequacy and safety of the system. The study shall include information relative to the potential availability and quality of groundwater proposed within the subdivision which may consist of new data, existing data on other working wells in the area, or other data, including drilling logs, from a test well drilled within the subdivision indicating soil types, depth, quantity and quality of water produced in the test well;

(B) Where individual on-lot wells are proposed:

(I) The study under subparagraph (A) of this paragraph shall not be required and the words "NO PROPOSED CENTRAL WATER SUPPLY SYSTEM," in bold capital letters shall appear on all offers, contracts, agreements and plats relating to the subdivision; and

(II) The board may require a study relative to the potential availability and quality of groundwater proposed within the subdivision which may consist of new data, existing data on other working wells in the area, or other data, including drilling logs from a test well drilled within the proposed subdivision indicating soil types, depth, quantity and quality of water produced in the test well.

(b) The board may require any or all of the following information to be submitted with an application for a subdivision permit pursuant to this section:

(i) Evidence that the proposed subdivision complies with any applicable zoning regulations;

(ii) A survey plat submitted by the subdivider containing the following:

(A) Date of preparation, scale and north arrow;

(B) The location of the subdivision including the section, township and range;

(C) The location and dimension of existing and proposed lots, units, tracts, parcels, streets, alleys, roads, highways, public ways, utility rights-of-way, easements, parks and the location of proposed permanent buildings and structures if known.

(iii) Evidence that:

(A) The subdivider or his duly authorized agent who offers any part of the subdivision for sale or who solicits any offers for the purchase thereof, may convey merchantable title subject only to noted reservations or restrictions of record and subject only to a proportionate share of real property taxes or assessments charged or assessed for the year in which any such sale may be legally effected; or

(B) Binding arrangements have been made by the person or his duly authorized agent who offers any part of the subdivision for sale, to assure purchasers of any part of the subdivision that upon full payment of the purchase price a deed can and will be delivered conveying merchantable title subject only to noted reservations or restrictions of record and subject only to a proportionate share of such taxes and assessments thereon as may be levied or assessed for the year in which the sale may be legally effected.

(iv) A study evaluating the sewage system proposed for the subdivision and the adequacy and safety of the system. Where individual on-lot sewage systems are proposed, the words "NO PROPOSED CENTRALIZED SEWAGE SYSTEM," in bold capital letters shall appear on all offers, contracts, agreements and plats relating to the subdivision;

(v) If the subdivider proposes to utilize adjoining property for sewers, drainage, sewer lines, power lines or other utilities, the subdivider shall provide copies of binding easements of not less than twenty (20) feet in width for the proposed facilities from each property owner over whose land such services shall extend and shall provide a minimum access roadway right-of-way of sixty (60) feet to the subdivision for all public ways. Where no or limited on-lot utility connections are proposed, the words "NO PROPOSED UTILITY CONNECTIONS" or "LIMITED UTILITY CONNECTIONS," as appropriate, in bold capital letters shall appear on all offers, contracts, agreements and plats relating to the subdivision. A permit shall not be denied for failure to provide on-lot utility connections;

(vi)(A) A study evaluating the water supply system proposed for the subdivision and the adequacy and safety of the system. The study shall include information relative to the potential availability and quality of groundwater proposed within the subdivision which may consist of new data, existing data on other working wells in the area, or other data, including drilling logs, from a test well drilled within the proposed subdivision indicating soil types, depth, quantity and quality of water produced in the test well;

(B) Where individual on-lot wells are proposed:

(I) The words "NO PROPOSED CENTRAL WATER SUPPLY SYSTEM," in bold capital letters shall appear on all offers, contracts, agreements and plats relating to the subdivision; and

(II) The board may require a study relative to the potential availability and quality of groundwater proposed within the subdivision which may consist of new data, existing data on other working wells in the area, or other data, including drilling logs from a test well drilled within the proposed subdivision indicating soil types, depth, quantity and quality of water produced in the test well.

(vii) Documentation that adequate ingress and egress access has been provided to all proposed lots, units, tracts and parcels and that all proposed lots, units, tracts, parcels, streets, alleys and roadways within the subdivision conform to the minimum standards adopted by the board and applied uniformly throughout the county which shall not in itself constitute consent of the board to locate, repair or maintain roadways and facilities. If, however, the subdivider proposes to make any streets, alleys or roadways private, then the subdivider shall submit to the board properly acknowledged written certification that certain streets, alleys or roadways within the subdivision shall remain private and the board shall be under no obligation to repair, maintain or accept any dedication of these roads to the public use. If no such public maintenance is contemplated on any of the roads, the subdivider shall put a legend on the plat of 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 SPECIFIED STREETS OR ROADS";

(viii) Documentation 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 facilities proposed or represented to be part of the subdivision will in fact be completed as proposed, or escrow sufficient monies out of land sales to guarantee that the above facilities are installed. The amount of any bond or other financial commitment or escrow required under this paragraph shall reflect the estimated costs of providing the facilities;

(ix) With respect to any water rights appurtenant to lands to be subdivided in accordance with this section and prior to final approval of the subdivision the subdivider shall provide the following:

(A) The intended disposition of the water rights by:

(I) Evidence that the subdivider has submitted to the state engineer the documentation necessary to relinquish the water rights and has notified purchasers and the board of this action;

(II) Evidence that the subdivider has submitted to the state engineer the documentation necessary to change the use, place of use or point of diversion to provide for beneficial use of the water rights outside the subdivision; or

(III) A plan, a copy of which was submitted to and approved by the state engineer prior to the final approval of the subdivision application, for the distribution of the water rights appurtenant to the land to be subdivided. The plan shall specify the distribution of the water to the lots within the subdivision and shall include all appropriate applications for change of use, change of place of use or change in point of diversion or means of conveyance in accordance with W.S. 41-3-103, 41-3-104 or 41-3-114.

(B) If the subdivision is located within an irrigation district or within lands, served by a ditch, irrigation company or association or by an unorganized ditch, evidence that the plan has been submitted to the district board company, or association, or the remaining appropriators in the case of an unorganized ditch for their review and recommendations; and

(C) Evidence that the subdivider will specifically state on all offers relative to the subdivision his intent to comply with this paragraph and 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 proposed subdivision. He shall further state that the Wyoming law does not recognize any riparian rights to the continued natural flow of a stream or river for persons living on the banks of the stream or river.

(x) Evidence that all parcels of land created by the subdivision will be subject to written and recorded covenants or other instruments creating an entity, binding on subsequent owners of the land within the subdivision. The entities that may be used include, but are not limited to, special improvement districts, homeowners associations and mutual benefit corporations. The board shall not mandate the creation of an entity with the ability to interfere with any owner's ability to use his private property, except to collect any assessment. The entity shall have the ability to address the following topics:

(A) Maintenance and responsibility for common areas, roads and water supply systems and assessments against all parcels of land in the subdivision to defray the costs thereof;

(B) Continued management of the entity.

(c) 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. The review and recommendations shall be completed within sixty (60) days.

(d) The board shall require the applicant to obtain review and recommendations from a fire protection district in which any portion of the subdivision lies, from the authority having jurisdiction over fire prevention and protection in the area or from the nearest fire protection district if no part of the subdivision lies within a fire protection district, regarding adequacy of fire protection measures. If the entire subdivision does not lie within a fire protection district and no city, town or fire protection district is obligated to provide fire protection pursuant to an agreement authorized by law the subdivider shall put a legend on the plat of the subdivision and on all offers, contracts or agreements for the sale and purchase of lots within the subdivision showing in capital letters "LOTS ARE NOT PART OF A FIRE PROTECTION DISTRICT AND FIRE PROTECTION IS NOT OTHERWISE PROVIDED".

(e) If the permit is approved the board shall require the applicant to put a legend on the plat and on all offers, contracts or agreements for the sale and purchase of lots within the subdivision showing in capital letters "THE SURFACE ESTATE OF THE LAND TO BE SUBDIVIDED IS SUBJECT TO FULL AND EFFECTIVE DEVELOPMENT OF THE MINERAL ESTATE".

(f) Nothing in this section shall require the acquisition of a permit for the sale or disposition of lands that on or before July 1, 2008 have been developed and promoted as part of a large acre subdivision as evidenced by dated plat maps, sales brochures or other evidence acceptable to the board.

(g) If the lots, units, tracts or parcels created pursuant to a permit issued under this section are used for agricultural purposes and otherwise qualify as agricultural land for purposes of W.S. 39-13-103(b)(x), the lots, units, tracts or parcels shall be deemed not to be part of a platted subdivision for purposes of W.S. 39-13-103(b)(x)(B)(II).

18-5-317. Subsequent sale of subdivided lots.

If any lot, unit, tract or parcel is created pursuant to a subdivision and the lot, unit, tract or parcel is sold pursuant to a contract for deed, notice of the contract for deed shall be recorded with the county clerk within ten (10) days after the contract was executed.

18-5-318. Large parcels used for agricultural purposes.

If any lot, unit, tract or parcel thirty-five (35) acres or more in size is used for agricultural purposes within a platted subdivision and otherwise qualifies as agricultural land for purposes of W.S. 39-13-103(b)(x), the parcel shall be deemed not to be part of a platted subdivision for purposes of W.S. 39-13-103(b)(x)(B)(II).

APPENDIX 15.

DESCRIPTION OF PLANNING AREAS

CLARK PLANNING AREA

Starting at the S.E. corner, Sec. 1, T.52N., R103W., thence W. to the ridge line of Rattlesnake Mtn., thence northwest following the ridge line to the S. Line, Sec. 21, T.54N., R.104W., thence W. To the S.W. corner, Sec. 19, thence north to the N.W. corner Sec. 6, thence east to the N.E. corner, Sec. 1, thence north to the N.W. corner, Sec. 6, T.56N., R.103W., thence east to the N.W. corner, Sec. 3, thence north to the Montana border, thence east to the N.E. corner, Sec. 23, T.58N., R.101W., thence south to the S.E. corner, Sec. 35, T.57N., R.101W., thence west to the N.W. corner, Sec. 6, T.56N., R.101W., thence south to the N.E. corner, Sec. 1, T.53N., R.102W., thence west to the State Hwy. 120, thence southeast following said road to the N. line, Sec. 23, T.53N., R.102W., thence west to the N.W. corner, Sec. 23, thence south to the N.E. corner, Sec. 27, thence west to the N.W. corner, Sec. 28, thence south to the S.E. corner, Sec. 32, thence west to the N.W. corner of Sec. 6, T.52N., R.102W., thence south to the point of beginning.

CODY LOCAL PLANNING AREA

Starting at the S.W. corner Sec. 6, T.52N., R102W., thence E. to the S.E. corner thereof, thence S. to the S.W. corner Sec.8, thence E. to the N.W. corner Sec. 15, thence S. to the N.W. corner Sec. 27, thence E. to State Highway 120, thence N. to the S. line of Tr. 50, thence E. to the E. line of the W/2 of Tr. 50, thence N. to the Cody Canal, thence W. to State Hwy. 120, thence N. along the Hwy. to Cody city limits, thence following the city limits east and north and projecting the E. boundary to the Powell Hwy., thence N.E. to the S. line of Sec. 27, T.53N., R.101W., thence E. to the S.E. corner Sec. 25, thence N. to the N.E. corner Sec.13, thence E. to the S.E. corner of Sec. 7, T.53 N., R.100 W., thence N. to the N.E. corner of Sec. 30, T.54 N. R.100 W., thence west to the N.W. corner Sec. 30, T.54N. R. 101 W. thence S. to the S.W. corner Sec 31, T. 54 N., R 101 W., thence along the N. line of T. 53 N. to State Hwy. 120, thence along State Hwy. 120 to the N. line of Sec. 23, T.53 N., R. 102 W., thence W. to the N.W. corner Sec. 23, T.53 N., R. 102 W, thence S. 1 mile, thence W. to the N.W. corner Sec. 28, thence S. 2 miles to the N. line of Sec. 6, T.52N., R.102W., thence W. to the N.W. corner, Sec. 6, thence S. to the point of beginning.

CODY/POWELL RURAL PLANNING AREA

Starting at the S.W. corner Sec. 19, T. 54 N., R 101 W., thence north to the N.W. corner T.56N., R.101W., thence east to the S.W. corner Sec. 36, T.57N., R.101W., thence north to the Montana Line, thence east to the east boundary line of Park County, thence south following the Park County Line to the S.E. corner Sec. 12, T.53N., R.98W., thence west to the S.W. corner Sec. 8, T. 53 N., R. 100 W., thence N. to the N.W. corner Sec. 29, T.54 N., R. 100 W. thence W. to the point of beginning, EXCEPTING that portion within the Powell Local Planning Area.

LOWER SOUTHFORK PLANNING AREA

Starting at the N. mid-section line of Sec. 23, T.52N., R.103W., thence S. along mid-section lines to the S. mid-section line of Sec. 26, thence E. to the Southfork Hwy., thence S. along the Southfork Hwy., Co. Rd. 6RT, and the W. line of Lot 66A, R.S., T.51N., R.103W., to the N. line of Sec. 11, T.51N., R.103W., thence E. to the mid-section line thereof, thence S. along mid-section lines to the S. mid-section line of Sec. 14, T.50N., R.103W., thence E. to S.E. corner of Sec. 13, thence S. 1 mile, thence E. 1 mile, thence S. 1 mile, thence E. to S.E. corner of Sec. 25, T.50N., R.102W., thence N. to N.E. corner of Sec. 13, thence E. to centerline of State Highway 120,

thence N.W. to N. line of Sec. 29, T.52N., R.101W., thence W. to N.W. corner of Sec. 27. T.52N., R.102W., thence N. 2 miles, thence W. 2 miles, thence N. 1 mile, thence W. to N. shore of Buffalo Bill Res., thence along shore to W. line of Sec. 12, T.52N., R.103W., thence S. to S.W. corner of Sec. 13, thence W. to point of beginning.

MEETEETSE LOCAL PLANNING AREA

Starting at N.W. corner of T.49N., R.104W., thence S. to N.E. corner of Sec. 24, T.49N., R.105W., thence W. to N.W. corner of Sec. 23, T.49N., R.105W., thence S. to S.W. corner of Sec. 35, T.49N., R.105W., thence W. to N.W. corner of Sec. 4, T.48N., R.105W., thence S. to S.W. corner of Sec. 33, T.48N., R.105W., thence W. to N.W. corner of T. 47N., R.105W., thence S. to the county boundary, thence along county boundary S.E., thence N.E., thence N. to N.E. Corner of T.5 1N., R.98W., thence W. to N.W. corner of T.5 1N., R.99W., thence S. to N.E. corner of Sec. 13, T.50N., R.100W., thence W. to N.W. corner of Sec. 18, T.50N., R.101W., thence S. to N.E. corner of Sec. 36, T.50N., R.102W., thence W. to S.E. corner of Sec. 30, T.50N., R.102W., thence N. 1 mile, thence W. 1 mile, thence N. 1 mile, thence W. to N.W. corner of Sec. 21, T.50N., R.103W., thence S. to S.W. corner of Sec. 33, T.50N., R.103W., thence W. to beginning point.

MIDDLE SOUTHFORK PLANNING AREA

Starting at N. quarter-corner of Sec. 19, T.52N., R.103W., thence S. 2.5 miles to the center quarter-corner of Sec. 31, T.52N., R.103W., thence W. 1.5 miles to the W. quarter-corner of Sec. 36, T.52N., R.104W., thence S. 1/2 mile to the S.E. corner of Sec. 35, thence W. to the N.W. corner of Sec. 3, T.51N., R. 104W., thence S. to the S.E. corner of Sec. 9, thence W. to the N.W. corner of Sec. 18, thence S. to S.W. corner of T.51N., R.104W., thence E. to N.W. corner of Sec. 5, T.50N., R.104W., thence S. to S.W. corner of Sec. 32, thence E. to S.E. corner of Sec. 32, T.50N., R. 103W., thence N. 3 miles, thence E. to S. mid-section line of Sec. 14, thence N. along mid-section lines to N. mid-section line of Sec. 11, T.51N., R.103W., thence W. to the W. line of Lot 66A, R.S., T.51N., R.103W., thence N. along W. line of Lot 66A, Co. Rd. 6RT, and the Southfork Hwy. to the S. line of Sec. 26, T.52N., R.103W., thence E. along S. line of Sec. 26 to the mid-section line, thence N. along mid-section lines to N. midsection line of Sec. 23, T.52N., R.103W., thence W. 4 1/2 miles to point of beginning.

NORTH FORK PLANNING AREA

Starting at the N. line of T.53N. on the E. border of Yellowstone N. P., thence S. along the Park to the S. line of T.51N., thence E. to the S.E. corner of Sec. 34, T.51N., R.106W., thence N. to the N.W. corner of Sec. 26, T.51N., R.106W., thence E. to the S.E. corner of Sec. 24, T.51N., R.106W., thence N. to the N.W. corner of Sec. 19, T.51N., R.105W., thence E. to the N.E. of Sec. 24, T.51N., R.105W., thence N. to the N.W. corner of Sec. 18, T.51N., R.104W., thence E. to the N.E. of Sec. 16, thence N. to the N.W. corner of Sec. 3, thence E. to the N.E. corner of Sec. 2 all in T.51N., R.104W., thence N. to the W. quarter-corner of Sec. 36, T.52N., R.104W., thence E. 1.5 miles to the center quarter-corner of Sec. 31, T.52N., R.103W. thence N. to the N. quarter-corner of Sec. 19, thence E. to the S.E. corner of Sec. 14, T.52N., R.103W., thence N. to the N. shore of Buffalo Bill Res., thence along the shore E. to the ridge line of Rattlesnake Mtn., thence along the ridge line N.W. to the S. line of Sec. 21, T.54N., R.104W., thence W. to the N.W. corner of Sec. 30, thence S. 1 mile, thence W. to the N.W. corner of Sec. 35, T.54N., R.105W., thence S. 1 mile, thence W. to the point of beginning.

POWELL LOCAL PLANNING AREA

Starting at the intersection of County Lane 5 and County Road 10, thence S. to Lane 6, thence W. To Road 12, thence S. to the N. Line of T.55N., thence W. to the E. line of R.100W., thence

S. to Lane 11 1/2, thence E. to Road 11, thence S. to the S. line of T.55N., thence E. to the E. line of R.99W., thence N. to Lane 11, thence E. To Road 6, thence N. to Lane 10, thence E. to Road 5, thence N. to Lane 7, thence W. to Road 6, thence N. to Lane 6, thence W. to Road 8, thence N. to Lane 5, thence W. to the point of beginning.

SAGE CREEK PLANNING AREA

Starting at the S.E. corner of T.52N., R.98W., thence west to the S.E. corner of T.52N., R.100W., thence south to the S.E. corner of Sec. 12, T.50N., R.100W., thence west to State Hwy. 120, thence north along the highway to the W. line of Sec. 21, T.52N., R.101W., thence N. to the S. line of Tr. 50, thence W. to the E. line of the W/2 of Tr. 50, thence N. to the Cody Canal., thence W. to State Hwy. 120, thence N. along the Hwy. to Cody city limits, thence following the city limits east and north and projecting the E. boundary to the Powell Hwy., thence N.E. to the S. line of Sec. 27, T.53N., R.101W., thence east to the S.E. corner Sec. 25, T.53N., R.101W., thence north to the N.E. corner Sec.13, thence east to the Park County Line, thence south following the Park County Line to the point of beginning.

SUNLIGHT PLANNING AREA

Starting at the Eastern border of Yellowstone National Park at the N. line of T.55N., thence southerly along the Park boundary to the S. line of T.54N., thence E. along the township line to the S.E. corner of Sec. 34, T.54N., R.105W., thence N. to the S.E. corner of Sec. 27, T.54N., R.105W., thence E. to the S.E. corner of Sec. 25, T.54N., R.105W., thence N. to the N.E. corner of T.54N., R.105W., thence E. to the S.E. corner of T.55N., R.104W., thence N. to the N.E. corner of T.55N., R.104W., thence W. to point of beginning.

UPPER CLARK'S FORK PLANNING AREA

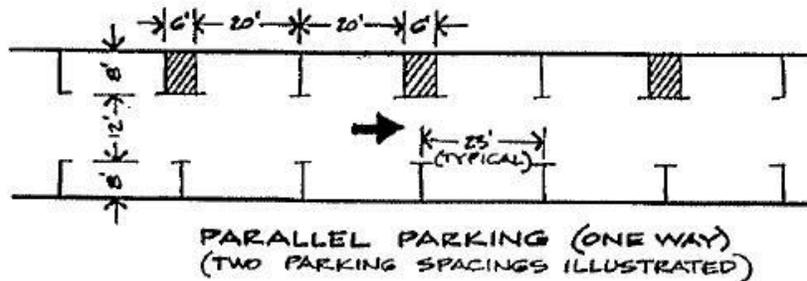
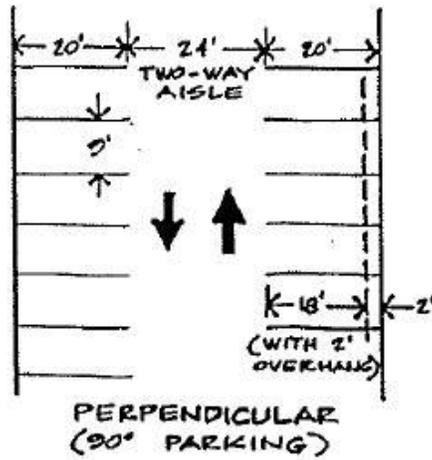
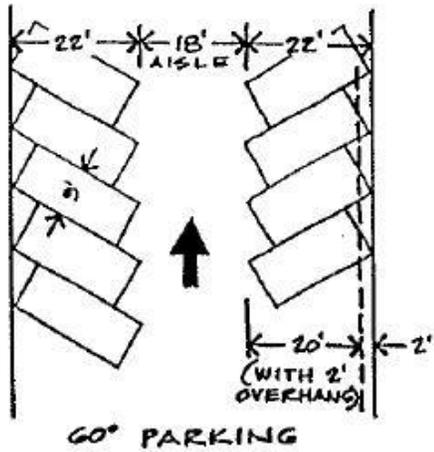
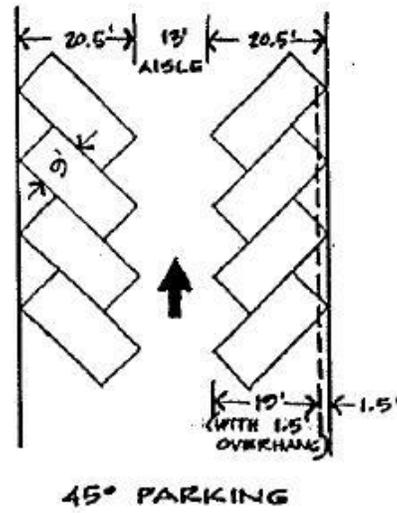
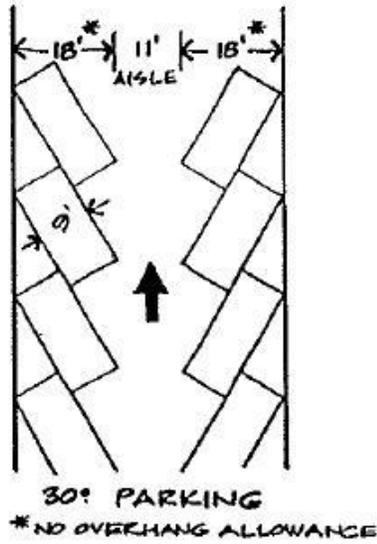
Starting at the Montana border at the Eastern edge of Yellowstone National Park, thence following the Park boundary southerly to the S. line of T.56N., thence E. along township lines to the S.E. corner of T.56N., R.104W., thence N. to the N.E. corner of T.56N., R.104W., thence E. to the S.E. corner of Sec. 35, T.57N., R.103W., thence N. to the Montana border, thence W. to the point of beginning.

UPPER SOUTHFORK PLANNING AREA

Starting at the intersection of Yellowstone National Park and the N. line of T.50N., thence south and east along the Park boundary and the county line to the E. line of R.106W., thence N. to N.E. corner of T.47N., R.106W., thence E. to S.E. corner of Sec. 32, T.48N., R.105W., thence N. to N.E. corner of Sec. 5, T.48N., R.105W., thence E. to S.E. corner of Sec. 34, T.49N., R.105W., thence N. to N.E. corner of Sec. 22, T.49N., R.105W., thence E. to S.E. corner of Sec. 13, T.49N., R.105W., thence N. to N.W. corner of T.49N., R.104W., thence E. to S.E. corner of Sec. 31, T.50N., R.104W., thence N. to N.E. corner of Sec. 6, thence W. to the N.W. corner of Sec. 6, thence N. to the N.E. corner of Sec. 24, T.51N., R.105W., thence W. to the N.W. corner of Sec. 19, T.51N., R.105W., thence S. to the S.W. corner of Sec. 19, thence W. to the N.W. corner of Sec. 26, T.51N. R.106W. thence to the S.W. corner of Sec. 35, T.51N., R.105W. thence W. along township lines to point of beginning.

APPENDIX 16.

DESIGN OF PARKING SPACES



PARKING AREA DIMENSIONS
(FOR STANDARD-SIZE VEHICLES)

APPENDIX 17.

MEETEETSE LOCAL PLANNING AREA ADVISORY COMMITTEE REFERRAL PROCEDURE

1. All discretionary development applications (special use permits, site plans, variances, and zoning amendments) pertaining to land in the GR-M district shall be referred to the Meeteetse Local Planning Area Advisory Committee.
2. The Planning Staff shall refer the complete application to the Committee.
3. The referral shall include a copy of the public hearing notice specifying the date and time of the hearing.
4. The Committee shall make its recommendations to the Planning & Zoning Commission at the public hearing either by oral testimony or by written statement.
5. If the application is referred to the Board of County Commissioners the Planning Director shall forward Committee's recommendations to the Board along with the application.
6. The Committee shall adopt bylaws governing its operation. Such bylaws shall include rules for: the election of officers; subcommittees; scheduling of meetings; quorum and voting requirements; notice and minutes of meetings; conduct of meetings, work sessions and site visits; application review procedures; conduct of members including conflict of interest and ex parte contact; open meetings and open records requirements; and amendment of bylaws. Such bylaws shall be subject to the approval of the County Attorney.

APPENDIX 18.

CONTENT REQUIREMENTS FOR SITE PLANS

Site plans shall be prepared in a professional manner. The Commission, at its discretion and in consideration of the size and complexity of the application, may require the site plan be prepared by a registered professional engineer, surveyor, architect, or landscape architect. If the Commission requires a registered professional to prepare the site plan, the proposal shall be continued to a future meeting or tabled until such time that the professionally prepared site plan can be provided.

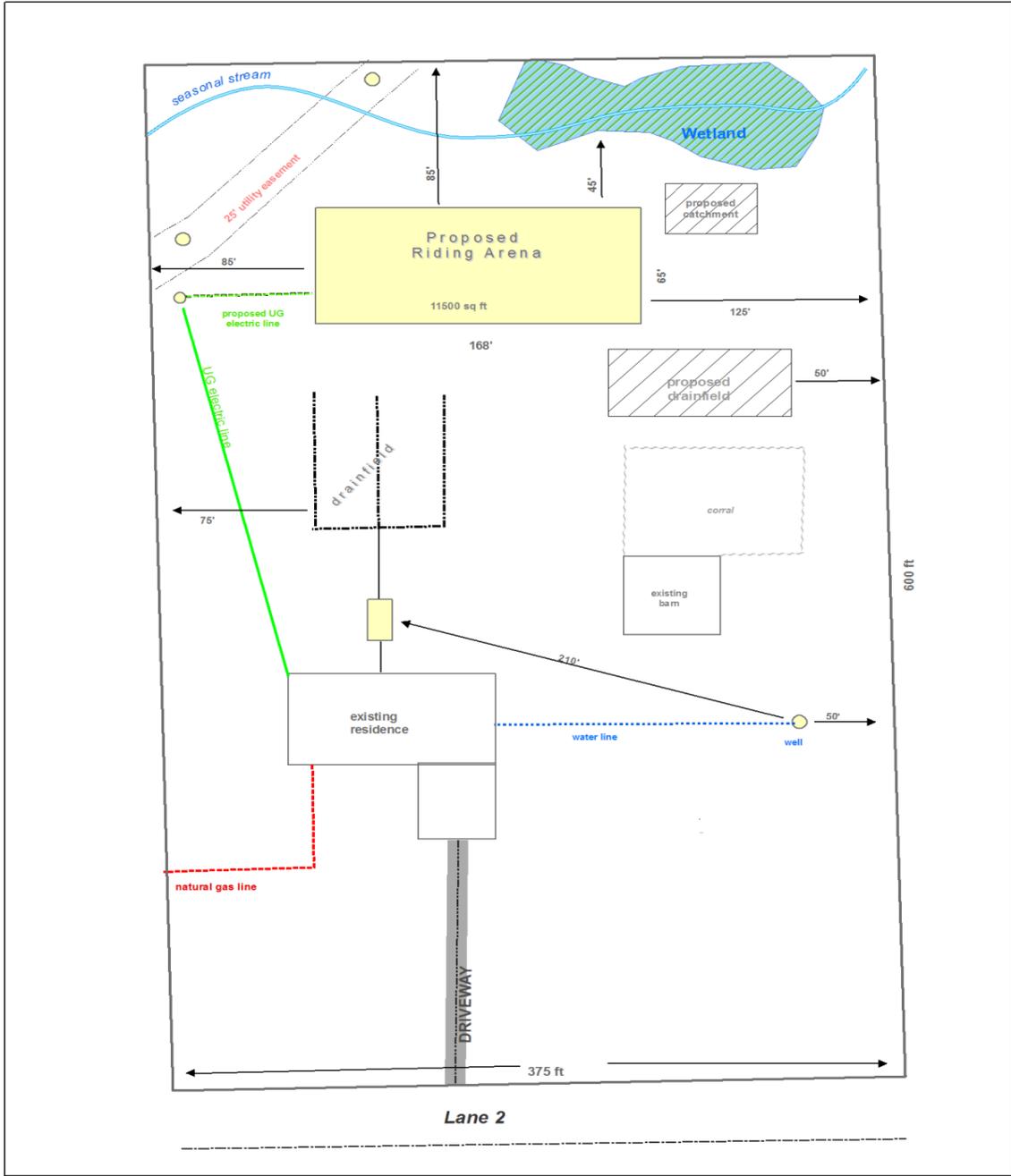
Site plans shall be prepared at a scale of 1-inch equals 20 feet, on standard 24" x 36" sheets. The site plan shall include the following data, details, and supporting plans. All of the requirements must be met in each plan, with notations explaining the reasons for any omissions.

Items required on the site plan or in a supplemental report include:

1. Name of the project, boundaries, and vicinity maps showing site's location in the county, date, north arrow and scale of the plan.
2. Name and address of the owner of record, developer, and seal of the engineer, surveyor, architect or landscape architect.
3. Signature blocks for the Board and Commission.
4. All existing lot lines, easements, and rights-of-way. Include area in acres or square feet, abutting land uses, and the location and use of structures within 300 feet of the site.
5. The location and use of all existing and proposed buildings and structures within the development. Include all dimensions of height and floor area, and show all exterior entrances, and all anticipated future additions and alterations.
6. The location of all present and proposed public and private roads, parking areas, driveways, sidewalks, ramps, curbs, fences, paths, landscaping, walls, and fences. Location, type, and screening details for all waste disposal containers shall also be shown.
7. The location, height, intensity, and bulb type (e.g., fluorescent, sodium incandescent) of all external lighting fixtures. The direction of illumination and methods to eliminate glare onto adjoining properties must also be shown.
8. The location, height, size, materials, lighting, and design of all proposed signage.
9. The location of all present and proposed systems including:
 - a. Sewage or septic system;
 - b. Water supply system and irrigation system;
 - c. Telephone, cable, gas and electrical systems; and
 - d. Storm drainage system including existing and proposed drain lines, culverts, catch basins, manholes, and drainage swales.
 - e. The location of features of an irrigation system, including laterals, headgates, wastewater ditches, and easements.
10. Existing and proposed topography at a 5-foot contour interval. All elevations shall refer to the nearest NGVD benchmark. If any portion of the parcel is within the 100-year floodplain, the area will be shown. Base flood elevations shall be given if any development is

proposed within the 100-year floodplain. Indicate areas within the proposed site and within 50 feet of the proposed site where ground removal or filling is required, and give its approximate volume in cubic yards.

11. A landscape plan showing all existing natural land features, trees, forest cover and water sources, and all proposed changes to these features including size and type of plant material. Water sources will include ponds, lakes, brooks, streams, wetlands, floodplains, and drainage retention areas.
12. Zoning district boundaries within 300 feet of the site's perimeter shall be drawn and identified on the plan.
13. Traffic flow patterns within the site, entrances and exits, loading and unloading areas, and curb cuts on the site and within 300 feet of the site.
14. The Commission or Board may require a detailed traffic study for large developments or for those in heavy traffic areas to include:
 - a. The projected number of motor vehicle trips to enter or leave the site, estimated for daily and peak hour traffic levels;
 - b. The projected traffic flow pattern including vehicular movements at all major intersections likely to be affected by the proposed use of the site;
 - c. The impact of this traffic upon existing abutting public and private ways in relation to existing road capacities. Existing and proposed daily and peak hour traffic levels as well as road capacity levels shall also be given.
15. For new construction or alterations to any existing building, a table containing the following must be included:
 - a. Area of building to be used for a particular use such as retail operation, office, storage, etc.;
 - b. Maximum number of employees;
 - c. Maximum seating capacity, where applicable; and
 - d. Number of parking spaces existing and required for the intended use.
16. Elevation plans at a scale of $1/4" = 1'$ for all exterior facades of the proposed structure(s) and/or existing facades, plus addition(s) showing design features and indicating the type and color of materials to be used.
17. A report documenting the site plan's compliance with site plan standards.



Sample Residential Site Plan

_____ Property

Special Use Permit for Large Impact Structure

Prepared by: _____

100 Feet

APPENDIX 19.

RUNOFF AND EROSION CONTROL

The plan shall:

1. Identify runoff and erosion hazard areas on the site;
2. Identify areas and facilities, both on and downstream from the site, that are vulnerable to damage from accelerated runoff or erosion;
3. Show how the retention of existing vegetation will be maximized and land disturbance minimized;
4. Show how trees to be retained will be protected from damage during construction;
5. Show how the area disturbed by construction at any one time will be minimized and how disturbed areas will be stabilized during the construction period;
6. Show how disturbed areas will be promptly, permanently stabilized by re-vegetation or structural techniques;
7. Show how runoff velocities will be minimized and drainage ways will be prepared to handle acceleration or increase of runoff;
8. Show how any additional runoff generated will be retained on-site and absorbed, evaporated, or released from the site at a rate not exceeding the pre-development rate of release;
9. Show how sediment resulting from accelerated soil erosion will be retained on site; and
10. Show how water quality in adjoining or nearby streams and wetlands will be protected by retention of existing vegetation, installation of vegetative filter strips, and similar means.

APPENDIX 20.

DETAILED STANDARDS FOR NOISE

Maximum Sound Levels: No development creating excessive levels of sound beyond its property line shall be permitted. Excessive sound, measured at the property line of the receiving use, may not exceed the Detailed Standards for Noise, below.

TABLE A22-1. DETAILED STANDARDS FOR NOISE

RECEIVING USE	MAXIMUM SOUND LEVEL
Residential	60 dBA, 7:00 A.M. to 10:00 P.M. 50 dBA, 10:00 P.M. to 7:00 A.M.
Commercial or industrial	70 dBA, any time

Note: "dBA" is the measure of sound levels in A-weighted decibels.

Applicability: This standard applies to sound generated by the occupancy or operation of a development, including sound generated by the operation of trains, motor vehicles, and heavy equipment on the site. It does not apply to the movement of trains on existing railroad rights-of-way, the movement of motor vehicles on public roads, the operation of farm machinery, the operation of water craft, or other sources of noise not attributable to a particular development.

Temporary Exception: The maximum sound levels may be exceeded by temporary construction and maintenance activities, but any excessive noise generated by such activities shall be restricted to the hours between 7:00 A.M. and 10:00 P.M.

APPENDIX 21.

VISIBLE EMISSIONS STANDARDS

In order to reduce adverse effects that may result from fugitive emissions from rock products mines, whose activities may include crushing, screening, blasting, sizing, transportation, and storage of materials on these sites, Park County may, at its discretion, monitor the emissions and apply the emission limits set by Wyoming DEQ. It is understood that any Special Use Permit for rock product mines issued after the adoption of these regulations allows a right of inspection, and application of the DEQ emission standards.

Violation of emission standards may result in a written warning or immediate temporary shutdown when the visible emissions are greater than 20% opacity and deemed a potential threat to public health, safety and welfare, or revocation of the Special Use Permit after a hearing with the Board of County Commissioners.

Wyoming Department of Environmental Quality, Air Quality Division, Chapter 3 General Emission Standards state in part:

F. Standards & Requirements

1(a): Visible emissions may not exceed No. 1 on the Ringlemann Chart or 20% opacity for more than 3 minutes in any one hour;

2. 40CFR60-NSPS, Subpart OOO: For non-metallic mineral processing plants...discharge into the atmosphere any stack emissions which...exhibit greater than 7% opacity, any transfer point fugitive emissions in excess of 10% opacity, any crusher at which a capture system is not used in excess of 15% opacity, any baghouse that controls storage bins in excess of 7% opacity, and no visible emissions from saturated materials in screening and other conveyance operations.

EPA Method 9 will be used by County employees, when certified as a Visible Emissions Reader, to measure opacity as expressed as percentage of emissions obscuring view.

EPA Method 22 may be used as an adjunct report to Method 9, or stand on its own if no certified viewer is available. This method records the amount of time visible emissions are observed.

APPENDIX 22.

SLOPE CONDITIONS WARRANTING ENGINEERING REVIEW

Geotechnical engineering review of a development shall be required when the proposed development is located:

1. On a slope of 30% or steeper grade;
2. Less than 500 feet from the bottom of an upslope of 30% or steeper grade, where the length of slope is 500 feet or more.
3. Less than the length of the slope from the bottom of an upslope of 30% or steeper grade, where the slope length is less than 500 feet.
4. Less than 200 feet from the top of a downslope of 30% or steeper grade, where the length of the slope is 200 feet or more.
5. Less than the length of the slope from the top of a downslope of 30% or steeper grade, where the slope length is less than 200 feet.
6. Across a natural drainage or watercourse identified as a perennial or intermittent stream on the U.S. Geological Survey 7.5 minute topographic map series.

APPENDIX 23.

CONTESTED CASE PROCEDURES

W.S. §16-3-107. General Procedure.

(a) In any contested case, all parties shall be afforded an opportunity for hearing after reasonable notice served personally or by mail. Where the indispensable and necessary parties are composed of a large class, the notice shall be served upon a reasonable number thereof as representatives of the class or by giving notice by publication in the manner specified by the rules or an order of the agency.

(b) The notice shall include a statement of:

(i) The time, place and nature of the hearing;

(ii) The legal authority and jurisdiction under which the hearing is to be held;

(iii) The particular sections of the statutes and rules involved;

(iv) A short and plain statement of the matters asserted. If the agency or other party is unable to state the matters in detail at the time the notice is served, the initial notice may be limited to a statement of the issues involved, and thereafter upon application a more definite and detailed statement shall be furnished.

(c) In all contested cases, depositions and discovery relating thereto, agencies shall have the authority to administer oaths and affirmations, subpoena witnesses and require the production of any books, papers or other documents relevant or material to the inquiry. In case of refusal to obey a subpoena issued by the agency in a contested case, deposition or discovery relating thereto, to any person, the district court for the district in which the hearing or deposition or other proceeding is being conducted, or for the district where the person may be served, may upon application by the agency issue to the person refusing to obey the subpoena an order requiring the person to show cause for the refusal or to appear before the agency or other person designated by it there to produce documentary evidence if so ordered or there to give evidence touching the matter in question. Any failure to show cause or obey the order of court may be punished by the court as a contempt thereof.

(d) In all contested cases the agency shall as part of its rules of practice provide that the agency or one (1) of its presiding officers designated by it upon application of any party shall issue a subpoena requiring the appearance of witnesses for the purpose of taking evidence or requiring the production of any books, papers or other documents relevant or material to the inquiry.

(e) The agency upon motion made promptly and in any event at or before the time specified in the subpoena for compliance therewith, may quash or modify the subpoena if it is unreasonable and oppressive, or in the event issued pursuant to subsection (g) of this section may condition denial of the motion upon the advancement by the person in whose behalf the subpoena is issued of the reasonable cost of producing the books, papers, documents or tangible things.

(f) If a subpoena issued pursuant to this section is disobeyed and if the agency fails to apply pursuant to subsection (c) of this section for enforcement any party may apply to the district court

for the district having venue under subsection (c) of this section for enforcement pursuant to subsection (c) of this section.

(g) In all contested cases the taking of depositions and discovery shall be available to the parties in accordance with the provisions of Rules 26, 28 through 37 (excepting Rule 37(b)(1) and 37(b)(2)(D) therefrom) of the Wyoming Rules of Civil Procedure in effect on the date of the enactment of this act and any subsequent rule amendments thereto. All references therein to the "court" shall be deemed to refer to the appropriate "agency"; all references to the use of the subpoena power shall be references to subsection (c) of this section; all references to "trial" shall be deemed references to "hearing"; all references to "plaintiff" shall be deemed references to "a party". If a party or other witness refuses to be sworn or refuses to answer any question after being directed to do so by the agency in which the action is pending, the refusal to obey the agency order shall be enforced in the same manner as is provided in subsection (c) of this section.

(h) Any agency which is a party to the contested case is subject to the discovery provisions of this section but neither the agency, nor any member, officer or employee shall be required to disclose information which is confidential or privileged under the law and no member of the presiding agency shall be compelled to testify or give a deposition in a contested case. Discovery sought from the agency initially shall be by written application. If the agency refuses to allow discovery in whole or in part the aggrieved party may apply to the presiding officer for an order compelling discovery. If the presiding officer fails or refuses to compel discovery, the aggrieved party may apply to the district court for the district in which the hearing, deposition or other proceeding is being or is to be conducted for an order directed to the agency compelling discovery. The presiding officer or district court shall enter such order as may be appropriate.

(j) Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved. Any person compelled to appear in person before any agency or representative thereof shall be accorded the right to be accompanied, represented and advised by counsel or, if permitted by the agency, by other qualified representative.

(k) Every party shall be accorded the right to appear in person or by or with counsel or other duly qualified representative in any agency proceeding in accordance with such rules as the agency prescribes and the pertinent rules of the supreme court of Wyoming. So far as the orderly conduct of public business permits, any interested person may appear before any agency or its responsible officers or employees for the presentation, adjustment or determination of any issue, request or controversy in any proceeding (interlocutory, summary or otherwise) or in connection with any agency function. Every agency shall proceed with reasonable dispatch to conclude any matter presented to it except that due regard shall be had for the convenience and necessity of the parties or their representatives. Any person representing an agency at a hearing in a contested case in which the agency is a party shall not in the same case serve as presiding officer or provide ex parte advice regarding the case to the presiding officer or to the body or any member of the body comprising the decision makers.

(m) No process, requirement of a report, inspection, or other investigative act or demand shall be issued, made or enforced in any manner or for any purpose except as authorized by law. Every person compelled to submit data or evidence is entitled to retain or, on payment of lawfully prescribed costs, procure a copy of a transcript thereof, except that in a nonpublic investigatory proceeding the witness may for good cause be limited to inspection of the official transcript of his testimony.

(n) Unless precluded by law, informal disposition may be made of any contested case by stipulation, agreed settlement, consent order or default.

(o) The record in a contested case must include:

(i) All formal or informal notices, pleadings, motions and intermediate rulings;

(ii) Evidence received or considered including matters officially noticed;

(iii) Questions and offers of proof, objections and rulings thereon;

(iv) Any proposed findings and exceptions thereto;

(v) Any opinion, findings, decision or order of the agency and any report by the officer presiding at the hearing.

(p) In all contested cases the proceeding including all testimony shall be reported verbatim stenographically or by any other appropriate means determined by the agency or the officer presiding at the hearing.

(q) Oral proceedings or any part thereof shall be transcribed on request of any party upon payment of the cost thereof.

(r) Findings of fact shall be based exclusively on the evidence and matters officially noticed.

16-3-108. Contested cases; admissible evidence; cross-examination; judicial notice.

(a) In contested cases irrelevant, immaterial or unduly repetitious evidence shall be excluded and no sanction shall be imposed or order issued except upon consideration of the whole record or such portion thereof as may be cited by any party and unless supported by the type of evidence commonly relied upon by reasonably prudent men in the conduct of their serious affairs. Agencies shall give effect to the rules of privilege recognized by law. Subject to these requirements and agency rule if the interests of the parties will not be prejudiced substantially testimony may be received in written form subject to the right of cross-examination as provided in subsection (c) of this section.

(b) Documentary evidence may be received in the form of copies or excerpts, if the original is not readily available. Upon request, parties shall be given opportunity to compare the copy with the original.

(c) A party may conduct cross-examinations required for a full and true disclosure of the facts and a party is entitled to confront all opposing witnesses.

(d) Notice may be taken of judicially cognizable facts. In addition notice may be taken of technical or scientific facts within the agency's specialized knowledge or of information, data and material included within the agency's files. The parties shall be notified either before or during the hearing or after the hearing but before the agency decision of material facts noticed, and they shall be afforded an opportunity to contest the facts noticed.

16-3-109. Contested cases; consideration of record; exceptions to decision; briefs and oral argument.

The agency shall consider the whole record or any portion stipulated to by the parties. In the event a recommended decision is rendered all parties shall be afforded a reasonable opportunity to file

exceptions thereto which shall be deemed a part of the record. All parties as a matter of right shall be permitted to file a brief with the agency and oral argument shall be allowed in the discretion of the agency.

16-3-110. Contested cases; final decision; contents; notification.

A final decision or order adverse to a party in a contested case shall be in writing or dictated into the record. The final decision shall include findings of fact and conclusions of law separately stated. Findings of fact if set forth in statutory language, shall be accompanied by a concise and explicit statement of the underlying facts supporting the findings. Parties shall be notified either personally or by mail of any decision or order. A copy of the decision and order shall be delivered or mailed forthwith to each party or to his attorney of record.

16-3-111. Contested cases; limitations on consultations and participations.

Unless required for the disposition of ex parte matters authorized by law, members of the agency, employees presiding at a hearing in a contested case and employees assisting the foregoing persons in compiling, evaluating and analyzing the record in a contested case or in writing a decision in a contested case shall not directly or indirectly in connection with any issue in the case consult with any person other than an agency member, officer, contract consultant or employee or other state or federal employee, any party other than the agency or with any agency employee, contract consultant or other state or federal employee who was engaged in the investigation, preparation, presentation or prosecution of the case except upon notice and opportunity for all parties to participate. Nothing herein contained precludes any agency member from consulting with other members of the agency. No officer, employee, contract consultant, federal employee or agent who has participated in the investigation, preparation, presentation or prosecution of a contested case shall be in that or a factually related case participate or advise in the decision, recommended decision or agency review of the decision, or be consulted in connection therewith except as witness or counsel in public proceedings. A staff member is not disqualified from participating or advising in the decision, recommended decision or agency review because he has participated in the presentation of the case in the event the staff member does not assert or have an adversary position.

16-3-112. Contested cases; presiding officers; qualifications; powers; outside personnel; hearing officers.

(a) If not otherwise authorized by law there shall preside at the taking of evidence in all contested cases the statutory agency, one (1) or more members of the body which comprises the agency, or an employee of the agency or an employee of another agency designated by the agency to act as presiding officer. The functions of all those presiding in contested cases shall be conducted in an impartial manner. Any officer shall at any time withdraw if he deems himself disqualified provided there are other qualified presiding officers available to act.

(b) Officers presiding at hearings shall have authority, subject to the published rules of the agency and within its power to:

- (i) Administer oaths and affirmations;
- (ii) Issue subpoenas;
- (iii) Rule upon offers of proof and receive relevant evidence;

(iv) Take or cause depositions to be taken in accordance with the provisions of this act and the rules of the agency;

(v) Regulate the course of the hearing;

(vi) Hold conferences for the settlement or simplification of the issues;

(vii) Dispose of procedural requests or similar matters;

(viii) Make recommended decisions when directed to do so by the agency; and

(ix) Take any other action authorized by agency rules consistent with this act.

(c) In all contested cases to the extent that it is necessary in order to obtain compliance with W.S. §16-3-111 the agency (excepting county and municipal agencies and political subdivisions on the county and local level) may request the office of the attorney general to furnish to the agency such personnel as may be necessary in order for the agency to properly investigate, prepare, present and prosecute the contested case before the agency. The attorney general upon the receipt of the request shall promptly comply with same with no charge being made against the requesting agency's appropriation other than for travel and per diem expenses.

(d) To the extent an agency utilizes an employee of another agency (other than the staff of the attorney general) to preside at a hearing or otherwise the salary of the employee during the period of the employment and the expenses incurred by the employee shall be charged against the appropriation of the using agency.

(e) When required by law an agency shall adopt rules and regulations providing a procedure for the use and the selection of an administrative hearing officer. An agency shall not delegate the authority to make final decisions to an independent administrative hearing officer unless required by law.

APPENDIX 24.

NUISANCE ABATEMENT PROCEDURES W.S. §18-2-115

(a) A board of county commissioners shall, by resolution, establish standards for determining when a site may be declared a nuisance under W.S. § 18-2-101(a)(viii).

(b) A board of county commissioners may issue an order declaring a property to be a nuisance under W.S. 18-2-101(a)(viii) and shall provide written notice to the owner or occupant of the property describing with specificity the nature of the nuisance and the steps required for abatement. The order shall be in writing, shall state the grounds for the order and shall be filed in the office of the clerk of the district court of the county in which the property is situated. A copy of the order shall be served in accordance with the Wyoming Rules of Civil Procedure upon the owner or occupant with a written notice that the order has been filed and shall remain in force, unless the owner or occupant files his objections or answer with the clerk of the district court within twenty (20) days. A copy of the order shall be posted in a conspicuous place upon the property.

(c) Within twenty (20) days of service of an order issued under subsection (b) of this section, the owner or occupant may file with the clerk of the district court and serve upon the board of county commissioners issuing the order, an answer denying the existence of any of the allegations in the order. If no answer is filed and served, the order shall become a final order declaring the site a nuisance and fix a time when the order shall be enforced. If an answer is filed and served, the court shall hear and determine the issues raised as set forth in subsection (d) of this section.

(d) The court shall hold a hearing within twenty (20) days from the date of the filing of the answer. If the court sustains all or any part of the order, the court shall issue a final order and fix a time within which all or any part of the final order shall be enforced.

(e) An appeal from the judgment or final order of the district court may be taken by any party to the proceeding in accordance with the Wyoming Rules of Appellate Procedure. (Laws 2008, Ch. 81, § 1.)

APPENDIX 25.

STANDARDS ADOPTED BY REFERENCE

AAN	American Association of Nurserymen
AASHTO	American Association of State Highway and Transportation Officials
ACI	American Concrete Institute
ACPA	American Concrete Pipe Association
AI	Asphalt Institute
AISC	American Institute of Steel Construction
ANSI	American National Standards Institute
APWA	American Public Works Association
ASA	American Standards Association
ASCE	American Society of Civil Engineers
ASLA	American Society of Landscape Architects
ASTM	American Society for Testing and Materials
ATTSA	American Traffic Safety Services Association
AWWA	American Water Works Association
AWSE	American Welding Society Code
CUHP	Colorado Urban Hydrograph Procedure
DIP	Ductile Iron Pipe
FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration
IMSA	International Municipal Signal Association
ISO	Insurance Services Office
ITE	Institute of Transportation Engineers
MUTCD	Manual on Uniform Traffic Control Devices
NEC	National Electrical Code
NEMA	National Electrical Manufacturers Association
NOAA	National Oceanic and Atmosphere Administration
OSHA	Occupational Safety and Health Act
SCS	Soil Conservation Service
UL	Underwriters Laboratories, Inc.
USDA	United States Department of Agriculture
UD&FCD	Urban Drainage and Flood Control District
USGS	United States Geological Survey
WPWSS	Wyoming Public Works Standard Specifications
WYDOT	Wyoming Department of Transportation

APPENDIX 26.

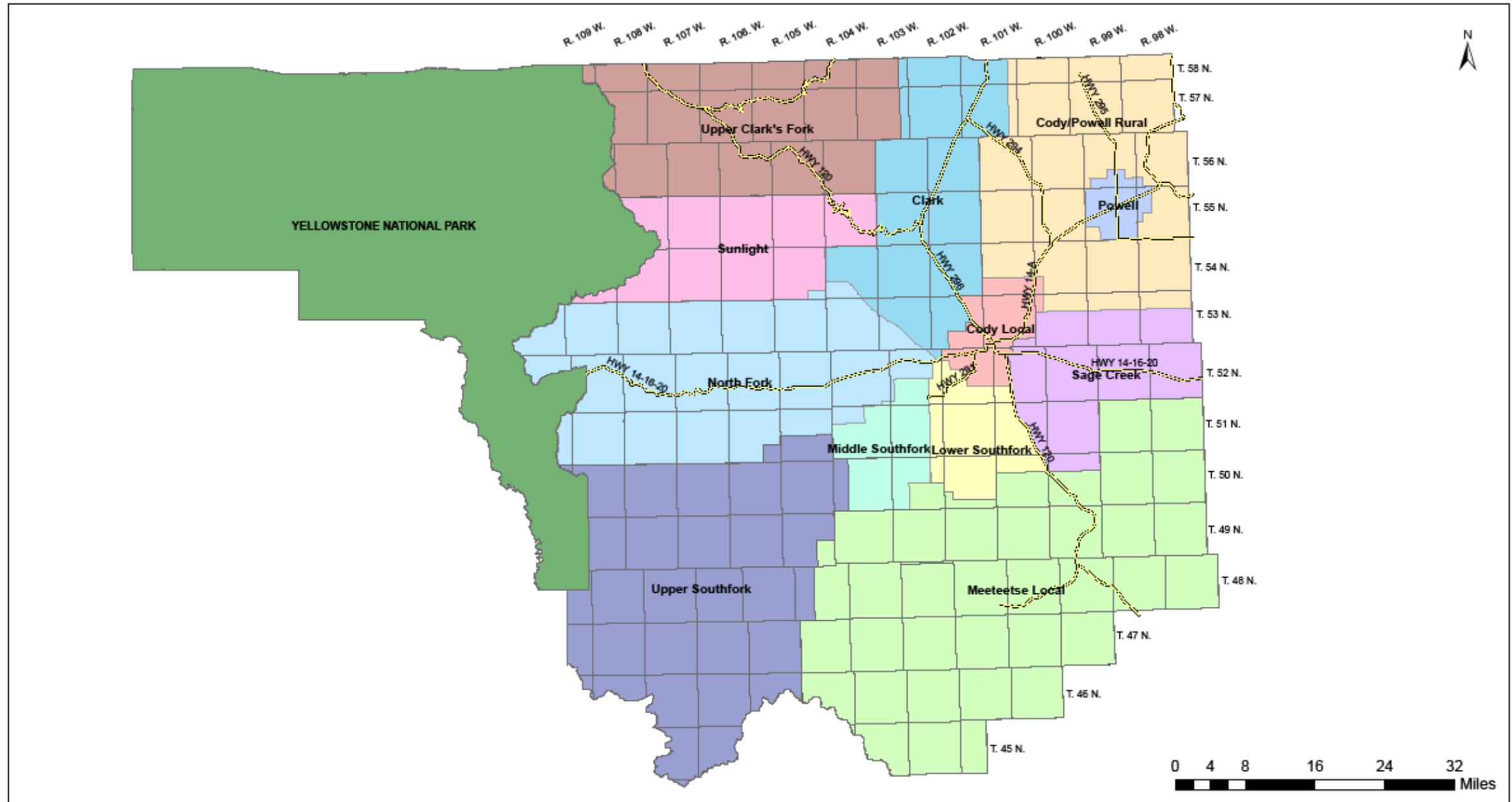
FEE SCHEDULE

Zoning / Building Permit	\$25
Small Wastewater Permit - new	\$150
Small Wastewater permit - repair	\$75
Floodplain Development Permit	\$250 + costs and mileage ^{1,2}
Floodplain Determination – site visit	\$75 + mileage ²
Special Use Permit	\$250 + costs ^{1,3}
Site Plan Review	\$250 + costs ^{1,3}
Simple Subdivision	\$150
Sketch Plan – Minor Subdivision	\$175 + costs ¹
Sketch Plan – Major Subdivision	\$250 + costs ¹
Subdivision Permit – Minor / Major SD	\$10 per lot (\$100 minimum, \$1000 max)
Final Plat – Minor / Major SD	\$225 + \$21 per lot
Amended Plat	\$50 + costs ¹
Variance	\$100 + costs ¹
Investigation Fee	\$100 + mileage ²
Zoning Map Amendment	\$250 + costs ¹
Text Amendment	\$250 + costs ¹

¹ Costs include certified mailings to property owners within 660 feet and newspaper publishing costs

² Going County Rate

³ Concurrent review: when a Special Use Permit requires Site Plan review, and the SUP and site plan are reviewed concurrently, there will be no additional charge for the site plan; the \$250 fee is waived.



Park County,
Wyoming

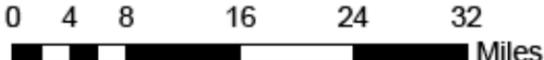
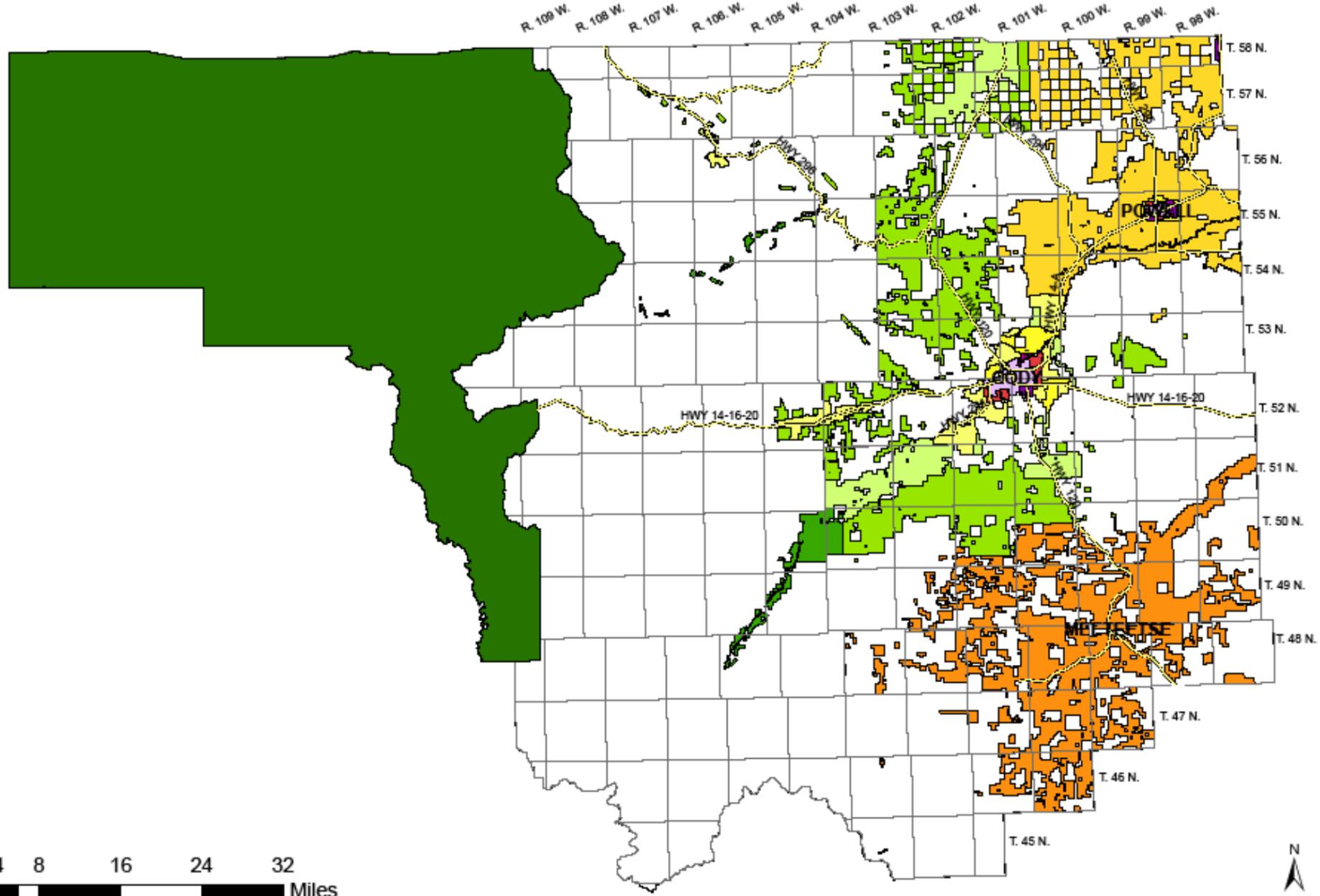
PLANNING AREAS

Planning & Zoning Department

August 10, 2010

Legend

- Roads
-  Yellowstone National Park
-  Township/Range
-  Incorporated Areas
- Zoning Districts**
-  GR-40
-  GR-35
-  GR-20
-  GR-5
-  RR-2
-  GR-P
-  GR-M
-  R-H
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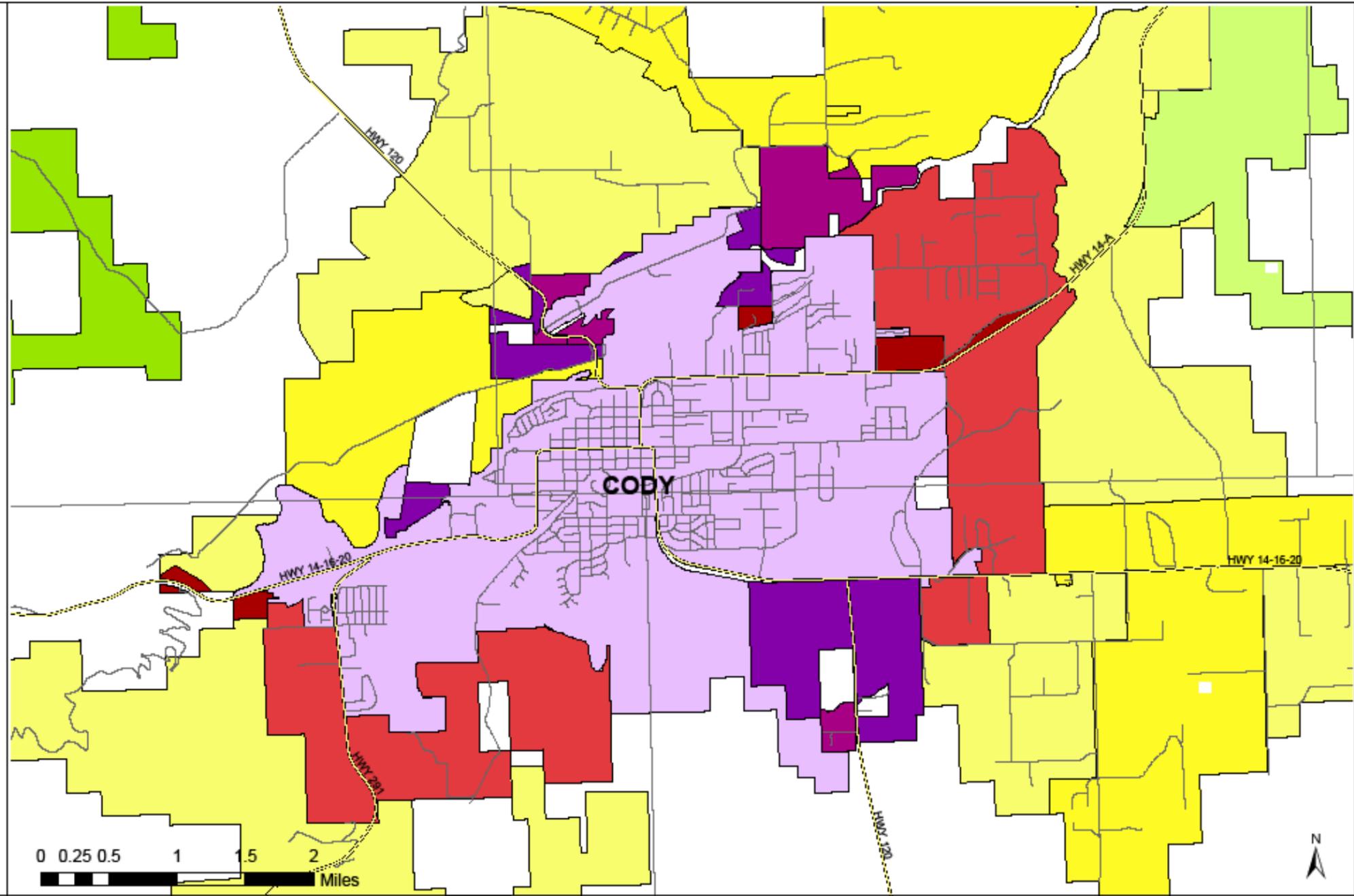
Park County,
Wyoming

ZONING DISTRICTS
Planning & Zoning Department

August 10, 2010

Legend

- State Highways
- Roads
- Incorporated Areas
- Zoning Districts**
- GR-40
- GR-35
- GR-20
- GR-5
- RR-2
- GR-P
- GR-M
- R-H
- C
- I
- T



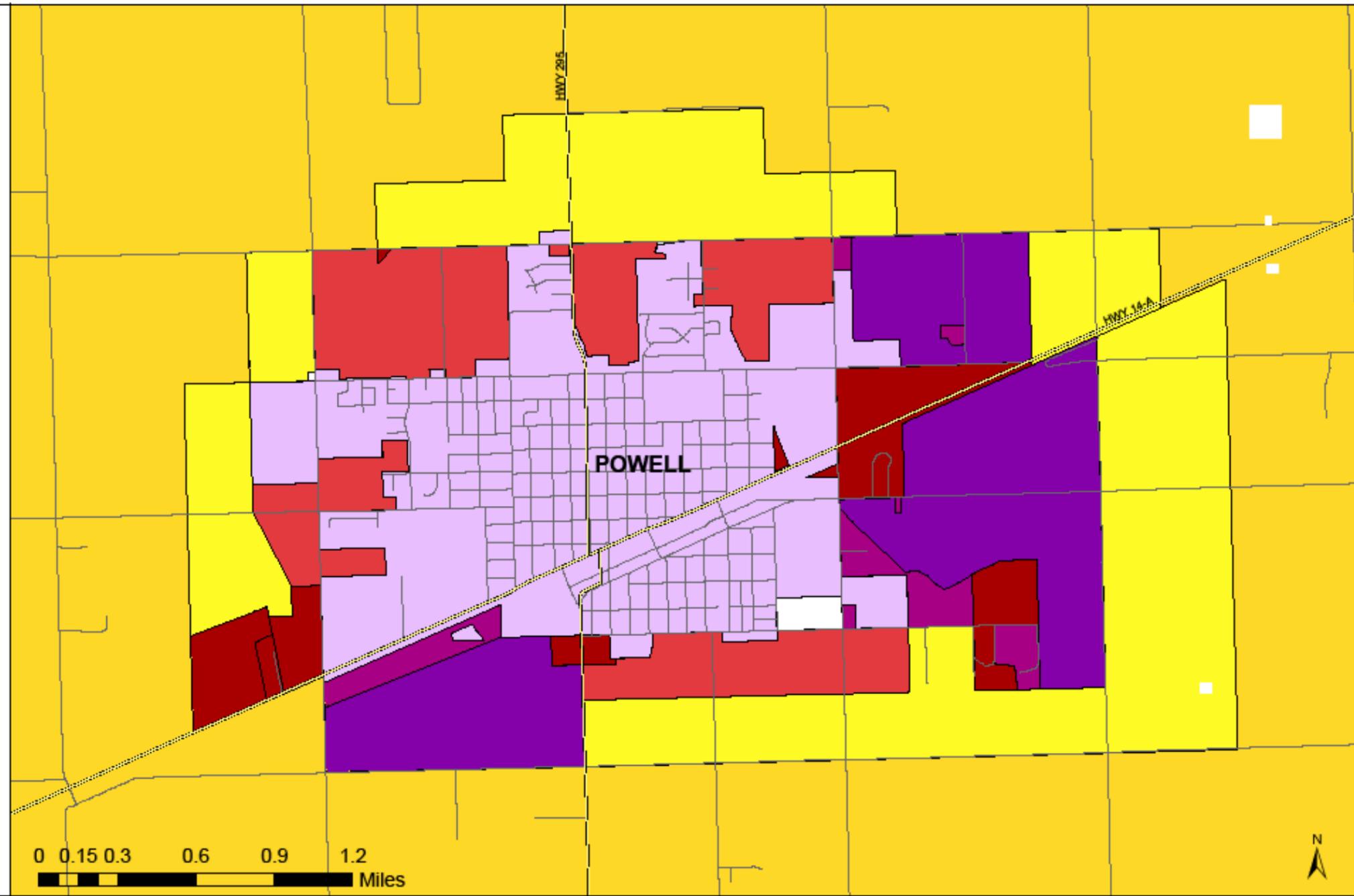
Park County,
Wyoming

ZONING DISTRICTS
Planning & Zoning Department

August 10, 2010

Legend

- State Highways
- Roads
- Incorporated Areas
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- GR-40
- GR-35
- GR-20
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- GR-P
- GR-M
- R-H
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Park County,
Wyoming

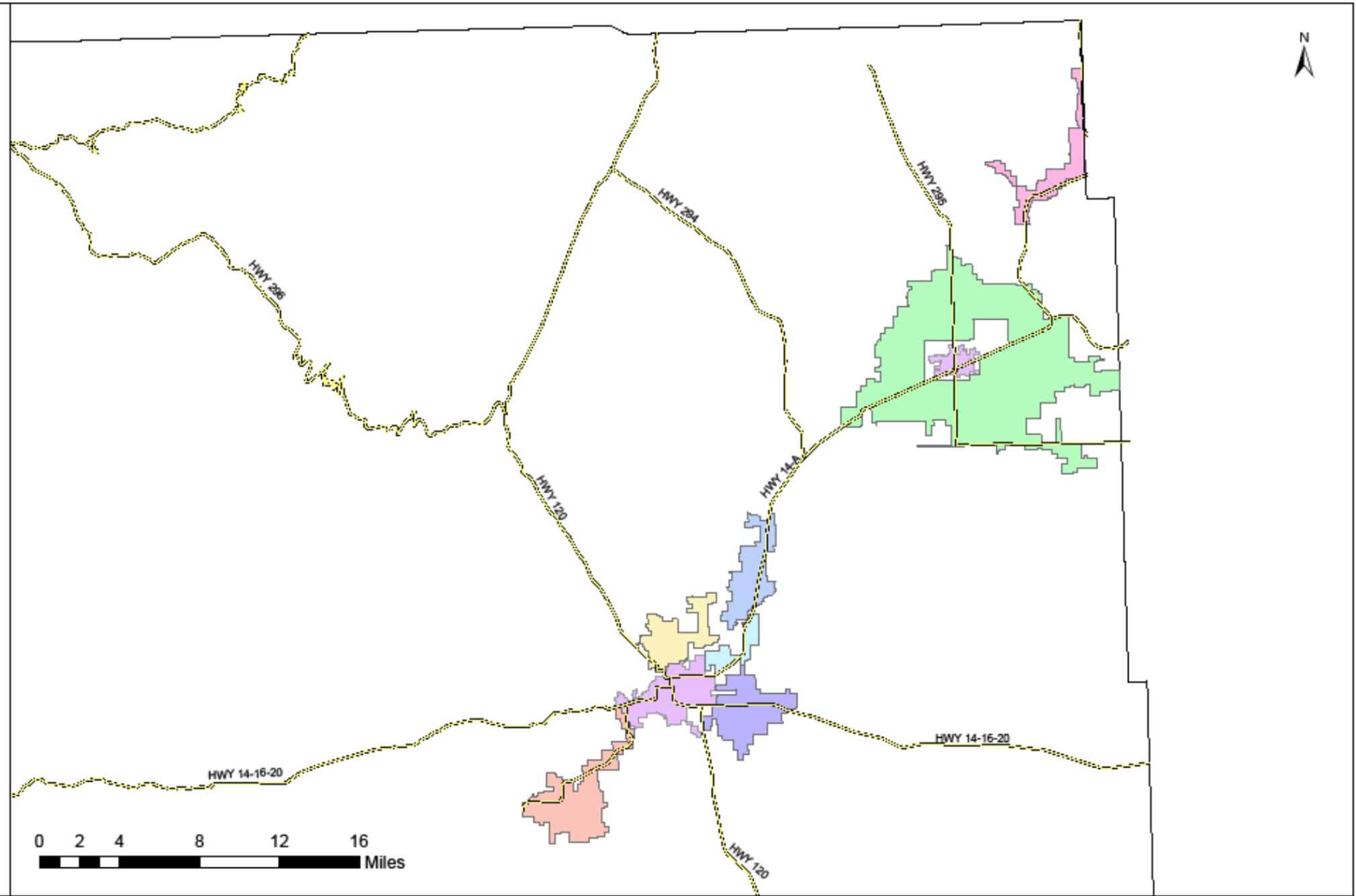
ZONING DISTRICTS
Planning & Zoning Department

August 10, 2010

Legend

Water Districts

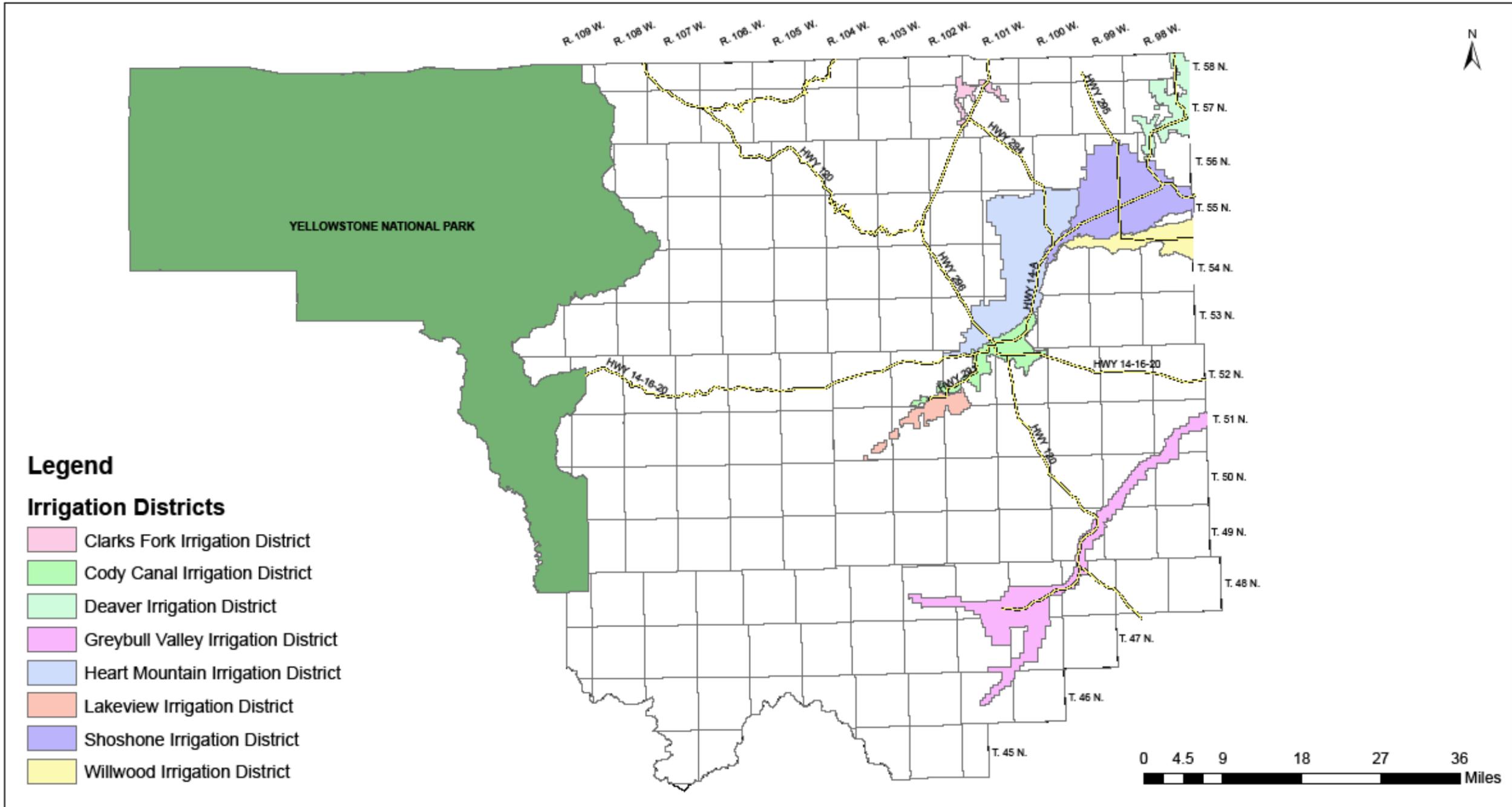
-  Cooper Lane
-  Deaver/Frannie
-  Heart Mountain
-  North Cody
-  O'Donnell
-  Sage Creek
-  Southfork
-  Incorporated Areas



Park County,
Wyoming

Domestic Water Districts
Planning & Zoning Department

August 10, 2010



Legend

Irrigation Districts

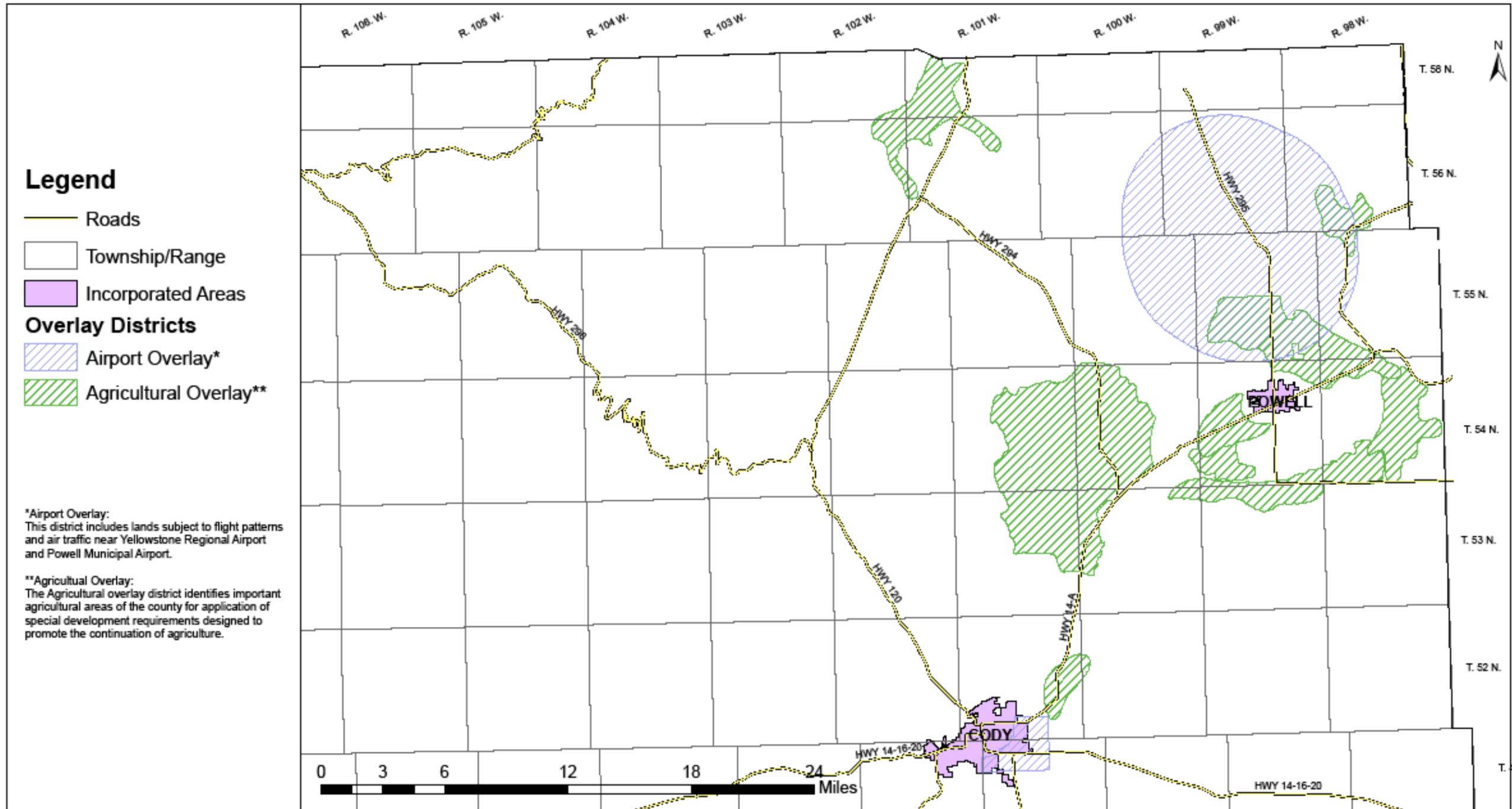
- Clarks Fork Irrigation District
- Cody Canal Irrigation District
- Deaver Irrigation District
- Greybull Valley Irrigation District
- Heart Mountain Irrigation District
- Lakeview Irrigation District
- Shoshone Irrigation District
- Willwood Irrigation District



Park County,
Wyoming

Irrigation Districts
Planning & Zoning Department

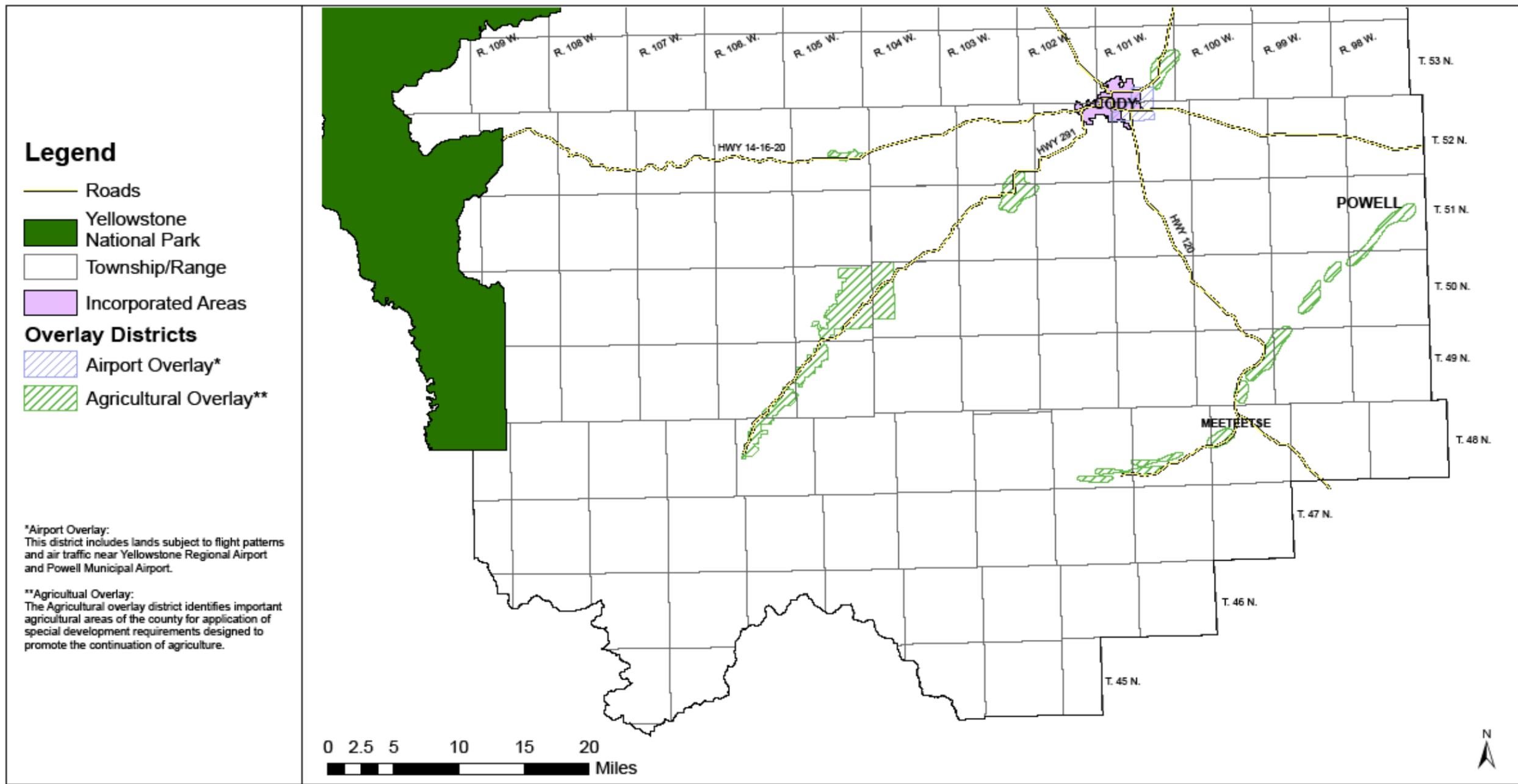
August 10, 2010



Overlay Districts - North

Planning & Zoning Department

August 10, 2010



Legend

- Roads
- Yellowstone National Park
- Township/Range
- Incorporated Areas
- Overlay Districts**
- Airport Overlay*
- Agricultural Overlay**

*Airport Overlay:
This district includes lands subject to flight patterns and air traffic near Yellowstone Regional Airport and Powell Municipal Airport.

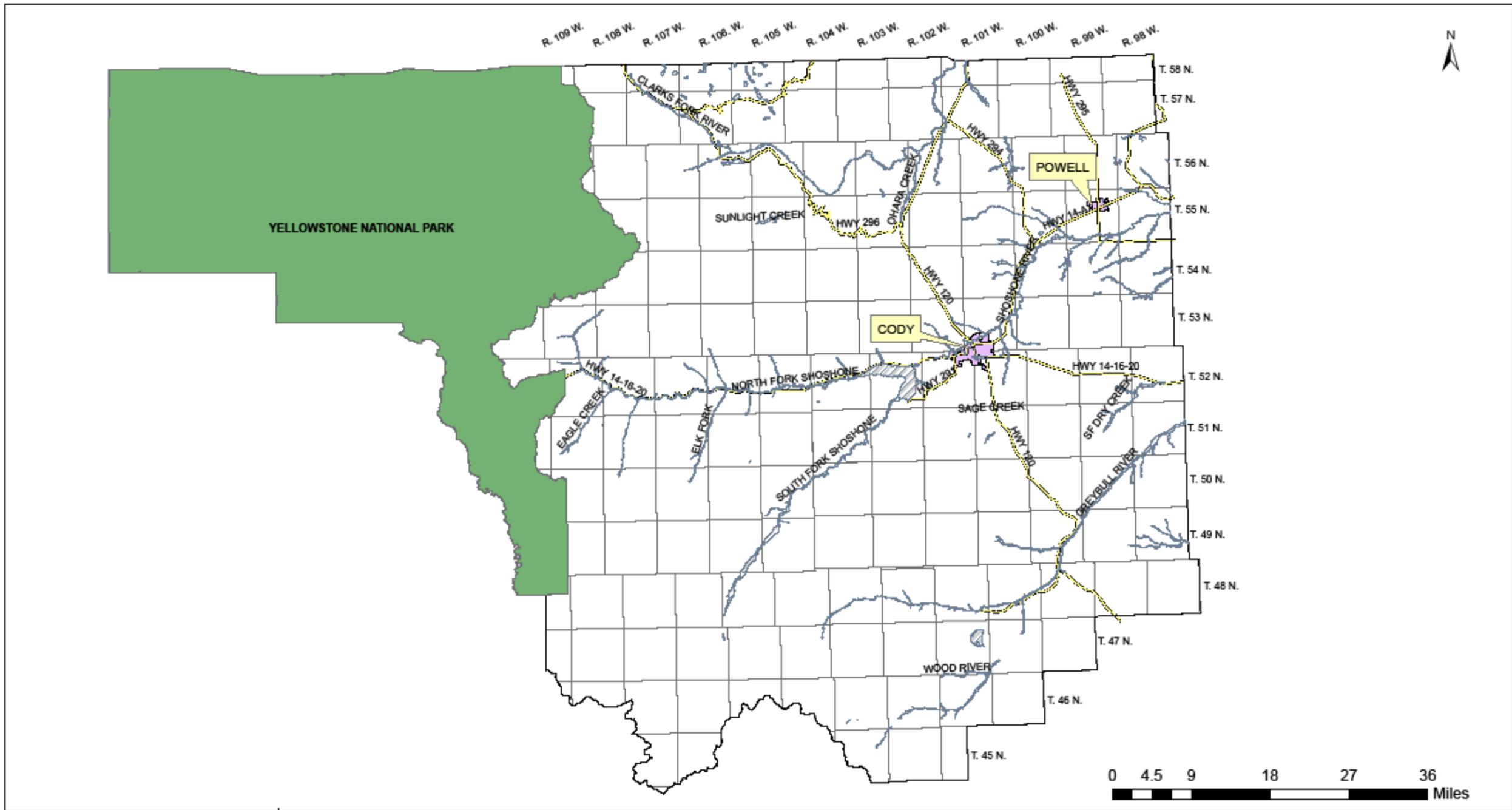
**Agricultural Overlay:
The Agricultural overlay district identifies important agricultural areas of the county for application of special development requirements designed to promote the continuation of agriculture.



Park County,
Wyoming

Overlay Districts - South
Planning & Zoning Department

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Park County,
Wyoming

Special Flood Hazard Area

Planning & Zoning Department

August 10, 2010

NOTES

Zoning Map changes will not be reflected in the static maps attached to this document. The scale is too large to reflect changes on a parcel level. Official Zoning Maps will be on file in the Planning Office and Clerks Office as dated image or GIS file(s).

Some changes to zoning maps are done without a Zoning Map Amendment public hearing; for instance, when a lot is classified as Transitional, it automatically changes to an appropriate zoning classification according to a Special Use Permit.

As any changes to the Zoning Map occurs, the Zoning Map(s) will be re-issued.