

**Park County
Planning and Zoning**

1002 Sheridan Avenue
Cody, WY 82414

Phone: 307-527-8540



www.parkcounty.us/planandzone.htm

35-40 ACRE SUBDIVISIONS

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- This is only intended as a guide – please see the Park County Development Standards & Regulations for complete information.
- The Wyoming Real Estate Subdivision Act W.S. § 18-5-303 establishes several exemptions from the requirement that subdivisions undergo review and be issued a subdivision permit by the County. W.S. § 18-5-316 establishes requirements for large acreage subdivisions.

Requirements for all Parcels 35 acres or larger

All roads developed to access four (4) or more parcels shall be constructed to Park County Road and Bridge Standards.

Except as provided below, 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 as required by W.S. § 18-5-303 (b).

Requirements for Exempt Large Acreage Subdivision - Parcels 35 acres up to 40 acres

Where no more than 10 (ten) parcels of land are subdivided that are thirty-five (35) acres up to forty (40) acres, provided that remaining parcel is no less than 35 acres, these parcels are *exempt from subdivision review*, but shall comply with the following:

- A. Boundary lines of each parcel shall be established by recordable survey containing the following:
 1. Date of preparation, scale and north arrow;
 2. The location of the subdivision units, including section, township, range;
 3. Location and dimension of access and utility easements conforming to the requirements of W.S. 18-5-303(b).
- B. 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;
- C. 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.

- D. 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.
- E. Evidence the parcels comply with applicable zoning requirements, including roads that access more than 4 parcels are built to county standards.

Requirements for Non-Exempt Large Acreage Subdivision - Parcels 35 acres up to 40 acres

Subdivision review will be required where 11 or more parcels are created that are between 35 to 40 acres. The following requirements shall apply:

- A. A survey plat containing the following:
 - 1. Date of preparation, scale and north arrow;
 - 2. The location of the subdivision including the section, township and range;
 - 3. 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.
- B. 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;
- C. 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;

- 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, 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.
- E. 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”;
- F. 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;
- G. 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.

- H. 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".
- I. 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".
- J. 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:
 - 1. Evidence the documentation necessary to relinquish the water rights has been submitted to the state engineer, and has notified purchasers and the board of this action; **OR**
 - 2. Evidence 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](#).
- K. 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; **AND**
- L. 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.

- M. Evidence the parcels comply with zoning requirements.
- N. Public hearing(s) with the Planning & Zoning Commission and Board of County Commissioners.