



CROOK COUNTY
LARGE ACREAGE SUBDIVISION
REGULATION

Adopted by Resolution: September 14, 2022
Effective date December 1, 2022

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State of Wyoming

Adopted: September 14, 2022

I certify that this is a true and correct copy of the Crook County Large Acreage Subdivision Regulation, Crook County, Wyoming adopted pursuant to and in accordance with the authority vested in the Board of County Commissioners of Crook County by the statutes of the State of Wyoming, Sections 18-5-301 through 18-5-318, and Sections 34-12-101 through 34-12-115, and Sections 16-3-101 through 16-3-115, as amended.

This Large Acreage Subdivision Regulation was approved and adopted by Resolution of the Board of County Commissioners in and for Crook County, Wyoming September 14, 2022.

Prior to adoption this Large Acreage Subdivision Regulation was made available for public inspection on the 14th day of July 2022. A notice was also published in the Sundance Times, the Moorcroft Leader, and the Wyoming Pioneer and the Crook County website at least 45 days before this Large Acreage Subdivision Regulation was adopted by the Board of County Commissioners.

This Large Acreage Subdivision Regulation is effective December 1, 2022 upon filing with the Crook County Clerk.

Signed this 14th day of September 2022.

CROOK COUNTY CLERK

Melissa Jones

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CHAPTER I GENERAL PROVISIONS

Section 1. **Title.** This document shall be known, cited, and referred to as the "Crook County Large Acreage Subdivision Regulation."

Section 2. **Authority.** This regulation is adopted pursuant to, and in accordance with the authority vested in the Board of County Commissioners of Crook County by the Wyoming State Statutes, Section 18-5-316 through 18-5-318, and Sections 34-12-101 through 34-12-115, and Sections 16-3-101 through 16-3-115, as amended.

Section 3. **Subdivision Permit Required.** No person shall sell or dispose of land where the subdivision creates parcels that are thirty-five (35) acres or larger and up to one hundred forty (140) acres without a permit, unless the property is exempted pursuant Wyoming State Statute 18-5-316 (a). The subdivider shall obtain a subdivision permit in accordance with Wyoming State Statute 18-5-316 and these rules before recording a plat or commencing construction of a subdivision from the Board of County Commissioners of Crook County, Wyoming. See Wyoming State Statute 18-5-304.

Section 4. **Purpose.** The Crook County Large Acreage Subdivision Regulation is enacted for the purpose of establishing requirements and procedures to regulate and control the design and layout of Large Acreage Subdivisions of land within the County, to ensure that they comply with all regulations and policies of Crook County and the following purposes:

- a. To establish standards and procedures for the protection of the common interests of the general public, the landowner, and the applicant;
- b. To protect the character and value of lands throughout the County and minimize conflicts among the uses of lands;
- c. To provide for safe and adequate transportation systems, utilities, and other public facilities;
- d. To establish adequate and accurate records of land subdivision;
- e. To encourage the use of innovative land planning and urban design techniques;
- f. To provide for proper drainage, domestic water supply and distribution, and sewage disposal systems;
- g. To give potential landowners alternative choices in the land sites they choose;
- h. To comply with the Wyoming State Statutes, and Crook County Regulations;
- i. To regulate the subdivision of acreages of lots from 35 to 140 acres in size; and

j. To allow landowners to develop acreages with lots over 140 acres according to these rules with their consent.

Section 5. Applicability. This regulation shall apply to any division of land that results in the creation of 35 to 140 acre lots within the unincorporated area of Crook County, Wyoming and with the consent of the Owner and Applicant may include lots over 140 acres. Unless the property is exempt in accordance with W.S. 18-5-316 (a), the subdivider shall obtain a subdivision permit pursuant to these rules.

Section 6. Exemptions. The Person transferring property and claiming an exemption under these rules, shall submit an Affidavit of Large Acreage Exemption to the County Planning Department stating which of the following exemption(s) that apply; before recording a deed that is not exempt together with payment of the recording fee if approved by the County Planning Department.

a. The following parcels are exempt from these rules:

(1) Each lawfully recorded parcel of land on or before July 1, 2008 shall be exempted from all provisions of these rules other than compliance with paragraphs (i) through (iii) of W.S. 18-5-316 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 Wyoming State Statute 18-5-316 and 18-5-317.

(2) Boundary adjustments between or among parcels shall not be considered as a division of property subject to the limitations in this section.

(3) And any changes made by the Wyoming Legislature.

(4) Parcels of land over 140 acres in size.

(5) Parcels of land under 35 acres in size are governed by other County Subdivision regulations.

b. Any Person claiming an exemption shall before recording any transfer of a Large Acreage Exemption submit the following to the Growth and Development Department:

(1) 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).

(2) Evidence of compliance with paragraph (b)(4) of this section;

(3) Other:

(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.

(4) **W.S. 18- 5-316 (b) (ix) stated above requires:** 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.

c. Nothing in these rules 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. In addition, the applicant may claim an exemption if the applicant can show that on or before the effective date of the adoption of this regulation that the parcel has been developed and promoted for sale as part of a large acre subdivision as evidenced by dated plat maps, sales brochures or is in substantial conformance with the intent of these rules and other evidence acceptable to the board.

d. 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).

Section 7. Definitions. For the purpose of this regulation, the present tense shall include the future tense, the singular member includes the plural member, and the plural member includes the singular member. For the purpose of interpreting this regulation, the following definitions shall apply:

- a. **Acreage Depth.** The horizontal distance between the front and rear boundaries.
- b. **Acreage Front or Frontage.** The portion of the Acreage / Tract that abuts the boundary of the subdivision access easement or a dedicated subdivision road/street.
- c. **Acreage Line(s).** A surveyed line that extends to an abutting street, road, or property boundary line, dividing one Acreage / Tract from another.
- d. **Acreage(s) / Tract(s).** A defined and numbered or lettered parcel of land intended as a unit for transfer of ownership or development.
- e. **Applicant.** A natural person, firm, corporation, partnership, association, developer, owner, or any combination thereof, that completes and submits a Crook County, Wyoming Subdivision Application, including all supporting materials and fees to the Crook County Planning Department.

f. **Application.** A complete Crook County, Wyoming Subdivision Application form, all supporting materials, applicable fees and any other such forms as determined, after they are received and verified as complete by the Crook County Planning Department.

g. **Attorney's Title Opinion.** An Attorney's Title Opinion shall set forth at a minimum the following:

(1) The legal description including the acreage of the Large Acreage Subdivision being created by this Application process;

(2) The names, mailing addresses and County Clerk's recording information of the legal owners, lien holders, encumbrances, easements, and other interest holders of the Large Acreage Subdivision being created by this Application process; and

(3) The County Clerk's recording information, if any, and legal status of access to the Large Acreage Subdivision being created by this Application process.

h. **Board.** The Board of County Commissioners of Crook County, Wyoming.

i. **CCNRD.** The Crook County Natural Resource District.

j. **Commission.** The Crook County Land Use Planning & Zoning Commission.

k. **County.** Crook County, Wyoming.

l. **County Road.** A public road or highway established in accordance with Wyoming State Statute 24-3-101, et seq., and 24-1-101, et seq. A County Road is managed and maintained by the County at the discretion of the Board of County Commissioners. All public roads are not necessarily county roads.

m. **Cul-de-sac.** A public street having one end connected to a public street and being terminated by a vehicle turnaround at its other end.

n. **Department.** The Crook County Planning Department.

o. **Developer.** A natural person, firm, corporation, partnership, association, any combination of that makes a unit of land suitable for a specific use or purpose.

p. **Drainage easement.** A land area defined by a survey set aside to accommodate the calculated and approved flow or storage of storm waters and kept free of unapproved structures or other impediments.

q. **Easement.** A grant, by the property owner to the public, a corporation, or persons, for the use of land area for specific purposes and which takes priority over other uses of the land.

r. **Encumbrance.** A mortgage, lien (including liens for labor and materials) or record securing, or evidencing, indebtedness affecting land to be subdivided. Taxes and assessments levied by a public authority are not an encumbrance, except such taxes and assessments as may be delinquent.

s. **Large Acreage Subdivision Checklist.** List of items required for a complete subdivision application, Checklist shall be prepared by and available from Planning Department.

t. **Licensee.** A person who has been granted a license ("Professional Engineer"; "Professional Land Surveyor"; or "Professional Engineer & Land Surveyor") pursuant to Wyoming State Statutes 33-29-201 through 33-29-801.

u. **Owner or Proprietor.** Any natural person, partnership, corporation, firm, association, or any combination of the above having a legal or equitable interest in land.

v. **Person.** A natural person, firm, corporation, partnership, association, any combination of the above or any other legal entity.

w. **Plat.** A drawing prepared in accordance with the Crook County Large Acreage Subdivision Regulation.

x. **Public Road.** A public thoroughfare established by dedication, or as a County Road. A public road not established as a County Road is not maintained by the County nor is it a County Road.

y. **Re-plat.** The alteration of Acreage lines, the combination of contiguous Acreages, the changing of any public streets, roads, or other changes, of a subdivision plat recorded in the office of the County Clerk.

z. **Resubdivision.** The further division of an Acreage / Tract in an existing subdivision.

aa. **Sketch Plat.** A general concept plat, usually hand drawn for the purpose of facilitating staff review to identify potential problems prior to incurring the expense of preparing a plat.

bb. **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.

cc. **Street.** A strip of land connecting two destinations commonly referred to as street in urban areas and a road in rural areas.

dd. **Subdivider.** Any person who lays out any subdivision, or parts thereof, either for the account of the subdivider or others.

ee. **Subdivision.** The creation or division of an Acreage / 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.

ff. **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.

CHAPTER II PROCEDURES AND REQUIREMENTS FOR PLATTING

Section 1. Application Procedure. The procedure for processing a Crook County Large Acreage Subdivision Application shall be as follows, to-wit:

a. The applicant shall determine, if the parcel is subject to Wyoming State Statutes and this Regulation and if the parcel qualifies as a Large Acreage Subdivision.

b. The applicant should but is not required to submit a sketch plat and other documents to Department staff for their review. The Department may determine during this review what Wyoming State Statutes, County regulations and policies apply and provide an oral or written report. This report is non-binding and is not a final decision on the matter.

c. The applicant shall use forms provided by the Department.

d. The applicant may request a continuance at any time but shall be liable for any costs caused by the continuance.

e. The applicant shall submit a complete subdivision application that fulfills the requirements as described in this regulation or other County regulations and policies or as required by state law to the Department together with all supporting materials as set forth in this regulation.

f. The Department shall review the application by comparing it to the Large Acreage Subdivision checklist at the time of submittal to determine if the application is complete or incomplete.

(1) A complete application only means that the requirements of the Large Acreage Subdivision checklist has been provided to the Department; it does not approve their adequacy.

- g. If the application is found to be incomplete, the Department shall not accept it.
- h. If the application is found to be complete it shall be accepted by the Department for further review and the fees processed.
- i. Once the application has been accepted the Department shall send a copy of the application and supporting documentation to the CCNRD and Crook County Fire Warden within three (3) business days for their review and shall review the application within fifteen (15) business days of being received by the Department.
 - (1) The CCNRD review and recommendations shall be completed within sixty (60) days from the date on the cover letter included with the application materials.
 - (2) The Crook County Fire Warden review and recommendations shall be completed within thirty (30) days from the date on the cover letter included with the application materials.
- j. After the fifteen (15) day review time has expired and the CCNRD soils report and Crook County Fire Warden's written report have been received, the Department shall prepare a written report and set the application for a review hearing with the Commission. The hearing shall occur after a minimum of fifteen (15) day notice can be or has been given to record area landowners on file with the County Assessor's office that own property within ¼ mile of the boundary of the property being subdivided at the next regularly scheduled meeting.
- k. If the plat is located within one (1) mile of the boundaries of a first class city or town, or within one-half (1/2) mile of a town with a population of less than four thousand (4,000), the board of county commissioners, upon receipt of the plat application, shall solicit comments from the governing body of the city or town relating to impacts to the city or town's infrastructure or other development plans resulting from the proposed plat and development. The board shall consider the city or town's comments that are received by the board at least twenty (20) business days prior to the scheduled final consideration of the plat proposal and shall respond in writing to the city or town about any items of disagreement.
- l. The Commission shall review the application, the Department's written report, any written comments; hear from the Department, landowners, and public; and consider any variances requested or other matters they deem appropriate. The applicant must appear at the review hearing.
- m. The Commission shall make and prepare a written recommendation to the Board to approve, deny, grant a variance, or table the application. The Commission can take no final action.
- n. After the Commission has made its written recommendation, the Department shall set the application for a final hearing with the Board at the Board's next regularly scheduled meeting. Provided that a minimum of fifteen (15) day notice can be; or has been given to record area landowners on file with the County Assessor's office that own property within ¼ mile of the boundary of the property being subdivided. The applicant must appear at the final hearing.

o. The Department shall send written notice of the final hearing with the Board by first class mail to record area landowners on file with the County Assessor's office that own property within ¼ mile of the boundary of the property being subdivided. If a record area landowner is not notified that is just cause for the Board to continue the final hearing to a later date.

p. The applicant shall publish notice of the final hearing with the Board for one week, within 21 days of and at least 10 days prior to the scheduled hearing, in the official newspaper of Crook County and the official newspaper of the town nearest to the Large Acreage Subdivision. The newspaper notice shall include the name of the applicant, the legal description and the name of the proposed subdivision, the date, time, and location of the hearing.

q. The Board shall review the application, the Commission's written recommendation, the Department's written report, review any written comments; hear from the Commission, the Department, landowners, and public; and consider any other matters they deem appropriate at the final hearing.

r. The Board shall then vote to approve, deny, or table the application and then prepare and enter a final order if approved. The applicant must appear at the final hearing.

s. Upon approval and recordation of the subdivision plat the applicant shall erect and maintain at all entrances to the subdivision signs notifying the public that a disclosure statement is available at the County Clerk's office.

(1) Signs shall be two (2) feet tall by four (4) feet wide, good quality metal and shall be white letters on a green background. Signs shall be legible to the average person from a distance of 200 feet and shall be placed in a location easily visible to the public at a height of six (6) feet to the bottom of the sign.

(2) Physical location and variations from the following standard sign shall be subject to the approval of the Department. The standard sign shall be posted at all entrances to the subdivision and shall state the following verbatim:

NOTICE
PROSPECTIVE BUYERS SHOULD OBTAIN A DISCLOSURE STATEMENT FROM
THE CROOK COUNTY CLERK'S OFFICE, PRIOR TO PURCHASE.

(3) Signs shall be purchased or constructed, erected, and maintained by the applicant for a period of four (4) years after acceptable completion of construction of the development or until all Acreage(s) / Tract(s) have been sold, whichever comes first.

Section 2. Application Requirements. Supporting material for Large Acreage Subdivision Applications shall include all of the following documents and information in accordance with W. S. 18-5-316 (b):

a. Evidence that the proposed subdivision complies with any applicable zoning regulations;

b. A survey plat submitted by the subdivider 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.

c. Evidence that:

(1) 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

(2) 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.

d. 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;

e. 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 thirty (30) 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;

f. Water Supply:

(1) 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;

(2) Where individual on-lot wells are proposed:

(a) 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

(b) 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.

g. 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**";

h. 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;

i. 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:

(1) The intended disposition of the water rights by:

(a) 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;

(b) 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

(c) 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.

(2) 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

(3) 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.

j. 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:

(1) 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;

(2) Continued management of the entity.

k. 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.

l. 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"**.

m. 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"**.

n. Subdivision Application Form.

o. Application Fees. (See Chapter III, Section 2., pg. 23)

p. One (1) paper copy to scale, a PDF file (Portable Document Format) of the draft subdivision Plat and a digital shapefile of the proposed subdivision.

q. This shapefile shall be geo-referenced in NAD 1983, State Plane Wyoming East FIPS 4901 (US Feet).

r. The original mylar of the final plat shall not be prepared until directed to do so by the department.

s. This mylar final plat with the required changes and appropriate signatures shall be provided to the Department five (5) business days prior to the final hearing with the Board.

t. An Attorney's Title Opinion.

u. The written review and recommendations from the Crook County Natural Resource District (CCNRD) regarding soil suitability, erosion control, sedimentation and flooding problems as required by Wyoming State Statute 18-5-306(b), which is provided to the Department directly by CCNRD.

v. Copies of transmittal letters or other evidence showing that the applicant has delivered and/or mailed copies of the Plat, to all the utility companies, (electric, telephone, gas,

etc.) the appropriate post office and school district that may provide services to the proposed subdivision.

w. An executed Recorded Plat Agreement or an Unrecorded Plat Agreement, as applicable, on the standard form provided by the County and shall either:

(1) Guarantee the construction of all road(s) and/or street(s) within, and to the proposed subdivision from a county road, state or federal highway with a performance bond, irrevocable letter of credit, funds in escrow or other appropriate commitment for two hundred percent (200%) of the cost of the improvements as estimated by the subdivider's engineer and approved by the Crook County Road & Bridge Superintendent; and/or

(2) Request that the Board conditionally approves the Subdivision Permit but withholds the recordation of the Plat until the subdivider has completed construction of all road(s) and/or street(s) within, and other requirements to the proposed subdivision from a county road, state or federal highway and has been inspected and approved by the Crook County Road & Bridge Superintendent or until an acceptable guarantee for the remaining construction has been submitted and approved.

(3) A draft of the proposed covenants for the intended use of the property for the next 20 years, as required by Wyoming State Statute 18-5-316 (a) (xii).

x. A disclosure statement that clearly and concisely describes all the facts related to the following items:

(1) A complete and accurate legal description and name of the subdivision.

(2) Street construction, maintenance, and snow removal.

(3) Water supply - Statement to define financial and maintenance responsibility. All sources developed on the property shall be permitted and registered with the Wyoming State Engineer's Office.

(4) Sewage disposal - Statement to define financial and maintenance responsibility. All Sewage Disposal systems shall be designed, permitted, and constructed on the property as regulated by the Wyoming Department of Environmental Quality and Crook County.

(5) Restrictive covenants - where copies are available and describe how they are enforced.

(6) Association fees - should be listed and described as to allocations of funds, penalties for non-payment, procedure for change in fees.

(7) Garbage disposal - statement to define financial and physical responsibilities.

- (8) Electricity - statement to define financial responsibility for construction and connections.
 - (9) Telephone company construction charge - statement to define financial responsibility.
 - (10) Broadband charges - statement to define financial responsibilities and availability.
 - (11) Street and traffic control signs and devices - statements to define construction and maintenance responsibilities.
 - (12) Street lighting - define construction and maintenance responsibilities.
 - (13) Culverts, Drainage - define construction and maintenance responsibilities.
 - (14) Zoning - status within subdivision and surrounding area.
 - (15) Fire protection - status and description.
 - (16) Building Codes - statutes of applicable codes which apply to construction within the subdivision.
 - (17) Postal Service - define level of service and responsibility of homeowner and developer as concerns mailbox construction, location, and maintenance. Provide reference to the Crook County Policy on Mailboxes within County Road Right of Ways.
 - (18) School - define school location for each age group through high school, bus pickup locations and schedules, and parental responsibility for transportation. School district may make changes from time to time.
 - (19) The Crook County Natural Resource District Review and Recommendations.
 - (20) Noxious weeds and pests management program.
 - (21) Potential safety or health hazards.
 - (22) A minimum structure set back of 20 feet from any property line is required
- y. Written variance request as described in Chapter III, Section 4; if applicable.

Section 3. Design, Engineering and Surveying Standards. All Large Acreage Subdivision must comply with the following:

- a. No Acreage(s) / Tract(s), parcels, or subdivided land shall be created that are less than thirty-five (35) acres in size, unless it can be shown that it benefits the Large Acreage

Subdivision, and this variance is approved by the board. Benefits include but are not limited to infrastructure, recreational area, non-residential recreational or common areas.

b. The subdivision name shall be approved by the Department and shall not duplicate, nor closely resemble, another subdivision name already used; except for a phased subdivision.

c. The proposed street and/or road names shall be approved by the Crook County 911 Addressing Coordinator and shall not duplicate, nor closely resemble, another name already used; except for a phased subdivision or an extension of an existing platted street or road.

d. The subdividing of land shall provide each Acreage / Tract with legal access to a public or private road within the subdivision, which shall not be a County Road.

e. All accesses to a public road shall be 90 degrees to the public road with a sight distance of no less than 500 feet and shall have an Access Permit approved by Crook County Road & Bridge if access is from a county road or the Wyoming Department of Transportation if access is from a State or Federal highway.

f. If the proposed subdivision abuts or is adjacent to a County Road easement the applicant shall provide by platting and dedication to the public additional road right-of-way resulting in a 50-foot easement when measured at a right angle from the existing right-of-way centerline.

g. If the proposed subdivision is divided or intersected by a County Road easement the applicant shall provide by platting and dedication to the public additional road right-of-way resulting in a 100-foot easement being 50 feet on each side of the existing right-of-way centerline when measured at a right angle.

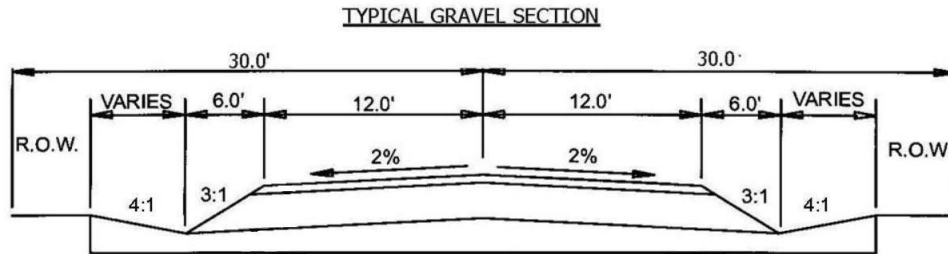
h. When a subdivision abuts a major highway, county road, or street the applicant shall provide an Access or Turnout Permit Application in compliance with the Rules and Regulations for Construction of Access Driveways and Turnout to Crook County Roadways.

i. Large Acreage Subdivisions shall have their lots divided by the county roads and other public roads so the road may be lane fenced and minimize the installations of cattleguards in compliance with the County Policy on the Installation of Cattleguards on County Roads.

j. Dead End roads shall terminate with a cul-de-sac bulb having a roadway surface with a radius of 45-feet to allow for grading and ditches within the surveyed and platted right-of-way.

k. Streets and/or roads that serve 20 Acreages / Tracts or more shall have a minimum of a 24-foot road surface with a minimum 2% cross sectional slope and surfaced with a minimum of six inches (6") of Base Coarse material, or better, providing year around access for emergency vehicles. (See Typical Gravel Section below)

(1) Streets and roads that serve 20 Acreages / Tracts or less the surface width may be reduced to a minimum of 18 feet, 9 feet each side of the centerline. All other dimensions shall remain the same as mentioned above.



l. Utility easements shall be a minimum of fifteen feet (15') in width on each side of all Acreage Lines within the subdivision. On the subdivision's exterior perimeter boundary, a minimum thirty foot (30') wide utility easement shall be provided. Other necessary utility easements within the subdivision shall be a minimum of thirty feet (30') in width. Utility easements may be varied from this requirement if each lot in the Large Acreage Subdivision has legal access to utilities such as electricity, gas, fiber, and telephone.

m. The subdivision boundary and each Acreage / Tract corner shall be monumented with a permanent monument that complies with the current applicable sections of the State of Wyoming Board of Professional Engineers and Professional Land Surveyors Rules and Regulations filed with the Wyoming Secretary of State.

n. Prior to recording the Plat, the surveyor of the Large Acreage Subdivision shall submit evidence that certified land corner recordation certificates, as applicable, have been recorded in the office of the County Clerk in accordance with Wyoming State Statute, 36-11-101 et. seq.

Section 4. Plat Requirements. A Large Acreage Subdivision Plat shall comply with; and shall include the following:

a. The plat shall be prepared, and certification made as to its accuracy by a registered land surveyor licensed in the State of Wyoming.

b. The Plat shall be clear, legible and measure 24 inches x 36 inches with addition pages as required.

c. North shall be at the top of the Plat.

d. A Plat title located at the top center of the Plat to include the subdivision name and subdivision location (township, range, section, quarter section).

e. A complete and accurate legal description of the parcel to be subdivided.

f. A vicinity map that shall show the location of the subdivision of land, the total owned parcel from which the Large Acreage Subdivision of land is being severed, the township, range, section and quarter section, the name(s), and location(s) of all subdivisions within a one mile of the Large Acreage Subdivision boundaries and all existing public roads by name and number.

g. A title box shall be placed in the lower right-hand corner of all plat sheets, containing the company name, mailing address, telephone number of the preparer; subdivision name, subdivision location (township, range, section, quarter section), preparation date, submittal date, revision date, sheet number and scale. The outer perimeter of the title box shall be of a medium weight solid line.

h. The name, telephone number, physical and mailing address of the landowner.

i. A legend that defines the line symbology and all monuments set and found depicted in the Plat.

j. An identification system for all Acreage(s) / Tract(s), parcels, or units of divided land positioned in the center of each.

k. The area of each Acreage(s) / Tract(s), parcel, or units of divided land labeled in acres positioned in the center of each.

l. Perimeter lines shall be accurate related by distance and bearings to established roads or street lines or 1/16 section corners, and closure shall be at least one foot to 5,000 feet or less.

m. Acreage Lines shall show dimensions in feet and hundredths of feet.

n. Accurate angular and lineal dimensions for all lines, angles, and curves used to describe boundaries, roads, streets, utility, and drainage easements (existing & proposed) and areas to be reserved for public use and other important features.

o. True angles and distances to the nearest established road or street lines, or official monuments shall be accurately described on the plat and shown by appropriate symbols.

p. Radii, internal angles, points and curvatures, tangent bearings and the lengths of all arcs shall be shown.

q. Accurate boundaries and legal descriptions of all easements, the area to be dedicated for public use, with the purpose indicated thereon, and of any area to be reserved by deed or covenants for the common use of all property owners shall be recorded on the plat.

r. All easements and encumbrances that affect the total subdivision shall be shown, together with the recording information, and dedicated rights-of-ways to the subdivision.

s. The statement "**ACCESS IS PROVIDED BY A PLATTED PUBLIC OR PRIVATE ROAD OR STREET; NO ACCESS SHALL BE PERMITTED BETWEEN INDIVIDUAL ACREAGE(S) / TRACT(S) AND MAJOR HIGHWAYS, COUNTY ROADS, OR ARTERIAL STREETS**" in bold capital letters placed in a conspicuous location.

t. The statement "**NO PROPOSED PUBLIC SEWAGE DISPOSAL SYSTEM**" in bold capital letters placed in a conspicuous location; if no public sewage disposal system is proposed by the applicant.

u. The statement "**NO PROPOSED DOMESTIC WATER SOURCE**" in bold capital letters placed in a conspicuous location; if no domestic water source is proposed by the applicant.

v. The statement "**NO PUBLIC MAINTENANCE OF STREETS OR ROADS**", in bold capital letters placed in a conspicuous location; if no public maintenance for streets, alleys, and roadways is proposed by the applicant.

w. The statement "**NO PROPOSED PUBLIC DISPOSAL OF GARBAGE**", in bold capital letters placed in a conspicuous location; if no public garbage maintenance or disposal is proposed by the applicant.

x. A legend on the plat and on all offers, contracts or agreements for the sale and purchase of Acreage(s) / Tract(s) within the subdivision showing in bold capital letters "**THE SURFACE ESTATE OF THE LAND TO BE SUBDIVIDED IS SUBJECT TO FULL AND EFFECTIVE DEVELOPMENT OF THE MINERAL ESTATE**" as required by Wyoming State Statute 18-5-316 (e).

y. Informational notes as required by the Department, Commission, or the Board.

z. An imprint of the licensee's valid seal shall appear on original and non-original copies, tracings, or other documents, as required by Wyoming State Statute 33-29-801.

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aa. A notarized certificate by all parties having any titled interest in or lien upon the land, consenting to the recording of the Plat and the dedication of public ways, grounds, and easements. The certificate shall read:

The above and foregoing subdivision (*Herein insert a correct description of the land or parcel subdivided*) as appears on this plat, is with free consent, and in accordance with the desires of the undersigned owners and proprietors; containing (*Acreage to nearest one-hundredth acre*) _____ acres more or less; have by these presents laid out, and surveyed as (*Subdivision's name*), and do hereby dedicate and convey to and for the public use 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 hereby releasing and waiving all Homestead Rights.

Executed this _____ day of _____, _____.

By: _____,

(Designation of interest: Owner, mortgagee, lien holder, etc.)

State of Wyoming)
 :ss.
County of Crook)

This instrument was acknowledged before me on _____
Date

by _____
Name of Person

Signature of Notarial Officer

(Seal)

Title and Rank

My commission expires: _____

OR

bb. Certificate of approval by the Crook County Land Use Planning & Zoning Commission of Crook County, Wyoming as follows:

Plat approved by the Crook County Land Use Planning & Zoning Commission of Crook County, Wyoming, this _____ day of _____, _____.

Member

State of Wyoming)
 :SS.
County of Crook)

This instrument was acknowledged before me on _____
Date

by _____
Name(s) of Person(s)

as _____
Type of Authority-officer(s), director(s), trustee(s), etc.

Signature of Notarial Officer

(Seal)

Title and Rank

My commission expires: _____

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dd. Certificate of recording by the County Clerk and Recorder shall be a 1.25" x 3.75" rectangle box placed in the lower right-hand corner of all plat sheets above the title box. The outer perimeter of this rectangle box shall be of a medium weight dashed line as shown below.

Certificate of recording by the County Clerk



ee. All required signature blocks shall be arranged upon the face of the plat such that those requiring a stamp or seal are near the bottom or right edge of the sheet for ease of applying an impression seal.

Section 5. Access and Improvements. All subdivisions of land shall have an access easement, of at least sixty (60) feet in width to a dedicated, and publicly maintained (Federal, State or County) roads, plus utility easements of not less than thirty (30) feet in width. The access easements to the subdivision and within the subdivision shall be legally established and recorded providing access and utility easement service to each Acreage / Tract, and the same shall be for the benefit of all the land divided and any and all persons acquiring ownership of property within the divided land. Said easement shall be surveyed, and perpetual, in addition to the requirements of Wyoming State Statute 34-1-141 and appurtenant to the land. Any legal access less than sixty (60) feet shall require a variance from the board. If a 60 feet wide easement is not available to access the proposed subdivision the applicant must prove that “adequate ingress and egress access has been provided to all proposed lots, units, tracts and parcels” as required by W.S. § 18-5-316 (b) (vii).

Section 6. Re-plat Application Procedure. A Re-plat Application shall be used to alter Acreage Lines and/or boundary lines of one or more Acreage(s) / Tract(s), and for the combination of contiguous Acreage(s) / Tract(s) or parcels into one Acreage / Tract of a recorded platted subdivision. The procedure for processing a Re-plat Application shall be as follows, to-wit:

- a. The Subdivider shall use forms provided by the Department.
- b. The Subdivider may request a continuance at any time but shall be liable for any costs caused by the continuance.
- c. If the plat is located within one (1) mile of the boundaries of a first class city or town, or within one-half (1/2) mile of a town with a population of less than four thousand (4,000), the board of county commissioners, upon receipt of the plat application, shall solicit comments from the governing body of the city or town relating to impacts to the city or town's infrastructure or other development plans resulting from the proposed plat and development. The board shall consider the city or town's comments that are received by the board at least twenty (20) business

days prior to the scheduled final consideration of the plat proposal and shall respond in writing to the city or town about any items of disagreement.

d. The Subdivider shall submit a complete Re-plat Application that fulfills the requirements as described in this regulation and/or other County regulations and policies or as required by state law to the Department together with all supporting materials as set forth in this regulation.

e. The Department will review the application and plat, communicating plat revisions directly to the Subdivider's surveyor.

f. Once all of the plat revisions are complete and the subdivision application is found to be a complete application a review hearing will be set for the next regularly scheduled Commission meeting.

g. Following this review hearing the Commission will deliver their recommendation to approve or not approve at the next regular scheduled meeting of the Board.

h. The Department shall provide a minimum of fifteen (15) day notice of these hearings to record area landowners on file with the County Assessor's Office that own property within 500 ft. of proposed re-plat boundary, and the utility companies that provide services to the re-plat area. These notices shall provide the date, time, and location of the hearings.

i. The Department shall also publish these notices of hearings on the Crook County website.

j. Once the Board has taken action and signed the plat; if approved; the following instruments will be recorded with the Crook County Clerk:

- (1) Order Approving Re-plat
- (2) the Re-plat, plat
- (3) Quitclaim Deed or Warranty Deed

k. The Subdivider is responsible for the Recording Fees.

Section 7. Re-plat Application Requirements. Supporting material for Re-plat Applications shall include all of the following documents and information:

- a. A completed and signed Subdivision Application form.
- b. Application Fees. (Chapter III, Section 2., pg. 23)
- c. One (1) paper copy (18" x 24" or 24" x 36") to scale with additional pages as required, a PDF file (Portable Document Format) of the preliminary/draft Re-plat plat.

d. Proof that the utility companies have been provided notice and a copy of the re-plat.

e. A Re-plat shall meet all the requirements of this Large Acreage Subdivision Regulation.

Section 8. Recording. Upon approval by the Board the applicant shall record the Order Approving Subdivision, the Plat, the Declaration of Covenants, Conditions and Restrictions, the Disclosure Statement, and any other items referred to in the Disclosure Statement that is not otherwise recorded in the County Clerk's Office.

Section 9. Final Digital File. Upon approval by the Board; and recording of the Plat in the County Clerk's Office the applicant shall provide the Department with a digital shapefile of the approved and recorded Large Acreage Subdivision. This shapefile shall be geo-referenced in NAD 1983, State Plane Wyoming East FIPS 4901 (US Feet).

Section 10. Corrected Plats. If, after the approval and recording of a subdivision plat, errors are found in the language or numbers on the recorded plat, the applicant shall submit a properly signed, corrected, or revised original mylar with the Department. The plat shall be noted CORRECTED PLAT under the name of the subdivision. Notations shall be made on the face of the plat listing all corrections made and the file and map numbers where the original plat was recorded. The Department shall review the plat for correctness, and the applicant shall secure all signatures, other than the public officials, on the corrected plat, and present the plat to the Board for the reaffirmation of their approval and to the County Clerk for recording. The proper legal instrument vacating the original plat shall be submitted for recordation in the Office of the County Clerk prior to, or at the time of, recording the corrected plat. If there are only minor corrections needed and the Department approves an "Affidavit affecting Real Property" pursuant to Wyoming State Statute 34-11-101 then those minor corrections may be made.

Section 11. Required Findings. Before the Commission recommends action on a Large Acreage Subdivision Plat and before the Board takes action on a Large Acreage Subdivision Plat, the following findings should be made:

a. The proposed Large Acreage Subdivision conforms to all applicable rules and regulations adopted by Crook County.

b. The proposed Large Acreage Subdivision does not interfere with existing agricultural water rights.

c. The proposed Large Acreage Subdivision is adequate, suitable, and safe for the construction and operation of on-site wastewater disposal systems, and small wastewater treatment facilities.

d. The proposed Large Acreage Subdivision can provide a water source that is of an adequate amount and of good quality for each Acreage(s) / Tract(s).

- e. The proposed Large Acreage Subdivision complies with all easement requirements.
- f. The proposed Large Acreage Subdivision has legal access to all Acreage(s) / Tract(s) in the subdivision.

**CHAPTER III
ADMINISTRATION AND ENFORCEMENT**

Section 1. Administration. This regulation shall be administered by the Department, or any other agency as designated by the Board.

- a. All plats submitted to the Board shall first have been examined by the Department and the Commission in accordance with the procedures established by this regulation.

Section 2. Fees.

- a. The following fees shall be paid by the Subdivider and submitted with the Subdivision Application, Resubdivision Application or Re-plat Application.

- (1) The Subdivision Application Fee and Resubdivision Fee shall be two hundred dollars \$200.00 for each division of land (Acreage(s) / Tract(s)) to be paid to the Crook County Treasurer and be credited to the County General Fund.

- (2) The Conservation District Fee shall be one hundred dollars \$100.00 for each division of land (Acreage(s) / Tract(s)) to be paid to the Crook County Natural Resource District for the review and recommendations regarding soil suitability, erosion control, sedimentation, and flooding problems.

- (a) These fees are nonrefundable and shall be submitted with the application in two (2) separate checks; the Subdivider shall be responsible for any additional fees associated with the application review.

- (3) The Re-plat Application Fee shall be four hundred dollars \$400.00 to be paid to the Crook County Treasurer and credited to the County General Fund.

- b. The recording fees are set by Wyoming State Statutes and are payable to the Crook County Clerk. The recording fees shall be paid at the time of subdivision approval by the Board.

Section 3. Variance. Should an applicant clearly demonstrate, by evidence satisfactory to the Board that a variance is warranted because of peculiar physical conditions pertaining to his land, the literal enforcement of one or more sections of this Regulation, or minimum standards, is impractical or will cause undue hardship, the Board may grant such variance(s) as may be reasonable and within the general purpose and standards established by this Regulation.

a. If the applicant requests a variance from any specific requirement(s) of this regulation; the applicant must submit the request to the Department at the time the application is submitted in writing addressed to the Board of County Commissioners.

b. The written request shall thoroughly document the precise section(s) of the Regulation to be varied providing detailed reasoning why the variance is requested and the consequences of non-approval of the variance.

c. Financial hardship shall not constitute a justification for variance approval.

d. The Board will take action on the request upon the recommendation from the Commission.

Section 4. Resubdivision. The process for a resubdivision shall follow the same requirements as a new subdivision.

Section 5. Vacations. The owners, lien holders or proprietors thereof may vacate any plat at any time before the sale of any Acreage(s) / Tract(s) therein, by submitting a copy of the plat along with a Crook County Vacation of Large Acreage Subdivision Plat Petition to the Department. In cases where Acreage(s) / Tract(s) have been sold, all owners of the Acreage(s) / Tract(s) within the subdivision shall consent to Crook County Vacation of Large Acreage Subdivision Plat Petitions.

a. When a Crook County Vacation of Large Acreage Subdivision Plat Petition is submitted, the Department shall schedule a public hearing with the Commission. The Department shall send written notice of the hearing with the Commission by first class mail to record area landowners on file with the County Assessor's office on the date the application is filed that own property within ¼ mile of the boundary of the property being vacated. The applicant shall advertise their intent to apply for a vacation of a Large Acreage Subdivision plat for one week, within 21 days of and at least 10 days prior to the scheduled hearing, in the official newspaper of Crook County and the official newspaper of the town nearest to the Large Acreage Subdivision. The newspaper notice shall include the name of the applicant, the legal description and the name of the proposed subdivision, the date, time, and location of the hearing.

b. The Commission shall make a recommendation on the vacation to the Board who shall either approve or disapprove the vacation. No plat or portion thereof for which a subdivision permit has been obtained pursuant to Wyoming State Statute 18-5-304 shall be vacated as herein provided without the approval of the Board. The recording of an instrument vacating the plat shall operate to destroy the force and effect of the recording of the original plat and divest all public rights in the public grounds laid out or described in such plat.

c. Streets and roads platted and laid out under the provisions of this regulation or laid out under any prior law of the State of Wyoming regulating private plats may be altered or vacated in the manner provided by Wyoming State Statute 24-3-101 et seq. for the alteration or vacation of county roads including leaving access to the area landowners.

d. Any part of a plat may be vacated under the provisions of this regulation, provided such vacating does not abridge or destroy any of the rights or privileges of any other proprietors in said plat and provided, further, that nothing contained in this section shall authorize the closing or obstruction of any county roads, public highways, any easement or public road laid out according to law. The request for vacation shall be made of all of the owners of Acreage(s) / Tract(s) within that portion of the overall plat sought to be vacated.

e. When any part of a plat shall be vacated as previously mentioned, public grounds shall be assigned to all Acreage(s) / Tract(s) or parcels adjacent to the public area being vacated in equal proportions.

f. The County Clerk shall write in plain, legible letters across that part of said plat so vacated, the word "VACATED" and also make a reference on the plat to the photo book and page in which the said instrument of vacation is recorded.

Section 6. Appeals. Any aggrieved parties shall appeal the decision of the Department or Commission within thirty (30) days to the Board and appeal any decision of the Board to the 6th Judicial District Court in and for Crook County, Wyoming. All applicants shall exhaust their administrative remedies prior to appeal to the District Court.

Section 7. Investigatory Powers; Wyoming State Statute 18-5-311. 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.

a. If any person subject to the provisions of this article has records required in Wyoming State Statute 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.

b. Upon failure without lawful excuse to obey subpoena or to give testimony and upon reasonable notice to all persons affected thereby, the board may apply to the District Court for an Order Compelling Compliance.

Section 8. Enforcement; Wyoming State Statute 18-5-312. 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.

Section 9. False Statement or Misrepresentation; Penalty; Wyoming State Statute 18-5-313. 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.

Section 10. Penalties; Wyoming State Statute 18-5-314. 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.

Section 11. Severability. If any provision of this regulation is held to be unconstitutional, or otherwise invalid by any court of competent jurisdiction, then such provision shall be considered separate and apart from the remaining provisions of this regulation, said section to be completely severable from the remaining provisions of this regulation. All the remaining provisions of this regulation shall remain in full force and effect.

Section 12. Forms. Applicants shall use forms created and provided by Crook County in conformance with this regulation and Wyoming State Statutes.

Section 13. Fees. The various fees shall be set from time to time by the Board.

Section 14. Effective Date and Approval. This Large Acreage Subdivision Regulation shall become effective on December 1, 2022, after the date it is filed in the office of the Crook County Clerk.

Approved and adopted this 14th day of September 2022.

BOARD OF COUNTY COMMISSIONERS OF CROOK COUNTY

Kelly B. Dennis, Chairman

Jeanne A. Whalen, Vice-Chairwoman

Fred M. Devish, Member

Duly filed in the Office of the Crook County Clerk on _____

State of Wyoming)

:ss.

County of Crook)

This instrument was acknowledged before me on September 14, 2022, by Kelly B. Dennis, Chairman, Jeanne A. Whalen, Vice-Chairwoman and Fred M. Devish, Member as Board of Crook County Commissioners.

Melissa Jones, Crook County Clerk

(Seal)

My commission expires: _____