

CROOK COUNTY

MAJOR SUBDIVISION

REGULATION

Adopted by Resolution: April 5, 2017
Emergency Amendment: November 18, 2026

CROOK COUNTY

MAJOR SUBDIVISION REGULATION

State of Wyoming

Amended: November 18, 2026~~Adopted: April 5, 2017~~

I certify that the attached~~this~~ is a true and correct copy of the Crook County Major 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 18-5-315, and Sections 34-12-101 through 34-12-115, and Sections 16-3-101 through 16-3-115, as amended.

This Emergency Amendment is in accordance with the authority provided by Wyoming Statute 16-3-103 (b).

Prior to adoption, this Major Subdivision Regulation was published on the 13th day of November 2026 on the Proposed Rules, Regulations & Policies page of the Crook County, Wyoming government website for public inspection.

This Major Subdivision Regulation shall be ratified in compliance with Wyoming Statute 16-3-101 through 16-3-115, as amended.

A public notice shall be published on the Crook County, Wyoming, government website and in the Sundance Times, the Moorcroft Leader, and the Wyoming Pioneer at least 45 days before this Major Subdivision Regulation Emergency Amendment is ratified by the Board of County Commissioners.

This Crook County Major Subdivision Regulation supersedes all other Major Subdivision Resolutions, Rules and Regulations previously filed.

~~This Major Subdivision Regulation supersedes the Crook County Subdivision Resolution approved and adopted November 10, 1993 and amended August 8, 2001, September 6, 2006, May 2, 2007 and August 3, 2009.~~

~~Prior to adoption this Major Subdivision Regulation was made available for public inspection on the 9th day of February, 2017. 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 Major Subdivision Regulation was adopted by the Board of County Commissioners.~~

~~This~~The attached Major Subdivision Regulation is effective immediately upon filing with the Crook County Clerk.

Signed this ~~5~~18th day of November 2026~~April, 2017~~.

CROOK COUNTY CLERK

_____

Melisa Jones~~Linda Fritz~~

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CHAPTER I
GENERAL PROVISIONS

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

Section 3. **Subdivision Permit Required.** No person shall sell land subject to subdivision regulation under Wyoming State Statutes Title 18, Chapter 5, Article 3, record a plat or commence construction of a subdivision without first obtaining a Subdivision Permit pursuant to Wyoming State Statute 18-5-306 or, if applicable, Wyoming State Statute 18-5-316 from the Board of County Commissioners of Crook County, Wyoming. (Wyoming State Statute 18-5-304.)

Section 4. **Purpose.** This Regulation is enacted for the purpose of implementing the Crook County Major Subdivision Regulation by the establishment of procedures and requirements to regulate and control the design and improvements of all major 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 insure orderly development in conformance with the duly established county roads;

b. To establish standards and procedures for the protection of the common interests of the general public, the landowner and the Subdivider;

c. To protect the character and value of lands throughout the County and minimize conflicts among the uses of lands;

d. To provide for safe and adequate transportation systems, utilities and other public facilities;

e. To establish adequate and accurate records of land subdivision;

f. To encourage the use of innovative land planning and urban design techniques;

g. To provide for proper drainage, domestic water supply and distribution, and sewage disposal systems;

h. To give potential landowners alternative choices in the land sites they choose; and

i. To comply with the Wyoming State Statutes, and Crook County Regulations.

Section 5. **Applicability.** This regulation shall apply to any division of land that involves a parcel existing or created that is less than 35 acres pursuant to Wyoming State Statutes 18-5-301-317 and 34-12-103, that is within the unincorporated area of Crook County, Wyoming.

Section 6. **Exemptions.** Unless the method of sale or other disposition is adopted for the purpose of evading the provisions of this regulation, this regulation shall not apply to the following subdivisions of land however, the following subdivisions are subject to requirements adopted by the Board regarding documentation of the proper use and implementation of the following exemptions:

a. A division of land made outside of a 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:

(1) 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; **and**

(2) The purpose of the division is to provide for the housing, business or agricultural needs of the grantee; **and**

(3) The land shall have been 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 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; **and**

(4) No parcel smaller than five (5) acres created under this exemption shall be further divided unless the owner obtains a subdivision permit pursuant to Wyoming State Statute 18-5-304; **and**

(5) Where the landowner is a business entity and eighty percent (80%) of the ownership interest or shares in the business entity are held by, or in the name of a trust controlled 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.

b. A division which may be created by any court of this State pursuant to the law of eminent domain, by operation of law or by order of any court in the State, except that this paragraph shall not exempt a partition of real property pursuant to Wyoming State Statute 1-32-101 through 1-32-122 from compliance with this regulation if the division would otherwise be subject to the provisions of this regulation.

c. A division which is created by a lien, mortgage, deed of trust or any other security instrument, easements and rights-of-way.

d. Lands located within incorporated cities or towns.

e. A division which is created by the sale or other disposition of land to the State of Wyoming or any political subdivision thereof.

f. A division which affects railroad rights-of-way.

g. A division which is a sale or other disposition of land for agricultural purposes or affects the alignment of property lines for agricultural purposes.

h. A division which is created by boundary line adjustments where the parcel subject of the sale or other disposition is adjacent to and merged with other land owned by the grantee.

i. A division which creates cemetery lots.

j. A division which is created by the acquisition of an interest in land in the name of the husband and wife or other persons in joint tenancy or as tenants in common, and the interest shall be deemed for purposes of the section as only one (1) interest.

k. A division of land creating a parcel five (5) acres or less for the purpose of establishing unmanned communication facilities, compressor stations, metering stations, fiber optic booster stations or similar unmanned facilities.

l. A division which creates a cluster development pursuant to and in accordance with Wyoming State Statute Title 18, Chapter 5, Article 4.

m. 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.

(1) Except as provided in Wyoming State Statute 18-5-316, this regulation 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.

n. The Transferor of property, claiming exemption under this section, shall complete and record in the Office of the County Clerk an Affidavit stating which of the above exemption(s) apply. Any division of land that is not exempt or does not comply with this regulation may be subject to criminal and civil penalties as provided by law.

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. **Agricultural Purpose.** Land uses when conducted consistent with the land's capability to produce cultivation of the soil for production of crops; or production of timber products or grasses for forage; or rearing, feeding, grazing or management of livestock.

b. **Alley.** A public thoroughfare which affords only a secondary means of access to abutting property.

c. **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 Growth & Development Department.

d. **AASHTO**. American Association of State Highway and Transportation Officials is a standards setting body which publishes specifications, test protocols and guidelines which are used in highway design and construction throughout the United States. Despite its name, the association represents not only highways but air, rail, water, and public transportation as well.

e. **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 Major 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 Major Subdivision being created by this Application process; and

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

f. **Block.** A piece or parcel of land entirely surrounded by public highway, streets, streams, railroad rights-of-way or parks, or a combination thereof.

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

h. **Building Standards.** Building standards refer to minimum standards having been adopted by an incorporated city or town or the County regulating construction techniques, materials, plumbing or heating for the construction, remodeling, additions or repairs to buildings.

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

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

k. **Conservancy Lot.** A large, privately owned lot constituting part of a conservation area in a Conservation Design Subdivision to provide surrounding residents with visual access to open space or agricultural land while keeping the land under private ownership and maintenance; public access to conservancy lots is not required.

l. **Conservation Area(s).** The land set aside in a Conservation Design Subdivision that is permanently protected through a conservation easement or other county-approved mechanism, to be used for open space, agricultural purposes, or non-motorized recreational uses.

m. **Conservation Design Subdivision.** A subdivision that is a non-conventional residential development (not a typical land subdivision with lots, blocks and streets) that clusters the residential units into a small portion of the total land area, setting aside the remaining portion of the land as a permanent conservation area for agriculture, open space, wildlife habitat protection, preservation of scenic vistas, and non-motorized outdoor recreation.

n. **Conservation Easement.** A nonpossessory interest of a holder in real property, as authorized by W.S. 34- 201-207, imposing limitations or affirmative obligations the purposes of which include retaining or protecting natural, scenic, or open space values of real property, assuring its availability for agricultural, forest, recreation, or open space use, protecting natural resources, maintaining or enhancing air or water quality, or preserving historical, architectural, archeological, or cultural aspects of real property.

o. **County.** Crook County, Wyoming.

p. **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.

q. **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.

r. **Deed Restriction.** Conditions or limitations in a deed that limits the future uses or enjoyment of a property.

s. **Density.** Density is expressed as the number of residential units per acre of land.

t. **Density Bonus.** A land use design incentive that encourages optimized preservation of open space by allowing a gross overall density of two (2) or more residential units for each thirty-five (35) acres.

u. **Department.** The Crook County Growth & Development Department.

v. **Disclosure Statement.** An instrument prepared by the Subdivider of the subdivision that clearly and concisely describes specific facts related to the subdivision (Chapter III, Section 2.k. pg. 16-17) which is recorded with the Crook County Clerk upon approval of the subdivision for review by prospective buyers.

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

x. **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.

y. **Encumbrance.** Any financial matter that affects the real property such as a mortgage, judgement lien, mechanic's lien, security interest, accrued and unpaid taxes; and any interest in real property such as mineral rights, public or private easements or roads, leases, dedications, permits, covenants, conditions, restrictions and other similar matters of record affecting title to such real property.

z. **Fee Simple Ownership.** The complete ownership interest in real property, free and clear of any condition, limitation, or restriction on its alienation; the ownership of the entire "bundle" of rights attached to real property.

aa. **FEMA**. The Federal Emergency Management Agency is an agency of the United States Department of Homeland Security. This agency's primary purpose is to coordinate the response to a disaster that has occurred in the United States and that overwhelms the resources of local and state authorities.

bb. **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.

cc. **Long-Term Stewardship Lot.** A lot within a Conservation Design Subdivision that is designated and offered for sale to provide funding that is dedicated for long-term management of the associated Conservation Area in the subdivision.

dd. **Lot / Tract.** A defined and numbered or lettered parcel of land intended as a unit for transfer of ownership or development.

ee. **Lot Line.** A surveyed line that extends to an abutting street, road or property boundary line.

ff. **Lot Depth.** The horizontal distance between the front and rear boundaries.

gg. **Major Subdivision Checklist.** List of items required for a complete subdivision application.

hh. **Merchantable or Marketable title.** Clear title to the land that is free from any encumbrance except specifically stated encumbrances. For example stating "Subject to previously recorded easements" is inadequate. The recording information for each encumbrance must be provided.

ii. **Mobile home court.** A division of a lot, tract, parcel or other unit of land into three (3) or more lots, plots, units, sites or other subdivisions of land for the immediate or future purpose of sale and placement of mobile homes.

jj. **Mobile home park.** A parcel of land which has been planned or used for the placement of two (2) or more rental mobile home lots utilized for living purposes.

kk. **Non-Motorized Recreation.** Recreation uses such as trails for hiking, hunting, fishing, wildlife viewing.

ll. **NRCS.** The Natural Resources Conservation Service, formerly known as the Soil Conservation Service, is an agency of the United States Department of Agriculture that provides technical assistance to farmers and other private landowners and managers.

mm. **Open Space.** An area of land or water that is substantially free of structures, impervious surfaces, roads and other land-altering activities and does not include lands used for private recreation such as golf courses, residential yards, areas designated as building envelope on a conservancy lot, areas devoted to parking, vehicular traffic, nonagricultural private use or any other use which does not significantly lend itself to the furtherance of one or more of the objectives of a Conservation Design Subdivision.

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

oo. **Parcel.** A contiguous piece of property lawfully created or conveyed of record as a single piece of property.

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

qq. **Phased Subdivision.** A subdivision that is platted and or constructed in two or more phases.

rr. **Plat.** A drawing prepared in accordance with the Crook County Major Subdivision Regulation.

ss. **Prime Farmland.** Prime farmland is a designation assigned by the U.S. Department of Agriculture for land with the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops and is available for these uses, as mapped by the NRCS.

tt. **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. It may be up to others to maintain the road.

uu. **Public sewage system.** Municipal, district or other government operated collection lines and treatment facilities.

vv. **Public water supply.** A system for the provision to the public of water for human consumption through pipes or constructed conveyances, if such system has at least fifteen (15) service connections or regularly serves at least twenty-five (25) individuals. Public water supply shall include:

(1) Any collection, treatment, storage and distribution facility under control of the operator of the facility and used primarily in connection with the system; and

(2) Any collection or pretreatment storage facilities not under the control of the operator which are used primarily in connection with the system; and

(3) The source, treatment system, waste disposal system, distribution system, service connections, finished water storage and pumping stations.

ww. **Qualified Conservation Organization.** A non-profit organization, as defined under Section 501.C-3 of the Internal Revenue Code, and usually a conservation organization or land trust, designated to enforce the recorded deed restrictions on the use of property, as typically defined through a conservation easement.

xx. **Re-plat.** The alteration of lot lines, boundary lines, the division of one lot into not more than two lots or the combination of contiguous lots, the changing of any public streets, roads or other changes, of a subdivision plat recorded in the office of the County Clerk.

yy. **Residential unit**. A structure or part of a structure containing dwelling units, including single family or two-family houses, multiple dwellings or apartments. Residential units do not include transient accommodations such as transient hotels, motels, tourist cabins, boarding or rooming houses or dormitories.

zz. **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.

aaa. **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.

bbb. **Sewage system**. 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.

ccc. **Small wastewater system.** Any sewage system, disposal system or treatment works having simple hydrologic and engineering needs which is intended for wastes originating from a single residential unit serving no more than four families or which distributes 2,000 gallons or less of domestic sewage per day.

ddd. **Steep Slope.** An area of land where the slope grade is 20% or greater.

eee. **Stream.** Those areas identified by the Wyoming Surface Water Classification List published and periodically updated by the WDEQ where surface water produces a defined channel or bed for passage of water; dry washes, irrigation ditches, canals, or other artificial water bodies are not included.

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

ggg. **Street, arterial.** A public street of considerable continuity and traffic-carrying capacity connecting the various parts of the County.

hhh. **Street, collector.** A public street which collects traffic from local neighborhood streets and carries it to an arterial street, highway or county road.

iii. **Street, local.** A public street which affords primary access to abutting private properties and which carries or which is projected to carry less than 500 vehicles per day.

jjj. **Subdivider.** Any owner or person, who lays out any subdivision or parts thereof, submits a subdivision application including all supporting materials and fees to the Department either for the account of the subdivider or others to initiate proceedings for a subdivision permit in accordance with this regulation, all other applicable County regulations, policies and the Wyoming State Statues.

kkk. **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.

lll. **USGS.** The United States Geological Survey is a scientific agency of the United States government. The scientists of the USGS study the landscape of the United States, its natural resources, and the natural hazards that threaten it. The organization has four major science disciplines, concerning biology, geography, geology, and hydrology. The USGS is a fact-finding research organization with no regulatory responsibility.

mmm. **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.

nnn. **WDEQ.** Wyoming Department of Environmental Quality, founded in 1973, is a Wyoming state agency to protect, conserve and enhance the environment of Wyoming "through a combination of monitoring, permitting, inspection, enforcement and restoration/remediation activities".

CHAPTER II
PRE-APPLICATION AND SKETCH PLAT PROCEDURE AND REQUIREMENTS

Section 1. **Pre-application.** Prior to the submittal of a Sketch Plat and scheduling a meeting with the Department as required by this regulation, the Subdivider should contact an Attorney, a Wyoming Registered Engineer and Land Surveyor to determine:

a. The procedures for submitting the Preliminary and Final Subdivision Plat Applications;

b. The availability of public water and sewage; requirements when public systems are not readily available, public utilities, public access, garbage removal, drainage, etc.;

c. The County requirements for Road Access, 911 Addressing, Postal Delivery, Schools, Utilities, Construction of Improvements, Financial Commitments, Design Standards, Parks and Open Space;

d. The location and extent of any flood plains as shown by maps in the offices of FEMA or any other State or Federal Agencies;

e. Soil types and soil limitations on the property as shown on available soil survey maps prepared by the NRCS; and

Section 2. **Sketch Plat and Meeting.** A Sketch Plat and any other supporting materials or documents for the proposed subdivision shall be submitted and a meeting scheduled with the Department prior to the submittal of a Preliminary Plat Application.

a. The purpose of the Sketch Plat and meeting is to allow the Subdivider an opportunity to review and discuss the proposed subdivision with the Department and Commission before expenses are incurred in the development of a Preliminary Plat.

b. The Commission shall review the Sketch Plat with the Subdivider at its next regular meeting with regard to conformance with the general design standards and improvement standards required herein and any other County regulations and policies that may apply.

c. No action is required of the Commission other than to offer appropriate comments on the Sketch Plat.

d. A Sketch Plat shall be prepared to include the following:

(1) A map showing the legal description, the general location, the property boundaries of the area, the total development area of the proposed subdivision, north arrow, name of subdivision, owner's name, mailing address, physical address, and phone number;

(2) Topographic contours from available information such as USGS topographic maps (7 1/2 minutes series);

(3) The layout of proposed lots, tracts, streets, parks and open-space with scaled dimensions of all;

(4) The acreage of the total development area within approximately ten percent (10%) error;

(5) The names and mailing addresses of record landowners on file with the Crook County Assessor's Office of the property adjacent to the proposed subdivision;

(6) Type of access to roads or street system proposed, postal service and school bus routes and who will provide service;

(7) Type of utilities systems (electrical, gas, phone, etc.) proposed and who will provide service;

(8) The impact on the County and/or Municipal population and services;

(9) Type of domestic water system proposed and who will provide service;

(10) Type of sewage system proposed and who will provide service;

(11) Type of garbage disposal system proposed and who will provide service;

(12) Type of restrictive covenants and the proposed use of the area; and

(13) A Sketch Phasing plan if proposed as a Phased Subdivision. (Chapter VII, Section 2. pg. 52-55)

CHAPTER III
PRELIMINARY PLAT PROCEDURE AND REQUIREMENTS

Section 1. **Preliminary Plat Application Procedure.** The purpose of the Preliminary Plat Application process is to check the proposed subdivision against the specific design standards and improvements required by this regulation and any other Crook County rules, regulations and policies in effect that are applicable.

a. The procedure for processing a Crook County Major Subdivision Preliminary Plat Application shall be as follows, to-wit:

(1) The Subdivider shall use forms provided by the Department.

(2) The Subdivider may request a continuance at any time, but shall be liable for any costs caused by the continuance.

(3) If any part of the Subdivider's proposed subdivision lies within one (1) mile of the boundary of an incorporated city or town the application shall be submitted to both the municipality and county concurrently; the approval by the governing bodies must be obtained in accordance with Wyoming State Statutes 18-5-308 (b) and 34-12-103.

(a) The Commission will request that the municipality's land use planning commission have a joint preliminary plat review hearing.

(b) The Subdivider is responsible for complying with any law, rule, or regulation of the municipality.

(4) The Subdivider shall submit a **complete** Preliminary 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.

(5) The Department shall review the application by comparing it to the Major Subdivision Preliminary Plat checklist at the time of submittal to determine if the application is complete or incomplete.

(a) A complete application only means that the requirements of the Preliminary Plat checklist have been provided to the Department; it does not approve their adequacy.

(6) If the application is found to be incomplete it shall not be accepted by the Department.

(7) If the application is found to be complete it shall be accepted by the Department for further review and the fees processed.

(8) Once the application has been accepted, the Department shall send a copy of the application and supporting documentation to the County Contract Engineer, CCNRD and Crook County Fire Warden within three (3) business days and review the application within fifteen (15) business days of being received by the Department.

(9) The Department shall prepare a written report and set the application for a preliminary plat review hearing with the Commission after the fifteen (15) day review time has expired and the following written reports have been received.

(a) 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).

(i) The CCNRD review and recommendations shall be completed within sixty (60) days.

(ii) A copy of this report shall be provided to the Department and the Subdivider.

(b) The written review and recommendations from the County Contract Engineer.

(i) The County Contract Engineer review and recommendations shall be completed within thirty (30) days.

(ii) A copy of this report shall be provided to the Department and the Subdivider.

(c) The written review and recommendations from the Crook County Fire Warden.

(i) The Crook County Fire Warden review and recommendations shall be completed within thirty (30) days.

(ii) A copy of this report shall be provided to the Department and the Subdivider.

(10) The Subdivider shall publish notice of his intent to apply for a subdivision permit once each week for two (2) consecutive weeks within thirty (30) days before the scheduled preliminary plat review hearing with the Commission in the official newspaper of Crook County and the official newspaper of the town nearest to the proposed Major Subdivision.

(a) The newspaper notice shall include the name of the Subdivider, the general location, E911 physical address, legal description, name of the proposed subdivision, the date, time and location of the preliminary plat review hearing; the notice shall be on a form prepared by the County.

(b) The Subdivider shall provide a signed affidavit and copy of the notice from the newspaper as proof that notice was published.

(11) When the preceding conditions have been fulfilled a preliminary plat review hearing shall occur at the first regularly scheduled Commission meeting after a minimum of fifteen (15) day notice has been given to property owners within a ¼ mile of the boundary of the property being subdivided.

(12) Once this hearing has been scheduled the Department shall send this notice of the preliminary plat review hearing with the Commission by first class mail to record area landowners on file with the County Assessor's office that own property within a ¼ mile of the boundary of the property being subdivided; and

(a) Also publish this notice of the preliminary plat review hearing with the Commission on the Crook County website.

(b) If an area landowner is not notified that is cause for the Commission to continue the hearing.

(13) At this hearing the Subdivider must appear and the Commission shall:

(a) Review the application, the written reports from the CCNRD, County Contract Engineer, Crook County Fire Warden, the Department and any other written comments received;

(b) Hear from the Department, County Contract Engineer, Crook County Fire Warden, the Subdivider, landowners, and public;

(c) Consider any variances requested or other matters they deem appropriate.

(14) After the evaluation of the submitted information and consideration of the comments received, the Commission shall only consider approval for the Preliminary Plat Application if it has been determined to be in compliance with Chapter IV, Section 4. pg. 40.

(a) The Commission shall approve, conditionally approve, table or not approve the Preliminary Plat Application and so notify the Subdivider in writing within ten (10) days after the date on which action was taken.

(b) A motion for approval, or conditional approval, shall receive at least three (3) affirmative votes for passage.

(c) If the Preliminary Plat Application is not approved, the Commission shall specify conditions under which the Application may gain approval.

(15) Approval of the Preliminary Plat Application by the Commission shall be effective for twelve (12) consecutive calendar months from the date of approval.

(a) If a Final Plat Application has not been submitted within this specified period on all, any portion or phase of the proposed subdivision included in the approved Preliminary Plat Application, a new Preliminary Plat and Application must be submitted to the Commission for review and approval.

(b) Any Application submitted shall expire in two (2) years from the date of submittal if a Final Plat is not approved.

Section 2. **Preliminary Plat Application Requirements.** Supporting material for Preliminary Plat Applications shall include all of the following documents and information:

a. A completed Preliminary Plat Checklist, available from the Department;

b. A completed and signed Subdivision Application Form;

c. Application Fees; (Chapter VIII, Section 4. pg. 70-71)

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

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

e. A Preliminary Phasing Plan, if applicable; (Chapter VII, Section 2. pg. 52-55)

f. An ownership and encumbrance property report or an Attorney's Title Opinion using terminology as defined by this regulation;

g. 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);

(1) This report is provided to the Subdivider and Department by CCNRD.

h. Copies of transmittal letters or other evidence showing that the Subdivider has delivered and/or mailed copies of the Preliminary 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;

(1) The aforementioned entities shall have 30 days from the date notification is received by them to comment on the Preliminary Plat Application.

i. A draft of the proposed covenants for the proposed use restrictions of the subdivision for the next 20 years, and the proposed method for maintaining improvements as required by Wyoming State Statute 18-5-306 (a) (xii);

j. Where applicable, a copy of any existing covenants affecting the proposed subdivision;

k. A draft 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 WDEQ 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) Cable TV charges - statement to define financial responsibilities;

(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 - statues of applicable codes which apply to construction within the subdivision;

(17) Postal Service - define level of service and responsibility of homeowner and Subdivider 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 weed and pest management plan;

(21) Potential safety or health hazards.

l. A preliminary engineering study that addresses traffic impact, traffic congestion, and traffic safety upon local and county roads;

m. A preliminary engineering analysis and design drawings for proposed subdivision roads and/or streets;

n. A preliminary drainage report that lists any unusual, hazardous or significant drainage problems that should be addressed in the final design phase;

o. A description of existing water rights associated with the land of the proposed subdivision and the disposition of those rights;

p. Written variance request(s) as described in Chapter VIII, Section 6. pg. 71-72 if applicable.

Section 3. **Preliminary Plat Requirements.** A Major Subdivision Preliminary Plat shall comply with and 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;

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

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

e. 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;

(1) If it is a Re-plat, the lot number and name of the original subdivision shall be included in the name or subtitle of the subdivision.

f. The scale of the Plat shall be:

(1) 1.00 inch = 100.00 feet or larger for subdivisions where the majority of the lots are less than five (5) acres in size.

(2) 1.00 inch = 200.00 feet for subdivisions in which the minimum lot size is five (5) acres or more.

g. A complete and accurate legal description of the parcel to be subdivided including ties to existing section monuments or other legally established monuments of record;

h. The total number of acres to be subdivided;

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

j. A title box shall be placed in the lower right hand corner of all plat sheet(s), 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;

k. A north arrow and map scale;

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

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

n. An identification system for all blocks, lots, tracts, parcels or units of divided land positioned in the center of each;

o. The area of each lot, tract, parcel or units of divided land labeled in acres positioned in the center of each;

p. Lot lines shall show dimensions in feet and hundredths of feet;

q. Sites to be reserved or dedicated for parks, playgrounds, schools or open space;

r. Proposed sites, if applicable, for multiple family residences;

s. The names, locations and dimensions of proposed subdivision streets and/or roads;

(1) 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.

(2) Except for an extension of an existing platted and named street or road.

t. Features within and adjacent to the proposed subdivision to include the following:

(1) Township, Range, Section and Aliquot lines;

(2) Name, location, and dimensions of all existing or recorded public highways, county roads, roads, streets, alleys, easements and right-of-ways;

(3) Location of existing easements, utilities, water and sewage lines.

u. Topographic contours adequate to show drainage and layout of the land;

(1) The required topographic contour interval shall be based on the size of the smallest proposed lot in the subdivision as listed in the following table.

Minimum Lot Size	**Contour Interval**
Less than 1.00 acre	5.00 foot
1.00 to 5.00 acres	10.00 foot
More than 5.00 acres	Information available from USGS maps

v. The location within the subdivision of any wetlands, streams, lakes or floodplains as delineated on maps available from FEMA or any other State or Federal Agencies;

w. The 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;

x. The names of record surface owners within 500 feet of the subdivision shown on the respective land locations.

CHAPTER IV
FINAL PLAT PROCEDURE AND REQUIREMENTS

Section 1. **Final Plat Application Procedure**. After approval of the Preliminary Plat by the Commission, a Final Plat Application may be prepared and submitted to the Department. The Final Plat and required supporting material shall conform to the design and engineering standards set forth in this regulation and to any conditions of the Preliminary Plat approval specified by the Commission.

a. The procedure for processing a Crook County Major Subdivision Final Plat Application shall be as follows, to-wit:

(1) The Subdivider shall use forms provided by the Department.

(2) The Subdivider may request a continuance at any time, but shall be liable for any costs caused by the continuance.

(3) If any part of the Subdivider's proposed subdivision lies within one (1) mile of the boundary of an incorporated city or town the application shall be submitted to both the municipality and county concurrently; the approval by the governing bodies must be obtained in accordance with Wyoming State Statutes 18-5-308 (b) and 34-12-103.

(a) The Commission will request that the municipality's land use planning commission have a joint final plat review hearing.

(b) The Subdivider is responsible for complying with any law, rule, or regulation of the municipality.

(4) The Subdivider shall submit a **complete** Final 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.

(5) The Department shall review the application by comparing it to the Major Subdivision Final Plat checklist at the time of submittal to determine if the application is complete or incomplete.

(a) A complete application only means that the requirements of the Final Plat checklist have been provided to the Department; it does not approve their adequacy.

(6) If the application is found to be incomplete, it shall not be accepted by the Department.

(7) If the application is found to be complete it shall be accepted by the Department for further review.

(8) Once the application has been accepted; the Department shall send a copy of the application and supporting documentation to the County Contract Engineer within three (3) business days and review the application within fifteen (15) business days of being received by the Department.

(9) The Department shall prepare a written report and set the application for a final plat review hearing with the Commission after the fifteen (15) day review time has expired and the written review and recommendations from the County Contract Engineer has been received.

(a) The County Contract Engineer review and recommendations shall be completed within thirty (30) days.

(b) A copy of this report shall be provided to the Department and the Subdivider.

(10) This final plat review hearing shall occur at the next regularly scheduled Commission meeting after a minimum of fifteen (15) day notice has been given to landowners that own property within a ¼ mile of the boundary of the property being subdivided.

(11) The Department shall send this notice of the final plat review hearing with the Commission 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; and

(a) Also publish this notice of the final plat review hearing with the Commission on the Crook County website.

(b) If an area landowner is not notified that is cause for the Commission to continue the hearing.

(12) The Subdivider shall publish notice of this final plat review hearing once each week for two (2) consecutive weeks within thirty (30) days before the scheduled review hearing with the Commission in the official newspaper of Crook County and the official newspaper of the town nearest to the proposed Major Subdivision.

(a) The newspaper notice shall include the name of the Subdivider, the general location, legal description, name of the proposed subdivision, the date, time and location of the final plat review hearing; the notice shall be on a form prepared by the County.

(b) The Subdivider shall provide a signed affidavit and copy of the notice as proof that notice was published.

(13) At this hearing the Subdivider must appear and the Commission shall:

(a) Review the application, the written reports from the County Contract Engineer, the Department and any other written comments received;

(b) Hear from the Department, County Contract Engineer, the Subdivider, landowners, and public;

(c) Consider any variances requested or other matters they deem appropriate.

(14) After the evaluation of the submitted information and consideration of the comments received, the Commission shall only consider action to recommend approval of the Final Plat Application to the Board if it has been determined to be in compliance with Section 4. of this Chapter, pg. 40.

(a) If the Commission finds that the Final Plat Application does not comply with Section 4. of this Chapter, pg. 40 the Commission shall take action to:

(i) table the Final Plat Application and schedule a continuance of the final plat review hearing at the Commission's next regularly scheduled meeting; or

(ii) recommend the Board not approve the Final Plat Application.

(b) The Commission shall notify the Subdivider of the action taken in writing within ten (10) days after the date on which action was taken.

(i) If the Commission's action was to table the Final Plat Application this written notice shall specify conditions under which the Application may gain a recommendation of approval to the Board.

(c) If the Commission's action was a recommendation to approve or not approve the Final Plat Application to the Board:

(i) The Commission shall prepare a written recommendation to the Board; and

(ii) Schedule the Final Plat Application for final action by the Board at the Board's next regularly scheduled meeting.

(iii) If any part of the proposed subdivision lies within one (1) mile of the boundary of an incorporated city or town the final plat shall receive final action from the incorporated city or town council prior to final action by the Board.

(15) At this regularly scheduled meeting of the Board the Subdivider must appear and the Board shall receive and consider:

(a) The Commission's written recommendation;

(b) The agreement for the installation of public improvements "**Recorded Plat Agreement**";

(c) The estimated cost of improvements approved by the County Contract Engineer "**Addendum A**";

(d) The Financial guarantee for the installation of public improvements;

(e) Any other matters they deem appropriate; and

(f) The Subdivider's comments on the Final Plat.

(16) The Board shall then vote to approve or not approve the final plat application and then prepare and enter a final order if approved.

(a) A motion for approval must receive at least two (2) affirmative votes for passage.

(b) If no action is taken by the Board within forty-five (45) days after this meeting, the Final Plat is deemed approved by the Board.

(c) Upon approval of the final plat application by the Board, the appropriate signatures shall be obtained for the Final Plat, the Subdivision Approval Order and the Recorded Plat Agreement from the Board.

(d) The signed mylar Final Plat and other signed documents prepared for recordation, along with the recording fees, shall be submitted to the Office of the County Clerk for recordation.

(17) As an **alternate approval procedure** at the request of the Subdivider the Board may conditionally approve the final plat application and withhold the Board's signatures and the recordation of the Final Plat and enter into an agreement "**Unrecorded Plat Agreement**".

(a) This agreement is for an approved period of time allowing the Subdivider to install the required public improvements.

(b) The conditional approval of the Final Plat by the Board shall remain effective for twenty-four (24) calendar months or as stipulated in the Unrecorded Plat Agreement.

(c) When the public improvements have been completed, inspected and approved by the County Contract Engineer, the Board's signatures shall be obtained on the Final Plat and it shall be submitted to the Office of the County Clerk for recordation along with the recording fees.

(18) Upon approval and recordation of the final plat or prior to the County Contract Engineer's final inspection of the public improvements the Subdivider 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.

(a) 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.

(b) 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.

(c) Signs shall be purchased or constructed, erected and maintained by the Subdivider for a period of four years after acceptable completion of construction of the development or until all lots have been sold, whichever comes first.

(19) If the Final Plat is not approved, the Subdivider may request a hearing before the Board. If, after the hearing, the decision of the Board is substantially unaltered from its original decision, the Subdivider may proceed according to Chapter VIII, Section 2. pg. 69.

Section 2. **Final Plat Application Requirements.** Supporting material for Final Plat Applications shall include all of the following documents and information:

a. A completed Final Plat Checklist, available from the Department;

b. One (1) paper copy to scale, a PDF file (Portable Document Format) of Final Plat;

(1) The original recordable mylar of the final plat shall not be printed until directed to do so by the department.

(2) The original recordable mylar of the final plat shall be printed in either waterproof black ink or acetate ink or shall be an acceptable photographic or other kind of reproduction on good quality polyester base drafting film in a minimum thickness of four-thousandths (.004) inch and measuring 24 inches x 36 inches.

(3) All original recordable maps, final plats, plans and designs shall conform to Wyoming State Statute 33-29-801.

(4) This original finalized, recordable mylar final plat with the appropriate signatures shall be provided to the Department five (5) business days prior to the final meeting with the Board.

c. A Final Phasing Plan, if applicable; (Chapter VII, Section 2. pg. 52-55)

d. Evidence that all fees have been paid to the appropriate governing body for any other service not herein specifically addressed, such as fees for Water Districts, Irrigation Districts, Improvement and Service Districts, etc.;

e. Evidence satisfactory to the Board of County Commissioners that:

(1) The subdivided land is free of all encumbrances and that the person 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 of record, but free of encumbrances and subject only to a proportional share of real property taxes or assessments charged or assessed for the year in which any such sale may be legally effected:

(a) An updated attorney's title opinion noting reservations and encumbrances as defined by this regulation,

(b) A current title insurance commitment noting reservations and encumbrances as defined by this regulation for the sales value of the entire subdivision and the cost of improvements, or

(c) An ownership and encumbrance report as defined by this regulation,

(2) Or evidence 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 warranty deed can and will be delivered conveying merchantable title subject only to a proportionate share of such taxes and assessments thereon as may be levied or assessed for the years in which such sale may be legally effected:

(a) An updated attorney's title opinion noting the binding arrangements, reservations and encumbrances as defined by this regulation; or

(b) A current title insurance commitment noting the binding arrangements, reservations and encumbrances as defined by this rule for the sales value of the entire subdivision and the cost of improvements.

f. A letter of intent from the utility companies (phone, gas, electric, etc.) stating that financial arrangements are being made to install the utilities;

g. A copy of the agreement between the Subdivider and the utility companies outlining the financial arrangements that have been made to install the utilities;

h. A letter from the U.S. Postal Service, local Post Master administrating the postal area of the proposed subdivision stating that arrangements have been made for mail service, the location and installation of mailboxes or mail receptacles;

i. A letter from Crook County School District No. 1 of the effect this subdivision will have on school bus routes and the school system;

j. The original finalized, signed and notarized recordable Restrictive Covenants for the subdivision for the next 20 years as required by Wyoming State Statute 18-5-306 (a) (xii);

k. The original finalized, signed and notarized recordable Homeowner's Association documents, (Articles of Incorporation) and/or documents pertaining to an Improvement and Service District or Water and Sewer District as required by Wyoming State Statute 18-5-306 (a) (xii);

l. The original finalized, signed and notarized recordable Disclosure Statement;

m. The finalized engineering study that addresses traffic impact, traffic congestion, and traffic safety upon local and county roads; (Chapter VII, Section 5.t. pg. 59)

n. The finalized engineering analysis and design drawings for proposed subdivision roads and/or streets; (Chapter VII, Section 5. pg. 56-60)

o. Where private individual water systems are proposed as the domestic water source, adequacy shall be demonstrated; (Chapter VII, Section 6.a. pg. 60)

p. Where cisterns and the hauling water are proposed as a domestic water source, adequacy shall be demonstrated; (Chapter VII, Section 6.b. pg. 60)

q. Where a water supply system is proposed as a domestic water source, engineering drawings providing sufficient information to assure the adequacy and safety of the domestic water source and that the plan meets State, Federal and local governing authority standards; (Chapter VII, Section 6.c. pg. 60)

r. Where individual sewage systems (Small wastewater systems) are proposed adequacy shall be demonstrated; (Chapter VII, Section 7.a. pg. 61-62)

s. Where a sewage system or public sewage system is proposed sufficient information shall be provided to assure that the proposed sewage system meets State and Federal standards; (Chapter VII, Section 7.b. pg. 62)

t. Letters from the WDEQ and Wyoming State Engineer's Office providing the findings as to the safety and adequacy of the proposed water and sewage systems pursuant to the requirements of Wyoming State Statute 18-5-306;

u. The finalized drainage report; (Chapter VII, Section 12. pg. 64)

v. A copy of the approved Wyoming Department of Transportation Access or Turnout Permit(s) or Crook County Access or Turnout Permit(s) when a new subdivision road or street will intersect with a US Highway, State Highway or County Road;

w. Copies of all necessary easements or rights-of-way crossing adjoining properties;

x. Where the proposed Subdivision would alter any lot line or any portion of a recorded plat, a copy of the proper legal instrument vacating the affected portion of the original plat;

y. Plans, drawings, and specifications for any other improvement required by this regulation;

z. When applicable, a warranty deed conveying common land to a Homeowner's association or equivalent;

aa. With respect to any water rights appurtenant to lands to be subdivided in accordance with this regulation:

(1) Evidence that the Subdivider has notified purchasers, the Board, and the State Engineer of his intent to abandon the water rights; or

(2) Evidence that the Subdivider has petitioned the State Board of Control 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 approved by the State Engineer or Board of Control prior to the presentation of the Final Plat for the distribution of the water appurtenant to the land to be subdivided.

(a) 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 Wyoming State Statutes 41-3-102, 41-3-104 or 41-3-114, 1977, as amended; and

(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 approved by the district board, company, or association, or the remaining appropriators in the case of an unorganized ditch; and

(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; and

(d) The Subdivider shall further state that the Wyoming law does not recognize any riparian right to the continued natural flow of a stream or river for persons living on the banks of the stream or river.

bb. Where the proposed improvements would encroach upon any waterways, wetlands or floodplains, evidence that the proper permits have been received from the Army Corps of Engineers or any other governing authority.

cc. Where an irrigation ditch or canal traverses land proposed for subdivision, evidence that provisions have been made to ensure access to the ditch for maintenance and operation purposes.

Section 3. **Final Plat Requirements**. A Major Subdivision Final Plat shall comply with and 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;

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

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

e. If it is a re-plat, the block number, lot number and name of the original subdivision shall be included in the name or subtitle of the subdivision; (Chapter V, Section 3. pg. 42-43)

f. The scale of the Plat shall be:

(1) 1.00 inch = 100.00 feet or larger for subdivisions where the majority of the lots are less than five (5) acres in size.

(2) 1.00 inch = 200.00 feet for subdivisions in which the minimum lot size is five acres or more.

g. There shall be a complete and accurate legal description of the parcel to be subdivided including basis of bearings, ties to existing section monuments or other legally established monuments of record that result in a maximum allowable closure error of one foot to 5,000 feet or less;

h. The total number of acres to be subdivided;

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

j. A title box shall be placed in the lower right hand corner of all plat sheet(s), 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;

k. A north arrow and map scale;

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

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

n. An identification system for all blocks, lots, tracts, parcels or units of divided land positioned in the center of each;

o. The area of each lot, tract, parcel or units of divided land labeled in acres or square feet and positioned in the center of each;

(1) Lots one acre or larger in size shall be labeled in acres to nearest one-one hundredth (1/100) of an acre;

(2) Lots less than one acre in size shall be labeled to the nearest one square foot;

p. A notation on the plat of the total acreage of the subdivision and the total number of lots;

q. 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;

r. Boundary lines of the subdivision in a heavy solid line;

s. Lot lines shall show dimensions in feet and hundredths of feet;

t. 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;

u. 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;

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

w. The bearings, distances and curve data of all perimeter boundary lines shall be indicated outside the boundary line, and lot dimensions shall be indicated inside perimeter boundary lines;

x. On curved boundaries and on all curves within the subdivision, sufficient data shall be provided to allow the re-establishment of the curves on the ground;

y. 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;

z. 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;

aa. Areas identified on the plat where improvements will be restricted, such as in floodplains, wetlands, areas of high ground water, and limited to very limited soils;

bb. Sites to be reserved or dedicated for parks, playgrounds, schools or open space;

cc. Proposed sites, if applicable, for multiple family residences;

dd. The names, locations and dimensions of proposed subdivision streets and/or roads;

(1) 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.

(2) Except for a phased subdivision which has already received approval or for an extension of an existing platted and named street or road.

ee. Features within and adjacent to the proposed subdivision to include the following:

(1) Township, Range, Section and Aliquot lines;

(2) Name, official number, location, and dimensions of all existing or recorded public highways, county roads, roads, streets, alleys, easements and right-of-ways;

(3) Location of existing utilities, water and sewage lines;

ff. The location within the subdivision of any wetlands, streams, lakes or floodplains as delineated on maps available from FEMA or any other State or Federal Agencies;

gg. The 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;

hh. Excluded parcels shall be labeled **"NOT INCLUDED IN THIS SUBDIVISION"** and the boundary indicated by bearings and distances;

ii. Parcels that are not contiguous shall not be included in one plat, nor shall more than one subdivision be made on the same plat sheet;

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

kk. 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 Subdivider;

ll. 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 Subdivider;

mm. 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 Subdivider;

nn. 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 Subdivider;

oo. The statement **"ANY PURCHASER DOES NOT HAVE THE RIGHT TO THE NATURAL FLOW OF ANY STREAM WITHIN, OR ADJACENT TO THE SUBDIVISION, SINCE WYOMING WATER ADMINISTRATION LAWS DO NOT RECOGNIZE ANY RIPARIAN RIGHTS WITH REGARD TO NATURAL FLOW FOR PERSONS LIVING ON THE BANK OF ANY STREAM OR RIVER"**, in bold capital letters placed in a conspicuous location addressing riparian use of water from any streams or ditches;

pp. A legend on the plat and on all offers, contracts or agreements for the sale and purchase of lots 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 18-5-306 (d);

qq. Reference on the Plat to where any restrictions and other items affecting the use of the subdivision may be found recorded in the County Clerk's Office;

rr. Informational notes as required by the Department, County Contract Engineer, Commission, or the Board;

ss. 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;

tt. Certifications and notarials as applicable; certifications requiring an impression stamp or seal shall be arranged near the bottom or right edge of the plat;

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(1) 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)*_____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

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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(2) Certificate of approval by the Crook County Engineer as follows:

Plat approved by the Crook County Contract Engineer this _____ day of _____, _____

_____
Crook County Contract Engineer

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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(3) Certificate of approval by the Municipal Land Use Planning Commission of Crook County, Wyoming as follows:

Plat approved by the *(City or Town)* Land Use Planning Commission *(Name of City or Town)* of Crook County, Wyoming, this _____ day of _____, _____.

_____
Chairman

_____
Vice Chairman

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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(4) Certificate of approval by an incorporated city or town within one mile of the subdivision as follows:

Plat approved by the *(City or Town)* Council of *(Name of City or Town)* this _____ day of _____, _____.

_____
Mayor

_____ _____
Council Member Council Member

_____ _____
Council Member Council 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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(5) 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 _____, _____.

_____
Chairman

_____
Vice Chairman

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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(6) Certificate of approval by the Board of County Commissioners of Crook County, Wyoming as follows:

Plat approved and Subdivision Permit issued by the Board of County Commissioners of Crook County, Wyoming, this _____day of _____, _____.

_____
Chairman

_____
Vice Chairman

_____
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: _____

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

(7) Certificate of recording by the County Clerk and Recorder as follows:

State of Wyoming)
: ss.
County of Crook)

I hereby certify that this plat was filed for record in my office at _____ o'clock this __ day of _____, _____, and recorded at File No. ___and Map No. _____.

_____
County Clerk

Section 4. **Required Findings.** Before the Department, Commission and County Contract Engineer recommends approval of a Preliminary or Final Plat and before the Board grants final approval to any subdivision plat, the following findings shall be made:

a. The proposed subdivision complies with all applicable regulations and policies adopted by Crook County including all provisions of this regulation;

b. The proposed subdivision's impacts on traffic congestion and safety hazards have been evaluated;

c. The proposed subdivision will not interfere with existing agricultural water rights, and that provision has been made to ensure access to agricultural water supplies for maintenance;

d. The proposed subdivision is suitable and safe for the construction and operation of on-site waste water disposal systems, and small waste water treatment facilities;

e. The proposed subdivision can provide a water source that is of an adequate amount and of good quality for each lot;

f. The proposed subdivision has a fire protection plan approved by the Crook County Fire Warden;

g. The proposed subdivision has provided a garbage disposal plan;

h. The proposed subdivision has provided a noxious weed and pest management plan;

i. The proposed subdivision complies with all easement and access requirements.

Section 5. **Corrected Plat.** If, after the approval and recording of a subdivision plat, errors are found in the language or numbers on the recorded plat, the subdivider shall submit a properly signed, corrected or revised original mylar to the Department.

a. The County Contract Engineer shall review the plat for correctness.

b. The plat shall be noted CORRECTED PLAT under the name of the subdivision.

c. 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.

d. The subdivider shall secure the signatures of the proper public officials on the corrected plat, and present the plat to the Board for the reaffirmation of their approval, signatures and recording with the Crook County Clerk.

e. Along with the corrected plat the proper legal instrument vacating the original plat shall be presented to the Board for approval, signatures and recording with the Crook County Clerk.

f. If there are only minor corrections needed and the County Contract Engineer approves an "Affidavit Affecting Real Property" pursuant to Wyoming State Statute 34-11-101 may be prepared by the subdivider's attorney or surveyor and recorded with the Crook County Clerk.

CHAPTER V
RE-PLAT PROCEDURE AND REQUIREMENTS

Section 1. **Re-plat Application Procedure**. A Re-plat Application shall be used to alter the lot lines, boundary lines, the division of one lot into not more than two lots or the combination of contiguous lots or parcels into one lot 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 any part of the Subdivider's proposed re-plat lies within one (1) mile of the boundary of an incorporated city or town the application shall be submitted to both the municipality and county concurrently; the approval by the governing bodies must be obtained in accordance with Wyoming State Statutes 18-5-308 (b) and 34-12-103.

(1) The Commission will request that the municipality's land use planning commission have a preliminary plat joint review hearing.

(2) The Subdivider is responsible for complying with any law, rule, or regulation of the municipality.

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 and the County Contract Engineer 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 2. 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 VIII, Section 4. pg. 70-71)

c. One (1) paper copy (18" x 24" or 24" x 36") to scale, 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.

Section 3. Re-Plat Requirements. A Re-plat shall meet all of the Final Plat Requirements (Chapter IV, Section 3. pg. 28-40) and the following:

a. The title block shall read: "RE-PLAT OF BLOCK ___, LOT ___ OF THE _____ SUBDIVISION, LOCATED IN THE ___1/4___1/4, SECTION___. TOWNSHIP ____ NORTH, RANGE ____ WEST, OF THE SIXTH PRINICIPAL MERIDAN, CROOK COUNTY, WYOMING.";

b. Lots shall be identified as Lot __A and Lot __B in sequence with the original Plat or shall be identified by the lowest lot number when combining lots.

CHAPTER VI
CONSERVATION DESIGN SUBDIVISION

Section 1. **Purpose and Intent.** The purpose of the Conservation Design Subdivision option is to allow creative design of conservation subdivisions as an alternative to conventional large-lot subdivisions. The option will allow a subdivider to design subdivisions creatively to maintain the open character and agricultural viability of the county's agricultural and rural areas, continue the use of lands for agricultural and ranching activities, conserve riparian areas and other natural resources, such as wildlife habitat, and avoid placing residential buildings in floodplains or on steep slopes.

a. This option allows residential units to be clustered on smaller lots and requires that a portion of the property be set aside as a "conservation area" that will have a limited range of allowed uses and activities; and

b. As an incentive to the subdivider the County shall reduce the Subdivision Application and Conservation District Fees by 25% for a Conservation Design Subdivision. The County shall still require ~~the seven thousand five hundred dollar $7,500.00~~ County Contract Engineer Fee.

Section 2. **Applicability.** To be eligible for the Conservation Design Subdivision option, the parcel of land shall be located within the unincorporated area of Crook County, Wyoming.

a. The application for the Conservation Design Subdivision option must involve a single parcel of land under common ownership, or alternatively, two or more contiguous parcels of land under different ownerships aggregated that has a minimum land area size of 35.00 acres.

b. In a Conservation Design Subdivision, the proposed uses shall be limited to residential units, agriculture, open space, wildlife habitat protection, preservation of scenic vistas, and non-motorized recreation.

Section 3. **Application and Review.** A Conservation Design Subdivision shall be submitted and processed as a Major Subdivision Application as described in Chapters II, III and IV pg. 10-40 of this regulation, and shall also include the following:

a. The subdivider shall prepare and submit a site analysis map with the Preliminary Plat Application that provides information about existing site conditions, context and that comprehensively analyzes existing conditions both on the proposed subdivision property and on all lands within 1,500 feet of the subject property's boundaries. The site analysis map scale shall be the same scale as the Preliminary Plat and shall contain the following:

(1) The site analysis map shall show the relationship of the property to natural and constructed features located on the property and within 1,500 feet of its boundaries. The features to be shown include:

(a) Public and private roads and trails.

(b) Utility easements and rights-of-way, as filed with the County Clerk and Recorder's office.

(c) Constructed features, including but not limited to driveways, farm roads, buildings, foundations, walls and fences, wells, drainage fields, ditches, dumps, and utilities.

(d) Topography (from United States Geological Survey (USGS) maps) as required for preliminary plats.

(e) 100 year flood event areas.

(f) Wetlands (from maps published by the U.S. Fish and Wildlife Service or the U.S. Department of Agriculture (USDA) Natural Resources Conservation Service, as available).

(g) Crucial Habitat Priority Areas (identified and mapped by the Wyoming Game and Fish Department).

(h) Soils (mapped by the USDA Natural Resources Conservation Service).

(i) Public lands.

(j) Lands protected under conservation easements.

(k) Historically and culturally significant sites or structures.

(2) The site analysis map shall depict the proposed or potential conservation area(s) (including total calculated conservation area and its percentage of the total subdivision) based on the natural features to be protected and to achieve the minimum amount of land to be conserved, as set forth in Section 4.c. & d. of this Chapter, pg. 47.

(3) The site analysis map shall delineate the potential buildable areas (including total calculated conservation area and its percentage of the total subdivision) as a last step, following delineation of the natural and constructed features and potential conservation area(s).

b. The subdivider shall provide a Management Plan for the Conservation Area(s) that shall accomplish the following:

(1) Define ownership of the conservation area(s), and the organization(s) that will monitor and maintain the area(s).

(2) Include a baseline report identifying the current condition of the conservation area(s).

(3) State its purpose and objectives for management of the conservation area(s), including but not limited to the following, as applicable:

(a) wildlife management;

(b) agricultural operations;

(c) non-motorized recreational uses;

(d) cultural resource management;

(e) weed management; and

(f) stream bank restoration

(4) Establish necessary regular and periodic operation and maintenance responsibilities.

(5) Estimated staffing needs, insurance requirements, costs, and define the means for funding maintenance on an ongoing basis.

(6) The means for funding long-term capital improvements as well as regular yearly operating and maintenance costs.

(7) Designation of a long-term stewardship lot wherein the proceeds from the sale of such lot are permanently dedicated to the costs associated with management of the conservation area may be considered and is encouraged.

(8) Allow approval to any changes to the Management Plan by the county.

(9) Allow the county to enter the premises and take corrective action including extended maintenance.

(a) The costs of such corrective action may he charged to the owner, property owners association, conservation organization, or individual property owners who make up a property owners association, and may include administrative costs and penalties.

(b) Such cost(s) shall become a lien on said properties.

(c) Notice of such lien shall be filed by the county.

(10) In the event that the organization established to maintain the conservation area(s), or any successor organization thereto, fails to maintain all or any portion thereof in reasonable order and condition, the county may assume responsibility for maintenance (but shall have no obligation or duty to do so), in which case any escrow funds may be forfeited and any permits may be revoked or suspended.

(11) To ensure execution of the Management Plan, the county may require the subdivider to escrow sufficient funds for the maintenance and operation costs of the conservation area(s) for up to one year.

Section 4. **Conservation Design Standards.** In addition to the standards set forth in Chapter VII, pg. 52-68 of this regulation, the following standards shall apply to Conservation Design Subdivisions.

a. A Conservation Design Subdivision is comprised of two components:

(1) Conservation Area; the larger portion of the development parcel that is platted as a tract(s) and permanently conserved for agriculture, open space, or non-motorized recreation uses.

(2) Residential Cluster; the portion of the development parcel that is subdivided into lots for single-family residential development and accessory uses.

b. The general requirement for the Conservation Design Subdivision option is provided in the following table.

Minimum Land	Base Density	Maximum Density with Bonuses	Lot Size	Minimum Conservation
35 acres	2 residential units per 35 acres	5 unit per 35 acres	Minimum: 1.00 acres, as long as the subdivider complies with wastewater facility minimum isolation distance requirements by WDEQ Maximum: 5 acres, except for conservancy lots.	70% of gross land area of parcel

c. The minimum percentage of the Conservation Design Subdivision parcel's gross land area that shall be set aside as conservation area(s) is 70%. The conservation area(s) and its calculated percentage of the gross area shall be clearly delineated on the Conservation Design Subdivision Plat. The acreage, intended use, and final ownership of all conservation area tracts shall be shown on the plat.

d. Up to two conservation lots may be designated for a parcel, provided that the minimum 70% conservation area is set aside within the conservation lot(s).

e. The base density permitted under the Conservation Design Subdivision option shall be measured using the gross land area (in acres) of the entire parcel divided by the number of residential units permitted per acre, as set forth in table above. Where the total number of residential units calculated results in a fractional number, the subdivider shall round down the number of residential units to the nearest whole number.

f. In addition to the Base Density the subdivider may earn density bonuses as described below and calculated as shown in Section 6 of this Chapter, pg. 51-52. The County shall have final authority to determine the appropriate density bonus award.

(1) The subdivider may request more than one density bonus from the following:

(a) The county may grant up to a maximum 25% density increase for providing a central sewer system to serve three or more residential lots.

(b) The county may grant up to a maximum 25% density increase if the subdivider, and any successors in title, conserves prime farmland soils and retains existing water rights on the conservation area(s).

(c) The county may grant up to a maximum 25% density increase for dedicating 80% of the parcel as conservation area(s) and up to a maximum 50% density increase for dedicating 90% of the parcel as conservation area(s).

(d) The county may grant up to a maximum 25% density increase for provision of an additional buffer for riparian areas that exceed the minimum stream setback requirement. The bonus will depend on the quantity and quality of riparian vegetation in the buffer.

(e) The county may grant up to a maximum 25% density increase for protection of views and setting residential buildings back from ridgelines at least 50-feet, so that rooflines do not dominate the ridges.

(f) The county may grant up to a maximum 25% density increase for conservation of open space that is connected to or contiguous with other permanently protected lands or for conserving wildlife habitat (Crucial Habitat Priority Areas mapped by Wyoming Game and Fish).

(g) The county may grant up to a maximum 10% density increase for re-platting a large acreage subdivision to achieve objectives of the Conservation Design Subdivision.

(h) The county may grant up to a maximum 10% density increase for provision of sprinkler systems for fire protection in each residential unit. Such systems must be approved by the Wyoming State Fire Marshal and County Fire Warden.

(i) The county may grant a 10% density increase for the development and dedication of public walking and bicycle trails.

(j) The county may grant a 10% density increase for stream bank restoration and tree planting, as proposed through a management plan and guaranteed through funds in escrow.

(k) The county may grant a 5% density increase if the subdivider adopts wildlife-friendly fencing recommendations from Wyoming Game and Fish.

(2) The Commission and Board shall have the authority to vary the minimum lot size and the minimum amount of conservation area required by these standards to accommodate the additional lots earned through the density bonus provisions and/or to bolster the economics of community sewer systems. However, in no case shall the Board reduce the minimum lot size to less than 0.50 acres or reduce the percentage of conservation area to less than 50% of the parcel.

(3) This shall not be interpreted as a guarantee of achievable density. Conservation Design Subdivisions using density bonus provisions shall be subject to all standards of this regulation. Other regulations or site-specific conditions may prevent maximum bonus density levels from being achieved.

g. Conservation Design Subdivisions shall comply with the general standards set forth in Chapter VII, Section 1. pg. 52 of this regulation and the following standards listed below. If a conflict exists, these standards will take precedence.

(1) The conservation area(s) shall be delineated to include the following features, in order of priority:

(a) Stream setbacks;

(b) 100 year flood event areas;

(c) Drainages, rivers, streams, and water bodies;

(d) Prime farmland as mapped by NRCS;

(e) Steep slopes;

(f) Identified historic and cultural features identified on the parcel; and

(g) View sheds

(2) The conservation area(s), or open space, shall be contiguous, to the maximum extent feasible.

(3) The buildable residential lots shall be sited to:

(a) Be located outside the delineated conservation area(s);

(b) Avoid interference with existing or viable agricultural activities, by providing a 100-foot setback from such activities;

(c) Cluster up to eight residential lots together to avoid the appearance of the creation of small towns and to protect agricultural operations and maintain rural character. Residential clusters shall be spaced with a minimum of a 200-foot buffer between them.

Section 5. Management of Conservation Area(s).

a. The subdivider shall propose measures or methods for permanent or long-term ownership of the conservation area(s). The following methods may be used, either individually or in combination, for long-term ownership of the conservation area with the approval of Crook County:

(1) The county may, but shall not be required to, accept any portion of the conservation area as a fee simple dedication, provided:

(a) The county shall have no acquisition costs, unless the county agrees to purchase the property; and

(b) Crook County agrees to and has access to maintain such land.

(2) The County may approve dedication of the conservation area to another federal, state, or local governmental entity under terms that ensure permanent protection and maintenance of the conservation area.

b. The county may, but shall not be required to, accept conservation easements on any portion of the conservation area. In such cases, the land remains in the ownership of the property owners association, private conservation organization, or other acceptable entity, while the county holds the easement (which may allow for public access or other public benefit). In addition, the following shall apply:

(1) The county shall have no acquisition costs; and

(2) A satisfactory maintenance agreement shall be reached between the owner and the county.

c. Conservation areas may be held in common ownership by a property owners association, subject to all of the provisions for such associations set forth by the State of Wyoming In addition, the subdivider shall meet the following:

(1) The subdivider shall provide the county for review and approval a description of the organization of the proposed association, including its bylaws, and all documents governing ownership, maintenance, and use restrictions for the conservation area, including a legal description of the land and any restrictions placed upon its future use and enjoyment.

(2) The proposed association shall be established by the owner or subdivider and shall be operating (with financial subsidization by the owner or subdivider, if necessary) before the approval of any final plat within the Conservation Design Subdivision.

(3) Membership in the association shall be automatic (mandatory) for all purchasers of lots therein and their successors in title. The by-laws shall confer legal authority on the association to place a lien on the real property of any member who falls delinquent in his dues. Such dues shall be paid with the accrued interest before the lien may be lifted.

(4) The association shall be responsible for maintenance of and provision of insurance for the conservation area(s).

(5) The association shall provide written notice of any proposed transfer of, or the assumption of, maintenance for the conservation area to all association members and to the county no less than 60 days prior to such event.

(6) The association by-laws shall give the county authority (but no obligation or duty) to assume responsibility to enforce these restrictions if the association fails to maintain the conservation area, in which case any escrow funds may be forfeited and any permits may be revoked or suspended.

d. The owner may retain title to the conservation area, provided:

(1) A deed restriction limiting development is placed on the conservation area, which is acceptable to the county, and

(2) The subdivider submits a Management Plan acceptable to the County pursuant to Section 3.b. of this Chapter, pg. 45-46 that ensures perpetual maintenance.

e. With approval of the county, an owner may transfer either a conservation easement or fee simple title for the conservation area to a private non-profit organization, provided:

(1) The conservation organization is acceptable to the county and is a qualified conservation organization intended to exist indefinitely;

(2) The conveyance contains appropriate provisions for proper reversion or transfer in the event that the organization becomes unwilling or unable to continue carrying out its functions;

(3) The conservation area is permanently restricted from future development through a conservation easement, and the county is given the authority (but no obligation or duty) to enforce these restrictions; and

(4) A maintenance agreement acceptable to the county is established between the owner and the conservation organization.

f. As approved in a Conservation Design Subdivision Plat, a portion of the required conservation area may be included within up to two large "conservancy lots", provided:

(1) The conservation area(s) within the conservancy lot(s) meets the minimum size requirements for a conservation area(s) set forth in Section 4.d. of this Chapter, pg. 47.

(2) The conservation area(s) within the conservancy lot is permanently restricted from future development and activities through a conservation easement or other deed restriction acceptable to the county; and the county is given the express authority (but no obligation or duty) to enforce these restrictions.

g. Unless otherwise agreed to by the county or unless the land is dedicated to the county, the cost and responsibility of maintaining and managing the conservation area shall be the responsibility of the owner, property owners association, conservation organization, or other owner entity.

Section 6. **Density Bonus Calculation.** The steps for calculating the Density Bonus are as follows:

Step 1: Base density: Two (2) residential units per 35 acres (0.057 units per acre).

Step 2: Determine which density bonuses to propose from Section 4.f. of this Chapter, pg. 47-48.

Step 3: Calculate the density bonus:

a. Determine the parcel size.
b. Determine the density bonus percentage to propose based on the cumulative bonuses
c. Calculate the residential units permitted by the base density: Multiply the parcel size "X" by the base density "Y" shown in the table from Section 4.b. of this Chapter, pg. 46 and listed in step 1 above. (Example: X*Y = base density.)

d. Calculate the number of residential units requested by density bonus: Multiply the base density by the density bonus percentage. (Example: X*Y*0.5 = density bonus.)

e. Determine the total number of residential units with the bonus: Add the two numbers together to determine the total number of residential units. (Example: (X*Y) + (X*Y*0.5) = total units with the density bonus.)

f. Round down to the nearest whole number.

Sample Calculation: For a 160 acre parcel with a 50% bonus, the calculation would look as follows:

Base density: 160*0.057 = 9 residential units
Density bonus: 160*0.057*0.50 = 4 bonus residential units
Total units with bonus: (160*0.057) + (160*0.057*0.50) = 13 total residential units
The result is rounding down to the nearest whole number.

CHAPTER VII
DESIGN, ENGINEERING AND SURVEYING STANDARDS

Section 1. General Standards.

a. The subdivision name shall be approved by the Department and shall not duplicate, nor closely resemble, another subdivision name already used; except for subsequent phases of a Phased Subdivision.

b. The subdividing of land shall provide each lot with legal access to an approved public or private road within the subdivision, which shall not be a County Road.

c. The design and development of a Major Subdivision shall preserve, to the extent possible, the natural terrain, natural drainage, existing topsoil and trees.

d. Land subject to hazardous conditions such as possible subsidence, shallow water table, severe soil hazards, floods and polluted or non-potable water supply shall be identified and shall not be subdivided until the hazards have been eliminated or will be eliminated by the subdivision and construction plans.

e. Major Subdivisions shall be designed in such a manner that they will promote efficient pedestrian circulation. Pedestrian easements and walkways may be required where needed for access to parks or schools.

Section 2. Phased Subdivision.

a. A Major Subdivision may be platted and constructed in phases when the proposed subdivision includes 10 or more lots or tracts or contains 80 acres or more.

b. A Phased Major Subdivision shall fully comply with this Regulation.

c. If a Major Subdivision is to be phased; a Phasing Plan shall be included with the submittal for each stage of the subdivision application and platting process (Sketch, Preliminary, and Final).

(1) A Sketch Phasing Plan shall be included in with the Sketch Plat submittal and shall include the following:

(a) An illustrative map showing all contiguous property owned by the Subdivider and how the Subdivider plans to make provisions for public and private infrastructure for the area to be developed, including adequate access, circulation, utilities and public and private accesses and traffic circulation within all phases of a subdivision and any connections with surrounding property;

(b) The proposed boundary lines of each phase and an estimated time table for the development of each phase.

(2) A Preliminary Phasing Plan shall be included in with the Preliminary Plat Application submittal and shall include the following:

(a) Illustrative map(s) to scale, and a PDF file (Portable Document Format) for each proposed phase which clearly defines the boundaries of the phases in heavy lines, the phases shall be labeled using roman numerals (to avoid confusion with lot or tract labels), each map sheet numbered accordingly to include title, legend, match lines, other appropriate information and depict roads, lots, infrastructure, easements, dedications and open space which are included within all the phases; and

(i) All contiguous property owned by the Subdivider and how the Subdivider plans to make provisions for public and private infrastructure for the area to be developed, including adequate access, circulation, utilities and public and private accesses, traffic circulation and mail delivery within all phases of a subdivision and any connections with surrounding property;

(ii) Which utilities will be public and private, and the planned installation of utilities, fire protection, drainage, and roadways;

(iii) The proposed improvements which mitigate impacts associated with the unbuilt portions of the subdivision project which are not located within the boundaries of the subject phase;

(iv) All phasing maps shall be drawn at the same scale.

(b) A preliminary narrative description or table which describes each phase, its associated improvements; and

(i) demonstrates that each phase would comprise a "standalone" development which, should no subsequent phases be constructed;

(ii) will meet or exceed the standards of this regulation;

(iii) describes the proposed timeline for completion of each individual phase and the entire subdivision project which shall not exceed a term longer than 8 years.

(3) A Final Phasing Plan shall be included in with the Final Plat Application submittal and shall include the following:

(a) The final Illustrative map(s) to scale, and a PDF file (Portable Document Format) for each proposed phase which clearly defines the boundaries of the phases in heavy lines, the phases shall be labeled using roman numerals (to avoid confusion with lot or tract labels), each map sheet numbered accordingly to include title, legend, match lines, other appropriate information and depict roads, lots, infrastructure, easements, dedications and open space which are included within the subject phase represented in the Final Plat for the first phase; and

(i) All public and private infrastructure for the area to be developed, including adequate access, circulation, utilities and public and private accesses, traffic circulation and mail delivery within the subject phase of a subdivision and any connections with surrounding property;

(ii) Which utilities will be public and private, and the planned installation of utilities, fire protection, drainage, and roadways;

(iii) The proposed improvements which mitigate impacts associated with the unbuilt portions of the project which are not located within the boundaries of the subject phase;

(iv) Any previously established phases, including roads, lots, infrastructure, easements, dedications, and open space, should be shown on the map shaded or gray-scaled;

(v) All phasing maps shall be drawn at the same scale;

(vi) The final phasing plan map should be drawn at the same scale as the final plat map.

(b) A final narrative description or table which describes the subject phase, its associated improvements; and

(i) demonstrates that the subject phase would comprise a “standalone” development which, should no subsequent phases be constructed;

(ii) will meet or exceed the standards of this regulation and all other conditions of approval;

(iii) describes the proposed timeline for completion of the subject phase;

(iv) any proposals to bond for required unbuilt or yet-to-be-constructed improvements.

d. All phases shall be required to be standalone. No phase shall be dependent on the completion of subsequent phases.

e. Each phase shall be planned, platted and constructed in the manner to ensure orderly and planned development.

f. Phases shall be planned to ensure the efficient construction of adjacent future phases (those phases immediately next to the subject phase, sharing a common boundary line), and to ensure that the phased development does not allow for leapfrog development.

g. Infrastructure improvements which are required to serve the entire subdivision project may be constructed within a nonadjacent phase.

h. Each phase shall require a separate final plat approval and a Recorded or Unrecorded Plat Agreement for construction of subdivision improvements.

i. Phasing plan timelines shall be approved only if they propose to establish all requirements of plat approval for the entire project within the time periods set out in the Recorded or Unrecorded Plat Agreement for construction of subdivision improvements.

j. The construction of subdivision improvements for each individual phase shall be completed within a maximum of 24 months and the start of construction of the next phase shall begin within 6 months of the completion of the prior phase.

Section 3. Mobile Home Courts.

a. Mobile Home Courts shall fully comply with this Regulation.

Section 4. Lots, Blocks, and Tracts.

a. Major Subdivisions shall consist of an integrated and logical arrangement of blocks, lots, and tracts.

(1) Tracts shall bear a letter designation, while blocks and lots shall be numbered.

(2) Tracts shall be larger in size than a typical lot in the subdivision.

b. Blocks in subdivisions where lots average less than one (1) acre shall not be less than five hundred (500) feet and not more than thirteen hundred twenty (1320) feet in length.

c. In residential developments, the block width shall normally be sufficient to allow two (2) tiers of lots.

d. If applicable, minimum lot area or density shall be subject to the provisions of any County or Town Zoning Regulation applicable to the area in which the subdivision is located.

e. Minimum lot width shall be seventy-five (75) feet.

f. In the case of irregular or wedge-shaped lots, no lot shall be less than forty (40) feet in width at the front property line.

g. Corner lots for residential use shall have extra width to permit use building setback of at least twenty-five (25) feet from and orientation to both roads.

h. Double-frontage lots shall be avoided, except where these lots adjoin upon an arterial street. When this is the case, access to those lots from the arterial street shall be prohibited. Access to residential lots from collector streets shall be avoided to the greatest extent practicable.

i. The depth to front ratio of the lot shall not exceed 3 to 1. An average depth shall be determined for irregularly shaped lots.

j. The minimum lot size shall be determined by the type of water and sewage systems proposed for the subdivision and shall conform to the following table.

Type of Water & Sewage Systems	**Minimum Lot Size**
Individual Water and Individual Sewage	5.00 Acres
Public Water and Individual Sewage	5.00 Acres
Individual Water and Public Sewage	1.00 Acre
Public Water and Public Sewage	0.99 Acres or less

Section 5. <u>Roads and Streets</u>.

a. 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 unless it is an extension of an existing platted street or road.

b. The street or road layout shall conform to any duly adopted County Road Plan, applicable municipality's major street plan or any duly adopted Municipal or County Comprehensive Plan.

c. At least one (1) public roadway shall be provided from a public road to the subdivision having a right-of-way of at least sixty (60) feet in width.

(1) Any subdivision, which cannot be served by a maximum length cul-de-sac, shall have a minimum of two accesses to a publicly maintained road; the second access is for alternative emergency service access.

d. 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.

e. Provisions must be made through the use of stub streets or extensions of new streets to connect to existing streets, to provide an efficient street system. Not more than four (4) lots shall front on a stub street except where a temporary cul-de-sac is provided.

f. Intersections of local streets with arterial streets shall be kept to a minimum.

g. No more than two (2) streets shall intersect at one point, to avoid hubs.

h. When the subdivision abuts a county road, major highway or an arterial street access to the lots shall be from the platted subdivision streets and roads or a service road shall be required.

(1) Lots shall not be permitted to have direct access to major highways, county roads, or arterial streets and the following shall be on the plat:

"ACCESS IS PROVIDED BY A PLATTED PUBLIC OR PRIVATE ROAD OR STREET; NO ACCESS SHALL BE PERMITTED BETWEEN INDIVIDUAL LOTS AND MAJOR HIGHWAYS, COUNTY ROADS, OR ARTERIAL STREETS".

i. If a proposed street or road connects to or extends an existing street or road it shall have the same name as the existing street or road wherever practical.

(1) Street signs conforming to the Federal Highway Administration size and material specifications bearing the name of each street or road shall be placed at all intersections by the subdivider and maintained by the subdivider, Improvement District, Association or equivalent.

j. The maximum cul-de-sac length shall be a function of the number of lots served and the average lot size as listed in the following table.

Average Lot Size	Maximum Cul-de-sac Length
Under 0.50 acre	500.00 feet
0.50 to 2.50 acres	1000.00 feet
2.51 to 10.00 acres	1500.00 feet
over 10.00 acres	2500.00 feet

(1) The surface top of the cul-de-sac bulb shall be 45 foot radius to allow for grading and ditches within the surveyed and platted right-of-way.

k. Dedication of half-streets will not be approved, except where it is essential to the reasonable development of the subdivision and in conformance with any applicable city or town ordinance, Major Street or Comprehensive Plan.

(1) Where a half-street exists adjacent to the tract to be subdivided, the other half of the street shall be dedicated to public use but shall not be a county road.

l. Public streets and roads shall be paved with concrete or asphalt material in compliance with current AASHTO standards and specifications where either one of the following exists:

(1) Where the proposed densities of a subdivision will be greater than one dwelling unit per two acres or where twenty-five percent (25%), or more of the lots within a subdivision will be less than or equal to two (2) acres; or

(2) Upon specific finding by the County Contract Engineer or the Board.

m. All other streets or roads dedicated as public or private shall be surfaced with a minimum of six inches (6") of Base Coarse material, or better, providing year round access for emergency vehicles.

n. The right-of-way (ROW) widths for roads, streets, and alleys included in any subdivision shall not be less than the minimum dimensions for each classification as listed in the following table.

Classification	**ROW Width**
Alley	20.00 feet
Local	60.00 feet
Minor Collector	70.00 feet
Major Collector	80.00 feet
Arterial	100.00 feet
County Road	100.00 feet

o. If the proposed subdivision abuts or is adjacent to a County Road easement the Subdivider 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.

p. If the proposed subdivision is divided or intersected by a County Road easement the Subdivider 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.

q. When a County Road passes through a subdivision the County right-of-way shall be 100 feet wide to accommodate heavy traffic and shall be fenced, sheep tight, and autogated if required by the Commission or Board at the Subdivider's expense.

r. The street/road cross section shall be based upon the current AASHTO standards, applicable technical references and/or good engineering judgments and shall address issues including but not limited to, type/thickness of surfacing, surfacing width, surfacing cross slope, curb and gutters, ditch cross slopes, subgrade preparation, dimensional criteria, and materials specifications.

s. Design Drawings shall be submitted and reviewed by the County Contract Engineer for all proposed streets, alleys, and roadways providing evidence that adequate access has been provided and that all streets, alleys, and roadways within the subdivision conform to the current minimum AASHTO standards and specifications.

(1) That shall not in itself constitute consent of the Board to locate, repair or maintain roadways and facilities.

(2) 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 public use, or as a county road.

t. The subdivider shall provide a traffic engineering study.

(1) This study and report shall address for each street or road within or adjacent to the proposed subdivision, such features and design criteria including, but not limited to, projected traffic counts, surfacing width(s), surfacing type(s), maximum and minimum grades, horizontal and vertical curve criteria, design speed(s), curb/gutter necessity, shoulders, etc.

(2) A preliminary draft of the traffic study shall be provided as part of the Preliminary Plat process and the final version of the study shall be submitted with the Final Plat submittal.

u. The Subdivider shall prepare and submit to the WDEQ an erosion control plan and/or application for a Wyoming Pollutant Discharge Elimination System (WYPDES) permit.

(1) This plan(s) shall address siltation control, maximum cut slopes, revegetation and other necessary facilities for proper repair of disturbed surfaces.

(2) The plan shall be applicable to the specific soil(s) on the proposed subdivision.

v. All streets and roads within and adjacent to the proposed subdivision shall be designed in accordance with the applicable criteria and specifications as provided in the current AASHTO publication; Geometric Design of Highways and Streets and Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT ≤ 400), or other applicable nationally recognized standards.

w. Drainage ditches shall be a minimum of one and a half feet (1 ½) deep.

x. All subdivision developments will be required to provide an access and utility easement which provides access to adjacent properties.

(1) This access shall be a minimum of 60 feet in width and will be placed such that it can reasonably be constructed upon the terrain.

(2) The Subdivider will not be required to construct any portion of the access which does not provide access to a lot or tract within that development.

Section 6. <u>Water Standards.</u>

a. Where private individual water systems are proposed, the subdivider shall demonstrate the availability of an adequate supply of potable water, suitable for human consumption in accordance with WDEQ requirements.

(1) This can utilize existing records or the drilling of test wells as applicable.

b. Where individual water systems are proposed which include the use of cisterns and the hauling of potable water, the subdivider shall demonstrate the availability of an adequate potable water source suitable for human consumption.

(1) The source shall comply with WDEQ requirements and be stated upon the Plat, the Disclosure Statement and in any Homeowners Association documents.

(2) The subdivider shall show that other adequate systems cannot be developed and meet WDEQ and EPA standards.

c. Where a water supply system is proposed as a domestic water source, design plans shall be provided as part of the Final Plat submittal.

(1) The subdivider and the subdivider's engineer shall demonstrate the availability of an adequate supply of potable water and an appropriate system of conveyance in accordance with WDEQ and other State Regulations.

(2) A written Non-Adverse Recommendation of the water supply system by the WDEQ shall be received before presentation of the Final Plat to the Commission for final review.

d. If the source of water for a domestic water supply system is a perennial stream, the subdivider shall:

(1) Demonstrate that the proposed water supply system will not adversely affect agricultural water rights;

(2) Waive the right to condemn agricultural water rights for use by the subdivision, such waiver to be reviewed and filed with the Final Plat;

(3) Present the proposed water supply system in written detail to the Wyoming Game and Fish Commission.

(a) The Wyoming Game and Fish Commission shall have thirty (30) days to prepare a written report regarding the system's effect on the stream.

(b) A copy of this written report shall be provided to the Department and the Subdivider.

(4) Demonstrate that the proposed water system will not adversely affect the stream as a fishery.

(5) If, due to diversions during low flows, the stream is a marginal or poor fishery below the point of diversion of the proposed water system and the system is reasonably susceptible to restoration, then the subdivider shall demonstrate that the total water supply proposal benefits the stream as a fishery during that period.

e. A permit to construct issued by the WDEQ is required prior to beginning construction of these systems and it is the responsibility of the subdivider to submit the permit application to WDEQ.

(1) The application for the permit to construct may be submitted to WDEQ for review prior to final subdivision approval by the Board; but

(2) WDEQ will not issue the permit to construct until they have received notification of subdivision approval from the Board.

Section 7. <u>Sewage Standards.</u>

a. Where individual sewage systems (Small wastewater systems) are proposed, a written certification of a licensed Wyoming engineer certifying as to the adequacy and safety of individual sewage systems proposed for the subdivision, including the adequacy of the proposed systems 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, shall be submitted with the final plat.

(1) The Commission and Board shall base its decision for acceptance or rejection of private sewage systems upon the information received from review of the proposed systems by the WDEQ.

b. Where a sewage system or public sewage system is proposed engineering drawings and plans shall be submitted providing sufficient information to assure that the proposed sewage system meets County, State, Federal, and other local governing authority standards.

(1) The plans shall include a written certification of a licensed Wyoming engineer certifying as to the 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 drainage into or over the proposed subdivision.

(2) A written Non-Adverse Recommendation of the system by the WDEQ shall be received before presentation of the Final Plat to the Commission for final review.

c. A permit to construct issued by the WDEQ is required prior to beginning construction of these systems and it is the responsibility of the subdivider to submit the permit application to WDEQ.

(1) The application for the permit to construct may be submitted to WDEQ for review prior to final subdivision approval by the Board; but

(2) WDEQ will not issue the permit to construct until they have received notification of subdivision approval from the Board.

Section 8. Curbs and Gutters.

a. Curbs and gutters shall be required in any subdivision where the minimum lot size is less than one-half (1/2) acre.

Section 9. Sidewalks.

a. Sidewalks shall be required in any subdivision where the minimum lot size is less than one-half (1/2) acre or where, in the opinion of the subdivider's engineer, County Contract Engineer, or Board, pedestrian usage is anticipated.

b. Sidewalks shall be constructed of concrete at least four (4) feet in width and four (4) inches in thickness or as otherwise approved by the County Contract Engineer.

c. Sidewalks on major streets shall be constructed adjacent to the property line on land dedicated to public use.

Section 10. Street Lighting.

a. Street lighting capable of illumination of streets and pedestrian walkways for safe movement of vehicles and pedestrians at night shall be required in any subdivision where the minimum lot size is less than half (1/2) acre or where deemed necessary by the County Contract Engineer or Board.

b. The design of the street lighting system shall be prepared by the subdivider's Engineer and shall be subject to approval by the County Contract Engineer.

Section 11. Fire Safety Standards.

a. All areas served by incorporated towns or cities, districts, or community-wide water distribution systems shall provide fire hydrants as required by the WDEQ or as follows: (whichever is most restrictive)

(1) A supply of 500 gallons of water per minute and a storage capacity of at least 5,000 gallons of water shall be required.

(2) Fire hydrants shall have National Standard Threads, 2 1/2 inch outlets and 4 1/2 inch streamers.

b. Subdivisions with a minimum lot size of less than ten (10) acres and with a total of ten dwelling units or more shall provide a reserve of at least 5,000 gallons of water for fire protection. The storage facility shall meet the following additional criteria:

(1) The facility shall provide a year-round source of water with easy access for fire-fighting equipment.

(2) A properly capped 4 1/2" suction pipe with National Standard threads shall be provided to each water storage facility. The facility shall be well marked for easy identification in an emergency situation.

c. Subdivision communities which will have a total year-round population exceeding 200 people and which are not located within an existing municipal or fire protection district area may be required by the Board to establish a Fire District or equivalent to provide for the acquisition and maintenance of such fire-fighting equipment and storage buildings that may be required by the Board.

d. Written approval of the plan for fire safety facilities by the rural fire district or County Fire Warden in which the subdivision is situated shall be received before presentation of the Final Plat to the Commission. If the subdivision is not in a rural fire district, then approval must be received from the Board.

Section 12. Drainage.

a. A preliminary analysis of the drainage is required with the Preliminary Plat.

b. A final detailed drainage report with calculations shall be submitted with the Final Plat.

(1) This detailed drainage report shall analyze all drainage facilities, existing and proposed, within the limits of the subdivision and should address any effects the subdivision may have on downstream facilities and the need for storm water detention.

(2) Acceptable engineering practices shall be used to maintain drainage at historic flows and comply with any county, state or federal laws or regulations governing flood plains.

c. Underground storm drainage may be required in any subdivision where curbs and gutters are required.

d. Land subject to flooding shall be reserved for uses that do not increase the danger of flooding or are not endangered by flooding which might occur, or they shall be set aside in a designated drainage easement.

e. Subdivisions which include flood plains or designated drainage easements within their boundaries shall be platted in such a way that each lot contains a sufficient safe, buildable area and in a way consistent with the provisions of any county, city, town, or state or federal adopted flood plain management program, laws and regulations.

Section 13. Utility Easements.

a. Utility easements shall be a minimum of ten feet (10') in width on each side of abutting rear lot lines within the subdivision.

b. On the subdivision's exterior perimeter boundary, a minimum twenty foot (20') wide utility easement shall be provided.

c. Other necessary utility easements within the subdivision shall be a minimum of twenty feet (20') in width.

d. A twelve foot (12') wide temporary construction easement shall be provided on the outsides of all easements for the initial construction of all utilities.

e. In the event that the location of utility easements adjacent to rear property lines is unsuitable for use by utility companies due to drainage or other obstructions, the subdivider shall provide like width easements adjacent to the front or side lot lines.

f. Easements shall be designed so as to provide efficient installations within the easements.

g. If the subdivider proposes to utilize adjoining property for sewage systems, drainage, sewage 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.

Section 14. Monuments.

a. The subdivision boundary and each lot 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.

b. Prior to recording the Plat, the surveyor of the major 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 15. Maintenance of Improvements.

a. An Improvement and Service District, Homeowner's or Landowners' Association, or equivalent governing agency or organization shall be established for the purpose of maintaining roads, sewage, garbage, domestic water source, irrigation facilities, open space, or other public and common facilities in a reasonable order and condition.

b. A Homeowners' or Landowners' Association, or equivalent, shall, at a minimum, provide for the following:

(1) Adequate funding and means for enforcement;

(2) Continuous health and safety inspections and immediate maintenance to correct unsafe conditions;

(3) A regular maintenance program where needed for roads, parks, buildings, utilities, and other commonly owned facilities;

(4) The receiving and processing of complaints.

c. In the event such association or equivalent fails to maintain the common facilities in a reasonable order and condition in accordance with the original plan submitted with the final subdivision plat, the Board may:

(1) Serve written notice upon such organization and the residents of the subdivision involved, setting forth the manner in which the association has failed to maintain the facilities in a reasonable condition, and said notice shall include a demand that such deficiencies of maintenance be corrected within thirty (30) days thereof.

(2) This written notice shall also state the date, time and place of a hearing thereon, which shall be held within fourteen (14) days of the notice.

(3) At such hearing, the Board may modify the terms of its original notice as to the deficiencies, and may give an extension of time within which they shall be corrected.

(4) If the deficiencies set forth in the original notice or in the modifications thereof are not corrected within said thirty (30) days or any extension thereof the Board in order to preserve the taxable values of the property contained within the subdivision, and to prevent the common facilities from becoming a public nuisance and public liability, may undertake to maintain the same for a period of one (1) year.

(5) Before the expiration of said one (1) year the Board upon its own initiative or upon the written request of the organization therefore may call a public hearing upon notice to such organization and the residents of the subdivision involved, to be held by the Board, at which hearing such organization or the residents of the subdivision shall show cause why such maintenance by the County shall not, at the election of the Board, continue for a succeeding year.

(6) If the Board finds that such organization is ready and able to maintain said common facilities in a reasonable condition, the County shall cease to maintain said common facilities at the end of said year.

(7) The cost of such maintenance by the County shall be paid by the owners of the properties within the subdivision that have a right to enjoyment or use of the common facilities involved and any unpaid assessments shall become a tax lien upon said properties.

(8) The Board shall file a notice of such lien in the office of the County Clerk upon the property affected by such lien within the subdivision, and shall certify such unpaid assessments to the County Treasurer for collection, enforcement and remittance of general property taxes in the manner provided by law.

d. No Homeowner's or Landowner's Association or equivalent, shall be dissolved without the prior permission of the Board.

Section 16. <u>Guarantees.</u>

a. Prior to approval of a Final Plat by the Board in subdivisions where improvements are required the subdivider shall submit 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 installation of the required public improvements 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 County Contract Engineer; or

(2) Request that the Board conditionally approves the Subdivision Permit but withholds the recordation of the Plat until the subdivider has installed all required public improvements and the improvements have been inspected and approved by the County Contract Engineer or until an acceptable guarantee for the remaining public improvements has been submitted and approved.

b. As improvements are complete, inspected, and approved by the subdivider's engineer and approved by the County Contract Engineer, the subdivider may apply to the Board for a release of a proportionate part of any collateral deposited with the County.

Section 17. <u>Inspections.</u>

a. All public improvements must be designed by a Wyoming licensed professional engineer and must have the approval of the County Contract Engineer.

b. As provided in the Subdivision Improvements Agreement, the subdivider shall install all facilities or improvements proposed or represented to be part of the subdivision in a timely manner and in accordance with plans, specifications, and data as approved by the County Contract Engineer.

(1) Prior to commencing construction, the subdivider shall submit to the Department a schedule for construction of the improvements and the names and contact information for the Contractors performing the work.

(2) Engineering inspections shall be performed periodically, as appropriate for the level of activity in progress by the subdivider’s Engineer, not the County Contract Engineer; and

(3) The subdivider shall submit to the Department the subdivider’s Engineer’s written construction reports on a monthly basis.

c. All improvements are subject to inspection at any time by County personnel, State or Federal Inspectors without notice.

d. Any proposed changes during construction of the improvements or design shall require a change order submitted to the Department and approved by the County Contract Engineer.

e. Prior to the approval of any completed improvements, as-built plans shall be submitted to the Department for facilities or improvements, unless waived by the County Contract Engineer. The following certification by the subdivider's project engineer shall appear on the face of the plans:

> The construction observation, inspections and these as-built plans were performed by me or under my direct control and supervision. The constructed improvements were installed in substantial conformance with these as-built plans. The construction details as shown on these as-built plans are accurate and complete to the best of my knowledge and belief.

_____ _____
Professional Engineer's Seal and Signature Date

Wyoming P.E. Number _____

Section 18. <u>Recording.</u>

a. If the subdivider has chosen to execute a Recorded Plat Agreement, has provided sufficient guarantee for the installation of the required public improvements and received approval by the Board:

(1) The subdivider shall record the Order Approving Subdivision, the Plat, the Declaration of Covenants, Conditions and Restrictions, Articles of Incorporation, the Disclosure Statement, and any other items referred to in the Disclosure Statement that are not otherwise recorded in the County Clerk's Office.

b. If the subdivider has chosen to execute an Unrecorded Plat Agreement and received a conditional approval by the Board withholding the recordation of the Plat until the required public improvements have been installed, inspected and approved by the County Contract Engineer:

(1) The subdivider shall record the Order Conditional Approving Subdivision.

(2) Upon the final inspection and receiving final approval of the required public improvements by the County Contract Engineer the subdivider shall record the Plat, the Declaration of Covenants, Conditions and Restrictions, Articles of Incorporation, the Disclosure Statement, and any other items referred to in the Disclosure Statement that are not otherwise recorded in the County Clerk's Office.

Section 19. <u>Final Digital File.</u> Upon the recording of the Plat in the County Clerk's Office the Subdivider shall provide the Department with a digital shapefile of the approved and recorded Major Subdivision. This shapefile shall be geo-referenced in NAD 1983, State Plane Wyoming East FIPS 4901 (US Feet).

CHAPTER VIII
ADMINISTRATION AND ENFORCEMENT

Section 1. Administration.

a. This regulation shall be administered by the Department or any other agency as designated by the Board.

b. All plats submitted to the Board shall first have been examined by the Department, Commission and County Contract Engineer in accordance with the procedures established by this regulation.

Section 2. Appeals.

a. Any parties aggrieved by the action of the Department, Commission, County Contract Engineer, administrative staff of Crook County, agency or person as designated by the Board in their administration of this regulation may request a hearing before the Board of County Commissioners.

(1) The request shall be in writing and submitted to the Board within thirty (30) days of the action or decision appealed from, and shall state the specific relief which the aggrieved party seeks.

(2) Within forty (40) days of the receipt of such a request, the Board shall hold a hearing to determine the proper disposition of the matter.

(3) At the hearing, the Board shall consider not only the party's appeal, but also the written or verbal comments of the Department, Commission, County Contract Engineer, administrative staff of Crook County, and agency or person appealed from.

(4) The Board shall either reaffirm or modify the decision of the Department, Commission, County Contract Engineer, administrative staff of Crook County, agency or person and note the decision in the record of its hearing.

(5) The subdivider or landowner may then proceed with the subdivision of his land based upon this decision of the Board.

(6) This decision shall be binding upon the Subdivider, Department, Commission, County Contract Engineer, administrative staff of Crook County, agency or person as designated by the Board to administrate this regulation.

b. Any parties aggrieved by the action of the Board may appeal such action to the 6th Judicial District Court in and for Crook County, Wyoming.

c. All parties shall exhaust their administrative remedies prior to appeal to the District Court.

Section 3. Approval by City or Town.

a. Pursuant to the provisions of Wyoming State Statutes, Section 34-12-103 and 18-5-308(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 Wyoming State Statute 34-12-103.

b. If any provision of this regulation is in conflict with any requirement of an incorporated city or town for which joint approval is necessary under the provisions of Wyoming State Statute 34-12-103 and 18-5-308(b), the more restrictive provision shall apply.

Section 4. Fees. The fees are listed in the Crook County Fee Schedule, which the Board sets and reviews annually.

a. These ~~following~~ fees and deposit shall be paid by the Subdivider and submitted with the Preliminary Plat Application or Re-plat Application. (Chapter III, Section 2.c. pg. 15 or Chapter V, Section 2.b. pg. 42)

b. 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.

c. The funds deposited for the County Contract Engineer Fee shall be paid out as invoices submitted to the County and approved by the Board at their next regular board meeting.

d. The Subdivider shall maintain a $2,000.00 Deposit balance with the Crook County Clerk. If this deposit balance is not maintained by the Subdivider the Subdivision Application shall be denied.

e. Upon final inspection and approval of construction of subdivision improvements by the County Contract Engineer, the Board shall charge the final expenses to this deposit amount and if any remains, it shall be refunded to the subdivider.

f. If the expense of review and inspection exceeds the deposit the Board will invoice the Subdivider for this amount which shall be paid before the financial guarantee for improvements is released for a Recorded Plat Agreement; or before the Subdivision Plat is recorded with the Crook County Clerk for an Unrecorded Plat Agreement or Re-plat.

g. If the proposed Subdivision or Re-plat is within one (1) mile of a municipal boundary there may be municipal subdivision fees that apply; the subdivider shall contact the municipality.

~~a.~~h. The recording fees shall accompany the Final Plat or Re-plat and the other required documents when submitted for recordation.

~~(1) The Subdivision Application Fee shall be two hundred dollars $200.00 for each division of land (Lots and/or Tracts) not to exceed $2,000.00, 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 (Lots and/or Tracts) not to exceed $1,000.00, 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) A Deposit of $7,500.00 toward the County Contract Engineer Fee shall be deposited with the Crook County Clerk for the County Contract Engineer expenses incurred by the County to review the subdivision application and plat for compliance with this regulation and the inspection of constructed improvements.~~

~~(a) The funds deposited for the County Contract Engineer Fee shall be paid out as invoices submitted to the County and approved by the Board at their next regular board meeting.~~

~~(b) The Subdivider shall maintain a $2,000.00 Deposit balance with the Crook County Clerk. If this deposit balance is not maintained by the Subdivider the Subdivision Application shall be denied.~~

~~(c) Upon final inspection and approval of construction of subdivision improvements by the County Contract Engineer, the Board shall charge the final expenses to this deposit amount and if any remains, it shall be refunded to the subdivider.~~

~~(d) If the expense of review and inspection exceeds the deposit the Board will invoice the subdivider for this amount which shall be paid before the financial guarantee for improvements is released for a Recorded Plat Agreement; or before the subdivision plat is recorded with the Crook County Clerk for an Unrecorded Plat Agreement.~~

~~(4) 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.~~

~~(a) This fee is nonrefundable and shall be submitted with the application; the Subdivider shall be responsible for any additional fees associated with the application review.~~

~~(5) A deposit of $500.00 toward the County Contract Engineer Fee shall be deposited with the Crook County Clerk for all County Contract Engineer expenses incurred by the County to review the re-plat application and plat for compliance with this regulation.~~

~~(a) The funds deposited for the County Contract Engineer Fee shall be paid out as invoices submitted to the County and approved by the Board at their next regular board meeting.~~

~~(b) Upon final approval of the re-plat the Board shall charge the expenses to this deposit amount and if any remains, it shall be refunded to the subdivider.~~

~~(c) If the expense of review exceeds the deposit the Board will invoice the subdivider for this amount which shall be paid before the Re-plat is recorded with the Crook County Clerk.~~

~~(6) If the proposed subdivision or re-plat is within one (1) mile of a municipal boundary there may be municipal subdivision fees that apply; the subdivider shall contact the municipality.~~

~~b.~~i. ~~The recording fees are set by Wyoming State Statutes and are payable to the Crook County Clerk. The recording fees shall accompany the final plat or re-plat and the other required documents when submitted for recordation.~~

Section 5 **Forms.** Subdivider shall use forms created and provided by Crook County in conformance with this regulation and Wyoming State Statues.

Section 6. **Variances.** A variance may be granted should a Subdivider clearly demonstrate by evidence satisfactory to the Board that a variance is justified because of peculiar physical conditions pertaining to his land, the minimum standards are impractical, or the literal enforcement of one or more sections of this regulation will cause undue hardship. The Board shall take action on the request upon the recommendation from the Commission.

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

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.

Section 7. **Vacations.** The owners, lien holders or proprietors thereof may vacate any plat at any time before the sale of any lots therein, by submitting a copy of the plat along with a Crook County Vacation of Major Subdivision Plat Petition to the Department. In cases where lots have been sold, all owners of the lots within the subdivision shall submit Crook County Vacation of Major Subdivision Plat Petitions.

a. When a Crook County Vacation of Major Subdivision Plat Petition is submitted, the Department shall schedule a public hearing with the Commission.

(1) 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 petition is submitted that own property within ¼ mile of the boundary of the subdivision being vacated.

(2) The Subdivider shall advertise his intent to petition for a vacation of a Major 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 Major Subdivision.

(3) The newspaper notice shall include the name of the petitioner(s), the legal description and the name of the subdivision petitioned to be vacated, 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 not approve the vacation.

(1) 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.

(2) 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 discontinuance of county roads.

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.

(1) 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.

e. The request for vacation shall be made of all of the owners of lots within that portion of the overall plat sought to be vacated.

f. When any part of a plat shall be vacated as aforesaid, public grounds shall be assigned to all lots or parcels adjacent to the public area being vacated in equal proportions.

g. 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 8. **Withdrawal of Subdivision Application.** A subdivider may withdraw a subdivision application by submitting a signed and notarized Withdrawal of Subdivision Application Form along with payment for any outstanding subdivision application fees or expenditures.

a. The Board will take action on the submitted Withdrawal of Subdivision Application at the Board's next regularly scheduled meeting.

b. The Board shall charge the Contract Engineer expenses incurred to the ~~$7500.00~~ Contract Engineer Fee deposit and if any remains, it shall be refunded to the subdivider.

c. If the cost of the County Contract Engineer review has exceeded the ~~$7500.00~~ deposit the Board will invoice the subdivider for this exceeded amount.

Section 9. **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 10. Violation of this Regulation. No person, firm, corporation or other legal entity shall hereinafter sell, lease, or agree to sell, contract to sell or transfer any lot, piece or parcel of land which constitutes a subdivision, as defined by these regulations and Wyoming State Statutes, until after the plat thereof has been recorded in accordance with the provisions of this regulation and other applicable laws and regulations.

a. In the event that it is discovered that a violation of subdivision law has occurred the Department shall notify the grantor of the property in question that a subdivision violation has taken place and inform the grantor of the necessary procedure to bring the parcel or parcels into compliance with the Real Estate Subdivision Law. If good faith efforts to comply with the law have not been instituted within 30 days from the notice of violation, the following enforcement procedure may be employed:

(1) A "Notice of Violation" will be prepared detailing the actions leading up to and the event of the violation. The notice will contain a procedure for bringing the violation into compliance. The grantor or responsible parties will be notified by certified letter that, if a subdivision application procedure is not begun within 30 days from receipt of the certified letter, that the "Notice of Violation" shall be filed and recorded in the office of the Crook County Clerk.

(2) When the terms and conditions set forth in the Notice of Violation have been met to the satisfaction of Crook County or when determined by a court, a "Notice of Compliance" shall be recorded with the office of the Crook County Clerk. A copy of the recorded Notice of Compliance will be forwarded to the landowner and the original document will be archived with the Department. The Notice of Compliance shall comply with the recording requirements for filing public documents as stipulated in Wyoming State Statute 34-1-119.

Section 11. 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 12. 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 13. **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 14. **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 15. **Effective Date and Approval.** This Major Subdivision Regulation shall become effective on the date it is recorded in the office of the Crook County Clerk.

APPROVAL

Approved and adopted this ~~5~~18th~~th~~ day of November 2026~~April, 2017~~.

BOARD OF COUNTY COMMISSIONERS OF CROOK COUNTY

_____

Fred M. Devish~~Kelly B. Dennis~~, Chairman

_____

Bob Latham~~Jeanne A. Whalen~~, Vice-Chair~~wo~~man

_____

Dale Davis~~Steve J. Stahla~~, Member

Duly filed in the Office of the Crook County Clerk this ~~5~~18th~~th~~ day of November 2026~~April, 2017.~~

State of Wyoming)
:ss.
County of Crook)

This instrument was acknowledged before me on November 18, 2026~~April 5, 2017~~ by Fred M. Devish~~Kelly B. Dennis~~, Chairman, Bob Latham~~Jeanne A. Whalen~~, Vice-Chair~~wo~~man and Dale Davis~~Steve J. Stahla~~, Member as Board of Crook County Commissioners.

_____

Melissa Jones~~Linda Fritz~~, Crook County Clerk

(Seal)

My commission expires: _____