



CROOK COUNTY
MINOR SUBDIVISION
REGULATION

Adopted by Resolution: August 3, 2009
Amended: March 3, 2015

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MINOR SUBDIVISION

REGULATION

State of Wyoming

Amended: March 3, 2015

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

This Crook County Minor Subdivision Regulation supersedes all other Minor Subdivision Rules and Regulations previously filed.

Prior to adoption, this Minor Subdivision Regulation was made available for public inspection on the 13th day of January, 2015. A notice was also published in the Sundance Times, the Moorcroft Leader, and the Wyoming Pioneer at least 45 days before this Minor Subdivision Regulation was adopted by the Board of County Commissioners.

The attached Crook County Minor Subdivision Regulation is effective immediately upon filing with the Crook County Clerk.

Signed this 3rd day of March, 2015.

CROOK COUNTY CLERK

Linda Fritz
Linda Fritz

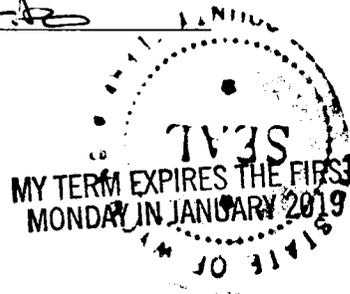


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CHAPTER I GENERAL PROVISIONS

Section 1. Title. This document shall be known, cited and referred to as the "Crook County Minor 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. See Wyoming State Statute 18-5-304.

Section 4. Purpose. This Regulation is enacted for the purpose of implementing the Crook County Minor Subdivision Regulation by the establishment of requirements and procedures to regulate and control the design and layout of all minor subdivisions of land within the County, to ensure that they comply with all regulations and policies of Crook County and the following purposes:

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

Section 5. Applicability. This regulation shall apply to any division of land consisting of five (5) lots or less, pursuant to Wyoming State Statutes 18-5-306 and 34-12-103, that is within the unincorporated area of Crook County, Wyoming. A Minor Subdivision shall not be permitted if the involved parcel was created through any other Crook County subdivision process.

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:

a. The division of land made outside of a platted subdivision 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 parcel created shall be titled in the name of the grantor for a period of not less than five (5) years prior to the division and parcels created under this exemption 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 parcel is 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 proper subdivision permit; **and**

(5) Where the landowner is a corporation and eighty percent (80%) of the shares are held by individuals related by blood or marriage, the sale or gift may be made subject to the provisions of this section to an immediate family member of any shareholder who has owned at least five percent (5%) of the outstanding shares for at least five (5) years continuously before the date of the sale or gift.

b. The division of land 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.

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

d. The division of land concerns lands located within incorporated cities and towns.

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

f. The division of land affects railroad rights-of-way.

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

h. The division of land 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. The division of land creates cemetery lots.

j. The division of land 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. The 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. The 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 other disposition of land where the parcels involved are thirty five (35) acres or larger and meets the following requirements:

(1) Ingress and egress and utility easements are provided to each parcel by binding and recordable easements of not less than forty feet (40') nor more than sixty feet (60') in width to a public road; **OR**

(2) The Buyer, Grantee, or Transferee, in a binding and recordable document, specifically waives the above.

n. The transfer of ownership is not a further division of land; merely the transfer of land that was previously divided.

o. 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 these rules 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. **Applicant.** A natural person, firm, corporation, partnership, association, developer, owner, or any combination thereof, that completes and submits a Crook County, Wyoming Subdivision Application, including all supporting materials and fees to the Crook County Growth & Development Department.

b. **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.

c. **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 Minor 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 Minor Subdivision being created by this Application process; and

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

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

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

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

g. **County.** Crook County, Wyoming.

h. **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.

i. **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.

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

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

- l. **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.
- m. **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.
- n. **Encumbrance.** A mortgage, lien (including liens for labor and materials) or record securing, or evidencing, indebtedness affecting land to be subdivided. Taxes and assessments levied by a public authority are not an encumbrance, except such taxes and assessments as may be delinquent.
- o. **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.
- p. **Lot / Tract.** A defined and numbered or lettered parcel of land intended as a unit for transfer of ownership or development.
- q. **Lot Line.** A surveyed line that extends to an abutting street, road or property boundary line.
- r. **Lot Depth.** The horizontal distance between the front and rear boundaries.
- s. **Minor Subdivision Checklist.** List of items required for a complete subdivision application, Checklist shall be prepared by and available from Department.
- t. **Owner or Proprietor.** Any natural person, partnership, corporation, firm, association or any combination of the above having a legal or equitable interest in land.
- u. **Person.** A natural person, firm, corporation, partnership, association, any combination of the above or any other legal entity.
- v. **Plat.** A drawing prepared in accordance with the Crook County Minor Subdivision Regulation.
- w. **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.
- x. **Resubdivision.** The changing of any lot or lot boundaries, any public streets, roads or other changes, of the subdivision plat recorded in the office of the County Clerk.

y. **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.

z. **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.

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

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

cc. **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.

dd. **Water Supply System.** Includes development of the source and all structures for conveyance of raw water to the treatment plant or delivery systems; all water treatment plants including disinfection facilities; water supply systems used for irrigation and stock water; and all finished water delivery systems including pipelines, pumping stations and finished water storage facilities.

CHAPTER II PROCEDURES AND REQUIREMENTS FOR PLATTING

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

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

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

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

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

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

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

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

g. If the application is found to be incomplete it shall not be accepted by the Department.

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

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

j. After the fifteen (15) day review time has expired; and the CCNRD soils report and Crook County Fire Warden's written report has been received; the Department shall prepare a written report and set the application for a review hearing with the Commission. The hearing shall occur after a minimum of fifteen (15) day notice can be, or has been given to record area landowners on file with the County Assessor's office that own property within ¼ mile of the boundary of the property being subdivided at the next regularly scheduled meeting.

k. The Department shall send notice of the 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. If an area landowner is not notified that is cause for the Commission to continue the hearing.

l. The applicant shall publish notice of the review hearing with the Commission 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 Minor Subdivision. The newspaper notice shall include the name of the applicant, the legal description and the name of the proposed subdivision, the date, time and location of the hearing.

m. If any part of the applicant'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. The Commission will request that the municipality's commission have a joint review hearing; however the applicant is responsible for complying with any law, rule, or regulation of the municipality.

n. The Commission shall review the application, the Department's written report, any written comments; hear from the Department, landowners, and public; and consider any variances requested or other matters they deem appropriate. The applicant must appear at the review hearing.

o. The Commission shall make and prepare a written recommendation to the Board to approve, deny, grant a variance, or table the application. The Commission can take no final action.

p. After the Commission has made its written recommendation, the Department shall set the application for a final hearing with the Board at the Board's next regularly scheduled meeting. Provided that a minimum of fifteen (15) day notice can be; or has been given to record area landowners on file with the County Assessor's office that own property within $\frac{1}{4}$ mile of the boundary of the property being subdivided. The applicant must appear at the final hearing.

q. The Department shall send written notice of the final hearing with the Board by first class mail to record area landowners on file with the County Assessor's office that own property within $\frac{1}{4}$ mile of the boundary of the property being subdivided. . If a record area landowner is not notified that is just cause for the Board to continue the final hearing to a later date.

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

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

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

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

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

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

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

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

Section 2. Application Requirements. Supporting material for Minor Subdivision Applications shall include all of the following documents and information:

- a. Subdivision Application Form.
- b. Application Fees. (See Chapter III, Section 3.)
- c. One (1) paper copy to scale, a PDF file (Portable Document Format) of the draft subdivision Plat and a digital shapefile of the proposed subdivision.

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

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

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

d. An Attorney's Title Opinion.

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

f. Copies of transmittal letters or other evidence showing that the applicant has delivered and/or mailed copies of the Plat, to all the utility companies, (electric, telephone, gas, etc.) the appropriate post office and school district that may provide services to the proposed subdivision.

g. A draft of a contract between the applicant and the Board contracting to construct all road(s) and/or street(s) within, and to the proposed subdivision from a county road, state or federal highway to meet or exceed the design described in Chapter II, Section 3., k.

h. Letter of Credit, for 200% of a Wyoming licensed Engineer's estimated cost of the road(s) and/or street(s) construction project.

i. A draft of the proposed covenants for the intended use of the property for the next 20 years, as required by Wyoming State Statute 18-5-306 (a) (xii).

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

- (1) A complete and accurate legal description and name of the subdivision.
- (2) Street construction, maintenance and snow removal.
- (3) Water supply - Statement to define financial and maintenance responsibility. All sources developed on the property shall be permitted and registered with the Wyoming State Engineer's Office.
- (4) Sewage disposal - Statement to define financial and maintenance responsibility. All Sewage Disposal systems shall be designed, permitted, and constructed on the property as regulated by the Wyoming Department of Environmental Quality and Crook County.
- (5) Restrictive covenants - where copies are available and describe how they are enforced.
- (6) Association fees - should be listed and described as to allocations of funds, penalties for non-payment, procedure for change in fees.
- (7) Garbage disposal - statement to define financial and physical responsibilities.
- (8) Electricity - statement to define financial responsibility for construction and connections.
- (9) Telephone company construction charge - statement to define financial responsibility.

- (10) 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 developer as concerns mailbox construction, location and maintenance. Provide reference to the Crook County Policy on Mailboxes within County Road Right of Ways.
 - (18) School - define school location for each age group through high school, bus pickup locations and schedules, and parental responsibility for transportation. School district may make changes from time to time.
 - (19) The Crook County Natural Resource District Review and Recommendations.
 - (20) Noxious weeds and pests management program.
 - (21) Potential safety or health hazards.
- k. Written variance request as described in Chapter III, Section 4; if applicable.

Section 3. Design, Engineering and Surveying Standards. All Minor Subdivisions must comply with the following:

- a. No lots, tracts, parcels or units of divided land shall be created that is less than five (5) acres in size, nor shall any lot, tract, parcel or unit of divided land created by a minor subdivision be further divided, or resubdivided.
- b. The subdivision name shall be approved by the Department and shall not duplicate, nor closely resemble, another subdivision name already used; except for a phased subdivision.

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

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

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

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

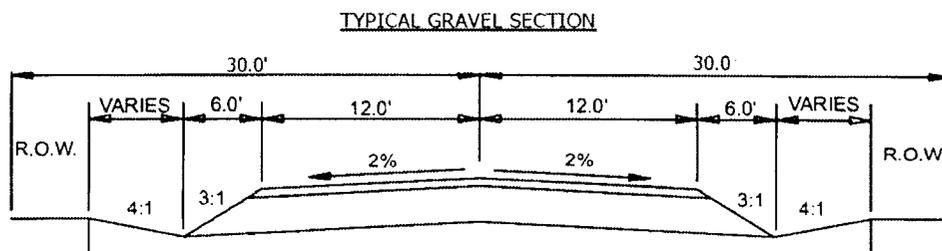
g. If the proposed subdivision abuts or is adjacent to a County Road easement the applicant shall provide by platting and dedication to the public additional road right-of-way resulting in a 50 foot easement when measured at a right angle from the existing right-of-way centerline.

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

i. When a subdivision abuts a major highway, county road, or street a service road(s) or street(s) shall be required. Individual lots shall not be permitted to have direct access to major highways, county roads, or arterial streets.

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

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



l. All subdivisions shall provide an access and utility easement which provides access to adjacent properties. This access shall be a minimum of 60 feet in width and shall be placed such that it can reasonably be constructed upon the terrain. The developer will not be required to construct any portion of the access which does not provide access to a lot or tract within the subdivision.

m. Utility easements shall be a minimum of ten feet (10') in width on each side of all lot lines within the subdivision. On the subdivision's exterior perimeter boundary, a minimum twenty foot (20') wide utility easement shall be provided. Other necessary utility easements within the subdivision shall be a minimum of twenty feet (20') in width.

n. 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.

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

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

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

b. The Plat shall be clear, legible and measure 24 inches x 36 inches.

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

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

e. The scale of the Plat shall be no less than 1.00 inch = 200.00 feet.

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

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

h. A title box shall be placed in the lower right hand corner of all plat sheets, containing the company name, mailing address, telephone number of the preparer; subdivision name, subdivision location (township, range, section, quarter section), preparation date, submittal

date, revision date, sheet number and scale. The outer perimeter of the title box shall be of a medium weight solid line.

- i. The name, telephone number, physical and mailing address of the landowner.
- j. A legend that defines the line symbology and all monuments set and found depicted in the Plat.
- k. An identification system for all lots, tracts, parcels or units of divided land positioned in the center of each.
- l. The area of each lot, tract, parcel or units of divided land labeled in acres positioned in the center of each.
- m. 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.
- n. Lot lines shall show dimensions in feet and hundredths of feet.
- o. 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.
- p. 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.
- q. Radii, internal angles, points and curvatures, tangent bearings and the lengths of all arcs shall be shown.
- r. 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.
- s. 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.
- t. The statement **"NO PARCEL, LOT, TRACT OR SUBDIVISION OF LAND CREATED BY A MINOR SUBDIVISION SHALL BE FURTHER DIVIDED, OR RESUBDIVIDED"** in bold capital letters placed in a conspicuous location.
- u. 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.

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

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

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

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

z. 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).

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

bb. 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.

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

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

Executed this _____ day of _____, _____.

By: _____,

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

State of Wyoming)

:ss.

County of Crook)

This instrument was acknowledged before me on _____
Date

by _____
Name of Person

Signature of Notarial Officer

(Seal)

Title and Rank

My commission expires: _____

OR

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: _____

dd. 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: _____

ee. 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: _____

ff. Certificate of approval by the Board of County Commissioners of Crook County, Wyoming as follows:

Plat approved 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: _____

gg. 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

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

Section 5. Access and Improvements. All subdivisions of land shall have ingress and egress easements, of at least sixty (60) feet in width to a dedicated, and publicly maintained (Federal, State or County) roads, plus utility easements of not less than twenty (20) feet in width.

These easements shall be legally established and recorded providing access and utility easement service to each lot, and the same shall be for the benefit of all the land divided and any and all persons acquiring ownership of property within the divided land. Said easement shall be surveyed, and perpetual, in addition to the requirements of Wyoming State Statute 34-1-141 and appurtenant to the land.

Section 6. Recording. Upon approval by the Board the applicant shall record the Order Approving Subdivision, the Plat, the Declaration of Covenants, Conditions and Restrictions, the Disclosure Statement, and any other items referred to in the Disclosure Statement that is not otherwise recorded in the County Clerk's Office.

Section 7. Final Digital File. Upon approval by the Board; and recording of the Plat in the County Clerk's Office the applicant shall provide the Department with a digital shapefile of the approved and recorded Minor Subdivision. This shapefile shall be geo-referenced in NAD 1983, State Plane Wyoming East FIPS 4901 (US Feet).

Section 8. Corrected Plats. If, after the approval and recording of a subdivision plat, errors are found in the language or numbers on the recorded plat, the applicant shall submit a properly signed, corrected or revised original mylar with the Department. The plat shall be noted CORRECTED PLAT under the name of the subdivision. Notations shall be made on the face of the plat listing all corrections made and the file and map numbers where the original plat was recorded. The Department shall review the plat for correctness, and the applicant shall secure all signatures, other than the public officials, on the corrected plat, and present the plat to the Board for the reaffirmation of their approval and to the County Clerk for recording. The proper legal instrument vacating the original plat shall be submitted for recordation in the Office of the County Clerk prior to, or at the time of, recording the corrected plat. If there are only minor corrections needed and the Department approves an "Affidavit affecting Real Property" pursuant to Wyoming State Statute 34-11-101 then those minor corrections may be made.

Section 9. Required Findings. Before the Commission recommends action on a Minor Subdivision Plat and before the Board takes action on a Minor Subdivision Plat, the following findings shall be made:

- a. The proposed Minor Subdivision conforms to all applicable rules and regulations adopted by Crook County.
- b. The proposed Minor Subdivision does not interfere with existing agricultural water rights.
- c. The proposed Minor Subdivision is adequate, suitable and safe for the construction and operation of on-site waste water disposal systems, and small waste water treatment facilities.
- d. The proposed Minor Subdivision can provide a water source that is of an adequate amount and of good quality for each lot.

- e. The proposed Minor Subdivision has provided an adequate garbage disposal plan.
- f. The proposed Minor Subdivision has provided an adequate noxious weed and pest management plan.
- g. The proposed Minor Subdivision complies with all easement requirements.

CHAPTER III ADMINISTRATION AND ENFORCEMENT

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

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

Section 2. Approval by City or Town. Pursuant to the provisions of Wyoming State Statutes 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 by governing body of the city or town must also be obtained in accordance with Wyoming State Statute 34-12-103.

- a. If any provision of these rules and regulations are 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), then the more restrictive provision shall apply.

Section 3. Fees. The Minor Subdivision Fee shall be two hundred dollars \$200.00 for each division of land plus a Fire Fee of two hundred dollars \$200.00 for each division of land that is to be paid to the Crook County Treasurer. There is also a one hundred dollar \$100.00 fee for the Crook County Natural Resource District review and recommendations regarding soil suitability, erosion control, sedimentation and flooding problems for each division of land. These fees are nonrefundable and shall be submitted with the application in two (2) separate checks; the applicant shall be responsible for any additional fees associated with the application review.

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

Section 4. Variance. Should an applicant clearly demonstrate, by evidence satisfactory to the Board that a variance is warranted because of peculiar physical conditions pertaining to his land, the literal enforcement of one or more sections of this Regulation, or minimum standards, is impractical or will cause undue hardship. The Board may grant such variance(s) as may be reasonable and within the general purpose and standards established by this Regulation.

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

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

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

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

Section 5. Resubdivision. The process for a resubdivision shall follow the same requirements as a new subdivision.

Section 6. 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 Minor 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 Minor Subdivision Plat Petitions.

a. When a Crook County Vacation of Minor Subdivision Plat Petition is submitted, the Department shall schedule a public hearing with the Commission. The Department shall send written notice of the hearing with the Commission by first class mail to record area landowners on file with the County Assessor's office on the date the application is filed that own property within $\frac{1}{4}$ mile of the boundary of the property being subdivided. The applicant shall advertise their intent to apply for a vacation of a Minor 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 Minor Subdivision. The newspaper notice shall include the name of the applicant, the legal description and the name of the proposed subdivision, the date, time and location of the hearing.

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

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

e. 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.

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

Section 7. Appeals. Any aggrieved parties shall appeal the decision of the Department or Commission within thirty (30) days to the Board, and appeal any decision of the Board to the 6th Judicial District Court in and for Crook County, Wyoming. All applicants shall exhaust their administrative remedies prior to appeal to the District Court.

Section 8. 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 9. 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 10. 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 11. 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 12. Severability. If any provision of this regulation are 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 13. Forms. Applicants shall use forms created and provided by Crook County in conformance with this regulation and Wyoming State Statues.

Section 14. Effective Date and Approval. This Minor Subdivision Regulation shall become effective on the date it is filed in the office of the Crook County Clerk.

APPROVAL

Approved and adopted this day 3rd of March, 2015.

BOARD OF COUNTY COMMISSIONERS OF CROOK COUNTY

Kelly B. Dennis
Kelly B. Dennis, Chairman

Jeanne A. Whalen
Jeanne A. Whalen, Vice-Chairman

Steve J. Stahla
Steve J. Stahla, Member

