

# ZONING AND DEVELOPMENT REGULATIONS RESOLUTION - 2019

## CHAPTER I - GENERAL

Section 1. Title. This resolution shall be known as the Zoning and Development Regulations of Sublette County, Wyoming.

Section 2. Authority. The Zoning and Development Regulations of Sublette County, Wyoming are authorized by Section 18-5-201 through 18-5-207, Wyoming Statutes, 1977.

Section 3. Purposes. In order to protect the public health, safety and general welfare of the residents of Sublette County, the County has adopted a comprehensive plan for growth and development in the County. The Zoning and Development Regulations are enacted for the purpose of implementing the Sublette County Comprehensive Plan by:

- a. Providing for orderly and well planned development in the County, and preventing random development which is incompatible with existing and historic land uses;
- b. Fixing reasonable zoning standards to which buildings and structures shall conform; and
- c. Conserving the value of land and buildings in all of the unincorporated areas of Sublette County; and
- d. Regulating and restricting lot coverage and population density; and
- e. Protecting residential, agricultural, business, industrial and recreational uses alike from harmful or detrimental encroachment by incompatible uses, and to insure that land allocated to a zoning district shall not be usurped by other inappropriate uses; and
- f. Lessening congestion in and promoting the safety and efficiency of the streets and highways; and
- g. Providing for adequate light, air, sanitation and drainages; and
- h. Facilitating the adequate provision of public utilities and facilities; and
- i. Furthering the appropriate use of land and the conservation of natural resources; and
- j. Isolating or controlling the location of unavoidable nuisance producing uses; and
- k. Providing protection against fire, explosion, water pollution, noxious fumes and other hazards in the interest of the public health, safety, and general welfare; and
- l. Protecting the interest of the general community; and
- m. Defining the powers and duties of administrative bodies as provided hereinafter; and
- n. Securing economy in governmental expenditures; and

- o. Fostering the State's agriculture, mineral, recreational and other industries.

Section 4. Jurisdiction. The jurisdiction and operation of the Zoning and Development Regulations shall include all of the privately owned unincorporated lands within Sublette County, Wyoming, with the exception of County owned lands which shall be subject to compliance with these Zoning and Development Regulations.

Section 5. Interpretations. In their interpretation and application, the provisions of this resolution shall be considered as minimum requirements. No provision of this resolution is intended to repeal, impair or interfere with any existing resolution of the County or statute of the State of Wyoming, provided however, that where any provision of this resolution imposes more restrictive requirements than are imposed by other resolutions of the County or Wyoming State Statutes, the requirements of this resolution shall govern.

Section 6. Definitions. Certain words, terms and phrases used in this resolution shall be defined as set forth hereafter. Words used in the present tense include the future, words in the singular number include the plural, and words in the plural number include the singular, unless the context indicates otherwise.

Accessory Building. A building or structure which is incidental or subordinate to the principal building, the use of which is not for a dwelling unit but is incidental or subordinate to the use of the principal building on the site, and does not include a kitchen or bedroom use. An accessory building that is attached to the principal building shall be deemed a part of the principal building.

Accessory Use. The use of a building or site, or portion thereof, which is not for a dwelling unit, but is incidental or subordinate to the principal use of the building or site.

Agriculture. The use of a site of 35 acres or more for the production of livestock, crops, produce or poultry for sale or barter, including structures or other site improvements incidental to such uses.

Airport. A tract of land or water with facilities for the landing, takeoff, shelter, supply, and repair of private or commercial aircraft, especially one used for receiving or discharging passengers and cargo at regularly scheduled times.

Apartment. A room or rooms in a multi-family dwelling containing two or more such units, occupied or suitable for occupancy as a dwelling unit. The term does not include a town house or condominium.

AU. 1 AU (Animal Unit) equals the following: \*Also See Chapter III, Section 32  
1 horse and foal  
1 cow and calf  
2 calves  
2 foals  
2 hogs  
4 sheep  
7 lambs  
4 llamas  
10 poultry

Automobile Sales and/or Repair. Premises on which new or used passenger automobiles, trailer, or light trucks in operating condition are displayed in the open for sale or trade. Automotive repair includes rebuilding or reconditioning of motor vehicles or parts thereof, including collision service, painting or steam cleaning. The storage and dispensing of fuels are not included.

Automobile Wrecking Yard. A site used for the wrecking or storing of motor vehicles, or parts thereof.

Bed & Breakfast. A single family residence that serves as a lodging facility containing not more than four guest rooms, having a single kitchen serving no more than 2 meals to guests per day, and a common dining room, where the length of stay is not more than thirty consecutive days per guest, and the primary entry to each guest room is from within the residence.

Board of County Commissioners. All references to the Board of County Commissioners and the County shall mean the Board of County Commissioners of Sublette County, Wyoming.

Building. Any structure designed or used for the housing or enclosure of persons, animals, chattels or moveable property of any kind, not including tents or temporary structures.

Campground. An outdoor recreation facility providing overnight visitor accommodations in the form of recreational vehicle or tent sites, which has no permanent facilities other than management offices and sanitary facilities.

Cistern. A water storage tank which is buried underground with year round functionality.

Cluster Development. A residential development in which the dwelling units are concentrated on a portion of the site, and the remainder of the site, excluding streets, is preserved as open space.

Condominium. A unit in a multiple family dwelling within which each individual unit is intended for separate purchase, together with an interest in common in the site on which the multiple family dwelling is located.

Contract Land Survey. A registered land surveyor and member of the Plat Review Committee to review surveys and plats submitted for filing.

Corner Lot. A lot abutting two (2) or more streets at their intersection. Corner lots have no rear lot lines.

Density. The number of dwelling units of any type, including mobile homes, on the site of any development, expressed as the number of units per acre, taking into account the total area of the site.

Development. All buildings, structures, utilities, or other site improvements made or placed upon land to accommodate the use of a site.

Dry Hydrant. A pipe that leads to a water source, but has no pressure of its own and has year round functionality.

Dwelling Unit. A building or portion of a building containing bathroom and kitchen facilities designed or used as living quarters for one family. It includes both conventional dwellings and manufactured homes. A dwelling unit used as a rental or leased property for less than a thirty (30) day rental period shall constitute a commercial use.

Existing Use or Structure. Any use of a site, including any building or structure thereon, that is located on the site on the effective date of this resolution, whether or not the use or structure conforms to the provisions of this resolution or any amendments thereto.

Factory-built Home. Any residential dwelling that is wholly, or in substantial part, made, fabricated, formed, or assembled in manufacturing facilities for installation or assembly on a building site. Factory-built homes shall include, but not be limited to, manufactured homes, modular homes, and mobile homes.

Family. One or more persons related by blood, marriage or adoption, or group of not more than five persons not so related, together with domestic servants and guests, maintaining a common household in a dwelling unit.

Floodplain. That area of the County, excluding the floodway that is inundated by the one hundred year recurrence interval flood.

Floodway. That area of the County, including the channel of any water course, stream, or river, required to effectively carry and discharge floodwater, that is inundated by the ten year recurrence interval flood.

Floor Area, gross. The total horizontal area in square feet of all floors within the exterior walls of a building.

Foundation. A prepared base or support consisting of masonry pillars or blocks.

Front Lot Line. The lot width measured at a line abutting the street. Corner lots have two (2) or more front lot lines.

Golf Course. Golf course means a parcel of land used for the playing of golf. Golf course shall not include miniature golf courses.

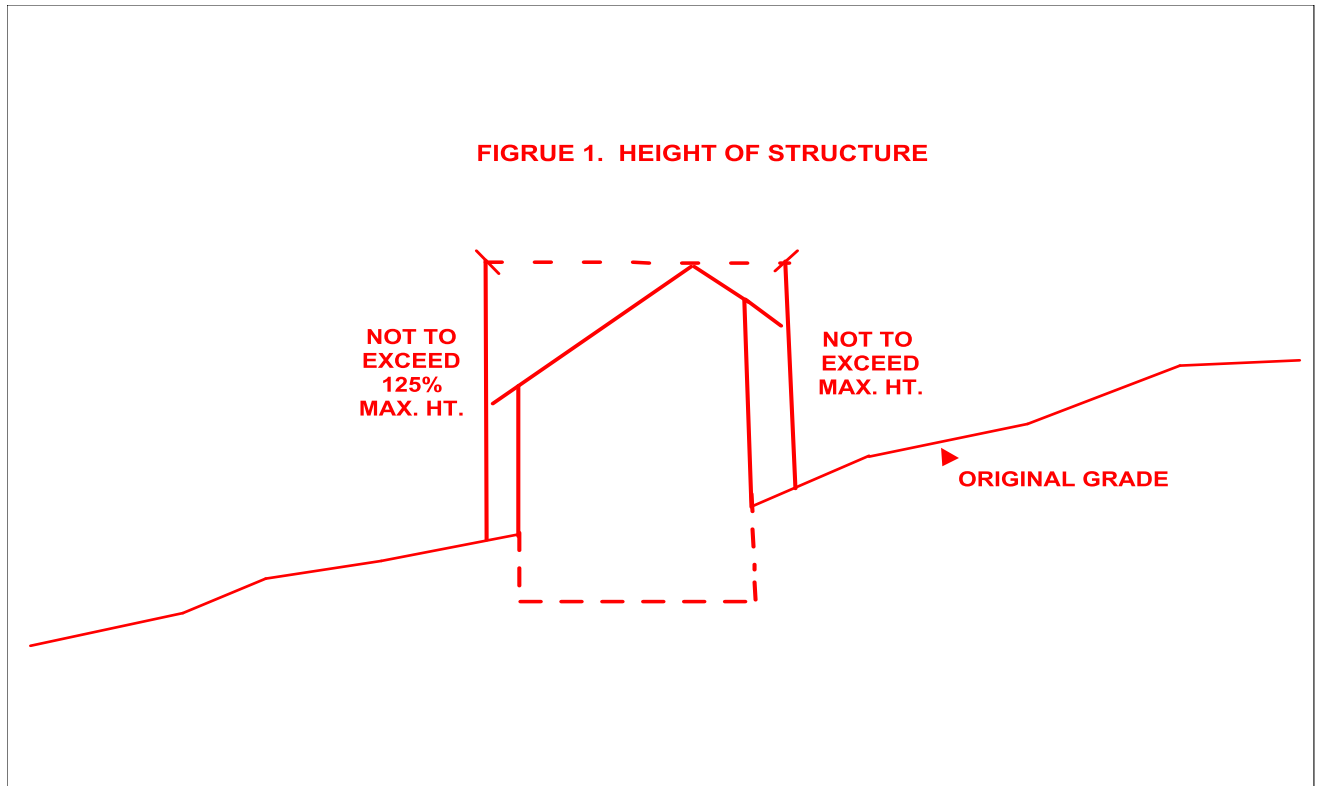
Grade. The steepness, in terms of angle from the horizontal, or in terms of percent, of a slope measured in a prescribed direction up or down the slope.

Ground Water. Any waters under the surface of the land, or the bed of any stream, lake or reservoir, or other body of surface water, including water that has been exposed to the surface by mining activities.

Guest House or Cabin. An accessory, detached building, not exceeding 1,200 square feet in size, inclusive of a basement or crawl space over 5 feet in height, which is designed, intended and used for the housing of nonpaying visitors, guest or family member of the owner or occupants of the main dwelling on the site.

Guest Ranch. A ranch with guest accommodations which has a lodge facility used for dining, separate from individual guest cabins with sleeping rooms sufficient to house at least one family; and also shall include barns, associated outbuildings, corrals, pastures and horses available to accommodate guests for riding activities. Typical services provided include horseback trips day and overnight, hunting guide trips, fishing trips, float trips, cook-outs, cross-country skiing, snowmobiling and other planned outdoor associated recreational activities for guests only.

Height, building. The height of a structure shall be measured vertically at any cross section of the building from original grade to the high point of the building at the cross section. On sloping building sites the height of a structure facing the downhill side, as measured from the high point of the structure to original grade shall not exceed 125% of the maximum height. (See following Figure 1. Height of Structure).



Holding Tank. A sealed tank, capable of receiving and storing sewage without discharge.

Home Business. An occupation or activity operated on the premises by the immediate family members and not more than one other employee. An accessory building is allowed and must be authorized or constructed under proper permit unless prohibited by restrictive covenants. There shall be no increase and/or additional commercial traffic generated by the home business. Fleet of autos or trucks are prohibited.

Home Occupation. An occupation or activity carried on by the immediate members of the family residing on the premises. Said occupation shall not be visible or noticeable from outside the walls of the building and shall be clearly incidental and secondary to the residential occupancy. There shall be no increase and/or additional commercial traffic generated by the home business. Fleets of autos or trucks are prohibited.

Hotel. A building containing furnished guest rooms for occupancy on a transient basis, where lodging with or without meals is provided for compensation.

Industrial Transportation Parking Facility. An area of land improved and utilized for parking facilities for industrial projects which are utilizing mass transportation provided in connection with such projects.

Irrigation System. A man-made waterway or structure designed for the irrigation of land including but not limited to: canals, ditches, culverts, pipelines, valve structures, diversion structures or other similar facilities.

Kennels/Dog Breeders Facilities. A lot, building, or business in which four or more dogs are kept for board, propagation, training or sale. A dog is defined as being four (4) months in age or more.

Landing Strip. Establishments primarily engaged in furnishing nonscheduled air transportation which have qualified to be air spaced by the FAA and placed on aeronautical charts. These are considered restricted use facilities. Any establishment with 14 or more landings per year, including helicopter landings, shall be considered a landing strip.

Light Industrial Project - Employee Housing. Employee housing, which is attached to or may be detached from the principal light industrial zone. Such housing shall be a conditional use. Such housing may only be occupied by employees of the light industrial business maintained upon the site and their immediate families.

Loading Area. The portion of a site developed for the loading or unloading of motor vehicles or trailers.

Lot. A parcel of legally subdivided land.

Maintenance. Any repair work on a structure, including structural repairs but excluding additions to, enlargement of, or replacement of a structure.

Manufactured Home: A factory-built structure which is to be used as a place of human habitation, which is not constructed or equipped with a permanent hitch or other device allowing it to be moved other than to a permanent site, which does not have permanently attached to its body or frame any wheels or axles, which bears a label certifying that it was built in compliance with National Manufactured Home Construction and Safety Standards promulgated by the United State Department of Housing and Urban Development.

Manufactured Home, Nonconforming: A factory-built home on a permanent foundation that does not conform with the design standards stipulated in Chapter III, Development Standards, of this Resolution.

Mining. The commercial removal, processing or other treatment of mineral resources, including gravel, sand, topsoil or other solid materials, but excluding water, gas, oil or other minerals normally found in a fluid state.

Mini Storage Units. A building or group of buildings in a compound that contain varying sizes of individual, compartmentalized and controlled access stalls or lockers for the dead storage of a customer's goods or wares, provided that: no sales, service, repair or other activities shall be conducted from a storage area; storage of junk, explosives, flammable materials or other noxious or dangerous materials is specifically prohibited; maximum

leasable space per stall is one thousand (1,000) square feet; pick-up or delivery by semi-tractor shall be prohibited; and outdoor storage shall be screened.

Mobile Home. A residential dwelling that was fabricated in an off-site manufacturing facility, designed to be a permanent residence. Mobile homes are not manufactured homes or modular homes.

Mobile and Manufactured Home Park. A site designed or developed for parking or other installation of mobile homes and manufactured homes for residential purposes on spaces or lots offered for sale or rent, including all other facilities for the use of the residents of the park.

Modular Home. A residence dwelling that was fabricated in an off-site manufacturing facility, designed to be a permanent residence, built to a nationally recognized building code, supported by a permanent perimeter foundation and not connected to a permanent chassis for support.

Motel. A building or portion thereof containing furnished guest rooms with doorway openings to the outdoors, which rooms are occupied on a transient basis for compensation, with parking facilities provided on the site.

Multiple Family Dwelling. A building or portion thereof containing two or more dwelling units.

Nonconforming Site. A site lawfully created prior to the effective date of this resolution which does not conform to development standards for the district in which it is located or the use regulations for the district in which it is located.

Nonconforming Structure. A structure lawfully erected or under construction prior to the effective date of this resolution which does not conform to applicable development standards.

Nonconforming Use. The use of a structure or site lawfully established prior to the effective date of this resolution which does not conform to the use regulations for the district in which the use is located.

Nuisance. The unreasonable, unwarranted or unlawful use by a person of property, which obstructs or injures the right of another in the enjoyment of property or legal rights.

Oil & Gas Production Waste Disposal Facility. A facility where oil and gas production waste materials including water and solids produced during oil and gas production and/or are disposed. This includes disposal pits, freeze thaw operations, contaminated soil and/or sludge treatment and evaporation ponds used for production water disposal.

Open Space. Natural or open areas including parks, playgrounds, or recreational areas, but not including roads or parking areas.

Outfitter. An establishment providing services, materials, supplies, and equipment for horseback trips, hunting, fishing, rafting, and other types of outdoor recreation, not including a commercial structure.

Person. Any individual, corporation, partnership or similar legal entity.

Planned Unit Development. A residential, commercial or industrial development designed as a complete, integrated unit in which the dwelling, commercial or industrial units are concentrated on the portion of the site most suitable for development, and within which prescribed minimum standards for site area, setbacks, and the bulk and spacing of buildings may be modified to achieve preservation of open space areas.

Planning and Zoning Commission. All references to the Planning and Zoning Commission or the Commission shall mean the Planning and Zoning Commission of Sublette County.

Public Facilities. All government buildings, schools, houses of worship, hospitals, nursing homes, libraries, day care centers, parks and other similar public or quasi-public uses.

Ranch. A compound or cluster of structures built in traditional form, all directly related to an on-going ranching business.

Rear Lot Line. In the case of a rectangular or most trapezoidal-shaped lots, rear lot lines means the lot line which is generally parallel to and the most distant from the street lot line of the lot. In the case of an irregular or triangular shaped lot, the rear lot line means a line twenty (20) feet in length, located entirely within the lot, parallel to and at the maximum possible distance from the street lot line. In the case where a lot does not abut a street, the rear lot lines shall be the lot line farthest from the closest street and generally parallel to it, or an imaginary line at least twenty (20) feet long.

Recreational Vehicle. A vehicle that is intended to be transported over the streets, roads, and highways either as a motor vehicle or attached to, or hauled by, a motor vehicle, that is designed for temporary use as sleeping quarters.

Recreational Vehicle Park. Land specifically designed and developed to accommodate public camping or recreational vehicles, pickup campers, motor homes, travel trailers, and individual camping trailers, having permanent sanitary facilities for short term dwelling purposes.

Residential Use. The use of land, buildings, or structures for human occupancy.

Resort. A building or group of associated buildings containing accommodation units for visitors consisting of individual guest rooms, suites, or separate dwelling units, with related dining facilities and other types of accessory facilities including private recreation facilities, operated under a single management which provides the occupants thereof with customary hotel services and facilities.

Salvage Yard. An outdoor space where junk, waste, discarded or salvage materials are stored or handled, including automobile wrecking yard for storage or salvaged building and structural steel materials, and the processing of used, discarded or salvaged material as part of a permitted manufacturing operation on the same premises. A site where more than two junked or inoperative motor vehicles are stored or processed in any manner.

Septic Tank. A watertight tank which receives sewage and which is normally used in combination with leach field for sewage disposal.

Service Station. A business offering for sale gasoline, oil, automotive accessories, maintenance and minor repair services for motor vehicles.

Setback. The distance from a site boundary line or easement, required by the provisions of Chapter III, Section 4, measured as prescribed in said section, which establishes the permitted location of structures and other improvements on a site.



Sexually Oriented Business. Includes adult arcade, adult bookstore, adult novelty store, adult video store, adult cabaret, adult motion picture theater, adult theater, escort agency, facilities that feature nude or topless dancing or any business which generates ten percent (10%) or more of its revenue from the sale of sexually oriented material. For the purpose of defining a sexually oriented business the following terms are defined: Adult Arcade means a public place where still or motion pictures, characterized by their emphasis on sexual activities or photographic material emphasizing sexual activities or anatomical areas, are displayed to five (5) or fewer persons. Adult Bookstore, Adult Novelty Store or Adult Video Store include any commercial establishment generating more than ten percent (10%) of its revenue by offering for sale or rent books, magazines, periodicals, photographs, motion pictures, video cassettes, compact discs or other material emphasizing sexual activities or anatomical areas or instruments, devices or paraphernalia designed and used for stimulation of human genital organs. Adult Cabaret means a nightclub, bar, restaurant or similar commercial establishment featuring nude or semi-nude persons, live performances characterized by sexual activities or exhibition of anatomical areas or showing movies, videos or other photographic material emphasizing sexual activities or anatomical areas. Adult Motion Picture Theater means a commercial establishment showing films, movies videos or other photographic material emphasizing sexual activities or anatomical areas for any form of consideration. Adult Theater means a commercial establishment regularly featuring persons appearing nude or semi-nude or live performances characterized by the exposure of anatomical areas or engaged in sexual activities. Escort Agency means a person or business offering or providing escorts as dates, companions, private models or persons to privately perform a striptease as a primary business purpose.

Side Lot Lines. any lot line other than a front or rear lot line.

Sign. A device, display or illustration which is affixed to or painted or otherwise exhibited on a building or structure of any kind, or attached to the ground, for the purpose of advertising or calling attention to any place, activity, person, institution, organization or business.

Sign, illuminated. A sign which is illuminated during night time hours through any artificial lighting system.

Site. A parcel of land devoted to a use, or occupied by a structure or group of structures.

Site Boundary Line, front. The boundary line of a site adjoining a road or highway, not including a private driveway, which provides primary access to the site.

Site Boundary Line, rear. The boundary line of a site extending between the side lines and at the opposite end of the site from the front line.

Site Boundary Line, side. The boundary line of a site extending from the front line to the rear line.

Special Events. One time outdoor events, including multiple day events with more than 1,000 attendees.

Structure. Anything erected or constructed and having a fixed or permanent location on the ground, including buildings of all kinds and signs.

Temporary Camp. An area of land occupied for more than fifteen (15) days but less than three hundred sixty-five (365) days by mobile homes, travel trailers, truck campers, tent

trailers or any other structure(s) serving as temporary housing for the personnel necessary for the operation and maintenance of a commercial activity such as drilling rig, asphalt plant, gravel pit, logging camp or other similar use, for recreational or residential uses and for nonprofit organizations.

Transient Basis. Occupancy of a motel or hotel unit or other type of visitor accommodation for short time periods.

Use. The purpose for which a site or structure is designed, intended, constructed or enlarged, or for which it is occupied and maintained.

Workers Camp. An area of land occupied by five (5) or more mobile homes, travel trailers, truck campers, tent trailers or any other structure(s) including service buildings and kitchen facilities; occupied by or serving as semi-permanent housing for the personnel of an industrial or commercial construction project as distinguished from a drilling operation.

## CHAPTER II - ZONING DISTRICTS

Section 1. Zoning Districts. The zoning districts established by this resolution for the unincorporated areas of Sublette County are designated as follows:

**Agricultural (A-1):** This district maintains and continues the existing agricultural land use in the County.

**Residential (R):** This district provides land for residential development within an area of one mile from the corporate limits of incorporated towns.

**Rural Residential (R-R):** This district provides areas in the rural portions of the County for residential development and uses.

**Rural Residential Five (R-R 5):** This district provides areas in the rural portions of the County for residential development and uses. A five (5) acre minimum parcel is required.

**Rural Residential Ten (R-R 10):** This district provides areas in the rural portions of the County for residential development and uses. A ten (10) acre minimum parcel is required.

**Rural Residential Twenty (R-R 20):** This district provides areas in the rural portions of the County for residential development and uses. A twenty (20) acre minimum parcel is required.

**Residential Mobile Home (R MH):** This district provides land for residential and/or mobile home development within an area of one mile from the corporate limits of incorporated towns.

**Rural Residential Mobile Home (R-R MH):** This district provides areas in the rural portions of the County for residential and/or mobile home development and uses.

**Rural Residential Mobile Home Five (R-R MH 5):** This district provides areas in the rural portions of the County for residential and/or mobile home development and uses. A five (5) acre minimum parcel is required.

**Rural Residential Mobile Home Ten (R-R MH 10):** This district provides areas in the rural portions of the County for residential and/or mobile home development and uses. A ten (10) acre minimum parcel is required.

**Rural Residential Mobile Home Twenty (R-R MH 20):** This district provides areas in the rural portions of the County for residential and/or mobile home development and uses. A twenty (20) acre minimum parcel is required.

**Mobile/Manufactured Home Park (MH):** This district provides areas where mobile and manufactured home parks can be developed.

**Multiple Family Residential (MFR):** This district provides areas for structures designed for occupancy by two (2) or more families, with each family occupying a separate dwelling unit which may be separated vertically or horizontally. Shared walls, entrances or stairs are common features of this type of housing. With public water and sewer, minimum lot size shall be one (1) acre and maximum density shall be eight (8) dwelling units per acre. With a septic system and well, minimum lot size is five (5) acres and maximum density is two (2) dwelling units per acre.

**General Commercial (C-1):** This district provides areas for orderly and compact commercial development.

**Highway Commercial (CH-1):** This district provides areas for orderly and compact highway related commercial development.

**Recreational Service (RS-1):** This district provides areas for recreation oriented service uses.

**Light Industrial (I-L):** This district provides areas for safe, non-nuisance causing industrial uses.

**Heavy Industrial (I-H):** This district provides areas for general industrial uses.

**Resource Conservation (RC):** This district protects and conserves environmentally sensitive areas where development must be limited to prevent degradation of the areas.

**Scenic Areas, Historic Sites, & Trails (SA):** This district protects and conserves important natural and scenic areas, historic sites and trails.

**Rural Mixed (RM):** This district provides land for a mixture of uses which are compatible to the residents of the district and adjoining property owners.

**Planned Unit Development (PUD):** This district is an overlay district which provides a flexible procedure for tracts of land which are to be planned and developed as a whole; using a unified design, encouraging creative methods, and allowing a mixture of uses.

**Family Exemption (FE):** The FE suffix following any zoning district designation denotes that a lot within that zoning district was created by means of a family division.

Section 2. District Boundaries. The boundaries of the zoning districts are shown on the zoning maps, designated the Official Zoning Map and Detailed Zoning Maps on file in the County Offices. Where uncertainty exists as to the boundary of a Detailed Zoning Map, the following rules shall apply.

- a. District boundaries following section or partial section lines, or the center line of roads or highways shall be construed to follow the center lines or section lines thereof.
- b. Where further uncertainty exists, the Board of County Commissioners on recommendation of the Planning and Zoning Commission, shall determine the exact location of a boundary in question.

Section 3. Authorized Uses. The following uses shall be authorized in the various zoning districts, provided that they conform to the applicable development standards. Any development type or use not specifically enumerated as an authorized use within Section 3, Authorized Uses, is expressly prohibited unless a similar use determination is made pursuant to Section 4, Determination of Similar Uses.

- a. In any zoning district:
  - (1) Mining and mineral extraction;
  - (2) Home occupation uses;
  - (3) Accessory uses and structures;

- (4) Family Divisions, family divisions creating lot(s) not less than two (2) net acres in size.
- (5) Rental of a Guest House or Cabin, subject to compliance with “Standards for the Rental of Guest Houses” contained in Chapter III, Section 41 of the Sublette County Zoning and Development Standards, shall be permitted as an outright use in the Agricultural (A-1) zoning district, and shall be permitted as a Conditional Use in the Rural Residential 5, 10 and 20 (R-R 5, R-R 10 and R-R 20), and the Rural Residential Mobile Home 5, 10 and 20 (R-R MH 5, R-R MH 10 and R-R MH 20) zoning district.

b. In the Agricultural District (A-1):

- (1) General agricultural uses;
- (2) One (1) single family dwelling per 35 acres, excluding the use of mobile/nonconforming manufactured homes on eighty (80) acres or less;
- (3) Outdoor recreation facilities for hunting, fishing, horseback riding, hiking or winter sports uses incidental to the principal agricultural use;
- (4) One (1) Guest House or Cabin per single family dwelling
- (5) Agricultural Open Space Subdivisions in accordance with Chapter III, Development Standards, Section 44 of the Zoning and Development Regulations.
- (6) Conditional Uses:
  - (a) Home Business
  - (b) Workers Camp
  - (c) Temporary Camp
  - (d) Sanitary Landfill
  - (e) Landing Strips
  - (f) Industrial Transportation Parking Facilities
  - (g) Public Facilities
  - (h) Temporary storage of heavy equipment
  - (i) Guest Ranches and Outfitters
  - (j) Kennels/Dog Breeder
  - (k) Bed and Breakfast
  - (l) Fur Farms
  - (m) Gravel pits, with washing and screening
  - (n) Gravel pit, with washing screening and crushing
  - (o) Gravel pits, including a batch plant that mixes gravel with sand, water and cement to produce concrete and associated processing.
  - (p) Special Events
  - (q) Golf Courses

c. In the Residential District (R):

(Where the lots are not being served by both municipal water and sewage disposal systems and the site improvements, i.e. water sewage, fire protection, streets, etc. are not constructed to meet or exceed the requirements of the municipality providing such water and sewage service):

- (1) Single family dwelling, excluding mobile/nonconforming manufactured homes.
- (2) Livestock shall be maintained in accordance with Chapter III, Development Standards, Section 32 of the Zoning and Development Regulations.
- (3) Conditional Uses:
  - (a) Public Facilities
  - (b) Bed and Breakfast

(In the Residential District where lot size is 6,000 square feet per dwelling unit (R-6,000) and the lots are being served by both municipal water and sewage disposal systems and the site improvements, i.e. water, sewage, fire protection, streets, etc. are constructed to meet or exceed the requirements of the municipality providing such water and sewage service):

- (1) Single family dwelling, excluding mobile/nonconforming manufactured homes.
- (2) Livestock shall not be permitted.
- (3) Vehicular and recreational type property storage areas for the exclusive use of the property owners of the subdivision within which the storage area is located. Ownership of the storage area shall remain under the ownership of the Homeowner's Association or Service Improvement District.
- (4) Conditional Uses:
  - (a) Multifamily dwellings, not to exceed four dwelling units per lot; the minimum site area required for any single dwelling unit on a multiple family lot shall not be less than 3,000 square feet (6,000 square feet for a duplex – 9,000 square feet for a triplex - 12,000 square feet for a fourplex).
  - (b) Public facilities.

- d. In the Rural Residential Districts (R-R), (R-R 5), (R-R 10), (R-R 20):
- (1) Single family dwelling, excluding mobile/nonconforming manufactured homes.
  - (2) Livestock shall be maintained in accordance with Chapter III, Development Standards, Section 32 of the Zoning and Development Regulations.
  - (3) Guest House or Cabin
  - (4) Conditional Uses:
    - (a) Public Facilities
    - (b) Bed and Breakfast
    - (c) Rental of a Guest House or Cabin in RR Districts

- e. In the Residential Mobile Home District (R MH):
- (1) Single family dwelling;
  - (2) Mobile/nonconforming manufactured homes placed on a permanent foundation;
  - (3) Livestock shall be maintained in accordance with Chapter III, Development Standards, Section 32 of the Zoning and Development Regulations.
  - (4) Conditional Uses:
    - (a) Public Facilities
    - (b) Bed and Breakfast

- f. In the Rural Residential Mobile Home Districts (R-R MH), (R-RMH 5), (R-R MH 10), (R-R MH 20):
- (1) Single family dwelling;
  - (2) Mobile/nonconforming manufactured homes placed on permanent foundation;
  - (3) Livestock shall be maintained in accordance with Chapter III, Development Standards, Section 32 of the Zoning and Development Regulations.
  - (4) Guest House or Cabin
  - (5) Conditional Uses:

- (a) Public Facilities
  - (b) Bed and Breakfast
  - (c) Rental of a Guest House or Cabin in R-R MH Districts
  
- g. In the Mobile/Manufactured Home Park District (MH):
  - (1) Any use permitted in the R districts;
  - (2) Mobile/manufactured homes placed on permanent foundation;
  - (3) Mini storage buildings for use of residents of the district.
  - (4) Conditional Uses:
    - (a) Public Facilities
  
- h. In the Multiple Family Residential District (MFR):
  - (1) Multiple family dwellings;
  - (2) Conditional Uses:
    - (a) Public Facilities
  
- i. In the General Commercial District (C-1):
  - (1) Retail stores and shops;
  - (2) Business and professional offices and shops;
  - (3) Restaurants and taverns;
  - (4) Laundromats and cleaning facilities;
  - (5) Automobile sales, service and maintenance facilities;
  - (6) Convenience Store and/or Fuel Station;
  - (7) Banks and financial institutions;
  - (8) Food stores, general stores and drug stores;
  - (9) Hotels;
  - (10) Funeral homes;
  - (11) One (1) residential use incidental to the principal commercial use, excluding the use of mobile/nonconforming manufactured homes.
  - (12) Accessory residential units which contain (1100) square feet or less of habitable floor area; which are clearly incidental, subordinate and secondary to the primary commercial use of the property.
  - (13) Modular/Manufactured Homes Sales and Display Lots
  - (14) Conditional Uses:
    - (a) Industrial Transportation Parking Facilities
    - (b) Public Facilities
    - (c) Kennels/Dog Breeders
    - (d) Mini-Storage Units
    - (e) General commercial establishments;
  
- j. In the Highway Commercial District (CH-1):
  - (1) Motels and tourist facilities;
  - (2) Restaurants, supper clubs, and drive-in restaurants;
  - (3) Automobile sales, service and maintenance facilities;
  - (4) Gift shops;
  - (5) Entertainment and recreational uses;
  - (6) Convenience Store and/or Fuel Station;
  - (7) One (1) residential use incidental to the principal commercial use, excluding the use of mobile/nonconforming manufactured homes.
  - (8) Accessory residential units which contain (1100) square feet or less of habitable floor area; which are clearly incidental, subordinate and secondary to the primary commercial use of the property.
  - (9) Modular/Manufactured Homes Sales and Display Lots
  - (10) Conditional Uses:
    - (a) Industrial Transportation Parking Facilities

- (b) Public Facilities
- (c) Mini-Storage Units
- (d) General commercial establishments;

- k. In the Recreational Service District (RS-1):
  - (1) Resorts, restaurants, taverns and gift shops;
  - (2) Sport shops, bait shops and marinas;
  - (3) Golf courses;
  - (4) Outdoor recreation facilities for hunting, fishing, horseback riding or winter sports activities;
  - (5) Residential uses by those employed on the premises and their families, excluding the use of mobile/nonconforming manufactured homes;
  - (6) Motels.
  - (7) Conditional Uses:
    - (a) Industrial Transportation Parking Facilities
    - (b) Public Facilities
    - (c) Campgrounds
    - (d) Special Events

- l. In the Light Industrial District (I-L):
  - (1) Non-nuisance producing manufacturing or processing uses;
  - (2) Service stations, garages, parking lots or truck terminals;
  - (3) Laundry, cleaning or dry-cleaning establishments;
  - (4) Wholesale storage or sales establishments except for aboveground storage of flammable liquids or gases, poisonous, explosive or toxic materials recognized as dangerous to animals or humans;
  - (5) One dwelling unit or mobile/nonconforming manufactured home per parcel for owner's and/or caretaker's residence in conjunction with a business;
  - (6) Automobile wrecking or salvage yards;
  - (7) Heavy equipment sales;
  - (8) Sawmills and lumberyards;
  - (9) Oil field or mining equipment sales or service;
  - (10) Supply and service shops including plumbing, welding, electrical, and builders;
  - (11) Mini storage units;
  - (12) Modular/Manufactured Homes Sales and Display Lots
  - (13) Conditional Uses:
    - (a) Workers Camp
    - (b) Temporary Camp
    - (c) Light Industrial Project-Employee Housing
    - (d) Airports
    - (e) Industrial Transportation Parking Facilities
    - (f) Sanitary Landfills
    - (g) Kennels/Dog Breeder
    - (h) Fur Farms
    - (i) Oil and Gas Production Waste Facility
    - (j) Exceeding maximum height limitation for structures

- m. In the Heavy Industrial District (I-H):
  - (1) Non-nuisance producing manufacturing or processing uses;
  - (2) General industrial uses;
  - (3) Automobile wrecking and salvage yards;
  - (4) Cement and concrete manufacturing;
  - (5) Chemical plant;



- (6) Gas processing plant;
- (7) Manufacturing and storage of explosives;
- (8) Mineral manufacturing, refining, and processing;
- (9) Pipeline terminal and pump station;
- (10) Service stations, garages, parking lots or truck terminals;
- (11) Wholesale storage or sales establishments;
- (12) Airports;
- (13) Heavy equipment sales;
- (14) Sawmills and lumber yards;
- (15) Oil field or mining equipment sales or services;
- (16) Research facilities;
- (17) Supply and service shops including plumbing, welding, electrical, and builders;
- (18) Mini storage units;
- (19) Oil and Gas Production Waste Facility
- (20) Conditional Uses:
  - (a) Workers Camp
  - (b) Temporary Camp
  - (c) Industrial Transportation Parking Facilities
  - (d) Sanitary Landfills
  - (e) Sexually Oriented Business
  - (f) Exceeding maximum height limitation for structures

- n. In the Resource Conservation District (RC):
  - (1) Fish hatcheries and wildlife preserves;
  - (2) Grazing and agricultural uses;
  - (3) Drainage, irrigation structures and irrigation dams;
  - (4) Soil and water conservation and forest management uses;
  - (5) One single family residence per parcel, excluding the use of mobile/nonconforming manufactured homes;
  - (6) Conditional Uses:
    - (a) Workers Camp
    - (b) Temporary Camp
    - (c) Industrial Transportation Parking Facilities
    - (d) Sanitary Landfills

- o. In the Scenic Area, Historic Sites and Trails District (SA):
  - (1) Forestry, grazing, hunting and fishing uses;
  - (2) Public parks and similar areas;
  - (3) Maintenance and preservation of historic sites and trails.

- p. In the Rural Mixed District (RM):
  - (1) Agriculture, light;
  - (2) Single-family dwelling and mobile/nonconforming manufactured homes placed on permanent foundations;
  - (3) Animal clinic;
  - (4) Arena, recreational;
  - (5) Farm supply and sales;
  - (6) Greenhouse, commercial;
  - (7) Home business;
  - (8) Stable;
  - (9) Livestock shall be maintained in accordance with Chapter III, Development Standards, Section 32 of the Zoning and Development Regulations.
  - (10) Conditional Uses:

- (a) Public Facilities
  - (b) Kennels/Dog Breeders
  - (c) Fur Farms
- q. In the Planned Unit Development District (PUD):
- (1) Cluster and Planned Unit Developments;
  - (2) Townhouses;
  - (3) Condominiums;
  - (4) Apartments;
  - (5) Duplexes;
  - (6) Commercial and Industrial Complexes;
  - (7) Twin Houses.

Section 4. Determination of Similar Uses. Uses of a similar character to permitted uses in any zoning district may be established or approved by the Board of County Commissioners on recommendations of the Planning and Zoning Commission.

Section 5. Conformity with District Regulations. Except as provided in Chapter VII for Nonconforming uses and sites, no structure or site shall be used other than in conformity with the regulations of the zoning district in which the structure or site is located. No site in one ownership on the enactment date of this resolution shall be reduced in size below the minimum area established for the land use district in which the site is located.

## CHAPTER III - DEVELOPMENT STANDARDS

Section 1. Conformity with Development Standards Required. All proposed uses and structures including enlargement of existing uses except as provided in Chapter VII hereof, shall conform with the applicable development standards established in this chapter.

Section 2. Water Supply and Distribution Systems. The construction, modification or operation of any private or public water supply or distribution system shall conform to all standards established by the State of Wyoming. All wells shall be constructed so as to prohibit cross contamination of wells by on-site waste disposal systems. A site area of one (1) acre, excluding rights of way, streams, or lakes shall be required for the installation of a domestic water well and septic tank-leachfield disposal system.

Section 3. Sewage Disposal Systems. All sewage disposal systems shall conform to all standards established by the State of Wyoming in addition to the standards established by this section.

The applicant for a Zoning and Development Permit shall furnish the Planning Administrator with sufficient material to document that the proposed sewage system conforms to State and County standards or requirements. Every sewage disposal system shall be inspected by the County after the system has been installed and before any fill or other material has been placed over the system or any part thereof, to ensure that the system is constructed and installed in conformity with State and County requirements.

No septic tank shall be located within 50 feet of any water well and no leachfield shall be located within 100 feet of any water well.

No standard leachfield shall be installed in any area where the groundwater level is within four (4) feet of the ground surface.

Section 4. Setback Requirements. All buildings and structures shall be located not less than the minimum distances set forth in this section, with all front setbacks to be measured from the easement line of any private or public roadway. In the event that a setback from a road right of way exceeds the lot boundary setback, the more restrictive setback requirements shall apply. The setback shall be measured from the foundation or stem wall. Overhangs, unenclosed porches, decks, chimneys and cantilevers to structures may encroach two (2) feet into the setback.

The Planning Administrator may require an applicant for a zoning and development (building) permit to submit a certificate of placement, prepared by a licensed surveyor, prior to the issuance of a building permit. The certificate of placement may be required when the possibility exists for a setback violation caused by lot size, uncertainty related to the existence of a public road easement or uncertainty regarding the location of property boundaries, or at the discretion of the Planning Administrator.

ZONING DISTRICT SETBACK	FRONT SETBACK	SIDE SETBACK	REAR
A-1			
1. Lots 20 acres or less	30'	10'	40'
2. Lots more than 20 acres	50'	50'	50'
3. Lots created by family division 20 ac. or less	30'	10'	40'
4. Lots created by family division 20 ac. or more	50'	50'	50'
R/6000	20'	7'	20'
( Where lot size is 6,000 square feet per dwelling unit and is being served by both municipal water and sewer disposal system and site improvements, i.e.; water sewage, fire protection,			

street, etc., are constructed to meet or exceed the requirements of the municipality providing water and sewage service for the subdivision within such municipality. )

R, R MH	25'	10'	25'
( Where dwelling unit is being served by an individual well and/or sewage disposal system. )			
R, R MH	25'	10'	25'
R-R, R-R 5, R-R MH, R-R MH 5	25'	10'	25'
R-R 10, 20	30'	10'	40'
R-R MH 10, R-R MH 20	30'	10'	40'
MH	20'	10'	10'
C-1	10'	10'	20'
CH-1	25'	20'	20'
RS-1	10'	10'	20'
I-L lots smaller than 2 acre	10'	15'	20'
I-L	30'	20'	20'
I-H	30'	20'	20'
RM	50'	50'	50'
RC	50'	50'	50'
MFR	30'	10'	40'

Minimum setback for fur farms shall be 200 feet from any property line.

Accessory buildings in all zoning districts shall conform to all setback requirements.

Gas pumps and storage tanks shall be setback a minimum of 20 feet from the right-of-way line of any state or federal highway or county road.

Section 5. Traffic Safety. No structure or site improvement shall be permitted in any zoning district adjacent to the intersection of County roads, State or Federal highways which obstructs or interferes with adequate visibility for the safe and convenient use of such roads or highways by the public.

Section 6. Off-Street Parking. All uses shall be required to meet the off-street parking requirement set forth in the Parking Standards Table.

- a. Notwithstanding the requirements set forth in the Parking Standards Table, a different parking standard may be established during the review process for a particular development based on information demonstrating a different standard is workable, subject to approval by the Board of County Commissioners. Shared parking between adjacent uses may be considered by the Planning and Zoning Administrator when determining the parking requirement for a particular development proposal. For uses not listed in the Parking Standards Table the parking requirement shall be determined by the Planning and Zoning Administrator, based upon the parking requirement for a land use of similar nature.

PARKING STANDARDS TABLE			
Use	Parking Spaces Req'd for 1000 sf of Floor Area	Queuing Space	Other Standard
Airport & Heliport			7 per daily landing/takeoff
Auto Sales	2		or 2 per salesman, whichever is greater
Bank or Financial w/o	5		1 per employee

Drive-In			
Bank or Financial w/Drive-in	5	5 per service lane	1 per employee
Bar/Tavern	10		1 per employee
Beauty & Barber Shop			2 per chair, plus 1 per employee
Bed & Breakfast			2 per dwelling unit, plus 1 per guest room
Bowling Alley			5 per lane, plus 1 per employee
Cabinet Shop			1 per employee, plus 1 per 200 sf of showroom
Campground			1 per camping space, plus 1 per employee
Car Wash		4 per bay	2 per employee
Church			1 per every 4 seats in sanctuary
College			0.5 per student
Commercial Laundry & Dry Cleaner			1 per employee, plus 1 per company vehicle, plus 1 per 150 sf of customer service area
Convenience Store	6		
Day Care			1 per employee, plus 1 per 10 children
Department Store	5		
Drive-in Restaurant		5 per service lane	1 per employee
Drug Store	5		
Dude/Guest Ranch			1 per guest unit, plus 1 per employee
Food Store	5		
Funeral Home			1 per every 4 seats in assembly rooms, plus 1 per employee
Furniture & Carpet	1.5		
Gas Station		2 per pump	1 per employee
Golf Course			3 per hole, plus any required for others uses which are part of the facility
Golf Driving Range or Rifle Range			1 per lane or station, plus 1 per employee
Gravel Operation			1 per employee
Greenhouse	2		1 per 4,000 square feet of outdoor display area, plus 1 for each company vehicle, plus 1 per employee
Gunsmith	2		
Hardware, Paint, Building Materials, Home Improvements	5		
Health Club/Spa			1 per 2 exercise stations, plus 4 per 1,000 sf of other activity area, plus 1 per employee
Home Occupation/Business			2 per dwelling unit, plus 1 per employee not residing on the premises

Hospital			1 per employee, plus 1 per 4 beds
Industrial			1 per employee, plus 1 per every 5,000 sf of storage area
Junkyard			1 per employee, plus 1 per every 5,000 sf of storage area
Laundromat			1 per washer, plus 1 per employee
Library & Museum	3.5		
Liquor Store	5		
Lodging			1 per guest room, plus 1 per employee
Lodging with Convention Center			1 per guest room, plus 1 per every 3 seats in an assembly area, plus 1 per employee
Medical Clinic	5		
Mini-storage			1 per employee, plus 1 per 10 storage units
Mobile Home Park			2 per dwelling unit, plus 0.5 for guest parking
Nursing and Group Care Home			1 per employee, plus 1 per 4 beds
Other Miscellaneous Retail/Commercial	5		
Playing Field & Park			1 per 4,000 sf of outdoor play area
Public Facilities	3		1 per employee
Repair Shop	2		
Residential Uses			2 per dwelling unit
Restaurant			1 per 3 seats, plus 1 per employee
Riding Arena & Equestrian Center			1 per 4 stalls, plus 1 per 2,000 sf riding area (in arena), plus 1 per every 4 seats
Schools: Elementary and Junior High			1 per employee, plus 1 per 25 seats in classroom
Schools: High			1 per employee, plus whichever is greater 1 per 5 students at maximum school capacity or 1 per every 3 seats in an assembly area
Skating Rink			6 per 1,000 sf of rink area, plus 1 per 4 seats
Ski Area			1 per 4 lift seat capacity, plus 1 per 2 employees, plus 1 per each lodging room
Taxidermist	2		
Tennis Courts			2 per court
Theater/Assembly Room			1 per every 3 seats in an assembly area
Trade School			1 per student
Utilities			1 per employee, plus 1 per vehicle stored on site
Vehicle Repair			4 per bay

b. Parking calculations.

1. When the required number of parking spaces results in a fractional space, the requirement shall be rounded up to the next whole number.

2. When square footage is specified, the calculation shall be based on the gross floor area of the structure.
  3. When employees are specified, the calculation shall be based upon the maximum number of employees normally on duty at any one time.
- c. Required off-street parking shall be located on site of the development proposed and the minimum size of a parking space shall be 10' X 20'.
  - d. Access aisles serving required parking shall be of adequate width so as not to interfere with traffic movements.
  - e. Tandem parking (one vehicle parking directly behind another) is not permitted, except for single family dwellings, including single family units within a mobile home park. Backing onto roads or public streets is prohibited, except for single family dwellings.
  - f. Storage of inoperable vehicles or materials or parking of delivery trucks is prohibited within required parking spaces.
  - g. Disability parking. All nonresidential and residential uses served by a parking lot shall provide parking spaces within the parking lot for use by motor vehicles which transport disabled persons in accordance with the minimum standards in the Disability Parking Table.
    1. The dimensions for all parking spaces provided for disabled persons shall be a minimum of 10' wide x 20' long, with an adjacent parallel access aisle 5' wide. The adjacent parallel access aisle may be shared by 2 accessible parking spaces. One in every eight accessible spaces shall have an access aisle 8' wide (rather than 5' feet wide) and shall be signed "Van Accessible".
    2. Parking spaces provided for the use of disabled persons shall be located as close as possible to an entrance which allows disabled persons to enter and leave the parking area and building without assistance.
    3. All parking spaces provided for the use of disabled persons shall be posted and marked with both a ground-mounted sign and pavement marking which includes the international symbol for barrier-free environments and a statement informing the public that the parking space is reserved for use by disabled persons.
    4. Off-street parking spaces required for the disabled shall count toward fulfilling the off-street parking standards of this Section.

DISABILITY PARKING TABLE	
Number of Parking Spaces Provided	Number of Disability Spaces Required
1-25	1*
26-50	2*
51-75	3*
76-100	4*
101-150	5*
151-200	6*
>200	7 plus 1 for each 100 additional parking spaces provided over 200

\* One space shall also be provided for each dwelling unit that is designed for occupancy by the physically disabled.

- h. If the use of land or a structure changes, the parking requirement for the new use shall conform with requirements contained in this Section.

- i. Adequate off-street loading/unloading space shall be provided in order for all loading/unloading activities to occur within the boundaries of the site. Loading/unloading areas shall provide adequate off-street truck maneuvering area.
- j. Snow storage is prohibited in the required parking and loading/unloading areas.

Section 7. Access Driveways. Driveways providing access to County roads, State and Federal highways shall conform to the following requirements. Driveways providing access to State or Federal highways shall conform to all State or Federal regulations in addition to the requirements of this section.

- a. Minimum distance of road frontage between access driveways to County roads shall be 500 feet, unless a lesser distance is determined by the County to be adequate to protect public safety.
- b. Minimum width of access driveways:
  - (1) Commercial and Industrial Districts - 35 feet.
  - (2) All other districts - 24 feet.
- c. A driveway access permit shall be obtained from Sublette County prior to driveway construction accessing a County Road. Applications for permits are available from the Planning and Zoning office. All driveway accesses shall be approved by Sublette County Road and Bridge Foreman prior to construction.
- d. Access to platted subdivision lots shall be from the interior subdivision roads as shown on said subdivision plat. No subdivision lot shall access onto a County Road where access from a subdivision road is provided.

Section 8. Airport Safety Zone Requirements in any Zoning District. All development in the airport safety zones shall conform to the following standards:

- a. Prior to the issuance of a building permit the applicant shall provide a written waiver from the respective airport; or the applicant shall provide the Federal Aviation Administration assigned Form 7460 case number and a copy of the Form 7460, which was submitted to the Federal Aviation Administration, to the respective airport. The airport shall be provided ten business days to either respond to an applicant's request for a waiver or review the Form 7460 and offer comments to the Planning and Zoning Department. Based upon the recommendation of the respective airport the Planning Department may approve or deny a building permit. The respective airport shall bear sole responsibility and any and all liability for any waiver issued in violation of Federal Aviation Administration regulations.
- b. In addition to the requirements related to building permit applications, all other land use applications within an airport safety zone shall be provided to the respective airport for review and comment.

Section 9. Maximum Building Heights. The height of a structure shall be measured vertically at any cross section of the building from original grade to the high point of the building at the cross section.

- a. Principal buildings in the R, R MH, R-R, R-R MH, R-R 5, R-R MH 5, R-R 10, R-R MH 10, R-R 20, R-R MH 20 and MH zoning districts shall be 30 feet in height; in all other zoning districts the height of the principal building shall be 35 feet.
- b. Accessory buildings:
 

(1) A-1 district	60	feet
(2) R, R MH district	30	feet
(3) R-R, R-R MH district	30	feet
(4) R-R 5, R-R MH 5 district	30	feet
(5) R-R 10, R-R MH 10 district	30	feet



(6) R-R 20, R-R MH 20 district	30	feet
(7) MH district	15	feet
(8) MFR district	20	feet
(9) C-1 district	25	feet
(10) CH-1 district	25	feet
(11) RS-1 district	25	feet
(12) I-L district	35	feet
(13) I-H district	50	feet
(14) RM district	25	feet

(15) Radio or T.V. antennas and aerials, chimneys, vent and roof mounted mechanical equipment may be present provided the maximum height does not exceed 6 feet.

(16) In the Light and Heavy Industrial zoning districts the maximum height may be exceeded, subject to conditional use approval.

Section 10. Slope and Soil Suitability Standards. No development in any zoning district shall be permitted on any site with a slope in excess of 30%, or any slump area. No roadway shall be constructed across a slope in excess of 30% or a slump area, unless no other access to the site is available; and

- a. The road is engineered and constructed to prevent or minimize erosion or slope failure, and
- b. A plan for revegetation of disturbed areas is approved by the County.

All development on slopes less than 30% but greater than 8% shall be planned and constructed to prevent erosion and excessive storm water or snowmelt runoff, and to minimize disruption of soils and vegetation.

The applicant for any proposed use in any zoning district shall demonstrate that the soils on the site are suitable for the proposed use. The County may require review of any application by the conservation district.

Section 11. Erosion Control. All development and site improvement shall be designed and constructed to minimize soil erosion into watercourses.

Section 12. Drainage. All development and site improvement shall be designed and constructed to minimize disruption of natural drainage, minimize surface runoff onto adjacent watercourses or properties and maximize percolation and infiltration into the ground.

Section 13. Flood Areas. Flood plain areas in Sublette County are designated in accordance with the United States Department of Housing and Urban Development Flood Hazard Boundary. Maps for Sublette County on file in the Sublette County Courthouse or any amendments thereof. All development in flood plain areas shall conform to the following standards:

- a. No structure shall be constructed in any floodway.
- b. All proposed structures in the flood plain shall be designed, constructed, elevated or anchored against flood damage, to at least the requirements established by the United States Department of Housing and Urban Development for federal flood insurance eligibility.

Flood areas are areas where ground water level is within four (4) feet of the ground surface. The following requirements shall apply in flood areas:

- a. No conventional septic tanks and leach field sewage disposal systems shall be permitted.

- b. All structures and other site improvements shall be designed and constructed to minimize ground water pollution or contamination.

Section 14. Noise. No use shall be operated so that noise resulting from said use is perceptible beyond the boundaries of the property on which said use is located. Intermittent noise from vehicles, ranching and farming operations, chainsaws and similar equipment in private use, temporary construction operations, and uses in the C-1, CH-1, I-L, and I-H districts shall be exempt from this section.

Section 15. Electrical Disturbance. No use or activity shall be permitted in any district which affects the operation of any equipment, such as radio and television interference, beyond the boundaries of the site.

Section 16. Odors. No use shall be permitted in any district which results in the discharge of unreasonable or objectionable odors beyond the boundaries of the site excepting odors produced as a result of normal ranching or farming operations. This exemption does not include feedlots.

Section 17. Air Quality. All uses shall conform to the requirements established by the State of Wyoming or any federal agency with regard to the discharge of pollutants or contaminants into the atmosphere.

Section 18. Minimum Site Area. The minimum site area in each zoning district shall conform to the following requirements:

- |   |   |
|---|---|
| a. Agricultural (A-1)   | 35 acres  |
| b. Multiple Family Residential (MFR)                                  | 1 acre with public water and sewer with maximum density at eight dwelling units per acre. 5 acres with a septic system and well, with a maximum density being two (2) dwelling units per acre   |
| c. Residential/6000 (R)   | 6,000 square feet per dwelling and Residential Mobile Home (R MH) and is being served by both municipal water and sewage disposal system and site improvements, i.e.; water, sewage, fire protection, streets etc. are constructed to meet or exceed the requirements of the municipality providing water and sewage service for the subdivision or lot within such municipality. |
| d. Residential (R) and Residential Mobile Home (R MH)                 | 2 acres excluding roadway & lakes if being served by an individual well and/or sewage disposal system.  |
| e. Rural Residential (R-R) and Rural Residential Mobile Home (R-R MH) | 2 acres excluding roadways & lakes  |

f. Rural Residential 5 (R-R 5) and Rural Residential Mobile Home 5 (R-R MH 5)	5 acres
g. Rural Residential 10 (R-R 10) and Rural Residential 10 Mobile Home (R-R MH 10)	10 acres 10 acres
h. Rural Residential 20 (R-R 20) and Rural Residential 20 Mobile Home (R-R MH 20)	20 acres
i. Mobile and Manufactured Home Home Parks (MH)	4,000 square feet per unit
j. Commercial (C-1)	2 acres
k. Highway Commercial (CH-1)	2 acres
l. Recreation Service (RS-1)	2 acres
m. Light Industrial (I-L)	2 acres
n. Heavy Industrial (I-H)	2 acres

\*Multiple Businesses and Accessory Residential Uses

Multiple Businesses shall be permitted on lots in the General Commercial (C-1), Highway Commercial (CH-1), Light Industrial (I-L), and Heavy Industrial (I-H) zoning districts provided all applicable development standards in this resolution are met.

o. Rural Mixed (RM)	3 acres
p. Guest House or Cabin	Minimum site area shall be 2 acre. No more than one guest cabin per site.
q. Resource Conservation (RC)	80 acres
r. Family Exemption Division	2 net acres

1. Exemption for conservation easements. Land may be divided so that a portion is smaller than the minimum lot size in the zoning district in which it is located for the purpose of fee simple conveyance of the nonconforming parcel to a qualified non-profit or governmental organization. This shall be in association with the conveyance of a perpetual conservation easement which is appurtenant to the nonconforming lot, provided that the nonconforming parcel is subject to the same or similar conservation easement restrictions. The amendment applies to nonconforming parcels in existence on the date of the adoption of this amendment, provided that the parcels conform to the requirements of this amendment.

Section 19. Mobile and Manufactured Home Parks. Mobile and manufactured home parks shall conform with all applicable development standards in this Chapter, and shall also conform to the standards set forth in this section. In case of conflict, the more stringent regulations shall govern.

- a. Removal of wheels from homes or installation of foundations under homes is not required in mobile and manufactured home parks. Skirting of all homes is mandatory and shall be accomplished within sixty (60) days of placement and installation of the mobile or manufactured home.
- b. Mobile and manufactured home parks shall be designed to make installation and removal of mobile and manufactured homes possible without disruption of other homes, utilities or structures.
- c. Mobile and manufactured home parks shall have a minimum site area of 3 acres and a maximum density of 10 single wide units per acre or 5 double wide units per acre.
- d. A mobile and manufactured home park shall have an access driveway to a public road or highway, and no site within a mobile and manufactured home park shall front upon a public road or highway.
- e. Roads within mobile and manufactured home parks shall have a minimum 24 foot road surface width and road right of way shall be 40 feet minimum in width. Alleys shall have a minimum right-of-way width of 20 feet.
- f. No individual septic tank and leach field sewage disposal systems shall be allowed.
- g. Common water and sewage systems shall be required.
- h. Minimum lot width shall be 40 feet.
- i. Maximum accessory building size shall be 600 square feet.
- j. Perimeter fencing shall be provided between mobile and manufactured home park and adjacent parcels. The fencing shall be a minimum of six (6) feet in height and be constructed of wood, stone, or other opaque materials approved by the Planning and Zoning Commission.
- k. Two off-street parking spaces shall be provided for each lot.
- l. Thirty percent of each lot shall be open space and shall be landscaped with lawns or other appropriate ground cover, and shall be maintained. Parking areas shall not be included as open space.
- m. A copy of the State Health Department permit for the mobile and manufactured home park shall be filed with the Planning and Zoning Office.
- n. Common recreational open space shall be provided at the rate of 300 square feet for each space in the mobile and manufactured home park. Common recreational open space may include playgrounds, swimming pools, tennis courts, picnic areas, bike paths, pathways, and other outdoor recreational facilities.
- o. Mobile and manufactured home parks shall follow setback requirements of the zoning district they reside within.

- p. All manufactured homes within a mobile and manufactured homes park shall meet HUD standards or UBC codes.

Section 20. Cluster and Planned Unit Developments. Cluster or planned unit developments shall conform with all applicable development standards in this chapter and in the Subdivision Resolution of Sublette County.

- a. Minimum district size, maximum density, and minimum open space.
  - (1) In the Residential District (R) and Residential Mobile Home District (R MH):
    - (a) Development is to be in accordance with the adjacent town regulations.
  - (2) In the Rural Residential District (R-R) and Rural Residential Mobile Home District (R-R MH):
    - (a) 2 acre minimum;
    - (b) 8 units per acre;
    - (c) 50% open space.
  - (3) In the Rural Residential 5 acre minimum District (R-R 5) and Rural Residential 5 Mobile Home District (R-R MH 5):
    - (a) 20 acres minimum;
    - (b) 1 unit per 5 acres.
  - (4) In the Rural Residential 10 acre minimum District (R-R 10) and Rural Residential 10 Mobile Home District (R-R MH 10):
    - (a) 40 acres minimum;
    - (b) 1 unit per 10 acres.
  - (5) In the Rural Residential 20 acre minimum District (R-R 20) and Rural Residential Mobile Home District (R-R MH 20):
    - (a) 80 acres minimum;
    - (b) 1 unit per 20 acres.
  - (6) In the Recreational Service District (RS-1):
    - (a) 3 acres minimum;
    - (b) 20% open space.
  - (7) In the Light Industrial (I-L) and Heavy Industrial (I-H) Districts:
    - (a) 20 acres minimum;
    - (b) 10% open space.
  - (8) In the Commercial (C-1) and Highway Commercial (CH-1) Districts:
    - (a) 2 acre minimum;
    - (b) 10% open space.
- b. A cluster or planned unit development shall have an access drive to a public road or highway having a minimum 60 foot right of way, and no site within a cluster or planned unit development shall have direct access to a public road or highway.
- c. Roads within a cluster or planned unit development shall have a minimum 24 foot road surface width and have a minimum right of way of 40 feet.
- d. All roads and utilities shall be provided by the developer.

Section 21. Mining Operations. The purpose of this section is to assure that mining activities are conducted in a reasonable manner that protects property, livestock, wildlife, water quality and public safety. All mining activities or uses shall conform to all applicable State and Federal requirements, and shall also conform to the requirements of this section:

- a. The application for a Zoning and Development Permit shall include:

- (1) A description of the contemplated mining operation, including the mineral involved, the timetable for development or exploration and restoration of the site, the types of machinery and equipment involved and the number of employees involved in all phases of the operation;
  - (2) A plan to prevent the transmission of any water pollutants or contaminants beyond the boundary site, including the methods proposed for the treatment of water on the site;
  - (3) A plan for the reclamation of all areas disturbed by exploration or mining activities, including provisions for segregation and storage of topsoil, the contours of the site before and after exploration or mining activities, the types of grasses or other vegetation proposed and any other information regarding the manner by which the applicant proposes to reclaim the site.
- b. Any mining activity shall be designed and carried out in conformity with the following standards:
- (1) Pollution of ground water and water-courses shall be minimized;
  - (2) Erosion into watercourses or onto adjacent properties shall be prevented or minimized;
  - (3) Any poisonous or hazardous materials shall be treated or otherwise disposed of so that no risk of damage to persons, property or wildlife shall result;
  - (4) Sites shall be adequately fenced to pre-vent unreasonable risk of harm to persons or wildlife or livestock;
  - (5) The operation shall be planned and carried out in a manner that minimizes the adverse impacts on adjacent uses;
  - (6) The site shall be reclaimed after exploration or mining to a condition and use commensurate with the condition and use of the property prior to such activity;
  - (7) The operation shall be designed to pre-vent the destruction or subsidence of adjacent properties.
- c. A bond or other financial guarantee acceptable to the County shall be provided by the applicant, to assure that the permit is complied with and the site reclaimed. The County may accept the bond required by any State or Federal agency, or may require additional financial assurance.
- d. The County may accept the permit issued by the Wyoming Department of Environmental Quality or a Federal agency of evidence of compliance with the requirements of this section.

Section 22. Home Occupation Standards. Home occupations and professional offices, incidental to the principal residential use of a structure shall be permitted in any zoning district and shall conform to the following standards:

- a. Said occupation shall not be visible or noticeable from outside the walls of the building in which it is located.
- b. Adequate off-street parking shall be provided.
- c. The use shall not be conducted in a manner which creates a nuisance or otherwise interferes with adjacent residential or other uses.

- d. Area specifically designed, constructed or set aside for use in a home occupation shall not exceed 600 sq. ft. of the floor area of the principal dwelling or garage. Letting or renting of rooms to roomers or boarders, and the providing of day care service for 1 to 10 children shall be considered a home occupation as described in this section, but the restrictions set forth in subparagraph d shall not apply.
- e. The home occupation shall be conducted primarily within the principal residential structure and garage whether attached or detached.
- f. The following uses shall be allowed as home occupations, bookkeeping service, selling produce raised on the premises, repair of furniture, small appliances, cameras, typewriters or similar small items, and other similar uses.
- g. The following uses shall not be considered as home occupations: welding shop, auto mechanic, machine shop, appliance storage, and other similar uses.
- h. There shall be no outside storage of equipment or materials.
- i. Beauty shops shall be considered a home occupation and are classified as a "conditional use" in accordance with Chapter II, Section 3 of this resolution and shall conform to the standards in Chapter III Section 46. Entitled: Beauty Shop.

Section 23. Automobile Wrecking or Salvage Yards. Automobile wrecking or salvage yards shall conform to applicable development standards established by this chapter and shall also conform to the standards in this section. In case of conflict, the more stringent requirements shall govern.

- a. Those portions of the site upon which salvage materials or non-operating motor vehicles or parts thereof are stored shall be setback at least 1000 feet from State or Federal highways and 500 feet from County or other public roads;
- b. Screening shall be provided to minimize visibility from adjacent property, County or public roads or highways through the construction of a fence or other structure acceptable to the County not less than 8 feet in height;
- c. No material shall be stored to a height greater than the screening, nor piled against the screening;
- d. The exterior screening shall be setback at least 20 feet from the exterior boundaries of the site to provide a firebreak.

Section 24. Sanitary Landfills. Sanitary landfills shall conform to all State and Federal requirements, and shall also conform to all applicable development standards in this chapter and the provisions of this section. In case of conflict, the more stringent requirements shall govern.

- a. Sanitary landfills shall be setback at least 100 feet from the boundaries of the sites.
- b. Sanitary landfills shall be screened from adjacent property, roads and highways by a fence or other form of screening acceptable to the County.
- c. Private landfills shall not be permitted except as provided under conditional use in accordance with Chapter 5 of the Zoning and Development regulations.

Section 25. Signs. No signs or advertising devices shall be erected or maintained in any zoning district except in conformity with the requirements of this section. Signs adjacent to State or Federal highways shall conform to all State and Federal requirements in addition to

the requirements of this section. In case of conflict, the more stringent requirement shall govern.

DISPLAY STANDARDS

- a. Measurement of freestanding sign height. The height of a freestanding sign shall be measured vertically from the highest point of the sign to the ground below. Vertical supports for freestanding signs may extend above the maximum height allowed by not more than twelve (12) inches.
- b. Two sided signs. Both sides of a two sided sign may be used for advertising purposes without affecting the permitted maximum size limitation, provided that neither side exceeds the maximum allowed area and the two faces are back to back and are at no point farther than two (2) feet from one another.
- c. Canopy or projecting signs. Canopy or projecting signs may be substituted for wall signs, provided the canopy or projecting signs have a minimum vertical clearance of seven and one-half (7.5) feet and do not project more than four (4) feet from the wall to which it is mounted.
- d. When development is located within one-half (½) mile of a Town, the applicant has the choice of following either the sign regulations of that Town or the County's.

ALLOWABLE SIGNAGE BY ZONING DISTRICT

In Commercial (General and Highway), Recreational Service, Rural Mixed and Industrial (Light and Heavy) districts, as defined by the zoning and development regulations, the maximum total signage permitted each unit of operation (business) for its wall and window signs is the total obtained from the following two tables. To calculate the maximum permissible sign area for a parcel, add the square footages obtained from Tables I and II. If footages fall between numerical categories, the next largest figures are to be used. Prior to the erection of any sign within these zoning districts submittal and approval of a sign permit application is required.

Table I

<u>Length of frontage of building area occupied by unit of operation</u> (sq. ft.)	<u>Sign</u> (ft.)	<u>Length of frontage of building area occupied by unit of operation</u> (sq. ft.)	<u>Sign</u> (ft.)
10 or less	4	100	30
20	8	110	32
30	12	120	34
40	16	130	36
50	20	140	38
60	22	150	40
70	24	170	42
80	26	190	44
90	28	210 or more	46

Table II

<u>Gross building area occupied by unit of operation</u> (sq.ft)	<u>Sign</u> (sq.ft)	<u>Gross building area occupied by unit of operation</u> (sq.ft)	<u>Sign</u> (sq.ft)
200 or less	8	5,000	62



400	16	6,000	64
600	24	7,000	66
800	32	8,000	68
1,000	40	9,000	70
1,200	42	10,000	72
1,400	44	20,000	74
1,600	46	30,000	76
1,800	48	40,000	78
2,000	50	50,000	80
2,500	52	60,000	82
3,000	54	70,000	84
3,500	56	80,000	86
4,000	58	90,000	88
4,500	60	100,000 or more	90

- a. In the General Commercial and Highway Commercial districts, one (1) freestanding sign, the total size which does not exceed forty (40) square feet and does not exceed twenty (20) feet in height shall be allowed. Illuminated signs are permitted.
- b. In the Light Industrial and Heavy Industrial districts, one (1) freestanding sign, the total size which does not exceed forty (40) square feet and does not exceed twenty (20) feet in height shall be allowed. Illuminated signs are permitted.
- c. In the Recreation Service district, one (1) freestanding sign, the total size which does not exceed forty (40) square feet and does not exceed twenty (20) feet in height shall be allowed. Illuminated signs are permitted.
- d. In the Rural Mixed district, one (1) freestanding sign, the total size which does not exceed forty (40) square feet and does not exceed twenty (20) feet in height shall be allowed. Illuminated signs are permitted.
- e. In the Mobile and Manufactured Home Park district, one or more signs shall be permitted, including one freestanding sign not exceeding twenty (20) feet in height, shall be permitted. The total size of all signs shall not exceed 24 square feet. Illuminated signs shall be permitted.
- f. In the Agricultural district, one or more signs shall be permitted, including one freestanding sign not exceeding twenty (20) feet in height. The total size of all signs shall not exceed 24 square feet. Illuminated signs shall be permitted.

#### PROHIBITED SIGNS

- a. No flashing, blinking, rotating or flickering signs shall be permitted in any district.
- b. Off premise commercial signs or billboard signs shall not be permitted.
- c. Reader board or changeable copy signs shall not be allowed, except as permitted in the exception(s) for SPECIAL PURPOSE SIGNS.
- d. No person shall park any motor vehicle or trailer on public or private property so as to be seen from the public right-of-way which has attached thereto or located thereon any sign for the purpose of advertising a product or directing people to a business activity, except in the course of normal business operations or as permitted as a free standing sign. This does not include customary and incidental use of signs or logos on commercial vehicles used as such in normal business operations.

- e. Inflatable signs or advertising devices shall not be permitted.
- f. Any device in the form of a sign advertising a product or directing people to a business activity which is temporary in nature, or mobile and not permanently affixed to a building or upright support shall not be allowed, except as permitted in the exception(s) for SPECIAL PURPOSE SIGNS.
- g. No signs shall be permitted in any Sublette County Road right-of-way other than signs maintained pursuant to and in discharge of any governmental functions.

#### EXEMPTED SIGNS

The following signs are not regulated under Section 25:

- a. Construction signs announcing the construction of a building or project naming owners, contractors, and architects not to exceed one (1) sign measuring thirty-two (32) square feet in area, with a maximum height of ten (10) feet, for each street frontage of the building or project.
- b. Signs advertising subdivisions for sale in any zoning district shall be limited to two (2) in number, and together shall not exceed 24 square feet in size, and shall not exceed 8 feet in height. Signs shall not be located closer than 10 feet to any road right of way. No illuminated signs shall be permitted.
- c. Signs related to home occupations and home businesses in any zoning district shall be limited to one freestanding sign not to exceed six (6) feet in height and six (6) square feet in area or one wall sign not to exceed six (6) square feet in area. No illuminated signs shall be allowed.
- d. Traffic signs erected by the State or County or utility signs shall be exempt from the provisions of this section.
- e. Political signs pertaining to any election.
- f. One freestanding sign not exceeding eight (8) feet in height and six (6) square feet in area or one wall sign not exceeding six (6) square feet in area identifying the occupants or owners of a residential property.
- g. Signs for operating oil and gas rigs.
- h. Time and temperature display signs, provided they are kept in good repair and conform with all other requirements contained in Section 25.
- i. Governmental flags.
- j. Private warning signs, such as "No Hunting" or "No Trespassing".
- k. Historical signs for sites and/or structures having historical significance to the County, provided they do not exceed thirty-two (32) square feet in area, with a maximum height of ten (10) feet.
- l. Guidance or informational signs authorized by a governmental agency provided they do not exceed thirty-two (32) square feet in area, with a maximum height of ten (10) feet.
- m. No more than one (1) open/closed sign and one (1) vacancy/no vacancy and one (1) hours of operation sign and one (1) credit card acceptance sign shall be allowed per business, not to exceed a total of six (6) square feet in area.

- n. Signs that contain noncommercial messages that do not advertise a product or service; provided such signs are not displayed for more than thirty (30) days and do not exceed twenty (20) square feet in area, with a maximum height of ten (10) feet.
- o. Statuary/sculptures and murals, provided there is no connection or advertising context to any business, service or product.
- p. Signs of real estate companies or private individuals announcing a property for sale, rent or lease; provided that no such sign exceeds six (6) square feet in area and that only one (1) sign per property or street frontage is displayed.
- q. Gate or arch signs, with a minimum width of 14 feet and a minimum height of 13.5 feet.

### SPECIAL PURPOSE SIGNS

Reader board/changeable copy signs and temporary signs are allowed to be displayed by the following types of businesses, provided any such signs are permitted and conform with all other requirements found in Section 25:

- a. Theaters
- b. Fuel Stations
- c. Liquor Stores
- d. Restaurants
- e. Fair grounds, Rodeo Arenas and Equestrian Centers/Arenas
- f. Temporary Uses; such as farm stands, Christmas tree sales, special events and one-time grand openings

Section 26. Screening. Screening shall be provided to separate incompatible land uses or to visually separate areas which tend to be unsightly. Screening shall be required in accordance with the following:

- a. By the industrial owner where land zoned or used for industrial purposes abuts a business, residential, or mobile home park district.
- b. By the business owner where land zoned or used for business purposes adjoins a residential district.
- c. By the mobile and manufactured home park owner where land zoned or used for mobile and manufactured home park adjoins a residential district.
- d. Screening shall be in the form of trees, shrubs, hedges, walls or fences, which shall be at least 5 feet high and create a barrier at least 50% opaque. Trees, shrubs, and hedges shall be at least 5 feet high at maturity and 50% opaque during the growing season.

Section 27. Workers Camp. Workers camps shall only be permitted in accordance with the terms and conditions of this Chapter where classified as "conditional uses" in Chapter II, Section 3 of this Resolution. A Zoning and Development Permit shall not be required for workers camps on lands belonging to the United States of America. The following must be provided:

- a. Evidence that the applicant has a vested interest in the land.
- b. Description of the precise nature of the use including the following information:
  - (1) Total number of projected workforce;
  - (2) Estimated duration of use;

- (3) Proposed central facilities;
  - (4) Types of housing to be used.
- c. Legal description of property and location map drawn on USGS quadrangle map.
  - d. Site plan, drawn to scale, indicating the proposed development of the site including the following:
    - (1) Total number and type of units;
    - (2) Total acreage;
    - (3) Topography from USGS quadrangle map, surface waters, drainage;
    - (4) Proposed layout of buildings and other structures;
    - (5) Off-street parking and loading areas;
    - (6) Road system including access roads;
    - (7) Open space areas;
    - (8) Signs;
    - (9) Utilities.
  - e. Approved central sewage disposal and water supply shall be required. Copies of all plans and state and other permits shall be filed with the Planning and Zoning Office. The installation shall be inspected by the County Sanitarian or other designated person prior to backfilling.
  - f. Approved solid waste collection and disposal plans.
  - g. Approved fire protection measures.
  - h. Fencing shall be provided to fence out live-stock if requested by rancher.
  - i. Reclamation plans including timetable for completion of all phases of grading and revegetation.

Section 28. Temporary Camp. Temporary camps shall only be permitted in accordance with the terms and conditions of this Chapter where such uses are classified as "conditional uses" in Chapter II, Section 3 of this Resolution. A Zoning and Development Permit shall not be required for temporary camps on lands belonging to the United States of America. The following must be provided:

- a. Copy of landowner's permission for the location of the camp.
- b. Number of workforce and projected duration of use of this camp.
- c. Site plan drawn to scale.
- d. Purpose of the camp.
- e. Legal description of the camp and location map drawn on USGS quadrangle map and showing access.
- f. File copy of approved sewage disposal plans and State permit with the Planning and Zoning Office. The installation shall be inspected by the County Sanitarian or other designated person prior to backfilling.
- g. Provision for solid waste collection and disposal.
- h. File copy of water supply plans and applicable State and/or other permits with Planning and Zoning Office.

- i. Reclamation plans and timetable for completion of all phases of grading and revegetation.

Section 29. Light Industrial Project-Employee Housing. The facilities shall only be permitted in accordance with the terms and conditions of this chapter, in zoning districts where such uses are permissibly authorized as conditional uses. The following requirements must be met and materials supplied by an applicant for a light industrial project-employee housing use:

- a. Evidence of land ownership of the proposed site or permission from landowner of the proposed site, if applicable.
- b. A site plan drawn to a minimum scale 1" = 50'.
- c. A legal description of the proposed site and a location map drawn on a USGS quadrangle map.
- d. Copies of approved permits for sewage disposal and water supply systems. All sewage disposal and water supply system components shall be inspected by the County Sanitarian or other designated person prior to backfilling of all construction.
- e. Documentation that the dwellings will be used for employees and their immediate families only.
- f. A description of the proposed use of the site after the termination of the employee housing if the employee housing is temporary.

Section 30. Industrial Transportation Parking Facilities. These facilities shall only be permitted in accordance with the terms and conditions of this Chapter, in zoning districts where such uses are permissibly authorized as conditional uses. The following requirements must be met by an applicant for an industrial transportation parking facilities use:

- a. Evidence of land ownership of the proposed site.
- b. Evidence of permission from the landowner of the proposed use, if applicable.
- c. A site plan drawn to a minimum scale of 1"=100'.
- d. Legal description of the proposed site, and a location map drawn on a USGS quadrangle map.
- e. Copies of approved permits for sewage disposal and water supply systems. All restroom facilities including sewage disposal and water supply systems components, shall be inspected by the County Sanitarian or other designated person prior to backfilling of all construction.
- f. Provisions and plans for solid waste collection and disposal.
- g. Provisions for snow removal and maintenance.
- h. Reclamation plans including timetables for completion of all phases of grading and revegetation.
- i. Financial guarantees to insure that the temporary facility is reclaimed within the time approved by the county following termination of the temporary use.

Section 31. Home Business. Home businesses will conform with all applicable development standards in this Chapter, and shall conform to the standards set forth in this section. In case of conflict, the more stringent regulations shall govern.

- a. The home business shall comply with all applicable performance standards prescribed for the district.
- b. Any accessory structures used should be of a style and construction compatible with the character of the district.
- c. There shall be no offensive noise, vibration, smoke, dust, odor, heat or glare noticeable at or beyond the property line.
- d. Screening of outside storage of materials and equipment shall be in accordance with Chapter III, Section 23, a, b, c, d.
- e. There shall be no limits to the number of home businesses on site provided not more than one non-family member be employed on site regardless of the number of businesses.

Section 32. Livestock Standards. Maintenance of livestock shall be on sites not less than one (1) acre in size, except for poultry which shall meet the standards contained in this section. Maintenance of livestock shall be conducted in a manner that does not cause a nuisance to adjacent property. The maximum number of livestock allowed on a site shall be determined by the following standards:

Also See Chapter I, Section 6

1 acre site	2 AU's
2 acres or larger site	1 AU per acre

Poultry shall be allowed on lots less than one acre in size, provided the following requirements are met:

- a. Poultry shall be defined as hen chickens and ducks only. Poultry does not include roosters, turkeys, geese, guineas, peacocks or other types of fowl.
- b. The poultry belongs to the individuals owning or renting the property upon which the poultry is being kept.
- c. The enclosure, fence, or pen in which the poultry is kept shall be at least twenty feet from all neighboring residences, unless the owners of said residences waive this requirement in writing.
- d. The poultry shall be confined, constrained or in the supervision and control of their owners or keepers at all times.
- e. The fence, pen, or enclosure shall be kept in good repair and not present a health hazard to neighboring property owners.
- f. The poultry shall only be kept for the purpose of education, science, companionship, exhibition or personal consumption.
- g. Poultry shall not be allowed to make loud or incessant noise which may be annoying to neighbors in close proximity.
- h. Each individual poultry specimen shall have available to it living space not less than nine square feet in area, with a ceiling height of not less than two feet.
- i. Not more than eight of these animals over one hundred days old shall be kept on the premises of any owner.

Agricultural land of 35 acres or more, livestock that is housed temporarily at the Sublette County Fairgrounds not to exceed a period of fourteen days and livestock kept at licensed veterinary clinics shall be exempt from the maximum number of livestock standards.

Section 33. Landing Strips. Landing Strips shall meet the following standards:

- a. Landing strips shall not be used for commercial purposes;
- b. Typical flight paths shall be identified, and must not cross residential areas or places of assembly such as schools and churches;
- c. Approaches shall be free of towers or other hazards;
- d. Providers of overhead utilities shall be given an opportunity to review the approach corridors and plans, and any marking of utility lines in the area by the developer shall be completed at the developer's expense;

Section 34. Campgrounds. Campgrounds shall conform with all applicable development standards in this chapter, and shall also conform to the standards set forth in this section.

- a. Perimeter fencing shall be provided between the campground and all adjacent areas. The fencing shall be a minimum of six (6) feet in height and be constructed of wood, stone, or other opaque materials approved by the Planning and Zoning Commission.
- b. Each camping site in the campground shall consist of a camp pad that provides adequate parking, the camp site (including either a fireplace, fire pit or barbecue), and a surrounding active recreational area.
- c. Bathroom facilities shall be provided in an adequate number to service the entire campground.
- d. A minimum of thirty (30) percent of the campground's area shall be landscaped. Native vegetation shall be counted toward the thirty (30) percent requirement.
- e. Campgrounds are to be used on a short term basis only, one hundred eighty (180) or fewer days at a campground space per individual.

Section 35. Recreational Vehicles. As temporary sleeping quarters, recreational vehicles shall conform to all applicable development standards in this chapter, and shall also conform to the standards set forth in this section.

- a. Recreational vehicles may be used as temporary sleeping quarters by the property owner during construction of a house not to exceed a one year time period. The time period begins with the submittal of the zoning and development permit application to the Planning and Zoning office.

Section 36. Utilities. All utilities shall be placed underground on parcels of 50 acres or less.

Section 37. Landscaping. All landscaping requirements are referred to in terms of plant units. Industrial development shall be exempted from the landscaping requirements. Three interchangeable plant unit alternatives are identified as follows:

PLANT UNIT ALTERNATIVES

QUANTITY, SIZE AND TYPE OF PLANTS REQUIRED

Alternative A

- 1 - 2" diameter canopy tree
- 6 - 4' to 6' large shrubs or multi-stem trees
- 4 - #3 container shrubs

- |               |   |
|---------------|---|
| Alternative B | 2 - 2" diameter canopy trees<br>2 - 4' to 6' large shrubs or multi-stem trees<br>3 - 6' to 8' evergreen trees   |
| Alternative C | 3 - 6' to 8' evergreen trees<br>3 - 4' to 6' large shrubs or multi-stem trees<br>3 - #5 gallon container shrubs |

Alternative C is preferred for year round screen. The following substitutions in plant units may be made:

Planters - Ten (10) square feet of planters containing flowers, flowering shrubs or similar vegetation may be substituted for four (4) number five (#5) container shrubs.

Landscaping shall survive two (2) years from planting or be replaced. For non-residential, multi-family and commercial development requiring landscaping a cost estimate and financial surety equal to the cost of supplying and installing the plant materials required to fulfill the landscaping plan shall be submitted to the Planning Department. Upon completion of the landscaping being installed and two years of survival the surety amount shall be returned.

All substitutions must be approved by the Sublette County Planning and Zoning office prior to implementation.

Nonresidential Standards - For nonresidential developments, landscaping shall be provided at a rate of one (1) plant unit per one thousand five hundred (1,500) square feet of building area.

All multi-family residential and commercial development shall have a minimum of one (1) plant unit for landscaping purposes. Industrial development shall be exempted from the landscaping requirements.

For non-residential, multi-family and commercial development requiring landscaping a cost estimate and financial surety equal to the cost of supplying and installing the plant materials required to fulfill the landscaping plan shall be submitted to the Planning Department. Upon completion of the landscaping being installed and two years of survival the surety amount shall be returned.

Prior to the issuance of a zoning and development permit for commercial development a landscaping plan shall be submitted and approved by the Sublette County Planning and Zoning office. The landowner may submit a landscaping plan that varies from the alternatives in the section, that plan will be reviewed and approved or denied on a case-by-case basis.

Section 38. Gravel Pits. Gravel pits and associated processing activities, including batch plants that mix gravel with sand, water, and cement to produce concrete, shall be dependent on the issuance of a conditional use permit and the compliance with the following standards. The Board of County Commissioners may attach other conditions deemed appropriate.

1. Exemptions.
  - a. Extraction and use within an agricultural operation for agricultural purposes shall be exempt.
  - b. Extraction for incidental residential or wildlife habitat of one thousand five hundred (1,500) cubic yards or less shall be exempt from these standards.
2. Development Standards.
  - a. Duration of gravel extraction and processing shall be no longer than five (5) years. An extension of five years may be granted by the Board of County Commissioners.



- b. All operations and activities shall be setback a minimum of fifty (50) feet from a property boundary coincident with other property owners. All operations and activities shall be setback a minimum of three hundred (300) feet from all public road right-of-ways and public recreational easements.
- c. Sublette County Weed and Pest shall inspect the extraction area prior to the issuance of a zoning and development permit and the extraction area shall be free of noxious and designated weeds according to Wyoming Weed and Pest Control Act of 1973 regional forage certification standards.
- d. All extraction areas and equipment shall be subject to ongoing inspections by the Sublette County Weed and Pest. If the extraction area or equipment is found to be in violation of the Wyoming Weed and Pest Control Act of 1973 regional forage certification standards it shall be subject to quarantine.
- e. The extraction process will not potentially damage or contaminate any public, private, residential, or agricultural water supply source.
- f. Only projects qualifying as ten acre (10) exemptions from the Wyoming Department of Environmental Quality (DEQ) or otherwise exempt from regulation by the DEQ shall be permitted. No project shall qualify for a special use permit if it requires a Small Mining permit from the DEQ unless a cooperative regulatory agreement between Sublette County and the Wyoming DEQ is reached.
- g. The gravel pit shall be reclaimed to areas of workable size so that no area is left inactive and un-reclaimed for more than 6 months. Disturbed areas shall be regraded to blend into, and conform, with the general natural form and contours of the adjacent areas and provide through-drainage. Revegetation of disturbed areas shall be provided.

Section 39. Manufactured Home Design Standards. Manufactured homes shall conform with all applicable development standards in this Resolution and shall also conform to the standards set forth in this section. Manufactured homes located in the R MH, R-R MH, R-R MH 5, R-R MH 10, R-R MH 20, MH, I-L, and R-M zoning districts shall be exempt from these standards.

- a. The structure is built in compliance with either the current Manufactured Home Construction and Safety Standards of the U. S. Department of Housing and Urban Development (HUD) or the current Uniform Building Code (UBC). Current standards shall be those in effect as of the date the related application for a zoning and development permit is applied for.
- b. The structure is designed to be attached to a permanent foundation.
- c. The structure shall include a permanent masonry or concrete perimeter wall.
- d. The structure shall not be less than twenty-four (24) feet in width and shall include a minimum gross floor area of 1,000 square feet.
- e. Roof material shall consist of non-reflective material customarily used for conventional dwellings, including, but not limited to, asbestos shingles, fiberglass shingles, shake shingles, wood shingles, composition shingles, or tile materials. All roofs shall have at least a nominal 4/12 pitch. Roof material shall not include flat or corrugated sheet metal, except for manufactured metal roof panels.

- f. Exterior siding materials shall consist of nonreflective material customarily used for conventional dwellings, including but not limited to wood shingles, wood shakes, vinyl, plywood, clapboard, aluminum, brick veneer, stone veneer, stucco, brick-face stucco or half timbering.
- g. The structure shall include a minimum roof overhang of twelve (12) inches measured from the outside of the exterior wall.
- h. All elements used in transporting the structure to the site, including tongue, towing, devices, shall be removed from the construction site within 30 days of delivery. All wheels shall be removed from the structure.

Section 40. Sexually Oriented Business. Development or operation of any sexually oriented business shall be subject to the following standards:

- a. No sexually oriented business shall be developed or operated within one-thousand (1,000) feet of any building used primarily for worship and religious related activities, public or private schools, an existing residential dwelling, public park or recreation facilities, licensed childcare facilities or any other sexually oriented business.
- b. A minimum setback of one-thousand (1,000) feet from all zoning districts, except for adjoining Heavy Industrial (I-H), shall apply to any sexually orientated business.

Section 41. Standards for the Rental of Guest Houses. The rental of a guest house or cabin shall only be allowed in accordance with the terms and conditions of this Chapter, in zoning districts where a guest house or cabin is allowed. In addition the rental of a guest house or cabin shall meet the following requirements:

- a. Rental of a guest house or cabin shall only be permitted as a Conditional Use.
- b. Rental of a guest house or cabin shall only be permitted if allowed by existing subdivision CCR's (as applicable).
- c. Septic and water system(s) serving the guest house or cabin shall be reviewed by the County Sanitarian and determined adequate prior to the rental of a guest house or cabin being permitted.
- d. A plan for garbage collection and disposal shall be submitted with the Conditional Use application.
- e. Only vehicles used for daily travel by occupants of the guest house or cabin shall be stored outside. All other possessions belonging to occupants of the guest house or cabin; such as secondary or inoperative vehicles, recreational vehicles, trailers, boats, motorcycles, snow mobiles or other similar items contributing to an untidy appearance shall be stored inside an enclosed structure, such as a garage.
- f. Operation of a home occupation or home business by occupants of the guest house or cabin shall not be allowed.
- g. Occupancy of a guest house which is rented shall be limited to 1.5 persons per bedroom.

Section 42. Accessory Residential Units. Accessory residential unit(s) shall be permitted in the General Commercial (C-1) and Highway Commercial (CH-1) zoning districts. Accessory residential units shall be incidental, subordinate, and secondary to the primary commercial or industrial use of the property. In order to be incidental, subordinate and secondary to the primary commercial or industrial use of the property; accessory residential units shall only be allowed in conjunction with commercial or industrial development of a parcel and the total floor area devoted to accessory residential unit(s) shall not exceed the total floor area devoted to the commercial or industrial use occurring on the parcel and accessory residential units shall not be conveyed separately from commercial or industrial development of a parcel. Accessory residential units shall conform to all applicable development standards contained in this resolution and no single accessory residential unit may exceed (1100) square feet of floor area.

Section 43. Modular/Manufactured Home Sales and Show Lot Standards. Modular/manufactured Home Sales and Display Lots shall conform with all applicable development standards contained in this Resolution, in addition to the standards set forth in this section.

- a. Modular/Manufactured homes/units placed on a sales or display lot shall not be occupied as a residential unit; one unit used for sales or display purposes on the lot may be utilized as a sales office.
- b. Individual units for sale or display shall not be connected to a septic or water system.
- c. Individual units for sale or display are not required to be placed on permanent foundations, however skirting shall be required.
- d. When bordering a residentially zoned district the screening requirements contained in the Resolution shall be met.
- e. The number of units for sale or display shall be limited to two (2) units per acre.

Section 44. Agricultural Open Space Subdivision. In the Agricultural zoning district, Minor Subdivisions in which designated open space is provided and the density does not exceed one dwelling unit per 35 acres shall be allowed, subject to the following standards:

Subdivision Standards.

- a. The Agricultural zoning is retained with Agricultural Open Space Subdivisions.
- b. The parent parcel which will be subdivided must be at least 70 acres.
- c. Setbacks for the Agricultural zoning district shall apply.
- d. Livestock may be maintained on lots created as part of an Agricultural Open Space Subdivision in accordance with Chapter III, Section 32 of the Zoning and Development Regulations.
- e. Newly created Lots shall border and adjoin each other.
- f. The newly created lots shall border and adjoin the designated open space.
- g. For the purpose of determining if the lots and/or open space are adjoining, intervening roads and easements shall be defined as having zero width.
- h. The designated open space and Minor Subdivision lot(s) created are required to be under the same ownership and part of the same parent parcel at the time of the application.

- i. Structures with three or more sides and/or a roof are prohibited within the designated open space.
- j. Designated open space may be used for bona fide agricultural uses and operations and may not be within an existing or future road easement.
- k. The designated open space may not be committed/used as open space for any other purpose.
- l. The area proposed for the open space designation shall accomplish one of the following objectives:
  - 1. Protect or provide space for agricultural uses;
  - 2. Protect or provide space for wildlife habitat and/or migration corridors;
  - 3. Protect or provide space for waterbodies, wetlands and/or floodplains;
  - 4. Protect or provide space for scenic vistas, as viewed from public roads.
- m. The subdivision plat shall show and define the designated open space and include a plat warning restricting development within the designated open space.
- n. An affidavit shall be recorded with the County Clerk. The affidavit shall address development restrictions and standards found in this Section which apply to designated open space. The plat warning and affidavit shall be in a form acceptable to the County Attorney.
- o. Vacation of the Minor Subdivision lots and/or open space shall require County Commissioner approval.

Section 45. Special Events. Special events shall be subject to the following standards:

- 1. Conditional Uses. When analyzing the site of a special event for compatibility under the Conditional Use Standards, the Board of County Commissioners shall consider the following:
  - a. Size of the parcel and the location where the event is being proposed.
  - b. Proximity of the event site to neighboring properties.
  - c. Type of event being proposed. The Board of County Commissioners may limit the type and character of events permitted at any proposed site if a determination is made that the event will adversely impact neighboring property owners or County provided services.
  - d. Maximum number of attendees.
  - e. Adequacy and safety of access to and from the site, and possible impacts to County Roads.
- 2. Site area. The site area required for special events shall be based on the location, duration, type and size of the event proposed as determined by the County Commissioners.
- 3. Proposed location. A site plan is required that depicts the proposed location of the special event, parking, cooking/catering, and restroom facilities.
- 4. Setbacks. The following minimum setbacks shall apply to all special event sites. The Board of County Commissioners may require the setbacks to be adjusted in order to mitigate impacts to neighboring properties.

- a. Special event site setbacks. The area designated as the event site, including tents, restrooms, cooking areas, and eating areas shall be set back a minimum of 300 feet from all property lines, from all road rights-of-way, streams and water bodies. This setback may be adjusted at the discretion of the Board of County Commissioners due to site-specific conditions.
  - b. Parking setbacks. Parking may be permitted within the 300 foot setback, with permission from the Board of County Commissioners, but in no instance shall parking be located within 300 feet of any residence (excepting residence(s) on the property where the event is being held), water body, stream. Adequate parking to accommodate the number of attendees shall be required.
5. Tents. Concessioner tents used for any event shall be fire rated and may only be set up forty-eight (48) hours in advance and shall be taken down forty-eight (48) hours after each event. The forty-eight (48) hour time limit may be increased at the discretion of the Board of County Commissioners based on the type of event, size and number of tents.
6. Transportation. A transportation plan shall be required. The following standards shall apply to all special event sites:
- a. Access. The special event site shall have direct access to a Federal, State or County Road or the site shall have a minimum access easement width of sixty (60) feet or as approved by the County Commissioners.
  - b. Access drives and bridges. The designated access to the special event site shall be accessible by emergency services.
  - c. Directional signage. If the special event site is not visible from a public road, the applicant may be required to post directional signage the day of each event to provide adequate notification for emergency vehicle access. Signage shall be removed within 48 hours of the event.
  - e. Parking. Parking is prohibited along access drives. A parking plan shall be required for all special event sites. The parking plan shall include the following:
    - (1) Location. The location of proposed parking shall be shown on an accurate site plan.
    - (2) Quantity. The number of parking spaces required for special events shall be provided at a rate of one parking space for every three attendees and one space for every person working at the event. A detailed site plan shall depict the number of parking spaces, dimension of spaces and drive aisles, and parking configuration.
7. Services and facilities. The following standards shall apply to all special event sites:
- a. Food and beverage service. All food and beverage service shall be conducted in accordance with Wyoming and Sublette County Environmental Health Department requirements. The applicant shall be responsible for all costs the County may incur associated with food and beverage service.
    - (1) Food preparation. All caterers and on-site food preparers shall be licensed by the Sublette County Environmental Health Department.
    - (2) Beverages. In the event any alcoholic beverage is served at an event, adherence to all relevant provisions of Wyoming Statutes Title 12, Alcoholic Beverages, shall be required.
  - b. Refuse and recycling. All refuse and recycling shall be removed from the site on a daily basis when events are in session and immediately following each event.
  - c. Sanitary facilities. Sanitary/restroom facilities shall be provided at a rate dependent on the maximum number of attendees, to be reviewed and approved by the County Sanitarian.
  - d. Security. A plan detailing security measures, including plans for security officers shall be reviewed and approved by the Sublette County Sheriff's Department. The applicant shall be responsible for all costs the County may incur associated with the provision of security measures.

- e. Emergency Services. The County Fire Warden, Emergency Management Coordinator and Director of Emergency Medical Services shall review and approve plans related to fire protection and medical services. The applicant shall be responsible for all costs the County may incur associated with the provision of emergency services.
- 8. Hours of operation. The establishment of hours of operations for special events shall be based on the location, duration, type and size of the event proposed.
- 9. Financial Surety and Insurance. A financial surety in a form and amount acceptable to the Board of County Commissioners shall be required. The surety shall ensure adequate clean up and restoration associated with the special event, provide for damage to public road(s) or property and cost impacts to County facilities and services. Additionally, insurance shall be required in the event of injuries or damages to private property resulting from the special event.
- 10. Exemptions. One time auctions or sales and special events held at public facilities shall be exempt from these requirements. Public facilities shall include, but not limited to the Fairgrounds, Rodeo Arenas, Museums, Fire Halls, Community Centers, etc.

Section 46. Beauty Shops.

The operation of a beauty shop as a home occupation shall only be allowed in accordance with the terms and conditions of this Chapter, in Zoning Districts where a home occupation is allowed. In addition the operation of a beauty shop as a home occupation shall meet the following requirements:

- a. The operation of a beauty shop as a home occupation shall only be permitted as a Conditional Use.
- b. Hours of operation shall be limited to Mon-Fri from 8am to 7pm and Sat from the hours of 9 am and 2pm.
- c. No more than 8 Clients per day shall be allowed.
- d. Only one stylist being the property owner/lessee shall be permitted to work from the property, no outside employees shall be permitted.
- e. A UIC Permit Must Be Approved and Adhered to as required by the Wyoming Department of Environmental Quality.

Section 47. Mailboxes. Mailboxes which are placed in County road easements shall conform to the requirements of this section.

- a. A mailbox installation permit shall be obtained from Sublette County prior to the installation of any mailbox within a County road easement. Applications for permits are available from the County Planning and Zoning Office. All mailbox installation permits shall be approved by the Sublette County Road and Bridge Foreman prior to installation. Prior to approval by the Sublette County Road and Bridge Foreman the Postal Service shall be provided the opportunity to review and comment on the mailbox installation application.
- b. Attach a map to a mailbox installation application showing the proposed location of the mailbox and an elevation view showing the physical dimensions of the proposed mailbox and installation method.
- c. Mailboxes shall be installed to a height of 42 inches.
- d. Mailboxes may be located within the outside five (5) feet of the County road easement and adjacent to an existing access driveway.

- e. For any mailbox installation along the physical edge of the travel way within a Sublette County road easement the owner/applicant shall first obtain an engineered pullout and mailbox design from a Professional Engineer, licensed in the State of Wyoming. All engineered plans and designs are subject to final approval by the Sublette County Road and Bridge Foreman.
- f. The owner/applicant shall be responsible for providing clear access to the mailbox.
- g. Sublette County shall not be responsible for any damage to mailboxes within the County road easement.
- h. In addition to a \$75.00 application fee, all costs of application review and inspection shall be the responsibility of the owner/applicant.

## CHAPTER IV - ZONING AND DEVELOPMENT PERMITS

Section 1. Zoning and Development Permit Required. All proposed land development, use and construction including the enlargement of existing uses and structures shall conform to the applicable development standards prescribed in Sublette County Zoning and Development Regulations. The following development, use and construction require a Zoning and Development Permit: Building Permits, Sign Permits, County Road Access Permits, County Road Utility Crossing Permits, Septic Permits, Family Exemptions and Mailbox Installation Permits.

All proposed land development, use and construction, including the enlargement of existing uses and structures; including interior remodels and the conversion of non-habitable space into habitable space shall be subject to review as prescribed in this chapter, and shall be authorized only upon the granting of a zoning and development (building) permit. Each individual structure associated with a development proposal shall require a separate zoning and development (building) permit. The following uses and activities shall be exempt:

- a. Detached accessory buildings and structures not for human occupancy, which are covered by a roof and contain 400 square feet or less of floor space.

Section 2. Application for Zoning and Development Permit. An applicant for a zoning and development permit shall complete and file an application with the Planning and Zoning Department, County Sanitarian or County Road and Bridge Department on a form prescribed by the County. The application shall be accompanied by the application fee.

Section 3. Review and Recommendations. The Planning and Zoning Department, County Sanitarian or County Road and Bridge Department shall review the application and all materials submitted therewith to determine if the application is complete and in compliance with applicable development standards. The Planning and Zoning Department, County Sanitarian or County Road and Bridge Department shall have the authority to approve or deny an application for a Zoning and Development Permit. If an application is not complete, the Planning and Zoning Department, County Sanitarian or County Road and Bridge Department shall advise the applicant of any deficiencies. When a completed application has been received, the Planning and Zoning Department, County Sanitarian or County Road and Bridge Department shall:

- a. Render a decision within thirty (30) days.

Section 4. Lapse of Zoning and Development Permit. The permit shall lapse and become null and void one year following the date on which it was issued. If progress towards completion does not occur on an annual basis the permit will expire one year from the date of issuance and the applicant shall be required to renew the building permit.



## CHAPTER V - CONDITIONAL USES

Section 1. Conditional Use Permit Required. Conditional uses may be established in accordance with Chapters II and III of this Resolution after application, review and recommendation by the Planning and Zoning Commission and upon approval by the Board of County Commissioners.

- a. The application for a conditional use shall be made upon a form provided by the Planning and Zoning Office.
- b. The application shall include the following:
  - (1) Name and address of the owner and/or applicant.
  - (2) Legal description or other information necessary to identify the site.
  - (3) Site plan showing the proposed layout of improvements, including buildings and other structures.
  - (4) Provisions for water supply and sewage disposal, if applicable, including the location of any proposed leachfields.
  - (5) A bond for reclamation and revegetation if applicable.
  - (6) Any additional materials which the applicant may choose to submit or which the Planning and Zoning Administrator may request.

### Section 2. Procedure.

- a. Action by the applicant. The completed application shall be submitted to the Planning and Zoning Office.
- b. Action by the Planning and Zoning Office.
  - (1) The Planning and Zoning Office staff shall review the application and the material submitted therewith, and, if found to be complete, shall accept the application.
  - (2) The Planning and Zoning Office Staff shall prepare a report covering compliance with all requirements applicable to the proposed development.
  - (3) The Planning and Zoning Office staff shall submit this report to the Planning and Zoning Commission and the applicant seven (7) days prior to the public hearing.
- c. Action by the Planning and Zoning Commission.
  - (1) The Planning and Zoning Commission shall review the application, the accompanying material and the report of the Planning and Zoning Office staff at public hearing.
  - (2) The following criteria shall be considered in the review and decision:
    - (a) Whether a special need will be met, including providing new jobs and an expanded economic base;
    - (b) Whether the proposed location will best serve this interest;
    - (c) Whether there is general compatibility with surrounding land values;
    - (d) Impact on surrounding environment in terms of noise, odor, particulate emissions and hazards;
    - (e) Impact on the transportation system;
    - (f) Impact on water resources, supply and pollution;
    - (g) Creativity in the design of the project.
    - (h) General conformity with the goals and policies of the Comprehensive Plan.

- (3) The Planning and Zoning Commission may request a review by any qualified person or any public agency that may be interested in the proposed use.
  - (4) Before recommending approval or approving a conditional use permit, the Planning and Zoning Commission and the Board of County Commissioners shall make the following findings:
    - (a) That the proposed location of the use is in accordance with the purposes of this resolution and the district in which the site is located.
    - (b) That the proposed location of the use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.
  - (5) After the review the Planning and Zoning Commission shall submit its recommendations, and any prescribed conditions it deems necessary to accomplish the purposes of this Resolution, to the Board of County Commissioners at their next regularly scheduled hearing on planning and zoning items.
- d. Action by the Board of County Commissioners.
- (1) The Board of County Commissioners may request further review by any qualified person or by any public agency that may be interested in the proposed use.
  - (2) The Board of County Commissioners shall adopt a resolution approving, modifying or denying the recommendations of the Planning and Zoning Commission.
  - (3) The Board of County Commissioners may defer final action on the application for not more than forty-five (45) days from the first day on which the Board of County Commissioners reviewed the application, unless such a delay is requested or approved by the applicant.
- e. Action by the Planning and Zoning Office.
- (1) The applicant shall be notified of the Board of County Commissioner's final action by the Planning and Zoning Office.
- f. Conditional use permits shall expire in one year if either the permitted use has not commenced or any required construction has not been materially completed.

## CHAPTER VI - VARIANCES

Section 1. Purposes and Limitations. In order to prevent or lessen practical difficulties of unnecessary hardships resulting from the strict or literal interpretation of certain provisions of this resolution, the Board of County Commissioners is authorized to grant variances. The authority to grant variances is intended to resolve non self-inflicted practical difficulties or physical hardships resulting from the size, shape or dimensions of a site, or from topographic or physical conditions on a site or in the immediate vicinity of a site.

Section 2. Filing Requirements. An application for variance shall be filed with the zoning administrator, shall be accompanied by the required filing fee, and shall include materials setting forth the following information:

- a. The name and address of the owner or applicant;
- b. A legal description or other information necessary to identify the site;
- c. A site plan showing all existing and proposed structures or improvements on the site, and showing all natural conditions relevant to the application;
- d. A statement of the precise nature of the variance request, the development standard or standards involved, and the non self-inflicted practical difficulty or unnecessary physical hardship that would result from the strict or literal enforcement of the development standard or standards.

Section 3. Zoning Administrator Action. The zoning administrator shall review the application and determine if the application is complete. If the application is not complete, the zoning administrator shall notify the applicant of the deficiencies. When a completed application has been received, the zoning administrator shall present the application to the Planning and Zoning Commission within 45 days after the completed application is reviewed by the zoning administrator.

Section 4. Planning and Zoning Commission Action. The Planning and Zoning Commission shall review the application at a regular meeting within 45 days from its receipt of the completed application. Within 45 days after its review, the Planning and Zoning Commission shall make recommendations to the Board of County Commissioners that the Board grant the variance, grant the variance subject to conditions or modifications, or deny the variance. In making its recommendations the Planning and Zoning Commission shall consider the various standards set forth in this chapter.

Section 5. Board of County Commissioners' Action. The Board of County Commissioners shall consider the application at a regularly scheduled meeting of the Board within 45 days after the recommendations of the Planning and Zoning Commission have been received. The Board of County Commissioners may grant the variance, grant the variance subject to conditions or modifications, or deny the variance. The Board of County Commissioners shall consider the variance standards set forth in this chapter in making its decision.

Section 6. Variance Standards. The following standards shall apply to all variance applications:

- a. The granting of the variance will not be detrimental to the public health, safety or welfare, or materially injurious to other properties in the vicinity;
- b. The granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on use of other properties in the district;
- c. The hardship which is the basis for the variance application was non self-inflicted by the applicant;

- d. The granting of the variance is justified for one or more of the following reasons:
- (1) Strict interpretation or enforcement of the development standards would result in practical difficulty or unnecessary physical hardship inconsistent with the purposes of this resolution;
  - (2) Exceptional or extraordinary circumstances or conditions applicable to the site of the variance that do not apply generally to other properties in the same district;
  - (3) Strict interpretation or enforcement of the development standard would deprive the applicant of privileges enjoyed by other property owners in the same district.

Section 7. Revocation. A variance granted on condition may be revoked by the Board for failure to comply with the condition.

Section 8. Lapse. A variance shall lapse and become void one year following the date on which the variance was granted unless construction or development is commenced prior to the expiration date and diligently pursued to completion. The Board may extend its authorization for an additional period of six months for good cause.

## CHAPTER VII - NONCONFORMING USES, SITES AND STRUCTURES

Section 1. Purpose. The purpose of this chapter is to provide for the continuance, restoration or replacement of nonconforming structures, and the continuation of nonconforming uses and sites.

Section 2. Continuance. Nonconforming uses, sites and structures legally established prior to the effective date of this resolution or any amendments thereto, may continue subject to the limitations set forth in this chapter.

Section 3. Enlargement or Expansion. A nonconforming use of land not including structures may be expanded 20% in land occupied from the date it became a nonconforming use. A nonconforming structure may be expanded 20% in floor area, as measured from the date it became a nonconforming structure. Any expansion of a nonconforming use or structure shall comply with all applicable development standards. Additionally, a nonconforming mobile home may be enlarged without size limitation on a parcel where it is located, by replacement of the nonconforming mobile home unit with another mobile home unit of larger size that has improved structural and safety design.

Section 4. Alteration, Maintenance and Repair. Nonconforming uses and structures may be maintained and repaired as necessary for the safe, convenient and efficient operation of the use or structure.

Section 5. Destruction-Reconstruction. Any nonconforming use or structure which is destroyed may be reconstructed, provided that the reconstruction is commenced within 6 months of the date of destruction, and further provided that the reconstruction shall not increase the degree of nonconformity of the use or structure.

Section 6. Change of Nonconforming Use. A nonconforming use may be changed to any use authorized in the zoning district in which the use is located. No nonconforming use shall be changed to another use not authorized in the zoning district in which the use is located.

Section 7. Discontinuance. If a nonconforming use is discontinued for a period of one year the nonconforming use shall not be resumed, and any future use of the site or structure shall conform to the requirements of the resolution. Intent to resume a nonconforming use shall not affect the operation of this section.

## CHAPTER VIII - ADMINISTRATION

Section 1. Amendments. Amendments to this resolution shall be adopted in accordance with the following procedure:

- a. Amendments may be initiated by the Planning and Zoning Commission or the Board of County Commissioners or County staff on their own motion or at the request of any private individual.
- b. A public hearing shall be held by the Planning and Zoning Commission after notice in accordance with Wyoming Statutes, after which the Planning and Zoning Commission shall certify its recommendation to the Board of County Commissioners.
- c. A public hearing shall be held by the Board of County Commissioners after notice in accordance with Wyoming Statutes. Within 45 days after its hearing, the Board of County Commissioners shall, by resolution of the Board, approve or deny the proposed amendments to this resolution.
- d. The Planning and Zoning Commission in making its recommendation, and the Board of County Commissioners in making its decision shall consider the consistency of the proposed amendment with the Sublette County Comprehensive Plan.

Section 2. Change of Zoning District Boundary. Zoning district boundaries shall be changed in accordance with the following procedure:

- a. Proposed changes may be initiated at the request of any property owner.
- b. A public hearing shall be held by the Planning and Zoning Commission after notice in accordance with Wyoming Statutes, after which the Planning and Zoning Commission shall certify its recommendation to the Board of County Commissioners.
- c. A public hearing shall be held by the Board of County Commissioners after notice in accordance with Wyoming Statutes. Within 45 days after its hearing, the Board of County Commissioners shall, by resolution of the Board, approve or deny the proposed change in zoning district boundary.
- d. The Planning and Zoning Commission in making its recommendation, and the Board of County Commissioners in making its decision shall consider the following findings before making a decision regarding a zoning district boundary change:
  - (1) the use and zoning of nearby property;
  - (2) the effect of the zoning district boundary change on property values;
  - (3) the extent to which the reduced value of affected property promotes the public welfare;
  - (4) the public gain compared to the owner's hardship;
  - (5) the suitability of the affected property for its zoned use;
  - (6) the time the property has been vacant as zoned;
  - (7) the community need for the proposed use;
  - (8) whether the property is zoned in conformity with surrounding uses and if those uses are uniformed and established;
  - (9) the availability of water for the proposed use.

- (10) general conformity of the zoning district boundary change with the goals and policies of the Comprehensive Plan.

e. A change in a zoning district boundary shall be conditioned on the following:

- (1) Compliance with any conditions or restrictions placed on the zoning district change by the Board of County Commissioners.
- (2) Substantial development on the site contained within the zoning district boundary change in accordance with the revised zoning within two (2) years of the date the zoning district boundary change is approved by the Board of County Commissioners. (If the zoning district boundary change is made in connection with a proposed subdivision, substantial development shall mean the completion of final plat approval for the associated proposed subdivision.) All existing zoning district boundary changes on which no substantial development has occurred prior to the passage of this provision shall comply with the provisions of this section within two (2) years of the date this section is adopted.
- (3) Violation of the provision of the above sections shall result in the termination of the related zoning district boundary change. In the event of such termination, the prior zoning classification shall be in force.
- (4) Termination of a zoning district boundary change shall be initiated and structured in the same manner as a change of zoning district boundary under this section.

f. The Planning and Zoning Commission or the Board of County Commissioners may require submittal of a conservation district review regarding soil suitability, erosion control, sedimentation and flooding problems prior to the issuance of a zone change when at least one of the following criteria applies:

- (1) land in the vicinity of the proposed zone change has received questionable conservation district reviews;
- (2) if either the Board or the Commission has reason to question the suitability of soils for development in that area;
- (3) the zone change will permit the development of a subdivision.

g. The Planning and Zoning Commission in making its recommendation, and the Board of County Commissioners in making its decision, shall require the applicant to submit a master plan for the development of the property if the use is commercial or proposed as a subdivision. The zoning district boundary change may be made conditional upon the applicant developing the property as described in the said master plan.

- (1) For commercial development the master plan shall show a clear representation of the site upon which the proposed project is located. The submitted commercial master plan shall show the following: Name of owner and applicant; property description and boundaries; building elevations and colors; landscaping plan detailing location, plant size and type of landscaping; location of buildings and uses; roadways and general circulation pattern; other information the County Planning and Zoning office determines is necessary at this stage of the review process.
- (2) Where the change of the zoning district boundary is sought for the following zoning districts: C-1 (General Commercial); CH-1 (Highway Commercial); I-L (Light Industrial); I-H (Heavy Industrial) for the purpose

of development or sale of lots and the applicant will not be the developer of the parcel or lot, the submitted commercial master plan shall show the following: Name of the owner and applicant; description and boundaries; a written description of the proposed uses applicable to the site for which the zoning change is sought; roadways and circulation pattern; a copy of any restrictive covenants; and any other information the Planning and Zoning office determines is necessary at this stage of the review process. The zoning district boundary change may be conditional upon the site being developed as described in the submitted written description of the proposed uses applicable to the site.

- (3) A subdivision master plan shall show the following: Name of property owner and applicant; property description and boundaries; floodplain; wetlands as defined by the United States Army Corp of Engineers; location of open space; size and location of lots; roadways and circulation.

Section 3. Pre-application conference. A pre-application conference with Planning Department staff shall be held prior to the submission of a minor or major subdivision application, change of zoning application, variance application or conditional use application. The pre-application conference may be held in person or via telephone. The purpose of the pre-application conference shall be to discuss the proposed development based upon the information provided by the applicant and the provision of the County Zoning and Development Regulations, to ascertain what provisions of the Zoning and Development Regulations apply to the proposed development.

Section 4. Notice of Public Hearing. An application for a development proposal requiring a public hearing shall be advertised in the legal notice section of a newspaper of general circulation in the County. Such notice shall appear no less than thirty (30) calendar days nor more than forty-five (45) calendar days prior to the public hearing date before the Planning Commission and not less than fourteen (14) days nor more than thirty days prior to the public hearing before the Board of County Commissioners; except that the public hearing on an amendment to the text of the Comprehensive Plan, Zoning and Development Regulations or Zoning Map shall require publication in a newspaper of general circulation in the County at least (30) days before the Planning Commission public hearing and at least forty-five (45) days before the Board of County Commissioners public hearing. The legal notice shall include the type of application proposed, a short description of the action requested, address and legal description of the land subject to the application, location, date and time of the public hearing(s) and where additional information may be obtained.

Mailed notice, containing all information required under subparagraph (Notice of Public Hearing) shall be sent by mail to all landowners within 1,000 feet of the land subject to the application. The applicant shall pay the cost of postage and envelopes per notice for any mailings in excess of twenty-five (25) notices. All mailed notices shall be sent no less than fifteen (15) calendar days prior to the first public hearing.

Section 5. Similar Application. When an application has been denied, no application for the same or a similar development proposal shall be accepted or considered for all or part of the same or substantially the same land for a period of one (1) year after the date of denial.

Section 6. Interpretations. The planning administrator shall be responsible for interpreting the Zoning and Development Regulations, based upon the legislative intent of the Board of County Commissioners in its adoption.

- a. A written interpretation may be requested by any landowner with respect to the application of these Zoning and Development Regulations to their land or by any person that has submitted or intends to submit an application for a development permit. Within thirty (30) days of receipt of a request for interpretation, the planning administrator shall evaluate the request in light of the Comprehensive Plan, Zoning and Development Regulations and Zoning Map, whichever is appropriate, consult with the County Attorney and then render an interpretation.



- b. The interpretation of the planning administrator may be appealed to the Board of County Commissioners within thirty (30) days after the date the interpretation is rendered by submitting a written appeal to the County Clerk. The Board of County Commissioners shall render a decision affirming, modifying or revising the interpretation within thirty (30) days after receipt of such written appeal.

Section 7. Appeals. An appeal may be taken by any person aggrieved by a decision of the planning administrator to the Board of County Commissioners. Such an appeal shall be filed in writing with the County Clerk within thirty (30) days of the decision of the planning administrator. The appeal shall consist of a statement of the decision being appealed, the date of the decision, the basis for the appeal and all supporting materials related to the appeal. The Board of County Commissioners shall consider the appeal within forty five (45) days following receipt of the notice of appeal by the County Clerk. At the scheduled Board of County Commissioner meeting the appellant may state the grounds for the appeal and provide any information to support the appeal. The planning administrator or any other County employee shall be provided the opportunity to respond, as well as any other person the Board of County Commissioners deem necessary. The Board of County Commissioners shall either affirm, affirm with modifications or reverse the decision of the planning administrator within thirty (30) days of the appeal meeting. Written notice of the decision of County Commissioners will be provided to the appellant and the planning administrator.

## CHAPTER IX: FAMILY DIVISION

Section 1. Family Division Defined. A Family Division is a division of land made outside of platted subdivisions for the purpose of a single gift or sale to a member of the landowner's immediate family, subject to the following requirements:

- a. IMMEDIATE FAMILY MEMBER: A member of the immediate family is limited to any person who is a natural or adopted child, stepchild, spouse, sibling, grandchild, grandparent, or parent of the landowner.
- b. PURPOSE: The purpose of the division is to provide for the housing, business or agricultural needs of the grantee;
- c. TITLE: The land shall have been titled in the name of the grantor for a period of not less than five (5) years prior to the division and parcels created under this paragraph shall be titled in the name of the immediate family member for whom the division is made for a period of not less than one (1) year unless such parcels are subject to involuntary transfer including, but not limited to, foreclosure, death, judicial sale, condemnation or bankruptcy;
- d. ACREAGE FOR REDIVISION: No parcel smaller than 5 acres created under this Chapter shall be further divided unless the owner obtains a subdivision permit pursuant to this Resolution.
- e. Ownership by Corporation: 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.
- f. The boundary lines for parcels created as family division(s) shall not be amended or adjusted.

A Family Division that meets the administration requirements set out below shall be exempt from the subdivision permit requirement of this Resolution.

### Section 2. Administration

- (a) FAMILY DIVISION APPLICATION: The owners or agents of a property owner, seeking to record deeds, records of survey, contract for deeds, or other types of instruments that divide land pursuant to a Family Division, shall present to the Planning Department a Family Division Application (application form available from the Planning Department), Map of Survey, a copy of the most recently recorded deed to the property as proof of Grantor's ownership of the property and its legal description and a copy of the proposed deed of transfer to the proposed grantee(s) of each parcel/lot. Planning Staff shall complete a review of the proposed family division and upon approval of the Family Division Application by the Planning Department the deed(s) and map of Survey may be recorded.
- (b) MAP OF SURVEY REQUIRED: A Map of Survey shall be recorded with, or if already recorded referenced, all conveyances of parcels of property conveyed as a Family Division parcel.
- (c) SPECIFICATIONS FOR MAP OF SURVEY:

- (1). Maps of survey shall be legibly drawn, printed or reproduced with permanent ink, and shall meet the requirements of W.S. § 33-29-139(a);
- (2). The Map of Survey shall show or contain on its face, or on separate sheets referenced on its face, the following information:
  - (a) A title block including the township, range, principal meridian, County and state of the surveyed land. A Map of Survey shall not bear the title "plat", "subdivision", or any title other than "Map of Survey."
  - (b) Space shall be provided on the Map of Survey for the clerk and recorder's filing information;
  - (c) Date Survey was completed;
  - (d) North arrow and scale or scale bar;
  - (e) All monuments found, set, reset, replaced or removed describing their kind, size, location and giving other data related thereto;
  - (f) The location of any corners of sections or divisions of sections pertinent to the survey;
  - (g) The bearings, distances, and curve data of all perimeter boundary lines shall be indicated;
  - (h) Data on all curves sufficient to enable the re-establishment of the curves on the ground;
  - (i) Lengths of all lines shown to at least one-hundredth (1/100) of a foot, and all angles and bearings shown to at least the nearest second;
  - (j) All parcels created by the survey and dimensions and area of each parcel;
  - (k) A Certificate of Surveyor signed by a land surveyor registered under the laws of the State of Wyoming;
  - (l) A Certificate of Owner by the owner of record, fee simple or contract for deed. The certificate shall conform to the requirements of W.S. § 34-12-103;
  - (m) Acknowledgement of Certificate of Surveyor and Certificate of Owner;
  - (n) The means of legal access to the parcel which shall not be less than thirty (30) feet in width along with recordation information of such easement or access;
  - (o) Sheet size shall be 24"x36" or 22"x36".

### Section 3. County Surveyor Review and Recordation.

Upon receipt of an application for Family Division the Planning and Zoning Administrator shall obtain a review of the Map of Survey by the County Surveyor. Upon approval of the application for Family Division and Map of Survey the applicant shall file the original tracing of the Map of Survey within thirty (30) days with the Sublette County Clerk and pay all review and filing fees.

## CHAPTER X - FLOODPLAIN MANAGEMENT

Section 1. Statutory Authorization: The Legislature of the State of Wyoming has in the Wyoming Statutes, 1977, as amended, delegated the responsibility to local government units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the Board of County Commissioners to Sublette County, Wyoming does ordain as follows:

- a. Findings of fact. The flood hazard areas of Sublette County are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.

These flood losses are caused by the cumulative effect of obstructions in areas of special flood hazard which increase flood heights and velocities, and when inadequately anchored, damage uses in other areas. Uses that are inadequately floodproofed, elevated or otherwise protected from flood damage also contribute to the flood loss.

- b. Statement of purpose. The purpose of this resolution is to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed to accomplish the following:

- 1) Protect human life and health;
- 2) Minimize expenditure of public money for costly flood control projects;
- 3) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- 4) Minimize prolonged business interruptions;
- 5) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in areas of special flood hazard;
- 6) Help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas;
- 7) Ensure that potential buyers are notified that property is in an area of special flood hazards; and,
- 8) Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

- c. Methods of reducing flood losses. In order to accomplish the purposes, this resolution includes methods and provisions for accomplishing the following shall be adopted:

- 1) Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- 2) Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- 3) Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;

- 4) Controlling filling, grading, dredging, and other development which may increase flood damage; and
- 5) Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.

Section 2. Definitions: Unless specifically defined below, words or phrases used in this resolution shall be interpreted so as to give them the meaning they have in common usage and to give this resolution its most reasonable application.

- a. Area of Special Flood Hazard: The land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year.
- b. Base Flood: The flood having a one percent chance of being equaled or exceeded in any given year.
- c. Basement: The lowest level of a building which must be located with the floor above the 100 year flood elevation. This does not include areas used exclusively for parking of vehicles, limited storage, or building access which meet the FEMA requirements as contained in 44 CFR 60.3.
- d. Development: Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.
- e. Flood or Flooding: A general and temporary condition of partial or complete inundation of normally dry land areas from: 1) the overflow of inland or tidal waters, or 2) the unusual and rapid accumulation or runoff of surface waters from any source.
- f. Flood Hazard Boundary Map: The official map on which the Federal Emergency Management Agency has delineated areas of special flood hazard designated as Zone A.
- g. Lowest Floor: The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this resolution.
- h. Manufactured Home: Means a structure, transportable in one or more section, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term also includes park trailers; travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days.
- i. Structure: A walled and roofed building or manufactured home that is principally above ground.
- j. Substantial Damage: Means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

- k. Substantial Improvement: Any repair, reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of the construction" of the improvement. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either;
- 1) any project for improvement of a structure to comply with existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or
  - 2) any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."

Section 3. General Provisions:

- a. Lands to which this chapter applies. This resolution shall apply to all areas of special flood hazard within the jurisdiction of Sublette County, Wyoming.
- b. Basis for establishing the areas of special flood hazard. The areas of special flood hazard identified by the Federal Emergency Management Agency in its Flood Hazard Boundary Map (FHBM) dated November 15, 1977, is adopted by reference and declared to be a part of this resolution. The FHBM is on file at the Planning and Zoning office, Sublette County Courthouse, Pinedale, Wyoming.
- c. Compliance. No structure or land shall hereafter be constructed, located, extended, converted or altered without full compliance with the terms of this resolution and other applicable regulations.
- d. Abrogation and greater restrictions. This resolution is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. Where this resolution and another resolution, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.
- e. Interpretation. In the interpretation of this resolution, all provisions shall be:
  - 1) Considered as minimum requirements;
  - 2) Liberally construed in favor of the governing body; and
  - 3) Deemed neither to limit nor repeal any other powers granted under Wyoming State statute.
- f. Warning and disclaimer of liability. The degree of flood protection required by this resolution is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This resolution does not imply that land outside the areas of special flood hazards or uses permitted within such areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This resolution shall not create liability on the part of Sublette County, any officer or employee thereof, or the Federal Emergency Management Agency for any flood damages that result from reliance on the resolution or any administrative decision lawfully made thereunder.

Section 4. Administration:

- a. Establishment of development permit or building permit. A development permit or a building permit shall be obtained before construction or development begins within any area of special flood hazard established in Section 3 (a). Application for a development permit or a building permit shall be made on forms furnished by the Sublette County Planning and Zoning office.
  - 1) The following information shall be required:
    - a) Elevation in relation to mean sea level of the lowest floor (including basement) of all structures;
    - b) Elevation in relation to mean seal level to which any structure has been floodproofed;
    - c) Certification by a registered professional engineer that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in Section 5 (b)(2); and
    - d) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.
  - 2) The following information may be required:
    - a) Plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; and
    - b) Existing or proposed structures, fill, storage of materials, and drainage facilities, and their location.
- b. Designation of the administrator of planning and zoning. The Administrator of Planning and Zoning is hereby appointed to administer and implement this resolution by granting or denying development permit applications in accordance with its provisions.
- c. Duties and responsibilities of the Administrator of Planning and Zoning. Duties of the Planning and Zoning Administrator shall include, but not be limited to:
  - 1) Permit review.
    - a) Review all development permits to determine that the permit requirements of this resolution have been satisfied.
    - b) Review all development permits to determine that all necessary permits have been obtained from Federal, State, or local governmental agencies from which prior approval is required.
    - c) Review all development permits to determine if the proposed development adversely affects the flood carrying capacity of the area of special flood hazard. For the purposes of the resolution, "adversely affects" means damage to adjacent properties because of rises in flood stages attributed to physical changes of the channel and the adjacent overbank areas.
      - i) If it is determined that there is no adverse effect and the development is not a building, then the permit shall be granted without further consideration.
      - ii) If it is determined that there is an adverse effect, then technical justification (i.e., a registered professional

- engineer's certification) for the proposed development shall be required.
- iii) If the proposed development is a building, then the provisions of this resolution shall apply.
- 2) Use of other base flood data.
    - a) When base flood elevation data has not been provided in accordance with Section 3 (b), Basis for Establishing the Areas of Special Flood Hazard, the Planning and Zoning Administrator shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State, or other source as criteria for requiring that new construction, substantial improvements, or other development in Zone A are administered in accordance with Section 5 (b), Specific Standards.
  - 3) Information to be obtained and maintained.
    - a) Obtain and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement.
    - b) For all new or substantially improved floodproofed structures: 1) Verify and record the actual elevation (in relation to mean sea level) to which the structure has been floodproofed. 2) Maintain the floodproofing certifications required in Section 4 (a) (1) (c).
  - 4) Alteration of watercourses.
    - a) Notify adjacent communities and the Wyoming Emergency Management Agency prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.
    - b) Require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.
  - 5) Interpretation of FIRM boundaries.
    - a) Make interpretations, where needed, as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions).

Section 5. Provisions For Flood Hazard Reduction:

General standards. In all areas of special flood hazards, the following standards are required:

- 1) Anchoring.
  - a) All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure and capable of resisting hydrostatic and hydrodynamic loads.



- b) All manufactured homes must be elevated and anchored to resist flotation, collapse or lateral movement and capable of resisting the hydrostatic and hydrodynamic loads. Methods of anchoring may include, but are not limited to use of over-the-top or frame ties to ground anchors.

This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces. Specific requirements may be: 1) Over-the-top ties be provided at each of the four corners of the manufactured home, with two additional ties per side at intermediate locations, with manufactured homes less than 50 feet long requiring one additional tie per side; 2) frame ties be provided at each corner of the home with five additional ties per side at intermediate points, with manufactured homes less than 50 feet long requiring four additional ties per side; 3) all components of the anchoring system be capable of carrying a force of 4,800 pounds; and 4) any additions to the manufactured home be similarly anchored.

2) Construction materials and methods.

- a) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- b) All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.
- c) All new construction and substantial improvements shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

3) Utilities.

- a) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
- b) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters; and
- c) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

4) Subdivision proposals.

- a) All subdivision proposals shall be consistent with the need to minimize flood damage;
- b) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;
- c) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage; and
- d) Base flood elevation data shall be provided for subdivision proposals.

- b. Specific Standards. In all areas of special flood hazard where base flood elevation data has been provided as set forth in Section 4 (c) (2), Use of Other Base Flood Data, the following standards are required:
- 1) Residential construction.
    - a) New construction and substantial improvement of any residential structure shall have the lowest floor (including basement) elevated to or above the base flood elevation.
  - 2) Nonresidential construction.
    - a) New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor (including basement) elevated to the level of the base flood elevation; or, together with attendant utility and sanitary facilities, shall:
      - i) be floodproofed so that below the base flood elevation the structure is watertight with walls substantially impermeable to the passage of water;
      - ii) have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and
      - iii) be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this paragraph. Such certifications shall be provided to the official as set forth in Section 4 (c) (3) (b).
  - 3) Mobile and Manufactured homes.
    - (a) Mobile and manufactured homes shall be anchored in accordance with Section 5 (a) (1) (b).
    - (b) All new mobile and manufactured homes or those to be substantially improved shall be elevated on a permanent foundation such that the lowest floor of the mobile home or manufactured home is at or above the base flood elevation and is securely anchored to an adequately anchored foundation system.
- c. Floodways. Encroachments, including fill, new construction, substantial improvements, and other development shall be prohibited in any floodway unless a technical evaluation demonstrates that the encroachments will not result in any increase in flood levels during the occurrence of the base flood discharge.

## CHAPTER XI – ENFORCEMENT

Section 1. General. The provisions of these Zoning and Development Regulations shall be enforced by the Board of County Commissioners through its authority to abate any violations and enjoin and restrain any person violating these Zoning and Development Regulations pursuant to Wyoming State Statute 18-5-101 to 18-5-107.

Section 2. Inspection. Under the powers of this Chapter and with the permission of the landowner, the planning administrator shall have the authority to enter onto land within the unincorporated area of Sublette County to inspect alleged violations of these Zoning and Development Regulations.

Section 3. Revocation or Suspension of Permit. Revocation or suspension of any permit issued pursuant to these Zoning and Development Regulations shall be made under the procedures and standards of this Section.

- a. Procedure. If the planning administrator determines there are reasonable grounds for the revocation or suspension of a permit under the standards contained in this Section the planning administrator shall set a hearing before the Planning Commission and Board of County Commissioners which shall be a contested case hearing under the Wyoming Administrative Procedures Act. The planning administrator shall give the permittee written notification pursuant to the requirements of the Wyoming Administrative Procedures Act a minimum of thirty (30) days prior to the public hearings. The notification shall state the grounds for the revocation or suspension of the permit. The Planning Commission shall conduct a hearing on the proposed revocation or suspension pursuant to the procedures set forth in the Wyoming Administrative Procedures Act. Within thirty (30) days after the close of the hearing the Planning Commission shall forward a recommendation to the Board of County Commissioners regarding revocation or suspension of a permit, pursuant to Wyoming Statute 18-5-106 a. 1. After receiving a recommendation from the Planning Commission the Board of County Commissioners shall conduct a hearing on the proposed revocation or suspension pursuant to the procedures set forth in the Wyoming Administrative Procedures Act. Within thirty (30) days after the close of the hearing, the Board of County Commissioners shall render a decision on the revocation or suspension of the permit based on the standards contained in Section 3.a. Written notification of the Board of County Commissioners decision shall be provided, by the planning administrator, to the permittee by certified mail within thirty (30) days.
- b. Standards. A permit shall be suspended or revoked if any one of the following findings is made by the Board of County Commissioners:
  1. The permit was issued on the basis of erroneous or misleading information or misrepresentation; or
  2. The development violates the terms or conditions of the permit or these Zoning and Development Regulations.
- c. Cumulative Remedy. The Board of County Commissioners authority to revoke or suspend, as provided in this Section, shall be in addition to any other remedy provided by law.

Section 4. Abatement of Violations. Violations of these Land Development Regulations may be abated under the procedures and standards of this Division, at the discretion of the planning administrator; however, this procedure shall not be the sole remedy available, and the County may enforce these Land Development Regulations in any manner provided by law.

- a. Notification of Violation. If the planning administrator determines that any development within unincorporated area of Sublette County is in violation of the provisions of these Land Development Regulations, the planning administrator may mail a violation notice to the landowner, stating the provisions of these Zoning and Development Regulations being

violated, and setting forth a reasonable period of time for the landowner to abate and correct the violation.

- b. Agreement to Abate. At the discretion of the planning administrator, the County may enter into an Agreement to Abate with a landowner found to be in violation of the Zoning and Development Regulations. The purpose of the Agreement to Abate is to provide additional time for a violation to be abated, while providing an assurance to the County that the violation will be abated by a specified date.
- c. Failure to Abate a Violation. Failure to abate a violation of the Zoning and Development Regulations shall result in the violation being referred to the County Attorney's Office for potential prosecution, as provided by Wyoming State Statute 18-5-107 and 18-5-205.

Section 5. Cumulative Remedy. The County's authority to abate a violation of these Land Development Regulations, as provided in this Division, shall be in addition to any other remedy provided by law.

Section 6. Failure to Obtain a Permit Prior to Commencing Development. If a person commences development for which a building permit is required without first having obtained the said permit, such person shall pay twice the fee for said permit.

The payment of such fees shall not relieve the person from fully complying with the requirements of the applicable standards set forth in the Zoning and Development Regulations; nor does it automatically secure the permit or preclude a violation for a given infraction.

## CHAPTER XII – SUBDIVISION RESOLUTION

A RESOLUTION REGULATING THE SUBDIVISION AND/OR PLATTING OF LAND IN THE COUNTY OF SUBLETTE, WYOMING, FOR THE PURPOSE OF TRANSFER OF OWNERSHIP, OR FOR BUILDING DEVELOPMENT; ESTABLISHING MINIMUM SUBDIVISION DESIGN STANDARDS; PROVIDING FOR MINIMUM IMPROVEMENTS BY SUBDIVIDERS; ESTABLISHING PROCEDURES TO BE FOLLOWED IN APPLYING SUCH RULES, REGULATIONS, AND STANDARDS; AND PRESCRIBING PENALTIES FOR THE VIOLATIONS OF ITS PROVISIONS.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SUBLETTE COUNTY, STATE OF WYOMING:

### SUBCHAPTER I: GENERAL PROVISIONS

Section 1. NAME OF THE RESOLUTION. This resolution shall be known and may be cited, as the Subdivision Resolution of the County of Sublette.

Section 2. AUTHORITY. The Subdivision Resolution of the County of Sublette is authorized by Section 18-5-315, Wyoming Statutes, 1977, as amended.

Section 3. INTENT AND PURPOSE. The Board of County Commissioners of the County of Sublette establish this Subdivision Resolution to promote public health, safety, welfare, and orderly growth; to preserve human values and property values; to develop for the County of Sublette its own distinctive character arising from its special climate, topography, economy, and people; to develop subdivisions with optimum view, air, sunlight, orientation, and utilization of natural features; and to maintain the scenic values, and wildlife resources of the County.

These regulations are enacted for the purpose of implementing the Comprehensive Plan by the establishment of requirements and procedures to regulate and control the design and improvement of all subdivisions of land within the County to achieve the following additional purposes:

- a. To insure conformance and coordination of land subdivision plans with and among the public improvement plans of the County and its municipalities.
- b. To encourage well planned subdivision by establishing environmentally adequate standards for design and improvement thereof.
- c. To improve land records by establishing standards for surveys and maps.
- d. To safeguard the interests of the public, property owner, and the subdivider.
- e. To ensure equitable processing of all subdivision proposals by establishing uniform procedures and standards.

Section 4. JURISDICTION. The territorial jurisdiction of the Subdivision Regulations shall include all of the unincorporated lands within Sublette County, Wyoming.

Section 5. INTERPRETATION. In their interpretation and application, the provisions of this Resolution shall be held to be minimum requirements. No provision of this Resolution is intended to repeal, abrogate, annul, impair, or interfere with any existing Resolution of the County or statute of the State of Wyoming, except as is specifically repealed by adoption of this Resolution, provided that where any provision of this Resolution imposes more stringent regulations, requirements, or limitations than is

imposed by any other Resolution of Sublette County or any statute of the State of Wyoming, then the provisions of this resolution shall govern.

Section 6. SUBDIVISION PERMIT REQUIRED. No person shall subdivide land located in Sublette County, or commence construction of a subdivision without securing a subdivision permit in the manner prescribed in this Resolution. Such subdivision permit shall be signed by the Board of County Commissioners indicating approval of the subdivision. No subdivision permit shall be issued unless and until the requirements of this resolution have been complied with. A subdivision permit may be transferred upon sale of the subdivision. Unless the method of sale is adopted for the purpose of evading the provisions of this resolution, this resolution shall not apply to any subdivision of land that:

- a. Is a Family Division as defined in the County Zoning and Development Regulations;
- 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 this state;
- 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 this subsection 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. This Section 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.

Section 7. CONFORMITY WITH ZONING AND DEVELOPMENT REGULATIONS RESOLUTION. A subdivision plat shall conform with all applicable regulations prescribed by the Zoning and Development Regulations Resolution.

Section 8. FEES. Each application for a subdivision permit shall be accompanied by a fee to be determined by the Board. The fee shall be the greater of one hundred seventy-five dollars (\$175.00) or

fifteen dollars (\$15.00) per lot up to a maximum fee of one thousand dollars (\$1,000.00). Said fee shall be paid at the time of filing the preliminary plat application and other materials described in Chapter III. Each application for a variance shall be accompanied by a fee of seventy-five dollars (\$75.00).

Section 9. DEFINITIONS. For the purpose of this Resolution, the following words shall have these meanings. Where not inconsistent, words in the present tense include the future, words in the singular include the plural, and vice versa, and the word "shall" is mandatory.

Acre a measure of land area containing 43,560 square feet.

Administrator is the Planning and Zoning Administrator of Sublette County.

Alley is a minor road which is primarily used, or intended to be used, for secondary vehicular service access to the back or side of properties.

Arterial Street Or Road is a street or road of considerable continuity which serves, or is intended to serve, principle traffic flow between separated areas or districts, and which is the main means of access to collector streets or roads and to residential streets or roadway systems.

Board is the Board of County Commissioners of Sublette County, Wyoming.

Collector Street Or Road is a street or road which carries traffic from minor streets or roads to arterial streets or roads, including the principle entrance streets or roads of a residential development, and the streets or roads for circulation within a residential development.

Commission is the Planning and Zoning Commission of Sublette County, Wyoming.

Comprehensive Plan is the official statement of the Board of County Commissioners of Sublette County, adopted June 20, 1978, regarding the future development of Sublette County.

County Engineer is the professional engineer qualified to practice and duly registered under Wyoming State Statutes, who is appointed by the Board of County Commissioners.

County Surveyor is the land surveyor, duly registered under Wyoming State Statutes, who is appointed by the Board of County Commissioners.

Cul-De-Sac Or Dead End Street Or Road is a minor street or road, with only one outlet, which shall be terminated by a permanent turnaround with a minimum radius of sixty (60) feet.

Dedication is a landowner setting apart land for public use, followed by an acceptance of such donation by the appropriate legal entity.

Easement is the quantity of land set aside, or, over which a liberty, privilege, or advantage in land, existing distinct from the ownership of land, is granted to the public, or some particular person, or part of the public.

Exemption is a release from an obligation imposed by this Resolution.

Final Plat is a map or plat of a subdivision which has been accurately surveyed, and such survey marked on the ground so that streets, blocks, lots, and other divisions thereof can be identified.

Flag Lot is a manner of giving access in fee title. The lot is so designed that it has a narrow access way combined with the appurtenant lot.

Frontage the side of the lot abutting on a street; the front line.

Frontage Street Or Road is a minor street or road which is parallel with, and adjacent to, arterial streets or roads, providing access to abutting properties and facilitating protection from through traffic.

Improvements are all such facilities, utilities, sewage and drainage works, and street work to be constructed or installed by the subdivider in and upon streets, easements, and other rights of way, as are necessary for the general use of residents in the subdivision and for local traffic and drainage needs, and are required as prerequisites to the approval of the subdivision permit and the final subdivision plat and acceptance of the land dedicated therewith.

Lot is a parcel of subdivided or divided land, which is shown on a duly approved and recorded subdivision plat, or other legal map, or by metes and bounds.

Net Acre consists of 43,560 square feet of land excluding any street or road right of ways.

Official Road Map of Sublette County is the map established and adopted by the Board of County Commissioners showing public roads.

Owner is a natural person, firm, association, partnership, private corporation, public or semi-public corporation, or any combination thereof, in which full right of title to real property is vested.

Planned Unit Development is a residential development on a site of 5 acres or more designated as a complete, integrated unit in which the dwelling units are concentrated on the portion of the site most suitable for development, and within which prescribed minimum standards for site area, setbacks, and the bulk and spacing of buildings may be modified to achieve preservation of open space areas of 50 percent or more of the total acreage.

Preliminary Plat is a map showing the design of a proposed subdivision, the existing conditions in and around it, and the proposed improvements.

Right Of Way is the right of the public to cross the real property of another person.

Seasonally High Ground Water the highest elevation reached by groundwater during the year.

Street Or Road Right-Of-Way Width is the shortest distance between the lines delineating the right of way of a road or street.

Subdivider is any individual, firm, association, syndicate, co-partnership, corporation, agent, trust, or any other legal entity commencing proceedings under this Resolution to effect a subdivision of land, a stock offering, or a condominium development hereunder for himself or another person.

Subdivision means the creation or division of a lot, tract, parcel or other unit of land for the immediate or future purpose of sale, building development or redevelopment, for residential, recreational, industrial, commercial or public uses. The word "subdivide" or any derivative thereof shall have reference to the term subdivision, including mobile home courts, the creation of which constitutes a subdivision of land;

Subdivision Permit is a permit indicating approval of the final plat of a subdivision by the Board of County Commissioners, issued upon authorization by the Board at the time a final plat is recorded.

Wastewater Treatment System is any type of system designed and installed for the purpose of collecting and treating wastewater generated by one or more dwelling units or other uses.



Water Supply, Public is a system of water supply distributed by 10 or more service connections for purposes of human consumption and sanitation or other household or business uses.

Zoning is the confining of certain classes of building and land uses to certain localities, areas, districts, or zones, and the regulation of heights, area, bulk, location, and use of private and public structures and premises, and population density.

Zoning And Development Regulations Resolution is that Resolution adopted December 18, 1978, by the Board of County Commissioners to implement the Comprehensive Plan, and includes All Subsequent Amendments to that Resolution.

## SUBCHAPTER II: PROCEDURAL REQUIREMENT

Section 1. REQUIRED PROCEDURES. The procedures prescribed in this chapter shall be followed to secure a subdivision permit.

Section 2. PRE-APPLICATION CONFERENCE. A pre-application conference shall be required. The conference shall be scheduled upon the request of the Administrator or at the request of the applicant. In addition to the applicant or his representative and the Administrator, participants in the conference may include a member or members of the Planning and Zoning Commission and representatives of any public agency that may have an interest in or be affected by the proposed subdivision. The purpose of the conference shall be to discuss informally the proposed subdivision concept, its relationship to surrounding development, any site condition that may require special consideration or treatment, and the requirements of this resolution and of the Zoning and Development Regulations Resolution that would be applicable.

Section 3. APPLICANT ACTION.

- a. PUBLIC NOTICE. The applicant shall publish in a local newspaper, notice of his intent to apply for a permit to subdivide, once each week for two (2) weeks within thirty (30) days prior to filing his application with the Planning and Zoning Office. The notice will include the name of the subdivider and the general location of the land to be subdivided.
- b. APPLICATION TO APPROPRIATE AGENCIES. The applicant shall submit a copy of the application to the appropriate agencies, such as Wyoming State Engineer's Office, Wyoming Department of Environmental Quality. Conservation District, municipalities within one (1) mile of the development, irrigation districts as described herein, for required approvals, comments and suggestions.
- c. FILING REQUIREMENTS: PRELIMINARY PLAT. Application for preliminary plat approval shall be filed with the Administrator on the prescribed form which shall contain the name and address of the owner or applicant, and a notarized statement that the applicant, if not the owner, is authorized by the owner to make application and act as agent for the owner. The application shall be accompanied by then (10) copies of the preliminary plat, the accompanying material prescribed in Chapter III, page 14, and the required application fee.

Section 4. ZONING ADMINISTRATOR ACTION: PRELIMINARY PLAT. The Administrator shall review the application and the preliminary plat submitted therewith, and if they are found to be complete, shall accept the application and fee. If in the opinion of the Administrator, the preliminary plat contains land that may be needed for a public utility, park, school, or other public facility; he shall within three (3) days transmit a copy of the plat to the appropriate public agency together with a request for its comments to be returned within 30 days. Copies of the plat shall be transmitted to the Plat and Map Review Committee

(consisting of the County Geographic Information Coordinator, County Planning and Zoning Administrator, appointed surveyor, and appointed abstractor), appropriate Fire Department, Conservation District, and School District, and may be transmitted to any other public agency that may be affected by the proposed subdivision. Within 30 days, the Administrator shall prepare a report covering compliance with all requirements of the regulations contained in this resolution that are applicable to the proposed subdivision. The Administrator shall submit the application, the preliminary plat, a staff report, and any comments received from any public agency to which the plat was referred, to the applicant and the Planning and Zoning Commission no later than 10 days before the next regularly scheduled meeting of the Commission.

**Section 5. PLANNING AND ZONING COMMISSION ACTION: PRELIMINARY PLAT.** The Planning and Zoning Commission shall review the application, the preliminary plat, the report of the Administrator, and any comments on the proposed subdivision received from a public agency. At its option, the Commission may request review by any qualified professional person, and may conduct such investigations, examinations, tests and site evaluations as it deems necessary to verify the information contained in the application or shown on the plat. The applicant shall grant the Commission or its agent permission to enter upon his land for these purposes.

The Commission shall hold a public review of the application. Within thirty (30) days after said review, the Commission shall recommend to the Board of County Commissioners that the Board:

- a. Approve the preliminary plat.
- b. Approve the preliminary plat subject to such modifications and conditions as the Commission deems necessary to justify its making the findings prescribed in Section 7 of this chapter.
- c. The Planning and Zoning Commission may continue the preliminary plat application until the next regularly scheduled Planning and Zoning meeting if the Commission determines insufficient information or facts have been submitted to allow a decision on the preliminary plat based on the required findings prescribed in Section 7 of this chapter.
- d. Deny the application.

**Section 6. BOARD OF COUNTY COMMISSIONERS ACTION: PRELIMINARY PLAT:** Within ten (10) days after the action of the Planning and Zoning Commission, its findings and recommendation shall be transmitted to the Board of County Commissioners. At its next regularly scheduled meeting held on Planning and Zoning items the Board shall hold a public review. Within thirty (30) days after the review, the Board shall:

- a. Approve the preliminary plat.
- b. Approve the preliminary plat subject to such modifications and conditions as the Board deems necessary to justify its making the findings prescribed in Section 7 of this chapter.
- c. The Board of County Commissioners may continue the preliminary plat application until the next regularly scheduled Board of County Commissioners meeting held on Planning and Zoning items if the Commission determines insufficient information or facts have been submitted to allow a decision on the preliminary plat based on the required findings prescribed in Section 7 of this chapter.
- d. Deny the application.

As a condition of approval of a preliminary plat, the Board may require the dedication of land for streets, parks, playgrounds, or other public uses, provided that acceptance of dedication of proposed public lands

shall be made only by the Board, and approval of a preliminary plat shall not be deemed an acceptance of dedication.

Section 7. REQUIRED FINDINGS. Before recommending approval or approving a preliminary plat, the Planning and Zoning Commission and Board of County Commissioners shall make the following findings:

- a. The proposed subdivision conforms with all applicable provisions of the Zoning and Development Regulations Resolution of Sublette County.
- b. The proposed subdivision will not interfere with existing agricultural water rights, and that provision has been made to ensure access to agricultural water supplies and systems for maintenance.
- c. The proposed subdivision will not have any significant adverse impact on neighboring properties that are either developed or undeveloped.
- d. The proposed subdivision will not have any significant adverse impact on the County's scenic resources.
- e. The proposed subdivision will not have any significant adverse impact on wildlife habitat, wildlife migration routes, or fisheries.
- f. The proposed subdivision will not cause traffic congestion or safety hazards.
- g. The proposed subdivision is consistent with the purposes of this resolution.
- h. The proposed subdivision is consistent with the provisions of Sections 18-5-301 through 18-5-315, Wyoming Statutes, 1977, as amended, and as modified herein.
- i. The proposed subdivision is in an area where public services such as schools, police, fire protection, transportation and utilities are available and accessible.

Section 8. DENIAL OF APPROVAL, REAPPLICATION. When an application for preliminary plat approval is denied, the applicant shall be provided with a written statement prepared by the Zoning Administrator and approved by the Board containing the specific reasons for such denial. The applicant may reapply for preliminary plat approval, provided that the application shall include an affidavit that all deficiencies that caused the original application to be denied have been corrected.

Section 9. FILING REQUIREMENTS: FINAL PLAT. Within one year of the date of approval of a preliminary plat by the Board of County Commissioners, the applicant shall have a final plat prepared in accord with the provisions of Chapter XII, Subchapter IV, and shall file with the Administrator an original tracing and electronic pdf format copy of the final plat containing all of the required certifications, and as many copies of the accompanying material prescribed in Chapter XII, Subchapter IV, as shall be required by the Administrator.

Section 10. ZONING ADMINISTRATOR ACTION: FINAL PLAT. Upon acceptance of the final plat containing all of the required certifications, the accompanying materials, and fee, and within ten (10) days thereafter, the Administrator shall review the final plat for conformity with the approved preliminary plat and any conditions of approval thereof, and shall prepare a report thereon.

Section 11. PLANNING AND ZONING COMMISSION ACTION: FINAL PLAT. Planning and Zoning Commission action shall not be required for Final Plat application(s) in which all reviews, regulatory requirements or conditions of approval have been completed and fulfilled. Planning and Zoning Commission action, in the form of a public hearing and recommendation to the Board of County Commissioners, shall be required for Final Plat application(s) in which reviews, regulatory requirements or

conditions of approval associated with the Preliminary Plat have not been completed and fulfilled. When a Final Plat application(s) requires action by the Planning and Zoning Commission a public hearing shall be scheduled for the next Planning and Zoning Commission meeting following the deadline date for review(s) to be completed.

Section 12. PLAT REVIEW COMMITTEE ACTION: FINAL PLAT. The applicant shall submit five (5) copies of the final plat to the Administration for review by the Plat and Map Review Committee. The Committee consists of the County GIS Coordinator, County Planning and Zoning Administrator, appointed surveyor and appointed abstractor. The Plat and Map Review Committee shall complete its review within thirty (30) days of receipt of the final plat.

Section 13. BOARD OF COUNTY COMMISSIONERS ACTION: FINAL PLAT. At its next regularly scheduled meeting following receipt of the Planning and Zoning Commission's recommendation and the Plat Review Committee recommendations, the Board of County Commissioners shall review said recommendations and shall consider the completeness and adequacy of the following:

- a. IMPROVEMENTS APPROVAL. The Board shall review the signed statement of the county engineer or surveyor or other authorized individuals, certifying that the enumerated improvements meet the minimum requirements of all pertinent county, state, and federal rules and/or regulations and that the amount of the improvements security is sufficient.
- b. IMPROVEMENTS SECURITY. The Board shall review the cash bond or letter of credit which has been submitted by the subdivider to assure the actual construction of improvements within the subdivision. The Board shall determine if the type of security is acceptable.
- c. DISPOSITION OF WATER RIGHTS. The Board shall withhold the granting of a subdivision permit until the provisions of Chapter XII, Sub-Chapter III, Section 2, paragraph C, subparagraphs 2 through 4, of this resolution have been met.
- d. FEES FOR OTHER SERVICES. Required reviews including but not limited to the Title Company, Engineer, Surveyor or Specialized Consultant shall be required to be paid by the applicant to the County Clerk at 100% of actual cost prior to the filing of the final plat.

If the Board determines that the final plat, performance guarantees for improvements for the subdivision, and all other requirements of this resolution have been complied with, the Board shall accept the final plat and shall authorize the issuance of a subdivision permit. The final plat shall be held in the Planning and Zoning Office until recordation by the subdivider or owner.

Section 14. RECORDATION. Within thirty (30) days of approval of the final plat by the Board of County Commissioners, the applicant shall file the original tracing of the final plat bearing all of the required signatures with the County Clerk and shall pay all recording fees.

Section 15.. REVOCAATION. The Board of County Commissioners may revoke a subdivision permit upon failure to comply with the conditions of approval of a final plat, upon violation of any of the provisions of this resolution, or for fraudulent representations or material omissions made to the Planning and Zoning Commission or the Board, by or on behalf of the applicant.

## SUBCHAPTER III: PRELIMINARY PLAT

### Section 1. PRELIMINARY PLAT CONTENTS.

#### a. DESCRIPTIVE INFORMATION.

1. Title Block. Located in the lower right hand corner and shall contain the following information:
  - a. Name and number or other designation for the subdivision.
  - b. Location by section, township, range and county.
2. Vicinity Map
  - a. Minimum scale 1"=2000'.
  - b. Location of subdivision, including address if applicable, and the section, township and range.
  - c. All property under the control of the subdivider within one (1) mile of the proposed subdivision.
  - d. Sketch of the prospective street system of the unplatted parts of the subdivider/owner's land.
  - e. Section corners found or set.

#### b. GENERAL INFORMATION

1. Names and addresses of the owner, subdivider, and surveyor or other person that prepared the plat.
2. Date of preparation and date of survey if applicable.
3. North arrow, scale.
4. Acreage, number of lots, density.
5. Land use district within which the proposed subdivision is located.
6. Names of abutting landowners and the abutting boundaries of their parcels.

#### c. INFORMATION ON EXISTING CONDITIONS.

1. Location of nearest horizontal and vertical control monuments.
2. Location, width and names of all existing streets within two hundred (200) feet of the proposed subdivision.
3. Rights of way or easements of record. Give recordation information.

4. Location of parks, public open spaces, permanent buildings and structures.
5. Incorporation lines of towns within one mile.
6. Location of all wells and reservoirs within one hundred (100) feet of the subdivision.
7. Location of sewers, water mains, culverts or other underground facilities within the proposed subdivision and to a distance of at least one hundred (100) feet beyond the subdivision boundaries. Indicate pipe sizes, grades, manholes and exact locations.
8. Location of ditches, culverts, canals, natural drainage channels, and open waterways and proposed realignments thereof.
9. Location of potentially hazardous areas located on or adjoining the proposed subdivision.
10. Contours, existing and finished, at vertical intervals of not more than ten (10) feet, where the slope is 5% to 15% or not more than twenty (20) feet where the natural slope exceeds 15%. If contours are shown, the nearest horizontal and vertical monument shall be shown.
11. High water levels, where known, of all watercourses and any area subject to flooding or shown on the Flood Hazard Boundary Maps.

d. SUBDIVISION LAYOUT INFORMATION.

1. Minimum scale of 1"=200' for lots 10 acres or larger, for lots smaller than 10 acres minimum scale of 1"=100'.
2. Plat size shall be 24" X 36" or 22" x 36".
3. The boundary of the subdivision shall be shown.
4. Layout, width and name of all proposed streets. Minimum width of all access streets and interior streets shall be sixty (60) feet.
5. Easements for utilities, drainage, or other purposes identified by intended use and width thereof.
6. Lot lines, lot numbers, approximate dimensions and area in square feet or acres, as appropriate, for each lot.
7. Areas in open space to be dedicated to the public or to be retained for the use of property owners in the subdivision.
8. On lots where the proposed wastewater treatment system consists of septic tanks and leachfields, the location of two leachfield sites, one for immediate use and one to be held in reserve for future use shall be shown on each lot. If site conditions warrant, designated areas for wells and/or leachfield sites shall be shown on the final plat.
9. Location of proposed community wastewater treatment facility or community water supply, if applicable.

10. If plat is for a mobile home park, state if the lots are to be rented or sold. (If at a later date the purpose of the lots is changed the plat must be amended.)

Section 2. DRAWINGS, STATEMENTS AND OTHER DATA.

a. DRAWINGS.

1. Typical cross sections and proposed gradients of all streets which do not comply with the County Road Standards.
2. Engineering analysis, plans and drawings for public water supply or wastewater treatment.
3. Drainage plans and drawings.
4. Irrigation plans and drawings.

b. STATEMENTS.

1. Method by which the applicant proposes to provide water supply and wastewater treatment systems. If no community systems are proposed the following statements shall appear:
  - (a) "NO PROPOSED PUBLIC SEWAGE DISPOSAL SYSTEM."
  - (b) "NO PROPOSED DOMESTIC WATER SOURCE."
2. Method by which the applicant proposes to handle stormwater and snowmelt drainage, including provisions for erosion control.
3. If there will be no public maintenance of roads, the statement "NO PUBLIC MAINTENANCE OF STREETS OR ROADS" shall be placed on the plat.

c. OTHER DATA.

1. For a subdivision where slope exceeds 15% evidence that each lot will contain a building site not located in a hazardous or unstable area.
2. The applicant's engineer or surveyor shall certify as to whether or not water rights are attached to the land and the status of the rights. If a subdivision is proposed for lands that have valid water rights, the subdivider is required to supply evidence concerning his intentions regarding the disposition of the water resource as follows:
  - (a) Abandonment of Water Rights: The applicant must petition for voluntary abandonment to the Board of Control if the water right is adjudicated or to the State Engineer if the water right is unadjudicated.
  - (b) Transfer of Water Rights: The applicant must petition for change of use, point of use or point of diversion which would remove the water right from the proposed subdivided lands and allow it to be transferred, without loss of priority, to other lands in his ownership if the petition were granted by the Board of Control or the State Engineer.

- (c.). Retainment of Water Rights: The applicant must submit a plan certifying as to the accuracy and workability of the plan by a professional engineer or land surveyor registered in the State of Wyoming. This proposal also must include a petition to the Board of Control or State Engineer for change in use, change in place of use, change in point of diversion or means of conveyance, if applicable.
- (i) All active ditches and laterals that serve the lots of the subdivision shall be shown on the plat and have specified easement widths adequate for the installation and maintenance of the proposed ditches and laterals.
  - (ii) The subdivider shall indicate on the deed and plat as to who is to develop and maintain the ditches and laterals.
  - (iii) The subdivider shall submit evidence of the plan being submitted to the State Engineer's Office.
- (d) The Board of County Commissioners shall withhold any granting action until the Board of Control or the State Engineer ultimately either grant or deny the petition submitted to them.
3. If the proposed subdivision is in an irrigation district or is served by a ditch, irrigation company or association or is served by an unorganized ditch, the subdivider must submit evidence that the proper district, company, association or individuals have had the opportunity to review and present recommendations relative to the proposed subdivision. The proper company, association, or individual shall have forty-five (45) days to review the plan as verified by receipt of certified mail. If the subdivision is within an irrigation district, a statement shall be placed on the plat giving the district's name and stating that the lots are subject to tax assessment for the district.
  4. The subdivider shall specifically state on all offers and solicitations relative to the subdivision 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 subdivision. The subdivider shall further state that Wyoming law does not recognize any riparian rights to the continued natural flow of a stream or river for any persons living on the banks of the stream or river.
  5. The Board shall require the applicant to obtain review and recommendations from the local conservation district regarding soil suitability, erosion control, sedimentation, and flooding problems. Groundwater tables must be verified during irrigation season. A private firm may be hired for soil analysis, but approval must come from the local conservation district. The review and recommendations of said district shall be completed within sixty (60) days. If weather conditions prevent soils analysis and no records are available, the time for district review may be extended at the discretion of the Planning and Zoning Commission.
  6. Copies of any agreements with adjacent property owners relevant to the proposed subdivision must be submitted.
  7. Copy of a conveyance to the owners of record and subdividers, e.g. Warranty Deed, Quit Claim Deed, Title Insurance and/or Memorandum of Contract.



8. Such additional material as the Administrator may require or the applicant may choose to submit pertinent to the application and the findings prerequisite to the approval of a preliminary plat prescribed in Chapter II, Section 7.

Section 3. SUBDIVISION DESIGN STANDARDS.

a. STREETS OR ROADS.

1. Streets or roads must conform with the county road standards, for subdivisions. An engineered roadway design shall be reviewed and accepted by a civil engineer designated by the Planning Department prior to approval of the Final Plat.
2. Sixty (60) feet minimum right-of-way width shall be required for all access roads to and streets or roads within the subdivision.
3. Provision for continuation of streets or roads in adjoining areas shall be made as may be deemed necessary by the Board.
4. Frontage roads may be required where a subdivision abuts an existing arterial or major street or road.
5. Arterial and collector streets shall be leveled to grade or less than one (1) percent for a distance of one hundred (100) feet from the right of way of an intersection.
6. Roads must be contoured along hills to preserve the character of the terrain.
7. Intersections shall be at minimum eight-five degree (85°) radius angle with the main road, with one hundred (100) foot tangent from right of way to the point of commencement of the curve
8. Copies of all State and/or Federal access permits must be filed with the Planning and Zoning Office. County access permit shall be obtained to any county road.
9. Traffic control and road name signs, in conformance with County specifications, shall be placed at all road intersections appurtenant to the subdivision.
10. Street and road names must be approved by the Planning and Zoning Office.
11. Easements for cul-de-sacs shall have a minimum 60 foot radius, with a 45 foot radius improved surface.
12. Roads shall be built on the centerline of the easement.

b. ALLEYS.

1. Alleys shall be provided in mobile home park, commercial, business, and industrial districts, except the Board may waive this requirement where other adequate and assured provision is made for service access, offstreet loading, unloading, parking, and installation of public utilities.
2. No dead end alleys shall be allowed, except the Board may waive this requirement where such a dead end alleys are unavoidable and adequate turnaround facilities have been provided.

3. Minimum width shall be twenty (20) feet.

c. EASEMENTS.

1. Utility easements with a right-of-way width of ten (10) feet shall be provided along all front, rear, and side lot lines.
2. Utility easements shall not be located within the street or road right of way.
3. Drainage ditch, irrigation ditch and canal easements of sufficient and specified width for maintenance and viable ingress and egress shall be provided.
4. Easements for roads and utilities to adjoining lands for future development may be required.
5. A protection strip or buffer strip located between a street or road right of way and the adjacent property to limit or control access is prohibited.
6. Where access to a subdivision crosses public lands i.e. BLM, State, Forest Service, the developer shall make provisions to insure that such access will continue after the subdivided lands are resold.
7. All utilities placed within a subdivision road easement shall be placed in the outermost ten (10) feet of the road easement, with all utility pedestals to be located on the outmost edge of the road easement.
8. When deemed necessary additional easements may be required for the construction of or maintenance of roads.

d. LOTS. Lot size shall be in conformity with the provisions of the Zoning and Development Regulations Resolutions.

1. Minimum lot size shall be:
  - a. 10,000 square feet if public sewage and water supply are available in the R, R MH, R-R, or R-R MH districts.
  - b. 2 net acres if individual wells and septic system are utilized in the R, R MH, R-R, or R-R MH district.
  - c. Lots of four acres or less shall be net acres.
  - d. In the R-R 5, R-R 10 and R-R 20 zones, where the quarter/quarter section is not a full 40 acres, lots which are 4.5 to 5 acres shall be considered 5 acre lots, lots which are 9.5 to 10 acres shall be considered 10 acre lots, lots which are 19.5 to 20 acres shall be considered 20 acre lots.
2. Principal access to a street or road shall be provided for each lot.
3. Side lot lines shall be substantially at right angles to straight roads or street lines, or radial to curved road or street lines.
4. Corner lots shall be provided with a minimum twenty (20) foot radius.

5. Lots deemed by the Board to be subject to flooding or otherwise uninhabitable shall not be platted for residential occupancy, nor for other uses that may endanger health, life or property, or aggravate the flood hazard.
6. Uninhabitable areas may be designated as open space.
7. Lots should not be divided by a roadway. If said division is unavoidable, a note must be placed on the plat stating that the lot can not be sold as two tracts without first meeting the requirements of this resolution.
8. Minimum width:
  - a. Fifty (50) feet shall be required between radials on the curve of a cul-de-sac.
  - b. Depth to width ratio of greater than three to one (3:1) shall not generally be permitted on lots of 3 acres or less. The minimum lot frontage on any lot shall be 100 feet or 35 feet minimum when the design is on a cul-de-sac. Larger lots shall be of sufficient width to provide a good building site which meets all setback requirements.
9. Residential lots shall be arranged to afford the best possible view, privacy, orientation for sunlight and air, safety, and utilization of natural features.

e. PUBLIC SITES AND OPEN SPACES.

1. Where lot size is less than two (2) acres, parks and playgrounds shall be central in all residential neighborhoods of every fifty (50) lots.
2. Areas reserved for public sites and open spaces shall be in the ratio of one half (1/2) acre for every ten (10) lots where lots are less than two (2) acres.
3. More than one site shall be required for residential subdivisions of more than fifty (50) lots where lots are less than two (2) acres in size.

f. UTILITIES.

1. Water Supply.
  - (a) Where an approved public water supply is reasonably accessible or procurable, the subdivider shall install water lines or shall contract with the local water distributing agency to make the water supply available to each lot within the subdivision.
  - (b) Public water supply shall be provided on lots of less than one acre.
  - (c) If individual wells are proposed, the sub-divider shall submit with the application, a hydrology study by a Wyoming professional geologist specializing in hydrology providing evidence that adequate water supply and quality meeting all State requirements will be accessible to the proposed subdivision. The hydrology study shall determine the effect of additional wells on the aquifers and surrounding wells. In addition, the study shall state the potential availability and quality of groundwater within the proposed subdivision.  
A minimum twenty-four (24) hour well pump test, conducted on the proposed subdivision site, to obtain data shall be performed and the

results submitted with the application. If served by a municipal water supply, a hydrology study is not required.

2. Wastewater Disposal.

- (a) Where a public sanitary sewer system is within five hundred (500) feet, or in the opinion of the Board is close enough to require a connection, the subdivider shall connect with such sanitary system.
- (b) Where onsite community wastewater disposal is proposed, the subdivider shall obtain approval from the County and the Department of Environmental Quality to install central sewage treatment facilities.
- (c) Where small wastewater systems are to be utilized, there must be two (2) leachfield sites on each lot and shall be shown on the plat where conditions warrant.
- (d) All wastewater shall be disposed of in a manner which meets the standards of the Department of Environmental Quality and Sublette County.
- (e) The depth of the seasonally high ground water shall be greater than 2 feet from the natural ground surface for residential subdivisions utilizing small wastewater systems.
- (f) For those individual site locations where seasonally high groundwater may be present; high groundwater information shall be required to be collected during the high groundwater season (usually during the height of the irrigation season i.e. mid-June through mid-July).
- (g) When the subdivision is to be served by individual septic systems, subdividers shall furnish the Sublette County Planning and Zoning office a report of percolation tests completed on the land by a registered professional engineer or land surveyor indicating that sufficient number of percolation tests have been made in separate test holes spaced uniformly over proposed absorption field sites, and that the results of such tests indicate that percolation rates are adequate to permit the installation of the proposed type of soil absorption system without creating sanitation or pollution problems.

3. Electricity and Telephone

- (a) All utility lines must be underground unless terrain or large lot size warrant the installation of overhead main trunk lines.
- (b) Underground utilities shall be provided in subdivisions at developers expense except any voltage line above distribution circuits.

4. Fire Protection.

All new subdivisions and planned unit developments shall comply with the fire protection requirements set forth in this Resolution. With the exception that subdivisions where all lots within the subdivision are 20 acres or larger shall be exempted from Fire Protection requirements contained in this resolution.

- (a) Subdivisions and Planned Unit Developments with 3 to 9 lots shall provide a year round water source, with a minimum capacity of 10,000 gallons. One hydrant, connected to the water source shall be provided.
- (b) Subdivisions and Planned Unit Developments with 10 to 19 lots shall provide two year round water sources, with a minimum capacity of 10,000 gallons each. One hydrant, connected to each water source shall be provided.
- (c) Subdivisions and Planned Unit Developments with 20 or more lots shall provide three year round water sources, with a minimum capacity of 10,000 gallons each. One hydrant, connected to each water source shall be provided.
- (e) The design of year round water source(s) and hydrant(s) shall comply with the standards set forth in the document Sublette County Subdivision Fire Protection Guidelines, August 2008, which is available in the Planning Department office. During construction and installation the water source(s) and hydrant(s) shall be subject to inspection and approval by a designee of the Sublette County Fire Board.

5. Planned Unit Developments (includes all types of multi unit developments).

- (a) Number of units/lots shall not exceed that allowed by the Zoning and Development Regulations Resolution.
- (b) Design requirements.
  - (i) Landscaping appropriate to the development may be required.
  - (ii) Buffer areas of open space or planted screens between abrupt changes of land use within the development may be required.
  - (iii) Common water supply system shall be required in the R and R-R districts.
  - (iv) Common sewage disposal system shall be required in the R and R-R districts.

g. FENCING.

Where a subdivision adjoins a stock driveway or open range, the developer shall be required to fence the perimeter of the subdivision.

Section 4. DECLARATION OF RESTRICTIVE COVENANTS AND HOMEOWNERS ASSOCIATION.

The Board shall require that a Declaration of Restrictive Covenants be prepared, duly executed and recorded in connection with the approval of the subdivision permit application. The Board shall require that such Declaration of Restrictive Covenants establish a homeowners' association to enforce the provisions of such covenants, and to provide road and ditch maintenance and protection of water rights and snow removal services within the subdivision. The Board shall further require that the provisions of said covenants, or any portion thereof, may not be amended without the prior written consent of the Board. In addition the Board may require that the covenants authorize third parties, such as ditch associations, in addition to the owners' or homeowners' association, to enforce specified provisions of the Declaration of Restrictive Covenants.

## SUBCHAPTER IV: FINAL PLAT

Section 1. PREPARATION. The final plat shall be prepared by a registered professional land surveyor to the following minimum specifications:

- (a) SCALE shall be a minimum of 1"=200' for lots 10 acres or larger and for lots smaller than 10 acres a minimum of 1"=100'. A different scale may be allowed at the discretion of the Planning and Zoning Administrator.
- (b) NORTH shall be to the top whenever possible and a true north arrow on each sheet.
- (c) MAP SIZE shall be size "G" or size "C" in accordance with W.S.a 33-29-139.
- (d) AN INDEX shall be provided if more than one sheet is necessary.
- (e). CERTIFICATE PAGE: A separate page for certificates may be used if necessary and contain the following additional information:
  - 1. Title block in lower right corner.
  - 2. Date of preparation.

Section 2. CONTENTS. The final plat shall conform with the approved preliminary plat and shall contain all of the information required thereon, except for contour lines. The following additional information shall be included:

- (a) NUMERICAL IDENTIFICATION SYSTEMS for all lots and blocks.
- (b) SURVEY AND DIMENSIONS.
  - 1. Accurate angular and lineal dimensions for all lines, angles and curves used to describe boundaries, streets, alleys, easements, areas to be reserved for public use and other important features shall be given.
  - 2. Perimeter subdivision lines shall be accurately related by distance and bearings to established roads or streets lines, or corners of the Public Land Survey System and closure shall be one foot in 5,000 feet or better.
  - 3. True angles and distances to the nearest established street lines or official monuments, which shall be accurately described in the plat and shown by appropriate symbol.
  - 4. Radii, internal angles, points and curvatures, tangent bearings, and the lengths of all arcs shall be given.
  - 5. The accurate location of all monuments installed, shown by the appropriate symbol, and all United States, State, County or other official bench marks, monuments, or triangulation stations in or adjacent to the property shall be shown.
  - 6. Each lot corner shall be monumented with permanent markers in accordance with the Rules and Regulations of the State Board for Registration of Professional Engineers and Professional Land Surveyors. Descriptions of all

monuments found or set shall be shown either by legend or separate description. Streets, alleys, and roadways shall be monumented on the right of way.

7. Accurate boundaries and legal descriptions of any easement or area to be dedicated for public use, with the purpose indicated thereon, and of any area to be reserved by deed or covenant for the common use of all property owners shall be designated.
8. Where it is proposed that streets be constructed on property controlled by a public agency or utility company, approval of the location, improvement, and maintenance of such streets shall be obtained from the public agency or utility company and entered on the final plat in a form approved by the County Attorney.
9. Gross acreage of each lot depicted upon the plat shall be shown. Additionally, net acreage shall be depicted on lots less than four (4) acres in size.

c. **CERTIFICATES.** The standard forms of the following shall be included:

1. Description of land to be included in the subdivision described in Certificate of Surveyor or Certificate of Owner.
2. Certificate of Surveyor signed by a Land Surveyor registered under the laws of the State of Wyoming and acknowledged.
3. Certificate of Owner in accord with Section 34-12-103, Wyoming Statutes, 1977, as amended, and acknowledged.
4. Certificate of Mortgagee or Certificate of Contract Seller and acknowledged.
5. Certificate of Approval of the County of Sublette, and incorporated towns if the subdivision is within one mile of incorporated limits in accord with Section 34-12-103, Wyoming Statutes, 1977, as amended, sealed and attested.
6. Certification by a Registered Professional Wyoming engineer certifying as to the adequacy and safety of the sewer disposal system proposed for the subdivision, including the adequacy of the proposed system in relation to the topography of the subdivision, proposed population density, soil conditions and watersheds located on or draining into or over the proposed subdivision. If no public sewage disposal system is proposed by the subdivider, the words "NO PROPOSED CENTRALIZED SEWAGE SYSTEM" in bold capital letters shall appear on all offers, solicitations, advertisements, contracts, agreements, and plats relating to the subdivision.
7. Certification by a Registered Professional Wyoming engineer certifying to the adequacy and safety of the domestic water source intended to be used for the subdivision, and that the plan for domestic water supply meets County, State and Federal standards. If no domestic water source is proposed by the subdivider, the legend "NO PROPOSED CENTRAL WATER SUPPLY SYSTEM" shall appear on all offers, solicitations, advertisements, contracts, agreements, and plats relating to the subdivision.

8. Certificate of approval wordage shall be as follows: Pursuant to Section 34-12-103, Wyoming Statutes, 1977, as amended, the foregoing described plat (Name of Subdivision) was approved at the regular meeting of the Board of County Commissioners, Sublette County, Wyoming, held on the \_\_\_ day of \_\_\_\_\_, 20\_\_\_. Plat approval does not constitute acceptance of the streets and/or roadways as county roads. Designation of county roads is only accomplished by compliance with provisions of Section 24-3-101, Wyoming Statutes, 1977, as amended.
  9. The words "This subdivision may be subject to further divisions, in compliance with Sublette County subdivision regulations in effect at the time of the proposed division" or "This subdivision shall not be subject to further divisions." shall be placed on the final plat.
- d. DEDICATION OF STREETS, ROADS, ALLEYS, PARKS, EASEMENTS AND OPEN SPACE.
1. Dedication shall be made in the certificate of owner and the specific use stated.
  2. All roads shall be private unless the Board of County Commissioners agrees to their dedication to the public.
  3. Access roads lying without the subdivision shall be dedicated to the owners within the subdivision.
  4. Unless the Board specifically accepts responsibility for maintenance and repair of public ways, the plat shall contain a legend, and all advertising materials and contracts for sale of lots within the subdivision shall contain this phrase in capital letters: "NO PUBLIC MAINTENANCE OF STREETS OR ROADS."

### Section 3. OTHER MATERIALS.

- a. COST ESTIMATE FOR IMPROVEMENTS. The subdivider's engineer or land surveyor shall prepare a cost estimate for the construction of all proposed improvements for the subdivision. The estimate shall be submitted to the Planning and Zoning Office for review with the final plat. The Board of County Commissioners may require 150% of the cost estimate for inflation or unanticipated construction costs.
- b. IMPROVEMENTS SECURITY. The subdivider shall file with the Administrator a cash bond or letter of credit suitable to the Board, in an amount specified by the Board to assure the actual construction of such improvements. The time allowed for the completion of the required improvements shall not exceed twelve (12) months from the date of final plat approval by the Sublette Board of County Commissioners. The Planning and Zoning Administrator may allow a one-time twelve (12) month extension, provided that an updated/revised cost estimate and financial surety are provided forty five (45) days prior to the expiration date of the original approval. Any additional extension shall require Board approval. In lieu of an improvements security, the subdivider may install all improvements prior to the filing of the final plat.
- c. AS BUILT DRAWINGS. One (1) set of as-built drawings for streets, water, sewer and drainage shall be submitted to the Planning and Zoning Administrator prior to the release of any improvements surety for this item. Upon receipt of the as-built drawings the Planning and Zoning Administrator shall release the improvements surety within ten (10) days. A permanent benchmark shall be described on each "plan" sheet of said drawings. The as-built plans shall include the following certification:



I shall certify that these construction plans were prepared under my direct supervision and control, that they accurately represent the referred-to improvements as they have been constructed in the field, and that the improvements as installed conform to the approved design for such facilities per the requirements of Sublette County and other applicable agencies.

Professional Engineer \_\_\_\_\_

Wyoming P.E. No. \_\_\_\_\_

OTHER MATERIALS. Prior to the recording of the final plat, a title report or title commitment or subdivision guarantee prepared current to the final approval of the Board of County Commissioner shall be submitted to the Sublette County Planning office. Title report, title commitment or subdivision guarantee shall include complete name of current owner, mortgagees along with evidence of all easements and deed restrictions on the property and for access and utilities across any properties not under the control of the owner or applicant to the development from a dedicated road

e. SURVEY PLAT IN DIGITAL FORMAT. Prior to an application for Final Plat being approved by the Board of County Commissioners, unless the applicant or the applicant's agent can demonstrate to the Planning Department that considerable practical difficulty or financial hardship would result from the application of this requirement, the following information shall be submitted by email, CD or other approved media in digital format.

(1) DXF or DWG format file. An AutoCAD® 2000 compatible dxf or dwg format file including ownership boundaries, the development boundary, the individual lot or unit boundary lines, easement lines, lot numbers and street names.

(2) If practical the survey plat shall be tied to the Wyoming State Plane Coordinate System.

Section 4. VACATIONS/MODIFICATIONS TO FILED PLATS.

a. VACATIONS. Vacations of Plats, as authorized by W.S. § 34-12-106. et seq., Wyoming Statutes, 1977, as amended. Partial vacations, per W.S. § 34-12-108, Wyoming Statutes, 1977, as permitted subject to the following procedure:

1. COMPLETE VACATION OF AN EXISTING PLAT. Complete vacation of an existing plat shall be accomplished by the filing of an affidavit with the County Clerk signed by all of the owners of land within the plat.

2. COMPLETE VACATION OF AN EXISTING PLAT TO AMEND CONFIGURATION. Complete vacation of an existing plat for the purpose of amending the configuration of any part of a subdivision plat materially affecting all, or substantially all, of the lot owners shall be accomplished by the filing of an amended plat of the subdivision.

(a) The plat shall carry the name of the original subdivision, followed by "Amended", or "Second Amended", etc;

(b) The Certificate of Owners on the amended plat shall have a clause vacating the existing plat, signed by all owners of an interest in the

existing plat. A Certificate of Mortgagee or Certificate of Contract Seller with acknowledgment shall be included;

- (c) If the amended plat has significant impacts on roads, water, sewer, or utility of infrastructure design, or significantly changes the location of building sites, driveway access locations, or changes the scenic or environmental aspects of the subdivision, or changes the number of lots in the subdivision, or changes the allowable uses in the subdivision, then the amended plat shall be reviewed and approved as a new subdivision. If the configuration and design changes leave the subdivision substantially the same in terms of infrastructure, lot numbers and configuration, and impacts on neighboring properties, then the amended plat shall be reviewed and approved as a Final Plat.

b. **CHANGING LOT CONFIGURATION OR ROADWAY LOCATION.**

Partial vacation of an existing plat for the purpose of changing the lot configuration and/or roadway location in a limited part of the subdivision shall be accomplished in accordance with Section 34-12-108, Wyoming Statutes, 1977, as amended, and the following:

- (a) The area to be altered shall be vacated and a new plat made of record.
- (b) The Certificate of Owners shall have a clause vacating the area to be redesigned, signed by all owners of an interest in the lots involved.
- (c) The Certificate of Mortgagee or Certificate of Contract Seller shall be acknowledged.
- (d) If there is more than one (1) owner of the vacated land, an instrument shall be provided to convey ownership to individual parcels resulting from the replat.
- e) If only one (1) subdivision is involved, the name shall be the name of the original subdivision, followed by a numerical designation. The resulting (new) lots shall be numbered progressively with numbers different from the original subdivision. If two (2) or more neighboring subdivisions are involved, then the new plat shall have a name materially different than any of the original plats.
- (f) If the amended plat has no significant impacts on road, water, sewer, or utility design, and changes only minimally the layout and configuration of lots, building and driveway locations, then the amended plat shall be reviewed and approved as a final plat.
- (g) Any division of a lot not following the above procedures (i.e. by deed only) shall not be recognized as a legal division of said lot by Sublette County.

## SUBCHAPTER V: MINOR SUBDIVISION

### Section 1. MINOR SUBDIVISION.

- (a) A minor subdivision is a subdivision which divides one tract into no more than two tracts, and is exempt from the provisions of Wyoming Statute § 18-5-306, except as provided by this Chapter.
- (b) A subdivision will not be classified as a minor subdivision if the land to be divided is a parcel created under the Family Division provisions of Chapter IX of this Resolution.

Section 2. ONLY ONE MINOR SUBDIVISION ALLOWED: Where land has been divided into two tracts in accordance with this Chapter, there can be no further division without compliance with the subdivision regulations of this Title, including approval by the Department of Environmental Quality.

Section 3. MINOR SUBDIVISION PERMIT REQUIRED. A minor subdivision permit is required where a division of land results in the creation of no more than two lots or tracts under the provisions of this Chapter.

### Section 4. FILING REQUIREMENTS.

- (a) The applicant shall file with the zoning administrator an application for a minor subdivision permit and shall pay the applicable fee. The application shall include the following:
  - (1) Name and address of the owner and applicant and the legal description and any physical address of the property.
  - (2) An original plat tracing and three copies of the minor subdivision plat, with sheet size 22" or 24" X 36", and with a minimum scale of 1"=200'. Map C Map G Wyoming Statue 33-29-139 (a).
- (b) Insofar as applicable, the plat shall comply with the Final plat requirements for subdivisions as set forth in this Resolution.
- (c) Any other information and materials deemed necessary by the Planning and Zoning Administrator.

Section 5. ACCESS AND IMPROVEMENTS. A right-of-way and utility easement of minimum width of thirty (30) feet shall be established of record, providing access and utility service to each lot, which easement shall be perpetual and run with the land. A license or permit for access across public lands is acceptable in lieu of a right-of-way easement.

### Section 6. MINIMUM REQUIREMENTS FOR MINOR SUBDIVISION PERMITS.

- (a) If either lot is to include an individual on-lot sewage system, the application shall include results of a percolation test which demonstrates suitability for such a system. The words "NO PROPOSED CENTRALIZED SEWAGE SYSTEM" in bold capital letters shall appear on all offers, solicitations, advertisements, contracts, agreements and plats relating to the Minor Subdivision.

- (b) The application shall include a plan for an adequate domestic water supply for the lots. If a well is to be used, well data from adjoining property owners may be used to support the plan.
- (c) If there is to be no public maintenance of streets or roads, the subdivider shall put a legend on the plat of the minor subdivision, on all advertisements and solicitations for the subdivision and on all offers, contracts or agreements for the sale and purchase of lots within the subdivision showing the streets, alleys and roadways, showing in capital letters "NO PUBLIC MAINTENANCE OF STREETS OR ROADS."
- (d) Documentation satisfactory to the Board of County Commissioners that the subdivider has adequate financial resources to develop and complete any facility proposed or represented to be the responsibility of the subdivider, including but not limited to water supply systems, sewage systems, streets and roadways. The applicant shall provide a performance bond, acceptable letter of credit or other sufficient financial commitment to assure that any such facilities will in fact be completed as proposed. The amount of the financial assurance shall reflect the estimated costs of providing such facilities.

Section 7. ZONING ADMINISTRATOR ACTION. Upon acceptance of the plat containing all the required certifications, the accompanying materials, the filing fee, and the completed Minor Subdivision permit application, the Administrator will review the submissions for conformity with the requirements of this Chapter. The Administrator will have the plat reviewed by the Plat Review Committee. Following receipt of the Plat Review Committee's report and following any required changes to the plat, the Administrator will make recommendations to the Planning and Zoning Commission to grant the permit, to deny the permit, or to grant the permit with modifications or conditions.

Section 8. PLANNING AND ZONING COMMISSION ACTION. The Planning and Zoning will consider the plat at the next regularly scheduled meeting, and after consideration may recommend the permit, recommend the permit be denied, or recommend the permit with modification or conditions.

Section 9. BOARD OF COUNTY COMMISSIONERS ACTION. The Board of County Commissioners will consider the plat at the next regularly scheduled meeting after receiving recommendations of the Planning and Zoning Board, and after consideration may grant the permit, deny the permit, or grant the permit with modifications or conditions.

Section 10. LEGAL DESCRIPTION. When a Minor Subdivision plat has been approved by the Board of County Commissioners, it shall be recorded in the office of the County Clerk. After the plat is approved and recorded, lots or tracts within the minor subdivision shall thereafter be described and conveyed only as described in the Minor Subdivision plat.