

ZONING AND DEVELOPMENT REGULATIONS - 2022

CHAPTER I - GENERAL

Section 1. Title. This resolution is 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. In the event that either Wyoming or United States Statutes or regulations are adopted or amended and are more restrictive than the regulations described herein, such statute or regulation governs.

Section 3. Purposes. 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 the regulation and implementation of 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 must conform;
- c. Conserving the value of land and buildings in all of the unincorporated areas of Sublette County;
- d. Regulating and restricting lot coverage and population density;
- e. protecting residential, agricultural, business, industrial, and recreational uses alike from harmful or detrimental encroachment by incompatible uses, and ensuring that land allocated to a zoning district may not be usurped by other inappropriate uses;
- f. Lessening congestion in and promoting the safety and efficiency of the streets and highways;

- g. Providing for dark skies, air, sanitation, and drainages;
- h. Facilitating the adequate provision of public utilities and facilities;
- i. Furthering the appropriate use of land and the conservation of natural resources;
- j. Isolating or controlling the location of unavoidable nuisance-producing uses;
- k. Providing protection against fire, explosion, water pollution, noxious fumes, and other hazards in the interest of the public health, safety, and general welfare;
- l. Protecting the interest of the general community;
- m. Defining the powers and duties of administrative bodies as provided hereinafter;
- n. Securing economy in governmental expenditures;
- o. Fostering the State's agriculture, mineral, recreational and other industries.

Section 4. Jurisdiction. The jurisdiction and operation of the Zoning and Development Regulations includes all of the privately-owned unincorporated lands within Sublette County, Wyoming. In addition, all lands owned by Sublette County are also be subject to compliance with these Zoning and Development Regulations.

Section 5. Interpretations. In their interpretation and application, the provisions of this resolution are 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 govern.

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

Abate: Termination of a zoning violation by reasonable and lawful means so that a building structure, premise, use, or portion thereof must be made to comply with the applicable regulation resolution.

Accessory Dwelling Unit: A permanent secondary living unit that typically has a separate kitchen, sanitary facilities, and sleeping area existing within the same structure, or on the same parcel, as the primary dwelling unit. The accessory dwelling unit may be separate and detached, an attached unit to the principal structure, a repurposed existing space within the principal structure, an apartment over a garage, or a similar structural form. An ADU may not exceed 1,200 square feet in size, (inclusive of a basement or crawl space over 5 feet in height, exclusive of garage), and must be designed, intended, and used for the housing of nonpaying visitors, guests, or family members of the owner or occupants of the main dwelling on the site. Rental of an ADU for periods of 30 days or longer may require a conditional use permit.

Accessory Residential Unit (ARU, Employee Housing): means any single ARU that is incidental to the primary business use of the parcel, and occupied by only employee(s) and, their immediate family members, whose primary employment duration is a minimum of ninety days (90) in a calendar year, and is in conjunction with the primary use of the business conducted on the parcel.

Accessory Structures: A building or structure which is customarily incidental and subordinate to the allowed principal building or use, which is not a dwelling unit, and does not include a kitchen or bedroom use. An accessory building that is attached to the principal building is 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 customarily incidental and subordinate to the allowed principal use of the building or site.

Agricultural Use (General): Agricultural use means the primary use of the land is the production of livestock, crops, harvest timber, or graze livestock for commercial purposes consistent with the land's capability to produce including land used for structures, or other site improvements or farmstead structure incidental to such uses, that supports the land's production capability.

Airport: A tract of land or water with facilities for the landing, takeoff, shelter, supply, and repair of private or commercial aircraft.

Apartment: A room or rooms in a multi-family building containing two or more such units, occupied or suitable for occupancy as a dwelling unit on a rental basis. The term does not include a townhouse or condominium.

Animal Unit: Considered to be one mature cow of about 1,000 pounds, either dry or with calf up to 6 months of age, or the referenced equivalent, which consumes approximately 26 pounds of forage per day. Refer to the Sublette County Conservation District or the University of Wyoming's Animal Unit Equivalent Charts for Animal units not referenced below.

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-swine
- 4-sheep or goats
- 7-lambs or kids
- 4-llamas
- 10-poultry

Automobile Sales and/or Repair: Premises on which new or used passenger automobiles, trailers, 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: An outdoor site used for the wrecking or storing of vehicles, trailers or parts thereof. This does not include parking of operative and actively registered vehicles or trailers owned by the owner or tenant of the parcel.

Bed and Breakfast Facility: A Bed and Breakfast Facility is an accessory use, located in a single-family dwelling or historic landmark building where guests are lodged for sleeping purposes and a morning meal both of which are provided for compensation. A Bed and Breakfast facility can contain up to 5 rooms for rent daily and have a maximum of 10 guests and must be owner or lessee occupied. The primary use of the residence remains as a single-family dwelling. Bed and Breakfast Facilities do not include motels, health or limited care facilities, boarding houses, group quarters, hostels, rescue missions, ADUs, or ARUs.

Boarder: A person occupying any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for cooking or eating purposes. Any

person occupying such room or rooms for periods of less than thirty (30) days shall be considered a short-term renter.

Board of County Commissioners: All references to the Board of County Commissioners and the County means 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 located on a parcel or portion of a parcel providing overnight visitor accommodations in the form of recreational vehicles or tent sites, which has no permanent facilities other than management offices, sanitary facilities, and other customarily incidental structures.

Chemical Toilet: means a wastewater treatment system that is watertight, portable and, self-contained. These holding tanks serve the purpose of disinfecting and deodorizing human waste that is not suitable for dumping in a standard wastewater system. Includes portable toilets (a.k.a porta-potties or porta johns).

Cistern: A water storage tank that 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.

Commercial: Any application or use in connection with or related to transactions in which, in exchange for commodities received or services rendered, consideration is given in terms of currency, negotiable instruments, credit merchandise, or any other thing of value.

Condominium: A unit in a multiple-family dwelling within which each 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.

Customarily. Requires that the use be scrutinized to determine whether it has commonly, habitually, or by long practice been established as reasonably associated with the primary use.

Density. The number of dwelling units of any type, including mobile homes, on the site of any development, is 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 the 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.

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 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 source, stream, or river, required to effectively carry and discharge floodwater, that is inundated by the ten-year recurrence interval flood.

Floor Area: 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, blocks, concrete, treated lumber, or other such structurally sound material.

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

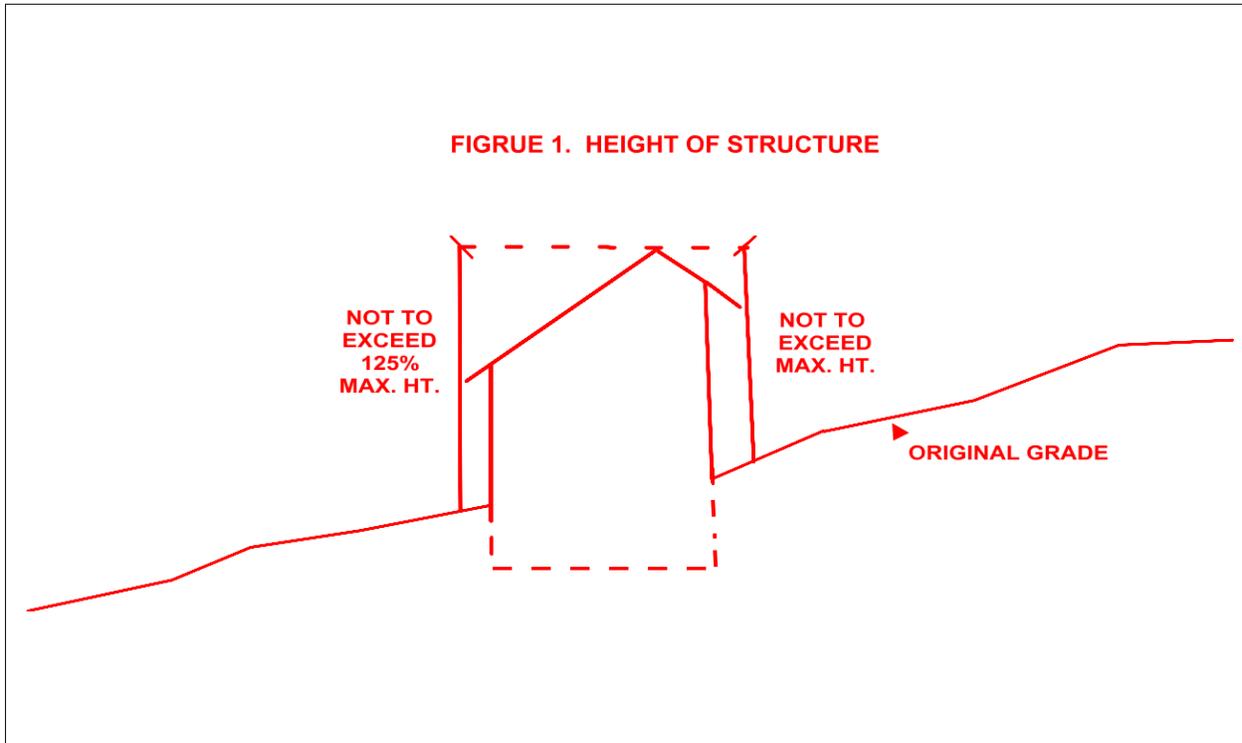
Golf Course: This means a large parcel of land used for the playing of golf. This definition of a golf course does not include miniature golf courses.

Grade: The steepness, in terms of angle from the horizontal, or 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 Ranch: A working ranch with transient-guest accommodations operating in conjunction with an ongoing agricultural operation which has a lodging facility used for dining- that is separate from individual guest cabins which have sleeping rooms sufficient to house at least one family; and may include barns, associated outbuildings, corrals and pastures. Typical services provided include but are not limited to social/recreational activities and facilities, 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. ***(Chapter III, Sec. 48)**

Height, Building: The height of a structure must be measured vertically at any cross-section of the building from the 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 the original grade may 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 structure is allowed and must be authorized or constructed under a proper permit. There may be no substantial increase and/or additional commercial traffic generated by the home business. Fleet autos or trucks are prohibited.

Home Occupation: An occupation or activity carried on by the immediate family members residing on the premises. Said occupation must not be visible or noticeable from outside the walls of the building and must be clearly incidental and secondary to the residential occupancy. There may be no substantial 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. Room doors generally open onto interior hallways. Customary lodging services such as 1) dedicated lobby space to adequately enable check-in/check-out procedures, and 2) personnel/staffing to assist guests at check-in/check-out may be provided. ***(Chapter III, Sec. 49)**

Transportation Parking Facility: An area of land improved and utilized for parking facilities for projects and/or commuters that are utilizing mass transportation provided in connection with projects and/or commuters.

Irrigation System: An artificial or 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 the 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 has qualified to be air-spaced by the FAA and placed noted on aeronautical charts. These are considered restricted use facilities. Any establishment with 14 or more landings per year, including helicopter landings, is 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 must 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 that is to be used as a place of human habitation, which is not constructed or equipped with a permanent hitch, frame, or any wheels or axles or other devices allowing it to be moved other than to a permanent site, and 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 must be conducted from a storage area; storage of, garbage, explosives, highly 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 is prohibited; outdoor storage must 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. Customary lodging services such as 1) dedicated lobby space to adequately enable check-in/check-out procedures, and 2) personnel/staffing to assist guests at check-in/check-out may be provided. ***(Chapter III, Sec. 49)**

Multiple Businesses: Use of a parcel by one or more proprietors or business entities for commercial reasons.

Multiple Family Dwelling: A building or portion thereof containing two or more dwelling units. For example, duplexes, triplexes, and fourplexes. Duplex: A dwelling unit designed exclusively for occupancy by two (2) families living independently of each other, doing their own cooking, and containing two (2) dwelling units. A single-family dwelling unit with an attached or interior ADU is not considered a duplex. Triplex: The same criteria as a Duplex, except designed for occupancy by three (3) families. Fourplex: The same criteria for a Duplex except designed for occupancy by four (4) families. All such dwelling units have a common roof or the dwelling units are joined by a common roof.

Nonconforming Parcel: An existing parcel, whose zoning designation, does not conform to the Minimum Site Area as required in the development standards. (Chapter III, sec. 18.) This includes parcels that have been modified, such as boundary line adjustments, property combinations, or divisions by deed.

Nonconforming remainder parcel: That portion of a tract, parcel, or a lot of land which remains as the result of the sale or division of land, which no longer conforms with the minimum lot size requirements of the existing Zoning District.

Nonconforming Site: A site lawfully created prior to the effective date of this resolution which does not conform to development standards for the zoning 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.

Non-Transient Guest: A paying guest renting, using, or occupying a rooms for lodging purposes for more than 30 consecutive days.

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

Outdoor Recreation Facilities. An area designed for active recreation, whether publicly or privately owned, including, but not limited to commercial businesses offering recreational, or entertainment activities that are predominantly conducted outdoors such as riding arenas, trails & pathways, zipline, shooting range, ski trails, buildings incidental to outdoor recreation and other structures and activities customarily related to outdoor recreation.

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.

Principal Structure: means a structure used or intended to be used for the principal use as permitted on such lot by the regulations of the zoning in which it is located.

Principal Use: the main, major, or dominant use of a building or premises as distinguished an the accessory use.

Planning and Zoning Commission: All references to the Planning and Zoning Commission or the Commission means the Planning and Zoning Commission of Sublette County.

Private Land Use Regulation: Covenants, Conditions, and Restrictions, commonly and collectively known as CC&Rs, are privately created rules regarding the use and improvement of real property that are generally created at the time land is subdivided. Such privately created rules and regulations often contain provisions regarding enforcement of provisions and methods for amendment.

In making recommendations or decisions regarding zoning and development permits or changes to the zoning district boundaries, the Sublette County Planning and Zoning Commission and the Sublette County Board of County Commissioners, respectively, may not interpret, nor does either enforce, any type of private land use regulation such as a covenant, condition, or restriction.

Public Facilities: All government buildings, schools, houses of worship, hospitals, nursing homes, libraries, daycare centers, parks, and other similar public or quasi-public uses constitute an institutional response to basic human needs.

Ranch: An area of land, including various structures, used primarily for ranching, the practice of raising and/or grazing livestock such as cattle and sheep. Ranching is also a method used to raise less-common livestock such as horses, American bison, or even ostrich, emu, and alpaca. Ranches generally consist of large areas, if the ranch includes arable or irrigated land, the ranch may also engage in a limited amount of farming, raising crops for feeding animals, such as hay and feed grains.

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 about a street, the rear lot lines is 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.

Remainder parcel: That portion of a tract, parcel, or a lot of land which remains as the result of the sale or division of land, whereas the remaining parcel complies with the requirements of the existing Zoning District.

Remodel: Any project that raises the quality class or extends the useable life of the buildings or improvements. Normal maintenance and repairs are not considered remodels.

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

Resort: A building or group of associated buildings containing accommodations for transient guests 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 single management which provides the occupants thereof with customary hotel services and accommodations. Customarily incidental services may be made available to the general public.

Salvage Yard: An outdoor space where junk, waste, discarded, or salvage materials are stored or handled, including an 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.

Self-Created: Created by one's self; or owner in the chain of title; not formed or constituted by another.

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

Service Station: A business offering for sale gasoline, oil, electrical charging, 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, Sec. 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 for a primary business purpose.

Short-term rental (STR): A lawfully permitted structure such as a single-family dwelling, an accessory dwelling unit, multi-family dwelling unit, studio, condominium, townhouse, duplex, cabin, bedroom within an existing residential unit, tiny home, or other structure rented for the purpose of overnight lodging for a period of not less than one night and not more than 30 days.

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 nighttime hours through any artificial lighting system.

Single (1) family dwelling unit (SFD): A structure containing a sleeping area, kitchen, and sanitary facilities designed or used as living quarters for one family. It includes both conventional dwellings and manufactured homes.

Site: A parcel of land devoted to using, 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 sidelines 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 apparatus serving as temporary housing for the personnel necessary for the operation and maintenance of 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.

Tower: Any structure, support structure, is temporary or permanent, built for the sole or primary purpose of supporting any unlicensed or FCC-licensed or antennas and their associated facilities, including structures that are constructed for wireless services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul, and the associated site.

Transient Guest: A paying guest or guests renting, using, or occupying a room or rooms for lodging purposes for fewer than 30 consecutive days.

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 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 that 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 is one (1) acre and maximum density may at most 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 incidental to natural amenities.

Light Industrial (I-L): This district provides areas for safe 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 that are compatible with the residents of the district and adjoining property owners.

Planned Unit Development (PUD): This district is an overlay district that 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 utilizing 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 apply.

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

Section 3. Authorized Uses. The following uses must be authorized when enumerated in the applicable zoning district provided that they conform to the applicable development standards. If development standards are absent for a particular authorized use the Planning and Zoning Department shall act in good faith to have such development standards incorporated into this resolution. The Planning and Zoning Administrator may provide reasonable interim 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 accessory structures (non-dwelling structures) that comply with all applicable Development Standards. (Chapter 3)

4. Family Divisions, family divisions creating lot(s) not less than two (2) net acres in size.

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. One (1) ADU per single-family dwelling
4. Rental of an ADU
5. Agricultural Open Space Subdivisions following **Ch. III, Development Standards, Sec. 44** of the Zoning and Development Regulations.
6. ARU uses (employee housing); excluding the use of mobile/nonconforming manufactured homes
7. Short-Term Rental
8. Conditional Uses:
 - a. Home Business
 - b. Workers Camp
 - c. Temporary Camp
 - d. Sanitary Landfill
 - e. Landing Strips
 - f. Transportation Parking Facilities
 - g. Public Facilities
 - h. Temporary storage of heavy equipment
 - i. Guest Ranches
 - j. Outfitters
 - k. Kennels/Dog Breeder
 - l. Bed and Breakfast
 - m. Fur Farms
 - n. Gravel pits, with washing and screening
 - o. Gravel pit, with washing screening and crushing
 - p. Gravel pits, including a batch plant that mixes gravel with sand, water, and cement to produce concrete and associated processing.
 - q. Special Events
 - r. Golf Courses
 - s. Outdoor recreation facilities or uses
 - t. Commercial Greenhouse/Nursery

c. In the Residential District (R):

(Where 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 must 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 is 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 must remain under the ownership of the Homeowner’s Association or Service Improvement District.
- 4. Short- Term Rental
- 5. 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 must 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 must be maintained in accordance with **Ch. III, Development Standards, Sec. 32** of the Zoning and Development Regulations.
 3. ADU
 4. Short- Term Rental
 5. Conditional Uses:
 - a. Public Facilities
 - b. Bed and Breakfast
 - c. Rental of an ADU in the 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 must be maintained following **Ch. III Development Standards, Sec. 32** of the Zoning and Development Regulations.
 4. Short-Term Rental
 5. 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 a permanent foundation;
 3. Livestock must be maintained in accordance with **Ch. III, Development Standards, Sec 32** of the Zoning and Development Regulations.
 4. ADU
 5. Short-Term Rental
 6. Conditional Uses:
 - a. Public Facilities
 - b. Bed and Breakfast

c. Rental of an ADU 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 a permanent foundation;
3. Mini storage buildings for use of residents of the district.
4. Short-Term Rental

5. 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 dry-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 and Motels
10. Funeral homes;
11. One (1) residential use incidental to the principal commercial use, excluding the use of mobile/nonconforming manufactured homes.
12. ARU uses (employee housing); excluding the use of mobile/nonconforming manufactured homes
13. Modular/Manufactured Homes Sales and Display Lots
14. Multiple businesses (which are permitted by right or conditionally permitted)

15. Conditional Uses:

- a. Industrial Transportation Parking Facilities
- b. Public Facilities
- c. Kennels/Dog Breeders
- d. Mini-Storage Units
- e. General commercial establishments
- f. Commercial greenhouse

j. In the Highway Commercial District (CH-1):

- 1. Motels, Hotels, 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. ARU uses (employee housing); excluding the use of mobile/nonconforming manufactured homes
- 9. Modular/Manufactured Homes Sales and Display Lots
- 10. Multiple businesses (which are permitted by right or conditionally permitted)
- 11. Conditional Uses:

- a. Transportation Parking Facilities
- b. Public Facilities
- c. Mini-Storage Units
- d. General commercial establishments
- e. Commercial greenhouse/Nursery
- f. Campground

k. In the Recreational Service District (RS-1):

- 1. Resorts, restaurants, taverns, and gift shops;
- 2. Sports shops, bait shops, and marinas;
- 3. Golf courses;
- 4. Outdoor recreation facilities for hunting, fishing, horseback riding, or winter sports activities;
- 5. ARU uses (employee housing); excluding the use of mobile/nonconforming manufactured homes

6. Conditional Uses:

- a. Transportation Parking Facilities
- b. Public Facilities
- c. Campgrounds
- d. Special Events
- e. Hotels and Motels
- f. Service Stations

I. In the Light Industrial District (I-L):

- 1. 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. Multiple businesses (which are permitted by right or conditionally permitted)
- 14. Conditional Uses:
 - a. Workers Camp
 - b. Temporary Camp
 - c. Light Industrial Project-Employee Housing
 - d. Airports
 - e. 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
- k. Commercial greenhouse/Nursery

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 lumberyards;
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. Multiple businesses (which are permitted by right or conditionally permitted)
21. 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 use;
2. Public parks and similar areas;
3. Maintenance and preservation of historic sites and trails.

p. In the Rural Mixed District (RM):

1. Agriculture (General);
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 be maintained following **Ch. III, Development Standards, Sec. 32** of the Zoning and Development Regulations
10. ADU.
11. Short-Term Rental
12. 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 Board.

Section 5. Conformity with District Regulations. Except as provided in Chapter VII for Nonconforming uses and sites, no structure or site may be used other than in conformity with the regulations of the zoning district in which the structure or site is located. No site may 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 must 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 must conform to all standards

established by the State of Wyoming State Engineer's office or the United States EPA. All wells must be constructed 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 is required for the installation of domestic water well, septic tank, and leach field disposal system.

Section 3. Sewage Disposal Systems. All sewage disposal systems must conform to all standards established by the Wyoming Dept. of Env. Quality, in addition to the standards established by this section.

The applicant for a Wastewater System Permit must furnish the Planning and Zoning Administrator with sufficient material to document that the proposed sewage system conforms to State and County standards or requirements. Every sewage disposal system must 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. (Exception: Engineered systems may be inspected by a certifying licensed engineer or by the Wyoming DEQ.)

No septic tank may be located within 50 feet of any water well and no leach field may be located within 100 feet of any water well.

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

Chemical Toilets Provisions: Chemical toilets and portable toilets are intended for temporary, short-term use (not more than 30 days total in a calendar year on any private property) for the containment of human wastes. Chemical toilets and portable toilets may not be used to serve long-term or permanent wastewater needs of residences or business, except as otherwise outlined below:

- a. Long-term (greater than 30 days per calendar year) storage of chemical toilets or portable toilets, that are NOT in use, in a commercial or industrial storage yard;
- b. Long-term use at an active road, utility or pipeline construction project;
- c. Long-term use at an active construction site on property for which a Building/Zoning Permit, Subdivision Permit, Special Use permit or similar development permit has been issued within the past year provided the chemical toilet or portable toilet is used exclusively to support construction personnel
- d. Seasonal use in support of agricultural practices;

- e. Long-term use at remote industrial sites (e.g., pipelines, gravel pits) where water is unavailable to support alternative standard or non-standard small wastewater systems
- f. Temporary use at a Special Event;
- g. Temporary use to address an emergency need; and
- h. For any other instance where a chemical toilet or portable toilet may be necessary, a written request must be submitted to the County Planning & Zoning Administrator.

Section 4. Setback Requirements. All buildings and structures must 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 the way exceeds the lot boundary setback, the more restrictive setback requirements apply. The setback are 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 and Zoning Administrator may require an applicant for a zoning and development (building) permit to submit a certificate of placement, prepared by a licensed surveyor, before 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		FRONT SETBACK	SIDE SETBACK	REAR SETBACK
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'
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(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'
RM Lots 10 acres or less	30'	10'	40'
RC	50'	50'	50'
MFR	30'	10'	40'

***Accessory buildings, in all zoning districts must conform to all setback requirements.**

***Gas pumps and storage tanks must 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 may be permitted in any zoning district adjacent to the intersection of County roads, State or Federal highways that 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 must 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 must be determined by the Planning and Zoning Administrator, based upon the parking requirement for a land use of similar nature.

PARKING STANDARD TABLE

USE	PARKING SPACES REQUIRED FOR 1,000 sf OF FLOOR AREA	QUEUING SPACE	OTHER STANDARDS
Airport/Heliport			7 per day landing/take off
Auto Sales	2		Or 2 per salesman, whichever is greater
Bank of Financial w/o drive-in	5		1 per employee
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
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
Collage			0.5 per student
Commercial Laundry & Dry Cleaning			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		
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 Store/Carpet	1.5		

Gas Station		2 per pump	1 per employee
Golf Course			3 per hole, plus any required for other uses which are part of the facility
Golf Driving Range or Rifle Range			1 per lane of station, plus 1 per employee
Gravel Operation			1 per employee
Greenhouse	2		1 per 4,000 sf of outdoor display area, plus 1 for each company vehicle, plus per employee
Gunsmith	2		
Hardware, Paint, Building Materials, Home Improvements	5		
Health Club/Spa			1 per 2 exercise stations, plus 4 per 4,000 sf of other activity areas, plus 1 per employee
Hospital			1 per employee, plus 1 per 4 beds
Industrial			1 per employee, plus 1 per 4 beds
Junkyard			1 per employee, plus 1 per every 5,000 sf of storage space
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 w/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	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 four stalls, plus 1 per 2,000 sf riding area (in arena), plus 1 per every 4 seats

School: Elementary and Junior High			1 per employee, plus 1 per 25 seats in classroom
Schools: High school			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 seats capacity, plus 1 per 2 employees, plus 1 per each lodging room
Taxidermist	2		
Tennis Courts			2 per court
Theater/Assembly Room			1 per employee, plus 1 per vehicle
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 must be rounded up to the next whole number.
2. When square footage is specified, the calculation must be based on the gross floor area of the structure.
3. When employees are specified, the calculation must be based upon the maximum number of employees normally on duty at any one time.

c. Required off-street parking must be located on site of the development proposed and the minimum size of a parking space must 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 must provide parking spaces within the parking lot for use by motor vehicles that 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 must 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 must have an access aisle 8' wide (rather than 5' feet wide) and must be signed "Van Accessible".
 2. Parking spaces provided for the use of disabled persons must be located as close as possible to an entrance that 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 must 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 must 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 must 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 change, the parking requirement for the new use must conform to requirements contained in this Section.
- i. Adequate off-street loading/unloading space must be provided for all loading/unloading activities to occur within the boundaries of the site. Loading/unloading areas must provide adequate off-street truck maneuvering areas.
- 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 must conform to the following requirements. Driveways providing access to State or Federal highways must 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 must be at least 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 must 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 must be approved by Sublette County Road and Bridge Foreman prior to construction.
- d. Access to platted subdivision lots must be from the interior subdivision roads as shown on said subdivision plat. No subdivision lot may access 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 must conform to the following standards:

- a. Prior to the issuance of a building permits the applicant must provide a written waiver from the respective airport; or the applicant must 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 must be provided ten business days to either respond to an applicant’s request for a waiver or review 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 must be provided to the respective airport for review and comment.

Section 9. Maximum Building Heights. The height of a structure must be measured vertically at any cross-section of the building from the 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 must be up to 30 feet in height. In all other zoning districts, the principal building height must be up to 35 feet.

- b. Accessory structures:

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.

- c. **Exceeding the Maximum Building Height**
 - 1. 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 on the principal or accessory structure.
 - 2. In the Light (I-L) and Heavy (I-H) Industrial zoning districts the maximum height may be exceeded on the principal and accessory structure subject to a conditional use permit approval.
 - 3. R-R 5 or more and A-1 zoning districts (**TUCKER AMENDMENT LANGUAGE AND CONTENT TBD**)

Section 10. Slope and Soil Suitability Standards. No development in any zoning district may be permitted on any site with a slope in excess of 30%, or any slump area. No roadway may 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% must be planned and constructed to prevent erosion and excessive stormwater 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 a review of any application by the conservation district.

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

Section 12. Drainage. All development and site improvement must 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 must conform to the following standards:

- a. No structure may be constructed in any floodway.
- b. All proposed structures in the flood plain must 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 the ground water level is within four (4) feet of the ground surface. The following requirements apply in flood areas:

- a. No conventional septic tanks and leach field sewage disposal systems may be permitted.
- b. All structures and other site improvements must be designed and constructed to minimize groundwater pollution or contamination.

Section 14. Noise. No use may 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 are exempt from this section.

Section 15. Electrical Disturbance. No use or activity may 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 may be permitted in any district which results in the discharge of unreasonable or objectionable odors beyond the boundaries of the site except odors produced as a result of normal ranching or farming operations. This exemption does not include feedlots.

Section 17. Air Quality. All uses must 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 must conform to the following requirements:

1. Agricultural (A-1) 35 acres
2. Multiple Family 1 acre with public water Residential (MFR) 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
3. Residential 6000 (R) 6,000 square feet per dwelling and Residential Mobile Home (R MH) is being served by both municipal water and sewage disposal systems and site improvements, i.e.; water swage, 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 the municipality.
4. Residential (R) & Residential Mobile Home (R MH) 2 acres excluding roadways & lakes if being served by an individual well and/or sewage disposal system.
5. Rural Residential (R-R) and Rural Residential Mobile Home (R-R MH) 2 acres excluding roadways & lakes
6. Rural Residential 5 (R-R 5) and Rural Residential Mobile Home 5 (R-R MH 5) 5 acres
7. Rural Residential (R-R 10) and Rural Residential 10 Mobile Home (R-R MH 10) 10 acres
8. Rural Residential 20 (R-R 20) and Rural Residential Mobile Home (R-R MH 20) 20 acres
9. Mobile and Manufactured Home & Home parks (MH) 4,000 square feet per unit
10. Commercial (C-1) 2 acres

- | | | |
|-----|----------------------------|---|
| 11. | Highway Commercial (CH-1) | 2 acres |
| 12. | Recreation Services (RS-1) | 2 acres |
| 13. | Light Industrial (I-L) | 2 acres |
| 14. | Heavy Industrial (I-H) | 2 acres |
| 15. | Rural Mixed (RM) | 3 acres |
| 16. | ADU | Minimum site area must be 2 acres. No more than one ADU per site. |
| 17. | Resource Conservation (RC) | 80 acres |
| 18. | Family Division | 2 net acres |

***Except subdivisions lots platted and recorded prior to the adoption of Resolution No. 83-49B dated August 16th, 1983*

- a. 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 must be in association with the conveyance of a perpetual conservation easement that 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 must conform with all applicable development standards in this Chapter, and must also conform to the standards set forth in this section. In case of conflict, the more stringent regulations 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 must be accomplished within sixty (60) days of placement and installation of the mobile or manufactured home.
- b. Mobile and manufactured home parks must 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 must 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 must 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 must have a minimum 24-foot road surface width and road right of way must be 40 feet minimum in width. Alleys must have a minimum right-of-way width of 20 feet.
- f. No individual septic tank and leach field sewage disposal systems must be allowed.
- g. Common water and sewage systems must be required.
- h. Minimum lot width is 40 feet.
- i. Maximum accessory building size is 600 square feet.
- j. Perimeter fencing must be provided between the mobile and manufactured home park and adjacent parcels. The fencing must 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 must be provided for each lot.
- l. Thirty percent of each lot must be open space and must be landscaped with lawns or another appropriate ground cover, and must be maintained. Parking areas must not be included as open spaces.
- m. A copy of the State Health Department permit for the mobile and manufactured home park must 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 spaces may include playgrounds, swimming pools, tennis courts, picnic areas, bike paths, pathways, and other outdoor recreational facilities.
- o. Mobile and manufactured home parks must follow setback requirements of the zoning district they reside within.
- p. All manufactured homes within mobile and manufactured home parks must meet HUD standards or IBC codes.

Section 20. Cluster and Planned Unit Developments. Cluster or planned unit developments must 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 acres 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) Rural Residential Mobile Home District (R-R MH 20):
 - a. 80 acres minimum
 - b. 1 unit per 20 acres
6. In the Recreation Service District (RS-1):
 - a. 3 acre minimum
 - b. 20 % open space
7. In the Light Industrial (I-L) and Heavy Industrial (I-H) Districts:
 - a. 20 acre 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 must 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 must 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 a minimum right of way of 40 feet.
- d. All roads and utilities must 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 must conform to all applicable State and Federal requirements, and must also conform to the requirements of this section:

- a. The application for a Zoning and Development Permit must 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 must be designed and carried out in conformity with the following standards:
 - 1. Pollution of groundwater and watercourses must be minimized;
 - 2. Erosion into watercourses or onto adjacent properties must be prevented or minimized;
 - 3. Any poisonous or hazardous materials must be treated or otherwise disposed of so that no risk of damage to persons, property, or wildlife will result;

4. Sites must be adequately fenced to prevent unreasonable risk of harm to persons or wildlife or livestock;
 5. The operation must be planned and carried out in a manner that minimizes the adverse impacts on adjacent uses;
 6. The site must be reclaimed after exploration or mining to a condition and use commensurate with the condition and use of the property before such activity;
 7. The operation must be designed to prevent the destruction or subsidence of adjacent properties.
- c. A bond or other financial guarantee acceptable to the County must 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 as 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 must be permitted in any zoning district and must conform to the following standards:

- a. Excepting signage per development standards (**Section 25**), said occupation shall not be readily visible or noticeable from outside the walls of the building in which it is located.
- b. Adequate off-street parking must be provided.
- c. The use must not be conducted in a manner that 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 may not exceed 600 sq. ft. of the floor area of the principal dwelling or garage. Letting or renting of rooms to boarders for periods of 31 days or more, and the providing of daycare service for 1 to 10 children is considered a home occupation as described in this section, but the restrictions set forth in subparagraph do not apply.
- e. The home occupation must be conducted primarily within the principal residential structure and garage whether attached or detached.
- f. The following uses must be allowed as home occupations, bookkeeping service, selling produce raised on the premises, repair of furniture, small appliances, cameras, computers or similar small items, and other similar uses as determined by the Planning and Zoning Administrator.

- g. The following uses must not be considered as home occupations: welding shop, auto mechanic, machine shop, appliance storage, and other similar uses.
- h. There must be no outside storage of equipment or materials.
- i. Beauty shops are considered a home occupation and are classified as a “conditional use” in accordance with Chapter II, Section 3 of this resolution and must conform to the standards in Chapter III Section 46. Entitled: Beauty Shop.

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

- a. Those portions of the site upon which salvage materials or non-operating motor vehicles or parts thereof are stored must be setback at least 1000 feet from State or Federal highways and 500 feet from County or other public roads;
- b. Screening must 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 may be stored to a height greater than the screening, nor piled against the screening;
- d. The exterior screening must be setback at least 20 feet from the exterior boundaries of the site to provide a firebreak.

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

- a. Sanitary landfills must be setback at least 100 feet from the boundaries of the sites.
- b. Sanitary landfills must be screened from adjacent property, roads, and highways by a fence or other form of screening acceptable to the County.
- c. Private landfills must 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 must be erected or maintained in any zoning district except in conformity with the requirements of this section. Signs adjacent to State or

Federal highways must conform to all State and Federal requirements in addition to the requirements of this section. In case of conflict, the more stringent requirement must govern.

DISPLAY STANDARDS

- a. Measurement of freestanding sign height. The height of a freestanding sign is 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.

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 for 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 footage obtained from Tables I and II. If footages fall between numerical categories, the next largest figures are to be used. Before the erection of any sign within these zoning districts, submittal and approval of a sign permit application are required.

TABLE 1

Length of frontage of building area occupied by unit of operation	Sign
(sq. ft.)	(ft)
10 or less	4
20	8
30	12
40	16
50	20
60	22
70	24
80	26

90	28
100	30
110	32
120	34
130	36
140	38
150	38
170	42
190	44
210 or more	46

TABLE 2

Gross building area occupied by unit of operation (sq. ft)	Sign (sq. ft)
200 or less	16
400	24
800	32
1,000	40
1,200	42
1,400	44
1,600	46
1,800	48
2,000	50
2,500	52
3,000	54
3,500	56
4,000	58
4,500	60
6,000	64
7,000	66
8,000	68
9,000	70
10,000	72
20,000	74
30,000	76
40,000	78
50,000	80
60,000	82
70,000	84
80,000	86
90,000	88
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 is 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 is 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 is 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 is allowed. Illuminated signs are permitted.
- e. In the Mobile and Manufactured Home Park district, one or more signs are permitted, including one freestanding sign not exceeding twenty (20) feet in height is permitted. The total size of all signs may not exceed 24 square feet. Illuminated signs are 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 may not exceed 24 square feet. Illuminated signs are permitted.

PROHIBITED SIGNS

- a. No flashing, blinking, rotating, or flickering signs may be permitted in any district.
- b. Off-premise commercial signs or billboard signs are not permitted.
- c. Reader board or changeable copy signs are not allowed, except as permitted in the exception(s) for SPECIAL PURPOSE SIGNS.
- d. No person may park any motor vehicle or trailer on public or private property 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 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 are not permitted.
- f. Any device in the form of a sign advertising a product or directing people to a business activity that is temporary in nature, or mobile and not permanently affixed to a building

or upright support are not allowed, except as permitted in the exception(s) for SPECIAL PURPOSE SIGNS.

- g. No signs are 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 are limited to two (2) in number, and together may not exceed 24 square feet in size, and may not exceed 8 feet in height. Signs may not be located closer than 10 feet to any road right of way. No illuminated signs may be permitted.
- c. Signs related to home occupations and home businesses in any zoning district are 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 are allowed.
- d. Traffic signs erected by the State or County or utility signs.
- 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 is 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. Fairgrounds, 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 must be provided to separate incompatible land uses or to visually separate areas which tend to be unsightly. Screening must be 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 must be in the form of trees, shrubs, hedges, walls, or fences, which must be at least 5 feet high and create a barrier at least 50% opaque. Trees, shrubs, and hedges must be at least 5 feet high at maturity and 50% opaque during the growing season. No salvage items may be used as a method of screening.

Section 27. Workers Camp. Worker's camps may only be permitted in accordance with the terms and conditions of this Chapter classified as "conditional uses" in Chapter II, Section 3 of this Resolution. A Zoning and Development Permit is not be required for worker's 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 the 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 are 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 is required. Copies of all plans and state and other permits must 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 must be provided to fence out livestock if requested by adjacent landowners.
- i. Reclamation plans include a timetable for completion of all phases of grading and re-vegetation.

Section 28. Temporary Camp. Temporary camps may 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 is not 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 the 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 must 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 the Planning and Zoning Office.
- i. Reclamation plans and timetable for completion of all phases of grading and revegetation.

Section 29. Industrial Project-Employee Housing. The facilities may 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 the 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 must 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. Transportation Parking Facilities. These facilities may 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 a transportation parking facility 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. If applicable, copies of approved permits for sewage disposal and water supply systems. All restroom facilities including sewage disposal and water supply systems components must be inspected by the County Planning Administrator 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. Temporary facilities must provide financial guarantees to ensure 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 must conform to the standards set forth in this section. In case of conflict, the more stringent regulations govern.

- a. The home business must comply with all applicable performance standards prescribed for the district.
- b. Any accessory structures used must be of a style and construction compatible with the character of the district.
- c. There may 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 must be in accordance with **Ch. III, Sec. 26 a, b, c, d.**
- e. There is 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 may only be on sites larger than one (1) acre in size, except for poultry which must meet the standards contained in this section. Maintenance of livestock must be conducted in a manner that does not cause a nuisance to adjacent property.

Considered to be one mature cow of about 1,000 pounds, either dry or with calf up to 6 months of age, or the referenced equivalent, which consumes approximately 26 pounds of forage per day. Refer to the Sublette County Conservation District or the University of Wyoming's Animal Unit Equivalent Charts for Animal units not referenced below.

The maximum number of livestock allowed on a site is determined by the following standards: **(Ch. I, Sec. 6)**

1 acre site	2 AU's
2-acre sites of larger	1 AU per acre

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

- a. Poultry must 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 must be at least twenty feet from all neighboring residences unless the owners of said residences waive this requirement in writing.

- d. The poultry must 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 must only be kept for the purpose of education, science, companionship, exhibition, or personal consumption.
- g. Poultry must not be allowed to make loud or incessant noise which may be annoying to neighbors in close proximity.
- h. Each individual poultry specimen must 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 may 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 are exempt from the maximum number of livestock standards.

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

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

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

- a. Perimeter fencing must be provided between the campground and all adjacent areas. The fencing must 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 must 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 must be provided in an adequate number to service the entire campground.
- d. A minimum of thirty (30) percent of the campground's area must be landscaped. Native vegetation may be counted toward the thirty (30) percent requirement.
- e. Campgrounds are to be used on a short-term basis only. Guests of a campground shall be restricted in length of stay to a maximum of one hundred and eighty (180) days per calendar year at any campground facility.

Section 35. Recreational Vehicles. As a temporary sleeping quarter, recreational vehicles must conform to all applicable development standards in this chapter, and must 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 the construction of a house not to exceed one year. The time period begins with the submittal of the zoning and development permit application to the Planning and Zoning office.
- b. Recreational vehicles may be used by the owners of a parcel for no more than one hundred eighty (180) calendar days per year, provided a permitted waste water system is utilized and potable water is available. RVs must be removed from the parcel or hidden from view after the expired time period.

Section 36. Utilities. All utilities must 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
Alternative B	2- 2" diameter canopy trees 2- 4" to 6" large shrubs or multi-stem trees 3 -6" to 8" evergreen trees
Alternative C	3- 6" to 8" evergreen trees 3- 4" to 6" large shrubs or multi-stem trees 3- #5-gallon container shrubs

*Alternative C is preferred for the year-round screen.

The following substitutions in plant units may be made:

- a. 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.
- b. Landscaping must 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 will be returned.

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

- c. Nonresidential Standards - For nonresidential developments, landscaping must be provided at a rate of one (1) plant unit per one thousand five hundred (1,500) square feet of building area.
- d. All multi-family residential and commercial development must have a minimum of one (1) plant unit for landscaping purposes. Industrial development is exempt from the landscaping requirements.
- e. 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 must be submitted to the Planning Department. Upon completion of the landscaping being installed and two years of survival, the surety amount will be returned.
- f. Prior to the issuance of a zoning and development permit for commercial development a landscaping plan must 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 compliance with the following standards. The Board of County Commissioners may attach other conditions deemed appropriate. Only project qualifying ten-acre (10) exemptions from the Wyoming Department of Environmental Quality (DEQ), or are otherwise exempt from regulation by the DEQ, are required to be permitted under this section. No project may qualify for a special use permit under this section if it required a Small

Mining permit from the DEQ unless a cooperative regulatory agreement between Sublette County and the Wyoming DEQ is reached.

a. Exemptions.

1. Extraction and use within an agricultural operation for agricultural purposes and
2. Extraction for incidental residential or wildlife habitat of one thousand five hundred (1,500) cubic yards or less

b. Development Standards.

1. 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.
2. 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 rights-of-way and public recreational easements.
3. Extraction area must be inspected by Sublette County Weed and Pest prior to the issuance of a zoning and development permit and the extraction area shall be free of noxious and designated weeds according to the Wyoming Weed and Pest Control Act of 1973 regional forage certification standards.
4. 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.
5. The extraction process will not potentially damage or contaminate any public, private, residential, or agricultural water supply source.
6. 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 must conform with all applicable development standards in this Resolution and must 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 RM zoning districts are 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). International Building Code (IBC). Current standards must 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 must include a permanent masonry or concrete perimeter wall.
- d. The structure may not be less than twenty-four (24) feet in width and must include a minimum gross floor area of 400 square feet.
- e. Roof material must 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 must have at least a nominal 4/12 pitch or be designed and engineered to perform to the applicable snow loads for the site. Roof material must not include flat or corrugated sheet metal, except for manufactured metal roof panels. 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.
- f. The structure must include a minimum roof overhang of twelve (12) inches measured from the outside of the exterior wall.
- g. All elements used in transporting the structure to the site, including tongue, towing, devices and wheels must be removed from the construction site within 30 days of delivery. All wheels must be removed from the structure.

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

- a. No sexually oriented business may 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), applies to any sexually orientated business.

Section 41. Standards for the Rental of ADUs. The rental of an ADU to non-transient guests may only be allowed in accordance with the terms and conditions of this Chapter, in zoning districts where an ADU is allowed. In addition, the rental of an ADU must meet the following requirements:

- a. Rental of an ADU non-transient guests may only be permitted as a Conditional Use. An ADU located in the A-1 zoning district is exempt from this requirement.
- b. Septic and water system(s) serving the ADU must be reviewed by the County Planning and Zoning department and determined adequate prior to the rental of an ADU being permitted.
- c. A plan for garbage collection and disposal must be submitted with the Conditional Use application.
- d. Only vehicles used for daily travel by occupants of the ADU may be stored outside. All other possessions belonging to occupants of the ADU 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 must be stored inside an enclosed structure, such as a garage.
- e. Operation of a home business by occupants of an ADU is not allowed.
- i. Occupancy of an ADU which is rented must be limited to 2 persons per bedroom.

Section 42. Accessory Residential Units (ARU/Employee Housing). may only be occupied by an employee(s) of the business on the property and are permitted in the following zones:

- Commercial (C-1)
- Highway Commercial (CH-1)
- Recreational Services District (RS-1)
- Agriculture (A-1)

Use of an ARU must be incidental and subordinate to the primary use of the property. ARUs must be single units not to exceed (1,200) square feet and must conform to all development standards applicable to Accessory Residential Units. ARUs may only be used in conjunction with the use or development in the permitted zoning districts.

Section 43. Modular/Manufactured Home Sales and Show Lot Standards. Modular/manufactured Home Sales and Display Lots must 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 may 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 may 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 is required.
- d. When bordering a residentially zoned district the screening requirements contained in the Resolution must be met.
- e. The number of units for sale or display must be limited

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 may be allowed, subject to the following standards:

- a. Subdivision Standards.
 - 1. The Agricultural zoning is retained with Agricultural Open Space Subdivisions.
 - 2. The parent parcel which will be subdivided must be at least 70 acres.
 - 3. Setbacks for the Agricultural zoning district apply.
 - 4. 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.
 - 5. Newly created Lots must border and adjoin each other.
 - 6. The newly created lots must border and adjoin the designated open space.
 - 7. For the purpose of determining if the lots and/or open space are adjoining, intervening roads and easements must be defined as having zero width.
 - 8. 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.
 - 9. Structures with three or more sides and/or a roof are prohibited within the designated open space.
 - 10. Designated open space may be used for bona fide agricultural uses and operations and may not be within an existing or future road easement.

11. The designated open space may not be committed/used as an open space for any other purpose.
 12. The area proposed for the open space designation must accomplish one of the following objectives:
 - i. Protect or provide space for agricultural uses;
 - ii. Protect or provide space for wildlife habitat and/or migration corridors;
 - iii. Protect or provide space for waterbodies, wetlands, and/or floodplains;
 - iv. Protect or provide space for scenic vistas, as viewed from public roads.
- b. The subdivision plat must show and define the designated open space and include a plat warning restricting development within the designated open space.
 - c. An affidavit must be recorded with the County Clerk. The affidavit must address development restrictions and standards found in this Section that apply to designated open space. The plat warning and affidavit must be in a form acceptable to the County Attorney.
 - d. Vacation of the Minor Subdivision lots and/or open space must require County Commissioner approval.

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

- a. 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:
 1. Size of the parcel and the location where the event is being proposed.
 2. Proximity of the event site to neighboring properties.
 3. 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.
 4. Maximum number of attendees.
 5. Adequacy and safety of access to and from the site, and possible impacts on County Roads.

- b. Site area. The site area required for special events must be based on the location, duration, type, and size of the event proposed as determined by the County Commissioners.
- c. Proposed location. A site plan is required that depicts the proposed location of the special event, parking, cooking/catering, and restroom facilities.
- d. Setbacks. The following minimum setbacks 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.
- e. Special event site setbacks. The area designated as the event site, including tents, restrooms, cooking areas, and eating areas must 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.
- f. Parking setbacks. Parking may be permitted within the 300-foot setback, with permission from the Board of County Commissioners, but in no instance may 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 must be required.
- g. Tents. Concessioner tents used for any event must be fire rated and may only be set up forty-eight (48) hours in advance and must 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 the number of tents.
- h. Transportation. A transportation plan must be required. The following standards must apply to all special event sites:
 - 1. Access. The special event site must have direct access to a Federal, State, or County Road or the site must have a minimum access easement width of sixty (60) feet or as approved by the County Commissioners.
 - 2. Access drives and bridges. The designated access to the special event site must be accessible by emergency services.
 - 3. Directional signage. If the special event site is not visible from a public road, the applicant may be required to post directional signage on the day of each event to provide adequate notification for emergency vehicle access. Signage must be removed within 48 hours of the event.

4. Parking. Parking is prohibited along access drives. A parking plan must be required for all special event sites. The parking plan must include the following:
 - i. Location. The location of the proposed parking must be shown on an accurate site plan.
 - ii. Quantity. The number of parking spaces required for special events must 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 must depict the number of parking spaces, dimension of spaces and drive aisles, and parking configuration.

i. Services and facilities. The following standards must apply to all special event sites:

1. Food and beverage service. All food and beverage services must be conducted in accordance with Wyoming and Sublette County Environmental Health Department requirements. The applicant must be responsible for all costs the County may incur associated with food and beverage service.
 - i. Food preparation. All caterers and on-site food preparers must be licensed by the Sublette County Environmental Health Department.
 - ii. Beverages. In the event any alcoholic beverage is served at an event, adherence to all relevant provisions of Wyoming Statutes Title 12, Alcoholic Beverages, must be required.
2. Refuse and recycling. All refuse and recycling must be removed from the site on a daily basis when events are in session and immediately following each event.
3. Sanitary facilities. Sanitary/restroom facilities must be provided at a rate dependent on the maximum number of attendees, to be reviewed and approved by the County Sanitarian.
4. Security. A plan detailing security measures, including plans for security officers must be reviewed and approved by the Sublette County Sherriff's Department. The applicant must be responsible for all costs the County may incur associated with the provision of security measures.
5. Emergency Services. The County Fire Warden, Emergency Management Coordinator, and Director of Emergency Medical Services must review and approve plans related to fire protection and medical services. The

applicant must be responsible for all costs the County may incur associated with the provision of emergency services.

- j. Hours of operation. The establishment of hours of operations for special events must be based on the location, duration, type, and size of the event proposed.
- k. Financial Surety and Insurance. A financial surety in a form and amount acceptable to the Board of County Commissioners is required. The surety must 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 must be required in the event of injuries or damages to private property resulting from the special event.
- l. Exemptions. One-time auctions or sales and special events held at public facilities are exempt from these requirements. Public facilities 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, and no outside employees shall be permitted.

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

- a. A mailbox installation permit must 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 must 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 must 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 must be installed to a height not to exceed 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 will 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.

Section 48. Guest Ranch.

- a. Minimum Site Size. A guest ranch shall have a minimum of 70 acres of privately owned gross site area.
- b. Single ownership. The title to all land within a proposed site for a planned development shall be owned by an individual, partnership, corporation, limited liability company, trust, holding company, or other business entity.
- c. Maximum Number of Guest. The maximum number of guests permitted at a guest ranch is equal to 1 guest per 5 acres accessible to the ranch, not to exceed 100 guests. Accessible acreage shall meet the following standards:
 - 1. The accessible acreage shall be owned or leased.
 - 2. The conservation area of another development may be considered if its conservation easement permits recreational activities.
 - 3. The acreage shall be a part, or within one mile, of the ranch and guests shall have legal, non-vehicular access to the acreage.

EXAMPLE: A ranch with access to 80 acres would permit no more than 16 guests (80/5=16). A ranch with access to 800 acres would permit no more than 100 guests (800/5=160; maximum occupancy of 100 applies).

d. Recreational Activities. Guest ranches shall provide outdoor recreational activities for their guests. Activities may include, but are not limited to:

1. Horseback riding or horse packing trips;
2. Guided hunting trips;
3. Fishing or rafting trips;
4. Cook-outs;
5. Hay-rides;
6. Cross-country skiing; or
7. Snowmobiling.

e. The types of outdoor activities must be approved as part of the Conditional Use Permit and may be restricted both in location and the time of year during which they may be conducted.

EXAMPLE: If winter recreation activities are proposed, and the property contains a crucial winter range for wildlife (for example deer, elk, moose), conditions may be imposed limiting winter use to a certain area of the property based on information provided in an Environmental Analysis.

f. Structures and Accommodations.

1. Lodging. Permanent buildings for lodging all guests must be provided either in separate cabins or a main lodge. (a variance to the "permanent buildings" requirement may be requested in the case of semi-permanent structures such as glamping accommodations). Lodging in temporary facilities, such as tents, is permitted as part of overnight recreational activities, but may not be the primary type of accommodation.
2. Dining Facilities. A dining facility capable of accommodating the maximum number of guests permitted at the ranch may be provided. If a common dining facility is not provided, cooking facilities must be provided to guests as part of the lodging accommodations.
3. Employee Housing. Accessory residential units to provide employee housing may be permitted.
4. Agricultural and Accessory Buildings. Other buildings associated with a dude or guest ranch shall be actively used for the care and management of livestock kept on the property or for maintenance and operation associated with the recreational activities provided to guests.
5. Events. Guest ranches may host receptions, special events, and activities as an ancillary use without a separate permit. If the total

number of guests exceeds 350 people, a special use permit is required provided the size of the event does not exceed 200% of the permitted number of guests of the ranch and such events number no more than 6 per calendar year.

6. Other information may be required for land adjacent to the proposed project which will show the relationship between the proposed development and the areas adjacent to the site including land uses, parcel size, ownership patterns, mineral leaseholds, soil conditions, planning and zoning designations, densities, traffic circulation system, public facilities, major geotechnical features, and physiographic features such as lakes, streams, shorelines, drainage patterns, ridgelines, tree clusters, and other prominent natural features such as wildlife migratory routes and critical habitat areas.

Section 49. Resorts, hotels, motels.

- a. Plans Required. A plan of development shall be required for all uses listed in this section in accordance with the standards below.
- b. Pre-application. Prior to the preparation of an application for a plan of development, the applicant shall attend a pre-application meeting with the Planning and Zoning Administrator to explain the purpose of the development plan, to review the project's consistency with the Sublette County Zoning and Development Regulations Resolution, and to provide for a review of the applicant's conceptual design and development objectives.
- c. Application. An application must be made on forms provided by the Planning and Zoning Department and accompanied by all fees, information, and supplemental plans required.
- d. Plan of Development Criteria. The plan of development must be a graphic and written representation of the applicant's intended development project including:
 1. A graphic drawing consisting of:
 - i. The entire plan development with drawings to scale showing the entire proposed development of the site and all proposed land uses;
 - ii. The location and approximate size of all areas to be reserved in open space or setbacks;
 - iii. The preliminary on-site circulation pattern;
 - iv. The type and location of proposed buildings and other site improvements;
 - v. The type and location of all proposed public facilities;

- vi. The existing site conditions showing all topographic features such as natural drainage ways, streams, creeks, shorelines, vernal pools, and ponds; significant rock outcroppings; topography; location and types of all on-site trees; areas of historic or archaeological impact or value; and existing development including roadways and structures;
 - vii. Other information may be required on land adjacent to the proposed project which will show the relationship between the proposed development and the areas adjacent to the site including land uses, parcel size, ownership patterns, mineral leaseholds, soil conditions, planning and zoning designations, densities, traffic circulation system, public facilities, major geotechnical features, and physiographic features such as lakes, streams, shorelines, drainage patterns, ridgelines, tree clusters, and other prominent natural features such as wildlife migratory routes and critical habitat areas.
- e. A written plan that supports the graphic representation and includes, at a minimum:
1. Project description including an indication of the present and proposed ownership;
 2. A list and description of all uses shown on the proposed specific plan of development;
 3. A development schedule indicating the approximate date when construction of the project can be expected to begin and be completed for each phase of the project including the permit phase;
 4. A statement of the applicant's intent with regard to the future segregation and selling and/or leasing of all portions of the project including whether or not there is an intent to subdivide and sell lots either as condominiums or undeveloped lots;
 5. A statement of the applicant's proposal for utilities and public services including sewer, water, solid waste, power, telephones, stormwater runoff, and others.
 6. Quantitative data about the development including, but not limited to, net and gross acreage, approximate dimension and location of structures, support services required, traffic generation, parking and loading requirements, outdoor storage requirements, and other applicable information; and

7. Demographic information about the development including, but not limited to, estimates of the number of employees, their ages, skill levels, salaries, and annual payroll, number of employees to be relocated, number of school-age children, and other information as necessary.
- f. Design, Site, and Operational Criteria. In addition to Development Standards, 1 through 18 found earlier in this Chapter (where applicable), the following standards must be complied with:
1. Building Landscaping. A five-foot minimum landscaped area shall be provided to separate ground floor units from pedestrian walkways, project amenities, and drive aisles/parking areas.
 2. Drop-off Zones. A porte-cochere and/or covered drop-off zone for vehicles and pedestrians, independent of drive aisles, shall be provided to accommodate guest loading and drop-off and serve as the formal entry to the hotel.
 3. Pedestrian Walkways. The primary pedestrian walkway must be a minimum of eight feet wide. Primary walkways are those that connect a pedestrian from the street to the main entry and from the building to any on-site amenities. All other secondary walkways are to be a minimum of four feet in width exclusive of vehicle overhang.
 4. Amenities. Outdoor and indoor amenities may be provided which may include a spa, pool, weight room/training stations, business center, and conference rooms.
 5. Exterior Building Materials. The exterior building materials need to include natural stone (and/or cultured stone), wood, log, cedar, or other materials, low in luster, which is compatible with the western architecture.
 6. Building should appear to "address" the street.
 7. Exterior lighting plan shall be designed to minimize impact on dark skies.
 8. All structures, cumulatively, may not occupy more than sixty-five percent of the entire resort, hotel, or motel site.

9. One manager’s dwelling unit must be provided within each resort, hotel, or motel facility shall contain at least one bedroom but not more than two bedrooms.
10. Single ownership. The title to all land within a proposed site for a planned development must be owned by an individual, partnership, corporation, limited liability company, trust, holding company, or other business entity.
11. It is unlawful for any individual, partnership, company, or corporation to rent any motel or hotel room by the hour or a few hours. It shall be unlawful to permit any room to be rented for any occupancy more than once per day.

CHAPTER IV – ADMINISTRATION

Section 1. Application Process of Land Use Permits

- a. Purpose. This section describes the general procedures that apply to all applications submitted under these Regulations and describes the procedure governing all permits issued under these Regulations.
- b. Who may apply. Land use permit applications may be initiated by the following:
 1. All owners and contract purchasers of the subject property, or any person authorized in writing to act as agent of the owner or contract purchasers, as evidence by a document of title or agency supplied with the application;
 2. Public agencies or utilities that have possessory or use rights with statutory rights with authority to develop the land surface.
- c. Pre-Application Conference
 1. Pre-application conferences are to familiarize applicants with the requirements of the Regulations and other relevant information. To schedule a pre-application conference, the applicant must contact the Sublette County Office of Planning and Zoning with preliminary materials as described in the corresponding application. Information provided by the County at a pre-application conference is not binding and may be modified as the development review progresses. Pre-

application conferences are generally not required but are highly encouraged. However, for certain complex applications such as change of zoning, variance, conditional use, major & minor subdivision, and a request for amendment change, the Planning & Zoning Administrator shall require the applicant to attend a pre-application conference.

2. **Application Requirements.** To ensure timely review and approval, all applications for Land Use Permits shall include the following materials and be submitted to the Planning and Zoning Department:
 - a. **Application Submittal.** Applications will be received in the Planning and Zoning office during regular business hours, Monday through Friday from 8:00 am to 5:00 pm. Applications can also be delivered via email or regular mail by contacting the Planning and Zoning office.
 - b. **Application.** Completed application form including applicant signature(s), agent authorization (as appropriate), and proof of ownership or copy of contract-for-purchase.

3. **Required Fees.**

4. **Plans, maps, legal description,** and any other information described in the application or deemed necessary by the Planning and Zoning office to provide the Approving Authority with adequate information to make informed decisions.

The administrator will determine the format of the application materials and after the format of these materials as appropriate.

5. **A Conservation district review** shall be required for all minor and major subdivision permits pursuant to *Wy. St. Statute 18-5-306 (b)*. See Ch. XII & Sub. Ch. V: Minor Subdivision for a detailed outline of the permitting process & requirements.

6. **Site/Master Plans:** Unless otherwise determined by the Planning & Zoning Administrator, a site plan is required for all new construction, changes in zoning, conditional use, and variances applications. Site plans are also required for all multi-family, commercial, and industrial construction and other complex developments unless otherwise determined by the Administrator. A site plan must include;

- a. General layout of the lot(s), applicable zoning districts, parking areas, septic, water well(s), and diagrams of the property.
- b. A description of the proposed project and phasing site plans with details of all development on the project site, roadways, circulation patterns, and architectural treatments may be required.
- c. Other materials listed on the application form or requested by the Planning and Zoning Department may be required.
- d. A subdivision mater 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 spaces; size and location of lots; roadways and traffic circulation and any other materials required by the Minor and Major Subdivision Process (Ch. XII & Sub. Ch. V: Minor Subdivision for a detailed outline of the permitting process and requirements.)

Section 2. Determination of Completeness.

- a. Within twenty-one (21) days of receipt of an application, generally, an applicant will be notified if additional information is necessary to complete the application. The correspondence may identify preliminary information regarding the areas in which the submitted materials are not in compliance with the County standards and requirements.
- b. Administrator may reject any incomplete application.
- c. Acceptance of an application as complete indicates only that the application is ready for review.
- d. Information submitted by the applicant to the County after the final submittal date will be considered complete. If significant changes are made to the original application, a second review may be required for new information submitted. The Planning and Zoning Administrator may determine, in his/her sole discretion, whether a substantial change from the original application is being proposed.
- e. Following the final review process and the determination that applicant has provided a complete application, the application will be scheduled as an agenda item for the public before the Planning and Zoning Commission.

Section 3. Legal Notice Requirements.

Applications that require the following legal notice procedure as adopted by Sublette County Planning and Zoning Regulations are; The following types of applications require

- Change of Zoning District Boundary
- Variance
- Conditional Use
- Minor Subdivision
- Major Subdivision
- Amendments
- Plat Vacation

- a. Such applications require a public hearing and such hearing must be advertised in the legal notice section of a newspaper of general circulation in the County at least thirty (30) days before the Planning Commissioners' public hearing. The legal notice must 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, time of the public hearing(s), and where additional information may be obtained.

- b. Mailed notices, containing all information required must be sent by mail to all landowners within 1,000 feet of the land subject to the application, or greater if determined reasonable by the County Planning and Zoning Administrator. 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.

*The following applications do not require legal notice, and will be reviewed administratively by the Planning & Zoning Office;

- Building Permits
- Septic Permits
- Short-Term Rental Permit
- Family Division

Section 4. Withdrawal. The following procedure allows for the withdrawal of the Land Use Permit applications:

- a. **Request.** The applicant may withdraw its application, in writing or verbally, at any time prior to the final decision by the Board of County Commissioners on Land Use Permits. Any fees paid will not be reimbursed.

- b. **Incomplete Applications.** An application determined to be incomplete and not completed period longer than six (6) months from the date of receipt shall be deemed denied unless an extension is granted by the Planning and Zoning Administrator.

Section 5. Similar Application. When an application for a re-zone, conditional use, variance, or amendment change 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 proposal for a period of one (1) year after the date of the final decision by the County Commissioners. These applications include; change of zoning, variance, conditional use, minor subdivision, and major subdivision and amendment changes.

Section 6. Enforcement. All Land Use permits issued pursuant to these Zoning and Development Regulations are subject to enforcement under WYO. STAT. ANN. §§ 18-5-204 through 18-5-207 and shall be subject to the Sublette County Planning & Zoning Enforcement procedures (CH. XI Enforcement)

Section 7. Appeals.

Planning and Zoning Department

- a. 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 must be filed in writing with the County Clerk within thirty (30) days of the decision of the decision of the Planning Administrator.
 1. The appeal must 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 hold a public hearing on the appeal within forty-five (45) days following receipt of the notice of appeal by the County Clerk.
 2. The Planning Administrator or any other County employee may respond, as well as any other person the Board of County Commissioners deems appropriate.
 3. 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 public hearing. Written notice of the decision of the County Commissioners will be provided to the appellant and the planning administrator.

Board of County Commissioners

- a. Any permit holder who is issued a warning, a fine, or whose permit has been revoked may request a hearing before the Board of County Commissioners to be held at the next regularly scheduled meeting. Notice of a permit holder's desire to appeal to the Board of County Commissioner must be in writing, signed by the permit holder, and provided to the Planning & Zoning Administrator within ten (10) business days of issuance of a warning, fine, or revocation of a permit. Imposition of a fine must be stayed during any

appeals process. Failure to provide timely written notice of appeal is a waiver of a permit holders right to appeal.

Section 8. 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, 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 interpretation is rendered by submitting a written appeal to the County Clerk. The Board of County Commissioners shall render a decision affirming, modifying, or reversing the interpretation within thirty (30) days after receipt of such written appeal.

V - 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 must 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 Divisions, 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, are subject to review as prescribed in this chapter and are authorized only upon the granting of a zoning and development (building) permit. Each structure associated with a development proposal requires separate zoning and development (building) permits. With the exception of detached accessory buildings and structures not for human occupancy that are 400 square feet or less floor space.

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

Section 3. Review and Recommendations. The Planning and Zoning Department, 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, 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, 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, or County Road and Bridge Department shall render a decision within thirty (30) days.

Section 4. Lapse of Zoning and Development Permit. Any permit lapses and become null and void two years following the date on which it was issued. A renewal of the permit may be required upon the expiration of the original permit. Zoning and development (building and septic) permits are transferable in the event subject property ownership changes occur during the two-year period.

CHAPTER VI - 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.

Section 2. Procedure.

Action by the applicant.

- a. A pre-application conference with the Planning Zoning Department staff must be held prior to the submission of a conditional use application.
- b. A completed application with fees must be submitted to the Planning and Zoning Office for formal review and after the completed pre-application meeting.

Action by the Planning and Zoning Office.

- a. The Planning and Zoning Office staff shall review the application and the materials submitted therewith, and, if found to be complete, shall accept the application.
- b. The Planning and Zoning Office staff shall prepare a report regarding compliance with all requirements applicable to the proposed development.
- c. The Planning and Zoning Office staff shall submit this report to the Planning and Zoning Commission and the applicant no less than seven (7) days prior to the public hearing.

Action by the Planning and Zoning Commission.

- a. The Planning and Zoning Commission shall review the application, the accompanying materials, and the report by the Planning and Zoning office

staff prior to making any recommendation. In making its recommendation the Planning and Zoning Commission shall consider the following:

1. The following factors must be considered in the recommendation and decision:

- i. Whether a special need will be met, including providing new jobs and an expanded economic base;
- ii. Whether there is general compatibility with surrounding land uses of the proposed location, or the surrounding zoning districts;
- iii. Whether the proposed conditional use is likely to be detrimental to the public health, safety, welfare, or significantly injurious to properties or improvements in the vicinity.
- iv. Impacts on surrounding environment in terms of noise, odor, particulate emissions and hazards.
- v. Impacts on the transportation system;
- vii. Impacts on water resources, supply, and pollution
- viii. Site plan meets the requirements outlined in *Ch. 4 Sec 2.*, with any unique aspects to the parcel being addressed; water sources, migration corridors, physical land barriers, etc.
- ix. General conformity with the applicable goals and polices of the Comprehensive plan.

2. The Planning and Zoning Commission and Board of County Commissioners shall make the following findings for recommendation and final decision respectively:

- i. The proposed location of the use is in accordance with the purposes of this resolution (*Ch. 1 Sec. 3*) and the district in which the site is located.
- ii. Based on the information provided by the applicant, the public, outside agency reviews, and the Planning and Zoning office, the proposed use will not be significantly injurious to the health, welfare, and safety of the public.

- iii. The conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or significantly injurious to properties or improvements in the vicinity.

b. 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 scheduled meeting regarding planning and Zoning items.

Action by the Board of County Commissioners.

- a. The Board of County Commissioners may request a further review by any qualified person or by any public agency that may be interested in the proposed use.
- b. The Board of County Commissioners shall adopt a resolution approving, modifying, or denying the recommendations of the Planning and Zoning Commission.

Section 8. Revocation. A conditional use permit may be revoked by the Board of County Commissioners for failure to comply with conditions pursuant to WYO. STAT. ANN. §§ 18-5-204 through 18-5-207 (Ch. XI Enforcement)

Section 9. Lapse. Conditional use permits expire one (1) year following the date on which the permit was granted if either the permitted use has not commenced or any required construction has not been substantially completed. The Board of County Commissioners may determine to extend its authorization if the applicant provides good cause.

CHAPTER VII – 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-created 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. Procedure.

Action by the Applicant

1. A pre-application conference with Planning and Zoning Department staff must be held prior to the submission of a variance application.
2. A Completed application must be submitted to the Planning and Zoning office for formal review.

Action by the Planning and Zoning Office

1. The Planning and Zoning office shall review the application and the material submitted therewith, and, if found to be completed, accept the application.
2. The Planning and Zoning office staff shall review the application and draft a report regarding 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 not less than seven (7) days prior to the public hearing.
4. The application shall be notified of the Board of County Commissioners final action by the Planning and Zoning office.

Action by the Planning and Zoning Commission

1. The Planning and Zoning Commission shall review the application, the accompanying materials, and the report of the Planning and Zoning office staff at public hearing. In making its recommendations the Planning and Zoning Commission shall consider the factors set forth in this chapter.
2. The following factors apply and must be considered in the recommendation of the Planning and Zoning Commission and the final decision by the Board of County Commissioners:
 - i. 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.
 - ii. A special privilege inconsistent with the limitations of use of other properties in the district; other than to permit the applicant to use their property in a manner as closely equivalent to uses generally permitted in the district with the appropriate protection of general public interest, and considering the peculiar and unusual conditions, circumstances involved, and the hardship created by such conditions and circumstances.
 - iii. The hardship which is the basis for the variance application was not self-created by the applicant; specifically, the special conditions and circumstances noted in the application were not the result of actions taken by the applicant or actions of previous owners in chain of title.
3. The granting of the variance is justified if all the following findings are met:
 - i. Strict interpretation or enforcement and extraordinary circumstances or conditions existing to the site of the variance, cause unnecessary physical hardship inconsistent with the

purposes of this resolution (Ch. 1, Sec. 3) and do not generally apply or exist to other properties in the same district.

- ii. The hardship is not self-created.
 - iii. The variance is the minimum adjustment necessary to afford relief from the regulation.
4. 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 the next scheduled meeting.

Action by the Board of County Commissioners

1. The Board of County Commissioners shall consider the application at a regularly scheduled meeting of the Board. The Board of County Commissioners may grant the variance, grant the variance subject to condition or modification, or deny the variance. The Board of County Commissioners shall consider the variance standards set forth in this chapter in making its decision.

Section 7. Effect of Approval. The development for which the variance was granted may not be constructed or established until the development has secured all other approvals required by these regulations. The grant of a variance does not ensure that the associated development will receive other necessary approvals.

Section 8. Revocation. A variance granted on condition may be revoked by the Board of County Commissioners for failure to comply with the condition. (Ch. XI Enforcement)

Section 9. Lapse. A variance lapses and becomes 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 of County Commissioners may extend its authorization for an additional period of six (6) months for good cause.

CHAPTER VIII - CHANGE OF ZONING DISTRICT BOUNDARY

Section 1. Change of Zoning District Boundary. Zoning district boundaries may be changed in accordance with the following procedure:

Action by the Applicant:

- a. A Completed pre-application conference with Planning and Zoning office staff prior to the submission of the application.
- b. A completed application and Master Plan, when required by Ch. IV. Section 1, submitted to the Planning and Zoning office.

Action by the Planning and Zoning Office:

- a. The Planning and Zoning office staff shall review the final application and determine completeness.
- b. The Planning and Zoning office staff shall prepare a report regarding compliance with zoning regulations applicable to the proposed request and general conformity with the Sublette County Comprehensive Plan.
- c. The Planning and Zoning office staff shall submit this report to the Planning and Zoning Commission and the applicant no less than seven (7) days prior to the public hearing.
- d. The applicant shall be notified of the Board of County Commissioners' final decision /by the Planning and Zoning office.

Action by the Planning and Zoning Commission:

- a. The Planning and Zoning Commission shall consider the application, accompanying materials, and the report provided by the Planning and Zoning office at the public hearing.
- b. The Planning and Zoning Commission and Board of County Commissioners shall make the following findings prior to recommendation and final decision respectively:
 1. The applicant has provided a complete application with sufficient information for review;
 2. The applicant has adequately addressed the following impacts as applicable:
 - i. Compatibility with surrounding properties: The proposed zoning change is compatible with the existing land use of surrounding properties.
 - ii. Patterns of Development: The proposed zoning change results in a logical and orderly development pattern in the area and considers the use of the affected property as currently zoned.
 - iii. Public Impact: The proposed zoning change is not likely to be to be detrimental to public health, safety or welfare, or significantly injurious to properties or improvements in the vicinity.
 - iv. Natural Resource Impact: The proposed Zoning change will not result in significant adverse impacts to natural and environmental resources such as water quality, air quality, crucial wildlife habitat, wetland, streams, etc....
 - v. Road Network Impacts: the existing road network can accommodate any increase in traffic generated by the zoning change.
 - vi. Impacts on Public Services and Utilities: Public services and utilities will adequately meet the needs of the proposed zoning change.
 3. The zone change is in general conformity with the applicable goals and policies of the Sublette County Comprehensive Plan;

Action by the Board of County Commissioners:

- a. The Board of County Commissioners shall consider the application at a scheduled meeting of the commission within forty-five (45) days after the recommendations of the Planning and Zoning Commission have been received.
- b. The Board of County Commissioners may request further review by a qualified person or by any public agency that may have interest in the proposal.
- c. The Board of County Commissioners shall adopt a resolution approving, modifying, or denying the recommendation of the Planning and Zoning Commission.

Section 3. A Change in Zoning District Boundary is conditioned on the following:

- a. Compliance with any conditions or restrictions placed on the zoning district change by the Board of County Commissioners.
- b. If the proposed use is commercial in nature or a proposed sub-division, the recommendation by the Planning and Zoning Commission and final decision by the Board of County Commissioners, may be made conditional upon the applicant developing the property as described in the applicant's mast plan.

Section 4. Lapse. 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 means the completion of the final plat approval for the associated proposed subdivision.

Section 5. Revocation. Violation of the provision of the above section may result in the termination of the related zoning district boundary change. In the event of such termination, the prior zoning classification will govern. (Ch. XI Enforcement)

CHAPTER IV- NONCONFORMING USES, PARCELS 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, parcels 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 must 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 does 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 may be changed to a different 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 must conform to the requirements of the resolution. The intent to resume a nonconforming use does not affect the operation of this section, i. e. intent alone is insufficient cause to resume nonconforming use after the one year period has elapsed.

Section 8. Remnant Nonconforming Parcels. Remnant, nonconforming A-1 parcels which do not meet the minimum site area as required in the development standards are subject to the permitted and conditional uses of the comparable R-R zoning district in which the parcel size qualifies. (Ch. III Sec. 18)

Section 9. Non-conforming with respect to lot size. Building Permits will be issued to parcels that are non-conforming in respect to lot size provided that all other development standards are met. **(Res. 08-10040C)**

CHAPTER X: 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, are 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 must have been titled in the name of the grantor for a period of not less than ten (10) years prior to the division and parcels created under this paragraph must be titled in the name of the immediate family member for whom the division is made for a period of not less than five (5) years unless such parcels are subject to involuntary transfer including, but not limited to, foreclosure, transfer upon or as a result thereof, judicial sale, condemnation or bankruptcy;
- d. **ACREAGE FOR REDIVISION:** No parcel smaller than 5 acres created under this Chapter may 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:** parcels created as family division(s) may only be amended or adjusted by full compliance with **Ch. XII, Subchapter IV, Sec. 4**, of the Zoning Development Regulations.

A Family Division that meets the administration requirements set out below is 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 must 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 must be legibly drawn, printed, or reproduced with permanent ink, and must meet the requirements of W.S. § 33-29-139(a);

2. The Map of Survey must show or contain on its face, or on separate sheets referenced on its face, the following information:

i. A title block including the township, range, principal meridian, County, and state of the surveyed land. A Map of Survey may not bear the title "plat", "subdivision", or any title other than "Map of Survey."

ii. Space must be provided on the Map of Survey for the clerk and recorder's filing information;

iii. Date Survey was completed;

iv. North arrow and scale or scale bar;

v. All monuments found, set, reset, replaced, or removed describing their kind, size, location and giving other data related thereto;

vi. The location of any corners of sections or divisions of sections pertinent to the survey;

- vii. The bearings, distances, and curve data of all perimeter boundary lines must be indicated;
- viii. Data on all curves sufficient to enable the re-establishment of the curves on the ground;
- x. 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;
- xi. All parcels created by the survey and dimensions and area of each parcel;
- xii. A Certificate of Surveyor signed by a land surveyor registered under the laws of the State of Wyoming;
- xiii. A Certificate of Owner by the owner of record, fee simple or contract for deed. The certificate must conform to the requirements of W.S. § 34-12-103;
- xiv. Acknowledgement of Certificate of Surveyor and Certificate of Owner;
- xv. 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;
- xvi. Sheet size must be 24"x36" or 22"x36". Section 3. County Surveyor Review and Recordation.

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 XI - FLOODPLAIN MANAGEMENT

Section 1. Statutory Authorization: The Legislature of the State of Wyoming has in the Wyoming Statutes, 1977, 18-5-201 through 18-5-207 and 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 of this resolution, methods and provisions for accomplishing the following are to 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 are to 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 any given year.

- a. **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 applies to all areas of special flood hazard within all of the non-incorporated, non-federal lands in 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, and as periodically updated, 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 may 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 any another resolution, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions will control.
- e. Interpretation. In the interpretation of this resolution, all provisions are to 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 does 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 must 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 must be made on forms furnished by the Sublette County Planning and Zoning office.
 1. The following information is 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;
 - b. Certification by a registered professional engineer that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in Section 5 (b)(2); and
 - c. 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 will 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 is required.
 - iii. If the proposed development is a building, then the provisions of this resolution 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:

- a. Anchoring.
 1. All new construction and substantial improvements must be anchored to prevent flotation, collapse, or lateral movement of the structure and capable of resisting hydrostatic and hydrodynamic loads.
 2. 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.

b. Construction materials and methods.

1. All new construction and substantial improvements must be constructed with materials and utility equipment resistant to flood damage.
2. All new construction and substantial improvements must be constructed using methods and practices that minimize flood damage.
3. All new construction and substantial improvements must 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.

c. Utilities.

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

d. Subdivision proposals.

1. All subdivision proposals must be consistent with the need to minimize flood damage;
2. All subdivision proposals must have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;
3. All subdivision proposals must have adequate drainage provided to reduce exposure to flood damage; and
4. Base flood elevation data must be provided for subdivision proposals.

- e. 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 must 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 must be provided to the official as set forth in Section 4 (c) (3) (b).
- f. Mobile and Manufactured homes.
1. Mobile and manufactured homes must be anchored in accordance with Section 5 (a) (1) (b).
 2. All new mobile and manufactured homes or those to be substantially improved must 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.
 3. Floodways. Encroachments, including fill, new construction, substantial improvements, and other development must 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.

- g. Floodways. Encroachments, including fill, new construction, substantial improvements, and other development must 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 XIII – ENFORCEMENT

Section 1. General. No person may locate, erect, construct, reconstruct, enlarge, change, maintain, or use any building or land inconsistent with these Regulations. The provisions of these Zoning and Development Regulations are enforceable by the Board of County Commissioners through injunction, mandamus, or abatement pursuant to WYO. STAT. ANN §§ 18-5-207.

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 of suspension of any permit issued pursuant to these Zoning and Development Regulations must be made under the procedures and standards of this Section.

- a. Procedure. If the Planning Administrator determines there are reasonable grounds for the revocation of suspension of a permit under the standards contained in this section, the Planning Administrator may set a contested case¹ hearing before the Board of County Commissioner. The Planning Administrator shall give the permittee written notification thirty (30) days' notice to the public hearings. The notification must state the grounds for the revocation or suspension of the permit. 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

¹ Pursuant to Wyoming Administrative Procedures Act

revocation of suspension of the permit based on the standards contained in Section 3.b. Written notification of the Board of County Commission's decision shall be provided, by the Planning Administrator, to the permittee by certified mail within thirty (30) days.

- b. Standards. A Permit may 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 have authority to revoke or suspend a permit, as provided in this Section, 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 Chapter, 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 initiate an enforcement action by providing a violation notice to the landowner, stating the provision 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, as authorized by the Board of County Commissioners, 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 specific date.

- c. **Failure to Abate a Violation.** Failure to abate a violation of the Zoning and Development Regulations may result in enforcement action as provided by law, including, but not limited to, those found in Wyo. Stat. ANN §§ 18-5-201 et seq..

Section 6. Penalties.

- a. **Fine.** The penalty for violation of the Sublette County Zoning and Development Regulations may be a fine not more than seven hundred and fifty dollars (\$750) for each offense. Each day in which a violation continues is deemed a separate offense, except when an appeal is filed. Any fine will be held in abeyance of pending findings.
- b. **Failure to Obtain a Permit Prior to Commencing Development.** If a person commences development for which a building zoning & development permit is required without first having obtained the said permit, such person shall pay twice the fee for said permit all applicable fees and penalties associated with said violation, and make application for the appropriate Zoning and Development Permit(s). The payment of such fees does 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 violation for given infraction.

CHAPTER IV – 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 is 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 ensure 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 includes all of the unincorporated lands and non-federal lands within Sublette County, Wyoming.

Section 5. INTERPRETATION. In their interpretation and application, the provisions of this Resolution are the 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 govern.

Section 6. SUBDIVISION PERMIT REQUIRED. No person may 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 must 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.

1. EXEMPTIONS. This resolution does not apply to any subdivision of land under Wyoming Statutes 18-5-303, as amended, or as follows:

- a. Family Division as defined in the County Zoning and Development Regulations;

- b. A division which may be created by eminent domain by operation of law, or by order of the 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 is a sale or other disposition of land for agricultural purposes or affects the alignment of property lines for agricultural purposes;
- g. 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. 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 must conform with all applicable regulations prescribed by the Zoning and Development Regulations Resolution.

Section 8. FEES. Each subdivision permit application must be accompanied by the applicable application fees associated with the preliminary plat or final subdivision plat application. All fees must be paid at the time of filing the preliminary plat or final plat application along with all other requested information. Any other remaining review fees must be paid prior to filing of the final subdivision plat with the County Clerk's Office.

Section 9. DEFINITIONS. For the purpose of Chapter XIV of this Resolution, the following words must have the following meanings. Where not inconsistent, words in the present tense include the future, words in the singular include the plural, and vice versa.

1. Acre a measure of land area containing 43,560 square feet.
2. Administrator is the Planning and Zoning Administrator of Sublette County.
3. 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.
4. Arterial Street or Road is a street or road of considerable continuity which serves, or is intended to serve, principal 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.
5. Board is the Board of County Commissioners of Sublette County, Wyoming.
6. Collector Street or Road is a street or road which carries traffic from minor streets or roads to arterial streets or roads, including the principal entrance streets or roads of a residential development, and the streets or roads for circulation within a residential development.
7. Commission is the Planning and Zoning Commission of Sublette County, Wyoming.
8. Comprehensive Plan is the official statement of the Board of County Commissioners of Sublette County, adopted June 20, 1978, and as amended, regarding the future development of Sublette County.
9. 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.
10. County Surveyor is the land surveyor, duly registered under Wyoming State Statutes, who is appointed by the Board of County Commissioners.
11. Cul-De-Sac Or Dead-End Street or Road is a minor street or road, with only one outlet, which must be terminated by a permanent turnaround with a minimum radius of sixty (60) feet.
12. Dedication is a landowner setting apart land for public use, followed by an acceptance of such donation by the appropriate legal entity.

13. 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.

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

15. 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.

16. 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.

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

18. 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.

19. Improvements are all such facilities, utilities, sewage and drainage work, 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.

20. 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.

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

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

23. 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.

24. 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.

25. Preliminary Plat is a map showing the design of a proposed subdivision, the existing conditions in and around it, and the proposed improvements.
26. Right of Way is the right of the public to cross the real property of another person.
27. Seasonally High Ground Water the highest elevation reached by groundwater during the year.
28. Street or Road Right-Of-Way Width is the shortest distance between the lines delineating the right of way of a road or street.
29. Subdivider is any individual, firm, association, syndicate, co-partnership, corporation, agent, trust, or any other legal entity commencing proceedings under this Resolution to affect a subdivision of land, a stock offering, or a condominium development hereunder for himself or another person.
30. 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;
31. 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.
32. 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.
33. 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.
34. 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.
35. 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 must be followed to secure a subdivision permit.

Section 2. PRE-APPLICATION CONFERENCE. A pre-application conference is required. The conference is scheduled upon the request of the Planning Administrator or at the request of the applicant. The purpose of the conference is to informally discuss 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 are applicable.

Section 3. APPLICANT ACTION.

1. 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.

2. 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 must be filed with the Administrator on the prescribed form which must 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 must 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 or she shall, within seven (7) 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 must 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:

1. Approve the preliminary plat.
2. Approve the preliminary plat subject to such modifications and conditions as the Commission deems necessary to justify it making the findings prescribed in Section 7 of this chapter.
3. 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.
4. 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 must 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:

1. Approve the preliminary plat.
2. Approve the preliminary plat subject to such modifications and conditions as the Board deems necessary to justify it making the findings prescribed in Section 7 of this chapter.
3. 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.
4. 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 must be made only by the Board, and approval of a preliminary plat may 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:

1. The proposed subdivision conforms with all applicable provisions of the Zoning and Development Regulations Resolution of Sublette County.
2. The proposed subdivision must not interfere with existing agricultural water rights, and that provision has been made to ensure access to agricultural water supplies and systems for maintenance.
3. The proposed subdivision will not have any significant adverse impact on neighboring properties that are either developed or undeveloped.
4. The proposed subdivision will not have any significant adverse impact on the County's scenic resources.
5. The proposed subdivision will not have any significant adverse impact on wildlife habitat, wildlife migration routes, or fisheries.
6. The proposed subdivision will not cause significant traffic congestion or safety hazards.
7. The proposed subdivision is consistent with the purposes of this resolution.
8. 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.

9. 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 of County Commissioners 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 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 is not 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, is 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 must 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:

1. **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 improvement's security is sufficient.
2. **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.
3. **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.
4. **FEES FOR OTHER SERVICES**. Required reviews including but not limited to the Title Company, Engineer, Surveyor or Specialized Consultant is 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 must 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. REVOCAION. 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 must contain the following information:

- i. Name and number or other designation for the subdivision.
- ii. Location by section, township, range and county.

2. **Vicinity Map**

- i. Minimum scale 1"=2000'.
- ii. Location of subdivision, including address if applicable, and the section, township and range.
- iii. All property under the control of the subdivider within one (1) mile of the proposed subdivision.
- iv. Sketch of the prospective street system of the unplatted parts of the subdivider/owner's land.
- v. Section corners found or set.

b. General Information

1. Names and addresses of the owner, subdivider, and surveyor or another 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 must 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 must be 24" X 36" or 22" x 36".

3. The boundary of the subdivision must be shown.
4. Layout, width and name of all proposed streets. Minimum width of all access streets and interior streets must 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 leach fields, the location of two leach field sites, one for immediate use and one to be held in reserve for future use must be shown on each lot. If site conditions warrant, designated areas for wells and/or leach field sites must 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 must appear:

- i. "NO PROPOSED PUBLIC SEWAGE DISPOSAL SYSTEM."
- ii. "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" must 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. **Retention 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 must 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.

3. 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.

4. 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.

5. 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 or she has 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.

6. 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 must 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.

7. Copies of any agreements with adjacent property owners relevant to the proposed subdivision must be submitted.

8. 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. 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

a. Streets or Roads

1. Streets or roads must conform with the county road standards, for subdivisions. An engineered roadway design must 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 is required for all access roads to and streets or roads within the subdivision.

3. Provision for continuation of streets or roads in adjoining areas are to 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 must 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 must 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 must be obtained to any county road.
9. Traffic control and road name signs, in conformance with County specifications, must 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 must have a minimum 60-foot radius, with a 45-foot radius improved surface.
12. Roads must be built on the centerline of the easement.

b. Alleys

1. Alleys must 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, off street loading, unloading, parking, and installation of public utilities.
2. No dead-end alleys are allowed, except the Board may waive this requirement where such dead-end alleys are unavoidable and adequate turnaround facilities have been provided.
3. Minimum width of twenty (20) feet.

c. Easements

1. Utility easements with a right-of-way width of ten (10) feet provided along all front, rear, and side lot lines.
2. Utility easements may 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 must 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 must 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 must be in conformity with the provisions of the Zoning and Development Regulations Resolutions.

1. Minimum lot sizes:

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 are 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 are considered 5 acre lots, lots which are 9.5 to 10 acres are considered 10 acre lots, lots which are 19.5 to 20 acres are considered 20 acre lots.

2. Principal access to a street or road must be provided for each lot.

3. Side lot lines must be substantially at right angles to straight roads or street lines, or radial to curved road or street lines.

4. Corner lots must be provided with a minimum twenty (20) foot radius.

5. Lots deemed to be subject to flooding or otherwise uninhabitable may 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 cannot be sold as two tracts without first meeting the requirements of this resolution.

8. Minimum width:

- a. Fifty (50) feet is required between radials on the curve of a cul-de-sac.
- b. Depth to width ratio of greater than three to one (3:1) may not generally be permitted on lots of 3 acres or less. The minimum lot frontage on any lot must be 100 feet or 35 feet minimum when the design is on a cul-de- sac. Larger lots must be of sufficient width to provide a good building site which meets all setback requirements.

9. Residential lots must 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 must be central in all residential neighborhoods of every fifty (50) lots.
2. Areas reserved for public sites and open spaces must 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 is 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 must 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 must determine the effect of additional wells on the aquifers and surrounding wells. In addition, the study must state the potential availability and quality of groundwater withing the proposed subdivision. A minimum twenty-four (24) hour well

pump test, conducted on the proposed subdivisions site, to obtain data shall be performed and the results submitted with the application. If served by 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 must 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 leach field sites on each lot and must be shown on the plat where conditions warrant.
- e. All wastewater shall be disposed of in a manner which meets the standards of the Department of Environmental Quality and Sublette County.
- f. The depth of the seasonally high ground water must be greater than 2 feet from the natural ground surface for residential subdivisions utilizing small wastewater systems.
- g. For those individual site locations where seasonally, high groundwater may be present; high groundwater information must 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).
- h. When the subdivision is to be served by individual septic systems, subdividers must 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 must be provided in subdivisions at developer's expense except any voltage line above distribution circuits.

4. Fire Protection. All new subdivisions and planned unit developments must 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 exempted from Fire Protection requirements contained in this resolution.

- a. Subdivisions and Planned Unit Developments with 3 to 9 lots must provide a year-round water source, with a minimum capacity of 10,000 gallons. One hydrant, connected to the water source must be provided.
- b. Subdivisions and Planned Unit Developments with 10 to 19 lots must provide two year-round water sources, with a minimum capacity of 10,000 gallons each. One hydrant, connected to each water source must be provided.
- c. Subdivisions and Planned Unit Developments with 20 or more lots must provide three year-round water sources, with a minimum capacity of 10,000 gallons each. One hydrant, connected to each water source must be provided.
- d. The design of year-round water source(s) and hydrant(s) must 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) are 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 may 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 may be required in the R and R-R districts.
- iv. Common sewage disposal system must be required in the R and R-R districts.

6. Fencing. Where a subdivision adjoins a stock driveway or open range, the developer is required to fence the perimeter of the subdivision. Wild life fencing?

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 must be prepared by a registered professional land surveyor to the following minimum specifications:

- a. **SCALE** must 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** must be to the top whenever possible and a true north arrow on each sheet.
- c. **MAP SIZE** must be size "G" or size "C" in accordance with W.S.a 33-29-139.
- d. **AN INDEX** must 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 must conform with the approved preliminary plat and must contain all of the information required thereon, except for contour lines. The following additional information must 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 must be given.

2. Perimeter subdivision lines must be accurately related by distance and bearings to established roads or streets lines, or corners of the Public Land Survey System and closure must be one foot in 5,000 feet or better.

3. True angles and distances to the nearest established street lines or official monuments, which must 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 must 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 must be shown.

6. Each lot corner must 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 must be shown either by legend or separate description. Streets, alleys, and roadways must 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 must 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 must 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 must 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 must 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" must appear on all offers, solicitations, advertisements, contracts, agreements, and plats relating to the subdivision.

8. Certificate of approval wordage must 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 may not be subject to further divisions." must be placed on the final plat.

d. DEDICATION OF STREETS, ROADS, ALLEYS, PARKS, EASEMENTS AND OPEN SPACE.

1. Dedication must be made in the certificate of owner and the specific use stated.

2. All roads must be private unless the Board of County Commissioners agrees to their dedication to the public.

3. Access roads lying without the subdivision must be dedicated to the owners within the subdivision.

4. Unless the Board specifically accepts responsibility for maintenance and repair of public ways, the plat must contain a legend, and all advertising materials and contracts for sale of lots within the subdivision must 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 must 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 must 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 must 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 must be submitted to the Planning and Zoning Administrator prior to the release of any improvement's surety for this item. Upon receipt of the as-built drawings the Planning and Zoning Administrator must release the improvements surety within ten (10) days. A permanent benchmark must be described on each "plan" sheet of said drawings. The as-built plans must include the following certification:

I 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 must be submitted to the Sublette County Planning office. Title report, title commitment or subdivision guarantee must 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 must 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 must be tied to the Wyoming State Plane Coordinate System.

Section 4. Vacation/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 must 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 must be accomplished by the filing of an amended plat of the subdivision.

i. The plat must carry the name of the original subdivision, followed by "Amended", or "Second Amended", etc;

ii. The Certificate of Owners on the amended plat must 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 must be included;

iii. 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 must 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 must 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 must be accomplished in accordance with Section 34-12-108, Wyoming Statutes, 1977, as amended, and the following:

1. The area to be altered must be vacated and a new plat made of record.
2. The Certificate of Owners must have a clause vacating the area to be redesigned, signed by all owners of an interest in the lots involved.
3. The Certificate of Mortgagee or Certificate of Contract Seller must be acknowledged.
4. If there is more than one (1) owner of the vacated land, an instrument must be provided to convey ownership to individual parcels resulting from the replat.
5. If only one (1) subdivision is involved, the name must be the name of the original subdivision, followed by a numerical designation. The resulting (new) lots must be numbered progressively with numbers different from the original subdivision. If two (2) or more neighboring subdivisions are involved, then the new plat must have a name materially different than any of the original plats.
6. 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 must be reviewed and approved as a final plat.
7. Any division of a lot not following the above procedures (i.e., by deed only) must 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 must 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).
3. A completed review by the Sublette County Conservation District of the proposed site division pursuant to WYO STAT §§ 18-5-306 (b)

b. Insofar as applicable, the plat must 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 must be established of record, providing access and utility service to each lot, which easement must 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 must include results of a percolation test which demonstrates suitability for such a system. The words "NO PROPOSED CENTRALIZED SEWAGE SYSTEM" in bold capital letters must appear on all offers, solicitations, advertisements, contracts, agreements and plats relating to the Minor Subdivision.

b. The application must 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 must 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 must be recorded in the office of the County Clerk. After the

plat is approved and recorded, lots or tracts within the minor subdivision must thereafter be described and conveyed only as described in the Minor Subdivision plat.

Section 11. FEES. Each subdivision permit application must be accompanied by the applicable application fees associated with the preliminary plat or final subdivision plat application. All fees must be paid at the time of filing the preliminary plat or final plat application along with all other requested information. Any other remaining review fees must be paid prior to filing of the final subdivision plat with the County Clerk's Office.

CHAPTER XIII – SHORT-TERM RENTAL

SUBCHAPTER I: GENERAL PROVISIONS

Section 1. NAME OF RESOLUTION. This resolution must be known, and may be cited, at the Short-Term Rental Resolution of the County of Sublette and must be incorporated within and become part of the Sublette County Zoning Development Regulations Resolution, originally adopted December 13, 1978, as amended.

Section 2. AUTHORITY. The Short-Term Rental Resolution of the County of Sublette is authorized by WYO. STAT. ANN § 18-5-201 et. Seq., as amended.

Section 3. INTENT AND PURPOSE. The Board of County Commissioners of the County of Sublette establish this Short-Term Rental 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. Areas within unincorporated Sublette County are known for their scenic beauty and recreational opportunities. These areas are world renowned vacation destination. Recent surges in popularity of short-term rentals in this area have created compatibility issues in established residential areas. These issues have the potential to endanger the health and safety of residents and guests and endanger the very environment and resources that attract visitors to the area. To ensure protection of the health and safety of residents and guests and to protect the environment, it is the purpose of this article to provide permit procedures and establish standards for short-term rentals in the unincorporated area of Sublette County. All

requirements, regulations and standards imposed by Sublette County Zoning and Development Regulation Resolution.

Section 4. JURISDICTION. The territorial jurisdiction of the Short-Term Rental Resolution must include all the unincorporated lands within Sublette County.

Section 5. INTERPRETATION. In their interpretation and application, the provisions of Chapter XV of this Resolution are 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 govern.

Section 6. DEFINITIONS. The following words, phrases and terms as used in this article shall have the following meanings:

Agent. means a person or entity authorized to operate the short-term rental on behalf of the property owner and includes a property manager, professional property management company, and/or local contact person.

Guest or Guests. means an individual or individual(s) renting the short-term rental for the purposes of staying overnight.

Local contact person. means an individual who is personally available by telephone on a twenty-four-hour (24) hour basis, who maintains the ability to be onsite within ninety (90) minutes, and who has access and authority to assume management of the unit. An agent of professional property management company that meets the availability requirements can serve as the local contact person.

Professional property management company. means a firm charged with operating a real estate property for a fee.

Property owner. means the owner of the real property on which the short-term rental exists.

Resort. means a self-contained lodging facility that provides onsite amenities and activities.

Short-Term Rental. Means a single dwelling, accessory dwelling unit, multi-family dwelling unit, studio, condominium, townhouse, duplex, guesthouse, cabin, bedroom within dwelling unit,

tiny home, or other facility, structure or apparatus rented for the purpose of for-profit, overnight lodging for a period of not less than one (1) night or not more than thirty (30) days. A dwelling that is deed restricted for affordable/moderate or achievable housing is prohibited from being short-term rental.

SUBCHAPTER II- PROCEDURAL REQUIREMENTS

Section 7. PERMIT REQUIRMENTS. It is unlawful for any person to advertise, maintain, operate, or use a short-term rental in the unincorporated area of Sublette County without a short-term rental permit, or in violation of the terms and conditions of the permit or the requirements of this Resolution. Short-term rental permits must be renewed biennially (24 months), and separate permits are required for each short-term rental. The permit requirements for short-term rentals are set forth below. The issuance of any permit pursuant to this article does not relieve the owner of the obligation to comply with the other provisions of the Sublette County Zoning and Development Regulations Resolution pertaining to the use and occupancy of the short-term rental or the property in which it is located.

a. **Where allowed.** As to this article, short-term rentals are allowed in all zoning districts that allow residential use, with approval of a short-term rental permit. (Agricultural (A-1) zoning district, and in the Rural Residential, Rural Residential 5, 10 and 20 (R-R, R-R 5, R-R 10 and R-R 20) and Rural Residential Mobile Home, Rural Residential Mobile Home 5, 10 and 20 (R-R MH, R-R MH 5, R-R MH 10, R-R MH 20) and the Rural Mixed district (RM).

b. **Application process.** An application for a short-term rental permit must be submitted by the property owner or agent (written property owner authorization is required for an agent to file the application) to the Sublette County Planning and Zoning Department and must at a minimum include the following:

1. Property owner or agent name and contact information.
2. The name of the local contact person, if different from the property owner or agent, and a telephone number at which that party may be immediately reached. One (1) additional alternate contact person is permitted.

3. Address and County PIDN number for property for which the short-term vacation rental is located.
4. Rental unit type (e.g., home, interior apartment, accessory dwelling unit, condominium). If more than one (1) residential unit is located on the property, identify if the rental unit is the property's primary or secondary dwelling.
5. The number of bedrooms. For purposes of this section, a bedroom is a room intended primarily for sleeping that contains a minimum of seventy (70) square feet and contains a window or opening that can be used for emergency egress. Previous building permits may be referenced to determine this number.
6. Maximum occupancy amount. Occupancy is defined as two (2) people per bedroom, plus two (2) additional people. Occupancy limits may be modified on a case-by-case basis at the discretion of the Planning and Zoning Administrator.
7. Total number of on-site parking spaces, if applicable. If on-site parking is not available, an alternative parking plan must be provided designating the location of off-site parking
8. Proof of existing garbage service and total number of trash receptacles.
9. Acknowledgment that the property owner or agent has read and understood this article.
10. Completed Short-term Rental Self-Inspection Safety Checklist
11. Acknowledgment that the property owner or agent has read and understood this article.
12. **Notice to Neighbors:** Rental unit owners or their agents must provide notice to the owners of adjoining properties of the operation of a short-term rental property at the applicant's location. This notification must be evidenced by certified USPS mail receipt. The notice must inform neighbors that a residential short-term rental permit has been issued and provide the name and contact information for the local owner representative(s). The residential short-term rental permit applicant has an affirmative duty to re-notify all applicable neighbors upon a change in the local owner representative and to also notify the County.

c. Term and scope of project. A short-term rental permit issued under this article must expire twenty-four (24) months from the date of issuance, unless revoked or suspended earlier. The permit authorizes the property owner to conduct only such services as is described in the permit and in accordance with the terms and conditions of the permit.

The permit is non-transferable and expires upon any change in ownership of the property. A permit will be renewed if, prior to expiration, the following is provided: updated application information (if changes have occurred), and payment of the renewal permit fee

d. Hotel/motel. Hotels, motels, resorts and guest ranches are exempt from the permit requirements of this article.

e. Permit Fee. Each short-term rental permit application shall be accompanied by a nonrefundable short-term rental permit fee. The fee schedule is two hundred dollars (\$200.00) for the first 24 months and one-hundred dollars (\$100.00) for each subsequent 24-month period.

SECTION 8. OPERATIONAL STANDARDS. All short-term rentals are required to comply with the following standards and must not generate other disturbances which may disrupt the peace, safety, and general welfare of the neighborhood. Failure to comply with the standard conditions of this section may result in fines and permit revocation as outlined in Section 10 of this Chapter.

a. **Responsibility of property owner to prevent nuisance behavior and maintain neighborhood peace and quiet.** The property owner and/or agent shall inform guest(s) that they are not to violate the standards of this article and shall be responsible to take any action necessary to ensure that guest(s) abide by the terms of this article and other applicable provisions of Sublette County Planning and Zoning Regulation Resolutions.

b. **Local contact person.** A local contact person (and one (1) alternate if desired) must be personally available by telephone on a twenty-four (24)-hour basis and shall maintain the ability to be physically present at the short-term rental within ninety (90) minutes

c. **Parking.** On-site parking must be provided for each short-term rental. If the property does not have sufficient on-site parking the property owner shall have a County-approved parking plan, designating the location of off-site parking.

d. **Noise.** Reasonable nighttime noise limits and quiet hours are imposed from 5 | P a g e eleven o'clock (11:00) p.m. to seven o'clock (7:00) a.m. The nighttime noise limits must be posted inside the vacation rental in a location readily visible to all guests.

e. **Trash and Refuse.** With the exception of trash properly deposited in trash collection receptacles, accumulation of trash and debris outside of the short-term rental at any time is prohibited. Trash collection must be provided for each short-term rental, and, where appropriate, bear resistant trash containers are advised.

f. **Interior posting requirements.** The "Sublette County Good Neighbor" flyer, a "Sublette County Safe Outdoor Fire" flyer (if an open fire variance is granted), and a "Be

Bear Aware" flyer must be posted within the interior of the rental unit in a visible location. Interior postings must also include the contact information for the local contact person (and any alternate), emergency evacuation information, contact information for local fire restriction updates, and all applicable guidelines. Aforementioned flyers will be available at the Planning and Zoning office. Furthermore, a map of the property must be posted which shows clearly the property boundaries.

g. **Smoke Alarms.** Smoke alarms, in good working order, must be installed in accordance with recommendations of the Sublette County Fire Marshall and at a minimum must be installed in each bedroom and at least one alarm on every level of the short-term rental, including basements and habitable attics.

h. **Carbon Monoxide Alarms.** Carbon monoxide alarms, in good working order, must be installed in accordance with the recommendations of the Sublette County Fire Warden and at a minimum must be installed outside each bedroom, on every level of the rental unit, including basements and habitable attics, and bedrooms or attached bathrooms with a fuel-burning appliance, and must be installed in accordance with the manufacturer's installation instructions.

i. **Fire extinguisher.** Each short-term rental must be equipped with at least one (1) five-pound fire extinguisher, type 3-A:40-B:C, installed at a readily available location near the kitchen. If the short-term' rental has more than one level, an extinguisher must be mounted within each level. Fire extinguishers must be inspected annually to ensure the extinguishers are in good working order.

j. **Visible Address.** To facilitate late check-ins, each short-term rental must have an address identification clearly visible after dusk. The address identification must be legible and placed in a position that is visible from the street or road fronting the property (red background with white 4" numbers required).

k. **Sewage Disposal.** Every short-term rental must have a sewage disposal system which conforms to all standards established by the Wyoming Department of Environmental Quality. The permittee is required to contact the Planning and Zoning Department if such an approved waste water disposal system experiences a failure in operation. Temporary portable privies are expressly prohibited.

Section 9. PROHIBITIONS AND RESTRICTIONS

a. **Prohibited structures.** Short-term rentals are not allowed in structures not intended for permanent residential use/occupancy. Short-term rentals must have been previously issued all building and wastewater permits applicable to dwelling units.

b. **Incidental camping.** A short-term rental permit does not authorize incidental camping which causes the occupancy limit to be exceeded. Incidental camping means any overnight camping, sleeping in tents or on decks attached to the short-term rental unit, or sleeping in travel trailers or recreational vehicles parked on the short-term rental property.

c. **Outdoor fireplaces.** Open campfires are prohibited at short-term rentals. A variance to this prohibition may be requested from the Planning and Zoning Department and granted by the Administrator based upon a fire safety overlay map produced by the P&Z Commission and County Fire Warden. A variance to this prohibition may also require that campfire sites meet minimum standards established by the County Fire Warden. Natural gas/propane burning fireplaces and fire pits with twenty (20)-pound tanks or smaller are preferred, provided the device is at least ten (10) feet from a structure and any flammable materials.

d. **Pets.** Pets must be secured on the property at all times.

e. **Special events.** Weddings, corporate events, commercial functions, and any other similar events which have the potential to cause traffic, parking, excessive noise or other problems in the neighborhood are prohibited from occurring at the short-term rental property, as a component of short-term rental activities, unless a variance permit has been issued by the county pursuant to Chapter VI-Variances, of the Sublette Zoning and Development Regulations Resolution.

f. **Fireworks.** Possession or ignition of fireworks in Sublette County is strictly prohibited

Section 10. Enforcement

a. **General.** Pursuant to *Wyo. Stat. Ann. § 18-5-204 et seq.*, no person may use any building or use land in violation of a resolution adopted by Board of County Commissioners. Violations of the terms or each permit granted hereunder or violations of the requirements of the Sublette County Zoning Development Regulations Resolution, originally adopted December 13, 1978, as amended, are enforceable through revocation of a permit and/or a fine of up to seven-hundred and fifty dollars (\$750), among other enforcement measures as provided by law. In an effort to ensure compliance by permit holders, the Sublette County Board of Commissioners has developed an intermediate enforcement schedule to be administered by the Sublette County Planning & Zoning Department and Planning & Zoning Board. This intermediate enforcement schedule does not negate or circumvent the Sublette County Board of Commissioners authority to utilize any and all enforcement measures available to them by law to ensure compliance with its Zoning Development Regulations Resolution, this Chapter, or the intermediate enforcement schedule described herein. THE BURDEN OF

PROOF for all determinations made hereunder by the Planning & Zoning Administrator, Planning & Zoning Board, or the Sublette County Board of Commissioners is preponderance of the evidence

b. **Planning & Zoning Administrator.** Any reference herein of the Planning & Zoning Administrator includes any designee or agent thereof.

c. **Inspection.** Under the powers of this Chapter, the Planning & Zoning Administrator shall have the authority to enter onto land within the unincorporated area of Sublette County to inspect alleged violations of this Short-term Rental Resolution. By obtaining a permit to operate a short-term rental, a landowner submits to reasonable inspections by the Planning & Zoning Administrator upon reasonable notice (24 hours) to, and as accompanied by, the landowner, or agent thereof

d. **Complaints and Violations.** Formal written complaints, signed by the complainant, are to be investigated by the Planning & Zoning Administrator. Upon a determination by the Planning & Zoning Administrator that reasonable grounds exists that any term or condition of a permit or of this Chapter has been violated, regardless of how discovered, he shall issue a formal response according to the Enforcement Schedule detailed in Subparagraph F herein.

e. **False or Misleading Information Provided in Application.** Information provided in an application for a permit that is determined to be false or misleading following the issuance of permit must be considered a violation of this Chapter and enforced accordingly.

f. Enforcement Schedule

1. **FIRST VIOLATION:** Formal written warning describing violation delivered to the Permit Holder with a copy provided to the Planning and Zoning Board.
2. **SECOND VIOLATION:** Fine of one-hundred dollars (\$100) and a written citation describing the violation delivered to the Permit Holder with a copy provided to the Planning and Zoning Board.
3. **THIRD VIOLATION:** Fine of three-hundred dollars (\$300), revocation of permit for thirty (30) days, and a written citation describing the violation delivered to the Permit Holder with a copy provided to the Planning and
4. **FOURTH VIOLATION:** Fine of five-hundred dollars (\$500), revocation of permit for sixty (60) days, and a written citation describing the violation delivered to the Permit Holder with a copy provided to the Planning and Zoning Board
5. **FIFTH VIOLATION:** Fine of seven-hundred and fifty dollars (\$750), permanent revocation of permit and a written citation describing the violation delivered to the Permit Holder with a copy provided to the Planning and Zoning Board.

6. Subsequent violations are defined as those that occur within twenty-four months of the First Violation.

g. **Payment of Fines.** Any fine issued by the Planning & Zoning Administrator must be paid within ten (10) business days of the issuance thereof (post mark or email date stamp). Late payment of a fine is considered a violation of terms and conditions of this Chapter.

h. **Appeals Process.** Any Permit Holder who is issued a warning, a fine, or whose permit has been revoked may request a hearing before the Planning & Zoning Board to be held at the next regularly scheduled meeting. Notice of a Permit Holder's desire to appeal to the Planning & Zoning Board must be in writing, signed by the Permit Holder, and provided to the Planning and Zoning Administrator within ten (10) business days issuance of a warning, fine, or the revocation of a permit. An adverse decision from the Planning & Zoning Board may be appealed to the Board of County Commissioners as a contested case pursuant to the Wyoming Administrative Procedure Act, *Wyo. Stat. Ann. § 16-3-101 et seq.* Imposition of the fine is stayed during any appeals process. Failure to provide timely written notice of appeal is a waiver of a permit holder's right to appeal.

i. **Failure to Obtain a Permit Prior to Operation or Operation During Period of Revocation.** Operation without a permit, or during a period of revocation, is considered a violation of this Chapter for each day the property was operated as a short-term rental without a permit and subject to enforcement by fine of