

RESOLUTION NO. 19- 23

A RESOLUTION OF THE BOARD OF UINTA COUNTY COMMISSIONERS APPROVING AND
AUTHORIZING THE 2019 RESOLUTION FOR THE SUBDIVISION OF LAND FOR UINTA COUNTY
WYOMING

WHEREAS, the Board of Uinta County Commissioners is empowered by the provisions of W.S. 18-5-301 through 18-5-315; and

WHEREAS, the Uinta County Planning and Zoning Commission and the Board of Uinta County Commissioners have determined a need to update and revise the Resolution for the Subdivision of Land for Uinta County, Wyoming; and


WHEREAS, a Public Meeting was held by the Uinta County Planning and Zoning Commission on March 27, 2019 where upon the commission did authorize the following Resolution be presented to the Board of Uinta County Commissioners for final approval; and

WHEREAS, the Board of Uinta County Commissioners held a public hearing on said Resolution on Tuesday August 20, 2019 where public comment was received.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF UINTA COUNTY COMMISSIONERS THAT;

- 1) The 2019 Resolution for the Subdivision of Land for Uinta County, Wyoming is hereby passed, approved and adopted as official county policy.
- 2) The 2019 Resolution for the Subdivision of Land for Uinta County, Wyoming supersedes and replaces any and all previous subdivision resolutions with any all subsequent revisions.
- 3) It is hereby directed that a copy of the 2019 Resolution for the Subdivision of Land for Uinta County, Wyoming be maintained in the Office of the Uinta County Clerk and the Uinta County Planning Office.
- 4) The Uinta County Planning Office is hereby charged with administering the 2019 Resolution for the Subdivision of Land for Uinta County, Wyoming.

PASSED, APPROVED AND ADOPTED THIS 19 DAY OF November, 2019



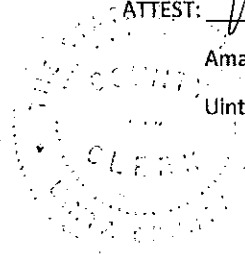
Eric South, Chairman

The Board of Uinta County Commissioners

ATTEST: 

Amanda Hutchinson

Uinta County Clerk



**RESOLUTION FOR SUBDIVISION OF LAND
FOR
UINTA COUNTY, WYOMING**

ADOPTED BY

Uinta County Board of County Commissioners

March 6, 1979

AMENDED

September 3, 1980 (Resolution No. 80-25)

September 2, 1981 (Resolution No. 81-40)

February 3, 1982 (Resolution Nos. 82-14 and 82-15)

April 20, 1982 (Resolution No. 82-34)

June 21, 1983 (Resolution No. 83-40 and 83-42)

March 7, 1984 (Resolution Nos. 84-17 and 84-18)

June 6, 1984 (Resolution No. 84-64)

November 7, 1984 (Resolution No. 84-80)

August 3, 1993 (Resolution Nos. 93-28, 93-29, 93-30, and 93-31)

December 3, 1996 (Resolution No. 96-27)

August 5, 1997 (Resolution No. 97-24)

October 3, 2000 (Resolution No. 00-33)

October 2, 2001 (Resolution No. 01-22)

November 19, 2019 (Resolution No. 19-23)

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CHAPTER 1 GENERAL PROVISIONS

Section 1. Title.

This resolution shall be known as the Uinta County Subdivision Resolution and shall supersede and replace any and all previous versions.

Section 2. Administration.

These regulations shall be administered by the Uinta County Planning Office and the Uinta County Planning and Zoning Commission as hereby authorized by the Board of Uinta County Commissioners.

Section 3. Authority.

These regulations are authorized by Sections 18-5-301 through 18-5-315, and 34-12-101 through 34-12-115, Wyoming Statutes, and are hereby declared to be in accordance with all provisions of the statutes.

Section 4. Purpose and Intent.

The purpose of the Uinta County Subdivision Resolution is to support and implement the Uinta County Comprehensive Plan and the Uinta County Land Use Plan by providing regulations to insure high quality housing sites and to minimize the loss of productive agricultural land. These regulations are intended to safeguard the public health, safety and general welfare by establishing minimum regulations and standards for design, improvement, survey and construction of subdivisions and land developments hereafter platted in Uinta County in order to provide and insure the orderly and proper growth thereof and to aid in the prevention of pollution of land, air and water resources. These regulations are established to prevent overcrowding of land; to lessen congestion of streets and highways; to make efficient use of energy and services; to provide adequate space, light and air; to protect property values of existing residents; to provide adequate facilities for water, sewage, parks and recreation areas, sites for schools and other public uses; to provide for proper ingress and egress; to require the conveyance of land by accurate legal description; and to secure equitable handling of all subdivision plans by providing uniform standards and procedures.

Section 5. Interpretation.

Where any provisions of this resolution impose more stringent regulations, requirements or limitations than are imposed or required by any other resolutions or ordinances, or statutes of the State of Wyoming, then the provisions of this resolution shall govern.

Section 6. Jurisdiction.

The territorial jurisdiction of these regulations shall include all of the unincorporated land located within Uinta County, Wyoming, and nothing contained herein shall be construed to contravene any planning authority of any incorporated city or town within said county.

Section 7. Permit for Subdivision

No person shall subdivide land, nor shall any person sell or offer for sale any interest in any subdivision located in this county, or commence construction of a subdivision without first obtaining a valid subdivision permit

Section 8. Resubdivision of Land.

a. Procedure for Resubdivision. For any change in a map of an approved or recorded subdivision plat, if such change affects any street layout shown on such map, or area reserved thereon for public use, or any lot line, or if it affects any map or plan legally reached prior to the adoption of any regulations controlling subdivisions, such parcel shall be approved by the Planning Commission by the same procedure, rules and regulations as for a subdivision.

b. That portion of an approved or recorded subdivision plat which is resubdivided shall be vacated by a written, recorded instrument declaring the same after the new subdivision plat has been filed for record. The instrument vacating said portion of the original subdivision plat shall follow the procedures outlined in Chapter II Section 5 of this resolution.

c. Procedure for Subdivisions Where Future Resubdivision is indicated. Whenever a parcel of land is subdivided into smaller building sites, the Planning Commission may require that such parcel of land allow for the future opening of streets and the ultimate extension of adjacent streets. Easements providing for the future opening and extension of such streets may be made a requirement of the plat.

Section 9. Exemptions.

a. Unless the method of sale or other disposition is adopted for the purpose of evading this resolution, this resolution shall not apply to any subdivision of land that:

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

- A.** 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.** The purpose of the division is to provide for the housing, business or agricultural needs of the grantee;
- C.** The land shall have been titled in the name of the grantor, or in the name of a trust controlled by the grantor in compliance with

W.S. 18-5-303. Parcels created under this paragraph shall be titled in the name of the immediate family member for whom the division is made in compliance with W.S. 18-5-303, unless such parcels are subject to involuntary transfer including, but not limited to, foreclosure, death, judicial sale, condemnation or bankruptcy;

- D.** No parcel smaller than five (5) acres created under this section shall be further divided unless the owner obtains a subdivision permit pursuant to this Resolution.
 - E.** Where the land owner is a business entity and eighty percent (80%) of the ownership interest or shares in the business entity are held by, or in the name of a trust controlled by individuals related by blood or marriage, the sale or gift may be made subject to the provisions of this section to an immediate family member of any shareholder who has owned at least five percent (5%) of the outstanding shares for at least five (5) years continuously before the date of the sale or gift.
- 2.** May be created by any court of this state pursuant to the law of eminent domain, by operation of law or by order of any court in this state;
 - 3.** Is created by a lien, mortgage, deed of trust or any other security instrument, easements and rights-of-way;
 - 4.** Concerns lands located within incorporated cities or towns;
 - 5.** Is created by the sale or other disposition of land to the state of Wyoming or any political subdivision thereof;
 - 6.** Affects railroad rights-of-way;
 - 7.** Is a sale or other disposition of land for agricultural purposes or affects the alignment of property lines for agricultural purposes;
 - 8.** 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;
 - 9.** Creates cemetery lots;
 - 10.** 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 the purposes of this subsection as only one (1) interest.
 - 11.** 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

- 12.** A division which creates a cluster development.
- 13.** The sale or disposition of separate parcels of land that were separate when lawfully created or conveyed and which have not been combined by a recorded instrument of conveyance signed by all of the owners.

b. This resolution shall not apply to the sale or other disposition of land where the parcels involved are thirty-five (35) acres or larger, subject to the requirement that ingress and egress and utility easements shall be provided to each parcel by binding and recordable easements of not less than forty (40) nor more than sixty (60) feet in width to a public road unless specifically waived by the grantee or transferee in a binding and recordable document..

Section 10. Filing Requirements

The owners or agents of a property owner seeking to record deeds, records of survey, contract for deeds or other types of instruments for new parcels of ground less than 35 acres shall present to the County Clerk a certificate completed by the Planning Department and signed by the owner or owners agent certifying the property is exempt from the subdivision regulations and indicating the type of exemption being applied.

CHAPTER 2

SUBDIVISION APPLICATION AND APPROVAL PROCEDURE

Section 1. Sketch Plan and Pre-Application Conference.

a. The subdivider shall check the existing Land Use District Designation (zoning) of the property and apply for a Land Use Map Amendment (zone change) if one is necessary. The subdivider should review the point system of the Uinta County Land Use Resolution in light of the type of subdivision proposed and the characteristics of the subject land to determine the probability of the requested Land Use Map Amendment (zone change) being granted. If a Land Use Map Amendment is necessary and if the subdivider determines, based on the Land Use Resolution point system that the amendment would probably be granted he shall apply for the Map Amendment at least forty (40) days prior to the meeting at which the sketch plan or preliminary plat will be reviewed by the Commission. The Commission shall not approve any preliminary plat for which a needed Land Use Map Amendment (zone change) has not been recommended for approval by the Commission.

b. The subdivider shall review the Uinta County Flood Insurance Rate Maps (FIRM) to determine if the subdivision, or portions of it, is in the designated Flood Hazard Area. Base flood elevation data shall be provided for subdivision proposals which contain at least fifty (50) lots or five (5) acres (whichever is less).

c. The subdivider shall submit a copy of the sketch plan to the Uinta County Soil Conservation District and request a soil survey, review and recommendations regarding soil suitability, erosion control, sedimentation and flooding problems. The District shall have sixty (60) days from date of request to complete its survey, review and recommendations.

d. The subdivider or subdivider's agent shall meet with planning staff for a preapplication conference which will include the informal discussion of a sketch plan and the proposed subdivision's possible effects on the areas surrounding it; the subdivision procedure and the regulations which pertain to the proposal and additional information required for the sketch plan and preliminary plat. The planning staff will review the proposed subdivision with the subdivider or subdivider's agent during the preapplication conference. The planning staff will indicate any required change in the design of the subdivision and discuss with the subdivider the procedures and requirements for applying for preliminary plat approval. The planning staff should provide the subdivider with all required application forms; sketch plan, preliminary and final plat checklists and other forms and information as needed.

e. The subdivider shall determine if there are or are not irrigation water rights attached to the land to be subdivided. The subdivider should decide whether he will (1) abandon the water rights on the land to be subdivided; (2) change the use, place of use or point of diversion to be provided for beneficial use of the water rights outside the subdivision; or (3) prepare a plan for distribution of the water to the various lots in the subdivision including all appropriate applications for change of use, change of place or use or change in point of diversion or means of conveyance in accordance with W.S. 41-3-103, 41-3-104 or 41-3-114. Option number 3 above requires that if the subdivision is located within an irrigation district or within lands served by a ditch, irrigation company or association or by an unorganized ditch, the plan must be submitted to the district board, company, or association, or the remaining appropriators in the case of an unorganized ditch for their review and recommendations. Options one and two above require that the subdivider notify the irrigation company or association or other appropriators of this intent to abandon or transfer the water rights.

f. Present five (5) copies of the sketch plan and other information to the Planning office at (1) time of pre-application conference; or (2) at least fifteen (15) days prior to a regular meeting of the Planning and Zoning Commission, in order to be placed on the commission agenda.

g. The planning staff should transmit one copy of the sketch plans to County departments and other agencies such as the recreation commission, school boards, utility companies, the Wyoming State Highway Department, or State Historic Preservation Officer which has jurisdiction or an interest in the proposed subdivision for their review and recommendations, no later than five (5) days after receipt of the sketch plan. If no written reply is received within twenty (20) days from the date of notification, or if no one representing the above agency appears at the presentation of the sketch plan, the comment period will be considered as ended; with no objections to the proposed development noted. The above agencies shall be notified in writing of the date of the presentation of the plat at least five (5) days prior to the scheduled meeting. A copy of the sketch plan shall be sent to any city or town within one mile of any portion of the proposed subdivision.

h. The subdivider or subdivider's agent will present four (4) copies of the sketch plan at a regular planning commission meeting, (if on the agenda per item f. above) at which time the plan would be reviewed and discussed with the members of the Commission and the Planning Department Staff.

i. No formal action is required by the Commission on the sketch plan. However, the Commission and the Planning Department Staff should have a frank discussion with the subdivider or his agent regarding any possible problems with the proposed subdivision. Should any Commission member have any objections to the proposed subdivision, or to a needed Land Use Map Amendment, an indication should be made to the subdivider.

j. If the subdivider or agent does not have all necessary forms for preliminary plat submission and/or is not clear as the requirements and/or procedures, he should contact the planning staff for assistance.

Section 2. Preliminary Plat Submission.

a. The subdivider shall publish notice in a newspaper of general local circulation of his intent to apply for a preliminary plat review, once each week for two weeks within thirty (30) days prior to filing his application. The notice shall include the name of the subdivider and the general location and legal description (section, township and range) of the land to be subdivided.

b. The subdivider shall submit to the Planning Office an application for a preliminary plat review and eight (8) copies of the preliminary plat and one (1) copy of other required information at least fifteen (15) days prior to a regularly scheduled meeting of the Planning and Zoning Commission. The application shall consist of an application form and the names and mailing addresses of all adjacent property owners and lease holders. The preliminary plat should be prepared according to the requirements of Chapter IV and should be accompanied by all required additional information. Refer to Chapter IV and the "preliminary plat checklist" for guidance.

c. The subdivider shall present the Soil Conservation report with the preliminary plat if the report was not completed at sketch plat presentation time. If the actual report from the Conservation District is not available at the time of preliminary plat submission, the subdivider shall provide evidence (copy of letter) that he has formally requested said report and recommendations at least sixty (60) days prior to submission. If at least sixty days have not passed from the time of request the preliminary plat shall not be reviewed by the Commission but shall be tabled or denied.

d. The subdivider shall consult with the Wyoming Department of Environmental Quality (D.E.Q.) in regard to plans for any central sewer and water facilities. Also, consult with private utility companies (telephone, natural gas, electricity, etc.) for service to the subdivision.

e. Upon receipt of the application, the preliminary plat and all data as required herein, the planning staff shall certify the application as complete and affix the date of receipt thereon. Said application shall then be placed on the agenda of the next meeting of the Planning and Zoning Commission. If an application is incomplete, it may be excluded from the upcoming meeting agenda.

f. The planning staff will review the preliminary plat and documents submitted with it using the checklist. The subdivider and the Commission will be furnished

copies of the checklist review. The planning staff may review the preliminary plat for design and possible adverse effects. Comments will be furnished to the subdivider and Commission prior to or at the meeting. The planning staff will compile, if any, the comments from other appropriate departments and agencies and submit these comments to the Commission and the subdivider.

g. Upon receipt of the names of adjacent land owners and lessees, the secretary of the Commission shall notify said persons by letter of the intent of the subdivider and include appropriate data concerning the proposed development no later than five (5) days prior to the meeting of the Commission. Notice will include the date, time and place of the Planning and Zoning Commission meeting at which the preliminary plat will be reviewed.

h. The planning staff should transmit one copy of the preliminary plat to county departments and other agencies such as the recreation commission, school boards, utility companies, the Wyoming Highway Department, or State Historic Preservation Officer which has jurisdiction or an interest in the proposed subdivision for their review and recommendations. If no written reply is received within fifteen (15) days of notification, or if no one representing the above agency appears at the presentation of the preliminary plat, the comment period will be considered as ended, with no objection to the proposed development noted. The above agencies shall be notified in writing of the data of the presentation of the plat. A copy of the completed application shall be transmitted for review to a town or city within one mile of any portion of the proposed subdivision in accordance with Section W.S.S. 34-12-103.

i. Inspection of the proposed development site by the planning staff may be made whenever physically possible prior to preliminary plat presentation. Arrangements shall be made with the members of the planning commission nearest the development for accompaniment to the site. After the site inspection, the planning staff may prepare a written review of the proposal for submission at the presentation of the preliminary plat.

j. A public hearing on the Land Use Map Amendment, if needed, relative to the proposed subdivision shall be held by the commission prior to taking any action on the preliminary plat. The Commission shall not approve any preliminary plat for which a Land Use Map Amendment has not been recommended for approval by the Commission.

k. The Planning and Zoning Commission shall review the preliminary plat based on the plat and other information submitted by the subdivider, the checklist review prepared by the staff, comments of neighboring land owners and lessees, and comments of other agencies or departments, and the requirements of this resolution.

The subdivider of the land shall meet with the Commission at its regular meeting to discuss the proposed subdivision.

l. The Planning and Zoning Commission may require (1) design changes in the plat; (2) that certain improvements are included as part of the proposed subdivision in order to protect purchasers and/or adjacent property owners; and/or (3) that additional notes are placed on the plat and be included in all advertisements for sale of lots in the subdivision and in all contracts or agreements for the sale and purchase of lots in the subdivision.

m. The Planning and Zoning Commission may act to approve or disapprove the preliminary plat and preliminary plat application or to table the preliminary plat. If the Planning and Zoning Commission acts to table the plat and application, it should be with the consent of the subdivider or subdivider's agent. Approval of the preliminary plat may contain conditions of: Design changes; additional improvements; additional notes on the plat and offers; or that additional information be submitted. The Planning and Zoning Commission may act to disapprove or table the preliminary plat for: (1) failure by the subdivider or subdivider's agent to provide all documents and items or perform all requirements for preliminary plat submission; (2) failure of the subdivision proposal, in the opinion of the Commission, to meet the adequacy of the review criteria as set forth in this resolution; (3) failure of the subdivision to meet county design standards; (4) denial by the Commission of a request for a Land Use Map Amendment; or (5) refusal by the subdivider to make design changes or include additional improvements which the Commission determines to be essential.

n. The Commission shall approve, disapprove or table a preliminary plat within forty-five (45) days after receiving a preliminary plat application. If no action is taken by the Commission within forty-five (45) days, the plat shall be deemed to have been approved unless tabling is agreed to by the subdivider. The Commission shall not approve any preliminary plat for which a needed Land Use Map Amendment has not been recommended for approval by the Commission.

o. If the subdivider or agent does not have all of the necessary forms for final plat submission and/or is not clear as to any requirements (including conditional approval of the preliminary plat) and/or procedures, he should contact the planning staff for assistance.

Section 3. Final Plat Submission.

a. The subdivider shall publish notice in a newspaper of general local circulation of his intent to apply for a subdivision permit, once each week for two weeks, within thirty (30) days prior to filing his application and submitting the final plat. The notice shall include the name of the subdivider and the general location and legal description (section, township and range) of the land to be subdivided.

b. The subdivider shall submit to the Planning office four (4) copies of the final plat, an application for a Subdivision Permit accompanied by the required fees, and all other information required, at least fifteen (15) days prior to a regularly scheduled Commission meeting. The final plat should be prepared according to County requirements and should contain and be accompanied by all required information. Refer to Chapter 4 for guidance. The final plat should contain all changes required at preliminary plat review.

c. The subdivider shall submit all other required material (approved County and/or State Highway access permits, soil conservation review and report if not available at preliminary plat time, title certificates, engineering drawings, performance guarantee, etc.). Use Chapter 4 for guidance.

d. Within one year after receiving preliminary plat approval, the final plat and other required documents and information must be presented to the Planning Commission for final review. The Commission may extend the one-year time limit for just cause.

e. The subdivider or agent shall meet with the Commission to discuss the final plat at the meeting of the Planning and Zoning Commission.

f. Upon receipt of the final plat and all data as required, the planning staff shall affix the date of receipt thereon. Said final plat shall then be placed on the agenda of the next meeting of the Planning and Zoning Commission. If an application is incomplete, it may be excluded from the upcoming Commission meeting agenda.

g. The planning staff will review the final plat and documents submitted with it using the checklist. The subdivider and the Planning and Zoning Commission will be furnished copies of the checklist review. If any material is missing, the planning staff will inform the subdivider that additional information is needed to complete his file.

h. The planning staff will review the final plat to see if all the changes required at the time of preliminary plat review have been incorporated into the final plat. If

any of these changes were not implemented, inform the subdivider that additional required changes are needed in order for the plat to be final. (use the final plat checklist for review.)

i. Upon receipt of the final plat and all data as required, the planning commission shall require the submittal of a copy of the application to the Department of Environmental Quality for review as provided by WS 18-5-306(c).

j. The planning staff may prepare and submit a recommendation to the Planning and Zoning Commission on the final plat either before the meeting or at the meeting.

k. After receipt of the planning staff review of the final plat, the subdivider should make all corrections and provide all information and/or documents that are lacking. This should be done before the meeting of the Commission at which the final plat will be reviewed.

l. The Planning and Zoning Commission shall review the final plat based on: the plat and other information submitted by the subdivider; the checklist review prepared by the planning staff; any design changes that were required to be made in the plat at the time of preliminary plat review; additional improvements that were required to be made part of the subdivision; additional notes that were to be placed on the plat and all offers; any additional information that was to be provided by the subdivider; comments of neighboring property owners or lessees; comments of other agencies or departments; and the requirements of this resolution.

m. The Planning and Zoning Commission may act to approve or disapprove the final plat and subdivision application or to table them. If the Planning and Zoning Commission acts to table the plat and application it should be with the consent of the subdivider or subdivider's agent. The Planning and Zoning Commission may act to table or deny the final plat for: (1) failure by the subdivider to provide all documents and items or perform all requirements for the final plat submission; (2) failure of the subdivision proposal, in the opinion of the Commission, to meet the adequacy of the review criteria as set forth in this resolution; (3) failure of the subdivision to meet county design standards; or (4) refusal by the subdivider to make design changes or include additional improvements which the Commission determines to be essential.

n. The Commission shall make findings and recommendations to the Board concerning an application within forty-five (45) days from the date the Department of Environmental Quality submits its recommendation to the commission or from the date when the recommendation is due if no recommendation is made, whichever is earlier. If no action is taken by the Commission within forty-five (45) days, the plat shall be deemed to have been approved unless additional time is agreed to by the subdivider. The Commission shall cause to be prepared a report and recommendation to the Board outlining the reasons of the Commission for denying or approving the proposed subdivision.

o. If the final plat is acted on by the Commission, the subdivider should notify the staff as to when the subdivision is desired to be presented to the Board for the Board's consideration of: (1) the final plat; (2) the performance guarantee; and (3) possible issuance of a subdivision permit. The Uinta County Planning Department shall be so notified at least fifteen (15) days prior to the Board meeting. Only Uinta County Planning Department personnel may schedule final plat considerations on the Board of County Commissioners agenda and only complete submittal and corrected plats will be scheduled. Incomplete submittal or uncorrected plats will be returned.

p. If the final plat is tabled due to deficiencies, the subdivider should correct all deficiencies and resubmit the plat starting again with "a" above.

q. If the final plat is not approved by the Planning and Zoning Commission, the subdivider may appeal that decision to the Board of County Commissioners or if the denial was based on deficiencies, the subdivider may reapply to the Commission for final plat approval which shall include an affidavit to the Commission that the deficiencies to the previous application have been corrected.

r. The Board should review the final plat, the reports, and all recommendations of the Commission, and any other material supplied. After receipt of the final plat and the Commission report and recommendations, the Board shall either approve or disapprove by resolution the final plat within forty-five (45) days of the Board meeting at which the final plat and Commission report and recommendation were reviewed.

s. If no action was taken within the required time period, the final plat shall be deemed to have been approved and the subdivider may proceed with recordation.

t. If a subdivision application is approved by the board notwithstanding an adverse recommendation by the Department of Environmental Quality, the subdivider shall furnish to all potential purchasers a copy of the department's recommendation prior to sale. The subdivider need not furnish the potential buyer with a copy of the department's recommendation if the board in approving the subdivision enters a written finding that the subdivider has corrected the inadequacy set forth in the department's recommendation. Any person violating this subsection is subject to the penalty provided by WS 18-5-314.

u. The properly signed and acknowledged plat mylar and all other required documents shall be delivered to the County Planning Department. Only the County Planning Department personnel shall authorize the filing of the plat, and other such documents that may be required, with the County Clerk's office once all items are complete and final approval is granted by the Board.

Section 4. Minor Subdivision Procedure

For proposed minor subdivisions, the procedure outlined below may be followed. Minor subdivisions which create roads may follow this procedure at the discretion of the planning staff. In all cases, a pre-application conference shall be held and an application for a Minor Subdivision shall be submitted.

The minor subdivision procedure shall not be used for subdivisions proposing a centralized sewage system or a central water system.

a. Minor Subdivision Sketch Plan and Pre-Application Conference.

1. The subdivider shall consult with planning office staff regarding the existing Land Use District Designation (zoning) of the property and apply for a Land Use Map Amendment (zone change) if one is necessary. The subdivider should review the point system of the Uinta County Land Use Resolution in light of the type of subdivision he proposes and the characteristics of the subject land to determine the probability of the requested Land Use Map Amendment (zone change) being granted. If a Land Use Map Amendment is necessary and if the subdivider determines, based on the Land Use Resolution point system that the amendment would probably be granted he shall apply for the Map Amendment at least forty (40) days prior to the meeting at which the sketch plan will be reviewed by the Commission.

2. The subdivider shall review the Uinta County Flood Insurance Rate Maps (FIRM) to determine if the subdivision, or portions of it, is in the designated Flood Hazard Area. Base flood elevation data shall be provided for subdivision proposals which contain at least fifty (50) lots or five (5) acres (whichever is less).

3. The subdivider shall submit a copy of the sketch plan to the local Soil Conservation District and request a soil survey, review and recommendations from the local conservation district regarding soil suitability, erosion control, sedimentation and flooding problems. The District shall have forty (40) days from date of request to complete its survey, review and recommendations.

4. The subdivider or subdivider's agent shall meet with the planning staff for a pre-application conference which will include the informal discussion of a sketch plan and the proposed subdivision's possible effects on the areas surrounding it; the subdivision procedure and the regulations which pertain to the proposal and additional information required for the sketch plan final plat. The planning staff will

review the proposed subdivision with the subdivider or subdivider's agent when a pre-application conference is held. The planning staff will indicate any required change in the design of the subdivision and discuss with the subdivider the procedures and requirements for applying for final plat approval. The planning staff should provide the subdivider with all required application forms; sketch plan and final plat checklists and other forms and information as needed.

5. The subdivider shall determine if there are or are not irrigation water rights attached to the land to be subdivided. The subdivider should decide whether he will (1) abandon the water rights on the land to be subdivided; (2) change the use, place of use or point of diversion to be provided for beneficial use of the water rights outside the subdivision; or (3) prepare a plan for distribution of the water to the various lots in the subdivision including all appropriate applications for change of use, change of place or use or change in point of diversion or means of conveyance in accordance with W.S. 41-3-103, 41-3-104 or 41-3-114. Option number 3 above requires that if the subdivision is located within an irrigation district or within lands served by a ditch, irrigation company or association or by an unorganized ditch, the plan must be submitted to the district board, company, or association, or the remaining appropriators in the case of an unorganized ditch for their review and recommendations. Options one and two above require that the subdivider notify the irrigation company or association or other appropriators of this intent to abandon or transfer the water rights.

6. The subdivider shall submit to the Planning Office an application for a minor plat review and eight (8) copies of the plat and one (1) copy of other required information at least fifteen (15) days prior to a regularly scheduled meeting of the Commission. The application shall consist of the plat copies an application form and the names and mailing addresses of all adjacent property owners and lease holders.

7. Upon receipt of the names of adjacent land owners and lessees, planning office staff shall notify said persons by letter of the intent of the subdivider and include appropriate data concerning the proposed development no later than five (5) days prior to the meeting of the Commission. Notice will include the date, time and place of the Commission meeting at which the plat will be reviewed. Notice of the public hearing shall be advertised in a newspaper of local distribution within two (2) weeks of the hearing date. Signage will be placed in close proximity to the property in question.

8. Present five (5) copies of the sketch plan and other information to the Planning office at (1) time of pre-application conference; or (2) at least fifteen (15) days prior to a regular meeting of the Planning and Zoning Commission, in order to be placed on the commission agenda.

9. The planning office staff shall transmit one copy of the sketch plans to County departments and other agencies which may include the recreation commission, school boards, utility companies, the Wyoming State Highway

Department, or State Historic Preservation Officer which has jurisdiction or an interest in the proposed subdivision for their review and recommendations, no later than five (5) days after receipt of the sketch plan. If no written reply is received within twenty (20) days from the date of notification, or if no one representing the above agency appears at the presentation of the sketch plan, the comment period will be considered as ended; with no objections to the proposed development noted. The above agencies shall be notified in writing of the date of the presentation of the plat at least five (5) days prior to the scheduled meeting. A copy of the sketch plan shall be sent to any city or town within one mile of any portion of the proposed subdivision.

10. The subdivider or subdivider's agent will present four (4) copies of the sketch plan at a regular planning commission meeting, (if on the agenda per item f. above) at which time the plan would be reviewed and discussed with the members of the Commission and the Planning Department Staff.

11. No formal action is required by the Commission on the sketch plan. However, the Commission and the Planning Department Staff should have a frank discussion with the subdivider or his agent regarding any possible problems with the proposed subdivision. Should any Commission member have any objections to the proposed subdivision, or to a needed Land Use Map Amendment, an indication should be made to the subdivider. The Commission may make a recommendation to the Board of County Commissioners on changes to the sketch plan to be included in the final plat or to recommend approval or denial of the subdivision.

12. If the subdivider or agent does not have all necessary forms for final minor subdivision plat submission and/or is not clear as the requirements and/or procedures, he should contact the planning staff for assistance.

b. Final Minor Subdivision Plat Submission.

1. The subdivider shall publish notice in a newspaper of general local circulation of his intent to apply for a subdivision permit, once each week for two weeks, no more than thirty (30) days before filing his application and submitting the final plat to the Board of County Commissioners. The notice shall include the name of the subdivider and the general location and legal description (section, township and range) of the land to be subdivided. This may require publishing notice before the presentation of the sketch plan to the Planning and Zoning Commission in order to be on the agenda for the next County Commission meeting.

2. The subdivider shall submit to the Planning office four (4) copies of the final plat, an application for a Subdivision Permit accompanied by the required fees, and all other information required, at least fifteen (15) days prior to a regularly scheduled meeting of the Board. The final plat should be prepared according to

County requirements and should contain and be accompanied by all required information. Refer to Chapter 4 and the "final plat checklist" for guidance. The final plat should contain all changes required at sketch plan review.

3. The subdivider shall submit all other required material (approved County and/or State Highway access permits, soil conservation review and report if not available at sketch plan time, title certificates, engineering drawings, performance guarantee, etc.). Use the "final plat checklist" and Chapter 4 for guidance.

4. Within one year after receiving sketch plan approval, the final plat and other required documents and information must be presented to the Board of County commissioners for final review. The Board may extend the one-year time limit for just cause.

5. The subdivider and the Board will be furnished copies of the checklist review.

6. The planning staff will review the final plat to see if all the changes required at the time of sketch plan review have been incorporated into the final plat. If any of these changes were not implemented, inform the subdivider that additional required changes are needed in order for the plat to be final.

7. The planning staff shall prepare and submit a staff review to the Board on the final plat either before the meeting or at the meeting.

8. After receipt of the planning staff review of the final plat the subdivider shall make all corrections and provide all information determined to be lacking. This shall be done at least fifteen (15) days before the meeting of the Board at which the final plat will be reviewed.

9. The subdivider shall notify the staff as to when the subdivision is desired to be presented to the Board for the Board's consideration of: (1) the final plat; (2) the performance guarantee; and (3) possible issuance of a subdivision permit. The Uinta County Planning Department shall be so notified at least fifteen (15) days prior to the Board meeting. Only Uinta County Planning Department personnel may schedule final plat considerations on the Board of County Commissioners agenda and only complete submittal and corrected plats will be scheduled. Incomplete submittal or uncorrected plats will be returned.

10. If the final plat is tabled due to deficiencies, the subdivider shall correct all deficiencies and resubmit the plat.

11. The Board of County Commissioners should review the final plat, the reports, and any other material supplied. After receipt of the final plat and the Planning Staff report and recommendations, the Board shall either approve or disapprove by resolution the final plat within forty-five (45) days of the Board meeting at which the final plat and Planning Staff report and recommendation were reviewed.

- a.** If no action was taken within the required time period, the final plat shall be deemed to have been approved and the subdivider may proceed with recordation.

12. The properly signed and acknowledged plat mylar and all other required documents shall be delivered to the County Planning Department. Only the County Planning Department personnel shall authorize the filing of the plat, and other such documents that may be required, with the County Clerk's office once all items are complete and final approval is granted by the Board.

Section 5. Subdivision Plat Vacation.

a. Any subdivision plat may be vacated by the owners, proprietors and mortgagees thereof at any time prior to the sale of any lots by submitting a copy of the plat to the Planning Commission along with a written request for the action. In cases where lots have been sold, the written request shall be made by all owners, proprietors, etc. of lots within said subdivision. The Planning Commission shall make a recommendation on the vacation to the Board of Uinta County Commissioners and the Board shall approve or disapprove the vacation. If the vacation is approved by the Board, a written instrument vacating the subdivision plat shall be recorded in the Office of the Uinta County Clerk, said instrument shall be signed by the Chairman of the Uinta County Planning and Zoning Commission and the Chairman of the Board of Uinta County Commissioners. Only when duly signed and attested shall the vacating instrument be recorded and shall operate to void the force and effect of the recording of the original plat.

b. Any public street or alley laid out and platted under the provisions of these regulations or load out under any prior law of the State of Wyoming regulating private plats may be altered or vacated in the manner provided by law for the alteration or vacation of public roads.

c. Any part of a plat may be vacated under the provisions of this resolution, provided such vacating does not abridge or destroy any of the rights and privileges of other proprietors in said subdivision and provided further that nothing contained

in this section shall authorize the closing or obstruction of any public highway laid out according to law. The request for vacation shall be made by all of the owners of lots within that portion of the subdivision sought to be vacated.

d. When any portion of the streets, alleys and other public grounds are included in a plat vacation, those areas shall be allocated to adjoining lots or parcels in equal proportions.

e. When any portion of the plat to be vacated is mortgaged, a notarized statement from the mortgage holder shall be submitted to the board authorizing said vacation.

Section 6. Permit Denial and Reapplication.

A disapproval of preliminary or final plat or denial of a subdivision permit application shall contain in writing the specific reasons for denial or disapproval. Where disapproval was based on deficiencies and applicant may reapply for a permit which shall include an affidavit to the Commission that the deficiencies in the previous application have been corrected. Where denial was based on other grounds than deficiency, no application for a subdivision permit for the same property shall be accepted within a one-year time period from date of Board denial.

Section 7. Maximum Time Periods Between Submissions.

a. A preliminary plat shall be submitted within six (6) months of the submission of a sketch plan or the sketch plan must be resubmitted.

b. Within one year of the date of receiving preliminary plat approval from the Commission, the final plat and other required documents and information must be presented to the Commission for its review. The Commission may extend this one-year time limit for just cause.

c. The final plat and other required documents and information shall be presented to the Board by the subdivider within six (6) months of the date of Commission approval. If this is not accomplished, the subdivider shall resubmit the final plat to the Commission for review.

d. Board approval of the subdivision permit and final plat shall be void if not validated and recorded within one year of the date of approval, unless application for

extension of time is made in writing and is granted by the Board during the one-year time period.

Section 8. Commission Review Criteria.

All subdivision proposals shall be reviewed by the Commission, at sketch plan and preliminary plat presentation, against the review criteria in this Section. Findings of the Commission of incompatibility or conflict with, or adverse effect upon any of the review criteria in this Section are grounds for denial by the Commission of a sketch plan or preliminary plat, or alternatively, are grounds for a request for a subdivision design change, including, but not limited to, a change in lot size and/or configuration, or the Commission imposing a requirement for a cluster development in order to achieve greater suitability. The review criteria are as follows:

a. Compatibility with the goals, policies, land development or land use map(s), elements and general purpose of the currently adopted Uinta County Comprehensive Plan.

b. Compliance with the design standards of the Resolution for Subdivision of Land for Uinta County, Wyoming and the design standards and all other requirements and provisions and purposes of the Uinta County Land Use Resolution.

c. The physical suitability of the site for the proposed use; whether residential, commercial, industrial or the grazing and/or boarding of livestock whether for pleasure or profit. The physical features of the site which shall be considered in determining the physical suitability of the site for the proposed use are as follows: (1) soils conditions, including soil type and texture, soil fertility, depth to bedrock or other rock strata underlying the soils, and the depth of soil mantle; (2) depth to groundwater, seasonal fluctuations of groundwater; (3) the slope of the site; (4) distance to perennial or intermittent streams and rivers; (5) whether the site is wholly or partially in or outside of a designated flood hazard area and whether in the boundaries of a defined 100-year or 10-year floodplain; (6) the existence or non-existence of wildlife habitat; (8) the presence or absence of groundwater recharge/discharge areas within the site; (9) geologic hazards. The suitability of the site for the proposed use shall be evaluated by the Commission by considering how the physical features of the site are a limit or an enhancement to the proposed use at the proposed intensity; how the physical features of the site would possibly affect the public health, safety or welfare of the residents of the area and the county as a whole, potential buyers/inhabitants within the subdivisions, and inhabitants, owners or lessees adjacent to the subdivision if the subdivision were allowed as proposed; and what negative effects the proposed subdivision would have on the physical features of the site (as examples: increased erosion, increased devegetation, possible

pollution of surface or groundwater, destruction or disturbance of wetland areas due to dredging, filling, vegetation trampling, grazing, or dewatering).

d. The potential effect of the proposed subdivision on nearby surrounding and/or adjacent agricultural land uses, including a determination as to possible problems with: trespass onto agricultural land; domestic dogs harassing livestock; increased litter and garbage onto neighboring lands; disruption of irrigation canals and ditches due to blockage, ditch cutting, ditch trampling, ditch sedimentation or overgrowth; disruption of natural drainage patterns; chemical biological or nutritional sedimentation of waters; water theft; possible increased complaints about agricultural activities such as livestock odors and noise, livestock driving and other handling of livestock, agricultural spraying of chemicals and fertilizers, running of agricultural machinery and equipment.

e. Potential effects of the proposed subdivision on population distribution and the accessibility and availability of, and the negative or positive effects the subdivision would have on: public and private utilities; the proliferation of sewer and water districts, and service and improvement districts; schools, and the need for school busing; parks and recreation facilities; shopping areas; police and fire protection; adequate roads and highways; solid waste disposal; and snow removal services.

f. Adequate provisions by the subdivider for proper and safe sewage disposal, and domestic water supply; the suitability and adequacy of the soils, due to various conditions, for individual on-lot sewage disposal systems and the availability of domestic water of acceptable quality and quantity.

CHAPTER 3

MINIMUM REQUIREMENTS FOR SUBDIVISION PERMITS

Section 1. Minimum Requirements for Major Subdivisions.

The following are minimum requirements for major subdivisions. The Commission shall not recommend to the Board the approval of, nor shall the Board approve of, any major subdivision of land in Uinta County, Wyoming unless all of the following requirements are met:

a. Evidence satisfactory to the Board that the proposed subdivision complies with any applicable zoning or land use regulations.

b. A survey plat, to be recorded in the office of the Uinta County Clerk and Ex-Officio Register of Deeds, prepared by a Wyoming licensed surveyor containing the following:

- (1)** Date of preparation, scale and north arrow;
- (2)** The location of the subdivision including the section, township and range;
- (3)** The location and dimension of existing and proposed streets, alleys, roads, highways, public ways, utility rights-of-way, easements, parks and the location of proposed permanent buildings and structures if known.

c. Evidence satisfactory to the Board that:

- (1)** The subdivided land is free of all encumbrances and that the person or his agent who offers any part of the subdivision for sale or who solicits any offers for the purchase thereof, may convey a merchantable title subject only to noted reservations or restrictions of record, but free of encumbrances and subject only to a proportionate share of real property taxes or assessments charged or assessed for the year in which any such sale may be legally effected; or
- (2)** Binding arrangements have been made by the person or his agent who offers any part of the subdivision for sale, to assure purchasers of any part of the subdivision that upon full payment of the purchase price a deed can and will be delivered conveying

a merchantable title subject only to noted reservations or restrictions of record and free of encumbrances not specifically assumed by the purchaser, subject only to a proportionate share of such taxes and assessments hereon as may be levied or assessed for the year in which the sale may be legally effected.

d. A study evaluating the sewage system proposed for the subdivision and the adequacy and safety of the system. The study shall, at a minimum, include the following:

- (1)** Identification of the type of sewage system to serve the subdivision and identification of the entity or entities responsible for the design, construction, operation and maintenance of the proposed facility;
- (2)** For all types of sewage systems except individual on-lot sewage systems, report completed by a Wyoming registered professional engineer certifying to the adequacy and safety of the proposed sewage system. The report shall address, at a minimum, the following issues:
 - (i)** An assessment of the adequacy of the proposed sewer system in relation to the proposed population density of the subdivision and any other existing or proposed land and water uses in the vicinity of the subdivision that may affect the adequacy of the system:
 - (ii)** An estimate of the total number of gallons per day of sewage generated by the proposed subdivision where a central sewage system is proposed.
 - (iii)** A demonstration that technical requirements and design standards of the Department of Environmental Quality applicable to central sewage systems can and will be met;
 - (iv)** Where utilization of or connection to an existing private or public sewage system is proposed, documentation that the entity can and will provide service.
 - (v)** A detailed demonstration that the proposed sewage system for the subdivision is compatible with the proposed water system for the subdivision. The study shall demonstrate that the operation of the sewage system will not affect the suitability or safety of the proposed water supply system

and a determination of the potential impacts of down gradient use of groundwater;

(vi) Demonstration that the proposed sewage system will meet all county, state and federal standards. The demonstration shall address the relationship of the development to any local or state approved water quality management plans established pursuant to section 201 of the federal Clean Water Act, 33 U.S.C. section 1281 and demonstrate no conflict exists with any state approved local well protection plan or local source water protection plan established pursuant to the federal Safe Drinking Water Act;

(e) Where individual on-lot sewage systems are proposed by the subdivider, a report submitted by the subdivider shall document the safety and adequacy of the proposed on-lot sewage systems including the following:

- (1)** Adequacy of separation distances;
- (2)** Separation of drainfield relative to groundwater and impervious soils;
- (3)** Suitability of the subdivision soil conditions;
- (4)** Suitable topography;
- (5)** Proposed population density;
- (6)** Protection of groundwater uses;
- (7)** Results of percolation tests per Chapter 5, Section 5.c, (2)(b)
- (8)** Watersheds located on or draining into, under or over the proposed subdivision.

f. Where individual on-lot sewage systems are proposed, the words "NO PROPOSED CENTRALIZED SEWAGE SYSTEM" in bold capital letters shall appear on all offers, solicitations, advertisements, contracts, agreements and plats relating to the subdivision.

g. If the subdivider proposes to utilize adjoining property for sewers, drainage, sewer lines, power lines or other utilities, the subdivider shall provide copies of binding easements of not less than twenty (20) feet in width for the proposed facilities from each property owner over whose land such services shall extend and shall

provide a minimum access roadway right-of-way of sixty (60) feet to the subdivision for all public ways.

h. A study completed by a Wyoming registered professional engineer evaluating the water supply and distribution system proposed for the subdivision and the adequacy and safety of the system. The study shall, at a minimum, include the following:

- (1)** Identification of the type of water supply system proposed for the subdivision and identification of the entity or entities responsible for the design, construction, operation and maintenance of the proposed facility;
- (2)** For all water supply systems except individual on-lot wells a report completed by a Wyoming registered professional engineer demonstrating the adequacy and safety of the proposed water supply. The report shall address, at a minimum, the following issues:
 - (i)** The estimated total number of gallons per day for the subdivision water supply system;
 - (ii)** Documentation that public or private water suppliers can and will supply water to the proposed subdivision, stating the amount of water available for use within the subdivision and the feasibility of extending service to that area;
 - (iii)** Documentation concerning the potability of the proposed water supply for the subdivision;
 - (iv)** Documentation that the proposed water supply will be compatible with and not adversely affected by the sewage system proposed for the subdivision or any other source of pollution within a reasonable distance.
- (3)** Where a centralized water supply system is proposed containing a new source of water supply to be developed, the report completed by a Wyoming registered professional engineer shall also demonstrate that the water supply system is sufficient in terms of quality, quantity and dependability and will be available to ensure an adequate water supply system for the type of subdivision proposed. The report shall include a narrative summary of:

- (i)** Where the water supply system source is derived from groundwater, the geologic setting of the water supply system source and the area of influence such as nearby communities, sources of pollution, surface water bodies and aquifers described by a Wyoming registered professional geologist;
- (ii)** The quantity, quality and source of the water to be used including proposed and existing surface and groundwater facilities and their locations. Where the proposed water supply system for the subdivision is from a groundwater source, a written report completed by a Wyoming registered professional engineer demonstrating that the proposed source is sufficient in terms of quality, quantity and dependability for the type of subdivision proposed;
- (iii)** The proposed disposal of water not consumed, including water obtained under permits, storm drainage, dewatering, sewage and other wastewater sources.
- (iv)** A delineation of primary sources of water, secondary sources and occasional or seasonal sources;
- (v)** Graphic location of all water supply sources including wells, raw water intakes, treatment facilities, treated water storage facilities and ponds;
- (vi)** Documentation of all data sources on the occurrence and availability of surface and groundwater.
- (vii)** Historic stream flows and well levels;
- (viii)** Senior water rights;
- (ix)** Flood damage and flood protection;
- (x)** Impact of and protection from supply shortages;
- (xi)** List of all surface and groundwater rights which will be used or which may be affected, including state engineer application and permit numbers, and description of expected effects:
- (xii)** Plans for the mitigation of possible water right conflicts resulting from the use of water within the proposed subdivision;

(xiii) Tabulations, graphs, calculations, narrative and other supporting material necessary to expand or to explain other information provided;

(xiv) Where the proposed source of water for the subdivision is a groundwater source, a written opinion from a registered professional geologist that the proposed source is sufficient in terms of quality, quantity and dependability for the type of subdivision proposed (as per Chapter 5, Section 5.b.(2)).

(xv) Detailed estimates by a Wyoming registered professional engineer of all construction costs and proposed method of financing for the proposed water supply and distribution system and the proposed sewage system for the subdivision.

(4) Where individual on-lot wells are proposed as the water supply system, a report completed by a Wyoming registered professional engineer demonstrating the safety and adequacy of the water supply system shall address, at a minimum, the following:

(i) The estimated number of gallons per day for the subdivision;

(ii) Information relative to the potential availability and quality of groundwater proposed within the subdivision which may consist of new data, existing data on other working wells in the area, or other data, including drilling logs, from a test well drilled within the proposed subdivision indicating soil types, depth, quantity and quality of water produced in the test well;

(iii) Documentation that the proposed water supply system will be compatible with and not adversely affected by the sewage system proposed for the subdivision or any other sources of pollution within a reasonable distance;

(iv) List of all surface and groundwater rights which will be used or which may be affected, including state engineer

application and permit numbers, and description of expected effects; and

- (v) Plans for the mitigation of water rights conflicts resulting from the use of water within the proposed subdivision.

(5) Where individual on-lot wells are proposed, the words **NO PROPOSED CENTRAL WATER SYSTEM** in bold capital letters shall appear on all offers, solicitations, advertisements, contracts, agreements and plats relating to the subdivision.

(6) Documentation satisfactory to the Board that adequate access has been provided and that all proposed streets, alleys and roadways within the subdivision conform to the minimum standards adopted by the Board and applied uniformly throughout the county which shall not in itself constitute consent of the Board to locate, repair or maintain roadways and facilities. If, however, the subdivider proposes to make any streets, alleys or roadways private, then the subdivider shall submit to the Board properly acknowledged written certification that certain streets, alleys or roadways within the subdivision shall remain private and the Board shall be under no obligation to repair, maintain or accept any dedication of such roads to the public use. If no such public maintenance is contemplated, the subdivider shall put a legend on the plat of the 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 bold capital letters **NO PUBLIC MAINTENANCE OF STREETS OR ROADS**.

(7) Documentation satisfactory to the Board 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, an acceptable letter of credit, or other sufficient financial commitment to assure that any facilities proposed or represented to be part of the subdivision shall in fact be completed as proposed, or escrow sufficient monies out of land sales to guarantee that the above facilities are installed. The amount of any bond or other financial commitment or escrow required under this paragraph shall reflect the estimated costs of providing the facilities.

(8) Proof that the applicant has published notice of his intent to apply for a subdivision permit once each week for two (2) weeks within thirty (30) days prior to filing his application. The notice shall include the name of the subdivider, the general location of the land to be subdivided, the type of land use proposed for the subdivision and the date, time and place of the meeting where the preliminary plat will be reviewed by the Commission.

(9) The Board shall require the applicant to obtain review and recommendations from the local soil conservation district regarding soil suitability, erosion control, sedimentation and flooding problems. The review and recommendations shall be completed within 60 days.

(10) With respect to any water rights appurtenant to lands to be subdivided and prior to final approval of the subdivision, the subdivider shall provide:

- (i)** Evidence that the subdivider has submitted to the State Engineer the documentation necessary to relinquish the water rights and has notified purchasers and the Board of this action; or
- (ii)** Evidence that the subdivider has submitted to the State Engineer the documentation necessary to change the use, place of use or point of diversion to provide for beneficial use of the water rights outside the subdivision; or
- (iii)** A plan, a copy of which was submitted to and approved by the State Engineer prior to the final approval of the subdivision permit application, for the distribution of the water appurtenant to the land to be subdivided. The plan shall specify the distribution of the water to the lots within the subdivision and shall include all appropriate applications for change of use, change of place of use or change in the point of diversion or means of conveyance in accordance with W.S.S. 41-3-103, 41-3-104, 41-3-114; and
- (iv)** If the subdivision is located within an irrigation district or within lands served by a ditch, irrigation company or association or by an unorganized ditch, evidence that the plan has been submitted to the district board, company, or association, or the remaining appropriators in the case of an unorganized ditch for their review and recommendations; and
- (v)** Evidence that the subdivider will specifically state on all offers and solicitations relative to the subdivision his intent to comply with this subsection and that the seller does not warrant to a purchaser that he shall have any rights to the natural flow of any stream within or adjacent to the proposed subdivision. He shall further state that Wyoming law does not recognize any riparian rights to the continued natural flow of a stream or river for persons living on the banks of the stream or river.

(11) Upon receipt of a subdivision permit application filed with the county and prior to subdivision permit approval, the county or subdivider shall send three (3) copies of the portions of the application prepared under this section to the department

of environmental quality for review of the safety and adequacy of the proposed sewage system and proposed water supply system.

(12) Evidence that the proposed subdivision can attain, when applicable, the minimum number of positive points required for approval as contained in Chapter VI, Evaluation and Point System, of the Uinta County Land Use Resolution or that the proposed subdivision does not have the maximum allowable number of negative points for automatic disapproval.

(13) Any other information, consistent with this resolution, which the Board deems pertinent or relevant to the evaluation of the application for a subdivision permit.

Section 2. Minimum Requirements for Minor Subdivisions.

The following are minimum requirements for minor subdivisions. The Board shall not approve of any minor subdivision in Uinta County, Wyoming unless all of the following requirements are met:

a. Evidence satisfactory to the Board that the proposed subdivision complies with any applicable zoning or land use regulations.

b. A survey plat, to be recorded in the office of the Uinta County Clerk and Ex-Officio Register of Deeds, prepared by a licensed surveyor containing the following:

- (1)** Date of preparation, scale and north arrow;
- (2)** The location of the subdivision including the section, township and range;
- (3)** The location and dimension of existing and proposed streets, alleys, roads, highways, public ways, utility rights-of-way, easements, parks and the location of proposed permanent buildings and structures if known.

c. Evidence satisfactory to the Board that:

- (1)** The subdivided land is free of all encumbrances and that the person or his agent who offers any part of the subdivision for sale or who solicits any offers for the purchase thereof, may convey a merchantable title subject only to noted reservations or restrictions of record, but free of encumbrances and subject only to a proportionate share of real property taxes or assessments charged or assessed for the year in which any such sale may be legally effected; or

- (2)** Binding arrangements have been made by the person or his agent who offers any part of the subdivision for sale, to assure purchasers of any part of the subdivision that upon full payment of the purchase price a deed can and will be delivered conveying a merchantable title subject only to noted reservations or restrictions of record and free of encumbrances not specifically assumed by the purchaser, subject only to a proportionate share of such taxes and assessments hereon as may be levied or assessed for the year in which the sale may be legally effected.

d. A report submitted by the subdivider shall document the safety and adequacy of the proposed on-lot sewage systems including the following:

- (1)** Adequacy of separation distances;
- (2)** Separation of drainfield relative to groundwater and impervious soils;
- (3)** Suitability of the subdivision soil conditions;
- (4)** Suitable topography;
- (5)** Proposed population density;
- (6)** Results of percolation tests per Chapter V, Section 5.c, (2)(b)

e. Where individual on-lot sewage systems are proposed, the words **NO PROPOSED CENTRALIZED SEWAGE SYSTEM**, in bold capital letters shall appear on all offers, solicitations, advertisements, contracts, agreements and plats relating to the subdivision.

f. If the subdivider proposes to utilize adjoining property for sewers, drainage, sewer lines, power lines or other utilities, the subdivider shall provide copies of binding easements of not less than twenty (20) feet in width for the proposed facilities from each property owner over whose land such services shall extend and shall provide a minimum access roadway right-of-way of sixty (60) feet to the subdivision for all public ways.

g. Where individual on-lot wells are proposed as the water supply system, a report completed by the subdivider demonstrating the following:

(i) List of all surface and groundwater rights which will be used or which may be affected, including state engineer application and permit numbers, and description of expected effects; and

(ii) Plans for the mitigation of water rights conflicts resulting from the use of water within the proposed subdivision.

h. Where individual on-lot wells are proposed, the words ANO PROPOSED CENTRAL WATER SYSTEM. LOT OWNERS SHALL BE RESPONSIBLE FOR DEVELOPING THEIR OWN WELLS WHICH MEET STATE STANDARDS (W.S. 18-5-306) in bold capital letters, and a statement concerning domestic water availability and quality shall appear on all offers, solicitations, advertisements, contracts, agreements and plats relating to the subdivision.

i. Documentation satisfactory to the Board that adequate access has been provided and, if the subdivision is to include roads, that all proposed streets, alleys and roadways within the subdivision conform to the minimum standards adopted by the Board and which are applied uniformly throughout the county which shall not in itself constitute consent of the Board to locate, repair or maintain roadways and facilities. If, however, the subdivider proposes to make any streets, alleys or roadways private, then the subdivider shall submit to the Board properly acknowledged written certification that certain streets, alleys or roadways within the subdivision shall remain private and the Board shall be under no obligation to repair, maintain or accept any dedication of such roads to the public use. If no such public maintenance is contemplated, the subdivider shall put a legend on the plat of the 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 bold capital letters "NO PUBLIC MAINTENANCE OF STREETS OR ROADS.

j. Documentation satisfactory to the Board 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, an acceptable letter of credit, or other sufficient financial commitment to assure that any facilities proposed or represented to be part of the subdivision shall in fact be completed as proposed, or escrow sufficient monies out of land sales to guarantee that the above facilities are installed. The amount of any bond or other financial commitment or escrow required under this paragraph shall reflect the estimated costs of providing the facilities.

k. Proof that the applicant has published notice of his intent to apply for a subdivision permit once each week for two (2) weeks within thirty (30) days prior to filing his application. The notice shall include the name of the subdivider, the general location of the land to be subdivided, the type of land use proposed for the subdivision and the date, time and place of the meeting where the preliminary plat will be reviewed by the Commission.

l. The Board shall require the applicant to obtain review and recommendations from the local soil conservation district regarding soil suitability, erosion control, sedimentation and flooding problems. The review and recommendations shall be completed within 60 days.

m. With respect to any water rights appurtenant to lands to be subdivided and prior to final approval of the subdivision, the subdivider shall provide:

- (i)** Evidence that the subdivider has submitted to the State Engineer the documentation necessary to relinquish the water rights and has notified purchasers and the Board of this action; or
- (ii)** Evidence that the subdivider has submitted to the State Engineer the documentation necessary to change the use, place of use or point of diversion to provide for beneficial use of the water rights outside the subdivision; or
- (iii)** A plan, a copy of which was submitted to and approved by the State Engineer prior to the final approval of the subdivision permit application, for the distribution of the water appurtenant to the land to be subdivided. The plan shall specify the distribution of the water to the lots within the subdivision and shall include all appropriate applications for change of use, change of place of use or change in the point of diversion or means of conveyance in accordance with W.S. 41-3-103, 41-3-104, 41-3-114; and
- (iv)** If the subdivision is located within an irrigation district or within lands served by a ditch, irrigation company or association or by an unorganized ditch, evidence that the plan has been submitted to the district board, company, or association, or the remaining appropriators in the case of an unorganized ditch for their review and recommendations; and
- (v)** Evidence that the subdivider will specifically state on all offers and solicitations relative to the subdivision his intent to comply with this subsection and that the seller does not warrant to a purchaser that he shall have any rights to the natural flow of any stream within or adjacent to the proposed subdivision. He

shall further state that Wyoming law does not recognize any riparian rights to the continued natural flow of a stream or river for persons living on the banks of the stream or river.

n. Evidence that the proposed subdivision can attain, when applicable, the minimum number of positive points required for approval as contained in Chapter VI, Evaluation and Point System, of the Uinta County Land Use Resolution or that the proposed subdivision does not have the maximum allowable number of negative points for automatic disapproval.

o. Any other information, consistent with this resolution, which the Board deems pertinent or relevant to the evaluation of the application for a subdivision permit.

Section 3. North Uinta County Water and Sewer District.

a. Individual lot size for residential zoned development within district boundaries shall require an average lot size of two acres with possible consideration for open space and cluster type development. Residential lots shall not be less than one-half acre.

b. Individual lot size of less than four (4) acres shall satisfactorily complete the Department of Environmental Quality Chapter 23 review for water and sewer service.

c. All proposed development shall submit written authorization from the water service provider approving and accepting the culinary water plan.

d. The subdivider is responsible for determining development location in relation to said district.

CHAPTER 4

SPECIFICATIONS FOR DOCUMENTS TO BE SUBMITTED

Section 1. Sketch Plat for Major and Minor Subdivisions.

The sketch plat shall include:

- a.** The proposed name of the subdivision and type of units to be developed.
- b.** The location of the subdivision including address and the section, township and range, adjacent subdivisions(s), tracts, roads, streets, adjacent water sources and other pertinent information.
- c.** The names and addresses of the owner, the subdivider if other than the owner, and the surveyor or planner of the subdivision.
- d.** North arrow.
- e.** Existing drainage, canals, streams, etc.
- f.** Street layout and proposed means of access to the subdivision.
- g.** Proposed lot layout and approximate acreage of each lot.
- h.** Proposed utility and drainage easements.
- i.** Proposed type of water supply and sewage treatment.

Section 2. Preliminary Plat Submission for Major Subdivisions

a. Information required for preliminary plat submission. The applicant shall submit the preliminary plat and all required information with every application for a major subdivision permit.

b. Descriptive data. The plat shall include the following information and documents:

- (1)** The proposed name of the subdivision.
- (2)** A location map of the subdivision including the address and the section, township and range, adjacent subdivisions, tracts, roads, streets, adjacent water sources, and other pertinent information.

- (3)** The names and addresses of the owner, the subdivider if other than the owner, and the surveyor or planner of the subdivision.
- (4)** Graphic scale (at least two hundred (200) feet to the inch), date of preparation and north arrow.

c. Existing conditions data. The plat shall show:

- (1)** Topography by contours related to the United States Geological Survey or other datum approved by the commission shown on the same map as the proposed subdivision layout. The topographic data shall show existing drainage channels, roads culverts, underground utility lines, major structures, utility poles and similar major natural or man-made features which may affect the design of the development. The contour interval shall be such as to adequately reflect the character and drainage of the land.
- (2)** All property within one quarter (.25) miles under the control of the subdivider, even though only a portion is being subdivided. Where the plat submitted covers only a part of the subdivider's tract, a sketch of the prospective street system of the unplatted parts of the subdivider's land shall be submitted, and the street system of the part submitted shall be considered in light of existing master street plan or other Commission studies.
- (3)** The locations, widths, and names of all streets, railroads, utility right-of-way, alleys, public areas, easements, permanent structures, and town or city boundaries within or adjacent to the plat to a distance of five hundred (500) feet.
- (4)** The location of all wells, proposed, active or abandoned, and of all culinary water supplied, springs, reservoirs, streams, ditches or other drainage channels within or adjacent to the plat to a distance of five hundred (500) feet.
- (5)** The location of all existing sewers, water mains, culverts or other underground facilities or utilities within or adjacent to the plat to a distance of five hundred (500) feet. The plat should indicate pipe sizes, grades and man-holes.
- (6)** Ownership of adjacent tracts of unsubdivided land and their mailing address.
- (7)** The location of existing major clusters of trees.

- (8)** Historical sites and structures, natural scenic views, and all physical amenities of public value shall be considered during the preliminary plat review. Conservation and preservation methods may be required.

d. Proposed Conditions. To be included in preliminary plat or application:

- (1)** Dimensions of all subdivision plat boundaries and the acreages included.
- (2)** Street layout, showing location and width of streets, alleys, pedestrian ways and easements including connections to adjacent platted subdivisions and unsubdivided lands; proposed names and numbers of all streets.
- (3)** The layout, dimensions, numbers, and approximate areas of proposed lots. The total number of lots shall be shown.
- (4)** Building setback lines indicating dimensions where required by the Commission.
- (5)** Easements for all utilities, drainage, irrigation water, and other purposes.
- (6)** Approximate street cross sections and grades or a statement that proposed roads will conform to the County road standards.
- (7)** A tentative plan or description of the method by which the subdivider proposes to handle storm water drainage for the subdivision.
- (8)** A tentative plan to prevent siltation of streams during development.
- (9)** Where necessary, copies of agreements with adjacent property owners relevant to the proposed subdivision.
- (10)** Parcels of land intended to be dedicated or reserved for public use or set aside for use of property owners in the subdivision.

e. Proposed Utility Methods and Distribution of Irrigation Water. The application shall include information relative to the following:

- (1)** The subdivider (or his representative) shall be required to provide information concerning the minimum lot size necessary to accommodate the need for potable water and sewage treatment to ensure that no health or pollution problems result from the proposed systems.
 - (a)** Sewage Disposal. The subdivider (or his representative) shall indicate the type of sewage treatment proposed for the development.
 - (b)** When a central sewer system is not to be provided, the subdivider (or his representative) shall furnish to the Planning Department information on the depth of the seasonally high groundwater level and depth to impermeable layer. The subdivider may be required, as determined by the Planning Department, to excavate exploratory pits or trenches at least six feet in depth in order to determine the seasonal high groundwater or depth to impervious layer(s). The required information noted above shall be evaluated by the Planning Commission to determine the suitability of the land for the proposed on-site sewage treatment systems.
 - (c)** When the subdivider is proposing to connect to an existing public sewer system, or is required by the Commission to so connect, the subdivider (or his representative) shall furnish to the Planning Commission documentation that the operators of the public sewer system will provide service to the proposed subdivision.
 - (d)** Water supply. The subdivider shall indicate the type of water supply proposed for the development.
 - (e)** When the subdivider is proposing to connect to an existing central domestic water supply system, he shall furnish to the Commission documentation that the operators of the domestic water supply system will provide service to the proposed subdivision.

- (f) The subdivider shall make a statement describing the current irrigation water rights attached to the land being subdivided, and shall describe whether the water rights shall be distributed to each lot which will have a proportionate share of the water rights, be transferred to other lands or use outside the subdivision, or be abandoned.

Section 3. Final Plat Requirements.

All Subdivisions

a. General requirements. All final plats must meet the following requirements or contain the following information.

b. Preparation. The final plat must be prepared by a Wyoming Licensed Land Surveyor on a sheet of approved tracing linen or mylar with water proof black ink or acetate ink, sized in accordance with W.S. 33-29-129, with north to the top.

c. Required Identification Data.

- (1) The name of the subdivision (which name must be approved by the Commission) and the location of the subdivision in a title block in the lower right hand corner of the plat. The scale shall not be less than one hundred (100) feet to the inch unless otherwise approved by the Commission.
- (2) Graphic scale, north arrow and date of preparation.
- (3) A location map of the subdivision.

d. Required Survey Data.

- (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.
- (2) Lot lines shall show dimensions in feet and hundreths. The areas of all lots shall be shown.
- (3) Perimeter subdivision lines shall be accurately related by distance and bearings to established roads or street lines, and one quarter section corners and closure shall be less than one (1) foot in five thousand (5000) feet.

- (4)** True angles and distances to the nearest established street lines or official monuments, which shall be accurately described in the plat and shown by appropriate symbol.
- (5)** Radii, internal angles, points and curvatures, tangent bearings and the lengths of all arcs.
- (6)** The accurate location of all monuments shown by the appropriate symbol. All United States, State, County or other official bench marks, monuments or triangular stations in or adjacent to the property, shall be preserved in precise position.

e. Required Description Data.

- (1)** An identification system for all lots, blocks and names of streets. All lots are to be numbered consecutively in accordance with W.S. 34-12-102.
- (2)** Each lot corner shall be monumented with permanent markers. Description of all monuments found or set are to be shown upon the plat either by legend or separate description.
- (3)** Accurate outlines and legal descriptions of any areas to be dedicated or reserved for public use, with the purpose indicated thereon, and of any area to be reserved by deed or covenant for common use of all property owners.
- (4)** Where it is proposed that streets be constructed on property controlled by a public agency or utility company, approval for the location, improvement and maintenance of such streets shall be obtained from the public agency or utility company and entered on the final plat in a form approved by the County Attorney.
- (5)** Any private deed restrictions to be imposed upon the plat or any part(s) thereof shall be typewritten on the Final Plat and included in a separate Disclosure Statement unless authorized otherwise by the Commission and Board.
- (6)** Any private subdivision covenants to be imposed upon the plat or any part (s) thereof shall be type written and recorded in the Office of the Uinta County Clerk and referenced on the plat with the statement *SUBDIVISION COVENANTS ARE NOT ENFORCED BY UINTA COUNTY*

f. Required Acknowledgments and Dedication.

- (1)** Private road and streets. If the roads and streets within the plat are to remain private and no public maintenance has been approved, the subdivider shall put a legend on the final plat showing in capital letters "NO PUBLIC MAINTENANCE OF STREETS OR ROADS".
- (2)** Private sewage disposal. If no public sewage disposal system is proposed by the subdivider, the words "NO PROPOSED CENTRALIZED SEWAGE SYSTEM" in bold capital letters shall appear on the final plat in accordance with Chapter V, Section 5.c. as appropriate.
- (3)** Private water supply. Where individual on-lot wells are proposed, the words NO PROPOSED CENTRAL WATER SYSTEM. OWNERS SHALL BE RESPONSIBLE FOR DEVELOPING THEIR OWN WELLS WHICH MEET STATE STANDARDS (W.S. 18-5-306) in bold capital letters, and a statement concerning domestic water availability and quality shall appear on all offers, solicitations, advertisements, contracts, agreements and plats relating to the subdivision in accordance with Chapter 5 Section 5.b.(3).
- (4)** Public dedication. A statement of dedication duly certified and acknowledged by a Notary Public of all streets, alleys, trails, pedestrian ways, sites and easements that are to be dedicated to public use.
- (5)** Statement concerning future lot division of minimum size.
- (6)** The subdivider shall state in bold capital letters on the final plat which public utilities; i.e. phone, electricity, natural gas service, etc., he will provide to each lot.
- (7)** The subdivider shall certify on the plat that all of the above notations in bold capital letters, (as applicable and required by this resolution, state law, or the Commission or Board) shall also appear in bold capital letters on all offers, solicitations, advertisements, contracts and agreements relating to the subdivision. The format of this certification shall be as shown on the following example with modifications as appropriate.

EXAMPLE

I, Joe Subdivider, the subdivider of this land hereby certify that the following notes as appear on this plat shall also appear in bold capital letters on all offers, solicitations, advertisements, contracts and agreements relating to this subdivision.

- 1. NO PROPOSED CENTRALIZED SEWAGE SYSTEM**
- 2. SITE CONDITIONS MAY PREVENT THE USE OF A CONVENTIONAL SEPTIC TANK AND LEACH FIELD SYSTEM**
- 3. NO PROPOSED CENTRAL WATER SYSTEM. LOT OWNERS SHALL BE RESPONSIBLE FOR DEVELOPING THEIR OWN WELLS WHICH MEET STATE STANDARDS (W.S. 18-5-306) and a statement concerning domestic water availability and quality.**
- 4. NO PUBLIC MAINTENANCE OF STREETS OR ROADS**
- 5. LOT PURCHASERS DO NOT HAVE ANY RIGHTS TO THE NATURAL FLOW OF ANY STREAM WITHIN OR ADJACENT TO THIS SUBDIVISION. WYOMING LAW DOES NOT RECOGNIZE ANY RIPARIAN RIGHTS TO THE CONTINUED NATURAL FLOW OF A STREAM OR RIVER FOR PERSONS LIVING ON THE BANKS OF THE STREAM OR RIVER.**
- 6. THE SUBDIVIDER WILL/WILL NOT BE RESPONSIBLE FOR TELEPHONE, ELECTRICITY AND NATURAL GAS SERVICE TO EACH LOT.**

Joe Subdivider

g. Required Certifications

- (1)** Certificate of Owners including a description of the land being subdivided in accordance with W.S.S. Section 34-12-114.
- (2)** Surveyor's Certification. Certification signed by a land surveyor registered under the laws of the State of Wyoming.
- (3)** Acknowledgment of Certificate of Surveyor and Certificate of Owners.
- (4)** Cities and Towns Certification. Certificate of approval of incorporated cities and towns, if applicable, in accordance with Wyoming laws.
- (5)** Planning Commission Certification. Certificate of plat approval by the Chairman of the Planning Commission and attested by the Secretary of the Commission.
- (6)** Board of County Commissioners Certification. Certification of approval by the Board of County Commissioners to be signed by the Chairman of said Board of County Commissioners and attested by the County Clerk.
- (7)** County Clerk Certification. Certification of recordation from the County Clerk.

h. Consent of Mortgagee. If there is a mortgage or lien against the property being subdivided, written consent of the mortgagee to such subdivision shall be obtained. This consent shall appear in the form of a certificate on the final plat. Other instruments, documents, and affirmations may be required by the Planning commission as deemed necessary.

i. Disclosure Statement. A disclosure statement shall be submitted with the final plat for approval by the commission and shall include the following information:

- (1)** Name and principal address of the subdivider.
- (2)** Name of subdivision or development.
- (3)** Legal description of subdivision, Tax assessor's sheet number(s) and tax lot number(s).
- (4)** Statement of type of subdivision; example: residential, commercial, etc.

- (5)** Statement of the existing or proposed method of furnishing electricity, natural gas, telephone, garbage disposal, and postal service to each lot.
- (6)** Statement of available or most suitable method of sewage disposal.
- (7)** Statement of the subdivider's knowledge of any unusual environmental or health hazard in the area such as flood, high winds, upwind feed lots, seepage within the irrigation ditches, etc.
- (8)** Statement of building restrictions, if any, due to natural hazards or conditions within the subdivision.
- (9)** Statement of all covenants.
- (10)** Statement of all applicable building codes and permits required for building and the address and telephone number where regulations may be obtained.
- (11)** Statement of access to each lot, ownership of the access, and who is or will be responsible for maintenance.
- (12)** Statement of available emergency service, including police protection, ambulance and emergency medical facilities, and the distance to each from the subdivision.
- (13)** Statement of available schools and bus service.
- (14)** Statement of common facilities, such as play spaces, irrigation canals, their size, amenities, maintenance and operational responsibilities, the individual annual costs thereof, eventual ownership and date of transfer, and any restrictions on their use.
- (15)** Statement of any assessments, encumbrances or liens which may become the responsibility of the purchasers.
- (16)** Statement of who shall pay for the installation, connection or maintenance of any service, improvements or facility.
- (17)** Minimum lot size.
- (18)** Statement concerning domestic water availability and quality.

j. Provisions for Delivery of Disclosure Statement Exceptions. No lot in a subdivision approved after the effective date of this resolution may be sold unless a current disclosure statement is delivered to the prospective purchaser and the purchaser is afforded a reasonable opportunity, not less than two days to examine the statement before the signing of any preliminary agreement, final agreement or earnest money agreement. A copy of the disclosure statement shall be made available to any prospective buyer or to anyone to whom promotional material is sent. No disclosure statement is necessary under the following circumstances:

- (1)** Where a parcel or lot has a structure already thereon which is not being sold for the first time.
- (2)** For lots or parcels of thirty-five (35) acres or more.
- (3)** For cemetery lots.
- (4)** Where the transaction is pursuant to a court order.
- (5)** Where the transaction is a boundary adjustment not involving the creation of a new lot or building site.

k. Provisions for Maintaining Commonly Held Property. Submitted with the final plat shall be the legal organization of a homeowner's association or other suitable community organization whenever any property is to be owned or maintained by those residing in the subdivision as a whole or whenever in the opinion of the Planning Commission covenants attached to the property could best be administered by such an organization.

l. Prior to recording the final plat, the subdivider or surveyor of the subdivision shall submit evidence that certified Land Corner Recordation Certificates, as applicable, have been or will be recorded in accordance with W.S. 36-11-101 through 36-11-110. The County Clerk and Recorder shall not record the plat of any subdivision within any area of the County, including cities and towns, unless the applicable Land Corner Recordation Certificates have been recorded, or are recorded simultaneously with the plat.

CHAPTER 5

IMPROVEMENTS, RESERVATIONS AND DESIGN STANDARDS

Section 1. Improvements Required in Subdivisions.

All subdivisions must provide for the improvements and comply with the standards set forth in the following sections of this chapter.

Section 2. Departmental Standards.

Standards for design, construction, specification, and inspection of improvements as hereinafter described, may be developed by appropriate departments of the County provided that such standards shall be approved by the Board.

Section 3. Streets.

a. The arrangement of streets in new subdivisions shall make provision for the continuation of the existing streets in adjoining areas (or their proper protection where adjoining land is not subdivided) insofar as such may be deemed necessary by the Commission for public requirements. The street arrangement must be such as to cause no unnecessary hardship to owners of adjoining property when they plat their own land and seek to provide for convenient access to it.

b. Minor streets shall approach the major or collector streets at an angle of not less than eighty (80) degrees.

c. Half streets proposed along a subdivision boundary or within any part of a subdivision shall not be approved.

d. The subdivider shall provide a minimum access roadway right-of-way width of sixty (60) feet to the subdivision for all public ways; and no less than thirty (30) feet in width for private access easements.

e. The subdivider shall provide evidence satisfactory to the Board that adequate access has been provided and that all proposed streets, alleys and roadways within the subdivision conform to the minimum standards adopted by the Board which shall not in itself constitute consent of the Board to locate, repair or maintain roadways and facilities. If, however, the subdivider proposes to make any streets, alleys or roadways private, then the subdivider shall submit to the Board properly acknowledged written certification that certain streets, alleys or roadways within the subdivision shall remain private and the Board shall be under no obligation to repair, maintain or accept any dedication of such roads to the public use. If no such public maintenance is contemplated by the subdivider, the words "**NO PUBLIC**

MAINTENANCE OF STREETS OR ROADS", in bold capital letters shall appear on all plats, offers, solicitations, advertisements, contracts, and agreements relating to the subdivision. A homeowner's association may be required to provide adequate maintenance, depending on the size of the subdivision.

f. Streets in year-round subdivisions may be dedicated to the public as public roads after they have met County road standards. Streets in summer home, seasonal or recreational subdivisions shall be private streets or private access rights-of-way, except where public dedication is required for major or loop road access purposes.

g. Subdivisions shall be required to provide the facilities and improvements as shown on the following schedule, based on the density or lot size of the subdivision.

h. Acceptance of dedication of proposed public lands or street rights-of-way in any approved plan can be made only by the Board. Preliminary or final plat approval cannot be deemed an acceptance of dedication.

i. All public and private access rights-of-way shall be graded and surfaced in accordance with the standards, rules and regulations of Uinta County.

j. A subdivision proposal for year-round housing may be denied if primary access to the subdivision does not receive year-round maintenance.

k. Cul-de-sacs shall not be longer than six hundred (600) feet to the beginning of the turnaround. Each cul-de-sac must be terminated by a turnaround of not less than one hundred (100) feet in diameter. If surface water drains into the turnaround, due to the grade of the street, necessary catch basin drainage easements shall be provided.

l. Slight jogs at street intersections are undesirable but such intersections may be staggered if the distance between center lines is at least one hundred fifty (150) feet. It is encouraged that where possible the street be curved as it approaches the intersection in order to affect a right angle alignment.

m. Where subdivision streets are contiguous with property of other property owners the subdivider may retain a "protection strip" or "no access strip" between said street and the contiguous property of other owners, provided that an agreement with the County and enforceable by the County, and approved by the County Attorney, has been made by the subdivider whereby said "protection strip" or "no access strip" shall be deeded to the adjacent property owner upon payment by the owners of the contiguous property to the subdivision a consideration named in the agreement. Such consideration to be equal to one half the cost of the street improvements plus the value, at the time of the agreement, of one half in the land in the street and the cost of the land in the "protection strip" or "no access strip".

Section 4. Lots.

a. The lot arrangement and design shall be such that lots will provide satisfactory and desirable sites for buildings and be properly related to topography and to existing and probable future requirements. In general, side lot lines shall be at right angles to street lines or radial to curving street lines or cul-de-sacs unless a variation from this rule would give a better street or lot plan.

b. Each lot shall abut on a public street, private street or private access right-of-way or dedicated street having a minimum width at the front lot line of seventy-five (75) feet, except thirty-seven and one half (37.5) feet in cul-de-sacs will be permitted.

c. Arrangement of lots whose only access is directly off a County road shall be discouraged. Lots shall not, in general, derive access exclusively from a major or collector street. Where driveway access from a major or collector street may be necessary for several adjoining lots, the Planning Commission may require that such lots be served by a combined access drive in order to limit possible traffic hazard on such street. Where possible, driveways should be designed and arranged so as to avoid requiring vehicles to back into traffic on major or collector streets.

d. The following shall apply to the layout of lots:

- (1)** Residential lots which are to contain both private sewage disposal and private water systems shall contain a minimum of one (1) acre net area per dwelling unit.
- (2)** Residential lots which are to contain either a private water or private sewage disposal system shall contain a minimum of one half (2) acre net area per dwelling unit.
- (3)** Residential lots which are to receive both a centralized water and sewage disposal system shall contain a minimum of seven thousand five hundred (7,500) square feet net area per dwelling unit.
- (4)** Lots leased in mobile home parks shall contain a minimum of three thousand two hundred (3,200) square feet.
- (5)** Lots that have a depth to width ratio of greater than three to one (3:1) shall be discouraged.
- (6)** Irrigated agricultural lands shall be divided into the maximum number of lots per acre unless the distance from services or effect on the surrounding agricultural community would indicate a lower density more desirable.

(7) The Planning Commission may determine minimum lot size for all subdivisions for possible future lot re-subdivision.

e. All remnants of lots below the minimum size left over after subdividing a larger tract must be added to adjacent lots rather than be allowed to remain as unusable parcels.

f. Cluster development lots.

(1) On sites served by both centralized water and sewer systems, the developer may use the cluster development concept. Cluster development results in more efficient use of land, increased open space, and reduces the installation and maintenance costs of streets, utilities and other public improvements. In addition, it allows for the preservation of aesthetic site characteristics and the development of sites where difficult topography or other conditions exist.

(2) When the cluster development concept is utilized the lot frontage may be reduced and the size of the individual lots may be reduced to four thousand (4,000) square feet, but the overall density of the development shall provide for seven thousand five hundred (7,500) square feet net area per dwelling unit, by providing a common open space area. No cluster shall contain more than fifteen (15) lots, and there shall be a minimum distance of fifty (50) feet between clusters.

(3) Provisions shall be made for the continued preservation and maintenance of the above mentioned common open space area. Such provision shall be made in a form acceptable to the county, such as: protective covenants, deed restrictions or through the formation of a homeowner=s association, recreation district or other entity.

g. Condominium Lots.

(1) When residential lots are to be serviced by both a centralized water and sewage disposal system, lots for condominium townhouses, patio houses, atrium houses, etc. may be provided where the lot frontage may be reduced to twenty (20) feet and the net area of the lot may be reduced to three thousand (3,000) square feet when the overall density of the development provides for seven thousand five hundred (7,500) square feet of net area per dwelling unit by the provision of common open space.

(2) Not more than twelve (12) condominium lots shall be contiguous. A separation of twenty (20) feet shall be provided between townhouse groups.

(3) There shall be provisions made for the continued preservation and maintenance of the above mentioned common open space by methods described under the cluster development lots section above.

h. Mobile home subdivision lots.

(1) In subdivisions designed for the sale of lots for the permanent placement of mobile homes which are to be serviced by both a centralized water and sewage disposal system, the lot frontage may be reduced to thirty-five (35) feet and the lot size may be reduced to three thousand five hundred (3,500) square feet of area per dwelling unit by the provision of common open space to be preserved and maintained by methods described under the cluster development lot section.

(2) When the lot size of mobile home subdivisions is reduced under the terms of this section, the subdivision shall meet the design requirements for mobile home courts except for roads which shall be designed to the standards of this subdivision resolution.

(3) Mobile home subdivisions shall provide by protective covenant or deed restriction that the lots are restricted to the placement of mobile homes and that mobile homes placed in the subdivision are to have their wheels removed, be placed on permanent foundations, and be placed on the ad valorem tax rolls.

i. In subdivisions for multi-family, planned unit development, mobile homes, commercial, or industrial purposes, subdivision plans shall be submitted to show land usage, proposed structures, vehicular and pedestrian circulation, parking, public uses if any, landscaping and dedicated open spaces, and the plan shall include all necessary drawings to demonstrate the character and physical relationships of all proposed development within the subdivision to adjacent land uses and circulation systems.

j. The Commission may require that easements for drainage through adjoining property be provided by the subdivider and easements of not less than twenty (20) feet in width for water, sewers, drainage, power lines and other utilities shall be provided in the subdivision when required by the Commission. When easements are to be provided for utilities which are not at that time running through the property, the location of the easements shall be subject to the recommendations from the utility company.

k. In subdividing property, consideration shall be given to suitable sites for schools, parks, playgrounds, and other areas for public use. Any provisions for such open spaces should be indicated on the preliminary plat in order that it may be determined when and in what manner such areas will be dedicated to, or acquired by, the appropriate agency.

Section 5. Utilities for Major Subdivisions.

a. Feasibility of wells and septic systems: Where both onsite wells and septic systems are proposed for a subdivision, the applicant shall prepare a plan showing how the wells and septic systems could to be placed and coordinated so that each lot is served. The Planning Office shall use this plan in reviewing applications for individual septic systems to ensure proper placement and to maintain adequate separation distances between wells and septic systems. The Planning Office may make modifications in the plan if it does not affect the ability to locate both a well and a septic system on an adjacent lot.

b. Water supply.

(1) 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, such installation or contract to include laterals to the property line of each lot.

(2) Water Resources Report

(a) When a central water supply is to be provided by the developer through the construction of a well or wells, or when on-lot wells are proposed, the Planning Commission may require a water resources report. This report shall be prepared by a Wyoming registered professional geologist. The water resources report shall include, at a minimum, the following information:

- 1.** The probability of obtaining successful on-lot water supply wells or on-site supply systems throughout the proposed subdivision(s).
- 2.** The expected long-term yield of such wells or systems.
- 3.** The expected depth to potable water and a discussion of hydro geology to anticipated depth of water supply wells.
- 4.** The expected quality of the anticipated water and a discussion of any special well construction requirements (e.g. casing off aquifers with poor quality water).

5. Any expected significant problems of long-term supply pollution, or long-term maintenance of such wells or systems. This discussion shall include prediction of future draw-down effects on production and prediction of interference effects between adjacent wells.

(b) Where seven (7) or more lots are proposed, a minimum of one (1) test well shall also be constructed within the proposed subdivision. A test well may be required by the Planning Commission within a proposed subdivision consisting of less than seven (7) lots if any one of the following conditions exists:

1. There is evidence of significant water supply problems in terms of either quantity or quality in areas within 1,000 feet of the proposed subdivision.
2. There are no existing water wells within 1,000 feet of the proposed subdivision.

(c) The test well shall be of sufficient size to allow pumping tests and water quality sampling. The subdivider (of his representative) shall furnish a report to the Planning Commission regarding the test well(s). This report, which may be incorporated within the water resources report, shall include, at a minimum, the following information on a pumping test and water quality.

1.) Pumping test(s) report. Pumping tests shall be of not less than 24 continuous hours duration. The individual conducting the test shall have a credible means of measuring the discharge of the well, such as a meter or a timed volumetric measurement using a barrel or bucket in combination with a stop watch. Drawdown measurements shall be taken in logarithmic time intervals as follows;

<u>Lapsed Time from Beginning of Test Measurement Frequency</u>	<u>Drawdown</u>
0 minutes	Measure static water level before pump is turned on.
0 - 10 minutes	1 minute intervals
10 - 40 minutes	5 minute intervals
40 - 100 minutes	10 minute intervals
100 - 400 minutes	50 minute intervals
400 - 1400 minutes	100 minute intervals

After completion of the pump test, water level recovery data shall also be logged in a logarithmic time fashion until the water level has recovered to approximately 98% of the difference between the bottom of the holes and the original static water level when the pump test was begun. The pumping test report shall include, at a minimum, the following information: (1) well completion description; (2) well development description; (3) description of any observation wells; (4) production well(s) draw-down data; (5) production well(s) recovery data; (6) observation well(s) draw-down data, if any; (7) estimates of hydraulic conductivity, the storage coefficient, and specific capacity; and (8) a discussion of the interface potential (the likelihood that pressure declines in the groundwater reservoir caused by production from one well will impact the production capability of any adjacent well).

2. Chemical and bacteriological tests on a representative water sample obtained from the test well. The water sample shall be taken at or near the end of the pumping test. The water quality analysis shall be performed by a laboratory mutually agreed upon by the Planning Commission and developer. The water quality analysis shall include, at a minimum, the following parameters: total coliform bacteria, fecal coliform bacteria, magnesium, chloride, iron, nitrate, fluoride, carbonate, bicarbonate, calcium, potassium, sodium, total dissolved solids, PH, and sulfates. The laboratory shall (1) adhere to documented and approved analysis techniques (e.g. standard methods for the Examination of Water and Wastewater); (2) submit proof of quality assurance certification; and (3) report analytical results with appropriate error limits.

c. Sewage disposal

(1) Where a public sanitary sewer system is within five hundred (500) feet, or in the opinion of the Commission is close enough to require a connection, the subdivider shall connect, when deemed feasible, with such sanitary sewer system and provide adequate connection lines to the property lines of each lot.

(2) Where a public sanitary sewer system is not reasonably accessible, the subdivider shall either:

(a) Obtain approval from Uinta County or the Wyoming State Department of Environmental Quality to install a central sewage treatment facility and obtain a written report by a licensed Wyoming engineer certifying the adequacy and safety of the proposed system, or

(b) Require the lot purchaser to develop his own sewage disposal system. Where onsite sewage disposal systems are proposed for a development, a report by a licensed Wyoming Engineer is required certifying the adequacy and safety of the sewage disposal system proposed for the subdivision, including the adequacy of the proposed systems in relation to the topography of the subdivision, the proposed population density, soil conditions, and watersheds located on or draining into or over the proposed subdivision.

The following procedure shall be used to determine what data shall be submitted by the engineer with respect to percolation test sites and profile holes.

1. For developments proposing individual septic systems: The applicant shall provide the Planning Office with a soils study for the project site obtained from onsite tests performed by a registered professional engineer, geologist, or soils scientist familiar with geotechnical engineering in the area, and shall submit a proposed plan for where percolation test sites and profile holes shall be placed in order to obtain representative data on the feasibility of onsite sewage disposal systems. The plan shall include percolation tests and profile holes for at least fifty percent (50%) of the lots.

2. In evaluating the plan, the Planning Office staff shall conduct a site visit to observe surface conditions such as topography and vegetation. After evaluating all information provided and conducting the site visit, the plan may be amended by the Planning staff. If deemed necessary, the County may require tests on every lot

3. The applicant shall provide percolation rates and profile hole data in accordance with the plan approved by the Planning Office.

4. The plan approved by the Planning Office shall be designed to obtain the necessary evidence that any onsite sewage disposal system will comply with state and local regulations which are in effect at the time of submittal.

(c) If no public sewage disposal system is proposed by the subdivider, the words **ANO PROPOSED CENTRALIZED SEWAGE SYSTEM@** shall appear in bold capital letters on all offers solicitations, advertisements, contracts, agreements, and plats relating to the subdivision.

(d) In instances where the purchaser will be required to develop his own sewage disposal system, and where percolation tests and review indicate potential site limitations on the development of conventional septic tank systems, all offers, solicitations, advertisements, contracts and plats shall bear the notation in bold capital letters, **>SITE CONDITIONS MAY PREVENT THE USE OF CONVENTIONAL SEPTIC TANK SYSTEMS@** or may be required to designate the type of disposal system required.

(e) The subdivider may be required to provide information concerning the minimum lot size necessary to accommodate a conventional septic system to insure such development would not contaminate the ground water supply.

(f) For subdivisions located in all areas of special flood hazard:

- 1.** New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwater into the systems and discharge from the systems into flood waters; and
- 2.** On site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

d. Irrigation Systems and Water Usage.

(1) When irrigated land is to be subdivided, the subdivider shall submit documents as may be required by the Planning Commission to show that the water rights have been or will be transferred to other agricultural land or to a higher order use or that the subdivider will construct a distribution system for use in the subdivision.

(2) It shall be shown by the subdivider that no agricultural land, outside what may be being proposed for development, need be taken out of production due to the location or water use of the proposed development.

(3) The subdivider shall show that the proposed subdivision shall not disrupt existing irrigation or drainage systems.

e. Fire Hydrants

Fire hydrants shall be installed where feasible. Such fire hydrants shall be of the type, size and number and installed in such locations as determined by the Commission after consultation with the local fire departments.

f. Public lighting may be required by the Commission.

g. For all subdivisions located in all areas of **special flood hazard**, the following standards shall apply.

- (1)** All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;
- (2)** All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage; and

- (3) Base flood elevation data shall be provided for subdivision proposals and other proposed developments which contain at least fifty (50) lots or five (5) acres (whichever is less).

Section 6. Utilities for Minor Subdivisions

a. Feasibility of wells and septic systems: Where both onsite wells and septic systems are proposed for a subdivision, the applicant shall prepare a plan showing how the wells and septic systems could be placed and coordinated so that each lot is served. The Planning Office shall use this plan in reviewing applications for individual septic systems to ensure proper placement and to maintain adequate separation distances between wells and septic systems. The Planning Office may make modifications in the plan if it does not affect the ability to locate both a well and a septic system on an adjacent lot.

b. Water supply.

(1) The subdivider shall provide information concerning the availability and quality of a domestic water supply. The information will indicate the steps which have been taken to determine the likelihood that a source of domestic water will be available on the lots in the subdivision.

c. Sewage disposal

(1) The applicant shall provide percolation rates and profile hole data in accordance with the plan approved by the Planning Office.

(2) If no public sewage disposal system is proposed by the subdivider, the words **ANO PUBLIC PROPOSED CENTRALIZED SEWAGE SYSTEM@** shall appear in bold capital letters on all offers solicitations, advertisements, contracts, agreements, and plats relating to the subdivision.

(3) In instances where the purchaser will be required to develop his own sewage disposal system, and where percolation tests and review indicate potential site limitations on the development of conventional septic tank systems, all offers, solicitations, advertisements, contracts and plats shall bear the notation in bold capital letters, **>SITE CONDITIONS MAY PREVENT THE USE OF CONVENTIONAL SEPTIC TANK SYSTEMS@** or may be required to designate the type of disposal system required

(4) The subdivider may be required to provide information concerning the minimum lot size necessary to accommodate a conventional septic system to insure such development would not contaminate the ground water supply.

(5) For subdivisions located in all areas of special flood hazard:

- i.** New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwater into the systems and discharge from the systems into flood waters; and
- ii.** On site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

d. Irrigation Systems and Water Usage.

(1) When irrigated land is to be subdivided, the subdivider shall submit documents as may be required by the Planning Commission to show that the water rights have been or will be transferred to other agricultural land or to a higher order use or that the subdivider will construct a distribution system for use in the subdivision.

(2) It shall be shown by the subdivider that no agricultural land, outside what may be being proposed for development, need be taken out of production due to the location or water use of the proposed development.

(3) The subdivider shall show that the proposed subdivision shall not disrupt existing irrigation or drainage systems.

e. Public lighting may be required by the Commission.

f. For all subdivisions located in all areas of special flood hazard, the following standards shall apply.

(1) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;

(2) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage; and

(3) Base flood elevation data shall be provided for subdivision proposals and other proposed developments which contain at least five (5) acres.

CHAPTER 6

MOBILE HOME COURTS AND CAMPER PARKS

Section 1. Purpose and interpretation.

a. This chapter on Mobile Home Courts and Camper Parks is adopted to provide for the protection of the health, welfare, and well-being of the people located in mobile home courts and camper parks and to provide the county the necessary authority to provide such protection.

b. Interpretation. In interpreting and applying the provision of this Chapter, they shall be held to be minimum requirements for the promotion of the public health, safety, convenience, comfort, and general welfare. It is not intended by this Chapter to interfere with or abrogate or annul any easements, covenants, or other agreements between parties, provided however, that wherever this resolution imposes a greater restriction upon the use of land or requires larger space than is imposed by other ordinances, rules, or regulations or by easements, covenants, or agreements, the provisions of this Chapter shall apply.

Section 2. Standards.

All new and existing mobile home courts and camper parks will be required to meet all applicable standards as set forth in the following sections prior to receiving approval and a county license to operate.

a. All existing mobile home courts and camper parks must be licensed within sixty (60) days of the enactment of this resolution. They thereafter have three (3) years in which to meet county standards as contained within this resolution. This three-year period may be extended by application and approval of proper variance as outlined in Chapter VII, Section 6.

b. All new mobile home courts and camper parks must meet all standards prior to being granted a license to operate.

c. County licenses may be temporarily suspended by the inspector upon violation by the holder of any of the terms of these county standards or revoked after an opportunity for a hearing by the Board upon serious or repeated violations.

d. Any mobile home park, the permit of which has been suspended or revoked, may at any time make reapplication for the reinstatement of the license.

e. Licenses shall not be transferable from one person to another person or to a different location than originally issued.

f. Density.

(1) No mobile home park shall have a density of more than seven (7) spaces per acre. Each space shall have a minimum area of thirty-two hundred (3,200) square feet and shall not be less than forty (40) feet in width at the unit location. The boundaries of each unit shall be clearly defined. The mobile home shall not occupy more than seventy-five percent (75%) of any space. Each camper park unit shall be a minimum of twenty-five (25) feet in width and each unit shall have a minimum area of nine hundred (900) square feet.

(2) Not less than five percent (5%) of the gross site area for courts having more than four (4) mobile home spaces or those courts having travel campers and trailers, tent trailers, etc. shall be devoted to recreational area. A minimum of one hundred (100) square feet of recreational space per unit shall be provided.

(3) All mobile homes and camper units shall be located at least twenty-five (25) feet from any park boundary line abutting upon a public street or highway and at least ten (10) feet from other park property boundary lines.

(4) There shall be a minimum distance of fifteen (15) feet between the mobile home unit and the abutting park street. There is no minimum distance for camper units required.

(5) Where spaces are located side by side there shall not be less than twenty (20) feet between units for mobile homes; and there shall not be less than twelve (12) feet between camper units.

(6) There shall be a minimum of fifteen (15) feet between a mobile home or camper unit and any service building(s).

g. Access.

(1) All roads in the park shall be a minimum of twenty-four (24) feet in width. Each unit will be required to have access to a private road. It will not be permissible for any unit to have direct access to public roads or rights-of-way. All roads shall be improved and brought up to an acceptable standard to adequately handle the proposed traffic load of the mobile home court.

(2) All weather walkways of three (3) feet minimum width shall be provided for each mobile home unit. These walk-ways shall be of a permanent nature constructed of a concrete or asphalt or some other material acceptable to the Planning Commission. No walk-ways are required in a camper park.

h. Water Supply for Mobile Home Parks.

(1) An adequate and safe supply of water under a minimum of thirty-five pounds per square inch (35psi) pressure shall be supplied to each space. The source shall have a capability of supplying a minimum of three hundred (300) gallons per mobile home unit per day. The source quality (mineral and bacteriological), quantity, distribution system, volume and method of storage of water shall be approved by the Wyoming Department of Health and Social Services, Division of Health and Medical Services, and the Water Quality Division of the Department of Environmental Quality. All water and sewer lines shall have minimum horizontal separation of ten (10) feet. Samples for bacteriological examination shall be submitted regularly and routinely at a rate of not less than four (4) per year to the Health Department while the mobile home park is occupied, when other than municipal or approved district water supply is utilized.

(2) Distribution systems for water shall be constructed in accordance with state and local codes. Pipe used shall be of sufficient size and classified as acceptable under State Health Department standards for use in supplying potable water. Each mobile home space shall be equipped with a hydrant of the type that will prevent freezing and shall not contain any stop waste valves.

i. Sewage Disposal for Mobile Home Parks

(1) The method of final liquid waste disposal shall be by connection to a municipal disposal system or shall be in accordance with the minimum standards for a private sewage disposal system as set forth by the State of Wyoming and approved by the State Department of Health. All systems shall be approved by the Water Quality Division of the Wyoming Department of Environmental Quality. In no instance shall provisions be made for less than seven hundred and fifty (750) gallons per mobile home.

(2) Each sewer service connection shall utilize a riser pipe of at least four (4) inches diameter which terminates at least four (4) inches above the ground surface. The tubing or pipe connecting the mobile home drain outlet and the sewer pipe riser shall be noncollapsible, semirigid, and a minimum of three (3) inches in diameter. Main sewage collection lines shall not be less than six (6) inches in diameter. All materials used for sewer connections shall be corrosion resistant, nonabsorbent, and durable in compliance with NSF standards and have a smooth surface. Other types of sewer connections, such as those which utilize a screw type connection are acceptable if they are watertight, airtight, and otherwise equivalent to the recommended connections. All ninety (90) degree bends in sewer lines shall be provided with manholes and end of line shall be provided with an angle clean out port.

j. Lighting. Adequate lighting shall be provided for all portions of the mobile home park and camper park.

k. Utilities and Fire Protection.

- (1)** All utilities shall meet state and local standards.
- (2)** All mobile home parks shall meet the minimum standards for fire protection in mobile home parks in Wyoming as set forth by the State Department of Fire Prevention and Electrical Safety.
- (3)** An approved plan for providing adequate fire protection to the court shall be presented. Approval shall be by the County Fire Department.

1. Environmental health

- (1)** Drainage. The mobile home court and camper park shall be graded and adequately drained to alleviate any potential health or safety problems.
- (2)** Garbage disposal. Each mobile home court and camper park shall set forth a plan on how garbage disposal is to be handled. Each mobile home space, either individually or as a group shall be provided or required to provide adequate garbage containers having tight fitting lids.
- (3)** Insect and rodent control. In order to provide adequate insect and rodent control, every mobile home court and camper park shall be kept free of rubbish and maintained in a sanitary condition at all times. All harborages for insects and rodents shall be eliminated and prevented. Flies and mosquitoes shall be controlled.
- (4)** Storage. Each mobile home court shall provide a storage area for out-of-season recreational vehicles and other vehicles to eliminate unsightly clutter throughout the court. The area required shall be equivalent to one half (2) of a mobile home court=s unit space for up to four (4) units and one (1) space for all units over four (4) up to twenty (20) and proportionally thereafter.
- (5)** Skirting and additions. Skirting of all trailers shall be required within sixty (60) days after occupancy in the mobile home court. Additions to mobile homes such as covered porches, additions, cabanas, etc. with the exception of open steps of less than twelve

(12) square feet per landing shall be prohibited, unless they are provided for in an approved plan of the mobile home court.

- (6)** Registration. Every mobile home park owner or operator shall maintain a register containing a record of all mobile homes, travel trailers, truck campers, tent trailers, and teeters using the mobile home park. The register shall be current.

Section 3. Special Standards Governing Camper Parks.

a. Unit space.

(1) Each designated unit space providing for a truck camper, travel trailer, tent, or tent trailer shall contain a minimum of nine hundred (900) square feet.

(2) Each designated unit space provided for tenting units shall be provided with a table and provisions for fire building and easy access to both liquid and solid waste disposal facilities.

(3) Provisions shall be made for the approved disposal of kitchen or sink wastewater at each designated unit space for camper units in a manner approved by the State Health Department. Where a connection is provided, it shall not exceed two (2) inches in diameter preceding a leaching method or disposal to prevent entry of solid wastes.

(4) No unit space serving a dependent travel trailer, truck camper, or tent or tenting unit shall be located further than three hundred (300) feet radially from the service building. Unit spaces further than this distance must be designated for and used by independent units only.

b. Water supply. The water supply shall be approved by the State Health Department and the Water Quality Division of the Department of Environmental Quality, where applicable, as per specifications stated in prior sections of this Chapter.

c. Sewage Disposal. Sewage disposal shall be handled in a manner meeting the requirements of the State Health Department and the State Department of Environmental Quality as provided for prior in this Chapter.

d. Service building. Each mobile home park which permits dependent truck campers or tenting units as defined in the definitions, and each camper park shall provide a service building equipped and meeting the specifications of the State Health Department.

e. Registration. Every mobile home park owner or operator shall maintain a register containing a record of all mobile homes, travel trailers, truck campers, tent trailers, and tenters using the mobile home park or camper park. The register shall be current.

Section 4. Mobile Home/Camper Park License.

It shall be illegal for any mobile home court or camper park to operate in the unincorporated areas of Uinta County without having a valid mobile home court license.

a. Application. Each mobile home court or camper park owner shall make application with the County for a license.

(1) Each application for a new mobile home court or camper park license shall be accompanied by the necessary plans, drawings and specifications to show that the proposed court or park will meet all of the necessary standards as set forth in the Chapter.

(2) Sufficient copies of drawings and specifications must be provided with letters of transmittal to the necessary state agencies for approval or copies of letters of transmittal to the necessary state agencies requesting their review and requesting copies of their review be forwarded to the County.

(3) Initial application for new mobile home courts or camper parks shall be accompanied by a minimum fee of one hundred (100) dollars.

(4) All applications for the new mobile home court and camper park licenses shall be reviewed by the Planning Commission and recommendations shall be forwarded to the Board and the applicant within thirty-five (35) days after receipt of the original application.

(5) Construction. After receipt of approval for construction from the Board, the applicant may proceed with construction. It shall be unlawful to begin any construction on a mobile home court or camper park in the absence of this approval.

(6) Penalty. Failure to obtain approval prior to construction and the operation of a mobile home court or camper park without a County license shall be fined not more than one hundred (100) dollars for each offense. Each day's continuance shall be deemed a separate offense.

(7) Inspection. During the time of construction and the completion of construction, the County shall provide for inspectors to inspect construction as per specifics set forth in the letter of Construction Approval. Upon final completion of the mobile home court or camper park, notice shall be made to the designated inspector to make the final inspection and to file his inspection report with the Commission.

b. Licenses.

(1) Granting of license. Upon receiving the final inspection report, the Planning Commission shall recommend granting or denial to the Board of County Commissioners. The Board shall grant the final permit and license and shall sign such license and direct its transmittal to the applicant upon payment of any inspection fees as may be necessary.

(2) Revocation of License. The Planning Commission shall make recommendations to the County Commissioners concerning the revocation of licenses. They may recommend, based upon the inspector's report, that the license not be revoked with the provision that items in violation of this resolution be brought up to standard within sixty (60) days of second notice of violation for all newly constructed courts, and for existing courts at the time of enactment of this resolution who have passed the three (3) year waiting period and have not been granted a variance from the standards.

c. Appeals. Applicants shall have the right to appeal any ruling or ask for a variance from any standards as set forth in this chapter according to the Variance Procedures as set forth in Chapter 8, Section 6.

d. Change and/or expansion.

(1) Any changes made in the mobile home court or camper park must be approved under new construction. The date of approval should be noted on the application.

(2) Application should be accompanied by a fifty (50) dollar administrative fee.

(3) Inspection shall be made of the mobile home court or camper park and reports shall be filed with the Planning Commission.

e. Ongoing inspection. Inspection may be made at any time by the County to determine adherence to standards and recommendations. All mobile home court or

camper park owners and operators shall grant reasonable access to designated inspectors. Upon finding any violations, the inspector shall notify the court owner of said violation, and said owner shall have thirty (30) days to correct said violation. After thirty (30) days a second inspection shall be made. If the violations have not been corrected, the procedure outlined in Section b(2) above shall begin.

Section 5. Compliance with State Standards.

Nothing in this Chapter shall be construed as to release the applicant from the responsibility of applying to the Wyoming Department of Health and Social Services for a permit to operate the proposed mobile home court or camper park.

CHAPTER 7

ASSURANCE FOR COMPLETION AND MAINTENANCE OF IMPROVEMENTS

Section 1. Performance Agreement.

Prior to certification of final plat and approval by the Board of County Commissioners, the subdivider shall have executed and filed an agreement between himself and the County providing that:

a. All required subdivision improvements will be completed within a specified period of time to the satisfaction of the County.

b. In the event that such improvements are not completed within a specified period, the County may complete such work and recover from the subdivider full cost and expenses thereof.

c. The aforesaid agreement may also provide for:

- (1)** Construction of improvements in predetermined stages.
- (2)** An extension of construction period under certain specified conditions.
- (3)** Progress payments to the subdivider from any deposit which the subdivider may have made or reduction in bonds, not exceeding ninety (90) percent of the value of improvements completed and approved, as determined by the County.

Section 2. Performance Guarantee.

a. Prior to certification of final plat and approval by the Board, the subdivider shall provide evidence satisfactory to the Board 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 systems, sewage systems, streets and roadways. The applicant shall provide a performance bond, acceptable letter of credit or other sufficient financial commitment to assure that any facilities proposed or represented to be part of the subdivision shall in fact be completed as proposed; or escrow sufficient monies out of land sales to guarantee that the above facilities are installed.

Section 3. Inspection of Improvements.

a. General procedure. The governing body shall provide for inspection of required improvements during construction and ensure their satisfactory completion. If the county planning staff or other knowledgeable official as specified by the Board finds upon inspection that any of the required improvements have not been constructed in accordance with the local government's construction standards and specifications, the applicant shall be responsible for completing the improvements. Wherever the cost of improvements is covered by a performance bond, the applicant and the bonding company shall be severally and jointly liable for completing the improvements according to specifications.

b. Release or reduction of improvement guarantee.

(1) Certification. Upon completion of these improvements, the county planning office staff or other knowledgeable official as specified by the Board, shall file with the Board a statement either certifying that the improvements have been completed in the specified manner or listing the defects in those improvements. Upon completion of the improvements, the subdivider shall file with the Board a statement stipulating the following:

- (a)** That all required improvements are complete.
- (b)** That these improvements are in compliance with the minimum standards specified by the Board for their construction.
- (c)** That the subdivider knows of no defects from any cause, in those improvements.
- (d)** And that these improvements are free and clear of any encumbrance or lien.

Section 4. Penalty in Case of Default.

In the event that the subdivider fails to complete all required subdivision improvements in accordance with the terms of the agreement with the County, the County may have such work completed and in order to reimburse itself for the cost and expense thereof, may appropriate the deposit of cash or negotiable bond, or take such steps as may be necessary to secure performance under the bond.

Section 5. Approval of Progress Payments.

No job, progress payments from cash or negotiable bond deposits, nor any release of performance bonds shall be made by the County except upon certification and approval of the Board.

CHAPTER 8

ADMINISTRATIVE PROVISIONS

Section 1. Approval of Application.

Any application for a subdivision shall be approved by the Commission and Board unless they find the proposed subdivision does not meet the conditions of Chapter II, Section 8.

Section 2. Burden of Proof.

The burden of proof shall be on the applicant to show the reasonableness of his plan, the lack of adverse effect, and compliance with the elements of public health, safety and general welfare as set forth in Chapter 1, Section 4.

Section 3. Permit Conditions.

A permit may contain such requirements and conditions as are reasonably appropriate with respect to Chapter 1, Section 4.

Section 4. Data and Investigation.

The Commission may conduct or require such investigations, examinations, tests, and site evaluations as they deem necessary to verify the information contained in the application. An applicant shall grant the Commission, or their agents, permission to enter upon his land for these purposes.

Section 5. Duration and Revocation of Permits.

a. A permit shall be revoked by action of the Commission in the event of violation of any conditions attached to the permit, or of the terms of any application, or of any rules made by the Commission and Board, or for fraudulent representations or material omissions made to the Commission and Board.

b. The revocation sanctions permitted in this section shall not be deemed exclusive remedies in law or equity.

Section 6. Variance and Future Modifications.

a. Wherein the case of a particular proposed subdivision it can be shown that strict compliance with the requirements of the subdivision resolution would result in extraordinary hardships to the subdivider because of unusual topography, or other not self-inflicted condition, or that these conditions would result in inhibiting the achievement of the objectives of these regulations, the Commission or Board may vary, modify or waive the requirements so that substantial justice may be done and

the public interest secured, provided such variance, modification or waiver will not have the effect of nullifying the intent and purpose of this resolution and the Uinta County Comprehensive Plan and the Uinta County Land Use Plan. In no case shall any variation, modification or waiver be more than a minimum easing of the requirements.

b. In granting variances, modifications and waivers the Commission and/or Board may require such conditions as will in its judgement secure substantially the objectives of the standards or requirements so affected.

c. Should appropriate technology be developed or physical or environmental conditions be altered in the future, the land owners within the subdivision may petition the Commission to reconsider restrictions or covenants placed on the subdivision which may no longer be necessary.

Section 7. Fees.

a. Subdivision permit and Land Use Map Amendment fees and Subdivision Vacation fees shall be as set forth in Chapter 3 Section 13 of the Uinta County Land Use Plan.

Section 8. Inspection.

Appropriate agencies and departments of the County may inspect or cause to be inspected all fire hydrants, water supply and sewage disposal systems, roads and buildings incidental thereto, in the course of construction, installation or repair.

Section 9. Permits.

From the time of the effective date of these regulations, the County shall not grant a permit, nor shall any County officer grant any license or permit for the use of any land or the construction or alteration of any building or structure on any lot which would be in violation of any provision of these regulations unless a subdivision plat has been recorded or approved as herein required. Any license or permit issued in conflict with such provisions shall be void.

Section 10. Validity.

a. If any provision of these regulations is declared to be invalid by a court of competent jurisdiction, it is hereby declared to be the legislative intent that:

- (1)** The effect of such decision shall be limited to that provision or provisions which are expressly stated in the decision to be invalid; and

- (2) Such decision shall not affect, impair or nullify these regulations as a whole or any part thereof, but the result of these regulations shall continue in full force and effect.

b. If the application of any provisions of these regulations to any tract of land is declared to be invalid by a decision of any court of competent jurisdiction, it is hereby declared to be the legislative intent that:

- (1) The effect of such decision shall be limited to the tract of land immediately involved in the controversy, action or proceeding in which the judgement or decree of invalidity was rendered; and
- (2) Such decision shall not affect, impair or nullify these regulations as a whole or the application of any provision thereof to any other tract of land.

Section 11. Amendments or Additions.

After study and recommendation by the Commission and upon public hearing, these regulations may be amended and sections added hereto by the Commission and the Board of County Commissioners.

Section 12. Violations and Penalties.

a. No person shall subdivide land or commence the physical layout or construction of a subdivision without first obtaining a subdivision permit from the Board of Uinta County Commissioners (W.S. 18-5-304) to do so is a violation of this resolution, subject to the penalties herein.

b. No person shall offer for sale any subdivided lands or subdivision without first complying with the provisions of this resolution.

c. Failure to provide required wording in **BOLD CAPITAL LETTERS** (as specified in this resolution) on all offers, solicitations, advertisements, contracts, agreements, and plats relating to a subdivision (W.S. 18-5-306 (a) (iv), (vi), and (vii)) is a violation of this resolution, subject to penalties herein.

d. Any person who knowingly authorizes, directs or aids in the publication, advertisements, distribution, or circulation of any false statement or misrepresentation concerning any subdivision for sale in this or any other state, and every person with knowledge that any such advertisement, prospectus, pamphlet, or letter concerning land or any subdivision thereof contains any written statement that is false or fraudulent in any material part of who issues, circulates, publishes, or distributes the same, or causes the same to be circulated, published, or distributed, is in violation of this resolution and is subject to penalties herein (W.S. 18-5-313).

e. Any person violating the provisions of this resolution or any rule or order issued under this resolution, or of Wyoming Statutes 18-5-301 through 18-5-315 shall upon conviction be fined not more than seven hundred fifty dollars (\$750.00) or imprisoned in a county jail for not more than thirty (30) days or both. Each day of violation constitutes a new offense (W.S. 18-5-313 and 18-5-314).

Section 13. Enforcement.

a. The provisions of this resolution are enforceable by all appropriate legal remedies including injunctive relief, a writ of mandamus, or abatement, to prevent any violations of these regulations, to prevent unlawful construction, to restrain, correct, or abate a violation, or to prevent occupancy of a building, structure, or premises.

b. Upon failure or refusal of the County and Prosecuting Attorney to act upon violation of the provisions of this resolution, the attorney general, or a Board-appointed special civil and prosecuting attorney at the request of the Board shall initiate civil or criminal proceedings to enforce the provisions of this resolution.

Section 14. Investigative Power of the Board.

a. If the Board has reason to believe that a person has engaged in activity which violates any provision of this resolution, it shall make an investigation and may administer oaths or affirmations and upon its own motion or upon request of any party may subpoena witnesses, compel attendance, or adduce evidence, and require the production of any matter which is relevant to the investigation, including the existence, description, nature, custody, condition, and location of any books, documents, or other tangible things and the identity and location of persons having knowledge of relevant facts or any other matter reasonably calculated to lead to the discovery of admissible evidence.

b. If any person subject to the provisions of this resolution has records in Section 14, a above (Section 14, a) located outside the State of Wyoming or Uinta County, the person shall make them available directly to the Board or pay the reasonable and necessary expenses for the Board or its representative to examine them at the place where they are maintained. The Board may designate representatives, including comparable officials of the state or county in which the records are located, to inspect them on the Board's behalf.

c. Upon failure without lawful excuse to obey a subpoena or to give testimony and upon reasonable notice to all persons affected thereby, the Board may apply to any district court for an order compelling compliance.

Section 15. Clerk Not to Record Documents Until Permit Issued.

The County Clerk shall not accept, file, or record in the official records of the county any deed of conveyance or any contract or agreement to convey any land subject to this resolution until a subdivision permit has been issued by the Board.

Section 16. Effective Date.

This Resolution is authorized by W.S. 18-5-301 – 318 and 34-12-101 – 115 and shall be in effect upon approval by the Board of Uinta County Commissioners and having been properly endorsed by the Chairman of the Board and attested to by the Uinta County Clerk. This Resolution shall then be recorded in the official records of Uinta County and supersede any and all previous Resolutions for the Subdivision of Land for Uinta County, Wyoming.

CHAPTER 9

DEFINITIONS

Section 1. Usage.

a. For the purpose of these regulations, certain numbers, abbreviations, terms, and words used herein shall be used, interpreted, and defined as set forth in this section.

b. The word "person" includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.

c. The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular.

d. The word "shall" is a mandatory requirement, the word "may" is a permissive requirement, and the word "should" is a preferred requirement.

e. The words "used" or "occupied" includes the words "intended", "designed", or "arranged" to be used or occupied.

f. The word "lot" includes the words "plot" or "parcel".

g. Unless the context clearly indicates to the contrary, words used in the present tense include the future tense; words in the plural number include the singular; the word "herein" means in these regulations; the word "regulations" means "these regulations".

h. A "building" includes a "structure", a "building" or "structure" includes any part thereof.

Section 2. Words and Terms Defined.

a. Agricultural Purposes; shall describe land on which farming is the leading pursuit, including but not limited to the tilling of the soil, the raising of crops, horticulture, ranching, or the keeping or raising of domestic animals, for sale or profit.

b. Board; shall mean the Board of Uinta County Commissioners.

c. Camper Park; an area designated for the use of more than two independent or dependent travel trailers, truck campers, tent campers, or tents on a temporary basis.

d. Camper Units; all independent and dependent trailers, truck campers, tent trailers, tents, etc.

e. Collector Street; is a street which carries traffic from minor streets to the major street system including the principal entrance streets of residential development and the primary circulating street within such a development.

f. County; Uinta County, Wyoming.

g. Commission; unless otherwise clearly indicated, means the Uinta County Planning and Zoning Commission, as created by the Board pursuant to W.S.S. Section 18-5-202.

h. Cul-de-sac; is a minor street having one (1) entrance open to vehicular traffic and the other end terminated by a turnaround.

i. Dependent Travel Trailer or Truck Camper; a travel trailer or truck camper which does not have flush toilet, bath or shower.

j. Design; means street alignment; street grades and width; \s= alignment and widths of easements and right-of-way; minimum lot area, width and configuration; the area, location, width and configuration of parks and recreation areas and other dedicated areas, whether public or private; and the interrelationship of all of the above elements.

k. Easement; is that quantity of land set aside or over which a liberty, privilege or advantage in land without profit, existing distinct from the ownership of the land, is granted to the public or some particular person or part of the public.

l. Independent Travel Trailer or Truck Camper; is a travel trailer or truck camper which has both flush toilet, bath or shower.

m. Inspector; a person or person designated by the Board as authorized agent or agents of the county to act in their behalf in the enforcement of said resolution.

n. Lot; shall mean a portion of a subdivision or parcel of land intended as a unit for building development or transfer of ownership.

o. Major Street; shall mean a street, existing or proposed, which serves or is intended to serve a major traffic way and which will be designated on the master street plan as a controlled access highway, major street, collector street, parkway or by equivalent terms suitable to identify street comprising the basic structure of the street plan.

p. Minor Street; shall mean a local street, existing or proposed, which is supplementary to a collector major street and of limited continuity, which serves or is intended to serve the local needs of the neighborhood.

q. Mobile Home; shall mean a portable structure or unit having an overall width of eight (8) feet (or more) and length of thirty-three (33) feet (or more) so constructed as to permit it being towed, moved or conveyed on a public street or highway as a unit on its own chassis or its own axles or running gear; and constructed in such a manner as will permit occupancy thereof as a dwelling, residence, classroom, office, business, or store house. This definition also includes and applies to structures commonly termed as a double wide.

r. Mobile Home Park; an area designated for and occupied by more than two (2) mobile homes or facilities delineated above, on units or space of predesignated type, which may be utilized for living purposes, either permanent, seasonal, or both. Two (2) or more mobile homes established on property and used as housing for the agricultural workers on the same property shall not be construed as a mobile home park.

s. Multi-family Dwelling; is any residential structure permanently occupied by more than one family, whether or not the families occupy the premises as tenants, owners in common, or as separate owners.

t. Net Area; for any lot excludes easements, rights-of-way, building setback distances, and unbuildable areas such as, but not limited to, rivers, wetlands, and steep slopes (greater than 30%).

u. Official Map; shall mean any map, establishing roads within the County, adopted by the Board under the provisions of Section 24-3-109 Wyoming Statutes.

v. Owner; includes the plural as well as the singular, and any mean either a natural person(s), firm, association, partnership, private corporation, public or quasi-public corporation, or any combination thereof.

w. Parcel of Land; shall mean a contiguous quantity of land, in the possession of, or owned by, or recorded as the property of, the same claimant or person.

x. Permit; shall mean a subdivision permit.

y. Person; means a natural person, firm corporation, partnership, or association, or any combination of the above, or any other legal or commercial entity.

z. Plat; shall mean a map of a subdivision.

- (1) **Preliminary Plat;** a preliminary map, including supporting data, indicating a proposed subdivision development, prepared in accordance with these regulations
- (2) **Final Plat;** a map of all or part of a subdivision conforming to an approved preliminary plat, prepared in accordance with the provisions of these regulations.
- (3) **Recorded Plat;** a final plat bearing all of the certifications of approval required by these regulations and duly recorded in Uinta County, Wyoming.

aa. Planned Unit Development; The subdivision and/or development of land which includes both individual building sites and common property such as a park, and which is designed and organized to be capable of satisfactory operation as a separate entity without necessarily having the participation of other building sites or other common property; the ownership of the common property may be either public or private.

bb. Sanitary Station; a facility provided for the emptying of tanks and flushing of hoses of self-contained tanks in travel trailers or other travel vehicles.

cc. Sell or Sale; includes sale, contract to lease, lease, assignment, auction, award by lottery, or any offer or solicitation of an offer to do any of the foregoing, concerning a subdivision or any part of a subdivision.

dd. Service Building; a building housing separate toilet and bathing facilities for men and women having laundry facilities and a service sink.

ee. Service Sink; a sink used for clean-up purposes with the service building and for liquid waste disposal.

ff. Sewage system; means all pipelines, conduits, pumping stations, force mains and other constructions used for collecting or conducting wastes to a treatment plant or disposal system; any plant or other works used for the purpose of treating, stabilizing or holding wastes; and any system used for disposing of wastes, either by surface or underground methods, including any treatment plant, disposal wells and absorption fields. Also includes Septic System or Small Wastewater System.

gg. Sketch Plan; shall include a map showing the location of the proposed subdivision, major drainage, the general layout of lots, streets, and utilities, types of units to be developed, and proposed means of access to the subdivision.

hh. State; the State of Wyoming and its various agencies and departments, either collectively or singly.

ii. State Health Department; the appropriate divisions of the Wyoming Department of Health and Social Services or its successors.

jj. Subdivision; means the creation or division of a lot, tract, parcel or other unit of land, vacant or improved, for the immediate or future purpose of offer, sale, lease, development, building development, or redevelopment either on the installment plan or upon any and all plans, terms and conditions, including Resubdivision, for residential, recreational, industrial, commercial or public uses. The word "subdivide" or any derivative thereof shall have reference to the term subdivision. Subdivision includes Resubdivision, the division of any lot in an approved subdivision, any change in a map of an approved subdivision plat, and the creation of mobile home parks and travel trailer/camper parks.

i. Major subdivision- A subdivision containing more than five (5) lots.

ii. Minor subdivision- A subdivision containing from one to five (1-5) lots. A minor subdivision shall not, however, include any new roads or be served by a central water supply system or central sewage system

kk. Subdivider; means any person who lays out any subdivision or parts thereof either for the account of the subdivider or others.

ll. A Subdivision Permit; shall mean the official approval of a subdivision by the Board validated by the County Clerk.

mm. Water supply system; includes development of the source and all structures for conveyance of raw water to the treatment plant or delivery systems; all water treatment plants including disinfection facilities; and all finished water delivery systems including pipelines, pumping stations and finished water storage facilities. Separate water supply systems used solely for irrigation or stock water are not included.