



JOHNSON COUNTY, WYOMING
SUBDIVISION REGULATIONS

**Johnson County Planning Department
26 North DeSmet Street
Buffalo, Wyoming 82834**

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RESOLUTION NO. 715

**RESOLUTION TO AMEND THE JOHNSON COUNTY SUBDIVISION
REGULATIONS FOR JOHNSON COUNTY, WYOMING**

WHEREAS, the County of Johnson is a duly organized, established, and existing county within the State of Wyoming, and is a body corporate and politic; and

WHEREAS, the Board of County Commissioners of Johnson County is the duly elected, qualified, and acting governing board of the County of Johnson, delegated by law to exercise the powers of the County as a body politic and corporate; and

WHEREAS, W.S. 18-5-301 states that the regulation and control of the subdivision of land in the unincorporated areas in each county is vested in the Board of County Commissioners of the county in which the land is located; and

WHEREAS, W.S. 18-5-315 provides that the Board of County Commissioners may enact resolutions or regulations which impose requirements on subdividers or subdivisions which are more restrictive than the provisions of that article; and

WHEREAS, the Johnson County Planning and Zoning Commission has prepared an amendment to the Johnson County Subdivision Regulations by adding administrative approval for exemption use and implementation, adding storm water permit requirements, allowing special districts to comment on proposed subdivisions, correcting grammatical errors, and disclosing acknowledgement about improvements on the subdivision application; and

WHEREAS, the Johnson County Planning and Zoning Commission has recommended to the Board of County Commissioners of Johnson County, to adopt the amendments to the Johnson County Subdivision Regulations; and

WHEREAS, public notice and public hearings on the proposed amendments to the Johnson County Subdivision Regulations as required by the Wyoming Administrative Procedure Act have been properly held and public comment considered.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Johnson County that the Information and Instructions on Subdividing in Johnson County, "Johnson County Subdivision Regulations" be promulgated as presented during open meeting on the 7th day of November, 2023.

APPROVED AND ADOPTED this 7th day of November, 2023.

ATTEST:


Jackie Camino, County Clerk

BOARD OF COUNTY COMMISSIONERS
JOHNSON COUNTY, WYOMING


William J. Novotny, III Chairman



Johnson County Planning & Zoning Commission

26 North DeSmet Avenue, Buffalo, Wyoming 82834

Phone: (307) 684-1907 · e-mail: jwaller@johnconsocowyo.gov

October 23, 2023

Board of Johnson County Commissioners
76 N. Main Street
Buffalo, WY 82834

Re: Certification of Johnson County Proposed Amended Subdivision Regulation

Dear Commissioners:

This letter is to officially inform the Board of Johnson County Commissioners (Board) that the Johnson County Planning and Zoning Commission (Commission) has amended Johnson County Subdivision Regulations. All legal notification requirements regarding public notice and public hearings of the Commission were held in accordance with the Wyoming Administrative Procedure Act.

The Commission reviewed the regulations adopted in November 2021 and found the proposed changes were justified.

The Planning and Zoning Commission unanimously approved the changes proposed to the Johnson County Subdivision Regulations after brief discussion on October 3, 2023. No public comments were received or made regarding the proposed changes.

It is recommended that the Board of County Commissioners adopt these draft amended Subdivision Regulations as presented. (See attached documentation)

If the Board desires the Commission to perform any additional work on the Regulations, please let us know.

Sincerely,

Handwritten signature of Travis D. Pearson in blue ink.

Travis Pearson, Chairman

Handwritten signature of Julie Baker in blue ink.

Julie Baker, Vice Chairman

Handwritten signature of Manny Rodriguez in blue ink.

Manny Rodriguez, Commission Member

Handwritten signature of Layne Qualm in blue ink.

Layne Qualm, Commission Member

Handwritten signature of Jerimiah Wolski in blue ink.

Jerimiah Wolski, Commission Member

JOHNSON COUNTY, WYOMING

INFORMATION AND INSTRUCTIONS ON SUBDIVIDING
IN JOHNSON COUNTY

APRIL 2, 1996

Amended 7/18/2005

Amended 7/5/2006

Amended 6/19/2007

Amended 2/17/2009

Amended 11/2/2021

Amended 11/7/2023

Johnson County Commissioners
County Commissioners Office
76 North Main
Buffalo, WY 82834

Johnson County
Planning Department
26 N DeSmet Ave.
Buffalo, WY 82834

Johnson County Planning and Zoning Commission
26 N DeSmet Ave
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JOHNSON COUNTY SUBDIVISION REGULATIONS

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ARTICLE I

GENERAL PROVISIONS

1.1 AUTHORITY. These Regulations are authorized by Wyoming Statutes 18-5-201 through 18-5-207, 18-5-301-18-5-317 and 34-12-101 through 34-12-115.

1.2 PURPOSE OF THE REGULATIONS. These Regulations are designed and enacted for the following:

- A) To promote public health, safety, and general welfare of the present and future residents of Johnson County;
- B) To establish a reasonable standard of design and procedures for subdivisions;
- C) To ensure accurate legal descriptions and monumentation of subject lands;
- D) To guide public and private policy in order to provide adequate and convenient transportation, utilities and/or other public facilities, parks, recreation, civil defense, and fire protection;
- E) To avoid population congestion, traffic congestion, air and water pollution, flood damage, and other natural hazards due to inadequate land planning;
- F) To avoid excessive expenditures of public funds for the supply of public improvements and services by ensuring new development meets or exceeds county standards and that costs are borne by the developer;
- G) To provide adequate physical and legal access, via necessary easements including those for roads and public utilities.

1.3 ADMINISTRATION. All parcels of land laid out in a proposed subdivision, including but not limited to lots, streets, highways, alleys, or other portions of the same, shall be submitted to the Planning and Zoning Commission (**hereinafter referred to as "Commission"**) and the Board of County Commissioners (**herein after referred to as "Board"**) for review and subsequent approval, conditional approval, or denial.

- A) No Final Plat of a proposed subdivision shall be approved by the Commission and accepted by the Board unless it conforms to all the provisions of these Regulations.
- B) No plat shall be recorded in any public office unless the same shall bear thereon, by endorsement, the review and approval of the Commission and the Board. Upon compliance therewith, the County Clerk shall file the approved plat.
- C) No person shall sell land subject to subdivision regulation, or record a plat, without first obtaining a subdivision permit from the Board.

- D) No construction shall begin on any structure or other improvements upon land for which a plat is required by these Regulations unless and until all the requirements of these Regulations have been met.
- E) No changes, modifications, or revisions shall be made to an approved Final Plat without the consent of the Commission and Board.

1.4 APPLICABILITY. These Regulations shall apply to all the unincorporated land located within Johnson County, Wyoming.

- A) All plats approved by the Commission, subject to recordation after the effective date of these Regulations, shall comply with the provisions set forth herein.

1.5 ENFORCEMENT AND PENALTIES.

- A) The Board may seek to enforce, through the County Attorney, or other appropriate legal counsel, the violation or attempted violation of any provision of these Regulations as provided in Wyoming Statutes, Sections 18-5-205, 18-5-206, and 18-5-311 through 18-5-315.
- B) Any person who willfully violates any provisions of these Regulations and any person who, as an agent for a subdivider, developer, or owner, of subdivided lands, offers for sale any subdivided lands or subdivisions without first complying with the provisions of these Regulations shall, upon conviction, be fined not more than five hundred dollars (\$500.00) or be imprisoned in the County jail for not more than thirty (30) days or be punished by both fine and imprisonment. Each day of violation constitutes a new offense.

ARTICLE II DEFINITIONS

- 2.1 Applicant. See 2.54.
- 2.2 Block. A piece or parcel of land entirely surrounded by public highway, streets, streams, parks, etc., or a combination thereof.
- 2.3 Board. Board of County Commissioners of Johnson County, Wyoming.
- 2.4 Building Site. The specific location of a proposed or existing building within a recorded subdivision.
- 2.5 Commission. See 2.39.
- 2.6 Common Facilities. Facilities that are provided for the benefit of the lot owners.
- 2.7 Comprehensive Plan or Comprehensive Land Use Plan. A plan or set of plans, duly adopted by the County or municipalities, for future growth, protection and development of the County and municipalities therein, affording adequate services and facilities for housing, transportation, comfort, convenience, public health, safety and general welfare of its population.
- 2.8 Conservation District. Local unit of government providing assistance in conservation planning and leadership in air quality, water quality and quantity, agricultural production and technical support. The Conservation District provides Natural Resources Review of subdivision proposals.
- 2.9 Construction. Man-made changes to improved or unimproved real estate, including but not limited to streets, roads, utilities, filling, grading, excavation or improvements as related to subdivision regulation.
- 2.10 Contiguous Parcels. Parcels of land having a common boundary line. Parcels whose only common boundary is a corner shall not be considered contiguous parcels.
- 2.11 County. Johnson County, Wyoming.
- 2.12 County Attorney. The Johnson County Attorney.
- 2.13 County Clerk. The Johnson County Clerk.
- 2.14 County Planner. The commission-appointed official responsible for administering the Planning Department. Also referred to as Planner.
- 2.15 Covenants or Protective Covenants. A declaration of restrictions, requirements and/or conditions applying to a parcel of property which are binding upon all parties, including but not limited to heirs, successors, and assigns that may have any right, title, or interest in the parcel or any part of the parcel.

- 2.16 Crosswalk or Walkway. A right-of-way or easement dedicated to public use to facilitate pedestrian access through a subdivision block.
- 2.17 Developer. See 2.54.
- 2.18 Dwelling Unit. Any structure, or part thereof, designed to be occupied as the living quarters of a single family or housekeeping unit.
- 2.19 Easement. A recorded right or privilege to use a certain portion of land for a specific purpose or purposes.
- 2.20 Encumbrance. A mortgage, lien, charge or liability attached to and binding upon real property, including easements, rights-of-way, delinquent taxes, and assessments.
- 2.21 Engineer. A licensed professional engineer registered with the State of Wyoming.
- 2.22 Exemption. An exception from the provisions of the Wyoming Real Estate Subdivision Statute for specific subdivisions of land, subject to requirements which may be adopted by the Board.
- 2.23 Final Plat. The map or maps and specified supporting materials to be recorded with the County Clerk, drawn and submitted in accordance with the requirements of these Regulations.
- 2.24 Johnson County Board of County Commissioners. The Board of County Commissioners, also referred to as “Board”; see 2.3.
- 2.25 Landowner. The owner(s) of record in the office of the Johnson County Clerk.
- 2.26 Lot or Tract. The unit into which land is divided on a subdivision plat or deed for sale, lease or separate use, either as an undeveloped or developed site, regardless of how it is conveyed. Lot or Tract shall also mean parcel, plot, site or similar term.
- 2.27 Major Subdivision. A division of land that creates **six (6) or more lots** each smaller than 35 acres.
- 2.28 Minor Subdivision. A division of land that creates **not more than five (5) lots**, each smaller than 35 acres.
- 2.29 Multi-Family Dwelling. A building providing separate dwelling units for two or more families or housekeeping units.
- 2.30 Municipality. An incorporated City or Town, including all property within its corporate limits.
- 2.31 Natural Resources Review. Review and recommendation from the local Conservation District regarding soil suitability, erosion control, sedimentation, and flooding problems related to the proposed subdivision.

- 2.32 Off-Street Parking Space.** The space required to park one passenger vehicle, exclusive of access driveways.
- 2.33 Official Map.** The Official Map adopted by Johnson County or any municipality therein.
- 2.34 Parcel.** A contiguous piece of property lawfully created or conveyed of record as a single piece of property.
- 2.35 Pedestrian Walkway.** A right-of-way or easement dedicated for public pedestrian access.
- 2.36 Permanent Monument.** Any structure or masonry and/or metal marker permanently placed on or in the ground, including those expressly placed for surveying reference as established by a licensed Wyoming Professional Land Surveyor.
- 2.37 Planned Unit Development (PUD).** A development or improvement project located on at least two acres of land, including usable open space, for the mutual benefit of the entire tract. A PUD is designed to provide variety and diversity from traditional subdivision standards so that maximum long-range benefits may be gained, and the unique features of the development or site preserved and enhanced, while still being in harmony with the surrounding neighborhood.
- 2.38 Planning Department.** The Johnson County Planning Department.
- 2.39 Planning and Zoning Commission.** The Johnson County Planning and Zoning Commission; also referred to as “Commission”.
- 2.40 Plat.** As used in these Regulations, “plat” shall be map(s) of certain described tracts of land prepared in accordance with this Regulation as an instrument for recording subsequent real estate transactions by the County Clerk.
- 2.41 Preliminary Plat.** The map(s) of a proposed subdivision and specified supporting materials, drawn and submitted in accordance with the requirements of these Regulations, to allow the initial evaluation of the proposal prior to the execution of detailed engineering or design.
- 2.42 Public or Community Sewer.** City, town, or other entity (such as an improvement or special district or similar legally binding organization) operating a common sewage disposal system.
- 2.43 Public or Community Water.** City, town, or other entity (such as an improvement or special district or similar legally binding organization) operating a common water supply system.
- 2.44 Public Roads and Streets.** A right-of-way dedicated to the public, not necessarily maintained by Federal, State or County entities.
- 2.45 Re-subdivision.** The changing of any existing lot or lot boundaries, any street, alley or other change from the Subdivision Plat recorded in the office of the County Clerk.

- 2.46** Reverse Frontage or Double Frontage Lots. Lots which front on one public street and back on another.
- 2.47** Road. Any street, alley, highway, or freeway dedicated or intended for public or private roadway purposes.
- 2.48** Roadway. The portion of the street or road right-of-way designed for vehicular traffic.
- 2.49** Sewage Disposal System. All pipelines, conduits, pumping stations, force mains and/or 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.
- 2.50** Sidewalk. An improved pedestrian surface that is typically located adjacent to a roadway.
- 2.51** Sketch Plan. The sketch map(s) of a proposed subdivision, drawn and submitted in accordance with these Regulations, to evaluate the feasibility and general design characteristics at an early stage in planning.
- 2.52** Street. An avenue, boulevard, road, lane, parkway, viaduct, alley, or other way for movement of vehicular traffic that is (1) an existing State, County or municipal roadway, (2) shown upon a plat, an approved plat, or pursuant to law, or (3) approved by official action, and shall include the land between street boundary lines, whether improved or unimproved, and may comprise pavement, shoulder, gutter, sidewalks, parking areas and other areas within the right-of-way/easement. For the purpose of these Regulations, streets shall be classified as defined in the following:
- A) Major Street. A street which serves or is designed to serve heavy traffic flow between heavy traffic-generating areas.
 - B) Collector Street. A street or road designed to carry vehicular traffic for a neighborhood, or as a feeder to a major street.
 - C) Local (Minor) Street. A street intended to serve primarily as an access to abutting properties.
 - D) Freeway/Expressway. A major regional highway designed to carry vehicular traffic into, out of, or through the region.
 - E) Alley. A minor way which is used primarily for vehicular service access to the rear or side of properties otherwise abutting on a street.
 - F) Cul-de-Sac. A short dead-end street terminating in a vehicular turn around area.
 - G) Stub Street. A street or road from within a subdivision boundary that is a nonpermanent dead-end street intended to be extended or continued to serve future subdivision or developments on adjacent lands.

- 2.53** Street Right-of-Way. That portion of land dedicated to public use for roadway and utility purposes.
- 2.54** Subdivider, Developer, or Applicant. Any person, partnership, joint venture, association, or corporation who shall participate as owner, promoter, developer, or sales agent in the planning, platting, development, promotion, sale or lease of a subdivision of land or any property therein.
- 2.55** Subdivision. The creation or division of a lot, tract, parcel or other unit of land for the immediate or future purpose of sale, building development or redevelopment, for residential, recreational, industrial, commercial or public uses. The word “subdivide” or any derivative thereof shall have reference to the term subdivision, including mobile home courts, the creation of which constitutes a subdivision of land.
- 2.56** Subdivision Improvements Agreement. One or more agreements which may be accepted by the Board to secure the construction of such public or private improvements as required by these Regulations.
- 2.57** Tract. See 2.26.
- 2.58** Unincorporated Area. That area of the county not within the limits of an incorporated municipality.
- 2.59** Vacation. The termination of, or termination of interest in, an easement, right-of-way, dedicated public land, or subdivision.
- 2.60** Variance. A grant of relief from the requirements of these Regulations as set forth in ARTICLE X.
- 2.61** Wyoming Department of Environmental Quality. WYDEQ or DEQ.
- 2.62** W.S. Wyoming State Statute.

ARTICLE III

SUBDIVISION CLASSIFICATION AND EXEMPTION PROCEDURES

3.1 CLASSIFICATION OF SUBDIVISIONS.

- A) Exempt Divisions as provided under *W.S. 18-5-303*.
- B) Minor Subdivision, which divides land into no more than 5 lots.
 - (i) A division shall **not** be classified as a Minor Subdivision if any of the following conditions exist:
 - 1) The proposed subdivision is part of an original unit of land, which said unit existed prior to April 2, 1996, and has since been subdivided using the Minor Subdivision Regulations adopted November 6, 2001 as amended.
 - 2) The proposed subdivision will be served by a central sewage disposal system or central water supply system that is not owned and operated by a public entity.
 - 3) The land to be subdivided is located within a platted subdivision; unless the proposed lot(s) when added to the existing lot(s), will not be greater than five (5).
 - 4) The land to be subdivided is unsuitable for the Minor Subdivision process outlined in these Regulations.
 - a) Land unsuitable for subdivision shall refer to land, that if subdivided, may be detrimental to the health, safety or general welfare of current or future residents because of potential hazards such as flooding, landslides, steep slopes, rock falls, high water table, polluted or non-potable water supply, high voltage lines, high pressure gas lines, danger from fire or explosion, or other hazardous features.
 - b) The presence of these features does not preclude subdivision approval, provided the hazards are eliminated or will be overcome by design and construction plans approved through the Major Subdivision review process.
- C) Major Subdivision, which divides land into more than 5 lots or which does not meet the conditions for a minor subdivision.
- D) Planned Unit Development (PUD).

3.2 EXEMPTIONS FROM THE PROVISIONS OF THESE REGULATIONS.

A) Unless the method of sale or other disposition is adopted for the purpose of evading the provisions of these Regulations, these Regulations shall not apply to the following subdivisions of land: **(Subsections marked with * are subject to documentation of proper use, implementation, and approval)**

- **(i)* Family Exemption—A division of land made outside of platted subdivisions for the purpose of a **single gift or sale** to a member of the landowner's immediate family, subject to the following requirements:
- 1) A member of the immediate family is limited to any person who is a natural or adopted child, stepchild, spouse, sibling, grandchild, grandparent or parent of the landowner;
 - 2) The purpose of the division is to provide for the housing, business or agricultural needs of the grantee;
 - 3) The land shall have been titled in the name of the grantor for a period of not less than ten (10) years prior to the division;
 - a) Parcels created under this paragraph shall be titled in the name of the immediate family member for whom the division is made for a period of not less than five (5) years unless such parcels are subject to involuntary transfer including, but not limited to, foreclosure, death, judicial sale, condemnation or bankruptcy;
 - 4) No parcel smaller than five (5) acres created under this paragraph shall be further divided unless the owner obtains a subdivision permit pursuant to W.S. 18-5-304;
 - 5) Where the landowner is a corporation and eighty percent (80%) of the shares are held by individuals related by blood or marriage, the sale or gift may be made subject to the provisions of this section to an immediate family member of any shareholder who has owned at least five percent (5%) of the outstanding shares for at least five (5) years continuously before the date of the sale or gift.
- (ii)* A division 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;
- (iii)* A division created by a lien, mortgage, deed of trust or any other security instrument, easements and rights-of-way;
- (iv)* Lands located within incorporated cities or towns;
- (v)* A division created by the sale or other disposition of land to the state of Wyoming or any political subdivision thereof;

- (vi) A division which affects railroad rights-of-way;
 - *(vii) A division which is a sale or other disposition of land for agricultural purposes or affects the alignment of property lines for agricultural purposes;
 - *(viii) A division 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;
 - *(ix) A division which creates cemetery lots;
 - (x) A division created by the acquisition of an interest in land in the name of the husband and wife or other persons in joint tenancy or as tenants in common, and the interest shall be deemed for purposes of this subsection as only one (1) interest;
 - *(xi) 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.
 - (xii) 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) These Regulations shall not apply to the sale or other disposition of land where the parcels involved are thirty (35) acres or larger,
- (i) Subject to the requirement that ingress and egress and utility easements shall be provided to each parcel by binding and recordable easements of not less than forty (40) feet in width to a public road unless specifically waived by the grantee or transferee in a binding and recordable document.
- C) Documentation of the *Proper Use and Implementation of Exemptions*. As stated in Section 3.2, A) above, exemptions (i), (vii), (viii), (ix), and (xi) are subject to the following requirements regarding documentation of the proper use and implementation.
- (i) The applicant shall attest to the use of the exemption on a 24" x 36" tracing linen or a polyester base drafting film and notarized affidavit according to the ALTA/NSPS minimum survey standards and Wyoming Statutes regarding filing and recording (**Appendix F**).
 - (ii) Parcels subject to the exemption shall meet all requirements of Article 3.2, A) & B).
 - (iii) The exempted parcel shall not be further divided without first complying with the provisions of these Regulations.

- (iv) The applicant shall submit the signed notarized documents to the Planning Department for review and administrative approval. The documents shall include an approval signature line and notary line.
 - (1) In the event that the exemption use is questioned or denied by the Planner, then the Planner shall schedule the exemption use for review by the Planning and Zoning Commission at the next regularly scheduled meeting. Following review, the Planning and Zoning Commission shall make a recommendation on the exemption use to the Board of County Commissioners.
- (v) The applicant shall record the approved and signed documents with the County Clerk.
- (vi) Recording the approved and signed exemption documents does not constitute a transfer. To complete the exemption the grantee/grantor must file the appropriate conveyance document with the County Clerk.

ARTICLE IV

APPLICATION REVIEW PROCEDURES

4.1 SUBDIVISION APPLICATIONS.

- A) Pre-Application Conference. The applicant shall meet with the County Planner in a pre-application conference either in person or by a prearranged telephone conference. The conference is necessary to explain Johnson County's subdivision process, policies, and standards of performance before significant expense is incurred by the applicant. The applicant shall submit a Conceptual Drawing and Application (**Appendix A**) at the pre-application conference. If the Conceptual Drawing and Application are complete and consistent with the intent of these Regulations, the Planner shall notify the Planning and Zoning Commission of an upcoming Sketch Plan Review according to 4.1, C).
- B) Deadlines and Notices. All application(s), materials, sketches, plats, and/or plans are to be submitted, unless otherwise stated, at least fourteen (14) days prior to the meeting when said submittals are to be presented to the Commission. All decisions by the Commission shall be transmitted in writing to the applicant within seven (7) business days of their decision.
- C) Sketch Plan Review. Applicants seeking a Subdivision permit shall submit a Sketch Plan along with all supporting documentation to the Planner at least four (4) weeks prior to the Commission meeting to be considered during that meeting. At the meeting, the applicant or a representative shall present the application to the Commission. The Commission shall review the Sketch Plan in conformance with the general design standards and improvement requirements stated in Article V & VI where applicable. The Commission shall make a final decision on the Sketch Plan application within sixty (60) days of its submission. The applicant shall have one (1) year from the date of Sketch Plan approval to present a Preliminary Plat. If the applicant does not complete this action within one (1) year, Sketch Plan approval shall expire, and the applicant will be required to resubmit an application if they desire to continue pursuit of a subdivision permit.
- (i) Commission Action as Applicable.
- 1) Approve the formal Sketch Plan and direct the applicant to prepare a Preliminary Plat and all required documents for the Preliminary Plat Review. A public hearing is required for the Preliminary Plat review; or
 - 2) Conditionally approve the Sketch Plan, stating all applicable conditions; or
 - 3) Request additional information and direct the applicant to resubmit the Sketch Plan with modifications; or
 - 4) Deny the Sketch Plan application.

D) Preliminary Plat. The applicant shall submit the Preliminary Plat, all supplemental information, and any other applicable materials to the Planner at least four (4) weeks prior to the regularly scheduled Commission meeting to be considered as an agenda item during the meeting. The Preliminary Plat review will include a public hearing to receive and/or review public comments. A Preliminary Plat shall only be reviewed if the applicant has published a *Notice of Intent* prior to the Preliminary Plat meeting and the Planner has notified all adjacent landowners (**Article V, 5.2, E), ii & iii**). Approval of a Preliminary Plat shall be effective for one (1) year from the date of approval. If the applicant does not complete this action within one (1) year, Preliminary Plat approval shall expire, and the applicant will be required to resubmit an application if pursuit of a subdivision permit is desired.

(i) Commission Action as Applicable.

- 1) Approve the Preliminary Plat and supplemental information and direct the applicant to prepare the Final Plat and submit the final supplemental information; or
- 2) Conditionally approve the Preliminary Plat, stating all applicable conditions and direct the applicant to prepare and submit a Final Plat and supplemental information incorporating all conditions; or
- 3) Deny the Preliminary Plat.

E) Final Plat. The Final Plat shall conform to the approved or conditionally approved Preliminary Plat, supplemental information, and the requirements of these Regulations. The applicant shall submit the Final Plat, plans, and all final supplemental information to the Commission at least four (4) weeks prior to the Final Plat review meeting. If the Final Plat is not submitted within one (1) year of the Preliminary Plat approval, or a time extension is not granted, the applicant will be required to resubmit an application. The Commission shall make its decision within 45 days of the meeting at which the Final Plat was initially reviewed.

(i) City or Town Approval if Applicable. For any subdivision within one (1) mile of an incorporated city or town, approval of the governing body of the city or town must be obtained in accordance with *W.S. 18-5-308*. Signature by the City Clerk and Mayor shall constitute approval.

(ii) Commission Action as Applicable. Signature on the Final Plat by the Commission chairperson shall constitute the Planning and Zoning Commission's final approval.

- 1) Approve the Final Plat and all supporting materials.
 - a) Direct the Planner to present the Final Plat and supporting materials to the Board of County Commissioners for consideration; or

- 2) Conditionally approve the Final Plat and supporting materials, stating all applicable conditions; or
 - 3) Deny the Final Plat, stating reasons for denial.
- (iii) Board Action as Applicable. The Planner shall present the signed plat to the Board for a decision on the Subdivision Application at the next regular Board meeting. Alternatively, the Board may set a special meeting to address the Final Plat. The Board shall make its decision within thirty (30) days after the meeting at which the Final Plat is considered. Final approval shall not be granted until all conditional matters relating to the subdivision have complied with these Regulations.
- 1) Approve the Final Plat and supporting materials and issue a Subdivision Permit if it finds the proposed subdivision conforms to the requirements for a Subdivision; or
 - a) Signature on the Final Plat by the Chairperson shall be withheld until the applicant has furnished proof of construction and completion of all required improvements as required by these Regulations.
 - 2) Conditionally approve the Final Plat and supporting materials, stating all applicable conditions; or
 - 3) The Board shall deny the Final Plat and final plans if it finds the proposed subdivision does not conform to the requirements for a Subdivision, stating reasons for denial.
- (iv) Recording of Final Plat. No Final Plat shall be recorded until the Board has approved the release of the Development Agreement. The applicant shall record the Final Plat in the Johnson County Clerk's office after the Board has signed the Final Plat.
- (v) Recording Fees. Applicable fees for recording Final Plats and accompanying documents are collected by the Johnson County Clerk's office.

ARTICLE V

SUBDIVISION PLAT REQUIREMENTS

5.1 SKETCH PLAN.

- A) Purpose. The purpose of the Sketch Plan is to present the subdivision proposal. Submittal of the Sketch Plan will start the application process.
- (i) The applicant shall submit an application (**Appendix A**) and a Sketch Plan of the proposed subdivision to the County Planning and Zoning Commission prior to the submission of a Preliminary Plat. The Commission shall review the Sketch Plan with regard to the design standards and improvement requirements stated herein.
- B) Sketch Plan Contents. Six (6) 11x17 copies and one (1) 24x36 copy of the Sketch Plan shall be submitted and prepared to include the following:
- (i) A map showing the general location of the subdivision and the total development area, the property boundaries of the area, and the North arrow.
 - (ii) Topographic contours from available information, such as USGS maps.
 - (iii) A map showing significant natural and man-made features on the site or immediately adjacent to the site.
 - (iv) The acreage of the development area.
 - (v) A layout showing the lots, streets, open space, off-street parking, and general scaled dimensions of the lots.
 - (vi) If applicable, the proposed location of temporary access roads to be constructed.
 - (vii) Type of water system proposed, including general information pertinent to the history of the water system (i.e., water rights, quality of water, etc.).
 - (viii) Type of sewer system proposed.
 - (ix) General information concerning streams, lakes, vegetation, and other natural features on and near the property to be divided. Explanation of how the proposed development would deal with these natural features.
 - (x) A list of all adjacent landowners with current name(s) and mailing addresses.
- C) Conservation District Review. The applicant shall submit a copy of the Sketch Plan and application to the local Conservation District to obtain review and

recommendations from the District regarding soil suitability, erosion control, sedimentation, and flooding problems.

- (i) The Conservation District review and recommendations shall be completed within 60 days of receiving the application. If no review or recommendations are received, the requirement shall be considered by the county as being “no concern”.
 - (ii) The information from this review shall be presented to the Commission at the Preliminary Plat review meeting
- D) **Fire District Review.** **Not applicable to a Minor Subdivision.** The applicant shall submit a copy of the Subdivision Sketch Plan to the local Fire District having jurisdiction over the area so the District may perform a Fire Risk and Mitigation Assessment for the proposed subdivision.
- (i) The applicable Fire District shall have sixty (60) days from their receipt of the proposed subdivision Sketch Plan to perform a Fire Risk Assessment, prepare a Fire Mitigation, and submit such assessment and plan, with recommendation, to the Commission. The Fire District shall use the Fire Risk Assessment and Mitigation Plan form (**Appendix C**) and other appropriate measures to assess fire risk. If the applicable Fire District fails to accomplish these actions within sixty (60) days, the requirement shall be considered by the county as being “no concern”.
 - (ii) The information from the Fire District review and mitigation plan shall be reviewed by the Commission at the Preliminary Plat review meeting.
- E) **Municipal Review and Approval.** If the subdivision is within 1 mile of any incorporated municipal boundary, the applicant shall submit the necessary documentation as required by the incorporated city or town for Final Plat approval.
- F) **Sketch Plan Review Fee.** The Sketch Plan Review Fee, as set by resolution by the Board of County Commissioners, shall accompany the Sketch Plan and Subdivision Application.
- G) **Sketch Plan Checklist.** The applicant shall submit two copies of the properly completed Sketch Plan Checklist (**Appendix H**). Incomplete or incorrect checklist information may result in the removal of the subdivision from the Commission meeting agenda.

5.2 **PRELIMINARY PLAT.**

- A) **Purpose.** The purpose of the Preliminary Plat is to review and check the proposed subdivision against the design standards and improvements stated herein.
- B) **Drawing Requirements.** The accuracy and location of alignments, boundaries, and monuments shall be certified by a registered land surveyor licensed in the State of Wyoming. A poorly drawn or illegible plan is sufficient cause for its rejection.

- (i) Name and address of the landowner/subdivider, the designer/developer of the subdivision, and the registered engineer or surveyor licensed by the State of Wyoming, and date of map preparation.
- C) Preliminary Plat Requirements. Six (6) copies of the completed Preliminary Plat shall be submitted and shall conform to the following;
- (i) Required sheet size is 24 inches by 36 inches and where necessary multiple sheets shall be submitted.
 - (ii) Name of subdivision shall not duplicate an existing subdivision name.
 - (iii) Map scale shall be 1"=100' or less, or 1"=200' where the minimum lot size is five acres or larger.
 - (iv) Contain a north arrow and Basis of Bearing.
 - (v) Total area to be subdivided.
 - (vi) Lot and Street layout with lots and/or blocks numbered consecutively.
 - 1) Dimensions of all lots to the nearest foot (may be scaled).
 - (vii) Name, location, and dimensions of all existing, or recorded roads, alleys, easements, right-of-way, section lines, and other similar features within and adjacent to the proposed subdivision.
 - 1) Names for proposed streets and/or roads shall not duplicate any name used for a road, or used in the Johnson County rural addressing system, or used in any other County subdivision unless it is an extension of an existing named road.
 - (viii) The location of all existing and proposed water and sewer lines and other utilities. Include all existing surface or underground improvements such as buildings, fences, other structures, utilities, pipelines, etc.
 - (ix) Survey plat description of the perimeter of the proposed subdivision including ties to existing section monuments of record and description of monuments. The survey plat shall have an error not greater than one part in 10,000.
 - (x) A vicinity sketch map at the scale of 1"=1,000' or 1"=2000' showing the perimeter outline of the plan and man-made or natural features of the surrounding area, as well as adjoining property lines.

- (xi) Existing contours at two (2) foot intervals for predominant ground slopes between level and ten (10) percent grade, and five (5) foot contours for predominant ground slopes over ten (10) percent grade. Elevations where possible, shall be referenced to USGS control. Where minimum lot size is greater than ten acres, ten (10) foot intervals adopted from USGS topographic maps may be accepted.
 - (xii) Proposed sites, if applicable, for multi-family residences, commercial, industrial, quasi-public uses, and single-family residential uses.
 - (xiii) Sites to be reserved for parks, playgrounds, schools, common facilities, and/or open space.
 - 1) A statement as to the maintenance of these areas along with appropriate dedication.
 - (xiv) General location within the subdivision of any area of trees, streams, lakes, or other natural features. In heavily wooded areas, indicate the outline of the wooded area adapted from available information such as aerial photographs or USGS mapping. The intent of this provision is to assist in the overall design of the subdivision.
 - (xv) Other information required for review by the Commission.
- D) Preliminary Plat Review Fee. A Preliminary Plat Review Fee, as set by resolution by the Board of County Commissioners, shall accompany the Preliminary Plat.
- E) Supporting Documents Required. Two (2) copies of all supporting documents are required unless otherwise noted. **The Minor Subdivision supporting documentation is only required for 5.2, E), (i), (ii), (iii), (v), (vi), (vii), (viii), (xi), and (xii) as noted below, if applicable.**
- (i) Proof of property ownership where the proposed subdivision is located.
 - (ii) Proof, by Affidavit of Publication, that the applicant has published a Notice of Intent to Subdivide in a newspaper of general circulation within Johnson County once each week for two (2) consecutive weeks within thirty (30) days prior to submitting a Preliminary Plat. An example newspaper notice can be found in **Appendix D** and shall include the following:
 - 1) The name of the applicant and/or subdivider; and
 - 2) Location of the subdivision by Section, Township and Range, and a general reference to a road or distance from nearest municipality; and
 - 3) A description of the proposed subdivision; the number of lots, range of lot sizes, and the total number of acres involved; and
 - 4) The date of the public hearing.

- (iii) Original copies of the signature return cards proving that all adjacent landowners have been notified of the Intent to Subdivide. The Planner shall send certified letters within thirty (30) days prior to the Preliminary Plat review meeting. The notice shall contain the same information required in **Article 5.2, E), ii**. An example letter can be found in **Appendix D**. The applicant shall be billed for the cost of the mailing.
- (iv) A study evaluating the water supply system(s) and the sewage treatment system(s). The study shall include the description and plans for the water source and sewage treatment for the development, to include information on water quality, water rights, distribution system(s), and other significant water and sewer information as required by *W.S. 18-5-306*.
 - 1) Copies of water supply system and sewage system study, report, and/ or applications submitted to the WYDEQ and the State Engineer as required by *W.S. 18-5-306*, WYDEQ Rules and Regulations, and the State Engineer Rules and Regulations.
- (v) If applicable, copies of the application submitted to the Wyoming State Engineer regarding any water rights appurtenant to the lands to be subdivided as required by *W.S. 18-5-306, a, xi* and **Article VI, 6.11**.
- (vi) If applicable, proof that any plans have been submitted to all applicable ditch or irrigation companies or associations, unorganized ditch users, or irrigation districts as required by *W.S. 18-5-306, a, xi* and **Article VI, 6.11, B)**.
- (vii) Copies of the local Conservation District review and recommendations relative to the soils on the proposed subdivision property.
- (viii) Covenants relating to the creation of a Homeowner's Association (HOA) or other instruments creating an entity, binding on subsequent owners of the land within the subdivision. This documentation shall create a legally binding entity to maintain all common elements proposed for the subdivision and the continued management of the HOA or entity. The covenants or entity shall be approved by the Commission and the Board.
- (ix) Summary of:
 - 1) Total number of proposed dwellings and other improvements;
 - 2) Total number of off-street parking units, if commercial or multi-family dwellings are contemplated;
- (x) Written statement outlining the considerations that have been given to the maintenance of quality of life and scenic beauty in the area. These might include maintaining open lands and vistas, avoiding building on the skyline or hilltops, avoiding disturbing the local natural beauty, compatibility with surrounding land uses, natural landscaping, non-intrusive home siting, etc.

- (xi) Any other information, consistent with these Regulations, other appropriate state laws, or other county rules and regulations, pertinent to the evaluation of the application.
 - (xii) Two (2) copies of the properly completed Subdivision Preliminary Plat Checklist (**Appendix H**). Incomplete or incorrect checklist information may result in the removal of the subdivision application from the Planning and Zoning Commission meeting agenda.
- F) Distribution of Additional Copies. The applicant shall distribute copies of the Preliminary Plat to other entities/agencies that may serve the subdivision. Each entity/agency is requested to submit comments with thirty (30) days of receiving the Preliminary Plat. If no comments are received, the requirement shall be considered by the County as being of “no concern”.
- (i) Copies shall be distributed as follows:
 - 1) To the school district;
 - 2) To the Johnson County Road and Bridge Department and/or the Wyoming Department of Transportation (WYDOT) if applicable;
 - 3) To all utility, applicable special districts, improvement or service districts, and ditch companies that cross the proposed subdivision or that will or may provide services to the proposed subdivision; and
 - 4) When applicable, to the Wyoming Geological Survey for an evaluation of those geologic factors which may have significant impact on the proposed use of the land.

5.3 **FINAL PLAT.**

- A) Purpose. The purpose of the Final Plat is to review and check the proposed subdivision against the specific design standards and improvements stated herein. The Final Plat shall:
- (i) Conform to the conditionally approved Preliminary Plat.
 - (ii) Include all changes specified on the Preliminary Plat as required by the Commission.
 - (iii) Include original Plat, one (1) 24 x 36 inch copy and six (6) 11 x 17 inch copies of the Final Plat, and two (2) copies of all required supporting documents. The Commission may request additional copies if needed.
- B) Drawing Requirements. The Plat shall be prepared, certified, and properly sealed by a registered land surveyor licensed in the State of Wyoming. An illegible plat is sufficient cause for its rejection.

- (i) The Plat shall be delineated in black drawing ink, on an acceptable photographic, or other kind of reproducible good quality polyester base film, and be 24 inches by 36 inches.
 - (ii) Where necessary, multiple pages shall be submitted covering reasonable portions of the subdivision. Multi-page Plats shall include a key map indicating the sections covered and each page shall be numbered accordingly to include title, legend, match lines and other appropriate information.
- C) Final Plat Contents. The Final Plat drawing shall contain the following:
- (i) Name of the subdivision, relative north arrow, and date;
 - (ii) Name of the landowner(s);
 - (iii) Total acreage of subdivision, total number of lots or tracts, and average lot size;
 - (iv) Township, range, section, and principle meridian;
 - (v) Graphic scale made at a scale of 1"=100' or less. Where lot size is greater than 5 acres a scale of 1"=200' may be used;
 - (vi) Acreage to nearest one-hundredth acre of each lot or tract.
 - (vii) The perimeter survey description of the proposed subdivision shall include at least two ties to existing section monuments of record, a description of monuments, and a Basis of Bearing.
 - (viii) The bearings, distances and curve data of all perimeter boundary lines shall be indicated outside the boundary line, not inside, with the lot dimensions.
 - (ix) When the plat is bounded by an irregular shoreline or a body of water, the bearings and distances of closing meander traverse should be given and a notation made that the plat includes all land to the centerline of the stream.
 - (x) On curved boundaries and all curves on the plat, sufficient data shall be given to enable the re-establishment of the curves on the ground. This curve data shall include the following:
 - 1) Radius of the curve;
 - 2) Central angle;
 - 3) Arc length;
 - 4) Notation of non-tangent curves;

5) Long Chord Bearing and Distance.

- (xi) All blocks and all lots within each block should be consecutively numbered.
- (xii) All dimensions or irregularly shaped lots shall be indicated in each lot.
- (xiii) Bearings and lengths shall be given for all lot lines, except where interior lot lines have the same bearing and length as both end lot lines.
- (xiv) Lengths shall be shown to hundredths of a foot, and angles and bearings shall be shown as degrees, minutes, and seconds.
- (xv) All roads, streets, sidewalks, and alleys shall be designated. Roads and streets shall be named with bearings and dimensions shown.
- (xvi) All easements shall be designated as such and bearings and dimensions shown.
- (xvii) Non-contiguous parcels shall be shown on a separate Plat. No more than one plat be made on the same sheet. Contiguous parcels owned by different parties shall be embraced in one plat.
- (xviii) Excepted parcels shall be marked “**EXEMPT**” and the boundary completely indicated by bearings and distances. Exempt areas shall meet all criteria of **Article III** of these Regulations.
- (xix) All Plat Warnings shall appear under the heading “**PLAT WARNINGS**” printed in bold capital letters. Plat warnings are listed in **Appendix E**. During the review process, the Commission shall deem which plat warnings are appropriate for each subdivision.

D) Monuments

- (i) Permanent reference monuments shall be set on the external boundary of the subdivision, for all lot and block corners, at all geometry points, and intersecting lot lines with street rights-of-way and/or street easements.
- (ii) Subdivision boundary control and monumentation shall, unless otherwise modified herein, comply with the most recent applicable portions of the “Guidelines for the Profession Practice of Land Surveying” as published by the Wyoming Association of Consulting Engineers and Surveyors. The survey shall have a minimum closure error of 1:10,000 for the perimeter and all interior lots.
- (iii) Where section lines or aliquot lines form part of the boundary of a subdivision, these lines shall be legally established and monumented as per the “BLM Manual of Surveying Instruction for The Survey of Public Lands,” and the pertinent reference information shall be shown on the Plat.

- E) Certification and Approval Statements. Dedication and approval statements are in **Appendix G.**
- F) Final Plat Review Fee. A Final Plat Review Fee payment, as set by resolution by the Board of County Commissioners, shall accompany the Final Plat.
- G) Final Plat Supplemental Information. The following items must accompany the Final Plat, as applicable: **Minor subdivisions are exempt from requirements 5.3, G), (i).**
 - (i) Water and Sewage Report, design plans, and/or application(s) with the approval of the WYDEQ where centralized water and/or sewage treatment is proposed. If this report was submitted with the Preliminary Plat, disregard this section providing no major changes have been made.
 - 1) Certification by a licensed Wyoming engineer that the adequacy and safety of the domestic water source intended to be used for the subdivision, and that the plan for domestic water supply meets county, state, and federal standards. If no domestic water source is proposed, the words “NO PROPOSED CENTRAL WATER SUPPLY SYSTEM” in bold capital letters shall appear on all offers, solicitations, plats, advertisements, contracts, and agreements relating to the subdivision.
 - 2) Certification by a licensed Wyoming engineer that the safety and adequacy of the proposed sewage disposal system relative to the topography, population density, soil conditions, and watersheds located on, or draining into or over, the proposed subdivision. If no public sewage disposal system is proposed, the words “NO PROPOSED CENTRALIZED SEWAGE SYSTEM” in bold capital letters shall appear on all offers, solicitations, plats, advertisements, contracts, and agreements relating to the subdivision.
 - (ii) Evidence that the applicant has complied with all the Irrigation Water requirements required by these Regulations.
 - (iii) Other required documents, including special improvement district documents, maintenance bonds, special agreements, approvals from ditch companies, WYDOT, cities, towns, or other entities that are involved. All documents are to be in a form acceptable to the County Attorney and the Board.
 - (iv) An approved and signed copy of the state highway or county road access permits.
 - (v) Evidence that a sixty (60) foot Right-of-Way has been provided to all lots and that all proposed streets, alleys, and roadways within the subdivision conform to the minimum standards adopted by the Board. In the event these Regulations conflict with the minimum standards adopted by the Board, the terms of these Regulations shall apply. This shall not constitute consent of the Board to locate, repair, or maintain roadways and facilities.

- 1) When a subdivision road or easement must cross other private property or public property, a copy of appropriate road dedication, easement, special use permit or equivalent document shall be submitted.
 - 2) If the subdivider proposes to make any streets, alleys, or roadways private, the subdivider shall submit to the Board properly acknowledged written certification that certain streets, alleys or roadways within the subdivision shall remain private and that the Board shall be under no obligation to repair, maintain, or accept any dedication of such roads to the public use.
- (vi) Subdivision Improvements Agreement or other agreements or contracts to assure construction of all required and proposed improvements prior to any lot sale.
- (vii) If required by Wyoming Statute, final proposed covenants.
- 1) The Final Plat shall contain the County Clerk's office book and page filing reference for the covenants.
- (viii) If required by Wyoming Statute, proof of the legal establishment of a Homeowner's Association or equivalent, for the purpose of maintaining roads, centralized sewer systems, central water supply systems, irrigation facilities, open space, parks, and/or other similar common facilities.
- 1) The Homeowner's Association or equivalent shall provide for:
 - a) Adequate funding and means for enforcement;
 - b) Continuous health and safety inspections and immediate follow-up maintenance to correct unsafe conditions;
 - c) The receiving and processing of complaints;
 - d) Regular maintenance program as required for roads, parks, buildings, firefighting water sources and related facilities, road and emergency signage, and other mutually owned facilities.
- (ix) Evidence that:
- 1) The applicant or his agent who offers any part of the subdivision for sale or who solicits any offers for the purchase thereof, may convey merchantable title, subject to:
 - a) Noted reservations or restrictions of record;
 - b) A proportionate share of real property taxes or assessments charged or assessed for the year in which any such sale may be legally affected.

- 2) Binding arrangements have been made by the person offering any part of the subdivision for sale, directly or through an agent, to assure purchasers of any part of the subdivision that, upon full payment of the purchase price, a deed can and will be delivered conveying merchantable title, subject to:
 - a) Noted reservations or restrictions of record and is free of encumbrances not specifically assumed by the purchaser;
 - b) A proportionate share of such taxes and assessments thereon as may be levied or assessed for the year in which such sale may be legally affected.
 - 3) The applicant 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.
 - a) No lot shall be transferred from the subdivider, until it is determined by the Board that all improvements proposed have been installed and/or constructed in compliance with these Regulations.
- (x) A digital copy of the subdivision that conforms to the following standard:
- 1) The Plat shall be submitted in a digital format and/or a GIS file for use in the County GIS system. The file shall include coordinate data and/or digital data with the ties to the Public Land Survey System. The information shall be projected in Wyoming State Plane Coordinate System, East Central Zone, NAD 83, US Feet.
- (xi) Two copies of the properly completed Subdivision Final Checklist (**Appendix H**). Incomplete or incorrect checklist information may result in the removal of the subdivision application from the Planning and Zoning Commission meeting agenda.

ARTICLE VI

SUBDIVISION DESIGN STANDARDS

* **Minor Subdivisions are exempt from ARTICLE VI except the following subsections: 6.1-6.3; 6.9; 6.11 B) as applicable; 6.13 as applicable.**

6.1 PLANNING CONSIDERATIONS. When reviewing all proposed subdivision plats, the Commission shall consider the following:

- A) The requirements outlined in these Regulations.
- B) Suitability of topography for the proposed development as related to;
 - (i) Flood potential;
 - (ii) Storm drainage;
 - (iii) Hazards such as, but not limited to, landslides, rock falls, subsidence, shallow water table, polluted water supplies, or open quarries.
- C) Hazards, including flooding shall be identified. Plans for the elimination and/or mitigation of said hazards shall be included in the Final Plat supporting documentation.
 - (i) Land subject to flooding shall be set aside for uses which will not aggravate the danger of flood hazard, will not be endangered by flooding, or will not endanger the general health, safety, or welfare of the county residents.
- D) Preservation, as practicable, of natural features such as terrain, open space, natural drainages, topsoil, vegetation, fish, and wildlife.
- E) Floodways, natural areas, schools, parks, open spaces, and future road rights-of-way shall be reserved and located according to good planning practices and principles.
- F) Where an entire parcel is not subdivided, the subdivider must indicate intentions for disposition of the remainder of the parcel.
- G) The Subdivision Improvement Chart (**FIGURE 6.1**) shall be used to determine improvements required within a subdivision.

Subdivision Improvement Chart				
Density Group	1	2	3	4
Lot Size	Less Than 1 Acre	1-2.49 Ac	2.5-4.99 Ac	5-34.99 Ac
Sewer (Public or Community)	R			
Water (Public or Community)	R			
Curb, Gutter, & Sidewalk	M			
Pedestrian Walkway				
Fire Protection	R+	M	M	M
Street Lighting	M			
Underground Utilities	R	R	R	
Gravel, Street Pavement, Asphalt or Concrete, and access approaches	RS	RS	RS	RS
WYPDES-Storm Water Permitting	R	M	M	M

FIGURE 6.1

R = Required

M = May be required

RS = Road & Bridge Standards

R+ = Urban Fire Protection (City Style Hydrants)

6.2 LOT, BLOCK, AND PARKING STANDARDS.

- A) The lot size, width, depth, shape and orientation shall be appropriate for the location of the subdivision, for the type of development, and proposed use.
- B) Depth and width of properties shall be adequate to provide for the off-street service and parking facilities required by the type of use and development proposed.
- C) Corner lots shall have extra width to permit appropriate building setbacks from, and orientation to, both adjacent roads.
- D) Double frontage and reverse frontage lots should be avoided except where it is essential to provide separation of residential development from major arterial roads/streets to overcome specific disadvantages of topography and orientation.
- E) Each lot shall have satisfactory access to an approved public or private road right-of-way not less than sixty (60) feet wide.
- F) Side lot lines shall be substantially at right angles, or radial to, road right-of-way lines or centerlines.
- G) No lot shall be divided by a road, alley or other lot.
- H) In the case of irregular or wedge-shaped lots, no lot shall be less than thirty (30) feet wide at the front property line.
- I) No portion of any lot shall lie within any street, road, or highway right-of-way.

- J) Block lengths shall be designed to provide for convenient access and circulation of emergency vehicles when applicable.
- K) Off-street parking shall not be less than two hundred (200) square feet in area.

6.3 STREET STANDARDS. Applicable road and bridge design requirements are set forth in Johnson County Road & Bridge Standards, Subdivision Road & Bridge Standards, adopted May 25, 2008.

- A) The developer's engineers shall also consider soil, water, and any other conditions necessary for the design and construction of serviceable roads. These include but are not limited to:
 - (i) Minimum design standards;
 - (ii) Minimum useable surface width;
 - (iii) Maximum grade, load limits, and surfacing requirements.
- B) Additionally, the following apply to all proposed subdivision streets/roads:
 - (i) Local streets shall be laid out to discourage excessive through traffic.
 - (ii) Intersections of local streets with external streets shall be kept to a minimum.
 - (iii) No more than two (2) streets shall intersect at one point to avoid hubs.
 - (iv) Where a residential subdivision abuts a major highway, service roads may be required. Driveways from subdivision lots shall not be permitted to have direct access to highways or county roads unless approved by the Commission or WYDOT, as applicable.
 - (v) All subdivisions which adjoin county roads shall have a building setback from the road centerline of not less than one hundred (100) feet.
 - (vi) All subdivisions which adjoin asphalt surfaced roads shall have the access road paved from the county or state roadway to the property line of the subdivision.
 - (vii) Street names shall be unique, there shall be no duplication of street names within the County unless it is an extension of an existing street or road.
- C) Minimum Subdivision Road Right-of-Way shall be sixty (60) feet.
- D) Other Standards.
 - (i) All excess material such as boulders, felled trees, limbs and roots, resulting from the construction of roads or other required improvements shall be

disposed of in a manner approved by the Board. Arrangements for the disposal of such materials shall be provided for in the Subdivision Improvement Agreement or other agreements or contracts approved by the County Attorney and the Board.

6.4 CURBS AND GUTTERS.

- A) Curb and gutter may be required where a development is contiguous to a municipality which requires curb and gutter for the type of development proposed. Design of curb and gutter shall conform to that of the contiguous city or town.
- B) If a development will be served by municipal water and/or sewer, the Board may require the construction of curb and gutter that conforms to that of the municipality providing said utility.

6.5 SIDEWALKS.

- A) Sidewalks are required under the following circumstances:
 - (i) Where a development is contiguous to a municipality which requires sidewalks for the type of development proposed. The design shall conform to that of the contiguous municipality.
 - (ii) Along roads where pedestrian usage is anticipated.
 - (iii) In all cases where school site designation is required.
- B) Sidewalk design:
 - (i) Sidewalks shall be located adjacent to the street curb.
 - (ii) The minimum width of the sidewalk shall be four (4) feet including street curb.
 - (iii) The sidewalk installation shall be in compliance with the Wyoming Public Works Standard Specifications.

6.6 PEDESTRIAN WALKWAYS.

- A) Pedestrian walkways may be required to provide access to parks or open spaces, schools or other similar areas where pedestrian circulation is needed. Ten (10) foot easements may be required.

6.7 STREET LIGHTING.

- A) Street lighting capable of illumination of streets, sidewalks, and pedestrian walkways for safe movement of vehicles and pedestrians at night may be required under the following circumstances:

- (i) Where densities are greater than six (6) units per acre and/or;
- (ii) Where the development is contiguous with a municipality which requires streetlights. City standards may apply when requested by applicable municipalities.

6.8 ALLEY STANDARDS.

- A) Service access to the interior of blocks may be permitted in certain instances, in which case, such alley must be indicated on the Plat. Where alleys are platted, a minimum width of twenty (20) feet shall be required.

6.9 UTILITY AND EASEMENT STANDARDS. Telephone lines, electric lines and similar utility services shall be placed underground. The subdivider shall be responsible for complying with the requirements of this section, and shall make the necessary arrangements, including any construction or installation charges, with each of the serving utilities for the installation of such facilities. Utilities shall be subject to all other applicable County and State regulations. **Minor Subdivisions are exempt from utility installation requirements but are required to have appropriate easements as required below.**

- A) Utility easements shall have the following minimum widths, when required:
 - (i) Eight (8) feet on each side of abutting rear or side lot lines.
 - (ii) Ten (10) feet on perimeter rear lot lines adjacent to un-subdivided property.
 - (iii) Five (5) feet on side lot lines.
 - (iv) Ten (10) feet on front lot lines
- B) If the location of utility easements adjacent to rear property lines are unsuitable for use by utility companies due to drainage or other obstructions, the subdivider shall provide copies of binding easements of not less than twenty (20) feet wide across each property owner whose land said utility crosses.
- C) Easements shall be designed to provide efficient installation of utilities and be located to allow multiple installations within the appropriate area.

6.10 SEWER STANDARDS. These standards are in addition to the Wyoming Department of Environmental Quality, Water Quality Division (WYDEQ/WQD) sewer study included in the supplemental information and are required by *W.S. 18-5-306* and WYDEQ/WQD Rules and Regulations.

- A) In all new subdivisions, it is recommended that public sewer, public sewage disposal systems, or a community type sewage disposal system be provided. Subdividers interested in land development should investigate sewage disposal options prior to land acquisition.

- B) All subdivisions proposing public or community sewage systems shall have plans and specifications approved and obtain a permit from the WYDEQ/WQD prior to construction. The sewage system shall also meet all adopted rules and regulations of Johnson County.
- C) All subdivisions proposing on-lot sewage disposal systems shall require a plat warning that a permit be obtained from the WYDEQ/WQD and/or Johnson County prior to installation of the system.
- D) A plan for financing and constructing the entire sewage collection system of the proposed subdivision must be provided.
- E) Any subdivision which is located within one (1) mile of an incorporated municipality, and is not served by an existing sanitation district, may be required to construct the sanitation system in accordance with specifications acceptable to the municipality.

6.11 WATER STANDARDS. These standards are in addition to the Wyoming Department of Environmental Quality, Water Quality Division (WYDEQ/WQD) water study included in the supplemental information and are required by *W.S. 18-5-306*, WYDEQ/WQD Rules and Regulations, and the Wyoming State Engineer Rules and Regulations.

A) Potable Water Systems.

- (i) Water supply systems shall be provided as per **FIGURE 6.1**.
- (ii) The internal distribution system shall be designed to meet initial and future extensions to the original system.
- (iii) The subdivider shall submit a study evaluating the water supply system proposed for the subdivision and the adequacy and safety of the system. Plans and specifications for community potable water supply systems and water distribution systems shall meet the approval of the WYDEQ/WQD and the Wyoming State Engineer.

B) Irrigation Water.

- (i) Disposition of water rights on all proposed subdivisions shall be provided to the Commission prior to Final Plat approval. Relative to any water right on proposed subdivided land, the following shall apply:
 - 1) Evidence that the subdivider has submitted to the Wyoming State Engineer documentation necessary to relinquish the water rights and has notified purchaser of lots and the Board of this action; OR
 - 2) Evidence that the subdivider has submitted to the State Engineer documentation necessary to change the use, place or use or point of, diversion to provide for beneficial use of the water rights outside the subdivision; OR

- 3) A plan, a copy of which was submitted to and approved by the State Engineer prior to the final approval of the subdivision application, for the distribution of the water rights 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 point of diversion or means of conveyance in accordance with *W.S. 41-3-102, 31-3-104 or 41-3-114*.
- (ii) If the proposed subdivision is located within lands, served by or crossed by a ditch, irrigation company or association, or by an unorganized ditch, evidence that the plan has been submitted, at least sixty (60) days prior to the submittal of the Final Plat, to the company, or association, or the remaining appropriators in the case of an unorganized ditch for their review and recommendations.
 - (iii) Evidence that the subdivider will specifically state on all offers and solicitation relative to the subdivision;
 - 1) Intent to comply with this paragraph;
 - 2) The seller does not warrant to a purchaser that he shall have any right to the natural flow of any stream within or adjacent to the proposed subdivision.
 - 3) 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.
 - (iv) If the proposed subdivision is located within the boundaries of an irrigation district that is subject to the provisions of *Title 41 Chapter 7* of the Wyoming Statutes, the application shall include a review and recommendation from the irrigation district regarding the attached water rights and the irrigation district's easements.
 - 1) If there is a conflict with the irrigation district's recommendations, the applicant shall certify that it has met with and made a good faith effort to resolve any conflicts with the irrigation district.
 - (v) If the proposed subdivision will create a significant additional burden or risk of liability to the irrigation district, company, association, or remaining appropriators including appropriators on an unorganized ditch, the applicant shall provide an adequate and responsible plan to reduce or eliminate the additional burden or risk of liability.
 - (vi) A reproducible copy of the Final approved Plat with all the signatures is needed by the State Engineer's Office on each subdivision where the water is to be retained for use on the subdivision. The State Engineer's Office will then be able to record the subdivision plat with the appropriate permit.

C) Storm Water & Run Off Plans.

- (i) All proposed subdivisions shall have a storm water plan as required by Wyoming Department of Environmental Quality, WYPDES Storm Water Permitting requirements as applicable.

6.12 FIRE SAFETY STANDARDS.

A) All proposed subdivisions shall have a Fire Risk and Mitigation Assessment (**Article V, 5.1, D**) by the local Fire District having jurisdiction over the area.

B) Subdivision lots shall have building envelopes specified on the Preliminary and Final Plats to prevent building sites on top of 30% or greater slopes and to prevent building sites in steep, narrow canyons.

C) Firefighting Water Sources.

- (i) All areas served by municipal, district, or community water distribution systems shall provide fire hydrants when the proposed densities will be two or more dwelling units per acre.

1) Hydrants shall be served by water lines constructed to the standards specified by WYDEQ/WQD, Rules and Regulations.

2) Fire hydrants shall be located as required. The hydrants shall be approved by the County Fire District. All components of the fire hydrant system shall be constructed in accordance with the National Fire Protection Association publication “Standard for the Installation of Private Fire Service Mains and Their Appurtenances”, NFPA 24, 2019 Edition.

- (ii) All subdivisions not subject to the requirements above, shall meet the following fire safety requirements (**See FIGURE 6.1**):

1) Proximity to a firefighting water source.

a) A legally useable firefighting water source shall be available within five (5) road miles of the proposed subdivision when all routes between such proposed subdivision and the firefighting water source are county-maintained roads or roads maintained to minimum county standards.

b) A legally useable firefighting water source shall be available within three (3) miles of the proposed subdivision when some or all routes between such proposed subdivision and the firefighting water source are not county-maintained roads or not maintained to minimum county road standards.

- 2) The firefighting water source shall have a recharge capability of 500 gallons per minute, or water storage of 1,000 gallons per subdivision lot, with a minimum storage of 3,000 gallons and a maximum storage of 30,000 gallons.
 - 3) Water storage tanks shall be constructed and installed in accordance with standards of the National Fire Protection Association publication, "Standard on Water Supplies for Suburban and Rural Fire Fighting, NFPA 1142, 2017 Edition."
 - 4) If an open water source such as a stream, pond or lake is used as firefighting water supply, such source shall be equipped with a dry hydrant to accommodate water extraction. Dry hydrants shall be constructed and installed in accordance with standards of the National Fire Protection Association publication, "Standard on Water Supplies for Suburban and Rural Fire Fighting", NFPA 1142, 2017 Edition.
 - 5) All firefighting open water sources and storage tanks shall have legal access to accommodate large emergency vehicles. Such accesses shall be constructed to Johnson County's minimum standards for subdivision streets.
 - 6) All firefighting water sources within the proposed subdivision shall be identified with signage. All letters, numbers and symbols used on such signage shall be a minimum of four (4) inches high, with a one-half inch stroke, and shall be reflectorized with a blue background and white letters. Signs shall be visible from the road and shall be mounted six (6) to eight (8) feet above the surface of the road, unless local conditions or the local Fire District prescribes otherwise. All signs and supporting structures shall be of noncombustible materials.
- (iii) The applicant shall provide written certification from a professional engineer, licensed in the State of Wyoming, that all required firefighting facilities, including, but not limited to, water storage, dry hydrants, and fire hydrant systems have been designed in accordance with standards specified in these Regulations.

6.13 SUBDIVISION IMPROVEMENTS AGREEMENT.

- A) No Final Plat shall be approved until the applicant has submitted and the Board has approved the following:
 - (i) A Subdivision Improvement Agreement (**Appendix B**) to construct all required improvements shown on the Final Plat or in the Final Plat documents.
 - 1) Agreements shall set forth the terms and conditions, plans, methods, design criteria, and cost estimates, as well as the cost of any professional

services, required for the complete construction and installation of all improvements as required by these Regulations.

- 2) Agreements shall include an improvement completion deadline not to exceed twenty-four (24) months. The Board may approve a reasonable extension for the completion of all improvements upon written request.
- 3) Agreements shall include a Release and Satisfaction based on the following:
 - a) Provisions for the applicant's engineer to inspect all improvements and submit record drawings for all improvements installed and/or constructed. The record drawings shall be certified by a licensed engineer in the State of Wyoming and at minimum state the following:
 - 1) I, _____, certify that these plans were prepared under my direct supervision and control, that they accurately represent the referred to improvements as they have been constructed in the field, and that the improvements, as installed, conform to applicable requirements of the State of Wyoming and Johnson County.
 - b) Proof of valid lien waivers from all persons or companies providing materials or performing work on the improvements.
 - c) Provisions for review of certification by the County. The County may elect to have an independent engineer review the improvements and certification. If, upon review, the evidence reveals that an Improvement does not conform to the applicable standards and specifications, the County will provide written notice to the developer of the defects in the improvement(s). The developer shall have thirty days from the issuance of such notice to cure or substantially cure the defect.
 - 1) If the developer fails to correct the defect in such time, the developer will be considered to be in default of the agreement.
 - B) No lots shall be sold until all required improvements are installed.
 - C) If the subdivision improvements are not completed by the agreed completion date, the Board may take the necessary action to rescind approval of the subdivision.
 - D) The following improvements shall be constructed as stipulated in the Subdivision Improvement Agreement (**Appendix B**) approved by the Board. Where specific requirements are spelled out in other Articles of these Regulations, relative to (i) through (xi) below, they shall apply.

- (i) Access approach(es), road construction, grading, and surfacing.
- (ii) Curbs and gutters, if required.
- (iii) Streetlights, if required.
- (iv) Sidewalks, if required.
- (v) Sanitary sewer laterals and treatment, where required.
- (vi) Storm sewers or storm drainage system, as required.
- (vii) Firefighting equipment, where applicable.
- (viii) Water distribution and treatment system, where applicable.
- (ix) Permanent reference monuments and monument boxes.
- (x) Underground telephone, electricity lines, and natural gas lines, where required.
- (xi) Other facilities as required by the Commission or the Board as per these Regulations.

**ARTICLE VII
PLANNED UNIT DEVELOPMENTS (PUD)**

7.1 PLANNED UNIT DEVELOPMENT.

- A) A Planned Unit Development (PUD) shall be proposed in accordance with the requirements of the Johnson County Subdivision Regulations. Application for a PUD in no manner implies that any of the regulations or design standards are waived or changed by such application. A PUD application shall be processed the same as other subdivision applications.

**ARTICLE VIII
PLAT VACATIONS, AMENDMENTS, AND RE-SUBDIVISIONS**

8.1 VACATION OF PLATS.

- A) Any plat may be vacated in whole, at any time, prior to the sale of lots by submitting a written Request to Vacate to the Commission in accordance with the following:
 - (i) Evidence that the vacation of the subdivision will not interfere with proper development or deny public access to adjacent property, utilities, or other improvements.
 - (ii) Evidence that the purpose of the vacation shall be to divest all public rights in the streets, alleys, commons, and public ground laid out or described in such plat.
- B) If any lots have been sold, the plat may be vacated provided all lot owners of said plat join in the written Request to Vacate by written notarized acknowledgment.
- C) Streets and alleys so platted and laid out under the provision of these Regulations or laid out under any prior law of the State of Wyoming regulating private plats, may be altered or vacated in the manner provided by law relative to the alteration and discontinuance of highways.
- D) Any plat may be partially vacated under the provisions and subject to the conditions of these Regulations, provided:
 - (i) Such vacating does not abridge or destroy any of the rights and privileges of other proprietors in said plat; and
 - (ii) That nothing contained in this Article shall authorize the closing or obstruction of any public highways laid out according to law.
- E) The applicant(s) seeking vacation shall do the following prior to submitting a written Request to Vacate:
 - (i) Advertise the vacation request for two (2) consecutive weeks in a local newspaper, at least fourteen (14) days prior to the next regular Commission meeting.
 - 1) The advertisement shall include the name of the subdivision, legal description, and the lots or other property that will be affected.
 - (ii) If the vacation involves a partial vacation, or involves addition or relocation of roads, then the applicant(s) shall notify all lot owners by certified mail. The notice shall include the same information as required in **Article VIII, 8.1, E), (i), 1).**
- F) The Request to Vacate shall include:

- (i) evidence of required advertisement;
 - (ii) lot owner notification if applicable; and
 - (iii) written notarized acknowledgment from all lot owners if applicable.
- G) The recommendations of the Commission shall be forwarded to the Board for final action on the Request to Vacate.
- H) If the Request to Vacate is approved, the Johnson County Clerk shall write “VACATED” across the vacated portion of the subdivision plat on file. The Clerk shall also reference, on the plat, the volume and page in which the instrument of vacation is recorded in the Clerk’s Office.
- I) Land covered by a vacated plat may be replatted as described by these Regulations.

8.2 AMENDMENT OF RECORDED PLATS.

- A) **Minor Plat Amendments.** Minor amendments are used to correct minor survey or drafting errors in a recorded plat.
 - (i) Corrections shall be presented in an affidavit or, where deemed necessary for clarity, a revised plat certified by a land surveyor licensed in the State of Wyoming.
 - (ii) All affidavits and/or corrected plats shall be submitted to the Board for final action.
 - (iii) The County Clerk shall reference a note on the face of the original plat indicating where the affidavit, or corrected plat, is recorded.
- B) **Major Plat Amendments.** Major amendments are used to modify original lots.
 - (i) Proposals to amend a Final Plat shall be prepared and submitted in compliance with the Final Plat requirements of these Regulations.
 - (ii) Consideration for Final Plat Amendment will only be given if:
 - 1) the number of lots does not increase; and
 - 2) roads will not be added or relocated.
 - (iii) Proposal for Final Plat Amendment shall be submitted to the Commission whose recommendation will be forwarded to the Board for action.

8.3 RE-SUBDIVISIONS.

- A) A re-subdivision shall be prepared and submitted in compliance with the requirements for subdivisions as set forth in these Regulations for:
- (i) re-division of any lot, tract, or parcel; or
 - (ii) the relocation or addition of roads within a subdivision.

**ARTICLE IX
PUBLIC SITES AND OPEN SPACES**

9.1 REQUIREMENTS OF DEDICATION.

- A) The Planning and Zoning Commission may recommend the applicant be required to provide sites for future public services, park sites, and/or open space when such sites are reasonably necessary to serve the proposed subdivision and its future residents.

9.2 FACTORS CONCERNING THE AMOUNT OF DEDICATION.

- A) In determining the requirements for sites related to future public services, open space or park space, the Commission and the Board of County Commissioners shall consider the following:
- (i) Public service sites as designated and/or recommended by public entities involved in serving the future subdivision;
 - (ii) Density and lot size of the proposed subdivision;
 - (iii) Total development area of the proposed subdivision;
 - (iv) Location of the subdivision with respect to other public open space;
 - (v) Natural areas which may contain hazards (flood zones, low lying areas, or landslides, etc.);
 - (vi) Private open space as designated in the proposed subdivision plat, provided that the maintenance and responsibilities of the space are addressed by written and recorded covenants or other legal-binding instruments as required by these Regulations.

ARTICLE X

VARIANCES, AMENDMENTS, SEPARABILITY, and ADMINISTRATIVE LIABILITY

10.1 VARIANCES.

- A) The Board of County Commissioners may authorize variances from these Regulations for the following:
 - (i) Exceptional topographical conditions or other conditions particular to the site.
 - (ii) An unnecessary hardship on the subdivider.
- B) All requests for variances shall be submitted in writing to the Commission for comments and recommendations prior to action by the Board. The findings and actions of the Board with respect to a variance request shall be stated in the minutes of the Board meeting and a copy thereof provided to the Commission. In granting approval, the Board may require conditions to insure compliance with this Regulation.
- C) A variance shall not be granted if it would be detrimental to the goals of these Regulations or impair the intent and purposes of these Regulations.

10.2 AMENDMENTS.

- A) The Board may amend these Subdivision Regulations in conformance with *W.S. 18-5-201* through *18-5-207* and the Wyoming Administrative Procedure Act.

10.3 SEPARABILITY.

- A) If any provision of these Regulations is declared to be invalid by a decision of any court of competent jurisdiction:
 - (i) any such decision shall be limited to the provisions which are expressly stated in the court decision to be invalid; and
 - (ii) such decision shall not affect, impair, or nullify these Regulations as a whole or any part thereof, and the remainder shall remain in force.
- B) If the application of any provision of these Regulations to any tract of land is declared to be invalid by a decision of a court of competent jurisdiction, it is hereby declared to be the legislative intent that:
 - (i) The effect of such decision shall be limited to that tract of land immediately involved in the controversy, action, or proceeding in which the judgment or decree of invalidity was rendered; and

- (ii) Such decision shall not affect, impair, or nullify this Regulation as a whole or the application of any provision thereof, to any other tract of land.

APPENDIX A
JOHNSON COUNTY, WYOMING SUBDIVISION APPLICATION

The following information is required as part of the Application Package for any proposed subdivision.

**Initial if
Included**

_____ **Name of Subdivision:** _____

_____ **Landowner Contact/Applicant:**

Name: _____

Address: _____

Phone # (Day & Evening): _____

E-mail: _____

_____ **Subdivision Point of Contact or Consultant:**

Name & Title: _____

Address: _____

Phone # (Day & Evening): _____

E-mail: _____

_____ **Legal Description (Attach current deed)**

_____ **Type of Development:**

_____ Residential Single-Family

_____ Residential Multi-Family

_____ Commercial

_____ Industrial

_____ Other, Describe: _____

_____ **Total Development Size:** _____ Acres; _____ # of Lots; _____ Average Lot Size (Acres)

_____ **Describe access to subdivision, include easement copies if applicable:** _____

_____ **Distance to and name of nearest incorporated municipality:** _____

_____ **Irrigation Water:** Is the land subject to Irrigation Water from surface water or groundwater sources: ___ Yes ___ No;

If yes; describe what will happen with the irrigation water? _____

_____ **Potable Water Source proposed:** _____

_____ **Type of Sewage Disposal proposed:** _____

_____ **Flood Potential:** Is any portion of the property subject to any flooding? ___ Yes ___ No;

If yes, describe the flooding situation and/or occurrences: _____

_____ **Landslide potential:** Is any portion of the property subject to any landslide? ___ Yes ___ No;
If yes, describe the situation: _____

_____ **Natural Hazards other than flooding or landslide:** Are there other natural hazards that may
impact the subdivision proposal? Describe: _____

_____ **All information needed for the subdivision review process is included as required by the
Johnson County Subdivision Regulation.**

As part of signing and submitting this application, the applicant certifies, under penalty of perjury, that the applicant has secured and shall maintain permission for Johnson County personnel and their invitees to access the property, including permission to collect resource data as defined by Wyoming Statute §6-3-414, and permission to enter and cross all properties necessary to access the proposed subdivision property if it is not directly accessed from a public road.

I hereby certify that the information supplied with this Subdivision Application and all supporting information is true and accurate to the best of my knowledge.

I further acknowledge and understand additional information will be required as the application proceeds through the subdivision review process.

I further acknowledge all improvements proposed and required must be installed prior to any lots being sold and would be subject to a development agreement.

Signature of Authorized Party: _____

Date: _____

Date received: _____

Planner Initials: _____

APPENDIX B

SUBDIVISION IMPROVEMENTS AGREEMENT

This Subdivision Improvements Agreement (hereinafter referred to as "Agreement") is made and entered into by and between the Board of Johnson County Commissioners (hereinafter referred to as "County"), whose address is 76 North Main Street, Buffalo, Wyoming, 82834, and _____ (hereinafter referred to as "Developer"), whose address is _____.

RECITALS

WHEREAS, the Developer seeks permission to subdivide a _____ acre parcel of property within the unincorporated area of Johnson County, Wyoming to be known as _____ (hereinafter referred to as the "Subdivision"), which property is more particularly described on Exhibit A attached hereto and incorporated herein by this reference (the "Property"); and

WHEREAS, the County seeks to protect the health, safety and general welfare of the community by requiring the completion of certain improvements in the Subdivision and thereby to limit the harmful effects of substandard subdivisions, including premature subdivision which leaves property undeveloped and unproductive; and

WHEREAS, the purpose of this Agreement is to protect the County from the cost of completing subdivision improvements itself and is not executed for the benefit of material men, laborers, or others providing work, services or material to the Subdivision or for the benefit of lot or home buyers in the Subdivision; and

WHEREAS, the Developer intends to develop said subdivision as a residential subdivision in accordance with the specific terms and conditions set forth herein, and in accordance with the rules and regulations governing subdivision development in Johnson County; and

WHEREAS, the County and the Developer desire to set forth their agreements with respect to the development of the Subdivision, including public improvements and infrastructure required by the County in the Subdivision.

NOW, THEREFORE, in consideration of the premises noted above and the terms and conditions set forth below, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the County and the Developer hereby agree as follows:

1. Improvements. The Developer will construct and install, at his/her own expense, those on-site and off-site subdivision improvements listed on Exhibit B attached hereto and incorporated herein by this reference ("the Improvements"). The Developer's obligation to complete the Improvements will arise upon final plat approval by the Board, will be independent of any obligations of the County contained herein, and will not be conditioned on the commencement of construction in the Development or sale of any lots or improvements within the development.

2. **Prohibition on Sale of Lots Prior to Completion of Improvements.** All Improvements required by this Agreement as set forth in Exhibit B will be completed to the County's satisfaction prior to the sale of any lots within the Subdivision.

3. **Recordation.** Developer agrees that a copy of this Agreement may be recorded in the office of the Johnson County Clerk and may be enforced by the County by all available legal remedies if Developer attempts to sell any lot prior to the completion of the required improvements.

4. **Release and Satisfaction.** Once all of the Improvements are completed and have been certified and reviewed in accordance with Sections 7 and 8 below, the County will file a Release and Satisfaction of this Agreement in the office of the Johnson County Clerk. Such release and satisfaction will serve as public notice that Developer may sell lots within the Subdivision.

5. **Standards.** The Developer will construct the Improvements according to the standards and specifications required by the County as specified in the Johnson County Subdivision Regulations and the Johnson County Road and Bridge Standards. Conformance with this provision shall be determined solely by the County or its duly authorized official or agent.

6. **Plat Approval.** The County will grant Final Subdivision Plat approval to the Subdivision under the terms and conditions agreed to by the Parties herein and in accordance with all relevant state laws and local regulations in effect at the time of Final Plat approval. However, Final Plat approval by the County does not permit the sale of lots.

7. **Inspection and Certification by Developer's Engineer.** The Developer's engineer shall inspect all Improvements and certify in writing to the County that all Improvements have been constructed in compliance with all applicable standards and specifications. The Developer will present to the County valid lien waivers from all persons or companies providing materials or performing work on the improvements for which the certification is being submitted.

8. **Review of Certification.** Upon receipt of the certification provided by the Developer's engineer, the County may, at its election, have an independent engineer review the Improvements and certification. If, upon review, the evidence reveals that an Improvement does not conform to the applicable standards and specifications, the County will provide written notice to the Developer of the defects in the Improvement(s). The Developer shall have thirty days from the issuance of such notice to cure or substantially cure the defect. If the Developer fails to correct the defect in such time, the Developer will be considered to be in default of this Agreement.

9. **Improvements Completion Deadline.** The Developer will complete all improvements required in Exhibit B within ____ days of the Final Plat approval by the County. If the Developer fails to complete the Improvements by such date, the Developer will be considered to be in default of this Agreement.

10. **County's Rights Upon Default.** The Developer hereby agrees that upon default, the County may declare this agreement null and void and enter an order revoking the plat approval. Upon such revocation, the Subdivision will be considered vacated in accordance with Wyoming law.

11. **Indemnification.** The Developer hereby expressly agrees to indemnify and hold the County harmless from and against all claims, costs and liability of every kind and nature, for injury or damage received or sustained by any person or entity in connection with, or on account of, the performance of work at the development site and elsewhere pursuant to this Agreement. The Developer further agrees to aid and defend the County in the event that the County is named a defendant in an action concerning the performance of work pursuant to this Agreement except where such suit is brought by the Developer.

12. **Amendments.** Either party may request changes in this Agreement. Any changes, modifications, revisions or amendments to this Agreement which are mutually agreed upon by and between the parties to this Agreement shall be incorporated by written instrument, executed and signed by all parties to this Agreement. Such amendment or modification will be properly notarized before it may be effective.

13. **Applicable Law.** The construction, interpretation and enforcement of this Agreement shall be governed by the laws of the State of Wyoming. The courts of the State of Wyoming shall have jurisdiction over any action arising out of this Agreement and over the parties, and the venue shall be the Fourth Judicial District, Johnson County, Wyoming.

14. **Force Majeure.** Neither party shall be liable for failure to perform under this Agreement if such failure to perform arise out of causes beyond the control and with the fault or negligence of the nonperforming party. Such causes may include, but are not limited to, acts of God or the public enemy, fires, floods, epidemics, quarantine restrictions, freight embargoes, and unusually severe weather. This provision shall become effective only if the party failing to perform immediately notifies the other party of the extent and nature of the problem, limits delay in performance to that required by the event, and takes all reasonable steps to minimize delays.

15. **Entirety of Agreement.** This Agreement, consisting of six (6) pages, represents the entire and integrated agreement between the parties and supersedes all prior negotiations, representations and agreements, whether written or oral.

16. **Severability.** Should any portion of this Agreement be judicially determined to be illegal or unenforceable, the remainder of the Agreement shall continue in full force and effect, and either party may renegotiate the terms affected by the severance.

17. **Sovereign Immunity.** Johnson County, Wyoming does not waive its sovereign immunity by entering into this Agreement, and fully retains all immunities and defenses provided by law with respect to any action based on or occurring as a result of this Agreement.

18. **Third Party Beneficiary Rights.** The parties do not intend to create in any other individual or entity the status of third party beneficiary, and this Agreement shall not be construed so as to create such status. The rights, duties and obligations contained in this Agreement shall operate only between the parties to this Agreement, and shall inure solely to the benefit of the parties to this Agreement. The provisions of this Agreement are intended only to assist the parties in determining and performing their obligations under this Agreement.

19. **No Waiver.** No waiver of any provision of this Agreement will be deemed or constitute a waiver of any other provision, nor will it be deemed or constitute a continuing waiver unless expressly provided for by a written amendment to this Agreement signed by both the County

and the Developer; nor will the waiver of any default under this Agreement be deemed a waiver of any subsequent default or defaults of the same type. The County's failure to exercise any right under this Agreement will not constitute the approval of any wrongful act by the Developer or the acceptance of any improvement.

20. Attorney's Fees. Should the County be required to resort to litigation, arbitration or mediation to enforce the terms of this Agreement, it will be entitled to costs, including reasonable attorney's fees and expert witness fees, from the Developer. If the court, arbitrator, or mediator awards relief to both parties, each will bear its own costs in their entirety.

21. Vested Rights. The County does not warrant by this Agreement that the Developer is entitled to any other approval(s) required by the County, if any, before the Developer is entitled to commence development of the Subdivision or to transfer ownership of property in the Subdivision.

22. Assignability. The benefits of this Agreement to the developer are personal and may not be assigned without the express written approval of the County. Such approval may not be unreasonably withheld, but any unapproved assignment is void. Notwithstanding the foregoing, the burdens of this Agreement are personal obligations of the Developer and also will be binding on the heirs, successors, and assigns of the Developer. There is no prohibition on the right of the County to assign its rights under this Agreement. However, no act of the County will constitute a release of the original developer from his/her liability under this Agreement.

23. Notice. Any notice required or permitted by this Agreement will be deemed effective when personally delivered in writing or three (3) days after notice is deposited with the U.S. Postal Service, postage prepaid, certified, return receipt requested, and addressed as follows:

If to Developer: _____

If to County: Johnson County Commissioners
76 N. Main Street
Buffalo, WY 82834

22. Signatures. In witness whereof, the parties to this Agreement through their duly authorized representatives have executed this Agreement on the days and dates set out below, and certify that they have read, understood, and agreed to the terms and conditions of this Agreement as set forth herein.

The effective date of this Agreement is the date of the signature last affixed to this page.

JOHNSON COUNTY COMMISSIONERS

[NAME], Chairman Date

ATTESTED BY:

[NAME], Johnson County Clerk Date

DEVELOPER

[NAME OF DEVELOPER/REPRESENTATIVE] Date

STATE OF WYOMING)
) SS.
COUNTY OF JOHNSON)

The foregoing instrument was acknowledged before me by [NAME], Chairman of the Johnson County Board of Commissioners, this _____ day of _____, 20__.

Witness my hand and official seal.

Notary Public

My commission expires:

STATE OF WYOMING)
) SS.
COUNTY OF JOHNSON)

The foregoing instrument was acknowledged before me by [Developer], this _____ day of _____, 20__.

Witness my hand and official seal.

Notary Public

My commission expires:

EXHIBIT A

[LEGAL DESCRIPTION]

EXHIBIT B

[THE IMPROVEMENTS]

Summary and Description of required improvements.

APPENDIX C

**FIRE MITIGATION ASSESSMENT CHECKLIST AND RECOMMENDATIONS to the
JOHNSON COUNTY PLANNING & ZONING COMMISSION**

1. Subdivision ingress and egress recommendations:

- _____ Two or more ingress/egress road accesses
- _____ A single loop road
- _____ One ingress/egress road sufficient with cul-de-sac
- _____ One ingress/egress road sufficient without cul-de-sac
- _____ Other recommendations:

2. Topography / Accessibility:

- _____ Steep Slopes Comments: _____
- _____ Rolling Terrain _____
- _____ Relatively Flat _____

3. Building envelopes recommended? Yes _____ No _____

4. Existing vegetation:

- _____ Forested Comments: _____
- _____ Partly Forested _____
- _____ Light Fuels _____
- _____ Medium Fuels _____
- _____ Heavy Fuels _____

5. Fire Protection Water Source recommendations:

_____ Fire Hydrants

_____ Dry hydrant(s) installed at _____

_____ Installed water storage in the amount of _____ gallons per tank

Number of tanks recommended _____

Location(s) of water storage to be constructed:

_____ Legally useable water source available at: _____

Road miles to designated off-site water source _____

Name of road(s) between subdivision property and proposed water source:

6. Other Recommendations/Comments (Attach additional sheets as necessary):

APPENDIX D

EXAMPLE NEWSPAPER NOTICE & ADJACENT LANDOWNER NOTICE

NOTE: The following form is an example for publication in the newspaper. Publish twice within thirty (30) days prior to the Preliminary Plat review meeting with the Planning Commission. The minimum notice requirement shall include the name of subdivider, total acres to be divided, total number of lots proposed, and the location of the proposed subdivision. Under no circumstances does advertisement of a proposed subdivision guarantee approval by the Johnson County Board of County Commissioners.

**NOTICE OF INTENT TO SUBDIVIDE
LAND IN JOHNSON COUNTY, WYOMING**

Pursuant to the provisions of the *Wyoming Real Estate Subdivision Act, Statutes 18-5-301 through 18-5-315 Session Laws of 1975 as amended*, NOTICE IS HEREBY GIVEN THAT _____ (landowner) intend to apply for a Subdivision Permit from the Johnson County Board of County Commissioners to subdivide lands in Johnson County, Wyoming to be called _____ (name of subdivision) .

These lands are comprised of _____ acres and will be divided into _____ lots located in Section _____ Township _____ North, Range _____ West.

Persons wishing to comment on the application may do so by sending written comments to the Johnson County Planning and Zoning Commission, 26 N DeSmet Ave, Buffalo, WY 82834 or by attending the Johnson County Planning and Zoning Commission Preliminary Plat review meeting to be held on the _____ day of _____ 20____ at _____ in the Johnson County Planning Department Conference Room, 26 N DeSmet Ave Buffalo, WY. **Questions pertaining to the proposed subdivision may be directed to the County Planner at 307-684-1907.**

Publish two (2) times
Applicant pays for cost of publication

NOTE: This is an example of the letter that shall be sent to all landowners adjacent to the proposed subdivision. This letter may be varied as the circumstances require. Under no circumstances does advertisement of a proposed subdivision guarantee approval by the Johnson County Board of County Commissioners.

To Whom It May Concern:

This letter is to notify you that property adjacent to yours has been proposed to be subdivided. Enclosed is a copy of the legal notice pertaining to this matter.

A copy of the Preliminary Subdivision Plat and Supplemental Information is on file for review at the Johnson County Planning and Zoning Commission office at 26 North DeSmet Ave., Buffalo, WY.

The Johnson County Planning Commission will review the Preliminary Plat and supplemental information at a public meeting to be held on the _____ day of _____ 20 _____ at _____ in the Johnson County Planning Department Conference Room at 26 N DeSmet Ave., Buffalo, WY. Written comments may be sent to the attention of the Johnson County Planning and Zoning Commission, 26 North DeSmet Ave., Buffalo, WY 82834. **If you have questions regarding the proposed subdivision, you may contact the County Planner at 307-684-1907.**

APPENDIX E

PLAT WARNINGS

Statutory Warnings. All plats shall contain the following warning: THE SELLER DOES NOT WARRANT TO A PURCHASER THAT THE PURCHASER HAS ANY RIGHTS TO THE NATURAL FLOW OF ANY EXISTING STREAM WITHIN OR ADJACENT TO THE PROPOSED SUBDIVISION.

SUBDIVISION LOT PURCHASERS ARE NOT ALLOWED TO USE WATER OUT OF ANY DITCH OR STREAM WITHOUT A WATER RIGHT ISSUED BY THE STATE OF WYOMING.

THE STATE OF WYOMING DOES NOT RECOGNIZE ANY RIPARIAN RIGHTS TO THE CONTINUED NATURAL FLOW OF A STREAM OR RIVER FOR PERSONS LIVING ON THE BANKS OF A STREAM OR RIVER (*W.S. 18-5-306*).

Lack of Common Sewer. If no common sewer system is proposed for the subdivision, state the following along with any additional constraints on sewage disposal: NO PROPOSED CENTRALIZED SEWAGE SYSTEM. LOT OWNERS SHALL BE RESPONSIBLE FOR BUILDING THEIR OWN SMALL WASTEWATER DISPOSAL SYSTEMS WHICH MEET STATE AND COUNTY STANDARDS (*W.S. 18-5-306*). A PERMIT TO CONSTRUCT IS REQUIRED FOR ALL SMALL WASTEWATER TREATMENT FACILITIES.

Lack of Common Water. If no common water system is proposed for the subdivision, state the following: NO PROPOSED CENTRAL WATER SUPPLY SYSTEM. LOT OWNERS SHALL BE RESPONSIBLE FOR BUILDING THEIR OWN WELLS WHICH MEET STATE STANDARDS (*W.S. 18-5-306*).

Severe Soil Limitations. If any portion of any lot is within an area classified as having severe soil limitations, either by the Conservation District or by percolation tests, state the following: WARNING: LOTS (list appropriate lot numbers) ARE LOCATED IN AREAS OF SEVERE SOIL LIMITATIONS. SITE CONDITIONS MAY PREVENT THE USE OF CONVENTIONAL SEPTIC SYSTEMS AND BUILDING TECHNIQUES.

Statement of Domestic Water Availability. The applicant shall make a statement as to domestic water availability and quality. The following shall be stated along with the domestic water statement: ALL WELLS ARE REQUIRED TO BE PERMITTED AND REGISTERED WITH THE STATE ENGINEER.

Lack of Public Road Maintenance. As no county road maintenance is accepted, state the following: NO PUBLIC MAINTENANCE OF STREETS OR ROADS. PLAT ACCEPTANCE DOES NOT CONSTITUTE ACCEPTANCE OF ROADWAYS AS COUNTY ROADS. ACCESS MAY BE DIFFICULT IN WINTER MONTHS.

The applicant shall make a statement as to the street or road maintenance and snow removal responsibilities.

Natural Gas Pipelines. If any pipeline containing natural gas or slurry exists in or within 500 feet of the proposed subdivision, state the following: WARNING: NATURAL GAS PIPELINE (Add a description of the location of the pipeline).

Toxic Natural Gas Pipeline. If a natural gas pipeline containing hydrogen sulfide or other toxic element(s) exists in or within one mile of any lot, state the following: WARNING: SOUR GAS PIPELINE; RUPTURE MAY BE EXTREMELY HAZARDOUS TO HEALTH (Add a description of the location of the pipeline).

Hazards. If any hazard exists on the site of the proposed subdivision, state the following: WARNING: (Name hazard) EXISTS ON LOTS (List lot numbers with hazards).

Airport Safety Zone. If any part of the subdivision is to be located within or adjoining to an airport safety zone as per any applicable local, state or federal regulations, state the following: WARNING: AIRCRAFT NOISE AND AIRCRAFT RELATED HAZARDS MAY EXIST WITHIN SUBDIVISION.

Split Ownership. The applicant is required to put a legend on the plat and on all offers, contracts or agreements for the sale and purchase of lots within the subdivision showing in capital letters "THE SURFACE ESTATE OF THE LAND TO BE SUBDIVIDED IS SUBJECT TO FULL AND EFFECTIVE DEVELOPMENT OF THE MINERAL ESTATE".

Lack of Solid Waste Service. If solid waste hauling service is not proposed, state the following: SOLID WASTE HAULING SERVICE NOT PROPOSED. LOT OWNERS SHALL BE RESPONSIBLE FOR HAULING THEIR OWN SOLID WASTE.

Fire Response. If on-site firefighting facilities are not provided, state the following: ON-SITE FIREFIGHTING FACILITIES ARE NOT PROPOSED.

If on-site firefighting facilities are proposed, the warning shall state the Fire Protection availability, a description of firefighting water sources and other firefighting assets for the subdivision, and that Johnson County Fire Districts are authorized to use water from any source for emergency purposes, if such sources are public or dedicated to public use.

Existing Agricultural Operation. *W.S. 11-44-103* provides that "Farm or ranch operations not be considered a nuisance; (a) Notwithstanding any other provision of law, a farm or ranch operation shall not be found to be a public or private nuisance by reason of that operation if that farm or ranch operation: (i) Conforms to generally accepted agricultural management practices; and (ii) Existed before a change in the land use adjacent to the farm or ranch land and the farm or ranch operation would not have been a nuisance before the change in land use or occupancy occurred." If the subdivision is adjacent to an existing agricultural operation, state the following: WARNING: THERE ARE EXISTING AGRICULTURAL OPERATIONS ADJACENT TO THIS SUBDIVISION AND AGRICULTURAL NUISANCES MAY EXIST WITH THE

SUBDIVISION. THE EXISTING AGRICULTURAL OPERATIONS ARE COVERED BY *W.S. 11-44-103*.

(Note: A Special Plat Warning, which indicates specific agricultural nuisances identified in the review process of the subdivision may be employed as long as the essential elements of the required warning are also met.)

Lack of Electric and/or Telephone Service. Recreational subdivisions may be allowed under these Regulations. If electric and/or telephone service are not provided, state the following: WARNING: NO PROPOSED ELECTRIC AND/OR TELEPHONE SERVICE. LOT OWNERS SHALL BE RESPONSIBLE FOR THEIR OWN ELECTRIC AND/OR TELEPHONE SERVICE REQUIREMENTS. If electric and/or telephone service are provided, state the known service providers with contact information.

Other Plat Warnings. Identification of the existing postal delivery. Other warnings for unique circumstances, which may be present and deemed appropriate by the Planning and Zoning Commission, may be required.

APPENDIX F

AFFIDAVIT OF EXEMPTION

I/We, _____, Grantor(s), and _____, Grantee(s), do hereby state and affirm as follows: This division is not for the purpose of evading any part of the Johnson County Subdivision Regulations. This division is not located within a platted subdivision. This division is exempt from review pursuant to Wyoming Statute § 18-5-303 (a).

Check the appropriate box for the exemption being used and answer the appropriate questions by placing a check for acknowledgement or n/a for not applicable. Legal Description and survey must be attached as Exhibit A.

- 1. Transfer to an immediate family member;
Yes, all family members involved are natural or adopted children, stepchildren, spouse, sibling(s), grandchildren, grandparent(s) or parent(s) of the landowner;
a. Is the division for housing needs; business needs; or agriculture needs?
Have you ever previously granted a family exemption to this family member;
Yes No
Yes, the land has been titled in the name of the grantor or name of trust controlled by the grantor, for a combined period of not less than 5 years for land titled before 2/27/2019 or 10 years for land titled on or after 2/27/2019;
If the landowner is a business entity; Yes eighty percent (80%) of the shares are held by individuals related by blood or marriage and the family member has owned five percent (5%) of the outstanding shares for at least five (5) continuous years.
2. Land will be used for agricultural purposes only;
Acknowledge an agricultural exemption does not guarantee a residential improvement;
3. Parcel(s) created by boundary line adjustment are adjacent to, and will be merged with, other land owned by grantee;
4. Creation of cemetery lots;
5. Creating parcels that are 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.

I/We, _____, Grantor(s), and _____, Grantee(s) do further acknowledge that the property for which the deed, contract for deed, and/or record of survey is being filed cannot be further divided or exempted without first complying with the provisions of the Johnson County Subdivision Regulations, as revised or amended.

(Grantor Signature) (Grantor Signature)
(Print Grantor's Name) (Print Grantor's Name)

(Print Grantee's Name)

(Print Grantee's Name)

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me by [NAME], this _____ day of
_____, 20_____.

Witness my hand and official seal.

Notary Public

My commission expires:

APPENDIX G

CERTIFICATION, APPROVAL STATEMENTS, & DEDICATION STATEMENTS

*All signatures shall be made in black ink.

Dedication statement reads as follows:

The above or foregoing subdivision of [*herein insert a correct description of the land or parcel subdivided*] as appears on this Plat, is with the free consent, and in accordance with the desires of the undersigned owners and proprietors; containing (to the nearest one-hundredth) acres more or less; have by these presents laid out, and surveyed as [*subdivision name*], and do hereby dedicate and convey to and for the public use forever hereafter the streets as are laid out and designated on this Plat, and do also reserve perpetual easements for the installation and maintenance of utilities and for irrigation and drainage facilities as are laid out and designated on this plat. The dedication of the streets or roads on this Plat in no way obligates the Johnson County Commissioners to maintain such roads or accept them as county roads, nor does it relieve the subdivider of the obligation to construct such streets or roads according to the requirements of the Johnson County Subdivision Regulations or other Regulations; witness our hands and seals this _____ day of _____, 20 _____.

Lienholder, Owner(s), Mortgagee

(Individuals, where applicable, should add) "All rights under and by virtue of the homestead exemption laws of the State of Wyoming are hereby waived and released."

The owner(s) signature(s) shall be notarized as follows:

STATE OF WYOMING)
)SS
COUNTY OF JOHNSON)

The foregoing instrument was acknowledged before me by:

_____, _____, _____,
this _____ day of _____, 20 _____.

Witness my hand and official seal.

Title of Officer
My commission expires _____, 20 _____.

The surveyor's certificate wording shall be as follows:

I, (surveyor's name), a duly registered land surveyor in the State of Wyoming, do hereby certify that this plat of (subdivision name) truly and correctly represents the results of a survey made by me or under my direct supervision."

Surveyor, LS number

The approval by the Planning Commission shall be as follows:

Approved by the Johnson County Planning and Zoning Commission this _____ day of _____, 20 _____.

Attest: County Clerk

Chairman of the Commission

Approval by any incorporated City or Town, if pertinent (within one mile of the proposed subdivision), in accordance with Wyoming Statutes, Section 18-5-308 wording shall be as follows:

Approved by the (City or Town) Council of (name of city or town) this _____ day of _____, 20 _____.

Attest: City Clerk

Mayor

The approval by the Board of County Commissioners shall be as follows:

Approved by the Johnson County Board of County Commissioners this _____ day of _____, 20 _____.

Attest: County Clerk

Chairman of the Board

For Filing of the Plat in the Office of the County Clerk:

Leave an open space two inches (2") x four inches (4") for the County Clerk to affix the recording label as required by Wyoming Statute.

JOHNSON COUNTY, WYOMING - SUBDIVISION CHECKLISTS

APPENDIX H

Name of Proposed Subdivision: _____ Date Submitted: _____

The developer or his/her engineer must complete the appropriate checklist (Appendix H) to certify that the requirements have been met for each stage of the subdivision process. The other checklists are required to be submitted along with the Preliminary Plat, or Final Plat, and any other required documentation. All information is required to be submitted to the Johnson County Planning Office no later than 30 calendar days prior to the regularly scheduled Planning and Zoning Commission meeting at which the material is to be reviewed. Incomplete or incorrect information may result in removal of the subdivision from the upcoming agenda. Requirements not included on the Plan or Plat sheets should be submitted in a typed format on additional sheets.

APPLICATION CONTENTS:

REQUIREMENT	Check One			Comments
	YES	NO	N/A	
Meets requirements for applicable Subdivision process				
Application Form submitted				
Current deed included with Application				
Description of land to be subdivided				
Adequacy of land to be subdivided				
Adequacy of proposed water system				
Adequacy of proposed sewer system				
Legal access				
Existing access to public road, and involves no opening, widening, or extension of any street or road, public or private				
Easements across land not included in the subdivision which connect the subdivision to a public road at least 60' in width				

SKETCH PLAN REQUIREMENTS:

REQUIREMENT	Check One			Comments
	YES	NO	N/A	
SKETCH PLAN MAP				
Copies provided: Six (6) 11"x17" and one (1) 24" X 36"				
Proposed name of subdivision (if known)				
General location/vicinity map				
Township, Range, Section, and Principal Meridian				
Map showing total development area, property boundaries				
North arrow, date of map preparation				

APPENDIX H

SKETCH PLAN REQUIREMENTS CONTINUED: REQUIREMENT	Check One			Comments
	YES	NO	N/A	
Topographic contours with contour interval identified				
Total acreage to be subdivided				
Total number of lots planned				
Lot, street, park and open space design, with general lot dimensions				
Map showing natural and man-made features and structures on or immediately adjacent to the property				
General information concerning streams, lakes, terrain and other natural features. Explain how the subdivision will deal with these natural features.				
Type of water system proposed				
Information on water availability, wells in the vicinity, etc. from sources such as the Wyoming State Engineer's Office.				
Type of sewer system proposed				
All adjacent landowners with current name(s) and mailing address identified on Sketch Plan, or submitted as a list electronically.				
Copy of the Sketch Plan submitted to the applicable Conservation District office				
Copy of the Sketch Plan submitted to the applicable Fire District				
Municipal approval required				
Proposed location of any temporary access roads to be constructed				
Other documents or information the developer wishes to present				
Payment of Sketch Plan Review Fees				
Other:				

APPENDIX H

PRELIMINARY PLAT REQUIREMENTS: REQUIREMENT	Check One			Comments
	YES	NO	N/A	
PRELIMINARY PLAT MAP				
Six (6) 24" X 36" copies provided				
Prepared by a registered engineer or surveyor licensed in the State of Wyoming				
Name and address of landowner				
Name and address of subdivision/plat designer				
Name of subdivision - not to duplicate others in Johnson County				
Date of Plat preparation, scale & north arrow				
Scale of 1" = 100' or less OR: 1" = 200' where lot sizes are 5 acres or larger				
Total acreage to be subdivided, number of lots, average lot size				
Lot and Street layout				
All lots, streets, easements, utilities, sewer, and water standards are in conformance with the Subdivision Regulation				
Dimensions of all lots to nearest foot				
Dimensions of all streets, roads, alleys, easements, right-of-way, section lines, & other similar features				
Name for all streets, not to duplicate others in Johnson County				
Lots & blocks numbered consecutively				
Section, Township, Range, Principal Meridian				
Survey plat description of perimeter with ties to section monuments				
2' contours for slopes up to 10%				
5' contours for slopes over 10%				
10' contours where average lot size is greater than 10 acres				
Vicinity sketch inset map with scale of 1" = 1,000 ' or 1" = 2000'				
All easements noted and platted, including utility easements				
All irrigation ditches, rights-of-way, or similar features platted				
Type of water system proposed				
Type of sewer system proposed				
Locations of any existing water or sewer lines				
Locations of any proposed water or sewer lines				
Locations of any existing surface or underground improvements				
Identification of any non-single-family lots and proposed usage				

APPENDIX H

PRELIMINARY PLAT REQUIREMENTS CONTINUED: REQUIREMENT	Check One			Comments
	YES	NO	N/A	
Areas to be reserved for public use or open space and proposed usage				
Statement as to maintenance of Public Areas, Open Space, Common Space				
Location of trees, streams, and other natural features				
Names and addresses of all adjacent property owners on the plat				
Proof of publication once per week for 2-weeks within 30 days of P&Z Commission meeting & public hearing				
2 copies of Water & Sewer Study and/or Applications to WDEQ as required by <i>WS 18-5-306</i>				
An Affidavit of Ownership or copy of Warrant Deed proving ownership of property				
Statement on considerations given to the quality of life				
Copy of Covenants				
Copy of Conservation District soils review and recommendations				
Conformance with requirements of the Subdivision Improvements Chart (Figure 6.1)				
2 Copies of the application/materials submitted to the Wyoming State Engineer for the disposition of water rights in the subdivision				
Proof of Plans submitted to all applicable ditch, irrigation companies or associations, unorganized ditch users, or irrigation districts				
2 Copies of completed Fire Risk and Mitigation Plan from Fire District				
Distribution of Preliminary Plat to the School District				
Distribution of Preliminary Plat to J.C. Road & Bridge Department				
Distribution of Preliminary Plat to WYDOT				
Distribution of Preliminary Plat to any utility, improvement or service district, ditch association, when applicable				

APPENDIX H

PRELIMINARY PLAT REQUIREMENTS CONTINUED: REQUIREMENT	Check One			Comments
	YES	NO	N/A	
Distribution of Preliminary Plat to the Wyoming Geological Survey, when applicable, for an evaluation of those geologic factors which would have a significant impact on the proposed use of the land				
Payment of Preliminary Plat Review Fee				
Other:				

APPENDIX H

FINAL PLAT REQUIREMENTS: REQUIREMENT	Check One			Comments
	YES	NO	N/A	
FINAL PLAT MAP				
24" X 36" Mylar Plat, 1 copy				
24" X 36" Paper Plat, 6 copies				
Conforms to Preliminary Plat approval and includes any changes specified by the P&Z Commission				
Certificate of surveyor stamped and signed				
Name of subdivision, north arrow, date				
Name of owners of record, total acreage, total number of lots, and average lot size				
Township, Range, Section, Principal Meridian				
Appropriate Scale				
Acreage to nearest 1/100 of an acre for each lot				
Survey description and section tie				
Bearings, distances and curve data for subdivision perimeter properly indicated				
All curve data displayed per Subdivision Regulations				
All lots and blocks numbered consecutively				
Bearings and lengths for all lot lines properly indicated per Subdivision Regulations				
All streets, sidewalks, and alleys designated				
All streets named with bearings and dimensions, and no duplication of street names				
All easements platted with bearings & dimensions				
Non-contiguous parcels on separate plat				
Any excepted parcels noted and described				
All Plat Warnings as per Subdivision Regulations				
Permanent monumentation on external subdivision boundary, and for all lot and block corners as per Subdivision Regulations				
Legend on the plat as to corners found or set				
Dedication statement as per Subdivision Regulations				
Certification on the plat that Johnson County has no obligation to maintain subdivision roads				
Notarized signature(s) of owner(s)				
Surveyor's certificate as per Subdivision Resolution				

APPENDIX H

FINAL PLAT REQUIREMENTS CONTINUED: REQUIREMENT	Check One			Comments
	YES	NO	N/A	
Approval Statement for Johnson County P&Z Commission				
Approval Statement for Johnson County Board of County Commissioners				
Filing Statement with Covenants section for County Clerk				
Approval Statement for municipality if subdivision is within one mile of municipal limits, and required signatures of city officials				
Copies of WYDEQ comments and recommendations regarding the Water and Sewer Study, including any additional supplemental data or information				
If a public water supply is proposed, a signed statement by a Wyoming Engineer that all necessary permits have been obtained				
Wyoming DEQ permit for public water, if appropriate				
If a public sewer system is proposed, a signed statement by a Wyoming Engineer certifying the adequacy and safety of the system				
Wyoming DEQ permit for public sewer, if appropriate				
Evidence that applicant has complied with all Water Right Requirements as per Subdivision Regulations				
2 Copies of any special documents as per Subdivision Regulations				
Proof of adequate access and that all subdivision roads will conform to the minimum adopted county road standards for subdivisions				
Copies of approved County Road and/or State Highway access permit(s)				
Copies of access easement or other access document, If any private land is crossed				
Copies of Subdivision Improvements Agreement to guarantee construction of <u>all</u> improvements in conformance with the Subdivision Regulations and minimum adopted standards for subdivision streets				
Developer verification that all utilities will be underground.				
Copies of final Covenants, if applicable				
Copies of Homeowners Association Agreement or equivalent, if required				

APPENDIX H

FINAL PLAT REQUIREMENTS CONTINUED: REQUIREMENT	Check One			Comments
	YES	NO	N/A	
Evidence that clear title can be conveyed to purchasers, or that binding arrangements have been made to convey clear title upon payment for the lot				
Evidence that applicant has adequate financial resources to develop and complete all improvements proposed				
Submission of a digital copy of the subdivision in a digital format and/or GIS file				
Approval by the City/Town Council if the subdivision is within one-mile of city limits				
Payment of Subdivision Final Plat Review Fees				
Other:				