

**FREMONT COUNTY
SIMPLE SUBDIVISION REGULATIONS**

Adopted
Board of County Commissioners
October 15, 2002

Amended
December 28, 2010

PLEASE NOTE:

**This is a condensed version of the Fremont County Subdivision Regulations
dealing ONLY with Simple Subdivisions.**

FREMONT COUNTY
SUBDIVISION REGULATIONS
RESOLUTION

BOARD OF COUNTY COMMISSIONERS
FREMONT COUNTY, WYOMING

WHEREAS the regulation and control of the subdivision of land, including mobile home parks, lying within the unincorporated area of Fremont County is vested in the Board of County Commissioners by Wyoming Statutes 18-5-301 through 18-5-315 (1997 Edition); and

WHEREAS the Board of County Commissioners did request the Fremont County Planning Commission to prepare and recommend certain subdivision regulations and from time to time amendments thereto; and

WHEREAS the Fremont County Planning Commission has prepared and recommended such recommendations to the Board of County Commissioners on May 22, 2008; and

WHEREAS the Board of County Commissioners did receive said recommendations and after thoroughly reviewing them did properly advertise and hold a public hearing on September 23, 2008; and

WHEREAS all testimony given at the public hearing has been carefully and thoughtfully considered; and

WHEREAS the Board of County Commissioners has determined that the health, safety, and welfare of the citizens of Fremont County, Wyoming will be substantially benefited by the adoption and enforcement of the following subdivision regulations.

NOW THEREFORE BE IT RESOLVED:

Section 9. Simple Subdivisions.

No subdivision of land or the commencement of the physical layout or construction of a subdivision shall occur without first obtaining a subdivision permit from the Board of Fremont County Commissioners.

The subdivision of one (1) or more units of land into not more than a total of five (5) units of land is defined by Fremont County as a "Simple Subdivision."

1. Simple Subdivision shall meet the following requirements:
 - a. The applicant shall apply to the Fremont County Planning Department for a simple subdivision permit. A fee of one hundred fifty dollars (\$150.00) shall accompany the application.
 - b. The applicant shall submit to the County Planning Commission and the Board of County Commissioners evidence that it has complied with Wyoming State Statute 18-5-306 subsection (b) 2001 Edition and Chapter III, Section 2, (9)(e.) of these regulations regarding review of the simple subdivision by the local conservation district. A copy of the letter from the local conservation district with recommendations shall be placed on file in the Office of the Fremont County Planning Department. The Planning Department shall notify the County Planning Commission and Board of County Commissioners of the receipt of verification by the local conservation district.
2. A plat shall be submitted containing the following:
 - a. Date of preparation, scale, north arrow and name of subdivision correctly spelled. Include any notes involving water sources, roads and easements. The location and dimensions of existing and proposed streets, alleys, roads, highways, public ways, utility rights-of-way, easements parks and the location of proposed permanent buildings and structures if known. Roads shall be dedicated as public or private;
 - b. Certificate of surveyor;
 - c. Name of subdivider;
 - d. Name of subdivision, correctly spelled, with complete legal description including section, township and range;
 - e. Designation as a SIMPLE SUBDIVISION;
 - f. Dedication and certification of owners, dated, signed by all owners of record and notarized. W.S. 34-12-103: The plat shall contain a statement

to the effect that "the above or foregoing subdivision of (here 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", which shall be signed by the owners and proprietors, and shall be duly acknowledged before some officer authorized to take the acknowledgement of deeds;

- g. Approval of city county planning commission. Subdivisions within one (1) mile of a municipality will have both;
- h. Approval of city council or county commissioners. Subdivisions within one (1) mile of a municipality will have both;
- i. Lots and blocks clearly designated (if applicable). W.S. 34-12-102. "...accurately describe all the subdivisions of such tract or parcel of land numbering the same by progressive numbers, and giving dimensions, and length and breadth thereof, and the breadth and courses of all the streets and alleys established therein....";
- j. A county clerk's recordation area set aside on the plat;
- k. The medium of presentation shall be on 24 x 36 inch Mylar or other acceptable photographic or other kind of reproduction on good quality linen or polyester base film in a minimum thickness of four-thousandths (0.004) inch. The original must be drawn in waterproof black ink or acetate ink. Permanent black ink shall be used for signatures;
- l. A water rights disclaimer shall be located conspicuously on the plat that states: "STATE LAW DOES NOT RECOGNIZE ANY RIPARIAN WATER RIGHT. YOU SHALL HAVE NO RIGHT TO IRRIGATION WATER FLOWING PAST OR THROUGH THIS SUBDIVISION OTHER THAN THAT WHICH IS SPECIFICALLY ADJUDICATED OR APPROPRIATED TO YOUR LOT VIA THE STATE ENGINEER'S OFFICE OR THE STATE BOARD OF CONTROL";

"NO LOT OWNER SHALL IMPEDE, OBSTRUCT, DIVERT, OR IN ANY WAY POLLUTE ANY IRRIGATION DITCH ON LAND WITHIN THIS SUBDIVISION";
- m. The subdivider shall place the words conspicuously on the plat: "NO PUBLIC MAINTENANCE OF STREETS OR ROADS ARE ANTICIPATED";
- n. The subdivider shall place the words conspicuously on the plat: "ALL UTILITY RIGHTS-OF-WAY AND EASEMENTS SHOWN ON THIS PLAT ARE FOR THE BENEFIT OF ALL PROPERTY OWNERS

6. The subdivider shall provide adequate evidence to demonstrate that:
 - a. The subdivided land is free of all encumbrances and that any person who offers any part of the subdivision for sale or who solicits any offer for the purchase thereof, directly or through agents, may convey merchantable title thereto free of any encumbrances, subject only to a proportionate share of real property taxes or assessments charged or assessed for the year in which any sale may be legally affected; or
 - b. Binding arrangements have been made by any such person to assure purchaser of any part of the subdivision that upon full payment of the full purchase price a deed can and will be delivered conveying merchantable title thereto free of any assessments thereon as may be levied or assessed for the year in which such sale may be legally affected.

7. Irrigation Water – Water Rights
 - a. Prior to final approval by the Board of County Commissioners the subdivider shall provide:
 - A plan, a copy of which was submitted to and approved by the Planning Commission 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 amount of total irrigated land and the amount of distribution of the water to each of the lots within the subdivision.

8. Roads. Recommended Minimum Standards Only
 - a. Road Design – Road design performance standards may be found in Table 1 on page 49 of the Fremont County Subdivision Regulations. Simple subdivision roads should be constructed to a minimum design standard as that for regular subdivision internal roads with less than 250 average daily traffic or standards acceptable to the Planning Commission and the Board of County Commissioners.
 - b. Road Construction Practices – All road construction practices and material should be in conformance with the latest edition of “Fremont County Road and Bridge Department Design Standards for Fremont County Roads”.
 - c. Road Sub-Grades – Roads extending across soils’ designated as having severe or moderate limitation on local road building by the Natural Resources Conservation Service should be designed and constructed to compensate for the soils poor sub-grade characteristics. This may require rerouting, drainage, compaction, additional sub-base or base course materials or the use of construction fabrics.

- d. Gravel Roads – The minimum acceptable base is four (4) inches of pit run course aggregate or equivalent native material and four (4) inches of a crushed $\frac{3}{4}$ inch minus gravel approved by the Planning Department Staff or a licensed professional engineer.
- e. Bridges and Culverts – All bridges and culverts should be designed by a professional engineer and meet the same standards as those for regular subdivisions.
- f. Signs – The developer should install “Stop” and “Yield” signs as required and all road name signs.

9. Monumentation

- Survey monumentation shall meet the standards set for regular subdivisions with the addition that witness corners for lot corners will be established whenever the lot corners are located within road easements.

10. Access

- a. By filing an application for subdivision or simple subdivision, the subdivider certifies that this subdivision has access to a public road. It is the subdivider’s responsibility to verify that the subdivision has outlet to a public road and to provide proof of such to the Planning Commission. Fremont County, the Fremont County Planning Commission, and the Fremont County Planning Department are not responsible for error or fraud on the part of the subdivider and are not liable for any damages therefrom.

CHAPTER XVI
ADOPTION

This resolution setting forth various rules, regulations and development standards applying to the subdivision of land and the platting thereof within Fremont County, Wyoming shall be in full force and effect after its adoption by the Board of County Commissioners and its proper filing with the County Clerk and Recorder in accordance with the requirements of the Wyoming Administrative Procedures Act.

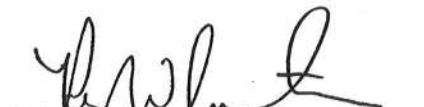
APPROVED AND ADOPTED THIS 28 DAY OF Dec, 2010.

Board of County Commissioners
Fremont County, Wyoming


Douglas L. Thompson, Chairman

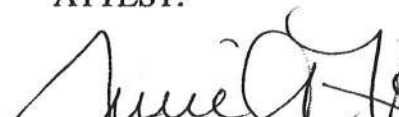

Pat Hickerson, Vice Chairman


Dennis Heckart, Commissioner


Keja Whiteman, Commissioner

(absent)
Dennis Christensen, Commissioner

ATTEST:


Julie Freese, County Clerk

