



Albany County Platting & Subdivision Regulations

Adopted August 1, 1997

Amendments:

December 2002, January 2005, September 2006, November 2007, April 2008,
August 2008, October 2009, December 2009, September 2010, September 2012,
March 2014, October 2015, December 2015, August 2017, January 2019

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Chapter I. GENERAL PROVISIONS

Section 1. Title and Authority This resolution shall be known and may be cited as the "Albany County Platting and Subdivision Resolution". This resolution constitutes and includes Albany County's Subdivision regulations and is adopted pursuant to the procedural requirements of W.S. §18-5-301 and the Wyoming Administrative Procedures Act (W.S. § 16-3-101 through § 16-3-115). This resolution also restates the County Commissioner's statutory mandate with regard to platting of land pursuant to W.S. §34-12-102 and 103.

Section 2. Purpose The purpose of this resolution is to provide for the orderly growth, development and division of land within Albany County.

Section 3. Jurisdiction and Exemptions. This resolution shall apply to all unincorporated areas within Albany County.

- A. If a division of land qualifies for an exemption listed below in this section, approval by the Planning Department must be obtained prior to filing the proposed division with the County Clerk. An exemption form must be completed with any required documentation attached to show the exemption criteria is met. Required documentation may include a survey completed by a Wyoming Licensed Professional Surveyor, an affidavit, or any other documentation that may be necessary to show that the exemption criteria is met. In addition, land divisions qualifying for these exemption shall comply with the Albany County Zoning Resolution.
- B. Unless the method of sale or other disposition is adopted for the purpose of evading provisions of this resolution, this resolution shall not apply to the following subdivisions of land however, proper documentation of the proper use and implementation is required for the following exemptions:
 1. Is a division of land made outside of platted subdivision for the purpose of a single gift or sale to a member of the landowner's immediate family, subject to the following requirements:
 - (a) A member of the immediate family is limited to any

person who is a natural or adopted child, stepchild, spouse, sibling, grandchild, grandparent or parent of the landowner;

- (b) The purpose of the division is to provide for the housing, business, or agricultural needs of the grantee;
 - (c) The grantor's parcel of land must be titled in the grantor's name for a period of not less than five years prior to a transfer using the family exemption. Further, parcels created under this paragraph shall be titled in the name of the immediate family member for whom the division is made for a period of not less than one (1) year unless such parcels are subject to involuntary transfer including, but not limited to, foreclosure, death, judicial sale, condemnation, or bankruptcy;
(Revised November 2007, December 15, 2009)
 - (d) No parcel smaller than five (5) acres shall be created under this paragraph or be further divided unless the owner obtains a subdivision permit.
 - (e) Where the landowner is a business entity and eighty percent (80%) of the ownership interest or shares in the business entity are held by, or in the name of a trust controlled by, individuals related by blood or marriage, the sale of gift may be made subject to provisions of this section to an immediate family member of any shareholder who has owned at least five percent (5%) of the outstanding shares for at least five (5) years continuously before the date of the sale or gift.
2. May be created by any court of this state pursuant to the law of eminent domain, by operation of law or by order of any court of this state;
 3. Is created by a lien, mortgage, deed of trust, or any other

- security instrument, easements and rights-of-way;
4. Concerns land located within incorporated cities or towns;
 5. Is created by the sale or disposition of land to the state of Wyoming or any political subdivision thereof;
 6. Affects railroad rights-of-way;
 7. Is a sale or other disposition of land for agricultural purposes or affects the alignment of property lines for agricultural purposes;
 8. Is created by boundary line adjustments where the parcel subject of the sale or other disposition is adjacent to and merged with other land owned by the grantee;
 9. Creates cemetery lots;
 10. Is created by the acquisition of an interest in land in the name of a 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.
 11. A division of land creating a parcel five (5) acres or less for the purpose of establishing unmanned communication facilities, compressor stations, metering stations, fiber optic booster stations or similar unmanned facilities. (December 15, 2009)
 12. The sale or disposition of separate parcels of land that were separate when lawfully created or conveyed and which have not been combined by recorded instrument of conveyance signed by all of the owners.
- C. Except as provided in Section 7, Chapter IV, this article shall not apply to the sale or other disposition of land where the parcels involved are thirty-five (35) acres or larger, subject to the requirement that ingress and egress and utility easements shall be provided to each parcel by binding and recordable easements of not less than forty (40) feet in width to a public road unless specifically waived by the grantee or transferee in a binding and

recordable document. (Amended 08-05-08)

- D. These exemptions do not apply to platting requirements under W.S. 34-12-102 and Chapter III of this Resolution.

Section 4. Repeal This resolution repeals and replaces all platting and subdivision regulations of Albany County.

Section 5. Relationship To Other Resolutions Or Laws If municipal, county, state or federal law or regulations or future county resolutions impose additional standards on land use within the unincorporated areas of Albany County, the more restrictive standard of the entity with legal jurisdiction shall apply.

Section 6. Severability If any portion of this resolution or its application to specific circumstances shall be held invalid by a court of competent jurisdiction, the remainder of this resolution and its application to other circumstances shall be unaffected.

Section 7. Interpretation In interpretation and application, the standards and requirements contained in this resolution shall be held to be the minimum requirements for the promotion of the public health, safety, morals, customs, culture, and general welfare.

Section 8. Amendments Amendments to this resolution may be made as specified in W.S. § 18-5-202 in accordance with the Wyoming Administrative Procedures Act as specified in W.S. §16-3-101 through §16-3-115.

Section 9. Repealed September 2006

Section 10. Enforcement Pursuant to W.S. §18-5-312, the provisions of this resolution are enforceable by all appropriate legal remedies including but not limited to injunctive relief or a writ of mandamus. Upon failure or refusal of any county attorney to act upon a violation of the provisions of this resolution, the attorney general at the request of the board shall initiate civil or criminal proceedings to enforce the provisions of this resolution.

Section 11. False Statement Or Misrepresentation; Penalty Pursuant to W.S. §18-5-313, any person who knowingly authorizes, directs or aids in the publication, advertisement, distribution or circulation of any false statement or misrepresentation concerning any subdivision for sale in this or any other state, and every person with knowledge that any such advertisement, prospectus, pamphlet or letter concerning land or any subdivision thereof contains any written statement that

is false or fraudulent in any material part or who issues, circulates, publishes or distributes the same or causes the same to be circulated, published or distributed shall upon conviction be imprisoned for a period not to exceed thirty (30) days or be fined not to exceed five hundred dollars (\$500.00). Each day of violation constitutes a new offense.

Section 12. Penalties

- A. Any person who willfully violates any provision of this article or any rule or order issued under this article, shall upon conviction be fined not more than five hundred dollars (\$500.00) or imprisoned in a county jail for not more than thirty (3) days or both. Each day of violation constitutes a new offense.
- B. Platting. Pursuant to W.S. §34-12-112, the county clerk shall demand the execution of said plat as provided; and if such owners or proprietors, whether so notified or not, fail and neglect to execute and file for record said plat for thirty (30) days after the issuance of such notice, the county clerk shall cause to be made the plat of such subdivision, and any surveying necessary therefore. Said plat shall be signed and acknowledged by the county clerk, who shall certify that he executed it by reason of the failure of the owners or proprietors named to do so, and filed for record; and when so filed for record, shall have the same effect for all purposes as if executed, acknowledged and recorded by the owners or proprietors themselves. A correct statement of the costs and expenses of such plat, surveying and recording, verified by oath, shall be by the county clerk laid before the first session of the county commissioners, who shall allow the same and order the same to be paid out of the county treasury, and who shall, at the same time, assess the same amount pro rata, upon all the several subdivisions of said tract, parcel or lot so subdivided; and said assessment shall be collected with, and in like manner as the general taxes and shall go to the general county fund; or said county commissioners may direct suit to be brought in the name of the county before any court having jurisdiction, to recover of the said original owners or proprietors, or either of them, the said cost and expense of procuring and recording said plat.

Section 13. Variance.

A. When it can be shown by the subdivider that in the case of a particular subdivision strict compliance with the provisions of these regulations would cause undue hardship, the Board of County Commissioners may authorize a variance to these requirements, provided that such a variance is not in conflict with state law. The granting of any variance must be in writing and must meet all of the following conditions:

1. Exceptional circumstances exist where strict enforcement of the provisions of this Resolution will result in undesirable characteristics such as undesirable impacts to traffic movement, lot design, or utility extensions.
2. Due to the physical surroundings, shape or topographical conditions of the property, strict compliance with the regulations will impose an undue hardship on the owner. Undue hardship does not include personal or financial hardship, or any hardship that is self-imposed.
3. The Variance will not cause impacts off-site such as impacts to traffic, future infrastructure, or storm water drainage.
4. The Variance is the minimum modification necessary to alleviate the hardship.
5. The Variance will be in harmony with the intent of this Resolution and will not adversely affect the public health, safety, or welfare.
6. The Variance shall be in compliance with all other adopted County regulations.

- B. All requests for Variances shall be submitted in writing by the subdivider at the time of application for a preliminary plat. The Planning and Zoning Commission will provide a recommendation for the request prior to consideration and a decision by the Board of County Commissioners. The request shall fully state the grounds for the request and all of the facts relied upon by the subdivider. The approval of the variance shall be referenced in the notes on the final plat.

Chapter II. DEFINITIONS

Section 1. Definitions Except as otherwise defined in this resolution, the definitions used for the Albany County Platting and Subdivision Resolution is The New Illustrated Book of Development Definitions by Harvey S. Moskowitz and Carl G. Lindbloom, © 1993 by Rutgers, the State University of New Jersey. Published by the Center for Urban Policy Research (CUPR) Press.

Section 2. Common Usage of Words Words that are not defined in the Moskowitz book or in Section 3 of this chapter shall be defined by the common usage of the word.

Section 3. Definitions - Specific to this Resolution

- A. **Platting.** The process of creating a survey map representing a tract of land showing the boundaries and location of individual properties and streets (see W.S. §34-12-102).
- B. **Sell or Sale.** Includes sale as evidenced by the delivery of a deed, contract to sell for deed, lease, assignment, auction, or award by lottery, or any offer or solicitation of any offer to do any of the foregoing, concerning a subdivision or any part of a subdivision. “Sell” or “Sale” does not include a contract to sell which is expressly contingent upon the recording of the final plat by the county clerk, if all funds paid by the buyer under the contract are escrowed with a financial institution located in this state or a title company licensed to do business in this state until the final plat is recorded and the seller tenders the deed or the contract to sell is cancelled or the buyer and seller agree otherwise in writing. (October 20, 2009)
- C. **Street.** Any street, avenue, boulevard, road, lane, parkway, viaduct, alley or other way for the movement of vehicular traffic which is any existing state, county or municipal roadway, or a street or way shown upon a plat, heretofore approved, pursuant to law or approved by official action; and includes the land between street lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, sidewalks, parking areas and other areas within the right-of-way. For the purpose of this resolution streets shall be classified as follows:
 - 1. **Alley.** A minor way which is used primarily for vehicular service

- access to the rear or side of properties otherwise abutting on a street.
2. Arterial Street. A street or road designed to carry high volumes of vehicular traffic over long distances in a direct manner.
 3. Collector Street. A street or road designed to collect or distribute vehicular traffic from one or more residential or non-residential areas to or from a freeway, expressway or arterial street.
 4. Cul-de-sac. A short dead-end street terminating in a turnaround area.
 5. Freeway. A major regional highway, including interstate highways, designed to carry very large volumes of vehicular traffic, with full control of access and all intersections grade separated. (An expressway is similar to a freeway except that all intersections need not be grade separated.)
 6. Half street. A street parallel and contiguous to a property line and of lesser right-of-way width than is required for minor or major streets.
 7. Local Street. A street or road designed to carry vehicular traffic from one or more individual residential or non-residential units to or from a collector street.
 8. Service Road. A street or road paralleling and abutting freeways, expressways or arterial streets to provide access to adjacent property so that each adjacent lot will not have direct access to the freeway, expressway or arterial street.
 9. Stub Street. A street or road extending from within a subdivision boundary and terminating there with no permanent vehicular turn-around. Stub streets are provided to permit adjacent undeveloped parcels of land to be developed later with an adjacent connecting street system.
- D. Subdivider. Any person who lays out any subdivision or parts thereof either for the account of the subdivider or others.
- E. 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 parks and campgrounds, the creation of which constitutes a subdivision of land (see W.S. 18-5-301 to 315).

- F. Water Supply System. Includes development of the source and all structures for conveyance of raw water to the treatment plant or delivery systems; all water treatment plants including disinfection facilities; water supply systems used for irrigation and stock water; and all finished water delivery systems including pipelines, pumping stations and finished water storage facilities. (October 20, 2009)

Section 4. Appeals of Staff Interpretation of Definitions The planning staff shall interpret all definitions and their application in this resolution. Appeals of planning staff interpretation may be submitted to the planning and zoning commission for review and recommendation and to the board of county commissioners for final determination.

Chapter III. PLATTING REQUIREMENTS

Section 1. Platting Requirement Pursuant to W.S. §34-12-102, every original owner or proprietor of any tract or parcel of land, who has heretofore subdivided, or shall hereafter subdivide the same into three (3) or more parts for the purpose of laying out any town or city, or any addition thereto, or any part thereof, or suburban lots, shall cause a plat of such subdivision, with references to known or permanent monuments, to be made, which shall accurately describe all the subdivisions of such tract or parcel of land, numbering the same by progressive numbers, and giving the dimensions, and length and breadth thereof, and the breadth and courses of all the streets and alleys established therein. Descriptions of lots or parcels of land in such subdivisions, according to the number and designation thereof, on said plat contained, in conveyances, or for the purposes of taxation, shall be deemed good and valid for all intents and purposes. The duty to file for record a plat, as provided herein [§§ 34-12-101 through 34-12-104, 34-12-106 through 34-12-115], shall attach as a covenant of warranty, in all conveyances of any part or parcel of such subdivisions by the original owners or proprietors, against any and all assessments, costs and damages, paid, lost or incurred by any grantee, or person claiming under him, in consequence of the omission on the part of said owner or proprietors to file such plat.

Section 2. Contents of Plat. W.S. §34-12-103 requires every such 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 acknowledgment of deeds. The plat shall meet the approval of the board of county commissioners if it is of land situated without the boundaries of any city or town or by the governing body of the city or town if situated within the boundaries of such city or town.

If a city or town approval is not required under this section and the plat is located within one (1) mile of the boundaries of a first class city or town, or within one-half (1/2) mile of a town with a population of less than four thousand (4,000), the board of county commissioners, upon receipt of a plat application, shall solicit comments from the governing body of the city or town relating to impacts to the city or town's infrastructure or other development plans resulting from the proposed plat

and development. The board shall consider the city or town's comments that are received by the board at least twenty (20) business days prior to the scheduled final consideration of the plat proposal and shall respond in writing to the city or town about any items of disagreement. To the extent practical, the board of county commissioners shall ensure that a plat application meets the following:

- A. Is consistent with any applicable city and county land use or comprehensive plan;
- B. Conforms to any adopted street plan of the city, town or county;
- C. Contains all areas for streets, roads and alleys that are dedicated rights-of-way;
- D. Contains dedicated easements for all existing and proposed utilities; and
- E. Contains any additional criteria the governing body of the city or town and the board of county commissioners agree to through jointly adopted plan or voluntary agreement.

When executed, acknowledged and approved as provided in this section, the plat shall be filed and recorded in the office of the clerk of the proper county.

Section 3. Rural Addressing. Addressing of lots in a plat shall be completed by Planning Staff in conjunction with approval of the plat by the board of county commissioners. The addresses shall be placed on the Mylar of the plat by the developer's engineer or surveyor prior to recordation with the county clerk. Reference Albany County Zoning Resolutions Chapter VIII, Section 2.

Section 4. Recording of Plat. It shall be the duty of the subdivider to record the approved plat with the county clerk within ten (10) working days from the date the chairman of the board of county commissioners affixes his signature to the plat. No lots shall be sold prior to the recording of the plat with the clerk.

Section 5. Amendment of Recorded Plats

- A. Minor amendments which are filed with Albany County Clerk to correct minor survey or drafting errors in a recorded plat shall be prepared in the form of an affidavit or, where deemed necessary for clarity, a revised plat certified by a land surveyor licensed with the State of Wyoming. All affidavits or corrected plats shall be submitted to the board of county commissioners for action.

- B. Minor amendments which are filed with Albany County Clerk to correct minor survey or drafting errors in a recorded plat shall be prepared in the form of an affidavit or, where deemed necessary for clarity, a revised plat certified by a land surveyor licensed with the State of Wyoming. All affidavits or corrected plats shall be submitted to the board of county commissioners for action.
- C. Lot line adjustments and amendments to a recorded plat which do not increase the number of lots or add roads and complies with the maximum allowable density shall be submitted as an amended plat. Prior to the submittal of such amended plats, the planning office shall review and compare the proposed plat with a copy of the recorded plat. The amended plat shall then be prepared and submitted to the board of county commissioners for action.

Section 6. Vacation and Replat of Recorded Plats The board of county commissioners must review and approve all vacations and replats of recorded subdivisions as provided in W.S. § 34-12-106 through §34-12-109.

- A. Pursuant to W.S. §34-12-106, any such plat may be vacated by the proprietors thereof at any time before the sale of any lots therein, by a written instrument declaring the same to be vacated, duly executed, acknowledged or proved and recorded in the same office with the plat to be vacated, and the execution and recording of such writing shall operate to destroy the force and effect of the recording of the plat so vacated, and to divest all public rights in the streets, alleys, commons and public grounds laid out or described in such plat, and in case where any lots have been sold, the plat may be vacated as herein provided, by all the owners of lots in such plat joining in the execution of the writing aforesaid.
- B. Pursuant to W.S. §34-12-107, streets and alleys so platted and laid out, or which have been platted or laid out under any prior law of this state regulating private plats, may be altered or vacated in the manner provided by law for the alteration or discontinuance of highways.
- C. Pursuant to W.S. §34-12-108, any part of a plat may be vacated under the provisions, and subject to the conditions of this act [W.S. §34-12-101 through §34-12-104, W.S. §34-12-106 through §34-12-115]; provided,

such vacating does not, abridge or destroy any of the rights and privileges of other proprietors in said plat; and provided, further, that nothing contained in this section shall authorize the closing or obstruction of any public highways laid out according to law.

- D. Pursuant to W.S. §34-12-109, when any part of a plat shall be vacated as aforesaid, the proprietors of the lots so vacated may enclose the streets, alleys and public grounds adjoining lots in equal proportions.

Chapter IV. SUBDIVISION PERMITS

Section 1. Subdivision Permits Required Pursuant to W.S. §18-5-304, no person shall sell land subject to subdivision regulation under this resolution, record a plat or commence construction of a subdivision without first obtaining a subdivision permit from the Albany County Board of County Commissioners. (Amended 08-08-08, 10-20-09) Submission of a completed application includes preliminary and final plats, as well as a request for subdivision permit.

Section 2. Pre-Application Conference Prior to initiating the subdivision review process with the Wyoming Department of Environmental Quality (per W.S. §18-5-306(c)), the Wyoming State Engineer's Office (per W.S. §18-5-306(a)(xiv)), and the Laramie River Conservation District (per W.S. §18-5-306(b)), the prospective subdivision developer shall schedule a pre-application conference with the County Planning Director. The developer shall provide a sketch drawing of the proposed subdivision showing general location and lot layout. The purpose of the pre-application conference is to ensure that the prospective subdivision developer and his engineer understand all requirements of the subdivision process.

Section 3. Review by Planning and Zoning Commission Pursuant to W.S. §18-5-307, the planning and zoning commission shall receive applications for preliminary and final plats in conjunction with a request for a subdivision permit and make recommendations. The board of county commissioners designated the county planning and zoning commission, authorized under the provisions of W.S. §18-5-201 through §18-5-206, as the proper agency to receive and evaluate applications for subdivision permits. The planning and zoning commission shall receive the materials required by this article (*i.e.* W.S. §18-5-301 to 315) and after evaluation shall make findings and recommendations to the board of county commissioners concerning an application within forty-five (45) days from date of filing of a completed application with the planning office. If no action is taken by the planning and zoning commission within that time the plat is deemed to be approved by the planning and zoning commission.

The Planning and Zoning Commission may require that any conditions attached to a recommendation for approval of a preliminary plat to the Board of County Commissioners be satisfied by a specific deadline. If any condition is not satisfied by said deadline, the contingent approval recommendation expires and becomes void, unless extended by the Commission. The extension must be initiated

by applicant. No qualified or conditional recommendation for approval of a final plat shall be forwarded to the Board of County Commissioners for action until the qualification or contingency has been satisfied.

Section 4. Review and Approval by the Board of County Commissioners Pursuant to W.S. §18-5-308, the board shall approve or disapprove the subdivision application and issue a subdivision permit or ruling within forty-five (45) days after receiving a report from the planning and zoning commission. If any part of the subdivision lies within one (1) mile of the boundaries of an incorporated city or town the approval of the governing body of the city or town must also be obtained in accordance with W.S. §34-114 [§34-12-103].

Section 5. Minimum Requirements for Subdivision Permits

Pursuant to W.S. §18-5-306, the Board shall require the following information to be submitted with each application for a subdivision permit:

- A. Evidence satisfactory to the board that the proposed subdivision complies with any applicable zoning or land use regulations;
- B. A survey plat prepared by a licensed surveyor containing the following:
 - 1. Date of preparation, scale and north arrow;
 - 2. The location of the subdivision including the section, township and range;
 - 3. The location and dimension of existing and proposed streets, alleys, roads, highways, public ways, utility rights-of-way, easements, parks and the location of proposed permanent buildings and structures if known.
- C. Evidence-satisfactory to the board that:
 - 1. The subdivided land is free of all encumbrances and that the person or his agent who offers any part of the subdivision for sale or who solicits any offers for the purchase thereof, may convey merchantable title subject only to noted reservations or restrictions of record, but free of encumbrances and subject only to a proportionate share of real property taxes or assessments charged or assessed for the year in which any such sale may be legally effected; or

2. Binding arrangements have been made by the person or his agent who offers any part of the subdivision for sale, to assure purchasers of any part of the subdivision that upon full payment of the purchase price a deed can and will be delivered conveying merchantable title subject only to noted reservations or restrictions of record and free of encumbrances not specifically assumed by the purchaser, subject only to a proportionate share of such taxes and assessments thereon as may be levied or assessed for the year in which the sale may be legally effected; and
3. If the subdivider proposes to connect any street, alley or roadway to any private, district or privately maintained public street, alley or roadway as a means to reach a publicly maintained road, the subdivider shall provide evidence satisfactory to the board that a legally binding maintenance contract with those who maintain the private or public way has been signed and recorded with the county clerk. The absence of a contract shall not disqualify the applicant from subdivision approval if the Board of County Commissioners finds that reasonable efforts have been made and documented by the applicant to enter into a road maintenance contract. Any primary connecting road between the subdivision and a public road shall be constructed or improved to meet the same standards of road construction, which apply within the subdivision.

Proof of reasonable efforts include, but are not limited to:

1. Arbitration or attempted arbitration;
2. Payment by the subdivider to the entity maintaining the road;
3. Documented attempts to enter into a contract with the entity maintaining the road.

In addition, a road impact study may be required by the Board of County Commissioners, at the expense of the applicant, to determine baseline conditions and future impacts due to the increase in traffic from the proposed subdivision. (Adopted March

3, 2014)

- D. A study evaluating the sewage disposal system proposed for the subdivision and the adequacy and safety of the system. The study shall, at a minimum include the following:
1. Identification of the method of sewage disposal or sewage system to serve the subdivision and identification of the entity or entities responsible for the design, construction, operation and maintenance of the proposed facility; and
 2. A report completed by a Wyoming registered professional engineer certifying to the adequacy and safety of the proposed sewage system. The report shall address, at a minimum, the following issues:
 - (a) An assessment of the adequacy of the proposed sewer system in relation to the proposed population density of the subdivision and any other existing or proposed land and water uses in the vicinity of the subdivision that may affect the adequacy of the system;
 - (b) An estimate of the total number of gallons per day of sewage to be treated where a central sewage collection and treatment facility is proposed;
 - (c) A demonstration that technical requirements and design standards of the department of environmental quality applicable to central sewage collection and treatment facilities can and will be met;
 - (d) Where utilization of or connection to an existing private or public wastewater treatment facility is proposed, certification that application to such entity has been made and that the entity can and will provide service;
 - (e) A detailed demonstration that the proposed sewer system for the subdivision is compatible with the proposed water system for the subdivision. The study shall demonstrate that the operation of the sewer system will not affect the suitability or safety of the proposed water supply;

- (f) Certification that the proposed sewage system will meet all county, state and federal standards. The certification shall address the relationship of the development to any local or state approved water quality management plans established pursuant to Section 201 of the Federal Clean Water Act, 33 U.S.C. Section 1281;
- E. If no public sewage disposal system is proposed by the subdivider:
 - 1. The application shall contain information concerning on-lot sewage disposal including results of percolation testing, adequacy and feasibility of separation distances from existing or proposed water supplies, or from individual wells where no water supply is proposed, adequacy of soil conditions and separation from groundwater; and
 - 2. The words "NO PROPOSED SEWAGE DISPOSAL SYSTEM" in bold, capital letters shall appear on all offers, solicitations, advertisements, contracts, agreements and plats relating to the subdivision.
- F. If the subdivider proposes to utilize adjoining property for sewers, drainage, sewer lines, power lines or other utilities, the subdivider shall provide copies of binding easements of not less than ten (10) feet in width for the proposed facilities from each property owner over whose land such services shall extend and shall provide a minimum access roadway right-of-way of eighty (80) feet to the subdivision for all public ways.
- G. A study evaluating the water supply and distribution system proposed for the subdivision and the adequacy and safety of the system. The study shall, at a minimum, include the following:
 - 1. A report completed by a Wyoming registered professional engineer certifying to the adequacy and safety of the proposed water supply, treatment and distribution system. The report shall address, at a minimum, the following issues:
 - (a) Identification of the type of water distribution system proposed to serve the subdivision and identification of the

- entity or entities responsible for the design, construction, operation and maintenance of the proposed facility;
- (b) The estimated total number of gallons per day for the subdivision water system;
 - (c) Evidence that public or private water suppliers can and will supply water to the proposed subdivision, stating the amount of water available for use within the subdivision and the feasibility of extending service to that area;
 - (d) Evidence concerning, the potability of the proposed water supply for the subdivision;
 - (e) Evidence that the proposed water supply will be compatible with and not adversely affected by the sewage system proposed for the subdivision.
2. A report completed by a Wyoming registered professional engineer certifying that a water supply that is sufficient in terms of quality, quantity and dependability will be available to ensure an adequate supply of water for the type of subdivision proposed. The report shall include:
- (a) A narrative summary of:
 - (1) The geologic setting of the water source and the area of influence such as nearby communities, major streams and aquifers described by a Wyoming professional geologist;
 - (2) The quantity, quality and source of the water to be used including proposed and existing surface and groundwater facilities;
 - (3) The proposed disposal of water not consumed, including water obtained under permits, storm drainage, de-watering, sewage and other wastewater sources.
 - (b) A detailed discussion of all water supply sources for the proposed subdivision and a concise description of water

availability in the area. Information shall include:

- (1) A delineation of primary sources of water, secondary sources and occasional or seasonal sources;
 - (2) Graphic location of all water supply sources including treatment facilities and ponds;
 - (3) Documentation of all data sources on the occurrence and availability of surface and groundwater.
- (c) Information concerning the adequacy of the proposed water supply, including:
- (1) Historic stream flows and well levels;
 - (2) Senior water rights;
 - (3) Flood damage and flood protection;
 - (4) Impact of and protection from supply shortages.
- (d) List of all surface and groundwater rights which will be used or which may be affected, including state engineer application and permit numbers, and description of expected effects;
- (e) Plans for the mitigation of possible water right conflicts resulting from the use of water within the proposed subdivision;
- (f) Tabulations, graphs, calculations, narrative and other supporting material necessary to expand or to explain other information provided;
- (g) Where the proposed source of water for the subdivision is a groundwater source, a written opinion from a registered professional geologist that the proposed source is sufficient in terms of quality, quantity and dependability for the type of subdivision proposed.
- H. Detailed estimates by a Wyoming professional engineer of all construction costs and proposed method or financing for the proposed water supply and distribution system and the proposed sewage system

for the subdivision;

- I. If no domestic water source is proposed by the subdivider:
 1. The application shall include a report by a Wyoming registered professional geologist providing his opinion relative to the potential availability and quality of groundwater from individual wells within the proposed subdivision; and
 2. The words "NO PROPOSED DOMESTIC WATER SOURCE" shall appear on all offers, solicitations, advertisements, contracts, agreements and plats relating to the subdivision.
- J. Evidence satisfactory to the board that adequate access has been provided and that all proposed streets, alleys and roadways within the subdivision conform to the minimum standards adopted by the board and applied uniformly throughout the county which shall not in itself constitute consent of the board to locate, repair or maintain roadways and facilities. If, however, the subdivider proposes to make any streets, alleys or roadways private, then the subdivider shall submit to the board properly acknowledged written certification that certain streets, alleys or roadways within the subdivision shall remain private and the board shall be under no obligation to repair, maintain or accept any dedication of such roads to the public use. If no such public maintenance is contemplated, the subdivider shall put a legend on the plat of the subdivision, on all advertisements and solicitations for the subdivision and on all offers, contracts or agreements for the sale and purchase of lots within the subdivision showing the streets, alleys and roadways showing in capital letters "NO PUBLIC MAINTENANCE OF STREETS OR ROADS";
- K. Evidence satisfactory to the board that the subdivider has adequate financial resources to develop and complete any facility proposed or represented to be the responsibility of the subdivider, including but not limited to water systems, sewage systems, streets and roadways. The applicant shall provide a performance bond, acceptable letter of credit or other sufficient financial commitment to assure that any facilities proposed or represented to be part of the subdivision shall in fact be completed as proposed, or escrow sufficient monies out of land sales to

guarantee that the above facilities are installed. The amount of any bond or other financial commitment or escrow required under this paragraph shall reflect the estimated costs of providing the facilities;

- L. Proof that the applicant has published notice of his intent to apply for a permit once each week for two (2) weeks within thirty (30) days prior to filing his application. The notice will include the name of the subdivider and the general location of the land to be subdivided;
- M. Any other information consistent with this subdivision resolution and the board's published rules and regulations which the board deems pertinent or relevant to the evaluation of the application;
- N. Prior to submission of a subdivision application filed with the Planning Office, with respect to any water rights appurtenant to lands to be subdivided in accordance with this chapter and prior to final approval of the subdivision, the subdivider shall provide:
 - 1. Evidence that the subdivider has submitted to the state engineer the documentation necessary to relinquish the water rights and has notified purchasers and the board of this action; or
 - 2. Evidence that the subdivider has submitted to the state engineer the documentation necessary to change the use, place of use or point of diversion to provide for beneficial use of the water rights outside the subdivision; or
 - 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. §41-3-103, §41-3-104 or §41-3-114; and
 - 4. If the subdivision is located within an irrigation district or within lands, served by a ditch, irrigation company or association or by an unorganized ditch, evidence that the plan has been submitted

to the district board company, or association, or the remaining appropriators in the case of an unorganized ditch for their review and recommendations; and

5. Evidence that the subdivider will specifically state on all offers and solicitations relative to the subdivision his intent to comply with this paragraph (*i.e.* W.S. §18-5-306(a)(xi)(E)) and that the seller does not warrant to a purchaser that he shall have any rights to the natural flow of any stream within or adjacent to the proposed subdivision. He shall further state that the 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.
- O. Prior to submission of a subdivision application filed with the planning office, applicant shall obtain review and recommendations from the local conservation district regarding soil suitability, erosion control, sedimentation and flooding problems.
- P. Prior to submission of a subdivision application filed with the planning office, the developer shall obtain review and recommendations from the Wyoming Department of Environmental Quality regarding the adequacy of existing or proposed sewage treatment works, including the feasibility of on-lot sewage disposal if no sewage disposal system is proposed, and the adequacy of the proposed water supply and distribution system, including the availability and quality of groundwater if no water supply is proposed.

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

- Q. Evidence that all parcels of land created by the subdivision will be

subject to written and recorded covenants or other instruments creating an entity, binding on subsequent owners of the land within the subdivision. The entities that may be used include, but are not limited to, special improvement districts, homeowners associations and mutual benefit corporations. The Board shall not mandate the creation of an entity with the ability to interfere with any owner's ability to use his private property, except to collect any assessment. The entity shall have the ability to address the following topics:

1. Maintenance and responsibility for common areas, roads and water supply systems and assessments against all parcels of land in the subdivision to defray the costs thereof;
2. Continued management of the entity. (10-20.09)

R. If the permit is approved the Board shall require the applicant 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". (10-20-09)

Section 6. Small Subdivision Process A small subdivision resolution in three (3) or less parcels of less than thirty-five (35) acres in size. It is intended that the regulations within this section provide a less costly method to develop small subdivisions and yet retain basic protections for the public.

A. The small, subdivision process shall not apply if any of the following conditions exists:

1. The subdivision will be served by a central sewage disposal system or central water supply system which is not owned and operated by a public entity;
2. The subdivision will be created within a previously platted subdivision;
3. The subdivision will be contiguous to other land, which the applicant has already platted as a subdivision;
4. Repealed September 7, 2010.

- B. If a proposed subdivision qualifies as a small subdivision, the following State and County regulatory provisions will not be required.
1. A report by a Wyoming registered geologist providing an opinion relative to the quality of groundwater from individual wells within the proposed subdivision;
 2. Proof of published notice of intent to apply for a subdivision permit;
 3. A review and recommendations from local conservation district;
 4. A review and recommendations from the Wyoming Department of Environmental Quality;
 5. Fire safety facilities in both urban and rural areas if the County Fire Warden agrees to waive part or all of the otherwise required facilities.
 6. Public access road right-of-way minimum width of eighty (80) feet and minimum roadbed width of twenty-four (24) feet. However, road right-of-way shall be a minimum of fifty (50) feet and an all-weather roadbed width of sixteen (16) feet shall be required.
- C. See Chapter IV, Section 8 for Notice Requirements. (Amended 04-15-08)
- D. Provisions of the Albany County Platting and Subdivision Resolution shall apply, other than those noted in subsection B above.

Section 7. Large Tracts Subdivision Process

- A. A large tracts subdivision is a subdivision of land where the parcels are 35 acres or larger, but not greater than 140 acres. However, all lawfully recorded parcels, created and recorded prior to August 5, 2008 shall be exempted from this section, other than with compliance with paragraphs (i) through (iii) of this section, and Section 5, Chapter III. These preexisting parcels shall be allowed to divide into not more than 10 large tract lots from each original parcel. Otherwise, each large tract parcel created after August 5, 2008 shall be subject to this Section and Section 5, Chapter III. Any subdivision of land involving lots of 35 to 140 acres in size is required to obtain a subdivision permit pursuant to this section unless otherwise exempt. Other provisions applying to

regular subdivision of land are not applicable. Before granting the exemption for division of a preexisting parcel, the Board of County Commissioners shall require the subdividers to submit the following:

- (i) A legal description or recordable survey containing the following:
 - (a) Date of preparation, scale and north arrow;
 - (b) The location of the subdivision units including the section, township and range;
 - (c) The location and dimension of access and utilities easements, which shall conform to the requirements of Section 3 (B), Chapter I.
- (ii) Evidence of compliance with paragraph (b) (ix) of this section;
- (iii) If a centralized water supply system is proposed on the parcel or parcels, a study evaluating the water supply system proposed and the adequacy and safety of the system. The study shall include information relative to the potential availability and quality of groundwater proposed within the parcel or parcels which may consist of new data, existing data on other working wells in the area, or other data, including drilling logs, from a test well drilled on the parcel or parcels indicating soil types, depth, quantity and quality of water produced in the test well. Where individual on-lot wells are proposed, the study shall not be required and the words "NO PROPOSED CENTRAL WATER SUPPLY SYSTEM," in bold capital letters shall appear on all offers, contracts, agreements and plats relating to the parcel or parcels.

B. The board shall require any or all of the following information to be submitted with an application for a subdivision permit pursuant to this section:

- (i) Evidence that the proposed subdivision complies with any applicable zoning regulations;
- (ii) A survey plat submitted by the subdivider containing the following:

- (a) Date of preparation, scale and north arrow;
 - (b) The location of the subdivision including the section, township and range;
 - (c) The location and dimension of existing and proposed lots, units, tracts, parcels, streets, alleys, roads, highways, public ways, utility rights-of-way, easements, parks and the location of proposed permanent buildings and structures if known.
- (iii) Evidence that:
- (a) The subdivider or his duly authorized agent who offers any part of the subdivision for sale or who solicits any offers for the purchase thereof, may convey merchantable title subject only to noted reservations or restrictions of record and subject only to a proportionate share of real property taxes or assessments charged or assessed for the year in which any such sale may be legally effected; or
 - (b) Binding arrangements have been made by the person or his duly authorized agent who offers any part of the subdivision for sale, to assure purchasers of any part of the subdivision that upon full payment of the purchase price a deed can and will be delivered conveying merchantable title subject only to noted reservations or restrictions of record and subject only to a proportionate share of such taxes and assessments thereon as may be levied or assessed for the year in which the sale may be legally effected.
- (iv) A study evaluating the sewage system proposed for the subdivision and the adequacy and safety of the system. Where individual on-lot sewage systems are proposed, the words "NO PROPOSED CENTRALIZED SEWAGE SYSTEM," in bold capital letters shall appear on all offers, contracts, agreements and plats relating to the subdivision;

- (v) If the subdivider proposes to utilize adjoining property for sewers, drainage, sewer lines, power lines or other utilities, the subdivider shall provide copies of binding easements of not less than twenty (20) feet in width for the proposed facilities from each property owner over whose land such services shall extend and shall provide a minimum access roadway right-of-way of sixty (60) feet to the subdivision for all public ways. Where no or limited on-lot utility connections are proposed, the words "NO PROPOSED UTILITY CONNECTIONS" or "LIMITED UTILITY CONNECTIONS," as appropriate, in bold capital letters shall appear on all offers, contracts, agreements and plats relating to the subdivision. A permit shall not be denied for failure to provide on-lot utility connections;
- (vi) A study evaluating the water supply system proposed for the subdivision and the adequacy and safety of the system. The study shall include information relative to the potential availability and quality of groundwater proposed within the subdivision which may consist of new data, existing data on other working wells in the area, or other data, including drilling logs, from a test well drilled within the proposed subdivision indicating soil types, depth, quantity and quality of water produced in the test well. Where individual on-lot wells are proposed, the words "NO PROPOSED CENTRAL WATER SUPPLY SYSTEM," in bold capital letters shall appear on all offers, contracts, agreements and plats relating to the subdivision;
- (vii) Documentation that adequate ingress and egress access has been provided to all proposed lots, units, tracts and parcels and that all proposed lots, units, tracts, parcels, streets, alleys and roadways within the subdivision conform to the minimum standards adopted by the board and applied uniformly throughout the county which shall not in itself constitute consent of the board to locate, repair or maintain roadways and facilities. If, however, the subdivider proposes to make any streets, alleys or roadways private, then the subdivider shall

submit to the board properly acknowledged written certification that certain streets, alleys or roadways within the subdivision shall remain private and the board shall be under no obligation to repair, maintain or accept any dedication of these roads to the public use. If no such public maintenance is contemplated on any of the roads, the subdivider shall put a legend on the plat of the subdivision and on all offers, contracts or agreements for the sale and purchase of lots within the subdivision showing the streets, alleys and roadways showing in capital letters "NO PUBLIC MAINTENANCE OF SPECIFIED STREETS OR ROADS";

- (viii) Documentation that the subdivider has adequate financial resources to develop and complete any facility proposed or represented to be the responsibility of the subdivider, including but not limited to water supply systems, sewage systems, streets and roadways. The applicant shall provide a performance bond, acceptable letter of credit or other sufficient financial commitment to assure that any facilities proposed or represented to be part of the subdivision will in fact be completed as proposed, or escrow sufficient monies out of land sales to guarantee that the above facilities are installed. The amount of any bond or other financial commitment or escrow required under this paragraph shall reflect the estimated costs of providing the facilities;
- (ix) With respect to any water rights appurtenant to lands to be subdivided in accordance with this section and prior to final approval of the subdivision the subdivider shall provide:
 - (a) Evidence that the subdivider has submitted to the state engineer the documentation necessary to relinquish the water rights and has notified purchasers and the board of this action; or
 - (b) Evidence that the subdivider has submitted to the state engineer the documentation necessary to change the use,

- place of use or point of diversion to provide for beneficial use of the water rights outside the subdivision; or
- (c) 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. 41-3-103, 41-3-104 or 41-3-114;
 - (d) If the subdivision is located within an irrigation district or within lands, served by a ditch, irrigation company or association or by an unorganized ditch, evidence that the plan has been submitted to the district board company, or association, or the remaining appropriators in the case of an unorganized ditch for their review and recommendations; and
 - (e) Evidence that the subdivider will specifically state on all offers relative to the subdivision his intent to comply with this paragraph and that the seller does not warrant to a purchaser that he shall have any rights to the natural flow of any stream within or adjacent to the proposed subdivision. He shall further state that the 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.
 - (x) Evidence that all parcels of land created by the subdivision will be subject to written and recorded covenants or other instruments creating an entity, binding on subsequent owners of the land within the subdivision. The entities that may be used include, but are not limited to, special improvement district, homeowners associations and mutual benefit corporations. The Board shall not mandate the creation of an entity with the

ability to interfere with any owner's ability to use his private property, except to collect any assessment. The entity shall have the ability to address the following topics:

- (a) Maintenance and responsibility for common areas, roads and water supply systems and assessments against all parcels of land in the subdivision to defray the costs thereof;
- (b) Continued management of the entity. (10-20-09)

- C. The board shall require the applicant to obtain review and recommendations from the local conservation district regarding soil suitability, erosion control, sedimentation and flooding problems. The review and recommendations shall be completed within sixty (60) days.
- D. The board shall require the applicant to obtain review and recommendations from a fire protection district in which any portion of the subdivision lies, from the authority having jurisdiction over fire prevention and protection in the area or from the nearest fire protection district if no part of the subdivision lies within a fire protection district, regarding adequacy of fire protection measures. If the entire subdivision does not lie within a fire protection district and no city, town or fire protection district is obligated to provide fire protection pursuant to an agreement authorized by law the subdivider shall put a legend on the plat of the subdivision and on all offers, contracts or agreements for the sale and purchase of lots within the subdivision showing in capital letters "LOTS ARE NOT PART OF A FIRE PROTECTION DISTRICT AND FIRE PROTECTION IS NOT OTHERWISE PROVIDED".
- E. If the permit is approved the board shall require the applicant 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".
- F. Nothing in this section shall require the acquisition of a permit for the sale or disposition of lands that on or before August 5, 2008 have been developed and promoted as part of a large acre subdivision as evidenced by dated plat maps, sales brochures or other evidence acceptable to the

board.

- G. If the lots, units, tracts or parcels created pursuant to a permit issued under this section are used for agricultural purposes and otherwise qualify as agricultural land for purposes of W.S. 39-13-103(b) (x), the lots, units, tracts or parcels shall be deemed not to be part of a platted subdivision for purposes of W.S. 39-13-103(b) (x) (B) (II).

Section 8. Permit Fees Pursuant to W.S. §18-5-309, each application for a subdivision permit shall be accompanied by a reasonable fee not to exceed the cost of processing the application as determined by the board. All fees collected shall be credited to the county general fund. (10-20-09)

Section 9. Notification of Surrounding Property Owners

- A. Development Proposals: The notice requirements shall apply to preliminary plats and final plats.
- B. Fee: Applicant shall remit a fee in the amount of \$100.00 to cover notice expenses at the time of filing a development proposal. This fee shall be in addition to the application filing fee.
- C. Notice Requirements:
 - 1. Mail: Applicant shall be responsible for mailing notice, by certified mail, to surrounding, contiguous owners of the proposed development. Notice of pending proposals for development shall be given before both the Planning and Zoning Commission and the Board of County Commissioners at least fourteen (14) days prior to consideration. Rights-of-way and easements shall not be considered as dividing properties. Names and addresses for the surrounding property owners shall be obtained from the Albany County Assessor's Office. Use of any information which is not up-to-date shall not invalidate this notice requirement.

Applicant shall submit to the Planning Office both an affidavit of mailing of the certified mail notice and copies of the signed return by recipients of the notice. The affidavit and the receipt copies shall be submitted to the planning office at least five (5) days prior to the respective Planning and Zoning Commission and Board of County Commissioners meetings.

2. Publication: The Planning Department shall propose and place in the local newspaper a legal notice of the proposed development. The publication shall provide at least 14 days notice of a development proposal before the Planning and Zoning Commission and the Board of County Commissioners.
 3. Signage: The applicant shall obtain at the time of the application submission, one (1) sign to be placed along and clearly visible from each publicly used road abutting the property. The sign shall state the property is being proposed for development and shall give contact information for the Planning Department. The sign(s) shall be posted at least 14 days prior to consideration of a development proposal before the Planning and Zoning Commission and the Board of County Commissioners. Applicant is responsible for return of the signs in as good a condition as when obtained, except for reasonable wear and tear.
- D. Contents of Notice: All mailed and publication notices shall include a brief description of the development proposal including the owner, location and proposed use; contact information for the Planning Department; and the location, date and time, and reviewing body for the public meeting or hearing.

Amended April 15, 2008

Chapter V. SUBDIVISION REQUIREMENTS

Section 1. Preliminary Plat

A. Information Required on the Face of Preliminary Plat.

1. Name of subdivision, which shall be different from that of any other existing subdivision previously recorded in Albany County.
2. Location of the subdivision and its relationship to a larger subdivision or tract of land, if applicable, and by reference to permanent survey monuments with a tie to a section corner or a quarter section corner.
3. General legal description of the tract including approximate size to the nearest one-hundredth of an acre.
4. Names and addresses of the subdividers and owners, the designer of the subdivision, the surveyor and a reasonably accurate description of the owners of adjacent subdivision and property owners.
5. The location, width and names of streets and other public ways, easements, railroad and utility rights-of-way, section lines and any municipal, county or district boundaries such as: sewer, water, school, fire, etc.
6. Approximate length of streets, actual centerlines and actual curve radius, chord bearing and distances of street data where the curvature information will be other than ninety degrees (90°).
7. Date of preparation, graphic scale (not less than two hundred [200] feet to the inch) and north point (designation of true north). Scales larger than two hundred (200) feet to the inch shall be standard scales approved by the Planning Commission.
8. A vicinity map of the tract at not greater than two thousand (2,000) feet to the inch.
9. Contours at vertical intervals of not more than two (2) feet where the average slope is less than twenty (20) percent, but in no case more than five (5) feet. All contours shall be extended onto adjacent properties a sufficient distance to establish proper

topographical relationships.

10. Designation of areas where the slope exceeds twenty (20) percent.
11. The approximate location of all existing structures that will remain on the property after the Final Plat is recorded.
12. The approximate location of major water courses, existing water bodies and other natural features.
13. Present zoning on and adjacent to tract, if any.
14. The approximate widths, locations and uses of all existing or proposed easements for drainage, sewerage, public utilities, bridges or culverts.
15. Identification and approximate dimensions of all lots and blocks.
16. The approximate location of land intended to be conveyed or reserved for public use or reserved in deeds for the use of all property owners in the proposed subdivision.
17. All legal descriptions shall be presented in digital form using state plane coordinates on disk or CD-ROM format in addition to the paper copy.

B. Information Required in Preliminary Report:

1. Information concerning access to and within the proposed subdivision.
2. Maps showing soil mapping unit boundaries with appropriate symbols and tables concerning subdivision in accordance with the National Cooperative Soil Survey.
3. An analysis of storm drainage and spring runoff problems and methods for caring for storm and snow melt runoffs. A complete drainage system for the entire subdivision shall be designed by a professional engineer licensed to practice in the State of Wyoming and qualified to perform such work. The Drainage Plan shall include:
 - (a) All existing drainage features and proposed drainage facilities and structures together with computations

supporting the sizes shown.

- (b) Computations taking into consideration all drainage areas, both internal and external, which affect the subdivision.
 - (c) Location and computations for all outfall points.
 - (d) A local basin map or location map of the area.
 - (e) A detailed map of the drainage in the subdivision under study.
 - (f) A high water line, based on a two and one-half/hour (2-1/2") intensity storm for major drainage and interior drainage, shall be included in the Drainage Plan which shall clearly show areas of the subdivision subject to inundation.
 - (g) If the development is to be submitted in phases, a general drainage plan for the entire development shall be presented with the first phase and appropriate development stages for the drainage system for each phase being submitted.
4. Reports concerning potential geological hazards of the area significantly affecting the land use and determining the impact of such hazards on the proposed subdivision.
 5. A description of the purpose of the subdivision; *e.g.*, residential, commercial, industrial, etc.
 6. Information concerning utility services, including certification from utility companies with reference to easements shown on the plat.
 7. A plan for disposal of solid wastes within the proposed subdivision, or a letter of certification from a public agency that it intends to provide solid waste disposal services. This requirement may be satisfied by submission of appropriate covenants on the land in connection with the establishment of a Homeowners Association.
 8. Copy of all information submitted to and approved by the Wyoming Department of Environmental Quality, the Wyoming State Engineer's Offices, and the Laramie River Conservation District.

Section 2. Final Plat

- A. The final plat shall be drawn with permanent waterproof ink or by a photographic process (silver image) on a linen or polyester film base material. The overall plat dimensions shall be twenty-two (22) inches by thirty-six (36) inches in size. There shall be a minimum of one and one-half (1-1/2) inches margin on the left side of the short dimension for a binding edge; the remaining three margins shall be one-half (1/2) inch each.
- B. Scale. The final plat shall be drawn to a scale that will show all the details clearly. However, under no circumstances shall the scale be greater than two hundred (200) feet to the inch.
- C. Information Required on the Face of the Final Plat.
 - 1. Title or name of proposed subdivision: The title shall appear on all sheets of the final plat.
 - 2. Statement, executed by the owners of all legal and equitable interests in the property being subdivided, which shall contain the following:
 - (a) Names of the persons or entities executing the plat.
 - (b) Description of the property being subdivided; if said description contain, references to recorded documents and/or instruments, said information shall be the property indicated on the graphic portion of the plat.
 - (c) Formal and complete statement of the title or name of the plat.
 - (d) Dedication and acceptance statement regarding all public right-of-way to be dedicated for public use.
 - (e) Proper signatures of the subscribing persons and entities affirming the execution of the plat; in the event of execution by a corporation, the corporate seal must be affixed to the plat.
 - 3. Notarial Acknowledgement. Proper statutory acknowledgment by the owner or owners of legal or beneficial interests of their

approval of the plat and the dedication of streets and other public areas.

4. Date of preparation, north point, written scale and graphic scale.
5. A vicinity map of the tract at not greater than two thousand (2,000) feet to the inch.
6. Location of land intended to be conveyed or reserved for public use or reserved in the deeds for the use of all property owners in the proposed subdivision and the methods of dedication and maintenance of said lands. Said lands shall be identified by a tract or parcel.
7. Surveyors Certification. Certification by a Wyoming licensed surveyor to the effect that the layout represents a survey made by him and that all dimensional and other details are correct.
8. Certificates for execution by each of the following or their duly appointed representatives:
 - (a) Chairman of the Planning and Zoning Commission.
 - (b) Albany County Clerk.
 - (c) Chairman of the Board of County Commissioners.
 - (d) Acting Albany County Engineer.
9. Relationship to Known Monuments. The subdivision shall be tied by angles and distances to the nearest accepted monuments, which shall be accurately described on the final plat, in accordance with the requirements of W.S. §34-12-102, as amended.
10. Layout. The exact layout shall include:
 - (a) Boundary lines. The boundary lines with accurate distances and either bearings or internal angles, the exact location and width of all existing or recorded streets intersecting the boundary of the tract. All dimensions to be determined by accurate field survey which must close within the limit of one (1) foot in five thousand (5,000) feet (relative error of closure).

- (b) Approximate length, of streets, actual centerlines and actual curve radius, chord bearing and distances of street data where the curvature information will be other than ninety degrees (90°).
 - (c) Easements shall be designed on the plat as to use and size. They shall be represented by free dash lines or indicated by appropriate statements.
 - (d) All lines of lots, blocks and other parcels of land shall have accurate dimensions in feet and hundredths with bearings or angles to street and alley lines. Lots must close to one (1) foot in five thousand (5,000) feet and must be surveyable by the information given on the final plat alone.
 - (e) All lots and blocks in the subdivision shall be numbered consecutively throughout the tract with no omissions or duplications.
 - (f) The plat shall show the right-of-way lines, widths, locations and street names of all existing and proposed streets or roads within the proposed subdivision. The center-line data or right-of-way data of all curves shall be indicated on the plat either in the rights-of-way or in a curve table.
 - (g) Areas in designated floodplains. Refer to Albany County Flood Damage Prevention Ordinance, Section 5.1-4, adopted May 1, 1988 for specific direction on subdivision proposals.
 - (h) Location and size of water storage tank or other fire suppression means to be provided.
11. The subdivider shall state on the plat, "The right is granted to the County to declare any or all streets, alleys or roadways within the subdivision as county roads and are dedicated for public use." The Board shall be under no obligation to build, repair, maintain or accept any dedication of such roads. If no public maintenance is contemplated, the subdivider shall put a legend on the plat of the

subdivision, on all advertisements and solicitations for the subdivision, and on all offers, contracts or agreements for the sale and purchase of lots within the subdivision showing the streets, alleys and roadways and showing in bold capital letters "NO PUBLIC MAINTENANCE OF STREETS OR ROADS".

12. If no domestic water source is proposed by the subdivider, the words "NO PROPOSED DOMESTIC WATER SOURCE" in bold, capital letters shall appear on all offers, solicitations, advertisements, contracts, agreements, and plats relating to the subdivision.
13. Information concerning on-lot sewage disposal shall include results of percolation testing, adequacy and feasibility of separation distances from existing or proposed water supplies, or from individual wells where no water supply is proposed, adequacy of soil conditions and separation from groundwater. If no public sewage disposal systems proposed by the subdivider, the words "NO PROPOSED PUBLIC SEWAGE DISPOSAL SYSTEM" in bold capital letters shall appear on all offers, solicitations, advertisements, contracts, agreements and plats relating to the subdivision.

D. Details of Improvements. Detail plans, design, and specifications of all proposed improvements shall be submitted. More specifically, these will include:

1. The plans and profiles of all roads, highways and alleys serving the subdivision showing alignments, existing center-line evaluations, and final centerline grades.
2. The location, size, dimensions and specifications of the water storage tank or any other means proposed for fire suppression purpose.
3. The size and location of all culverts, gutters and other drainage means.
4. Any proposed means of soils stabilization and embankments.
5. Any other information required by the planning office.

Section 3. Public Record of Documents The supplemental information and the preliminary plat shall be on permanent file and available for public inspection in the planning office or place designated by the planning office.

Section 4. Rural Addressing Addressing of lots in subdivisions shall be completed by planning staff in conjunction with approval of the subdivision permit by the Board of County Commissioners. The addresses shall be placed on the mylar of the final plat by the developer's engineer or surveyor prior to recordation with the County Clerk. Reference Albany County Zoning Resolutions Chapter VIII, Section 2.

Section 5. Recording of Plat Pursuant to W.S. §18-5-310, the County Clerk shall not accept, file or record in the official records of the county any deed of conveyance or any contract or agreement to convey any land subject to this resolution until a subdivision permit has been issued by the board.

It shall be the duty of the subdivider to record the approved final plat with the county clerk within ten (10) working days from the date the chairman of the board of county commissioners affixes his signature to the final plat. No lots shall be sold prior to the recording of the final plat with the clerk.

Section 6. Recording of Notices of Contract for Deed If any lot, unit, tract or parcel is created pursuant to a subdivision and the lot, unit, tract or parcel is sold pursuant to a contract for deed, notice of the contract for deed shall be recorded with the county clerk within ten (10) days after the contract was executed. (Amended 08-08-08)

Section 7. Amendment of Recorded Plats

- A. Minor amendments which are filed with Albany County Clerk to correct minor survey or drafting errors in a recorded plat shall be prepared in the form of an affidavit or, where deemed necessary for clarity, a revised plat certified by a land surveyor licensed with the State of Wyoming. All affidavits or corrected plats shall be submitted to the board of county commissioners for action.
- B. Lot line adjustments and amendments to a recorded plat which do not increase the number of lots or add roads and complies with the maximum allowable density shall be submitted as an amended final plat. Prior to the submittal of such amended plats, the planning office shall review and compare the proposed plat with a copy of the recorded

plat. The amended final plat shall then be prepared and submitted to the board of county commissioners for action.

Section 8. Vacation and Replat of Recorded Subdivisions The board of county commissioners must review and approve all vacations and replats of recorded subdivisions as provided in W.S. § 34-12-106 through §34-12-109.

- A. Pursuant to W.S. §34-12-106, any such plat may be vacated by the proprietors thereof at any time before the sale of any lots therein, by a written instrument declaring the same to be vacated, duly executed, acknowledged or proved and recorded in the same office with the plat to be vacated, and the execution and recording of such writing shall operate to destroy the force and effect of the recording of the plat so vacated, and to divest all public rights in the streets, alleys, commons and public grounds laid out or described in such plat, and in case where any lots have been sold, the plat may be vacated as herein provided, by all the owners of lots in such plat joining in the execution of the writing aforesaid.
- B. Pursuant to W.S. §34-12-107, streets and alleys so platted and laid out, or which have been platted or laid out under any prior law of this state regulating private plats, may be altered or vacated in the manner provided by law for the alteration or discontinuance of highways.
- C. Pursuant to W.S. §34-12-108, any part of a plat may be vacated under the provisions, and subject to the conditions of this act [W.S. §34-12-101 through §34-12-104, W.S. §34-12-106 through §34-12-115]; provided, such vacating does not abridge or destroy any of the rights and privileges of other proprietors in said plat; and provided, further, that nothing contained in this section shall authorize the closing or obstruction of any public highways laid out according to law.
- D. Pursuant to W.S. §34-12-109, when any part of a plat shall be vacated as aforesaid, the proprietors of the lots so vacated may enclose the streets, alleys and public grounds adjoining lots in equal proportions.

Chapter VI. SUBDIVISION DESIGN STANDARDS

Section 1. Planning Considerations

- A. The Planning and Zoning Commission shall study and review all subdivision plans and plats in relation to the general character of the area, the general requirements of the community and the particular requirements of the neighborhood.
- B. Particular consideration shall be given to topography in relation to slope stability.
- C. 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, nor endanger the general health, safety or welfare of the county's residents.
- D. Any subdivision plat submitted to the planning and zoning commission for approval shall be designed to permit continuation of streets into adjacent subdivisions unless there is justification for an alternate design.
- E. Land area for flood plains, natural or scenic areas, schools, parks, open spaces, road rights-of-way and easements shall be reserved and located according to good planning practices and principles.
- F. Where an entire parcel is not subdivided, the subdivider must indicate his intended plans for disposition of the remainder of the parcel.
- G. Multiple land uses within subdivision must be properly oriented and situated within the subdivision to provide the maximum convenience to the residents.

Section 2. General Standards

- A. The design and development of subdivision shall preserve, insofar as it is possible, the natural terrain, natural drainage, existing topsoil, trees, wildlife and fish habitats.
- B. Land subject to hazardous conditions such as landslides, rock falls, possible subsidence, shallow water table, open quarries, floods and

polluted or nonpotable water supply shall be identified.

Section 3. Lot Standards

- A. The lot size (see Section 6.A of this chapter), width, depth, shape and orientation shall be appropriate for the location of the subdivision, for the type of development and use contemplated and for future vacation and replat where appropriate.
- B. Lot sizes shall be adequate to provide for sufficient off-street service and parking facilities required by the type of use and development contemplated.
- C. Double frontage and reverse frontage lots shall be avoided except where it is essential to provide separation of residential development from expressways and major arterial streets or overcome specific problems of topography and orientation.
- D. The subdivision shall be so designed as to provide each lot with satisfactory access to an approved public or private road, unless private easements are shown on the plat.
- E. Side lot lines shall be substantially at right angles or radial to road right-of-way lines or center-lines.
- F. A single lot shall not be divided by a public road, alley or another lot.
- G. Irregular or wedge-shaped lots shall not be less than thirty (30) feet in width at the front lot line.
- H. Acreage of all lots, to the nearest one-hundredth of an acre, shall be clearly exhibited on the plat.
- I. The lengths, widths and shapes of blocks shall be determined with regard to:
 - 1. Provision of adequate building sites suitable for the special needs of the type of use contemplated.
 - 2. Need for convenient access, circulation, control and safety of street traffic.
 - 3. Limitations and opportunities of topography.

4. Limitations and protection of private water and sewage systems and to prevent surface and/or subsurface contamination or pollution.

Section 4. Street Standards

A. General.

1. "Right-of-way" shall be eighty (80) feet minimum width and the traveled way or roadway shall be twenty-four (24) feet. Pursuant to W.S. §34-12-103, if the subdivision is located within one mile of a municipality, the standard regarding right-of-way, roadway width, curbs and gutters and other requirements of that municipality will also apply.
2. The perpetual right-of-way easement or title shall be transferred to the Board.
3. Roadway shoulders shall be three (3) feet wide as a minimum with slope of 5 feet horizontal for each one foot vertical.
4. Drainage slopes and ditches shall be excavated, shaped and sloped to facilitate storm water run-off. See Appendix A, Road Design Standards.
5. Fill slope shall be as follows:
 - (a) 0' - 8' fill 5::1 slope
 - (b) 0' - 20' fill 4::1 slope
 - (c) 0' - over 20' 2::1 slopeor as close as permitted by the natural angle of repose of the soil. Slope should stop at least one foot from right-of-way line/property line.
6. Roadway alignment (layout) shall be consistent with topography as to provide, as much as possible, natural drainage for storm water.
 - (a) Culverts/bridges shall be sized to handle storm runoff for 10 years storm based on FHA rainfall rate and absorption

factor.

- (b) **Base/Sub-base.** Base/sub-base materials naturally occurring in construction area are to be examined for determination of soil type. All soil that exhibits a high percentage of fine slits/clays and/or organic material (soil type A-4, A-5, A-6 and A-7 and the variations thereof) shall be improved by the addition of a sandy and/or gravelly material when elevating roadbed above surrounding natural terrain. Base/sub-base shall be compacted at or near optimum moisture content by wheel-rolling or sheeps-foot compactor until the point of 3/8" steel/iron rod under the weight of 165 pound operator penetrates to a depth of one-half inch or less.
- (c) **Surfacing Materials.** Surfacing materials shall be four (4) inches of 3/4" minus crusher run material spread twenty-four (24) feet wide and compacted for density acceptable to the Albany County Road and Bridge Supervisor. Moisture content shall be at or near optimum for compaction. Soil binder shall be added to crushed material as required to prevent scatter of aggregate by traffic. Additional surfacing/paving may be required.
- (d) **Snowdrift Consideration.** To minimize snowdrifting in the road, the roadbed shall be at least one (1) foot above the natural terrain, except where prohibited by terrain, with backslopes no steeper than three (3) feet horizontal to one (1) foot vertical.
- (e) **Intersections.** Right angle intersections shall have minimum radius of twenty (20) feet at the roadbed shoulder. Intersections at other angles shall have minimum radius to facilitate turn by single unit truck/bus. The intersection of local roads with major highways or roads shall be kept at a minimum. Two streets intersecting

from opposite sides shall intersect at the extension of their center lines, or their center lines shall be offset at least one hundred fifty (150) feet. All inslopes for any intersection shall be no greater than 4:1 slope.

- (f) Grades. The grades of streets and roads will be as follows:
 - (i) Street grades shall be more than five tenths (0.5) percent, but less than ten (10) percent for local and collector streets and alleys, and less than six (6) percent for major arterial streets.
 - (ii) Streets shall be leveled to a grade of less than four (4) percent for a distance of at least one hundred (100) feet approaching all intersections.
 - (iii) Vertical curves shall be used at changes of grade exceeding one (1) percent and shall be designed to provide, at a minimum, a sight distance of two hundred (200) feet for local streets and three hundred (300) feet for all other streets as may be required by the County Engineer.
- (g) Alleys. Alleys shall be provided if required by the Planning and Zoning Commission. The minimum width of the alley shall be twenty (20) feet. Dead-end alleys shall be avoided whenever possible, if unavoidable, a turn-around area shall be provided at the end of the alley. Normally, alleys will not be required in single-family residential areas.
- (h) Easements. Easements shall be provided for all utilities, drainage ways, channels or streams which traverse across or serve the subdivision.
- (i) Block Lengths. The length, width and shapes of blocks shall be determined by the type of use, zoning requirements, needs for convenient access, circulation, and safety of street traffic, and limitations and opportunities of

topography. Unless unusual circumstances exist, block lengths will not exceed twelve hundred (1,200) feet or less than three hundred (300) feet.

- (j) Cul-de-sac Streets. The maximum length of the cul-de-sac shall not exceed six hundred (600) feet, unless the lots adjoining such streets are one acre or larger and special permission is granted by the Planning and Zoning Commission to have the street extend an additional length. The turn-around area shall have a minimum radius of 40 feet of right-of-way and a curb or pavement edge radius of thirty-five (35) feet, or some other suitable turning area approved by the Planning and Zoning Commission.
- (k) Stub Streets. Stub streets shall not be permitted except to complete a half street already in existence, unless otherwise approved by the planning and zoning commission.
- (l) Half Streets. Half streets shall not be permitted except to complete a half street already in existence, unless otherwise approved by the Planning and Zoning Commission.
- (m) Sight Distances. To insure adequate sight distances, when street roadways are more than five (5) degrees, connection shall be made by horizontal curves.
- (n) Street Names. Street names shall be substantially different from any other established public or private street names, as determined by the Planning Office.
- (o) Service Roads. Service roads or other design solutions to limited access may be required when the subdivision abuts a major street, highway or freeway.
- (p) Driveways. Driveways shall not be permitted to have direct access to major streets.

(q) Approaches. Approaches shall be a minimum of fourteen (14) feet wide and shall have a minimum radius at T/W shoulders of fifteen (15) feet. Drain pipes shall be placed in drain ditch to facilitate roadway drainage. Pipe shall be sized to handle five (5) year frequency storm runoff, in slopes not greater than 4:1, but not smaller than eighteen (18) inches.

(r) Signs and Markers. Stop signs shall be installed on feeder roads where intersecting, with any county road or collector type road. Hazards shall be signed as required by "Manual on Uniform Traffic Control Devices," U.S.

Street signs may be required to be provided and placed by the developer in accordance with the plans and specifications approved by the County Road and Bridge Superintendent. After placement, the signs shall be subject to inspection and acceptance by the County. The developer shall be responsible for sign installation. Maintenance of signs shall be the responsibility of the developer until the maintenance is assumed by the homeowner's association or other entity.

(s) Curve Radius. The minimum curve radius permitted on streets shall be as follows:

Major arterial street	1,000 feet
Collector street	600 feet
Local street	50 feet

(t) Street Locations. All streets shall conform to the location as may be defined by the Major Street and Highway Plan.

(u) Unspecified Details. Information concerning requirements can be obtained from the Albany County Road and Bridge Supervisor.

(v) Acceptance. The road builder and/or interested parties shall request in writing to the Albany County Road and Bridge Supervisor that the road be inspected for

compliance with stated requirements. The county reserves the right to designate those roads to be maintained at county expense.

- (w) Variances. Variances to these street standards may be warranted where deemed necessary to correspond with similar street standards of any municipality.

Section 5. Sidewalks, Curbs and Gutters Sidewalks shall be provided where required by the board, on at least one (1) side of each street, not less than five (5) feet in width.

Section 6. Sewage Disposal and Water Supply Requirements

- A. Setbacks and Lot Size Requirements. Subdivision applications must meet the zoning district standards found in Chapter 3, Section 2 of the Albany County Zoning Resolution. If further subdivision is proposed within an existing recorded subdivision, an increase in the original density of the subdivision shall only be permitted if the zoning district standards can be met and the applicant receives a non-adverse recommendation from the Wyoming Department of Environmental Quality.
- B. Private Sewage Disposal Requirements. All lots or parcels which cannot be connected to a public or community sewage disposal system shall be provided with an on-lot sewage disposal system prior to occupancy of, or use by, buildings constructed thereon. Private sewage disposal systems shall be constructed in compliance with appropriate federal, state or local regulations.
- C. Central Water and Sewage Disposal Systems. When a central water or central sewage system is either proposed by the subdivider or required by the Board of County Commissioners, the subdivider shall provide appropriate certification as prescribed below:
 - 1. Existing Systems. When the proposed subdivision is to be provided services by an existing public water or public sewage disposal system, the subdivider shall provide written certification from the municipality or public agency that it does in fact intend to provide said services.
 - 2. New Systems. Any constructed central water or central sewage disposal system shall comply with appropriate federal, state and

local regulations governing said systems. The subdivider shall also provide written certification from the Wyoming Department of Environmental Quality that the proposed system complies with state regulations.

D. Fire Safety Requirements.

The Albany County Fire Warden and any fire district and fire department having jurisdiction (FD&FDHJ) shall receive copies of the proposed subdivision application for review and comment.

1. Urban Requirements. All areas served by a municipal or district water distribution system shall be required to provide fire hydrants in accordance with municipal or district requirements.

Fire hydrants shall meet City of Laramie specifications.

2. Rural Requirements. Subdivisions not served by a municipal or district water system shall be required to provide or obtain legal access to a water resource for fire fighting. The following minimum fire protection standards shall apply:

- (a) Water Storage. A water storage facility shall be required unless another water resource is approved. Minimum water storage of three thousand (3,000) gallons with an additional one thousand (1,000) gallons for each dwelling or lot, to a maximum of twelve thousand (12,000) gallons will be provided. Or, a three thousand (3,000) gallon tank with a supporting water supply, capable of replenishing water at the rate of one hundred (100) gallons per minute (gpm). If a water storage tank is to be provided, it shall meet the following requirements:

- (i) It will be built of corrosion resistant material.
- (ii) It will be built such that water will be available year-round without freezing.
- (iii) It will be centrally located within the subdivision

and will be conveniently accessible.

- (iv) Adequate provision will be made for refilling the storage tank, in case the stored water is used. This will be in the form of a well near the storage tank or any other means acceptable to the County Fire Warden.
 - (v) The water storage facility or provision will be in accordance with the requirements and specifications of the County Fire Warden. Plans for all portions of the water storage system for firefighting purposes shall be submitted to the County Fire Warden and/or any FD&FDHJ for approval.
 - (vi) If a water storage facility is required, a Homeowners Association (HOA) comprised of residents of the subdivision will be responsible for maintenance of the water storage facility and keeping it filled with water at all times. Until such an association is formed, it will be the responsibility of the developer to maintain and keep the water storage facility filled at all times. Inspections and maintenance shall be done in accordance with standards provided by the County Fire Warden and/or the FD&FDHJ.
 - (vii) Subdivision fire-fighting systems, on completion, shall be inspected and approved by the County Fire Warden and/or the FD&FDHJ. Without such approval, the developments included in the Subdivision Improvement Agreement will not be considered as completed.
- (b) Alternative Water Resource. The applicant may use an alternative water resource for fire protection of the subdivision if the following is provided to the County Planning Office prior to approval of the final plat:

- (i) The location of an adequate water resource.
 - (ii) Evidence that the applicant can legally access the water resource.
 - (iii) Written approval of the Fire Warden or the FD&FDHJ for the proposed alternative water resource.
- (c) Identification of Water Resource. An identification sign shall be installed at the location of any approved water resource for firefighting. In addition, GPS coordinates shall be provided to the Planning Office, Fire Warden and any FD&FDHJ.
- (d) Access Roads. Roads must be built to the following standards to serve such water storage facilities or other approved water resources:
- (i) Minimum roadway right-of-way: thirty (30) feet.
 - (ii) Minimum roadway width: eighteen (18) feet.
 - (iii) Minimum radius center line curvature: sixty (60) feet.
 - (iv) Maximum sustained grade: seven percent (7%).
 - (v) The draft point cannot be greater than ten feet (10') from the road bed.
 - (vi) Surface treatment as required for year-round passage.
 - (vii) If subdivision roads accessing the water resource will cross bridges, cattle guards, or culverts, the design of these structures shall allow passage of vehicles used for firefighting.

Amended 12/01/15

Section 7. Underground Utilities

- A. All electric and communication utility lines and services, and all street lighting circuits shall be installed underground, except for the following:
 - 1. Transformers, switching boxes, terminal boxes, meter cabinets, pedestals, ducts and other facilities necessary appurtenant to such underground and street lighting facilities;
 - 2. All facilities reasonably necessary to connect underground facilities to existing or permitted overhead or above-ground facilities;
 - 3. Overhead electric transmissions and distribution feeder lines, existing or new;
 - 4. It shall not be necessary to remove or replace existing utility facilities used or useful in serving the subdivision.
- B. Deviations from the requirements, other than those listed above, shall be permitted only with the written recommendation of the Planning and Zoning Commission and the Board who shall make recommendation only in cases of extreme difficulty.

Section 8. Landscaping

- A. Purpose. The purposes of these regulations are to provide for the enhancement of the county image, buffer between incompatible land uses by reducing excessive noise, air, and visual pollution, preserve the integrity of residential neighborhoods and to provide for the general health, safety, and welfare of the public by means of landscaping during community development.
- B. Relationship to Other Regulations and Laws. If other municipal, county, state and federal laws and regulations or subsequent Albany County resolutions place more restrictive standards pursuant to landscaping, those more restrictive standards under the appropriate jurisdiction will apply.
- C. Affected Land Uses.

1. This section shall apply to new residential subdivisions, including mobile home parks, within the major corridors of the unincorporated area of Albany County. The major corridors are Interstate 80 and Highways 287, 230 and 130.
2. The requirements shall not apply to any completed applications filed with the Albany County Planning Office prior to the effective date of the resolution.
3. The requirements shall not apply to small subdivisions (three or less parcels).

D. Definition of Terms

1. “Berm” means an earthen mound designed to screen undesirable views and/or decrease noise levels.
2. “Buffer” means natural or man-made physical elements, such as plants, trees, fences or walls, which separate and screen land uses from another.
3. “Caliper” means a standard for truck measurement of nursery stock that is measured from a specified distance above the ground.
4. “Coniferous” means a plant with foliage that is shed annually.
5. “Deciduous” means a plant with foliage that is shed annually.
6. “Gross Floor Space” means the sum of all floor area of a building used for human habitation or for business operations.
7. “Landscaping” means the use of organic and inorganic materials and man-made structures that present an expansion of natural and buffering scenery.
8. “Organic Landscape Materials” means living vegetative material.
9. “Shrub” means a woody plant that usually remains low and produces shoots or stems from the base and is not usually tree-like or single-stemmed.

E. Process. Before final issuance of the subdivision permit for affected

properties, a plan showing the location, landscaping components, and method of irrigation or watering of the landscape, shall be submitted to the Albany County Planning Office for review and approval.

F. Landscape Standards.

1. These landscape standards will be the minimum requirements for compliance. However, it is encouraged that those land uses affected by this landscaping standard be implemented which exceed these minimal standards.
2. The following provisions shall be minimum standards for the composition and positioning of landscape elements when buffering between specified land uses:
 - A Adjacent to major corridor rights-of-ways, the developer shall place one coniferous tree for every fifty (50) linear feet along the property's highway frontage within twenty (20) feet of the road right-of-way. Additionally, there shall be placed four (4) tall shrubs, which shall reach a height of at least four (4) feet at maturity, for every fifty (50) linear feet along the parcel's road frontage.
 - B Two (2) deciduous trees may be substituted for any required coniferous tree. The minimum caliper of deciduous trees shall be at least one and one-half (1½) inches and a size of eight (8) feet in height. The minimum height for coniferous trees shall be five (5) feet. The minimum size for shrubs shall be a five-gallon (5) container.
 - C Alternate landscaping plans, which may include clustering of organic landscaping components or substituting more and smaller components, may be submitted to the Planning Office for consideration as an alternative plan.
3. A mixture of organic materials is encouraged. It is also encouraged that landscaping material and design shall be

produced with consideration for efficient and effective water use when and where the elements are placed and under conditions of low water levels or drought.

4. Landscaping shall be placed so as not to have an adverse effect on access to utilities, underground or overhead, or interference with vision at roadway intersections.
5. Installation and maintenance responsibility of the landscaping shall lie with the developer until such time as individual owners or a homeowner's association assumes continuing maintenance responsibilities. Dead trees or shrubs shall be replaced by July 1 of every year with plant material, equivalent to type and size when planted.
6. Landscape features shall be kept reasonably free of refuse, noxious weeds, clipping, and miscellaneous trash. Such weeds, refuse, clippings and miscellaneous trash shall be disposed of in an appropriate and safe manner. Prohibited noxious weeds are described in Section 11-12-104 of the Wyoming Statutes.
7. Landscaping plans shall be referred to other appropriate agencies for their review and comment. Agencies, for possible referrals, include the U.S. Natural Resources Conservation Service, Laramie Rivers Conservation District, State Forestry Office, and the Albany County Extension Office.

Chapter VII. MOUNTAIN SUBDIVISION

Subdivision proposed for mountainous or forested areas of the county may require that standards and criteria outlined in other portions of this subdivision resolution be modified to fit the special circumstances of mountain subdivisions. The Planning and Zoning Commission and concurrence of the board shall determine if subdivision must be considered as "Mountain Subdivision". If the planning staff, at the time of the required pre-application conference, recommends that the proposed development be reviewed as a mountain subdivision, the proposal is then referred to the Planning and Zoning commission and the board for a final determination. Accordingly, the following platting and design criteria shall be considered when evaluating mountain subdivisions. The provisions of this Chapter VII shall under no circumstances be interpreted as superseding those of other chapters in this subdivision resolution.

Section 1. Slope Fire spread rates and geologic hazards increase with slope. Due to these natural uphill phenomena, homes or homesites shall be restricted from vegetated hillsides that exceed thirty (30) percent in slope over the length of the proposed developed hillside.

Section 2. Hazardous Fire Area Lands containing "fire chimneys", excessive slope, heavy fuels or other hazardous wildlife components, as determined by the County Fire Warden and either the Wyoming State Forestry Division or the Medicine Bow National Forest, shall not be approved to development until such time when the hazard can be overcome through modification.

Section 3. Road Grade Grade of all public roads shall be a maximum of eight (8) percent; all roads having center line curves greater than forty-five (45) degrees in arc should have a maximum grade of six (6) percent. Local conditions may dictate a need for small variances, but only on straight line portions for a distance not to exceed two hundred (200) feet on a ten (10) percent grade.

Section 4. Road Curves Radius of curvature on center lines of all dedicated roads shall be a minimum of one hundred (100) feet. Variances down to eighty (80) feet minimum radii may be allowed in areas of extreme or severe topography.

Section 5. Road Width All public roads shall have a minimum right-of-way of fifty (50) feet, and a minimum all-weather gravel or paved roadbed width of sixteen (16) feet. Intervisible turnouts shall be constructed every $\frac{1}{4}$ to $\frac{1}{2}$ mile to allow for vehicle passing on any road bed width of less than twenty-four feet (24').

Section 6. Road and Bridge Load Limits All roads and bridges within a subdivision shall be designed to handle a minimum gross vehicle weight of sixty thousand (60,000) pounds.

Section 7. Cul-de-sacs Maximum length of cul-de-sac roads shall be seven hundred fifty (750) feet as measured on the center line. Cul-de-sac turn-around pads shall have a minimum right-of-way of a forty (40) foot radius and a minimum all-weather gravel or paved roadbed of thirty-five (35) foot radius. Cul-de-sacs should not cross major draws, canyons or gullies conducive to fire spread, nor shall cul-de-sacs terminate in such draws, canyons or gullies.

Section 8. Dead-end Streets Dead-end streets should not be permitted.

Section 9. Stub Roads All stub roads shall have a turn-around pad constructed at its termination point until such time the road is connected. Pad requirements shall be the same as for cul-de-sacs.

Section 10. Flammable Materials All roads and streets shall have their rights-of-way cleared of all flammable materials, living or dead, on their entire dedicated width to lessen the chances of man-caused fire and so that these rights-of-way may be used as effective fuel breaks.

Section 11. Road and Home Construction Slash To avoid insects, diseases and wildfire hazards, all cut combustible materials, vegetative residues including fallen or cut trees or shrubs, pulled stumps, or other such flammable road or house-clearing debris, shall be disposed of from subdivision roadside strips and lots by either chipping or removal, prior to approval of the final plat. Compacting of slash and debris into road-fill areas shall not be permitted.

Section 12. Driveways The subdivider shall show on the preliminary plat that driveway access is available to all building sites within a maximum grade of twelve (12) percent. Entrances of driveways onto public roads should be as close to ninety (90) degrees in angle as possible in order to provide adequate access for emergency vehicles.

Section 13. Access Provide two (2) or more access roads for separate, multiple ingress-egress due to fire and related safety considerations. Loop drives, with one entrance point, do not satisfy this need.

Chapter VIII. SUBDIVISION IMPROVEMENTS

Section 1. Contract No final plat shall be approved by the board until the subdivider has submitted a subdivision improvements agreement or a contract approved by the board agreeing to construct the required improvements as shown in plans, plats and supporting documents.

Section 2. Improvements Guarantee Collateral, in an amount determined by this Chapter, Section 3, shall accompany the final plat submission to ensure the completion of the improvements according to design and time specification included in the Subdivision Improvement Agreement. If the improvements are not constructed in accordance with all of the specifications, the board shall notify the subdividers of the compliance and propose schedules for correcting the noncompliance. If the board determines that the subdividers will not construct any or all of the improvements in accordance with all of the specifications, the board shall have the power to withdraw and employ from the deposit of collateral such funds as may be necessary to construct the improvement or improvements in accordance with the specifications.

Section 3. Collateral Amount The amount of collateral shall be determined as follows:

125% of the estimated costs of improvements to be completed in one year.

130% of the estimated costs of improvements to be completed in two years.

145% of the estimated costs of improvements to be completed in three years.

All required improvements shall be completed within three years, unless an extension is granted by the board.

Section 4. Release of Guarantee From time to time, as the required improvements in a subdivision are completed, the subdivider may apply in writing to the board for a partial or full release of the bond, credit deposit letter, certified check or other collateral. Upon receipt of such application, in writing, the board, or its agent, shall inspect that portion of the improvement which has been completed. If the board determines from such inspection that the improvements thus far completed have been made in accordance with the final plat and the requirements of this subdivision resolution, a portion of the bond, credit deposit letter, certified check or other collateral, sufficient to cover the cost of the improvements thus far completed, shall be released. From the date of release of the agreement, the subdivider shall be liable for any or all repairs necessary to said improvements for a period of one (1) year.

Section 5. Acting County Engineer's Inspection Fees A consulting engineer, retained by the county, shall, in addition to reviewing the preliminary and final plats, inspect the subdivision improvements including streets, drainage, etc., to insure that such improvements conform to the criteria as set forth in this subdivision resolution. All fees paid by the county to such consulting engineer shall be reimbursed to the county by the subdivider.

Section 6. Homeowners Association Establishment by the subdivider of a Homeowners Association may be required by the board to provide an effective means for maintaining the character with long range value of a subdivision. The Homeowners Association concept, with its agreements running with the land, assures the county that the common open spaces, streets, buildings and services are permanent and that the maintenance will be paid by the benefited properties in the subdivision rather than out of public funds.

- A. When Required. The board may, upon recommendation of the Planning and Zoning Commission, require that the subdivider create an incorporated Homeowners Association, including appropriate covenants, articles of incorporation and bylaws before approval of the final plat. When such an association is deemed necessary, it will be incorporated and organized prior to the approval of the final plat.
- B. Requirements. When required by the board, the subdivider shall submit the following with the final plat:
 - (1) Articles of Incorporation;
 - (2) Bylaws; and
 - (3) Covenants which automatically make every lot owner an association member, giving him the right to use the common property, and establish his voting right in the association and his obligation to pay its assessments.
- C. Dissolution. No homeowners association created pursuant to this subdivision resolution may be dissolved without prior approval by the Board of County Commissioners.
- D. Recordation. Declaration of covenants and restrictions applicable to the land within the subdivision shall be recorded with the Albany County Clerk at the same time as recordation of the Final Plat.

Section 7. Road Maintenance Subdividers shall be required to provide for the establishment of a roadway maintenance mechanism within their subdivision and/or join an existing improvement district if traffic utilizes the roadways of another subdivision or district.

Section 8. Clearing of Land Land that is cleared and remains vacant for an extended period of time may cause drainage problems, flooding and severe soil erosion. In order to prevent the occurrence of these hazards, the board may require as a part of the subdivision improvements agreement, assurance that the subdivider will take the necessary precautions to avoid drainage problems, flooding and severe soil erosion as a result of cleared land remaining vacant for an extended period of time.

Section 9. Responsibility for Improvements All improvements required by this resolution shall be the responsibility of the developer.

Chapter IX. MOBILE HOME PARK AND CAMPGROUND APPLICATION STANDARDS

Section 1. Purpose Mobile Home Park and Campground Regulations are adopted to preserve, protect and promote the public health, safety, peace, comfort, convenience, prosperity and general welfare and to protect environmental values of the county by insuring, through prescribed rules and standards, functional arrangements of roads, open spaces, adequate facilities and utilities for the residents. More specifically, these regulations are adopted to achieve the following objectives:

- A. Permit mobile home and campground uses in a park-like atmosphere.
- B. Foster a harmonious, convenient and workable relationship among local uses and a wholesome serviceable and attractive living environment in and around mobile home parks.
- C. Allow mobile home parks and campgrounds only on sites generally suited for their development and prevent them from developing in areas where they will be incompatible with existing and future land uses.
- D. Promote a safe and convenient traffic circulation system within and around mobile home parks and campgrounds.
- E. Provide for adequate off-street and on-street parking in mobile home parks and campgrounds.
- F. Insure provision of adequate utilities and sanitary conditions for the mobile home park residents and campground users.
- G. Protect and enhance real property values of mobile home parks, campgrounds, and surrounding land uses.

Section 2. Applicability These regulations shall apply to those areas where the owner proposes to develop and rent, lease, or use individual sites for three (30) or more mobile homes (independent or dependent) or camping units in the unincorporated areas of Albany County. These regulations shall also apply to existing mobile home parks and campgrounds (see Chapter XIV, Section 2).

Section 3. Definitions

Campground. An area available for use by three (3) or more camping units.

Camping Units. Tents, tent trailers, travel trailers, truck campers, and any other similar independent or dependent camping entity.

Mobile Home. A transportable structure which exceeds either eight (8) body feet in width or thirty-two (32) body feet in length, built on a chassis and designed to be used with or without a permanent foundation, when connected to required utilities, for human occupancy as a residence, or as a temporary or permanent office. The term may include one (1) or more components which can be retracted for towing and subsequently expanded for additional capacity, or two (2) or more units separately towable but designed to be joined into one (1) single unit.

Mobile Home Park. An area specifically designed for and occupied by three (3) or more mobile homes. A development consisting of individual ownership of individual lots is not considered to be a mobile home park.

Public Water Supply. As defined in Wyoming State Statutes 13-11-103(c)(viii) is a system for the provision of the public of water for human consumption through pipes or constructed conveyances, if such system has at least fifteen (15) service connections or regularly serves at least twenty-five (25) individuals. Public water supply shall include:

- A. Any collection, treatment, storage and distribution facility under control of the operator of the facility and used primarily in connection with the system; and
- B. Any collection or pretreatment storage facilities not under the control of the operator which are used primarily in connection with the water system.

There are three classifications of systems defined by Wyoming Department of Environmental Quality:

1. Transient PWS – serves an average of twenty (25) different persons each day for a minimum of sixty (60) days per year. This is typically the category that rest areas, resorts, KOAs, campground, etc. fall under. A certified operator is not required.
2. Non-transient non-community PWS – serves an average of twenty-five (25) of the same people each day for a minimum of six (6) months per year. This is typically the category that mines, schools, business parks, etc. fall under. A certified operator is required.
3. A community system – serves an average of twenty-five (25) residents

each day for more than six (6) months a year. This is typically the category that municipalities, homeowners associations, water districts, mobile home parks etc. fall under. A certified operator is required.

Section 4. Zoning Mobile home parks and campgrounds shall comply with all applicable zoning regulations and obtain any applicable permits for structures or buildings that are proposed for placement or erection on the property.

Section 5. Severability If any provision of these rules (Chapters IX through XIV) or the application thereof to any person is held invalid, the invalidity shall not affect other provisions or applications of these rules which can be given effect without the invalid provision or application and to this end, the provisions of these rules are severable.

Section 6. Annual Licensing Annual licensing of approved mobile home parks and campgrounds is required. The term of the Mobile Home Park License will be July 1 to June 30 of each year. Licensing shall be done in accordance with these regulations. Annual licensing shall include completing an application on the form prescribed by the Planning Director, paying the appropriate review fee, and having an inspection completed by planning staff. If the mobile home park or campground is found in compliance with these regulations, a license shall be issued by the Board of County Commissioners. If the mobile home park or campground is not in compliance with these regulations, planning staff will provide the applicant with a list of deficiencies and a time limit of thirty (30) days for these items to be corrected. If compliance is not reached within thirty (30) days, the applicant may request an additional thirty (30) days to come into compliance with the licensing requirements if they provide a specific plan, including a timeline, showing that the deficiencies will be resolved within the additional thirty (30) days. If the applicant does not receive an extension or the applicant does not come into compliance within sixty (60) days from the time the applicant is informed of the deficiencies, a license may not be issued.

Chapter X. MOBILE HOME PARKS REQUIREMENTS AND PROCEDURES

Section 1. Subdivision Permit Required Pursuant to W.S. §18-5-304, no person shall subdivide land or commence the physical layout or construction of a mobile home park without first obtaining a subdivision permit from the Albany County Board of County Commissioners. Submission of a completed application includes preliminary and final plats, as well as a request for subdivision permit. See Chapter IV, Subdivision Permits, Sections 1 through 5 for subdivision permit requirements.

Section 2. Preliminary Plat The application for a subdivision permit shall be accompanied by three (3) sets of the following information prepared and signed by a licensed land surveyor or engineer in the State of Wyoming. The mobile home park shall be developed strictly in accordance with the information included in the permit application and approved by the Board.

- A. A preliminary plat at a scale of 1" = 100';
- B. Typical plot plans for individual mobile homes at a scale of 1"=10';
- C. Typical road and walk sections;
- D. Grading and drainage plans;
- E. The number, location and size of all mobile home spaces;
- F. The location and width of roadways, sidewalks and pedestrian ways;
- G. The location and width of rights-of-way and easements;
- H. The location and size of automobile parking lots and recreation areas;
- I. The location of service buildings and any other proposed structures;
- J. Source of water supply and method to be used for sewage disposal;
- K. Location of centralized trash stations and method to be used for garbage disposal;
- L. Plans of all buildings, utilities and other improvements constructed or to be constructed within the mobile home park;
- M. The type and size of all screening and fencing as well as plantings such as trees and shrubs and include plans for drip irrigation;
- N. The names and addresses of the contiguous property owners; and
- O. Such further information as may be requested by the Planning Office or by the Board to enable them to determine that the proposed mobile home park will comply with legal requirements.

Section 3. Final Plat. The requirements shall be the same as those given in Chapter III, Section 2 and Chapter V, Section 2 of the Subdivision Regulations; in addition, final plat shall state in capital letters "ONE PARCEL ONLY; SEPARATE LOTS INDICATED FOR RENTAL OR LEASE PURPOSES ONLY."

Section 4. Reconstruction, Alteration or Repairs for Existing Mobile Home Parks When reconstruction, alteration or repairs within any twelve (12) month period equal or exceed fifty (50) percent of the value of an existing mobile home park, such mobile home park shall be considered new construction and shall be subject to Section 1 of this Chapter.

Chapter XI. MOBILE HOME PARKS GENERAL STANDARDS

Section 1. Site Consideration Existing land use and health regulations must be considered prior to selection of the site for a mobile home park. Rock formations close to the surface shall be avoided. The mobile home park shall be on a well-drained site and shall be located so that its drainage will not cause adverse effect on the surrounding areas. Existing creeks and streams shall not be adversely affected. The mobile home park shall not be subject to hazards such as insect or rodent infection, objectionable smoke, noxious odors, unusual noise, subsidence, or the probability of flooding or erosion. The soil, groundwater level, drainage, rock formations and topography shall not create hazards to the property or to the health and safety of occupants. The suitability of the site shall be determined on the basis of the standards set by these regulations and comments received from other pertinent agencies.

Section 2. Access to the Site Direct vehicular access to the mobile home park must be provided by an improved public road or by an improved and permanently maintained private road which is protected by permanent easement, at least fifty (50) feet in width.

Section 3. Site Planning Site planning shall adapt to individual site conditions and shall utilize terrain, existing trees and shrubs and rock formations. The mobile home unit shall be fitted to the terrain with a minimum disturbance of the land. Adequate protection shall be provided against any undesirable off-site views or any adverse influence such as heavy commercial or industrial use, heavy traffic, or brightly-lighted activities from adjoining streets and areas. The site shall be adequately landscaped, which shall be at the discretion of the Board.

Section 4. Site Plan The site plan shall provide for a desirable residential environment for mobile homes. It shall meet the following minimum design standards:

- A. Density. The density of mobile homes shall be regulated by mobile home space requirements set forth in this standard.
- B. Setbacks. Each mobile home park shall set aside along the perimeter of the park the following setbacks which shall be landscaped and maintained except for those portions used for ingress and egress. The minimum setback requirements shall be as follows:
 1. Abutting a state or federally designated highway and arterial or

- collector, designated by the Major Street Plan - fifty (50) feet;
 2. Abutting any public right-of-way other than (1) above including alleys -twenty-five (25) feet; and
 3. Abutting any exterior boundary other than (1) or (2) above - fifteen (15) feet.
- C. Mobile Home Space. Each mobile home space shall have its boundaries clearly defined and contain a minimum of three thousand (3,000) square feet. The minimum width of the unit space shall be thirty (30) feet.
- D. Mobile Home Stand (Pad).
1. The size of the stand shall fit the dimensions of the mobile homes anticipated;
 2. The location of each mobile home stand shall be at such elevation, distance and angle in relation to the access street and the mobile home access that placement and removal of mobile home is practical;
 3. There shall be a longitudinal gradient of zero to five percent (0% to 5%) and an adequate crown or cross-gradient for surface drainage; and
 4. The stand shall be constructed of appropriate material, properly graded, placed and compacted so as to be durable and adequate for the support of the maximum anticipated load during all seasons.
- E. Distance between Mobile Homes. All mobile homes shall be parked in such spaces so that there will be a minimum of fifteen (15) feet between mobile homes. Mobile homes parked end-to-end shall have an end-to-end clearance of not less than fifteen (15) feet. Enclosed additions to the mobile home structure shall be considered a part of the mobile home in measuring yard distance.
- F. Distance to Common Areas. The distance from the mobile home stand to a road, a common walk or other common area shall be eight (8) feet minimum.

Section 5. Roads Roads shall be provided on the site where necessary to furnish convenient access to mobile home stands and other important facilities on the property.

- A. Circulation. The road system shall provide convenient circulation by means of paved or gravel roads. Closed ends of dead-end roads shall be provided either with an adequate paved or gravel vehicular turning circle at least eighty (80) feet in diameter, or with another adequate turning facility. The mobile home park shall be so designed that all mobile home spaces and accessory buildings abut an interior roadway or are accessible from an interior roadway.
- B. Road Widths. Roads shall be of adequate widths to accommodate the contemplated parking and traffic load in accordance with the type of street.
 - 1. Roads – Twenty-four (24) feet minimum (may reduce by two (2) feet if adjacent sidewalk is provided).
 - 2. The length of cul-de-sacs or dead-end roads shall not exceed five hundred (500) feet.
- C. Alignment and Gradient. Roads shall be adapted to the topography and shall have suitable alignment and gradient for traffic safety, satisfactory surface and ground water drainage, and proper functioning of sanitary and storm sewer systems, if applicable.
 - 1. Two (2) roads intersecting a third road from opposite sides shall intersect at the extension of their center lines, or their center lines shall be offset at least one hundred fifty (150) feet.
 - 2. Road grades shall be more than five tenths (0.5) percent, but less than ten (10) percent.
- D. Walk-ways, Paving and Lighting. When required, all roadways and walkways within the mobile home park shall be hard-surfaced with asphalt or concrete. All roadways and walkways within a mobile home park shall be adequately lighted during the hours of darkness unless waived for specified reasons by the Board of County Commissioners. Such lighting shall be under the control of the mobile home park owner or operator.

Section 6. Parking Car parking spaces shall be provided in sufficient number to meet the needs of the occupants of the property and their guests without interference with normal movement of traffic.

- A. Number. Parking facilities shall be at the rate of at least two (2) -car spaces for each mobile home lot.

- B. Location. Required car parking spaces shall be located for convenient access to the mobile home stands. At least one (1) car space shall be located on each lot and the remainder located in designated parking areas.
- C. Size. Each parking space shall be at least eight (8) feet wide and twenty (20) feet long.

Section 7. Open Space and Recreation Areas A mobile home park shall provide an amount not less than eight (8) percent of the gross mobile home park area for private recreational area(s). The area allowed for recreation shall not include any area designated as a roadway, mobile home space, storage area nor any area required for setbacks as set forth in Section 3. Site Planning, and Section 4.B., Setbacks, of this Chapter.

Section 8. Storage Areas An outdoor storage area surfaced with gravel, asphalt, concrete or similar substance for boats, boat trailers, camping units and horse trailers shall be provided for within the mobile home park in an amount at least equal to fifty (50) square feet per mobile home space.

Manufactured or mobile homes shall not be allowed, permitted or used for accessory purposes or as storage buildings after the effective date of this article. Those manufactured or mobile homes used as accessory structures or for storage prior to the effective date of this article shall be deemed legal non-conforming uses and permitted to continue until such time as the use of those structures are discontinued for one hundred-eighty (180) days.

The use of mobile home for Family Child Care Centers (FCCC) or Child Care Centers (CCC) shall not be permitted within Albany County. Mobile homes used as FCCC or CCC prior to the effective date of this article shall be deemed legal non-conforming uses and permitted to continue until such time as the use of those structures are discontinued for one hundred-eighty (180) days.

Section 9. Rodents, Insects, and Vector Harborages

- A. Mobile home parks must be kept free of standing water, junk cars, trash, tires, debris and other rodent, insect, or other vector harborages (see Nuisance Regulations found in the Zoning Resolution for definitions and enforcement).
- B. Flies and mosquitoes shall be reasonably controlled.

Section 10. Pets No dogs, cats or other animals shall be permitted to roam freely in a mobile home park.

Section 11. Dust Control Dust control methods shall be used on all roads and other areas such as yards and playgrounds as needed from time to time.

Chapter XII. MOBILE HOME PARKS UTILITIES

Section 1. Water Supply The water supply in mobile home parks shall be in accordance with "Wyoming Water Quality Rules and Regulations" and "Minimum Design Standards for Mobile Home Parks Water and Sewage Facilities" established by the Wyoming Department of Environmental Quality.

- A. **System Approval.** The source, quality (mineral and bacteriological), quantity distribution systems, volume and method of storage of water shall be approved by the Water Quality Division of the Wyoming Department of Environmental Quality.
- B. **Samples Analysis.** Operating mobile home parks, utilizing water sources other than those provided by a municipality or water district, shall provide water samples for bacteriological analysis on a quarterly basis and water samples for a chemical analysis on an annual basis to a qualified laboratory. The results of each of these samples shall be provided to the planning office as part of the application for the annual license renewal.
- C. **Independent Supply System.** The development of an independent water supply to serve the mobile home park shall be made only after plans and specifications for the water system have been approved by the Wyoming Department of Environmental Quality.
- D. **Source of Supply.** Every well or suction line of the water supply system shall be located and constructed in such a manner that neither underground nor surface contamination will reach the water supply from any source. Minimum distances between wells and various sources of contamination shall be fifty (50) feet for building sewers, septic tanks and dry wells, one hundred (100) feet for disposal fields and seepage pits, and one hundred fifty (150) feet for cesspools.
- E. **Water Storage Facilities.** All water storage reservoirs shall be covered, watertight and constructed of impervious material. Overflows and vents of such reservoirs shall be effectively screened. Manholes shall be constructed with overlapping covers, so as to prevent the entrance of contaminated material. Reservoir overflow pipes shall discharge through an acceptable air gap.
- F. **Water Distribution Systems.** The water piping system shall not be

connected with non-potable or questionable water supplies, and where necessary shall be protected against the hazards of backflow or back siphonage. The water supply system shall be so designed and maintained as to provide a pressure of not less than twenty (20) pounds per square inch under all normal operating conditions at each mobile home stand.

G. Individual Water-Riser Pipes and Connections. Each mobile home stand shall be provided with a water riser or risers located and arranged to permit attachment in a workmanlike manner to a mobile home utilizing the stand. In addition, the following requirements shall be complied with:

1. Water-riser pipes shall extend at least four (4) inches above ground elevation. The pipe diameter shall be at least three fourths (3/4) inch. The water outlet shall be capped when a mobile home does not occupy the lot.
2. Adequate provisions shall be made to prevent freezing of service lines, valves and riser pipes and to protect risers from the heaving and thawing actions of ground during freezing weather.
3. A shut-off valve shall be provided on water-riser pipes on each mobile home lot.

Section 2. Sewage Disposal In addition to the following regulations, the sewage disposal in mobile home parks shall also meet all the requirements and standards of the Wyoming Department of Environmental Quality or Albany County. Mobile home parks shall be served by a public sewer system, a private central collection and treatment system, or individual lot septic systems. Systems shall be approved by the Water Quality Division of the Wyoming Department of Environmental Quality or the Albany County Wastewater Official.

Mobile home parks with individual lot septic systems may be constructed and shall be sized at a rate of one hundred fifty (150) gallons/day per bedroom plus an additional allowance of fifty (50) gallons/day per unit to account for taps that are allowed to run to prevent freezing.

Central septic systems for mobile home parks shall be sized based on the total number of bedrooms to be served by the central septic system times one hundred fifty (150) gallons/day plus an additional allowance of fifty (50) gallons/day per unit times the number of units to be served by the central septic system. The

allowance is intended to account for taps that are allowed to run to prevent freezing.

- A. Private Systems. The development of a private central collection and treatment system to serve the mobile home park shall be made only after plans and specifications for the central collection and treatment system have been approved by the Wyoming Department of Environmental Quality. All sewage disposal apparatus, including appurtenances thereto, shall be provided, maintained and operated so as not to create a nuisance or health hazard.
- B. Sewer Connections. Each sewer service connection shall utilize a riser pipe of at least four (4) inches diameter and terminates at least four (4) inches above the ground surface. All sewer pipes shall be schedule forty (40). The tubing or piping connecting the mobile home drain outlet and the sewer riser pipe shall be non-collapsible, semi-rigid, and a minimum of three (3) inches in diameter. Main sewage collection lines shall not be less than six (6) inches in diameter. All materials used for sewer connections shall be corrosion resistant, non-absorbent, durable and have a smooth surface. The sewer connection shall be closed when not linked to a mobile home and shall be capped so as to prevent any escape of odors.
- C. Sewage Collection Lines. All sewage collection lines shall be located in trenches of sufficient depth to be free of breakage from traffic or other movements and shall be separated from the park water supply system at a safe distance. Sewage collection lines shall be at a grade which will insure a velocity of two (2) feet per second when flowing full. The system shall be designed for a minimum flow of fifteen (15) gallons per day per mobile home lot.

Section 3. Electricity The installation shall comply with all state and local electrical regulations.

Section 4. Refuse Disposal The storage, collection and disposal of refuse in the mobile home park shall be in such a manner as to create no health hazards, rodent harborage, insect breeding areas, accident hazards or air pollution.

- A. Refuse and/or Solid Waste Containers. All refuse shall be stored in water-tight, rodent-proof containers which shall be provided in

sufficient number and capacity to prevent any refuse from overflowing or blowing away. Satisfactory container racks or holders shall be provided within a reasonable distance of each unit space and shall be provided with protection from animals, rodents and insects.

- B. Garbage Collection. Garbage shall be collected and disposed of at an approved dump site, a minimum of once a week and more often if needed.

Section 5. Fire Protection Every mobile home park shall be equipped at all times with fire extinguishing equipment and in good working order of such type, size and number and so located within the park as prescribed by the Fire Authority having Jurisdiction (AHJ) or designee.

- A. Access to Mobile Homes for Fire Protection Services. Access to a mobile home for fire protection services shall be such as to permit fire apparatus to approach within one hundred (100) feet of each mobile home.
- B. Clearance from Mobile Homes, to other Mobile Homes or Structures. Mobile homes shall not be located closer than fifteen (15) feet from any permanent building within or adjacent to a mobile home park. A mobile home park accessory building or structure shall not be closer than three (3) feet from any adjacent mobile home or mobile home accessory building or structure.
- C. Outside Hazards. The park area shall be maintained and kept free of dry brush, leaves and weeds which might communicate fires between mobile homes and other buildings in the park.
- D. Water Supplies for Fire Protection. Water supplies for mobile home parks shall meet the standards set forth in Chapter 6, Section 6, subsection E, Fire Safety Requirements. The following exceptions shall be followed:
 - 1. If a water district approves, hydrants shall be of number and location so as to be within five hundred (500) feet of any mobile home.
 - 2. Chapter 6, Section 6, E.2. (a)(vi) shall be the responsibility of the mobile home park owner.
- E. Fire Extinguishers. Fire extinguishers shall be placed throughout the park and shall meet these standards:

1. Fire extinguishers shall have a minimum rating of 2A-10BC.
2. Maximum travel distance to fire extinguishers shall not exceed seventy-five (75) feet.
3. Fire extinguishers shall be conspicuously located, readily accessible and immediately available in the event of a fire.
4. Fire extinguishers shall not be obstructed or obscured from view.
5. Fire extinguishers shall be securely installed on the hanger or wall bracket supplied or placed in cabinets.
6. Fire extinguishers subject to physical damage shall be protected from impact.
7. Fire extinguishers not exceeding forty (40) pounds in weight shall be installed so that the top of the extinguisher is not more than five (5) feet above the ground floor.
8. Fire extinguishers mounted in cabinets shall be conspicuously marked.
9. Portable fire extinguishers shall be maintained in a fully charged and operable condition.

Section 6. Registration of Occupants Every mobile home park owner or operator shall maintain a record of all mobile homes using the mobile home park. The register shall at least contain the name and address of the owner of each mobile home. The owner or operator of each mobile home park shall keep the records current and available for inspection of county, state, and federal officials whose duties necessitate acquisition of the information contained in the register. The register record for each occupant registered shall not be destroyed for a period of one (1) year following the date of departure of the registrant from the mobile home park.

Chapter XIII. CAMPGROUND REGULATIONS

Section 1. Site Consideration Existing land use and health regulations must be considered prior to selection of the site for a campground. The campground shall be on a well-drained site and shall be located so that its drainage will not cause an adverse effect on surrounding areas. Existing streams and creeks shall be preserved. Campgrounds shall not be exposed to chronic nuisances such as noise, smoke, subsidence or the probability of flooding or erosion. The soil, ground water level, drainage, rock formation and topography shall not create hazards to the property or to the health and safety of occupants. The suitability of the site shall be determined on the basis of the standards set by these regulations and comments received from other pertinent agencies.

Section 2. Access to Site The site shall have at least one (1) direct access to a public road by a roadway which shall be at least twenty-four (24) feet in travel width.

Section 3. Site Planning The site plan shall adapt to individual site conditions and shall utilize terrain, existing trees and shrubs and rock formations. Camping units shall be fitted to terrain with a minimum disturbance to land. Adequate protection shall be provided against any undesirable off-street views and/or adverse influences (such as heavy commercial or industrial use, heavy traffic or brightly-lighted activities from adjoining streets and areas).

Section 4. Site Plan

- A. Density. The campground shall have a gross density of not more than twenty-five (25) units per acre.
- B. Setbacks. Each campground shall set aside along the perimeter of the site the following setbacks which shall be landscaped except for those portions used for ingress or egress:
 - 1. Abutting a state or federally designated highway and arterial or collector as designated by the Major Street Plan- fifty (50) feet;
 - 2. Abutting any public right-of-way other than (1) above including alleys -twenty-five (25) feet; and,
 - 3. Abutting any exterior boundary other than (1) or (2) above - fifteen (15) feet.
- C. Camper Unit Space. Designated camping unit spaces shall meet the following criteria:

1. Each designated unit space provided for a camping unit shall contain a minimum of nine hundred (900) square feet.
2. Each designated unit space provided for tenting units shall be provided with a table, a fire pit, and easy access to disposal of liquid and solid wastes.
3. Provisions shall be made for the approved disposal of kitchen or sink waste water at each designated unit space for camping units in a manner approved by the Wyoming Department of Environmental Quality. Where a connection is provided, it shall not exceed two (2) inches in diameter preceding a leaching method of disposal to prevent entry of solid wastes.

Note: if #3 above is not provided, wastes shall be contained in an impervious container and disposed of in an approved designated place and manner as needed.

4. No unit space serving a camping unit shall be located farther than three hundred (300) feet radially from the service building. Unit spaces farther than this distance must be designated for and be used by self-contained units only.

D. **Camping Units Parking.** All camping units shall be parked so that there will be a minimum of fifteen (15) feet between camping units. Camping units parked end-to-end shall have an end-to-end clearance of not less than fifteen (15) feet. It shall be unlawful to park a camping unit so that any part of such camping unit will obstruct any roadway or walkway in a campground. No camping unit will be allowed to be occupied in a campground for which there are no available spaces conforming to the provisions of these regulations.

Section 5. Access and Roadways Access roads shall be provided to each camping unit space. Interior roadways shall not be less than twenty (20) feet in width if providing for one-way traffic, and twenty-four (24) feet in width if providing for two-way traffic. Roadways shall be surfaced with gravel, asphalt or concrete. Roadways and walkways within the campground shall be lighted at night to provide safe access unless waived for specified reasons by the Board.

Section 6. Service Buildings Each campground shall provide one or more service buildings, adequately equipped with flush-type toilet fixtures, lavatories, showers and laundry facilities.

A. Number of Facilities. Service buildings shall be equipped with toilet and bath facilities for each sex; the number of facilities required shall be in a ratio as stated below:

# of Parking Sites	Toilets		Urinals	Lavatories		Showers		Other Fixtures
	<i>Men</i>	<i>Women</i>	<i>Men</i>	<i>Men</i>	<i>Women</i>	<i>Men</i>	<i>Women</i>	
1-15	1	2	2	2	2	2	2	Minimum One Slop Sink
16-30	2	3	3	3	3	2	2	
31-45	3	4	3	4	4	3	4	
46-60	4	5	4	5	5	3	5	
61-80	4	6	4	5	5	5	6	

Note: For determination of the needed plumbing fixtures, all unit spaces not served by a sewer connection and within three hundred (300) feet radially of the service building will be considered as available for utilization of the occupants of camping units.

B. Other Requirements. Each service building shall meet the following requirements:

1. Each water closet shall be in a private compartment;
2. A sound-retardant wall shall separate the toilet facilities for each sex when provided in a single building;
3. Each bath or shower shall be in a private compartment;
4. A slop sink(s) shall be provided for disposal of liquid wastes and for cleanup and maintenance of the service building(s);
5. The service building shall be of permanent construction and be provided with adequate light, heat and positive ventilation in shower and bathing areas;
6. Interior construction of the service building shall be cleanable and provide moisture-resistant materials on walls, ceilings and floors;
7. All windows, doors or other openings shall be screened or insect entry prevented; and
8. An adequate supply of hot and cold running water shall be provided at all times in the service building.

Section 7. Water Supply The water supply in campgrounds shall meet all the requirements of the Wyoming Department of Environmental Quality for all public water systems.

- A. Water Supply per Space. A minimum of one hundred twenty-five (125) gallons of water per day shall be supplied to each space within a campground.

Section 8. Refuse Disposal The storage, collection and disposal of refuse shall be in such a manner as to avoid rodent harborage, health hazard or odor nuisance. Refuse and/or solid waste containers shall be provided within one hundred (100) feet of each unit space and shall be provided with protection from animals, rodents and insects.

Section 9. Registration of Occupants Every campground owner or operator shall maintain a register containing a record of all camping units using the campground. The register shall at least contain the following information:

- A. The name and address of the owner of each camping unit;
- B. The make, model, year and current license number of the occupant's vehicle(s);
- C. The state, territory, or country issuing such license; and
- D. The date of arrival and of departure of each camping unit.

The owner or operator of each campground shall keep the register current and available for inspection of county, state and federal officials whose duties necessitate acquisition of the information contained in the register. The register record for each occupant registered shall not be destroyed for a period of one (1) year following the date of departure of the registrant from the campground.

Section 10. Reconstruction, Alteration or Repairs for Existing Campgrounds When reconstruction, alteration or repairs within any twelve (12) month period equal or exceed fifty (50) percent of the value of an existing campground, such campground shall be considered new construction and shall be subject to all applicable provisions in this Chapter.

Chapter XIV. MOBILE HOME PARKS AND CAMPGROUNDS ADMINISTRATIVE PROVISIONS

Section 1. Supervision The person to whom the license for a mobile home park or campground is issued shall at all times operate the park or campground in compliance with these regulations and shall provide adequate supervision to maintain the park or campground, its facilities and equipment in good repair and in a clean and sanitary condition at all times.

Section 2. Sections Applicable to Existing Mobile Home Parks and Campgrounds The following provisions of these regulations apply to existing mobile home parks and campgrounds in Albany County, Wyoming on the adoption date of these revised regulations:

- Chapter IX, Application of Standards.
- Chapter X, Requirements and Procedures, Section 4 (Reconstruction, Alteration or Repairs for Existing Mobile Home Parks).
- Chapter XI, General Standards, Section 9, 10, and 11 (Rodent, Insects and Vector Harborages, Pets, and Dust Control).
- Chapter XII, Utilities, Sections 1, 4, and 6, (Water Supply, Refuse Disposal, and Registration of Occupants).
- Chapter XIII, Campground Regulations, Section 7, 8, 9, and 10 (Water, Refuse, Registration, and Reconstruction, Alteration, or Repair for Existing Campgrounds).

In addition to the sections identified within these regulations, mobile home parks and campgrounds shall comply with small wastewater system regulations adopted by the County, if applicable.

Section 3. Operation of a Mobile Home Park requires a license In order to lawfully operate a mobile home Park in Albany County the Mobile Home Park owner/operator must have a current license. If a license expires and is not renewed, the owner shall cease operation of the Mobile Home Park until a license is approved by the Board of County Commissioners. Enforcement will be done in accordance with Section 10, Chapter I of the Albany County Platting and Subdivision Regulations.