

**TITLE 2: COUNTY-WIDE LAND USE REGULATIONS**

**CHAPTER 1 SUBDIVIDING LAND**

**2-1-100 PRELIMINARY DEVELOPMENT PLAN REVIEW**

The purpose of the preliminary development plan is to afford the owner the opportunity for review and comment by the Planning and Development Office and Laramie County Planning Commission prior to the submission of an application for a subdivision permit.

The preliminary development plan is the basis for a development agreement. A development agreement may be required to resolve any land use issues raised during review of the preliminary development plan. The development agreement, if required, shall be submitted with the subdivision permit application.

**a. Requirement**

A preliminary development plan is required prior to all applications for a subdivision permit. A preliminary development plan is not required for land divisions for which no subdivision permit is required per State statute.

A pre-application meeting is required.

**b. Administrative Exemption**

The Planning and Development Director may waive the requirement for the preliminary development plan if:

- i.** the purpose of the subsequent subdivision is to bring a property that is in violation of statutory subdivision requirements into conformance with Wyoming statutes and there are no plans to alter existing land use and/or site conditions.
- ii.** the proposed subdivision will not require DEQ/Conservation District review.
- iii.** the proposed subdivision will create fewer than five (5) lots, will require no new public roadway, is in conformance with all requirements of the Laramie County Land Use Regulations and is consistent with the Laramie County Comprehensive Plan.

The owner shall submit an exemption request form, available at Laramie County Planning and Development Office. The Director will

issue a decision concerning the exemption within seven (7) working days of receipt of the completed request form.

**c. Application Requirements**

The owner shall submit the necessary documents as outlined in this section. The Planning and Development Office may require additional information as necessary to support the application. At submittal, the owner or agent shall remit to the Development Office a nonrefundable application fee for services in connection with the review and processing of the preliminary development plan.

**d. Scheduling**

The preliminary development plan application and all supplemental information shall be placed on the first regularly scheduled Planning Commission meeting not less than twenty (20) working days and no more than sixty (60) working days after the application has been filed and accepted with the Planning and Development Office.

**e. Notification Requirements**

Notification of the Planning Commission meeting shall be sent by certified mail to all adjacent property owners. A sign provided by the County detailing the time and date of the Planning Commission meeting shall be posted on the property along each public right of way at least seven (7) days prior to the Planning Commission meeting.

**f. Evaluation**

The Planning and Development Office shall review the Preliminary Development Plan in terms of the requirements set forth in these regulations; all applicable county policies; comprehensive and land use plans; regulations and standards or additions and amendments thereto; the reviewing agency comments; and any other adopted plans and resolutions. The resulting review shall be forwarded to the owner, agent and Planning Commission for consideration during the Planning Commission's meeting. The Planning and Development Office shall mail these reports and comments to the Planning Commission and the owner not less than three (3) days prior to the scheduled meeting date.

**g. Responsibility of Presentation**

It is a requirement of the Planning Commission that the owner or agent be present at all scheduled meetings to present the preliminary development plan. Absence of a representative shall result in the withdrawal of the

action. The owner or agent may request, in writing, a postponement of the public hearing.

**h. Planning Commission Process**

The Planning Commission shall hold a public hearing to review the Preliminary Development Plan. The Planning Commission shall make recommendations to the owner for any additions or changes to be made to the Plan prior to the submission of the subdivision permit and plat applications. The hearing is intended to help the owner resolve any potential problems with the development prior to submission of the subdivision permit application. The Planning and Development Office shall provide a list of comments to the owner within seven (7) working days of the final Planning Commission Review.

**i. Stipulation of Review**

Review of the preliminary development plan shall not constitute approval to subdivide or develop the land in question. A subdivision permit and site plan approved in accordance with these regulations is required prior to further action.

**j. Review time limits**

A subdivision permit application must be submitted to the Planning and Development Office within eighteen (18) months of final Planning Commission Review of a preliminary development plan, or the plan will be declared void.

**k. Preliminary Development Plan Requirements**

The owner shall submit the following information to the Planning and Development Office:

- i. A completed application form
- ii. A land analysis map that identifies the buildable area for the proposed development. The following features shall be identified as non-buildable. The size, in acres or square feet of each area shall be noted in a table on the map.
  - A. Areas in which slopes are 10 percent or greater.
  - B. Floodways and 100-year flood plains.
  - C. Bodies of water.

- D.** Significant natural features, such as ridge lines, mature trees, to be preserved.
- E.** Soils that are unsuitable for building.
- F.** Existing and proposed easements, roads, trails or other features where building is prohibited.
- G.** The land analysis map will be used to determine the total buildable area for the proposed development. Buildable areas shall be calculated as follows:

Total site area – total non-buildable area = Buildable Area.

- iii.** A preliminary development plan map that includes the following information based on the land analysis map:
  - A.** The proposed name of the subdivision/development, placed in the lower right hand corner of the map. The name shall not duplicate or resemble the name of an existing subdivision/development, either in spelling or pronunciation. Preliminary development plans of additional filings of existing plats shall have the same name.
  - B.** The title indicating the tract or parcel of land of which the subdivision development is a part including the section, township and range from the sixth principal meridian, county (or counties) and state (or states).
  - C.** Location of the subdivision/development as a portion of some larger subdivision/development or an aliquot portion of a section with a tie to a section or quarter section corner.
  - D.** Name and address of the owner and the designer of the subdivision development and the engineer and/or surveyor.
  - E.** Location and principal dimensions for all existing or recorded section lines, names of streets, alleys, easements, water courses and other important features within and adjacent to the tract to be subdivided/developed.
  - F.** Location and principal dimensions for all proposed streets alleys, easements, lot lines and areas to be reserved for parks, schools or other public uses.

- G.** Direction of surface drainage, shown by the use of arrows, for surface drainage on all lots, streets, alleys and easements. All proposed drainage easements shall be shown.
- H.** Date of map preparation, written and graphic scales, and north arrow designating true north.
- I.** Land dedication for public facilities, to include amount and location when mutually agreed upon by the owner and the County.
- J.** Topography at two-foot intervals or at a greater interval, if appropriate, that will clearly show the drainage and road grade conditions. Contour elevations shall be referred to the 2005 Aerial Mapping of the City and County. If unavailable for the plat area, elevations shall be referred to the USGS level datum taken from USGS Maps. The plat map shall state the source.
- K.** General site information, including the number of residential lots or tracts, estimates of typical lot or tract sizes and lengths of lot or tract lines and block numbers within the buildable area as determined from the land analysis map.
- L.** Present and proposed land uses for all lots. (Any necessary changes in the zoning will be submitted with the subdivision permit and plat applications.)
- M.** A vicinity map, so labeled, showing the relationship of the proposed subdivision/development to the surrounding area. The area to be shown will be at least 500 feet from the proposed boundaries of the proposed subdivision/development.
- N.** Such additional preliminary information as may be required to adequately describe proposed utility systems, street improvements and construction projects contemplated within the area to be subdivided/developed. This information may be furnished on an attachment.
- O.** A statement specifying the type of sewage disposal, the type of water supply and the type of fire protection proposed to serve the subdivision/development.
- P.** Any recorded easements or restrictions applicable to the subdivision/development shall be noted by reference to Register's book and page number. The County will not be involved in the enforcement of deed restriction or covenants.

- Q. The owner may attach a letter to all maps describing any unusual or unique design elements or other information relating to the preliminary development plan.
- iv. An Environment and Services Impact Report prepared in accordance with the form available at the Planning and Development Office.
- v. A Preliminary Drainage Plan, prepared by a Wyoming-Licensed Professional Engineer, developed in accordance with the Laramie County Regulations.
- vi. A Preliminary Traffic Study.
- vii. Required Fees.

## **2-1-101 SUBDIVISION AND PLATTING**

### **a. Jurisdiction**

The Board will review and take action on all subdivision permits and plats within Laramie County, with the exclusion of the incorporated limits of the City of Cheyenne and the towns of Pine Bluffs, Burns and Albin, Wyoming.

All plats within one (1) mile of an incorporated city or town limit shall be heard and acted upon by the city or town with jurisdiction after approval of the subdivision permit and plat by the Board.

### **b. Responsibility**

- i. No person shall sell land subject to subdivision regulation under this article, record a plat or commence construction of a subdivision without first obtaining a subdivision permit pursuant to W.S. 18-5-306 or, if applicable, W.S. 18-5-316 from the Board.
- ii. The applicant/owner shall be responsible for obtaining and/or providing the necessary professional services to fulfill the requirements to subdivide land in Laramie County.
- iii. The owner of lands exempted pursuant to W.S. 18-5-303 shall complete an Affidavit of Exemption, available at the Laramie County Planning and Development Office prior to any division of exempted land.

### **c. General Standards**

- i. Applications for a subdivision permit shall meet the requirements of W.S. 18-5-201 through 18-5-317.
- ii. Notification to adjacent landowners, published legal notice and a public hearing before the Planning Commission and the Board are required prior to any action taken on subdivision permit/plat applications. All legal notice shall be in accordance with the Public Notice section of this regulation.
- iii. A pre-application meeting is required prior to the submission of the subdivision permit application. This meeting may be waived if comments from the preliminary development plan review have been addressed to the satisfaction of the Director.
- iv. All new uses or changes in land use in all of Laramie County shall be governed by the site planning section of the Laramie County Land Use Regulations.
- v. The director may require the owner/applicant to submit a development agreement at the time of application for a subdivision permit.

### **d. Administrative Exemptions**

The Planning and Development Director may exempt the owner from any of the requirements in W.S. 18-5-306 if:

- i. The proposed subdivision contains five (5) or less divisions of land, provided that said divisions are in conformance with all regulations, plans and policies adopted by Laramie County.
- ii. In no case shall the Planning and Development Director exempt an owner from the provisions of W.S. 8-5-306 if the five (5) or fewer proposed divisions of land are part of a previously exempted division or if there is a deliberate attempt to avoid the requirements of 18-5-306.

### **e. Plat Requirements**

- i. The proposed name of the subdivision/development shall be placed in the lower right hand corner of the plat. The name shall not duplicate or resemble the name of an existing subdivision/development, either in spelling or pronunciation. Additional filings of the same plat shall have the same name and a filing number.

- ii. The title shall indicate the tract or parcel of land of which the subdivision/development is a part, including the section, township and range from the sixth principal meridian, county (or counties) and state (or states).
- iii. Space shall be provided and designated for a filing record by the Laramie County Clerk's Office.
- iv. Dedication and acknowledgment statements must be executed by all owners of legal and equitable interests in the property being subdivided/developed.
- v. Map must include the date of map preparation, written and graphic scales, and north arrow designating true north.
- vi. Designation of land by lot and block, other than rights-of-way, intended to be conveyed or reserved for public use or facilities, or reserved in the deeds for the use of all property owners in the proposed subdivision/development.
- vii. Certification by a Wyoming Professional Land Surveyor stating that the final plat represents a survey made by him/her or under his/her direct supervision and that all information shown is correct to the best of his/her knowledge.
- viii. Signature blocks for use by the Chairman of the Planning Commission, the Chairman of the Board and County Clerk for Laramie County, Wyoming, as well as the Mayor and Clerk of the appropriate city or town, should the subdivision/development be located within one (1) mile of the city/town limits.
- ix. Survey tie(s) by bearing/azimuth and distance to the nearest acceptable section monument shall be accurately described on the plat. All section corners and quarter-section corners on or within the subdivision boundary and the survey tie shall have a coordinate value description for use within the GIS Program framework. Description shall include the ground coordinate and the grid to ground conversion factor. The current spatial reference for the CLCCGIS is NAD 1983 (CORS96), State Plane Wyoming East FIPS 4901 Feet.
- x. For subdivision/development within one (1) mile of Cheyenne city limits, a survey tie(s) by bearing/azimuth and the distance to two (2) of the City of the City of Cheyenne's Horizontal Control Network monuments shall be accurately described on the final plat. All section corners and quarter-section corners on or within the subdivision boundary shall have a coordinate value description for use within the

GIS Program framework. Description shall include the ground coordinate for the survey tie and the grid to ground conversion factor. The current spatial reference for the CLCCGIS is NAD 1983 (CORS96), State Plane Wyoming East FIPS 4901 Feet.

- xi.** Any differences between bearings/azimuths and/or distances of adjoining record surveys or subdivisions/developments shall be shown on the plat.
- xii.** The Basis of Bearing/Azimuth on which the survey is based shall be noted on the plat.
- xiii.** If any lot, block, boundary or right-of-way from a previously recorded plat is being vacated by this plat a notation shall be provided, describing the area or boundaries to be vacated under a section titled Statement to Vacate. An executed "Petition to Vacate" signed by all affected owners is required as part of the application packet.
- xiv.** Layout shall include the following:
  - A.** Boundary lines with bearings/azimuths and distances and the location of all recorded rights-of-way intersecting the boundary of the subdivision/development.
  - B.** Where applicable, curve data showing the radius, central angle, arc length, chord bearing/azimuth and distance and any notation of non-tangent curves. The location of points of curvatures and intersections shall be shown.
  - C.** The location and dimensions, with boundary ties, for all existing and proposed utility, drainage, access, or other easements.
  - D.** The right-of-way lines, widths and names of all streets or roads within and adjacent to the proposed subdivision/development.
  - E.** The area of each lot or tract in square feet and/or acres.
- xv.** A vicinity map indicating the location of the proposed subdivision development with respect to the surrounding area.
- xvi.** Such additional information as may be required to adequately describe proposed utility systems, street improvements and easements or reservations contemplated within the area to be subdivided.

- xvii. A statement describing the type of sewage disposal, the type of water supply and the type of fire protection proposed to serve the subdivision/development.
- xviii. Any recorded easements or restrictions applicable to the subdivision shall be noted by reference to Register's book and page number. The County will not be involved in the enforcement of deed restriction or covenant instruments.

**f. Agency Review**

The Planning and Development Office shall forward the subdivision permit application to appropriate agencies for review and comment. After review of the permit application and plat for adequacy and completeness, the Planning and Development Office shall submit the application, in the form of a staff report to the Planning Commission. The Planning Commission shall make findings and recommendations for approval or disapproval to the Board of County Commissioners. The owner and agent will be sent a copy of the staff report at least seven (7) working days prior to the Planning Commission meeting.

**g. Planning Commission**

The Planning Commission shall make findings and recommendations for the approval or disapproval of the subdivision permit application to the Board in conformance with State Statutes.

**h. Approval**

Upon receiving the evaluation, findings, and recommendations from the Planning Commission, the Board shall approve or disapprove the subdivision permit application. The subdivision permit application shall be approved or disapproved within forty-five (45) days from receipt of the report of the Planning Commission pursuant to W.S. 18-5-308. Those subdivisions within one mile of any incorporated city or town limits shall be reviewed and acted on by the city or town with jurisdiction after final action by the Board.

**i. Stipulation of Approval**

Prior to execution of signatures on the plat:

- i. The owner shall pay the Planning and Development Office the community facility fees, as specified in the approval process; and

ii. The owner shall present original copies of the plat map as specified by the County, along with item (i.) above, for the Planning and Development Office to schedule execution of signatures.

iii. All conditions of approval shall be met as determined by the County.

**j. Approval Time Limits**

The approval of the subdivision permit and related plat shall be effective for a period of eighteen (18) months from the date of last approval action by the Board. If the plat has not been submitted for recording with the Laramie County Clerk's Office within this time period, the Planning and Development Office shall notify the owner and the Laramie County Clerk's Office of the failure to record. The Planning and Development Director shall declare the subdivision permit and associated plat void and the owner shall be required to resubmit the subdivision permit application for reconsideration and approvals. The owner may request, in writing, a six (6) month extension of the approval period. The Director may grant the extension provided:

i. The County regulations have not changed since approval was granted;

ii. The cost estimate for improvements is updated;

iii. No significant change in adjacent land use, as determined by the Director has occurred; and

iv. All conditions of approval have been met.

The owner shall be responsible for the recording of the plat with the Laramie County Clerk's Office in accordance with the Clerk's requirements.

**k. Issuing Permit**

If the Board, and governing body in those cases where the findings or recommendations must be submitted to the governing body of a city or town, approves the subdivision permit application, the combination of the signed, recorded resolution and executed and recorded plat (if required) shall constitute a subdivision permit.

An electronic copy of the plat, as it was recorded, shall be submitted to the Laramie County Planning and Development Office within thirty (30) days of filing with the County Clerk. The electronic copy shall be submitted in a format compatible with the Cheyenne and Laramie County Cooperative GIS (CLCCGIS). The CLCCGIS preferred electronic formats

are .dxf or .dwg, but other formats may be accepted with prior approval. The current spatial reference for the CLCCGIS is NAD 1983 (CORS96), State Plane Wyoming East FIPS 4901 Feet.

**I. Altering of Plat Map**

No changes, erasures, modifications or revisions shall be made on the plat after the approval and execution of signatures by the Planning Commission, Board and the appropriate representative of a governing body.

**m. Vacation**

All such vacation instruments shall be approved by the Board for areas outside of the incorporated limits of the city or town. Vacations shall be done in accordance with W.S. 34-12-106 through 34-12-111.

**2-1-102 SUBDIVISION/DEVELOPMENT DESIGN STANDARDS**

**a. General**

The purpose of the Subdivision/Development Design Standards is to insure that the subdivision/development provides basic environmental and design principles necessary for a safe, serviceable, attractive and healthy living environment. These standards are general guidelines and minimum standards for evaluating all plans of proposed subdivisions/developments.

**b. Subdivision/Development Site Considerations**

- i. Steep or unstable land and areas having inadequate drainage shall not be subdivided/developed into building lots unless the owner makes adequate provisions (satisfactory to the County Engineer) to prevent the same from endangering life, health, or other property.
- ii. Land subject to flooding, and/or within drainage areas shall be developed in accordance with the provisions of the floodplain management regulations.
- iii. Whenever possible, the subdivision shall designate open space and trail areas that are contiguous with adjacent open space and trails.

**c. General Standards**

- i. Lot size shall be determined by the requirements of the applicable

zone district, where zoning exists and by the density designations found in the Laramie County Comprehensive Plan. The width, depth, and shape of the lot shall be determined by the proposed use of the site, existing natural features, and all applicable requirements of the Laramie County Land Use Regulation.

- ii. Developments shall meet the standards established by the Cheyenne/ Laramie County Health Department pertaining to wastewater treatment.
- iii. Developments shall meet the standards established by the State Engineer's Office for water supply.
- iv. Developments shall meet the standards established by the State Department of Environmental Quality and Laramie County for water resource protection and erosion control.
- v. All developments that consist of more than twelve (12) residential tracts shall have two (2) individual points of access into the subdivision/development.
- vi. Double frontage lots shall be avoided except where essential to provide separation of residential development from expressways and major arterials or to overcome specific disadvantages of topography and orientation.

**vii. Street Frontage:**

- A. The minimum street frontage for cul-de-sacs shall be thirty (30) feet.

**viii. Visibility:** A triangular space shall be provided across corner lots for adequate sight visibility. If the County finds there are unusual circumstances, the requirements of this section may be altered. The County may approve this location of light or sign poles twelve (12) inches or less in diameter in this triangle if visibility is not hindered.

- A. This space is to be kept free from all obstructions to vision, including plant materials and vegetation, between the heights of two (2) and twelve (12) feet above the street grades. The responsibility lies with the adjacent landowner to maintain this visibility.
- B. The triangle is to be determined by a diagonal line drawn across the lot twenty-five (25) feet back along the property lines from the intersection of the property lines.

**ix. Low and Very Low Density Areas:** Residential developments outside the urban and rural density areas shall be developed to conserve open space, reduce the use of natural resources, protect water quality, and provide contiguous wildlife habitat.

**x. Open Space**

Non-buildable areas may be designated as open space. Open space shall be dedicated on the plat map. Open space areas shall be designed to be contiguous, minimizing fragmented area to the extent possible. Newly designated open space should abut pre-existing open spaces on properties adjacent to the new development whenever possible.

- A.** Open space areas within subdivisions designed under this option may include, but not limited to 100-year flood plains, irrigated lands, riparian habitat, woodlands, slopes over ten (10) percent, ridge lines, and areas possessing other unique visual or natural qualities.
- B.** Designated open space shall be limited to recreational, agricultural, resource protection, or buffer purposes, and shall be freely accessible to all residents of the development, except in the case of agricultural lands where access may be restricted. Open space does not include land occupied by non-recreational buildings or road easements/rights-of-way, nor does it include the yards or lots/tracts of dwelling units. Open space shall be left in a natural state except in the case of recreational facilities, or in the case of agricultural activities, such as grazing or the raising of crops.
- C.** Ownership of open space shall be established by any of the following methods, subject to Board approval: single-owner fee simple, condominium, conservation easements, dedication. The maintenance and operation of the open space should be specifically identified at the time of platting.
- D.** Those lands set aside as perpetual open space shall not be included in the assessment of community facility fees.
- E.** Open space shall be designated on the face of the plat and assigned its own tract number. A statement on the plat shall clearly note the perpetuity of the open space dedication.

Subdivisions created using any form of density bonus in regard to open space shall require a statement on the plat that clearly notes that land designated as open space shall not be further developed

or subdivided.

If any lot, unit, tract or parcel thirty-five (35) acres or more in size is used for agricultural purposes within a platted subdivision and otherwise qualifies as agricultural land for purposes of W.S. 39-13-103(b)(x), the parcel shall be deemed not to be part of a platted subdivision for purposes of W.S. 39-13-103(b)(x)(B)(II).

**d. Streets, Alleys and Easements**

Public improvements shall be designed in accordance with the Laramie County Land Use Regulations. Road improvements shall be managed by the Laramie County Department of Public Works.

Construction for any new road within a proposed county subdivision/development shall not begin until the applicant has received written approval for the road construction plans from Laramie County Department of Public Works. Completion and final acceptance or approval of a road is required prior to issuance of building permits.

**e. Storm Drainage**

All storm drainage in subdivisions/developments shall be developed in accordance with the Laramie County Land Use Regulations.

**f. Utilities**

All utility facilities, wherever practical, including but not limited to gas, electrical power, telephone and CATV cables, shall be located underground throughout the subdivision/development. As far as possible, all utilities shall be placed in the public street or road rights-of-way. Easements shall be provided for all public utilities if utilities cannot be placed in public street or road rights-of-way.

**g. Performance Standards**

**i. Public services:** No subdivision permit shall be approved if the proposed development will place a demand on any of the following public services which will exceed the capacity of that service and are not adequately addressed by the owner to the satisfaction of the County:

**A.** Street and road systems surrounding and used as access to the site including road maintenance services;

**B.** Water systems;

- C. Sanitary systems;
  - D. Storm water drainage collection and retention system;
  - E. School systems, including school transportation systems;
  - F. Fire suppression and protection systems;
  - G. Law enforcement systems.
- ii. **Utility systems:** Approval of any plat shall be contingent upon a demonstration that adequate utility systems will be available.
- iii. **Solid waste disposal systems:** Approval of any plat shall be contingent upon a demonstration that an adequate solid waste disposal system is available. The following factors shall be considered:
- A. Availability of a private solid waste collection service;
  - B. Capability of that service to handle the anticipated quantity and type of solid waste;
- iv. **Performance standards/the natural environment:** Adverse impacts to the natural environment shall be controlled in accordance with this section. Approval of any subdivision permit shall be contingent upon a demonstration that erosion will be adequately controlled. The following factors shall be considered:
- A. The susceptibility of the soils in the area to erosion;
  - B. The type of use proposed;
  - C. The recommendation of the conservation district based upon commonly accepted erosion control practices;
  - D. The erosion control measures proposed, if any.
- v. **Flood and landslide hazards:** Approval of any subdivision permit shall be contingent upon a demonstration that the development will not represent a potential threat to life and property due to flooding or landslides. The following factors shall be considered:
- A. Mapped data regarding flood hazard areas, soil conditions and slopes;

- B. The recommendation of the County Engineer and the appropriate conservation district, based on commonly accepted practices and upon the Flood Insurance Rate Maps, as revised, prepared by the Federal Emergency Management Agency;
- C. Evidence that development on slopes greater than ten (10) percent will be engineered and designed to insure that all public or private improvements and all structures will be stable and safe.

vi. **Floodplain requirements:** FEMA 100-year floodplains shall require one of the following actions:

- A. Dedication to the County of the 100-year floodplain as a drainage easement or;
- B. Evidence that base flood elevation data has been gathered in accordance with the County Flood Plain Regulations or;
- C. Evidence that the subdivision is in compliance with all requirements of the County Flood plain Regulations.

vii. **Performance standards/conservation:** Developers shall implement water and energy conservation measures in accordance with County regulations.

**h. Density Increase Incentives**

In cases where the developer elects to preserve additional open space beyond the minimum requirements in accordance with the provisions of this regulation, the following increases in allowable density shall apply:

Amount of Open Space as a percentage of TOTAL site area	Density Bonus
50%	15%
60%	20%
70%	35%
80%	50%

To encourage increased open space and provide for the use of density bonuses, septic systems and residential water wells may be located in the

open space area with the permission of Environmental Health and the State Engineer's Office. Individual lot owners shall be responsible for the maintenance of open space, septic systems and wells including repairs of any impacts to the open space area attributed to septic systems and/or wells.

## **CHAPTER 2 STANDARDS PERTAINING TO ALL LARAMIE COUNTY**

### **2-2-100 OVERLAY DISTRICTS**

Within the County, there are areas that may require alternative standards to meet the community's goals for development, redevelopment, or natural resource protection. The designation of overlay districts is intended to preserve existing established uses until new development or redevelopment is to occur. The County may designate overlay districts in specific areas if the following requirements are met:

- a. The overlay district is located within the boundaries of a previously adopted sub-area plan.
- b. The overlay district is reviewed at a public hearing held by the Planning Commission prior to Board Approval. Notice for the hearing shall be published in accordance with this regulation.
- c. The overlay district shall be approved by Board at a public hearing. Legal notice for the Board hearing shall be published no less than forty-five (45) days prior to the hearing.

### **2-2-101 ACCESSORY BUILDINGS**

Accessory buildings are permitted in all districts and in unincorporated Laramie County. Within the zoned area of Laramie County, there shall be a principal building on site before an accessory building may be constructed. If there is not a principal building on site, Board approval shall be required. The following requirements shall be in addition to all other applicable requirements of this regulation.

#### **a. General Requirements**

The following shall apply to all lands in unincorporated Laramie County:

- i. In all zone districts, accessory buildings shall conform to all setback requirements. In all other areas, accessory buildings shall be set back 5 feet from all lot lines.
- ii. No accessory structure shall be permitted to encroach on any recorded easement.
- iii. Accessory structures that are 120 square feet or less in area and will not have plumbing or electrical services are exempt from building permits. Accessory structures that exceed 120 square feet in area or will have plumbing and electrical services must obtain a building permit.

**b. Requirements by Zone District**

- i. The following shall apply to land zoned LR, MR, and HR:
  - A. The total gross square footage of all accessory buildings on the same property shall not exceed 15% of the total property area.
  - B. The total area of garages for multi-family structures and town homes may exceed 15% of the total property area to allow for the provision of one (1) parking space for each dwelling unit.
- ii. The following shall apply to land zoned AR, A-1 and A-2: the total gross square footage of all accessory buildings on the same property shall not exceed 30% of the total property area.
- iii. The following shall apply to land zoned NB, MUB and MUR: the total gross square footage of all accessory buildings on the same property shall not exceed 20% of the total property area.
  - A. The total area of garages for multi-family structures and town homes may exceed 15% of the total property area to allow for the provision of one (1) parking space for each dwelling unit.

**2-2-102 CHILD CARE AND ASSISTED LIVING FACILITIES**

Child care and assisted living facilities shall be certified by the State of Wyoming and shall be established in conformance with the requirements of the State and those listed below. A site plan is required for Family Child Care Centers, Major and Minor Child Care Centers and Assisted Living Facilities. The Planning and Development Director shall review each application for child care or assisted living facilities for compliance with these requirements.

Conditions may be attached to any approval to assure there is no departure from the intent of this regulation.

**a. Family Child Care Home**

A family child care home is permitted by right in any residence, with the exception of manufactured homes, per State requirements. A family child care home must pass a fire inspection and be approved by the Laramie County Environmental Health Department.

**b. Child Care Centers (Family, Minor and Major)**

A child care center is permitted in any district where it is listed if it is in compliance with the following regulations:

- i. An off-street parking stall shall be provided for each employee. Each family child care center shall also have at least one off street stall for visitor use.
- ii. A defined and enclosed outdoor play area is provided.
- iii. The Center has passed a fire inspection and is approved by the Laramie County Environmental Health Department.
- iv. A site plan is submitted and approved in accordance with these regulations.

**c. Assisted Living Facilities**

An assisted living facility is permitted in any district where it is listed if it is in compliance with State requirements and the following regulations:

- i. A license for assisted living facilities, pursuant to the State of Wyoming assisted living facilities rules and regulations is obtained from the Wyoming Department of Health, Health Facilities Program and provided to the County Development Office by the licensee.
- ii. The facility shall be serviced by an all-weather road kept open to motor vehicles at all times of the year.
- iii. A site plan is submitted and approved in accordance with these regulations.

**2-2-103 HOME OCCUPATIONS**

Home occupations are intended to allow limited business activity from the

home but shall not alter the character of the neighborhood or create adverse impacts to neighborhood, including significant increases in traffic and on-street parking. The Planning and Development Director shall, in issuing a Home Occupation permit, determine whether alteration of the neighborhood character has occurred as a result of a home occupation. Home occupations include, but are not limited to the following: arts and crafts-making, tailoring or seamstress services, one or two-person professional offices, music instruction and wholesale/catalogue/internet sales.

**a. Specific Exclusions**

The following businesses shall not be allowed as home occupations:

- i. Body or mechanical repair, including but not limited to any modification, assembly or painting of motor vehicles and repair of internal combustion engines
- ii. Massage parlors/technicians
- iii. Beauty salons, nail salons and barber shops
- iv. Animal grooming salons and boarding kennels
- v. Body piercing/body art/tattoo art
- vi. Sale of motor vehicles or trailers

**b. Requirements**

Home occupations shall be in compliance with the following:

- i. There shall be no offensive noise, vibration, smoke, dust, odors, heat or glare noticeable at or beyond the property line.
- ii. No exterior storage is permitted.
- iii. No more than one (1) employee or co-worker other than the permanent resident(s) can work from the site.
- iv. Hours for visitation by clients, customers, vendors or other visitors associated with the home occupation, including deliveries, may be restricted.
- v. No more than 25 percent of the gross floor area of the primary structure is used for home occupation purposes.

- vi. One sign, not to exceed three (3) square feet in area, shall be allowed per primary structure, pursuant to this regulation.
- vii. Home occupations must be conducted in the primary residence. Accessory structures may be used for storage only.
- viii. No home occupation shall operate without a home occupation permit for in-home business issued by the Laramie County Planning and Development Office.

## **2-2-104 LOT AND PROPERTY STANDARDS AND REQUIREMENTS**

### **a. Existing Lots or Tracts**

Lots, tracts, properties, or portions of lots or tracts in separate ownership that legally existed at the time of enactment of this regulation that do not meet the minimum area requirements of the zoning district in which they are located may be used as a building site. If Administrative or Board approval is required for a use on the lot, the lot size may be a factor in determining if the use is appropriate.

### **b. Principal Buildings, Residential, Single-family**

Only one principal building and its customary accessory building(s) may be erected on any one (1) division of land. Agricultural buildings and uses as defined by this regulation are exempt from this provision.

### **c. Principal Buildings, all others**

A principal building shall be identified for every one (1) division of land through a site plan or other acceptable documentation. Multiple structures may be permitted in conformance with this regulation. Agricultural buildings and uses as defined in this regulation are exempt from this provision.

### **d. Property Access**

All property shall have access suitable for the use to be developed on that property. Public streets and roads are the preferred method of accessing property. Private streets and roads may be allowed if they are in conformance with these regulations or the appropriate County regulations in effect at the time the street was constructed and adequate provisions have been made for the continued maintenance of that street. Alleys and/or access easements will not be considered as primary accesses for non-residential development purposes.

**e. Water and Sewer Requirements for Development Purposes**

Any property developed for business/commercial/industrial purposes in Laramie County shall be required to provide permanent on site, enclosed and legally permitted facilities (water and sewer or well and septic) for occupant and/or public use. The Planning and Development Director may waive this requirement for a specific use if it can be adequately determined that the use will not require said facilities or adequate facilities have been permanently secured at an adjacent location.

**2-2-105 TRAVEL TRAILERS AND RECREATIONAL VEHICLES**

Travel trailers and recreational vehicles shall not be installed or used as a dwelling unit. The use of travel trailers and recreational vehicles shall be allowed only by Board Approval. Travel trailers and recreational vehicles may be used as a temporary residence for a period of up to eighteen (18) months during construction of a residence on the same site for which the County Planning office has issued a building permit. The use must be approved by the Planning and Development Director and the Department of Environmental Health at the time of application for the building permit.

**2-2-106 FENCING REGULATIONS**

- a. No fence shall be placed within a recorded right-of-way.
- b. The maximum fence height along a frontage within the zoned boundary shall be four (4) feet, or six (6) feet if it meets the required front setback.
- c. The maximum fence height along side and rear lot lines within the zoned boundary shall be six (6) feet.
- d. Fences shall not be constructed within the sight distance triangle.
- e. No fence shall be constructed which hinders or obstructs access to any fire hydrant, or which encroaches within a radius of three (3) feet from any fire hydrant.
- f. Fences may be constructed above six (6) feet for recreational uses, including tennis courts, volleyball courts, swimming pools, golf driving ranges, goals and back stops and similar uses. These fences shall conform to all other setbacks of the district in which the fence is located and shall require a building permit.

## **2-2-107 WIRELESS TELECOMMUNICATION SERVICES (WTS)**

### **a. Purpose**

The purpose of this regulation is to establish requirements for the siting of wireless communications towers and antennas. The goals of this regulation are as follows:

- i. to protect residential areas and land uses from potential impacts of towers and antennas;
- ii. to strongly encourage the joint use of new and existing tower sites as a primary option rather than construction of additional single-use towers;
- iii. to encourage users of towers and antennas to locate them, to the extent possible, in areas where the impact on the community is minimal.

### **b. General Requirements**

#### **i. Principal or Accessory Use**

Commercial Mobile Radio Service (CMRS) facilities may be considered for either principal or accessory uses. A different existing use of an existing structure on the same lot shall not preclude the installation of an antenna or tower on such lot.

#### **ii. Aesthetics**

Towers and antennas shall, to the extent possible, use materials, colors, textures, screening and landscaping that will blend them into the natural setting and surrounding buildings.

#### **iii. Lighting**

Towers may not be artificially lighted, unless required by public safety, the FAA or other applicable authority.

#### **iv. State or Federal Requirements**

All towers must meet current standards and regulations of the Federal Aviation Administration (FAA), Federal Communications Commission (FCC), and any other agency of the local, state or federal government with the authority to regulate towers and antennas.

**v. Building Codes and Safety Standards**

To ensure the structural integrity of towers, the owner of a tower shall ensure that the tower is maintained in compliance with applicable state and local building code standards and the applicable standards for towers published by the Electronic Industries Association, as amended. Each tower shall require an approved building permit.

**vi. Required Application**

A building permit, plot plan and copy of any executed lease agreement is required for each proposed tower. The plot plan shall clearly show the location and distance of the tower and associated structures from property lines. The plot plan shall also indicate where access to the tower site is proposed.

**vii. Public Notice**

Public notice is required to all property owners of record within one half mile of the lot where the proposed tower and/or temporary tower is to be located. Notice shall be via certified mail. Notice shall be made thirty (30) days prior to issuance of a building permit.

**viii. Setbacks**

Towers must be set back a distance equal to at least 100 percent of the height of the tower from any adjoining property line.

**c. Administrative Approval Required**

The Director may administratively approve the location of wireless communications towers if they meet the following criteria:

- i. Antennas or towers located on Laramie County property provided a lease authorizing the facility has been approved by the County and is presented with the site plan application.
- ii. Antenna attachments to all existing structures in all zones except LR-1, LR-2, MR-1, MR-2, HR-1, HR-2, MUR or MUB, provided the antenna does not extend above the highest point of the existing structure.
- iii. Locating a tower or antenna, including the placement of additional buildings or other supporting equipment used in connection with said tower or antenna, in the Heavy Industrial District and in unzoned Laramie County, provided the height does not exceed 100 feet.

- iv. Any antenna which is not attached to a tower may be approved as an accessory use to any commercial, industrial, professional, institutional, or multi-family structure of eight (8) or more dwelling units, provided the antenna does not extend more than thirty (30) feet above the highest point of the structure.
- v. An antenna which is attached to an existing tower.

**d. Board Approval Required**

The Board shall approve any tower that does not meet the criteria for administrative approval. Board Approval is required prior to issuance of the required building permit.

The following provisions shall govern the Board Approval process:

- i. Applications for Board Approval under this section shall be subject to notification procedures and requirements in this regulation. A plot plan is required at the time of application.
- ii. No application for Board Approval shall be processed without a pre-application meeting.

**e. Buildings or Other Equipment Storage**

The related unmanned equipment structure shall not contain more than 350 square feet of gross floor area or be more than twenty (20) feet in height, and shall be located in accordance with the minimum property coverage and setback requirements of the zoning district in which it is located.

**2-2-108 LIVESTOCK**

Livestock animals such as horses, pigs, cattle, goats, sheep, poultry, etc., shall be allowed on all lands in Laramie County, if the following requirements are met:

- a. The maintenance of animals is conducted in a humane manner.
- b. The maintenance of animals is conducted so as not to qualify as a nuisance as defined in this regulation.

**2-2-109 STABLES, ARENAS AND KENNELS**

Commercial stables, kennels, arenas, and show barns shall meet these

regulations:

- a. The site shall be certified by the City/County Environmental Health Unit as not creating a health hazard.
- b. The distance between livestock (in barns, sheds, loafing areas and pastures) and domestic wells shall follow DEQ and City/County Health Unit requirements.
- c. Adequate onsite parking shall be provided.
- d. Offal/excretion shall be removed on a regular basis so as not to qualify as a nuisance, as defined in these regulations.

#### **2-2-110 HEIGHT LIMITATION EXCEPTIONS**

The height limitations of this regulation shall not apply to church spires, belfries, cupolas, domes not intended for human occupancy, flag poles, light poles, monuments, water towers, transmission towers, smokestacks, chimneys, derricks, antennas and aerials except as otherwise provided for in this regulation.

#### **2-2-111 HIGHPOWER TRANSMISSION LINES, WATER PIPELINES OVER 12 INCHES IN DIAMETER AND ENERGY PIPELINES**

- a. **Hearing and approval required** - No highpower transmission lines, water pipelines over 12" in diameter or energy pipeline shall be constructed in Laramie County without the approval of the Board of County Commissioners. Prior to approval, the Board shall hold at least one public hearing.
  - i. **Purpose** - The purpose of the hearing shall be to assure that the highpower transmission line, water pipeline over 12", or energy pipeline will be located so as to minimize disruption of existing county residents and land users.
  - ii. **Notice** - Notice of the hearing shall be given in accordance with this regulation. In addition, all property owners of record of land adjacent to and within 1,500 feet of the proposed location of the transmission line, water pipeline over 12" in diameter or energy pipeline shall be notified of the hearing by the applicant via certified letter.
- b. **Location** - Consolidated utility corridors shall be required unless:
  - i. The applicant supplies information, satisfactory to the Board, that locating the line or pipeline adjacent to or within an existing utility

corridor is physically impossible.

- ii. The applicant supplies information, satisfactory to the Board, that locating the line or pipeline adjacent to or within an existing utility corridor would increase the financial cost so as to prohibit project development.
- iii. Wherever possible, overhead transmission lines shall be located in a manner to reduce their visual impact on the surrounding landscape. Mitigation strategies may include, but are not limited to, avoiding riparian areas and ridge lines and using color to reduce visual impacts.

## **2-2-112 UTILITY REGULATIONS**

- a. Essential Services Utilities are a use by right in all districts and lands in Laramie County
- b. Those utilities that are defined as utility facilities and not otherwise provided for in this regulation require Board approval.
- c. The following criteria shall be met for both essential services utilities and utility facilities:
  - i. For a structure, the setbacks shall conform to the setbacks of the district in which the site is located.
  - ii. Structures shall not be constructed within the sight distance triangle.
  - iii. All access, building, floodplain development and other permits required by the County must be approved and issued in accordance with this regulation.

## **2-2-113 REFUSE DISPOSAL**

No dumping of refuse shall be permitted on any land except at those places designated by the County as official refuse disposal sites. This provision shall not apply to Farm and Ranch operations.

## **2-2-114 ANTIQUE AUTOMOBILES**

For use in refurbishing and restoring vehicles as a hobby, a property owner may keep on his or her property a maximum of five (5) old, unlicensed vehicles and all materials involved with the repair and restoration of those vehicles if those vehicles, equipment and materials are screened from view from the public right-of-way and adjacent properties at all times and do not meet the criteria to be declared a nuisance, pursuant to these regulations.

The owner shall demonstrate to the Planning and Development Director the ongoing restoration of the vehicles.

## **2-2-115 WORK CAMPS**

Work camps may be approved by the Board if the following requirements are met:

- a. All requirements of the Wyoming Industrial Development Information and Siting Act (Wyoming Statutes 35-12-101 through 35-12-121, 1977 Rev.Ed.) shall apply.
- b. No facility shall be constructed or occupied without a County-approved site plan. The site plan shall define, but is not limited to, the services to be provided, the length of time the use shall be permitted, and the plans for reuse of the land once the work camp is closed.

## **2-2-116 DENSITY INCREASES AND MINIMUM PROPERTY AREA REDUCTIONS**

The Board may provide increases in density or reduce the minimum property area for a specific use in a development when done so in the public interest. The proposed development must meet at least three (3) of the criteria listed below:

### **a. Criteria**

- i. Any buildings within the development, at minimum, meet USGBC LEED standards; however, LEED certification is not required.
- ii. Drainage, grading and landscaping are constructed to reduce off-site runoff and protect water quality.
- iii. At least twenty (20) percent of any residential units included in the development shall qualify as affordable housing as defined by HUD guidelines.
- iv. Right-of-way is granted for the Greater Cheyenne Greenway or other pedestrian network where pre-existing plans to extend the Greenway or establish a pedestrian network exist.

### **b. Procedure**

- i. If the property in question is to be subdivided, the project shall require a Preliminary Development Plan.
- ii. The Board shall hold a public hearing to evaluate the site plan.

## **2-2-117 WORK IN PUBLIC RIGHT-OF-WAY**

All work in public rights-of-way shall require a permit and may require a site plan.

## **2-2-118 SETBACK LINE EXCEPTIONS**

Accessibility appurtenances (steps, handicap ramps, porches/stoops) attached and projecting from the foundation are not restricted by the setback requirement. In no case will these appurtenances extend into adjacent properties, easements or rights-of-way. Exception: Handicap ramps installed with the approval of the Planning and Development Director.

## **2-2-119 ADULT ENTERTAINMENT ESTABLISHMENTS**

**a. Purpose** - It is the purpose of this section to regulate adult sexually-oriented businesses to promote the health, safety, and general welfare of the citizens of Laramie County and to establish reasonable and uniform regulations to prevent the adverse secondary effects and deleterious location and concentration of adult entertainment businesses within Laramie County. The provisions of this regulation have neither the purpose nor effect of imposing a limitation or restriction on the content of any communicative material, including sexually-oriented materials.

Similarly, it is not the intent nor effect of this regulation to restrict or deny access by adults to sexually-oriented materials protected by the First Amendment or to deny access by the distributors and exhibitors of sexually-oriented entertainment to their intended market. It is not the intent nor effect of this regulation to condone or legitimize the distribution of obscene material. This regulation applies to all properties within Laramie County.

**b. Location of Adult Entertainment Establishments** - Adult entertainment establishments shall be operated or located only in the Community Business District as defined in this regulation or areas in the unzoned area of Laramie County when in conformance with the following requirements:

**i.** No adult entertainment establishment shall be operated or located within a 1,000 foot radius of the following:

**A.** another existing adult entertainment establishment;

**B.** any church or place of religious worship;

**C.** any school, public or private, or a state licensed daycare center; or

D. the property line of any lot or property which is forty (40) acres or less and is devoted to residential use.

- ii. The above distance limitations shall be determined by measurement from the nearest customer entrance of the proposed or existing adult entertainment establishment to the lot, tract or parcel of the use specified immediately above. The measurement is to be conducted in a radial fashion of 1,000 feet.
- iii. No adult entertainment establishment shall be operated or located within 2,000 feet of a residence which is located on a lot larger than forty (40) acres. This distance limitation shall be conducted in a radial fashion by measurement from the nearest customer entrance of the proposed or existing adult entertainment establishment to nearest exterior part of the residence.

**c. Signs**

- i. All adult entertainment establishments shall comply with the provisions of these zoning regulations regarding the type, usage, construction of, and placement of signs. Further, signs for adult entertainment establishments shall not contain any emphasis, whether by movement, picture, or otherwise, on matter relating to adult entertainment as defined herein.
- ii. To protect minors from exposure to obscene material, any business providing adult entertainment or adult material shall have in place at each entrance to such business a sign no larger than one square foot in size that states that persons under 18 years of age shall not be admitted.

**d. Adult Booths** - All adult entertainment establishments which contain one or more adult booths shall comply with the following standards

- i. The adult entertainment establishment shall be configured in such a manner that there is an unobstructed view from a manager's or employees' station of every area of the premises to which any patron is permitted access for any purpose, excluding restrooms. The view required in this subsection must be by direct line of sight from the manager's or employees' station.
- ii. At least one employee shall be on duty at all times that any patron is present inside the adult entertainment establishment.
- iii. All adult booths shall remain unobstructed by any doors, curtains, partitions, walls, merchandise, display racks or other materials and, at

all times, no patron shall be permitted access to any area of the premises which has been designated as an area in which patrons will not be permitted.

iv. No adult booth may be occupied by more than one person at any time.

v. No openings of any kind shall exist between adult booths.

vi. No employee or owner of an adult entertainment establishment shall knowingly, or with reasonable cause to know, permit or allow a patron to commit in the adult entertainment establishment an act of public indecency as set forth in Wyoming Statute 6-4-201.

**e. Illumination** - All adult entertainment establishments shall be equipped with overhead lighting fixtures of sufficient intensity to illuminate every place to which patrons are permitted access at an illumination of not less than five foot candles as measured at the floor level. This level of illumination shall be maintained at all time that any patron is present in the adult entertainment establishment.

**f. Restrooms** - Restrooms in any adult entertainment establishment shall not contain video viewing or contraceptive vending machines.

**g. Hours of Operation** - No adult entertainment establishment, except for an adult motel, shall be open for business at any time between the hours of 1 a.m. and 8 a.m., Monday through Saturday, or between the hours of 1 a.m. and noon on Sunday.

#### **h. Inspections**

i. An owner or operator of an adult entertainment establishment shall, at any time it is occupied or open for business, permit representatives of the Sheriff's Department, City/County Health Department and the local fire district to inspect the premises of an adult entertainment establishment for the purpose of insuring compliance with the law.

ii. A person who operates an adult entertainment establishment or his agent or employee commits an offense if he refuses to permit a lawful inspection of the premises at any time it is occupied or open for business by a representative of the County as outlined above. (W.S. 18-5-206).

iii. The provisions of this sections do not apply to areas of an adult motel which are currently being rented by a customer for use as a permanent or temporary habitation.

- i. **Severability** - If any section, subsection, or clause of this section or article shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections and clauses shall not be affected.
- j. **Injunction**- A person who operates or causes to operate an adult entertainment establishment in violation of any section or part of this section of this regulation is subject to a suit for injunction as well as prosecution for criminal violations. Such violations shall be punishable by a fine of not more than seven hundred and fifty dollars (\$750.00) per offense. Each day an adult entertainment establishment so operates is a separate offense or violation. (W.S. 18-5-205 & 206).
- k. **Minors** - No person under the age of eighteen (18) shall be permitted
  - i. in any adult entertainment establishment
  - ii. to purchase goods or services at an adult entertainment establishment; or
  - iii. to work at an adult entertainment establishment as an employee.
- l. **Jurisdiction** - This section shall apply to all areas of Laramie County, Wyoming.

## 2-2-120 LARAMIE COUNTY WIND ENERGY SYSTEMS REGULATIONS

- a. **Purpose** - To oversee the permitting of wind energy systems for the purpose of preserving and protecting public health and safety; to reasonably preserve and protect natural and cultural resources; to protect the quality of life for nearby property owners; to facilitate economic opportunities for both County and local residents; and to allow for the orderly development of land.
- b. **Applicability** - These regulations govern the siting of large wind energy systems and all associated projects and substations throughout all the unincorporated areas of Laramie County. Small wind energy systems are exempt from this article. Large wind energy systems and wind farms that have been permitted and constructed or approved for construction by federal, state or local agencies prior to the adoption of this article are exempt from this regulation.

It is unlawful for any person to construct, install, maintain, modify, operate or abandon a large wind energy system and/or wind farm that is not in compliance with this article or with any condition contained in a wind energy permit or other land use permit issued pursuant to this article or any other applicable law or regulation.

- c. Standards** - These standards apply to large wind energy systems and wind farm systems only.
- i. Structure** - The wind tower portion of any large horizontal wind energy system should be of monopole construction. Other construction may be considered by the Board if monopole construction is not practicable or if new technology emerges. A wind tower must be of freestanding construction to the extent practicable. If monopole or freestanding construction is not practicable, a wind tower may be guyed upon approval of the Board.
  - ii. Location** - A large wind energy system may be located only in areas that are within the Agricultural Residential (AR), Agricultural and Rural Residential (A-1), Agricultural (A-2), and Heavy Industrial (HI) zone districts and in the non-zoned portions of the County. A wind farm may be located only in areas that are zoned Agricultural Residential (AR), Agricultural and Rural Residential (A-1), Agricultural (A-2), Heavy Industrial (HI) and in the non-zoned portions of the County
- iii. Setbacks**
- A.** The center of the base of each wind tower shall be located no less than 1.5 (hub height + rotor diameter) from adjacent nonparticipating property lines and dedicated public roads.
  - B.** Reduced setbacks may be allowed if written permission, as recorded with the Laramie County Clerk, is granted by the affected adjacent nonparticipating property owners for a specific lesser setback.
  - C.** Setback reduction not granted under the previous section may be reduced through a variance by the Board if it can be documented to the satisfaction of the Board that the setback will provide adequate safety to adjacent nonparticipating property owners; however, in no case shall the setback be less than one (1) times the height of the WES.
- iv. Height** - The total height of a large wind energy system shall comply with all federal, state and local regulations, including FAA guidelines. Applicants are strongly encouraged to contact the Cheyenne Regional Airport Manager and the Pine Bluffs Municipal Airport Manager concerning airport operations, approaches and local matters critical to flying safety and airspace conflicts prior to submitting an application for review. Applicants are required to review the relevant airport information packet available from the Laramie County Planning

Department, the Cheyenne Regional Airport Manager, or the Pine Bluffs Clerk's Office.

- v. **Clearance** - The vertical distance from ground level to the tip of a large horizontal wind energy system turbine blade when the blade is at its lowest point must be at least twenty five (25) feet.
- vi. **Access** - A wind tower, including any climbing aids, must be secured against unauthorized access.
- vii. **Electrical Wires** - Electrical wires associated with a large wind energy system shall be located underground when practicable.
- viii. **Code Compliance** - All large wind energy systems must comply with the most recent adopted edition of the National Electrical Code, International Building Code and all applicable local, county, state and federal codes and regulations.
- ix. **Lighting** - Wind tower and turbine lighting for large wind energy systems must comply with FAA minimum requirements and be at the lowest intensity allowed. No accessory lighting is permitted unless it is determined by the Board to be necessary for safety and security.
- x. **Appearance** - Wind energy systems in a wind farm should be of a coordinated design to minimize visual impacts to the surrounding area. Wind energy systems shall be exempt from landscape requirements in this regulation.
- xi. **Signs** - No wind turbine, tower, building, or other structure associated with a WES may be used to advertise or promote any product or service. No word or graphic representation other than appropriate warning signs, tower identification, and owner, land owner or manufacturer identification, may be placed on a wind turbine, tower, building, or other structure associated with a WES.
- xii. **Noise** - The noise generated by the operation of a large wind energy system or wind farm may not exceed a noise level of more than fifty (50) dB(A) as measured at any point along the common property lines between a nonparticipating property and a participating property. This level, however, may be exceeded during short-term events such as utility outages, severe weather events, construction or maintenance operations. Noise levels may exceed the 50dB(A) limit along common property lines if written permission, as recorded with the Laramie County Clerk, is granted by the affected adjacent nonparticipating property owners. Sound measurements shall be made five (5) feet above ground level over 10-minute measurement periods, on the basis of equivalent sound pressure

levels and wind speed equal to 8 meters/second, using the procedures established by IEC 61400-11 (International Electrotechnical Commission, 2<sup>nd</sup> Edition, 2002-12.)

- xiii. Impacts to Public Roads** - The use of dedicated public roads shall be in accordance with and in compliance of federal, state, county and local regulations governing such activities. The owner shall be responsible for any degradation to or damage of dedicated public roads by any and all parties affiliated with the installation of the wind farm and will bear all costs required to return the public roads to their original or better condition prior to their use of same. The use of any dedicated public road for the purpose of transporting parts, materials and/or equipment for construction of a large wind energy system or wind farm shall require the following prior to approval of any wind energy permit:
- A.** A detail mapping of known haul routes shall be submitted with the wind energy permit application. Haul routes shall be updated as transit information becomes available. Final haul routes must be submitted at least ten (10) days prior to the start of construction.
  - B.** Completion of a pre-construction baseline survey prepared by a mutually agreed upon professional engineer to determine existing road conditions.
  - C.** An engineer's assessment of the potential for damage or impact to the roads detailed in the haul route.
  - D.** A mitigation plan and/or long-term road maintenance plan to address the impacts to the roads as determined in the assessment.
  - E.** Preparation of an engineer's estimate for the total estimated cost to improve, maintain or repair the existing roads as detailed in the mitigation/maintenance plan.
  - F.** Documentation of the establishment of a bond for the repair of roads along the haul route for a wind farm in an amount of not less than 115 percent of the cost for infrastructure improvement or repair as determined in the engineer's estimate of cost, but in no case less than \$25,000 for the purpose of repairing any damage to public roads caused by constructing, operating or maintaining the system. Prior to commencement of any work on the participating property, the owner shall enter into with the Board or its designee an agreement that documents the owner's obligations for the County roads.
  - G.** Any additional information, studies, or reports as reasonably determined by the Board as necessary.

- xiv. Reclamation and Decommissioning** - Documentation of a guarantee between the owner and the participating property owner for the reclamation and decommissioning of the wind farm shall be provided at the time of the site plan application. A guarantee should be in the form of financial assurance, lease agreements, or other terms as negotiated between the owner and the participating property owner. At the time of abandonment or removal as further described in this article, the participating property shall be reasonably restored to the physical state as existed before the wind energy system or wind farm was constructed. A decommissioning plan shall be submitted as part of the wind energy site plan application. The plan shall specify and provide for the following:
- A.** The physical removal of wind energy systems, equipment, security barriers and transmission lines from the site.
  - B.** Disposal of all solid and hazardous waste in accordance with local, state and federal waste disposal regulations.
  - C.** Stabilization or re-vegetation of the site as necessary to minimize erosion. The decommissioning plan may allow the owner to leave landscaping or designated below-grade foundations and other below-grade infrastructure as agreed upon by the participating property owner in order to minimize erosion and disruption to vegetation.
  - D.** Identification of all physical elements that may remain on the property at the discretion of the participating property owner.
- xv. Liability Insurance** - At the time of a wind energy permit application for a wind farm, the owner shall provide evidence of liability insurance for a duration of not less than 24 months from the estimated time of project completion to cover loss or damage to persons and structures occasioned by the failure of the facility.
- xvi. Impacts to Natural and Cultural Resources** - The owner of a large wind energy system and/or wind farm shall comply with all federal, state and local requirements pertaining to natural and cultural resources. The owner of a wind farm system shall submit written statements that the project is in full compliance with all relevant requirements at the time of the permit application submittal. The owner of a large wind energy system and/or wind farm should make reasonable efforts to avoid siting large wind energy systems components in a manner that will adversely impact wildlife, water, historical and/or cultural resources.

**d. General Requirements -**

- i. Notification** - Notice of any large wind energy system or wind farm site plan application shall be sent by the Laramie County Planning and Development Office to nonparticipating property owners of lands within one (1) mile of the perimeter of the property affected at least thirty (30) days prior to the Planning Commission review of any site plan. The Laramie County Planning and Development Office shall publish a legal notice thirty (30) days prior to the Planning Commission review of any site plan.
- ii. Siting Process** - Each large wind energy system and/or wind farm shall require both a site plan and a wind energy permit. Site plans will be reviewed by both the Planning Commission and the Board. All site plans, after action by the Planning Commission, shall be heard by the Board at its next available regular meeting. The Board shall approve site plans according to the Board approval process. The Administrator shall approve wind energy permits accordance with this article. The installation of a large wind energy system and/or wind farm is contingent upon compliance with any and all conditions established by the Board. **The applicant shall meet with a Planning and Development Office representative prior to submittal of any site plan. This pre-application meeting will allow the applicant to define the project and provide information. During this pre-application meeting a list of items needed for the submittal of the site plan will be addressed.** Applicants shall provide copies of all FAA Form 7460 submissions to any airport authority that could be affected by the application when such forms are tendered to the FAA for approval.
- e. Site Plan** - A site plan illustrating preliminary layout, design and access shall be submitted for Planning Commission review and Board review and approval. The site plan must meet the requirements of the Site Plan Review Application, available through the Laramie County Planning and Development Office. No wind energy permit shall be issued by the Administrator without a Board-approved site plan. The applicant shall provide a complete application in accordance with the requirements of the pre-application meeting. Failure to do so shall result in a denial of the application. Upon submittal of the site plan, Laramie County Development Office staff shall have 5 (five) business days to determine if the site plan is complete. At the end of that period, if no letter has been issued to the applicant, the application will be automatically determined to be complete.

The Laramie County Planning and Development Office shall begin the public notification period no less than 7 (seven) days from the submittal of the site plan. The proposed large wind energy system and/or wind farm

shall comply with all federal, state and local regulations. A site plan approval shall expire three (3) years from the date of approval by the Board unless the construction of the wind farm has been initiated. All site plans shall include the following as a minimum:

- i.** Name, mailing address and telephone number of the person signing the application, certifying that the application is true and correct.
- ii.** Name, mailing address, and telephone number of the owner.
- iii.** Name, signature, mailing address and telephone number of the participating property owner(s).
- iv.** Legal description of the participating property and/or proposed participating property.
- v.** General description of the proposed large wind energy system(s), including the estimate of total number of systems, lighting and estimated total height of each large wind energy system.
- vi.** General location of proposed wind energy system(s) and buildings. Actual locations of wind energy systems and buildings will be required for the wind energy permit and any associated building permits.
- vii.** Proposed location of above ground and underground electrical wiring, vehicular access routes and fencing.
- viii.** Location of any existing above ground utility lines, roads, right-of-way, pipelines, easements and etc. within the property.
- ix.** Existing buildings and structures within one-quarter mile (1320 feet) of the property, including any church, hospital, public library, residence, school or other structure designated for public assembly. This information may be based on available public data.
- x.** Location of cultural and sensitive natural resources (such as historical structures, trails, archaeological sites, wetlands, migratory flight paths, and endangered wildlife and/or vegetation).
- xi.** The following documents shall be submitted with the site plan:
  - A.** Statement that each large wind energy system will be installed in compliance with manufacturer's specifications.

- B. Statement that the owner will construct and operate each large wind energy system or wind farm in compliance with all applicable local, state, and federal codes, laws, orders, regulations, and rules.
  - C. Preliminary construction documents describing general plans for appropriate drainage, erosion control and infrastructure improvements. Final construction documents will be required with the wind energy permit.
  - D. Reclamation and decommissioning plan in accordance with this regulation.
  - E. Preliminary road assessment and mitigation plan.
  - F. A noise analysis to determine the decibel (dbA) level at adjacent nonparticipating property lines. The analysis shall be completed in accordance with this regulation.
  - G. Certification that the applicant has reviewed the airport information packet of any affected airport and has provided to such airport authority a copy of the site plan submitted to the County and a copy of FAA form 7460 if the form was submitted for FAA approval.
  - H. A proposed phasing plan showing areas or locations of wind energy systems for the purposes of permitting.
- xii. Following Board approval of the site plan, the owner shall have three (3) years to apply for a wind energy permit.
- f. **Wind Energy Permits** - Upon Board approval of the site plan, the owner may submit a wind energy permit application to the Laramie County Planning and Development Office. If the wind energy permit application meets the requirements and conditions set forth in the approved site plan, the Administrator shall issue the wind energy permit within twenty-one (21) days of application submittal.
- i. A wind energy permit is required prior to the installation of a large wind energy system.
  - ii. A wind energy permit is required for large wind energy systems that will be operated as part of a wind farm. Following Board approval of a wind farm site plan, the Administrator shall issue a single wind energy permit that approves all large wind energy systems in total or in specific phases that meet the criteria of this article and any conditions required by the Board as part of the site plan approval. All wind energy permit fees must be paid in full before permits are issued.

- iii. Application for a wind energy permit must be on a form provided by the Administrator.
- iv. Permitting for structures other than large wind energy systems, including but not limited to buildings constructed for administration, operations and maintenance of large wind energy systems shall be in compliance with all applicable County building permit requirements.

**g. Wind Energy Permit Application**

- i. Each application for a large wind energy system wind energy permit shall include the following:
    - A. Confirmation that the permit is in substantial conformance with the general and specific conditions of the approved site plan;
    - B. Appropriate fees;
    - C. Evidence of liability insurance for large wind energy systems that will be part of a wind farm;
    - D. Final road assessment and mitigation plan
    - E. Professional engineer's estimate of road work
    - F. Final construction documents prepared in accordance with County regulations for appropriate drainage, erosion control and infrastructure improvements;
    - G. Specific site plan showing all large wind energy system locations.
  - ii. A wind energy permit issued pursuant to this article expires if the large wind energy system is not installed and functioning within five (5) years from the date the permit is issued. The Administrator may extend the permit in response to a written request made prior to its expiration if the Administrator determines that the request is reasonable under the circumstances.
- h. Fees** - The submittal of a site plan for any large wind energy system or wind farm must be accompanied by the fee required for a site plan review as determined and published by the Board. The application for a wind energy permit for any large wind energy system or wind farm must be accompanied by the fee required for a wind energy permit as determined and published by the Board.

**i. Reclamation and Decommissioning Plan**

- i.** An owner shall provide the Administrator with a written Notice of Termination of Operations if the operation of a permitted large wind energy system or wind farm is terminated. Such notice shall be provided within thirty (30) days of system operation termination.
- ii.** A large wind energy system or wind farm that is out of service for a continuous 12-month period will be deemed to have been abandoned and the Administrator may issue a Notice of Abandonment to the owner. If, within thirty (30) days of issuance of a Notice of Abandonment, the owner provides the Administrator written verification showing the system has not been abandoned, the Administrator may withdraw the notice.
- iii.** A large wind energy system or wind farm must be removed within six (6) months of the issuance date of the Notice of Abandonment unless the Administrator withdraws the Notice or within twelve (12) months of the owner providing Notice of Termination of Operations.
- iv.** The Notice of Abandonment shall be sent by certified mail to the address of the owner and the participating property owner as listed by Land Records Department.
- v.** The owner shall remove all of the following:

  - A.** Wind energy systems, above ground improvements and outdoor storage, except those to remain at the discretion of the participating property owner;
  - B.** Foundations, pads and underground electrical wires as indicated in the approved reclamation and decommissioning plan and in accordance with any agreement between the owner and participating property owner(s).
  - C.** Hazardous material from the property and dispose of the hazardous material in accordance with federal and state law.
- vi.** The owner shall restore all of the following to their original or better condition:

  - A.** County roads damaged by the removal of large wind energy systems or wind farm components.
  - B.** Soils and/or vegetation located on site.

vii. If the owner fails to remove a wind energy system or wind farm within the specified time frame, the owner shall be deemed to be in violation of this article and subject to the penalties as described in this article. The County shall have the right, but not the requirement, to enter the property and cause the appropriate abandonment and restoration measures as determined by the approved Reclamation and Decommissioning Plan. The County shall have the right to recover the cost of any and all work completed from the owner.

**j. Variance and Appeals Procedure**

- i. Variances to this regulation may be allowed by the Board. Legal notice of any variance request shall be in conformance with this regulation.
- ii. Appeals of both Board and administrative decisions shall be filed in conformance with this regulation.

**2-2-121 NONCONFORMING USES AND STRUCTURES**

There exists land and uses of land which were lawful before this regulation was passed or amended, but which would be affected by the terms of this regulation or future amendments. Therefore, it is the intent of this regulation to permit these nonconforming uses to continue. Further, these nonconforming uses shall not be used as grounds for allowing other uses prohibited elsewhere.

**a. Nonconforming Buildings or Structures**

- i. A nonconforming building or structure may be maintained, repaired, or expanded, except as provided for in this section.
- ii. An extension of a structure, or placement of an accessory building which does not further a violated requirement may be granted upon the approval of the Development Director, if it is found the extension or placement of said structure meets the intent of this regulation.
- iii. A nonconforming building or structure shall not be moved in whole or in part to any other location on the property on which it is situated unless every portion of such building or structure is made to conform to all the regulations of the district in which it is located.
- iv. The Development Director must find the following in order to approve any further encroachment of an existing violated requirement:

- A. The strict application of the provisions of this regulation would deprive the applicant of reasonable use of the land.
  - B. That the existing encroachment is not the result of actions of the applicant taken subsequent to the adoption of this regulation.
  - C. That the encroachment will not alter the character of the neighborhood.
  - D. The encroachment would not deprive an adjacent property owner of reasonable use of his or her property.
- v. Upon action, the Planning and Development Office shall notify adjacent property owners of record. Adjacent property owners shall have fourteen (14) working days to appeal the decision of the Director. Appeals shall be conducted according to this regulation. If no appeal is filed within the 14-day period, the property owner may apply for any required building permits.
- b. Nonconforming Uses** - The nonconforming use which lawfully existed at the time this regulation or subsequent amendments became effective may be continued.
  - c. Amortization of Nonconforming Uses** - If any nonconforming use ceases its operation for a continuous period of twelve (12) months, it shall be deemed abandoned and all use thereafter shall be in conformance with this regulation.
  - d. Reconstruction of Nonconforming Structures** - A nonconforming building or structure damaged by fire or other act of nature may be restored to its original condition provided such restoration is started within one (1) year. An extension for a defined period of time may be granted by the Planning and Development Director for a building or structure, provided written request for such extension is received from the property owner prior to the end of the original one-year period.
  - e. Determination of Nonconforming Rights and Status** - If nonconforming rights are challenged, or if there is a request to expand a nonconforming use or structure, it shall be the property owner's responsibility to provide proof through business records or other records and data that the nonconforming use has not ceased operation and has continued in operation without a twelve (12) month lapse. It shall also be the property owner's responsibility to provide proof that the nonconforming use legally existed at the time this regulation was adopted.

## 2-2-122 PARKING

- a. **Purpose** - The purpose of this regulation is to protect the health, safety and welfare of Laramie County residents through appropriate design of parking facilities. Laramie County recognizes that the construction of parking facilities has adverse impacts on hydrologic patterns and water quality, can increase ambient temperatures and will change the visual appearance of County lands. The County also recognizes the need for adequate parking and functional design to promote economic development.
- b. **Applicability** - This regulation shall apply to all new uses or changes in use for commercial, public and multi-family residential developments that require a site plan as well as to all lands within Laramie County.
- c. **Exemptions** - Parking facilities that have been constructed or permitted for construction prior to the adoption of this article shall be considered legally nonconforming uses and/or structures and shall be subject to the provision of this regulation.
- d. **Administrative Review and Approval of Parking Standards** - A lesser parking standard may be established by the Planning and Development Director for a particular development if the applicant can provide sufficient information that demonstrates a lesser standard is appropriate due to anticipated parking demand. Parking standards shall be based on the most recent information released by the Institute of Transportation Engineers (ITE).
- e. **Parking Calculations** - The following guidelines shall be used to calculate the number of parking spaces associated with each land use:
  - i. **Fractional spaces** - When determination of the number of required off-street parking spaces results in a fractional space, the requirement shall be rounded up to the next whole number.
  - ii. **Use of maximum employee shift** - When employees are specified, the calculation shall be based upon the maximum number of employees normally on duty at any one time.
- f. **General Parking Standards**
  - i. **Change of Use** - If the use of land or a structure changes, the new use shall conform with all of the off-street parking and loading provisions of this regulation.

- ii. **Maintenance of Off-Street Parking and Loading Areas** - All off-street parking and loading areas shall be maintained adequately for all-weather use and be properly drained.
  - iii. **Backing onto Roads and Public Streets Prohibited** - Except for parking facilities serving single-family residential lots and parking facilities accommodating four (4) vehicles or less, all off-street parking areas shall be designed so that it will not be necessary for vehicles to back out into any road or public streets.
  - iv. **Parking Lot Buffers** - All parking facilities associated with commercial, office or industrial uses shall be located behind the required frontage landscaping.
  - v. **Interference with fire exit or emergency access prohibited** - Off-street parking and loading facilities shall be designed so as not to interfere with any fire exits or emergency access to either a structure or site.
  - vi. **Access to Parking Areas** Parking and loading areas shall be provided with entrances and exits located so as to minimize traffic congestion. Parking and loading areas shall be designed to provide for traffic safety. Access permits from the proper government agency shall be required.
  - vii. **Surface Requirements** Parking and loading areas shall be graded for proper drainage and provided with an all-weather surface of gravel, asphalt, concrete, crushed base or other similar material. Pervious surfaces, bio-retention and/or other design options intended to manage storm water, cool paved areas and/or provide wildlife habitat are allowed and encouraged.
  - viii. **Pedestrian Access between Site Use and Parking Areas** - Pedestrian access in the form of alleys, passages or sidewalks shall be designated between parking areas and main entrances to buildings and/or sites.
  - ix. Parking requirements for each specific use shall be required in conformance with the most recent edition of the International Traffic Engineers Parking Generation Manual. The Director of Planning may grant a 25 percent reduction for mixed use areas or for overall reductions related to alternative transportation efforts and combined use areas.
- g. Shared Parking Facilities** - In meeting the requirements of this

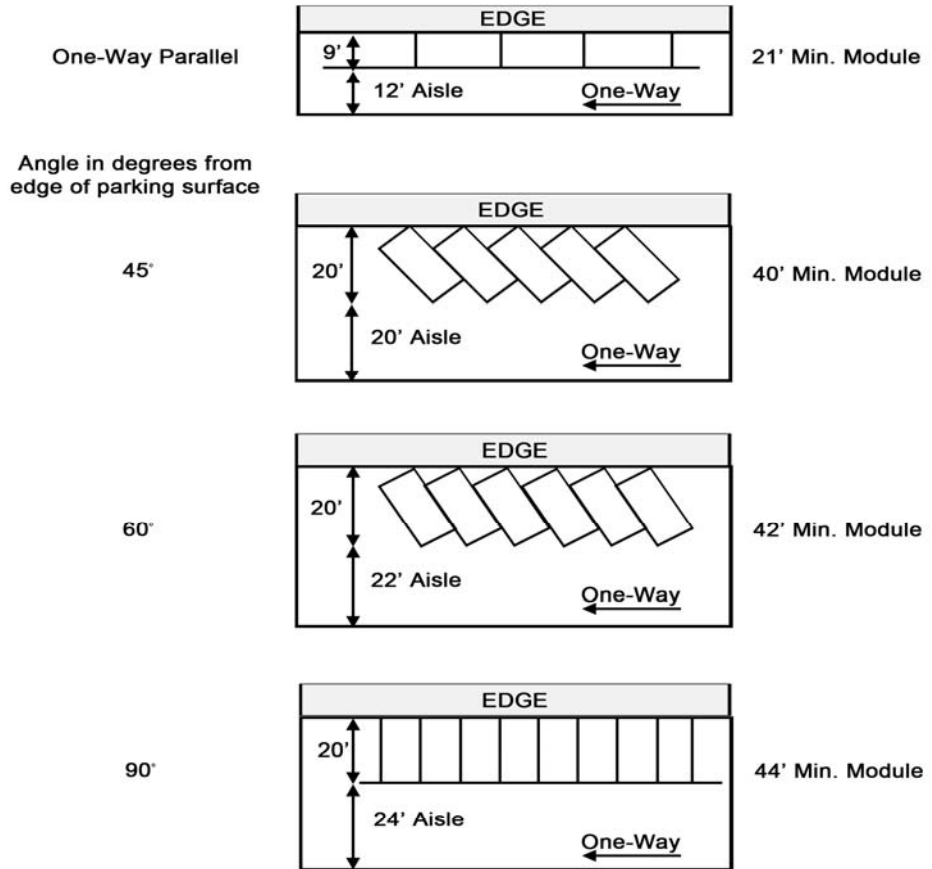
regulation, adjacent land uses, lots or sites may share parking under the following conditions:

- i. All landowners participating in the shared parking shall execute the necessary cross-access easements to facilitate shared parking and record all easements and associated documents with Laramie County.
- ii. A written agreement for the joint use of parking shall be executed by the parties and approved by the County.
- iii. Parking requirements shall be the cumulative requirements of the uses sharing the parking, except where different categories of uses are participating in the sharing agreement and are likely to generate distinctly different times of peak parking demand.

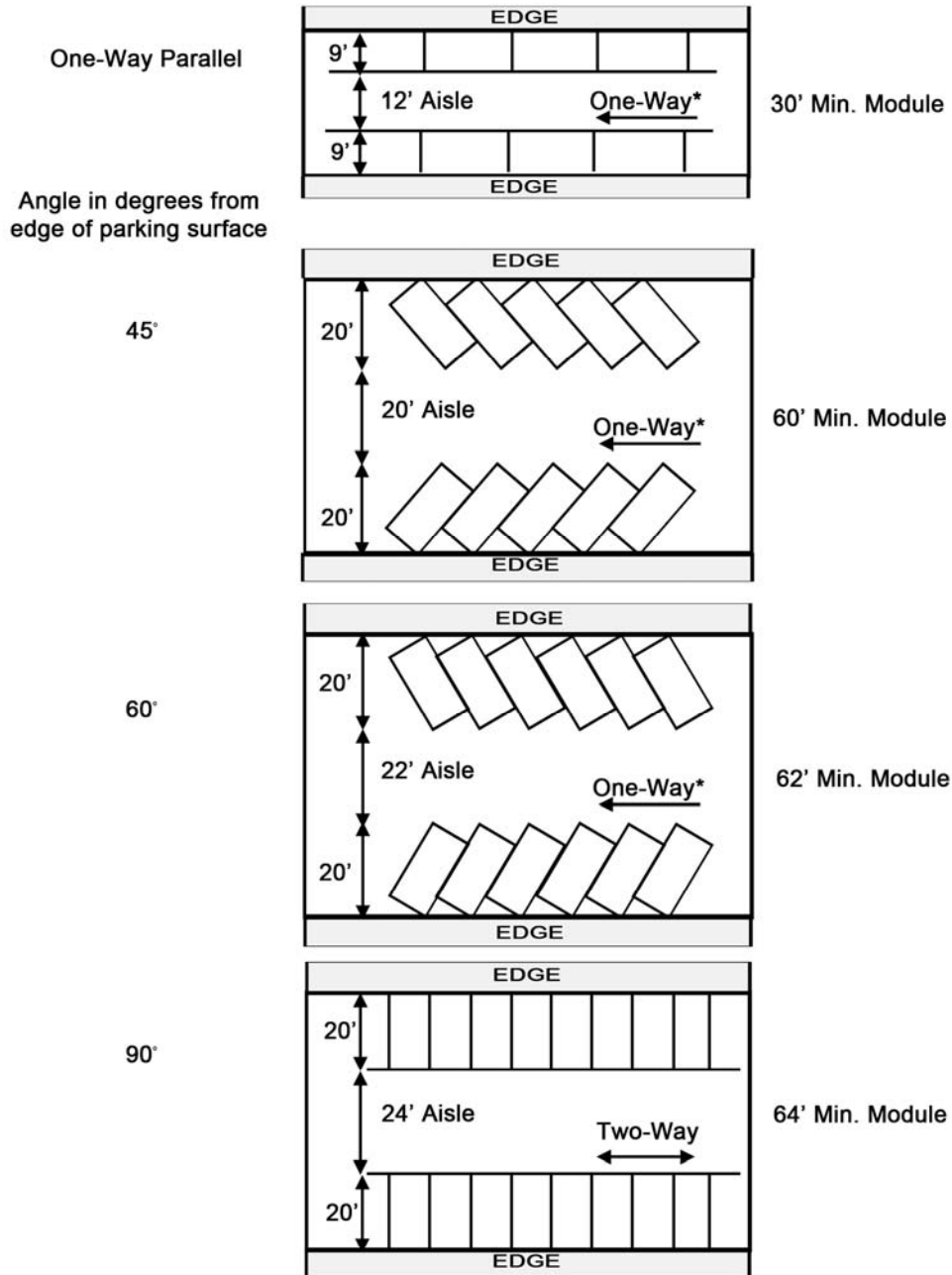
#### **h. Parking Space Dimensions**

- i. A parking space shall be a minimum of nine (9) feet in width. **Figures 1 and 2** demonstrate allowable parking space configurations.

Figure 1



**Figure 2**



\*Increase aisle to 24' if two-way

- ii. The length of parking spaces may be reduced to eighteen (18) feet, including wheel stop, if an additional space of two (2) feet in length is provided for the front overhang of the car, provided that an overhang shall not reduce the width of an adjacent walkway to less than four (4) feet in width.
- iii. Parking spaces shall have a vertical clearance of at least seven (7) feet.
- i. **Handicapped Accessible Parking** - Handicapped accessible parking shall be provided for each site where parking is provided.

Total Parking Spaces Provided	Required Minimum Number of Handicapped Accessible Spaces
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2 percent of the total spaces provided
1,001 and greater	20 plus one for each 100, or fraction thereof, over 1,000

**2-2-123 TRANSPORTATION REQUIREMENTS**

- a. **Traffic and Transportation Studies** - For certain projects a traffic or transportation study shall be required based on standards established by the County and approved by the Laramie County Board of Commissioners. The responsibility for the accomplishment of the study will rest with the applicant.

## 2-2-124 SITE PLANS

- a. **Purpose** - The purpose of this regulation is to protect the health, safety and welfare of Laramie County residents through appropriate design of commercial, public and multi-family residential developments. Laramie County recognizes that flexibility and the use of best practices in site design will support the community vision described in the Laramie County Comprehensive Plan by preserving environmental quality and promoting economic vitality.
- b. **Applicability** - This regulation shall apply to all lands of unincorporated Laramie County except those listed in this regulation.
- c. **Exemptions** - This regulation applies to commercial, industrial, public, open space and multi-family residential developments. Property with the following land uses are exempt from site plan requirements:
  - i. Single-family residential
  - ii. Duplex residences where no more than one (1) structure is proposed per development.
  - iii. Agricultural property as defined in this regulation.
- d. **Site Plans for Governmental Entities** - Public land uses, including parks, public facilities and government buildings, shall conform to the standards in this regulation.
- e. **General Site Plan Requirements**
  - i. A site plan is required for all new commercial, industrial, public, and multi-family residential land uses. A landscaping and storm water management plan shall be submitted with all site plan applications. The Planning and Development Director may waive any requirements for a site plan if:
    - A. The existing landscaping is sufficient.
    - B. No new construction is proposed.
  - ii. All applications for site plan approval shall be submitted on a form provided by the Planning and Development Office.
  - iii. Site plans in the unzoned portions of the County shall require that notice be sent to adjacent property owners via certified mail. The

Director may determine that the site plan requires a public hearing before the Planning Commission and/or Board of County Commissioners.

iv. The site plan shall depict the following elements:

- A.** Title Block (stating Site Plan), address, scale used, north arrow and date of preparation.
- B.** Legal description and site address.
- C.** Current Zoning of the site.
- D.** Surrounding and adjacent land uses and zoning.
- E.** Properties across a right-of-way of 120 feet or less and 300 feet or less in the case of an Interstate Highway.
- F.** Names of property owners who share a common lot line with the site. Property ownership information is available at the County Assessor's Office.
- G.** Names of all adjacent streets and any streets included within the site plan area. Right-of-way widths, pavement widths from curb to curb, or shoulder to shoulder and any easements pertinent to the site shall be shown.
- H.** Locations and dimensions of proposed and existing access points. Indicate existing access to be closed.
- I.** Overall site dimensions.
- J.** Location and dimensions of existing or proposed outdoor storage/display areas, including all items and equipment for immediate sale or lease including, but not limited to, vehicle sales, garden and seasonal items, farm supplies, lumber, etc.
- K.** Location and width of existing and proposed sidewalks. Note which existing sidewalks are to remain.
- L.** Dimension, height and setbacks of existing building(s) if they are to remain on site.
- M.** Dimension, height and setbacks of proposed building(s).
- N.** Location of nearest fire hydrant(s), if applicable.

- O. Location and type of trash containment proposed.
- P. Types of existing and proposed ground surfacing/covering.
- Q. Number of parking spaces, parking layout with dimensions, and method of marking parking spaces.
- R. Existing or proposed drainage arrows and contour lines.
- S. Proposed screening by type and height, if applicable.
- T. Depictions of driveway approaches, speed change lanes, utility poles, signs, sidewalks, and/or other structures or features within the right-of-way for a distance of 100 feet from either side of the site's boundaries.
- U. Physical barriers between properties which would prevent joint access, cross access, or joint parking between properties.
- V. The site plan must depict driveways on the opposite side of all rows.
- W. Computation table to include the following:
  - 1. Total Site Area
  - 2. Building Area
  - 3. Parking Provisions
  - 4. Landscape Area
  - 5. Impervious Area

## **2-2-125 GENERAL LANDSCAPING REQUIREMENTS**

A landscape plan is required as a component of all site plans. Due to the wide range of land uses in the County, landscaping requirements are categorized into three sections:

- I. Requirements applying to all lands in Laramie County.
- II. Requirements applying to land in the unzoned area of Laramie County.
- III. Requirements applying to land in the zoned area of Laramie County.

Both internal and frontage landscaping are required in the zoned area of the County.

- a. The following requirements shall apply to all lands within Laramie County.
  - i. The landscape plan should be designed to aid in storm water management, cool impervious surfaces and provide year-round screening and buffering between the site and surrounding land uses.
  - ii. The use of adaptive plant species is required. A list of approved species is available from the Laramie County Planning and Development Office.
  - iii. Landscaping may be completed in phases to match construction phases.
  - iv. Alternatives to the required landscaping may be presented to the Planning and Development Director for review. The Director shall approve the proposed alternative landscape plan based on the following criteria:
    - A. the proposed alternative meets or exceeds the intent of this regulation, and
    - B. the proposed alternative is well-integrated with the surrounding landscaping and land uses, and
    - C. the proposed alternative meets the goals of Laramie County Comprehensive Plan.
  - v. No display of merchandise, goods, equipment for sale or lease, advertising banners, portable or temporary signs shall be permitted in any landscaped area unless the display is specifically shown in the approved site plan.
  - vi. Plant materials which exhibit evidence of insects, pests, disease and/or damage shall be removed and replaced with living plant material within one (1) year.
  - vii. **Landscape Plan Requirements** - The following information must be presented on the landscape plan:
    - A. Name, address and phone number of the property owner and the developer responsible for the landscape plan.

- B. North arrow.
- C. Bar scale or other indication of scale.
- D. Project data, including total square footage of the property; square footage of building areas; square footage of parking areas and driveways; total number of parking stalls; and the square footage of landscaped areas.
- E. Location of all existing trees and shrubs to remain on site.
- F. Land uses bordering the property.
- G. All proposed lawn areas, ground cover, trees, shrubs and other landscape materials shall be identified. Seed mixes for adaptive grasses shall be listed on the landscape plan.
- H. Locations of irrigation systems, such as low-volume drip systems, rain barrels or cisterns shall be shown on the landscape plan.
- I. Proposed plant materials shall be shown at approximately mature size on the landscape plan.
- J. Proposed features including bike racks, benches, fountains, trash receptacles or other amenities.
- K. Any features specifically placed for storm water management.
- L. Legend depicting all existing and proposed landscape materials and other features.

**viii. Landscape Area Calculations**

- A. The internal landscape area for all sites shall be based on the square footage of impervious surface of the site after all phases of construction are complete. The internal landscape area shall be calculated as follows:

Net site area (the area of the site less adjacent public streets and easements that prohibit landscaping) – total impervious area = internal landscape area.

- B. The frontage landscape area shall be a minimum of 8 feet deep.

**ix. Preferred Landscape Area Locations - Internal landscaped areas**

should be situated in the following locations:

- A. Adjacent to buildings, for the purpose of screening and buffering.
  - B. Between buildings and parking areas.
  - C. Along property lines for the purpose of screening and buffering.
  - D. In courtyards between buildings or portions of buildings.
  - E. Landscaped islands in parking lots.
  - F. Depressed landscape areas intended to aid in on-site storm water management are preferred.
- b. The following requirements shall apply to all lands in the unzoned area of Laramie County:
- i. Landscape Material Requirements**
    - A. Adaptive species shall be used. A list of approved species is available from the Laramie County Planning and Development Office.
    - B. One (1) tree for every fifty (50) feet of building frontage is required.
      - 1. Deciduous trees shall be at least five (5) gallons in size.
      - 2. Coniferous trees shall be a minimum of two (2) feet tall.
    - C. Trees may be placed anywhere in the internal landscape area, provided that they do not interfere with any drainage, utilities, emergency access, or existing or proposed easements.
    - D. Within the unzoned areas of the County, there is no numeric requirement for ground cover materials. Ground cover shall consist of existing species found on site and shall replicate conditions surrounding the site.
    - E. Within the unzoned areas of the County shrubs are not required.
- c. The following requirements shall apply to all lands in the zoned area of Laramie County. Both internal and frontage landscaping are required in the zoned area of the County.

## **i. Landscape Material Requirements**

### **A. Trees**

1. Adaptive species shall be used. A list of approved species is available from the Laramie County Planning and Development Office.
2. A mix of coniferous and deciduous trees shall be used.
  - a. A minimum of 25 percent of frontage trees shall be coniferous.
  - b. A minimum of 25 percent of internal trees shall be coniferous.
  - c. Deciduous trees shall be at least five (5) gallons in size.
  - d. Coniferous trees shall be a minimum of two (2) feet tall.
3. Larger trees may be planted if they will be irrigated for at least three (3) years to promote establishment.
4. Cottonwood and aspen trees shall be allowed *only in addition* to the required trees.
5. Within the urban zoned areas of the County, a minimum of one (1) tree per fifty (50) feet of road frontage is required.
6. Trees may be grouped or clustered to aid in overall growth and health, provided that their placement does not cause drifting snow in roadways.
7. Frontage trees must be placed within twenty (20) feet of the property line adjacent to the road right-of-way.
8. Within the zoned areas of the County, a minimum of one (1) tree per 1,000 square feet of impervious surface is required to be placed in the internal landscape area.
9. Trees may be placed anywhere in the internal landscape area, provided that they do not interfere with any drainage, utilities, emergency access, or existing or proposed easements.

## **B. Ground Cover**

1. At least 75 percent of ground cover in the required landscape areas shall consist of living material.
2. Up to 25 percent of the required ground cover may consist of organic mulches.
3. A listing of adaptive ground cover materials is available from the Laramie County Planning and Development Office.

## **C. Shrubs**

1. Within the zoned areas a minimum of two (2) shrubs per 1,500 square feet of impervious surface are required to be placed in the internal landscape area.
2. Shrubs must be no less than five (5) gallons for high water use plants and two (2) gallon for low water use plants.

## **D. Substitutions**

1. The required areas for internal landscaping may be reduced by up to 40 percent if the building design incorporates a green roof to aid in on-site storm water management.
2. Up to 50 percent of the required internal trees may be substituted with shrubs at a rate of ten (10) shrubs per required tree.
3. Up to 25 percent of the required frontage trees may be substituted with shrubs at a rate of ten (10) shrubs per required tree.
4. Two (2) trees per site may be substituted with the following amenities in commercial districts:
  - a. A park bench that seats at least two (2) people.
  - b. A bicycle rack that holds at least five (5) bicycles.

**2-2-126 CERTIFICATES OF REVIEW AND COMPLIANCE** : - Certificates of Review are required for all site plans and amendments to existing site plans. Certificates of Review are issued by the Planning and Development Director upon approval of a site plan.

- i. All applications for non-residential and multi family building permits shall be accompanied by a Certificate of Review.
- ii. A Certificate of Compliance shall be issued to the land owner before occupancy or the penalties of this regulation shall be imposed. The Certificate of Compliance shall indicate compliance to all requirements stated on the Certificate of Review.
- iii. A temporary Certificate of Compliance may be issued by the Planning and Development Director to allow occupancy prior to issuance of a Certificate of Compliance when it is determined that required site improvements can be postponed, and when the Planning and Development Office has received from the owner adequate assurances of compliance.
- iv. If all conditions necessary for issuance of a Certificate of Compliance are met except landscaping improvements, and the reason for not finishing these landscape improvements are due to seasonal conditions, a temporary Certificate of Compliance will be issued to the landowner. In this situation, all landscape improvements must be completed during the next planting season, within a time frame established by the Development Office.
- v. The temporary Certificate of Compliance shall state improvements that shall be completed prior to the expiration date. If a temporary Certificate of Compliance has not been converted to a final Certificate of Compliance by the expiration date, the owner will be subject to the penalties provided by this regulation.
- vi. Records of all Certificates of Review and Compliance shall be kept on file in the Planning and Development Office.

## **2-2-127 STORMWATER MANAGEMENT**

- a. **Purpose** - The purpose of the storm water management requirements is to encourage Best Management Practices (BMPs) to promote on-site treatment and infiltration of storm water. The use of BMPs can help treat polluted water; reduce the potential for flooding and property damage; and preserve natural hydrology by reducing the volume of water that is channeled away from historic infiltration patterns. The standards in this section are in addition to and complement, but do not subvert, any requirements of the County Municipal Storm Sewer System Permit or the requirements of the State of Wyoming under the Wyoming Pollution Discharge Elimination System WYPDES.

- b. Replicating Pre-Development Hydrology** - Storm water management designs shall preserve the natural hydrologic functions, stream channel characteristics, and groundwater recharge of the pre-developed site to the extent practical. This shall be accomplished by treating runoff at the source; disconnecting impervious surfaces; preserving or enhancing natural flow paths and vegetative cover; preserving or enhancing natural open spaces and riparian areas; and other measures that replicate pre-development hydrologic conditions.
- c. Storm Water Management Plan** - A storm water management plan is required as a component of all site plans for developments that will result in more than 20 percent of the site area being impervious. A Department of Environmental Quality Storm Water Permit is required for all developments greater than one (1) acre in size, regardless of imperviousness.
- d.** Contaminated soils and sites in close proximity to drinking water supply wells may not be subject to groundwater recharge/infiltration requirements, as determined by the Planning and Development Director.
- e. Site Constraints** - Areas characterized by high water table, shallow bedrock, clay soils, contaminated soils, and other constraints may be subject to reduced volume control requirements, as determined by the Planning and Development Director.
- f.** All storm water management plans shall be submitted to the County for review and approval.
- g.** All components of the storm water management system shall be maintained by the property owner or a representative of the owner. Should the storm water management system fail, the County shall have the right but not the requirement to cause the property owner to make all necessary repairs to the system. Repairs shall be made at the sole expense of the owner.
- h. Storm Water Management Standards**
  - i.** Wherever possible, there should be no increase in post development off-site runoff up to the 100-year storm event.
  - ii.** The storm water system shall be designed so that post-development discharges will not erode natural channels or steep slopes. This criterion shall be met by applying the following performance standards:
    - A.** Wherever practical, maintain sheet flow to riparian buffers or vegetated filter strips. Vegetation in buffers or filter strips shall be

preserved or restored where existing conditions do not include vegetation or adequately sized rock.

- B.** Energy dissipaters and level spreaders shall be used to spread flow at outfalls.
- C.** On-site conveyances shall be designed to reduce velocity through a combination of sizing, vegetation, check dams, and filtering media (e.g., sand) in the channel bottom and sides.
- D.** If flows cannot be converted to sheet flow, they shall be discharged at an elevation that will not cause erosion or require discharge across any constructed slope or natural steep slopes.
- E.** Outfall velocities shall be non-erosive from the point of discharge to the receiving channel or water body where the discharge point is calculated.

iii. Alternatives to conventional detention ponds are encouraged.

**i. Storm Water Management Plan Requirements**

- i.** An erosion and sediment control plan is required as a part of the storm water management plan. The erosion and sediment control plan should include a simple description and sketch of the site plan depicting control measures to reduce erosion and the conveyance of sediments off site during all phases of construction and after project completion.
- ii.** The following shall be submitted as part of the storm water management plan:
  - A.** An analysis of pre- and post-development annual runoff and infiltration volumes and rates.
  - B.** An analysis of pre- and post development runoff rates for the 100-year storm.
  - C.** Description and drawing of the BMP that will be used to manage the 100-year storm.
  - D.** Description and location of all storm water conveyance systems.
  - E.** Identification of any existing conditions such as contaminated soils, underground storage tanks, existing or proposed wastewater treatment, existing or proposed drinking water wells or other factors

as determined by the Planning and Development Director that could influence storm water management requirements. Volume and direction of any storm water being conveyed off site.

## 2-2-128 SIGNS

- a. **Purpose** - The purpose of this regulation is to encourage effective use of signs; to maintain and enhance the aesthetic environment; to promote economic development; and to protect the safety and welfare of Laramie County residents. The intent of the regulation is to encourage aesthetic creativity and flexibility in the design of signs in Laramie County to preserve and enhance the community vision described in the Laramie County Comprehensive Plan.
- b. **Applicability** - This regulation shall apply to the siting, construction and maintenance of signs on all lands within unincorporated Laramie County.
- c. **Exemptions** - Signs that have been constructed or permitted for construction prior to the adoption of this article shall be considered legal nonconforming structures.
- d. **General Sign Provisions**
  - i. Any sign hereafter erected or maintained shall conform to the provisions of this regulation, the provisions of the adopted building code and any other federal, state or local regulation.
  - ii. No sign other than an official traffic sign or similar sign shall be erected within the lines of any dedicated County right-of-way unless specifically permitted elsewhere in this regulation.
  - iii. Signs projecting over public walkways may do so only subject to the projection and clearance limits either defined herein or, if not so defined, at a minimum height of ten (10) feet from grade level to the bottom of the sign.
  - iv. No sign or sign structure shall be erected at the intersection of any street in such a manner as to obstruct free and clear vision, nor at any location where it may interfere with, obstruct the view of or be confused with any authorized traffic sign, signal or device.
  - v. Projecting signs extending over a public sidewalk shall be limited to a projection distance not to exceed two-thirds (2/3) of the width of the sidewalk and shall not extend into any public right-of-way without an

approved encroachment agreement.

- vi.** Changeable signs are permitted in CB, LI and HI zones and in unincorporated Laramie County.
- vii.** Every sign permitted by this regulation shall be kept in good condition and repair. When any sign becomes insecure, in danger of falling, or otherwise deemed unsafe by the Chief Building Official, or if any sign shall be unlawfully installed, erected, or maintained in violation of any of the provisions of this regulation, the owner thereof or the person or firm using same shall, upon written notice forthwith in the case of immediate danger and in any case within not more than thirty (30) days, make such sign conform to the provisions of this regulation, or shall remove it. If within thirty (30) days, the owner has not complied with this regulation, the County has the right but not the requirement to remove or cause such sign to be removed at the expense of the owner and/or the user of the sign.
- viii.** Any sign that no longer advertises or identifies a use conducted on the property on which said sign is erected or property referenced on the sign shall be declared abandoned and must be removed within thirty (30) days of written notification from the Planning and Development Office. Upon failure to comply with such notice, the County has the right but not the requirement to remove or cause such sign to be removed at the expense of the owner of the building, structure, or ground on which the sign is located.
- ix.** Illumination of a sign is permitted, provided that all external light fixtures illuminating the sign are shielded so that direct light is confined to the surface of the sign and is directed downward and away from public roadways and residential areas.
- x.** No roof sign shall extend beyond the maximum height allowed in the zoning district.
- xi.** Temporary signs, unless otherwise regulated by specific provisions of this regulation relating to size, use, and zone in which placed, shall be subject to the following regulations:
  - A.** Except for those temporary signs whose time of display is specifically addressed elsewhere in this regulation, no temporary sign shall be permitted to be displayed for a total period in excess of ninety (90) days in any one calendar year.
  - B.** The size of any temporary sign shall not exceed 200 square feet per side.

C. Any temporary sign that is electrically energized or that contains any electrical device must conform to the same zoning and permitting requirements that relate to permanent electric signs and message centers.

x. Each sign face shall be counted toward the sign area.

xi. The following signs are prohibited:

A. Signs imitating or resembling government signs

B. Signs that interfere with the site distance triangle on corner properties

C. Billboards

**e. Permits**

i. Unless specifically exempted, no new sign shall hereafter be erected, constructed or altered except as herein provided and until after a permit has been issued by the Chief Building Official. The changing of movable parts or components of an approved sign that is designed for such changes, or the changing of copy, display and/or graphic matter, or the content of any sign shall not be deemed an alteration.

ii. Before any permit is granted for the erection of a sign or sign structure, plans and specifications shall be filed with the Chief Building Official showing the dimensions, materials, and required details of construction including loads, stresses, anchorage, foundation, electrical and any other pertinent data.

iii. Permit fees to erect, alter, or relocate a sign shall be in accordance with the sign fee schedule adopted by Laramie County.

iv. Temporary signs not exempted by this regulation shall require a permit.

v. Banner signs are allowed as temporary signs.

**f. Exemptions from permitting requirements** - The following permanent signs are exempt from permitting in all areas of unincorporated Laramie County:

i. Government signs and flags

- ii. Informational or public service signs as required on any premises or property for the purpose of advertising the availability of rest rooms, telephones, or similar facilities of public convenience, provided that the area of any such sign shall not exceed four (4) square feet.
- iii. Memorial signs or historical signs or tablets, provided that the area of any such sign shall not exceed four (4) square feet.
- iv. Directional signs as defined herein and as required on any premises or property, provided that the area of any such sign shall not exceed the following limitations by zone:
  - A. AR, A-1, A-2, LR-1, LR-2, MR-1, MR-2, HR-1, HR-2, MUB and MUR: four (4) square feet.
  - B. All other zones and non-zoned areas: nine (9) square feet.
- v. Window signs
- vi. Gate or arch sign situated over the primary entry of an agricultural property, provided that the sign provides a clearance of at least thirteen and one half (13.5) feet from the driving surface
- vii. Trespassing signs, signs indicating the private nature of a road, driveway, or premises, provided that the area of any such sign shall not exceed six (6) square feet
- viii. Works of art that do not include a commercial message

**g. Temporary Signs**

- a. The following temporary signs are exempt from permitting in all areas of unincorporated Laramie County. Unless otherwise noted, one (1) sign shall be allowed per property street frontage:
  - i. Real Estate signs as defined herein may be posted during the time in which the property advertised is available for sale, lease, or rental, and must be removed within ten (10) days after execution of an agreement of sale, lease, or rental.
  - ii. Temporary signs erected in connection with the development or proposed development of the premises or property, provided that any such sign shall be removed within ten (10) days after the development has been completed and/or the last structure occupied and that the sign is no larger than fifty (50) square feet.

- iii. Temporary political signs as defined herein, provided that such signs shall be removed within ten (10) days following such election or referendum. Political signs erected for primary campaigns may remain in place between elections, but must be removed within ten (10) days following the general election. There shall be no limitations to the number of signs posted provided that no sign interferes with traffic or pedestrian safety or violates any other provision of this regulation.
- iv. Temporary signs advertising special events and/or promotions of a commercial or non-commercial nature, provided that such signs shall be non-illuminated, shall be displayed during a time period of no more than sixty (60) days.
- v. Temporary signs of contractors or artisans displayed during the period such contractors or artisans are performing work on the premises on which such signs are displayed, provided that such signs shall be limited to one (1) sign per contractor or artisan, and shall be removed immediately upon completion of the work of the contractor or artisan.
- vi. Temporary signs advertising the following, provided that no sign exceeds three (3) square feet in area:
  - A. Signs advertising yard or garage sales, provided that the signs are posted no earlier than one week from the sale and are removed within one (1) day of the end of the sale.
  - B. Signs advertising the sale of a vehicle, provided that no more than two vehicles are advertised at one time on the same site. One sign per vehicle shall be allowed.
  - C. Signs advertising location of an event, such as parties, receptions or other gatherings, provided that the sign is removed within one (1) day of the event.
  - D. Works of art that do not include a commercial message.

**h. Signs Permitted in Residential Zones (AR, A-1, A-2, LR-1, LR-2, MR-1, MR-2, HR-1, HR-2 and MUR) and in non-zoned residential use areas in Laramie County**

- i. Signs displaying the name and address of the occupant of the premises, provided that the area of any such sign shall not exceed two (2) square feet and that not more than one (1) such sign shall be

erected or displayed for each premise.

- ii. One (1) permanent wall sign or plaque per premises advertising a home occupation, provided that the area of any such sign shall not exceed three (3) square feet.
- iii. Subdivision identification signs, and/or signs identifying apartment or condominium complexes, provided that the area of any such sign shall not exceed fifty (50) square feet, and further provided that one (1) such sign shall be permitted for each separate means of entrance to or exit from the subdivision, apartment, or condominium complex.
- iv. Signs for permitted non-residential or permitted institutional uses, provided that:
  - A. the area of any such sign shall not exceed fifty (50) square feet;
  - B. one (1) such sign shall be permitted for each separate means of entrance to or exit from the permitted use;
  - C. changeable signs meet at least two (2) of the design standards listed in this regulation;
  - D. freestanding signs do not exceed a height above the grade level on which they are placed of twelve (12) feet to the top of the sign, unless otherwise regulated by specific reference herein;
  - E. electric signs are restricted to external accent lighting. Sign surface and copy areas may not be backlit.
- v. Animated signs are prohibited.
- vi. Roof signs are prohibited.
- vii. Portable signs are prohibited.
- i. Signs Permitted in Zones NB and MU**
  - i. Any signs permitted in residential districts.
  - ii. Each sign in a commercial site, unless part of a shopping center, shall not exceed the following size restrictions:
    - A. Freestanding signs shall not exceed one hundred (100) square feet.

- B. Single and multiple wall signs in total combined square footage shall not exceed 20 percent of the area of the building wall to which it is affixed.
  - C. Projecting signs shall not exceed fifty (50) square feet. Copy area may not exceed 40 percent of the face area of a canopy, awning, or other projecting sign.
  - D. No more than two (2) signs advertising on-site commercial activity shall be permitted per frontage on each site.
- iii. Roof signs are permitted.
  - iv. Electric signs are restricted to external accent lighting and shall not exceed fifty (50) square feet.
  - v. Signs under six (6) square feet that are designed for internal site advertising and cannot be seen from a public right-of-way are permitted.
  - vi. Portable signs are limited to nine (9) square feet. No more than two portable signs shall be displayed at any time.
- j. **Signs Permitted in Zones CB, LI and HI and in the non-zoned area of Laramie County**
- i. Any signs permitted in this regulation that relate to a use permitted in the zoning district.
  - ii. Signs related to an on-site use permitted on a commercial or industrial site shall not exceed the following size restrictions:
    - A. Freestanding signs shall not exceed 200 square feet, subject to the requirements listed in this regulation.
    - B. Multiple and single wall signs shall in total combined area not exceed 25 percent of the area of the building wall to which they are affixed.
    - C. Projecting signs shall not exceed fifty (50) square feet. Copy area may not exceed 40 percent of the face area of a canopy, awning, or other projecting sign.
    - D. No more than two (2) signs advertising on-site commercial or industrial activity shall be permitted per frontage on each site.

- iii. Electric signs may be backlit.

**k. Signs in Commercial or Industrial Centers**

- i. In the case of a shopping center or a group of more than two stores or other business uses on a lot held in single and separate ownership, two freestanding signs up to one hundred (100) square feet each may be permitted on site.
- ii. A master sign plan is required for a shopping center or a group of more than two stores or other business uses on a lot held in single and separate ownership.
- iii. One wall, canopy or awning sign shall be permitted for each business on site in conformance with the square footage requirements of the district.

**l. Electronic Message Signs or Centers**

- i. Electronic message signs or centers that employ static, fade or dissolve transitions that do not have the appearance of moving text or images are permitted in the following districts: CB and non-zoned areas in Laramie County.
- ii. Electronic message signs or centers that employ static, fade, or dissolve transitions or static display with travel or scrolling transitions are permitted in the LI and HI districts and by administrative approval in the NB and CB districts.
- iii. Electronic message signs or centers with text or images that change at intervals of less than fifteen (15) seconds are prohibited.
- iv. No electronic message signs or center shall be brighter than is necessary for clear and adequate visibility and shall not exceed a maximum of 5,000 nits during the day and 500 nits during nighttime hours.
- v. No electronic message signs or center may be of such intensity or brilliance that it interferes with the effectiveness of an official traffic sign, device or signal.
- vi. All electronic message signs or centers must be equipped with both a dimmer control and a photocell that automatically adjusts the display's intensity according to natural ambient light conditions.

- vii. Prior to issuance of a sign permit, the applicant shall provide written certification from the sign manufacturer that the light intensity has been factory pre-set not to exceed 5,000 nits and that the intensity level is protected from end-user manipulation.

**m. Off-site Signs and Billboards**

- i. Billboards and/or off-premise signs are specifically prohibited within unincorporated Laramie County.
- ii. Billboards and/or off-premise signs permitted and constructed prior to the adoption of this regulation shall be considered a legal nonconforming structure.
- iii. The removal of legally nonconforming billboards and/or off-premise signs is encouraged. Businesses owning legally nonconforming billboards and/or off-premise signs may exercise the following option:
  - A. Up to a 50 percent increase in the allowed on-premise site sign area in exchange for the permanent removal of the legal nonconforming sign.
  - B. A one-time waiver of the sign permit fees and inspection fees for the construction of an on-premise sign erected under option A. above.
  - C. Permits and inspections will be required for signs erected under option A. above.

**n. Design Incentives**

- i. Laramie County supports design standards for signs that promote the aesthetic integrity of Laramie County.
- ii. A 25 percent increase in sign area and a waiver of up to 50 percent of the sign permit fee may be granted by the Director if the proposed sign(s) meet any of the following criteria:
  - A. Low profile freestanding signs that meet the criteria listed below:

**Table 2: Low Profile Sign Standards**

Distance from street right-of-way line	Maximum Sign Height
0 feet	6 feet
5 - 10 feet	10 feet
15 feet or more	15 feet

- B. Signs that use a minimum of 40 percent natural construction materials such as stone, wood or fabricated elements designed to imitate stone or wood.
- C. Signs designed to integrate elements of the existing building architecture. The sign will be considered integrated if the same or similar building materials and colors are used.
- D. Signs that are placed in a landscaped area. The landscaped area shall include four (4) square feet for every one (1) square foot of sign face. Only one (1) sign face shall be counted. The use of native, drought tolerant plant species is encouraged. The landscaped area in this section shall not be counted toward the required site landscaping for properties within the zoned area of Laramie County.

iii. The Planning and Development Director shall make the final determination as to whether a sign meets the design incentives in this regulation.

**o. Review and Permitting Procedures**

- i. Applications for sign permits shall be reviewed for compliance with this regulation by the Planning and Development Director.
- ii. The Planning and Development Director may send the application to reviewing agencies for comment.
- iii. The Planning and Development Director shall approve or disapprove the application within seven (7) working days after receipt of it. Conditions placed on approval or a disapproval shall reference the appropriate code or policies on which the decision was made.
- iv. The Planning and Development Director shall approve or disapprove

the application for a temporary sign with three (3) working days after receipt of the application. Conditions placed on approval or a disapproval shall reference the appropriate code or policies on which the decision was made.

**p. Variance and Appeals Procedure**

- i. Variances for sign setbacks may be granted if the request meets the criteria for a variance in this regulation.
- ii. Requests for appeals shall conform to the provisions of this regulation.

**2-2-129 TEMPORARY USE PERMITS**

A temporary use permit may be administratively issued in conformance with a permit granted under the requirements of this section. If the County has otherwise approved or licensed a temporary use, an additional permit shall not be required. Temporary use permits for specific uses are valid for not more than an aggregate of ninety (90) days in a calendar year.

- a. Applications** - Temporary use permits approved by the Director shall be for the minimum time possible to allow the temporary use. The application shall contain a short statement of the proposed temporary use and shall also contain an adequate site plan showing the existing and temporary facilities of the site.
- b. Issuance and Contents** - Upon completion of the review of an application for a Temporary Use Permit, the Planning and Development Director shall issue the permit if it is found that the requirements for issuance of the permit have been met. If the application is denied, the applicant shall be informed in writing of the grounds for the denial. The Director shall act upon an application within seven (7) working days of its submission.

In addition to such information which the Director may deem appropriate, each temporary use permit shall meet the following requirements:

- i. The permit must be conspicuously displayed upon the site of the temporary use during the use.
- ii. The permit must show its effective date and expiration date.
- iii. No flashing lights are to be visible from any exterior space beyond the property line of the site.
- iv. No light from the site may be permitted to cause glare visible from any

adjacent residential building after 9:00 p.m.

- v. No use may cause unreasonable noise to be heard in an adjacent residential building.
  - vi. No sign shall be permitted which is within or over a public street or highway right-of-way.
  - vii. Water and sanitary facilities shall be available on site and shall be approved by City/County Environmental Health. The Director may waive this requirement with written approval from the Director of Environmental Health.
  - viii. The site shall provide adequate parking. Parking shall be approved by the Director.
  - ix. The temporary use shall be sited and conducted so as not to adversely impact area traffic safety.
  - x. All required approvals from Environmental Health shall be granted prior to any Director approval of the temporary use permit.
- c. Enforcement** - Any violation of these provisions will be investigated by the County. If it is determined that the operations approved under the temporary use permit are in violation of the approved permit, the temporary use shall cease immediately. The Director may grant 24 hours to remedy the violation. If the violation ceases, the temporary use permit may be resumed for the duration of the original permit. If the violation continues, the temporary use permit shall be revoked.
- d. Appeals** - Appeals from a decision of the Director shall be filed in accordance with this regulation.
- e. Exclusivity and Limitations** - This section is in lieu of any other procedures in this regulation which would otherwise apply to the proposed use. Approval of a temporary use permit does not exempt the applicant from complying with the applicable requirements of building, housing and other codes and regulations of the County.

## **2-2-130 MANUFACTURED HOME STANDARDS**

- a. Purpose** - It is the intent of this article to promote land use compatibility, protect property values, provide for the health safety and welfare of manufactured home residents and ensure an adequate minimum living standard as related to manufactured homes. This article sets forth the conditions under which manufactured homes will be allowed within the

unincorporated areas of Laramie County.

- b. Applicability** - This article shall be applicable to all manufactured and mobile homes (as defined herein) within all areas of the unincorporated areas of Laramie County.
  
- c. Manufactured and Mobile Homes Allowed** - It is unlawful within unincorporated Laramie County for any person to place or park any manufactured or mobile home on any street, alley, highway or other public place, or on any tract of land owned by any person, firm, or corporation, occupied or unoccupied, except as provided in this article. Manufactured and mobile homes used for residential purposes may be installed, located or relocated within the unincorporated area of Laramie County, provided that **all** of the following conditions are met:
  - i.** The home is newer than twenty (20) years as measured from the date of the required date plate of manufacture, according to the standards established by the United States Department of Housing and Urban Development (HUD) under the "National Manufactured Housing Construction and Safety Standards Act of 1974," 42 U.S.C. §5401, et seq., as amended (currently codified at 24 C.F.R. 3280) in effect at the time of manufacture and bearing certification to that effect ("Applicable HUD Standards") and is certified for the appropriate wind, thermal and roof standards for Wyoming; or
  - ii.** The manufactured or mobile home is twenty (20) years or older, as measured from the date of either the required date plate of manufacture or from the date of application for permit for the proposed installation, location or relocation and has been issued a Manufactured Home Permit and specific approval to be installed, located, or relocated by the Laramie County Chief Building Official ("CBO"). The CBO shall inspect all 20-year and older manufactured and mobile homes in conformance with the installation, location and relocation criteria found in this article. No manufactured or mobile home shall be installed, located or relocated that does not meet the Applicable HUD Standards in effect at the time the home was manufactured or that does not meet minimum criteria of this article.
  - iii.** The manufactured home must be located within a manufactured housing park in conformance with this regulation; or
  - iv.** The home must be related to the housing of staff for agricultural use; or
  - v.** The manufactured home must be the only manufactured or mobile home upon any single lot or tract within a platted county subdivision, and the subdivision plat as approved by the County Commissioners

contains a written provision allowing manufactured or mobile homes within the subdivision; or

- vi. The manufactured home must meet the compatibility standards of this article.
  - vii. The manufactured or mobile home must meet all applicable zone district requirements.
  - viii. The manufactured or mobile home must be installed on a foundation using a typical blocking installation of masonry, concrete or other approved material. Installation instructions as provided by the manufacturer of the manufactured or mobile home shall be deemed a typical blocking installation. Any foundation system design, other than typical blocking, shall be stamped and signed by a Wyoming licensed professional engineer.
  - ix. The manufactured or mobile home must meet the minimum standards for fire safety and protection in conformance with the Applicable HUD Standards at the time of original construction or as established by the Wyoming State Fire Marshall.
- d. Installation** - The installation and location of a Manufactured or Mobile Home for uses other than residential shall be performed in accordance with the construction and permitting requirements of the International Building Codes as adopted and amended and all other local, state and federal requirements.
- e. Non-conforming manufactured or mobile homes** - Non-conforming manufactured or mobile homes legally located within the unincorporated area of Laramie County on the effective date of this article and in use for residential purposes may continue at that certain location and continue to be used for residential purposes. The non-conforming manufactured or mobile home may not be relocated to any other property unless it has been inspected and brought into conformance with this article and issued a Manufactured Home Permit. At such time as any legal non-conforming manufactured or mobile home ceases to be used for residential purposes, it must be removed from the property.
- f. National Manufactured Housing Construction and Safety Standards Act Certification** - Manufactured and mobile homes located within the County on the effective date of this article which have not been certified under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. §5401, et seq., as amended, are hereby declared legal nonconforming structures, but shall not be replaced by another manufactured or mobile home that is not in compliance with the

Applicable HUD Standards unless the replacement manufactured or mobile home has been inspected and brought into conformance with this article and issued a Manufactured Home Permit.

**g. Manufactured or Mobile Homes as Accessory Structures -**

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 180 days.

**h. Use of Manufactured or Mobile Homes for Child Care Centers -** The use of mobile homes for Family Child Care Centers (FCCC) or Child Care Centers (CCC) shall not be permitted within Laramie County without the issuance of a Manufactured Home Permit.

**i. Compatibility Standards**

The compatibility standards for manufactured or mobile homes relate to architectural features that have a significant impact on the overall value of the structure. This ensures that when a qualified manufactured or mobile home is placed in a rural residential area it is compatible with existing homes located within a one mile or less radius from the proposed location of the qualified manufactured or mobile home. For the purposes of this article, a rural residential area is defined as any area of the County that is not within a specific zone district. A qualified manufactured or mobile home shall be one that has been inspected for conformance with these regulations and for which a Manufactured Home Permit has been issued. The compatibility standards are as follows:

- i. Roof -** The roof should mimic or simulate a roof comparable and/or compatible with site-built single-family structures in the one-mile radius. The roof must be covered with appropriate and approved roofing material. If eaves are present on homes within the one-mile radius, the manufactured or mobile home should also provide similar eaves.
- ii. Siding -** The manufactured or mobile home shall have siding on all exterior walls which provides a consistent, continuous facade from the bottom of the soffit (top of the wall section) downward to the top of the exposed perimeter foundation. The exterior siding of the finished home must have the same appearance as materials commonly used on site-built single-family residential dwellings within the one-mile radius of the proposed home. Metal siding is allowed and must be painted or anodized to a natural color.

iii. **Minimum Size** - The manufactured or mobile home shall have a minimum of floor area of 420 square feet.

iv. **Installation**

A. The home shall be installed on a permanent foundation constructed of masonry, concrete or other approved material and shall comply with the adopted building code. The foundation system shall be designed and constructed to sustain, within the stress limitations specified in the building code, all loads specified in the building code. The installation instructions as provided by the manufacturer of the manufactured home shall be used to determine permissible points of support for vertical loads and points of attachment for anchorage systems used to resist horizontal and uplift forces. The foundation system design shall be stamped and signed by a Wyoming licensed professional engineer.

B. The transportation mechanisms, including the hitch, must be removed.

j. **Planning Commission Approval of Nonconforming Manufactured or Mobile Homes** - The Laramie County Planning Commission may approve manufactured or mobile home housing that does not conform to one or more of the standards listed in this section if the Commission finds the following:

i. The manufactured or mobile home is reasonably compatible to the extent possible with existing housing within a one-mile radius of the proposed home;

ii. That no health or safety issues are present and the home meets all applicable construction and building codes;

iii. The home supports fulfillment of goals found in the Laramie County Comprehensive Plan. Such approval or denial by the Planning Commission shall constitute the final action of an administrative order. Any decision of the Planning Commission may be further appealed to the District Court for the First Judicial District pursuant to the Wyoming Administrative Procedures Act.

k. **Inspection/permit requirements for construction, installation and relocation within the County.**

i. A manufactured or mobile home shall not be installed, located or

relocated within the unincorporated limits of Laramie County without the issuance of a Manufactured Home Permit from Laramie County.

- ii. Manufactured or mobile homes meeting the criteria in this regulation newer than 20 years old and being installed, located or relocated to a County approved manufactured housing park or subdivision designated for manufactured or mobile homes) do not require a Manufactured Home Permit.
- iii. Electrical permits for hookups within manufactured housing parks and designated subdivisions may be required at the discretion of the CBO upon consultation with the appropriate utility provider.
- iv. Building permits for additions, alterations, modifications or any physical change to a manufactured or mobile home are required regardless of location.
- v. The Chief Building Official has the authority to inspect all new, installed, located and relocated manufactured and mobile homes for compliance with the provisions of this article.
- vi. All applications for a Manufactured Home Permit and any issuance of that permit shall be in conformance with the Applicable HUD Standards as required at the time of original manufacture of the manufactured or mobile home and in conformance with the International Residential Code, as amended for any modifications, alterations, additions or deletions of the structure.
- vii. After the effective date of this article, no person shall occupy any new or relocated manufactured or mobile home nor permit any other person to occupy the same unless the Manufactured or Mobile Home has been installed, located or relocated in compliance with this article or is a legal nonconforming use under this article.

#### **I. Authority of the Chief Building Official**

- i. In addition to any other enforcement powers that the Chief Building Officer may have, the Chief Building Officer may issue a written order to any person to do the following:
  - A. immediately cease and desist any work or activity to install, locate or relocate any manufactured or mobile home in violation of this article; or
  - B. immediately cease and desist from the use or occupancy of any manufactured or mobile home installed, located or relocated in

violation of this article.

- ii. Such written order shall constitute an administrative action which may be appealed to the Board of County Commissioners as a contested case within thirty (30) days of the written order. Any decision of the Board of County Commissioners may be further appealed to the District Court for the First Judicial District pursuant to the Wyoming Administrative Procedures Act.

**m. Inspection criteria for manufactured homes older than 20 years**

All manufactured and mobile homes twenty (20) years and older as measured from the date of application for Manufactured Home Permit or the required date plate installation must be inspected by the Laramie County Chief Building Official prior to moving, locating, relocating or installation, and a Manufactured Home Permit application must be provided to the County. No such manufactured or mobile home may be occupied prior to the issuance of a Manufactured Home Permit and payment of appropriate fees.

Before a Manufactured Home Permit will be issued, any such manufactured or mobile home shall be inspected for compliance with the following minimum criteria:

- i. All electrical wiring shall be in compliance with the applicable codes in place at the time the building was manufactured. Any new, altered, modified or replaced wiring shall be in compliance with the current, adopted version of the National Electrical Code.
- ii. Home will be equipped with appropriate operational fire alarms.
- ii. All floors shall be solid and stable. Any penetrations of the floor shall be sealed.
- iv. All roofs shall be solid and stable without any sag.
- v. No evidence of significant wood rot or mold shall exist.
- vi. The exterior of the building shall be properly maintained and painted.
- vii. Any additions, modifications, or alterations to the building shall have been constructed in a safe and appropriate manner. Any new or proposed additions, modifications, or alterations require a building permit.

- viii.** The manufactured or mobile home maintains the same structural integrity it had when it was manufactured.
- ix.** There shall be no broken windows.
- x.** All HVAC systems shall be working and installed in accordance with the regulations in place at the time the building was manufactured. All new installations shall be in conformance with the most recent adopted edition of International Building Codes.
- xi.** Owner must have proof that the manufactured or mobile home meets the established thermal, wind and roof load requirements for Laramie County Wyoming.

Manufactured or mobile homes not meeting these criteria shall be:

- i.** left in place and considered a non-conforming structure;
- ii.** moved or relocated outside of the unincorporated area of Laramie County; or
- iii.** repaired to meet the above criteria.
  - A.** The CBO shall determine if the repairs are minor or major.
  - B.** Minor repairs may be made without a building permit. Major repairs require a building permit.
  - C.** All repairs and construction shall be in conformance with the International Building Codes as adopted.
  - D.** The CBO may allow a manufactured or mobile home needing repairs to be relocated, provided a building permit has been issued for the repairs and application has been made for a Manufactured Home Permit.
  - E.** The CBO may require surety from the applicant to cover the cost of removing the manufactured or mobile home from Laramie County if the repairs are not completed.
  - F.** All repairs must be completed within six (6) months of the building permit issuance and prior to any occupancy of the repaired structure. Failure of the applicant to complete repairs in the designated time will constitute a violation of this article.

- G.** The County may use the surety to cause the manufactured or mobile home to be removed from Laramie County as a result of a violation.
- H.** All repaired manufactured or mobile homes must undergo a final inspection by the CBO prior to being moved, located, relocated or installed in the unincorporated area of Laramie County.

**n. Appeals**

The Laramie County Board of Commissioners shall hear and act on any appeal of decisions or determinations made in conformance with these regulations after consideration and hearing before the Planning Commission with the exception of those decisions made by the Planning Commission in accordance with this article. The Planning Commission may recommend and the Board may approve the installation, location or relocation of a manufactured or mobile home and the issuance of a Manufactured Home Permit that does not meet the criteria of this article, provided the Commission and the Board find all of the following:

- i.** The manufactured or mobile home is compatible with existing housing within the general area of the proposed home;
- ii.** No health or safety issues are present and the home generally meets all applicable construction and building codes;
- iii.** The home supports fulfillment of goals found in the Laramie County Comprehensive Plan

**o. Compliance with other regulations**

To the extent not specifically enumerated, described or modified herein, all manufactured and mobile homes and new placement shall comply with this regulation, as amended, and all other applicable federal, state and local regulations and codes.

**2-2-131 CONCENTRATED FEEDING OPERATIONS**

- a.** These regulation are promulgated by authority of W.S. 16-3-103, W.S. 18-5-102, W.S. 18-5-201, and W.S. 35-11-302(a)(ix).
- b.** These regulations are intended to promote the public health, safety, and general welfare of Laramie County, specifically to address pollution of ground and surface water, minimization of odors for public health concern,

and minimization of pathogens and vectors capable of transporting infectious disease.

- c. For the purposes of this article, a concentrated feeding operation is any housed facility, including any lagoon and other waste treatment facilities associated therewith, wherein swine are confined, fed and maintained for a total of forty-five (45) consecutive days or more in any twelve (12) months, and the feed lot or facility is designed to confine an equivalent of 1,000 or more animal units.
- d. Setbacks
  - i. All structures housing swine, or the waste treatment works and lagoons associated therewith, shall adhere to the following setback requirements:
    - A. Three (3) miles from an occupied dwelling without the written consent of the owner of the dwelling;
    - B. Three (3) miles from a public or private school without the written consent of the school board of trustees or board of directors;
    - C. Three (3) miles from the boundaries of any incorporated municipality without the resolution and consent of the governing body of the municipality;
    - D. One-half (1/2) mile from a water well permitted for current domestic purposes without the written consent of the owner of the well;
    - E. One-half (1/2) mile of a perennial stream.
  - ii. No structures housing swine, or the waste treatment works and lagoons associated therewith, shall be located on any real property wherein the mean static groundwater table is less than 150 feet below the surface.

## **2-2-132 NUISANCE**

### **a. Purpose and Applicability**

The purpose of this regulation is to promote and encourage the maintenance of properties within Laramie County and to protect and provide for the highest level of health, safety and welfare of County citizens.

This regulation shall not regulate any permitted industrial facility or oil and gas or mining operations necessary to the extraction, production or exploration of the mineral resources, nor shall this regulation be construed to impair or modify any rights afforded to farm or ranch operations pursuant to the Wyoming Right to Farm and Ranch Act. A farm or ranch operation shall not be found to be a public or private nuisance by reason of that operation if that farm or ranch operation:

- i. Conforms to generally accepted agricultural management practices; and
- ii. Existed before a change in the land use adjacent to the farm or ranch land and the farm or ranch operation would not have been a nuisance before the change in land use or occupancy occurred (§11-44-103).

**b. General**

- i. A site, property, tract, lot, building grounds, area or other property may be declared a nuisance by the Board of Laramie County Commissioners in conformance with Wyoming State Statute §18-2-115 et seq if a nuisance, as listed in this article exists on said site, property, tract, lot, building grounds, area or other property.
- ii. The Board of Laramie County Commissioners authorizes and designates the Director of Planning and Development to investigate and determine the existence of a nuisance and to issue orders on behalf of the Commissioners declaring a property a nuisance in conformance with Wyoming State Statute §18-2-101(a)(viii)
- iii. An annual review of this regulation shall be made by the Planning Commission each September for recommendations of changes. A report shall be prepared on behalf of the Planning Commission by the Planning Director and presented to the Board of County Commissioners outlining any proposed changes.

**c. Procedures and Process**

- i. All investigations will be made by the Laramie County Planning and Development Office for determination of validity and compliance with this and other pertinent regulations. State and local agencies with specific expertise shall be consulted by Laramie County as appropriate as part of the investigation.
- ii. If in the course of an investigation a nuisance is found, the property owner shall be notified, except as described below, by certified mail within ten (10) days of determination that the County is declaring a

nuisance and that an order may be issued to the owner in conformance with §18-2-115 within fourteen (14) days of the certified mailing date.

- iii.** If a nuisance is determined to be an immediate threat to the health, safety and welfare of the citizens of Laramie County, the County shall immediately issue an order in conformance with §18-2-115 without prior notice as described above.
- iv.** A reasonable time frame to abate said nuisance as determined by Laramie County in consultation with the property owner shall be provided in any order.
- v.** The following may be declared a nuisance by the Board of Laramie County Commissioners:
  - A.** failure to keep material, debris, waste, refuse or garbage properly contained;
  - B.** failure to maintain a structure designed and built for human habitation so as to avoid health, life safety and welfare hazards as determined by the Chief Building Official;
  - C.** the outside, unscreened storage or keeping of four or more inoperable and unregistered vehicles within the non-zoned areas of Laramie County;
  - D.** the outside storage or keeping of any inoperable and unregistered vehicle within the zoned area of Laramie County, except as permitted by the regulations of a specific zone district;
  - E.** the unscreened and or unlicensed accumulation of materials, debris, waste recyclables, or other scrap or junk material;
  - F.** the active or passive discharge into the environment of toxic or noxious materials in such concentrations as to endanger the public health from a primary property or source;
  - G.** the active or passive discharge of effluent from any cesspool, septic tank, drain field or sewage disposal system upon the surface of the ground from a primary property or source;
  - H.** the active or passive contamination of any well, cistern, stream, lake, groundwater, or other body of water by sewage, waste or other materials or substances from a primary property or source;

- I. accumulation of manure from domestic animals and fowl that are handled, stored or disposed of in a manner that creates a health hazard;
- J. accumulation of decayed or decaying matter, trash, rubbish, garbage or any substance which is demonstrated and determined to be a health hazard;
- K. storage, use or disposal of hazardous material, in such quantity or manner that creates a public health hazard;
- L. any condition or situation which renders a structure designed and constructed for human habitation or any part thereof unsanitary, unhealthy or unfit for human habitation, occupancy or use, or renders any property unsanitary or unhealthy;
- M. failure to comply with any law or rule regarding sanitation and health.

**d. Violations**

Violations of the foregoing provisions may be enforced through any method authorized for enforcement of this regulation, through the provisions of W.S. § 18-2-115 et seq, through injunction, mandamus or other form of judicial action and any other applicable method under law including, but not limited to, criminal citations. The selection of one remedy for enforcement shall not prohibit the implementation of any other remedies available under law. All remedies available may be used individually or cumulatively.

**2-2-133 CONSTRUCTION OF IMPROVEMENTS IN PHASES - SUBDIVISION AGREEMENT**

Notwithstanding anything in these rules and regulations to the contrary, an owner may seek approval from the Board to have a plat executed and recorded with the understanding that the construction of the public improvements shall be completed in phases. Board approval for any subdivision/development in which the construction of the public improvements shall be completed in phases shall be subject to the execution of a subdivision agreement between the owner and the County. The agreement shall provide for, but not be limited to, the following:

- a. The identification and description of all public improvements to be constructed;

- b.** The completion sequence for all public improvements so identified and described;
- c.** Collateral may be accepted to guarantee construction improvements in the form of bond, cash, letter of credit, or other collateral acceptable to the Board, to guarantee that sufficient funds are available for the completion of the improvements described. Collateral shall be provided at least twenty (20) days prior to the commencement of construction. The specific provisions and infrastructure shall be constructed and accepted or approved by the County prior to the issuance of building permits;
- d.** The inspection of the improvements during construction;
- e.** Materials certifications and testing requirements;
- f.** As-constructed drawings as may be required;
- g.** The return of the collateral upon the successful completion of the improvements;
- h.** The remedies upon a default by the owner; and
- i.** For the termination of the agreement upon the successful completion of the improvements.

In no case shall building permits or any other required County permit be issued prior to completion of the required improvement. Building permits shall not be issued for properties that are accessed off a public Right of Way unless the road is completed and constructed to County standards.