

**TITLE 14**  
**SUBDIVISIONS**

**Chapters:**

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**CHAPTER 5**

**GENERAL PROVISIONS**

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14-5-100	Approval Required
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**14-5-100. Approval Required.** All plans, plats or replats of land laid out in building lots, hereafter made for each subdivision or each part thereof lying within the corporate limits of the Town of Ranchester, Wyoming, shall be prepared by a Professional Land Surveyor and presented to the Planning Commission for review. The plans, plats, or replats shall be finally approved by the governing body and recorded as herein prescribed. Any subdivision lying outside of and within one mile of the corporate limits of Ranchester, Wyoming, shall be subject to approval by both the governing body of the Town of Ranchester, Wyoming, and the governing body of Sheridan County. (Ord. 197 §102, 1999; Ord. 105 §102, 1978)

**14-5-110. Application of Regulations.** The regulations contained herein shall apply to the subdivision of any tract or parcel of land into two or more lots, tracts, or other divisions of land for the purpose of sale for building development, whether immediate or future, including the subdivision of unplatted land or replatting of existing subdivision lots. Provided, however, that the following partitions shall not be considered subdivisions, and shall be exempt from the requirements of this Title:

(a) The division and transfer of any parcel of land by testamentary devise, foreclosure, or by court order.

(b) The division and transfer of any parcel of land by or to the United States, the State of Wyoming, the County of Sheridan, or the Town of Ranchester.

- (c) The granting or vacation of easements or rights-of-way.
- (d) The division and transfer of land for cemetery plots or condominiums as defined by statute.
- (e) The division and transfer of land for agricultural purposes in parcels or tracts of land of five acres or more, and not involving any new street or access easement.
- (f) The division and transfer of land between owners of adjoining and contiguous lands to correct descriptions in prior conveyances, to realign property lines, and to remedy improvement encroachments, provided a survey or plot plan of such division shall be filed with the Town of Ranchester building department.
- (g) The redivision of not more than three previously platted lots fronting on an existing street, which does not involve any new street or easement for access or utilities, and which shall not reduce or diminish the area of any resulting parcel to the extent that the lot area per family, or of the yards or other open spaces, would be less or smaller than that prescribed by the area regulations of the zoning ordinances for the district in which such lots are located; and further provided a lot survey and plot plan certified by a Professional Land Surveyor, showing compliance with this requirement, is filed with the Town of Ranchester building department. (Ord. 197 §102, 1999; Ord. 105 §102, 1978)

**14-5-120. Planning Commission May Impose Requirements.** The Planning Commission shall have the right to confer with the subdivider regarding the type and character of development that will be permitted in the subdivision, and may require that certain minimum regulations regarding this matter be incorporated in the deed restrictions. Such regulations shall be intended to protect the character and value of the surrounding development of the property which is subdivided. (Ord. 197 §102, 1999; Ord. 105 §102, 1978)

**14-5-130. Planning Commission Approval Required.** All plans, plats, or replats of land laid out in building lots, and the streets, alleys, or other portions of the same intended to be dedicated for public use, or for the use of purchasers or owners of the lots fronting thereon or adjacent thereto, shall be submitted to the Planning Commission for its consideration, and its recommendation shall be submitted to the Town Council for its official consideration and action. (Ord. 105 §103, 1978)

**14-5-140. Definitions.** Definitions for the interpretation of these rules and regulations are as follows:

- (a) “Alley” means a public thoroughfare which affords only a secondary means of access to abutting property.
- (b) “Block” means a piece or parcel of land entirely surrounded by public highway, streets, streams, railroad rights-of-way or parks, etc., or a combination thereof.
- (c) “Cul-de-sac” means a street having one end open to traffic and being permanently terminated by a vehicle turn-around.
- (d) “Design” means the location of streets, alignment of streets, grades and widths of streets, alignment of easements, grades and widths of easements, alignment and rights-of-way for drainage and sanitary sewers, and the designation of minimum lot area, width and length.
- (e) “Easement” means a grant by the property owner to the public, a corporation, or persons, of the use of a strip of land for specific purposes.

(f) “Final Plat” means a plan or map prepared in accordance with the provisions of this regulation and those of any other applicable local regulation, which plat is prepared to be placed on record in the office of the Register of Deeds of Sheridan County.

(g) “Governing Body” means the Town Council of the Town of Ranchester, Wyoming, or the Board of Sheridan County Commissioners.

(h) “Improvement” means street work and utilities that are to be installed, or agreed to be installed by the subdivider on the land to be used for public or private use of the lot owners in the subdivision and local neighborhood traffic and drainage needs, as a condition precedent to the approval and acceptance of the final map or filing of the record of the survey map thereof.

(i) “Lot” means a portion of land in a subdivision, or other parcel of land, intended as a unit for transfer of ownership or for development.

(j) “Major Thoroughfare” means a street, highway or roadway designated as such on the official major street plan.

(k) “Marginal Access Streets” or “Frontage Roads” means a minor street which is generally parallel to or adjacent to a major traffic thoroughfare, highway or railroad right-of-way and provides access to abutting properties.

(l) “Pedestrian Way” means a right-of-way dedicated to public use, which cuts across a block to facilitate pedestrian access to adjacent streets and properties.

(m) “Planning Area” means that area on a map prepared and maintained for or by the Town Council describing the planning area limits.

(n) “Planning Commission” means the Planning Commission of the Town of Ranchester, Wyoming.

(o) “Preliminary Plat” means a map made for the purpose of showing the design of a proposed subdivision and the existing conditions in and around it; this map need not be based on accurate or detailed final survey of the property.

(p) “Secretary” means secretary of the Planning Commission.

(q) “Setback Line” or “Building Line” means a line on a plat generally parallel to the street right-of-way, indicating the limit beyond which buildings or structures may not be erected or altered except as otherwise provided in the Zoning Regulations of the Town of Ranchester, Wyoming.

(r) “Street” means a right-of-way, dedicated to the public use, or a private right-of-way serving more than one ownership, which provides principal vehicular and pedestrian access to adjacent properties.

(s) “Subdivider” means a person, firm, corporation, partnership, or association who causes land to be divided into a subdivision for himself or for others.

(t) “Subdivision” means the division of a tract of land into two or more lots or parcels for the purpose of transfer of ownership, or building development, or, if a new street is involved, any division of a parcel of land. The term subdivision of a parcel of land. The term subdivision includes resubdivision and the term “resubdivision” as used herein, shall include any further subdivision of a lot or parcel of land previously subdivided, for sale, use, or other purposes, which varies from the latest, approved subdivision of the same. (Ord. 105 §104, 1978)

## TITLE 14

### SUBDIVISIONS

#### CHAPTER 10

#### CLASSIFICATION OF SUBDIVISIONS

##### Sections:

14-10-100	Class A Subdivisions
14-10-110	Class B Subdivisions
14-10-120	Class C Subdivisions

**14-10-100. Class A Subdivisions.** Class A subdivisions are all subdivisions located within the corporate limits of the Town. (Ord. 105 §105, 1978)

**14-10-110. Class B Subdivisions.** Class B subdivisions are:

- (a) All subdivisions adjoining or touching the corporate limits of the Town.
- (b) Any subdivision adjoining or touching the boundaries of a tract or area for which annexation proceedings have been commenced by the Town.
- (c) Any subdivision touching or adjoining an approved subdivision which touches or adjoins the corporate boundaries of the Town. (Ord. 105 §105, 1978)

**14-10-120. Class C Subdivisions.** A Class C subdivision is a subdivision lying within the Planning Area that does not adjoin the Town Limits, that does not adjoin another subdivision that adjoins or touches the Town Limits, and does not lie adjacent to a major thoroughfare. (Ord. 105 §105, 1978)

## TITLE 14

### SUBDIVISIONS

#### CHAPTER 15

#### REQUIREMENTS FOR SUBDIVISIONS

##### Sections:

14-15-100	Utility Requirements
14-15-110	Other Requirements

**14-15-100. Utility Requirements.** In all classes of subdivisions the area of the lots will be determined by the availability of public sewer and public water supply. The determination of whether or not public utilities are available in sufficient quantities to serve the subdivision shall be made in the following manner:

(a) A copy of the preliminary plat shall be sent to the Town Engineer for preliminary recommendations on the availability of water and sewer.

(b) A copy shall be sent to the Town Building Inspector for a report on compliance with the subdivision regulations and zoning regulations. The recommendation of the Town Engineer and report from the Town Building Inspector shall be sent to the Planning Commission for review and action. (Ord. 105 §106, 1978)

**14-15-110. Other Requirements.** The following particular requirements are hereby made of each of the classes of subdivision:

(a) Class A and B Subdivisions:

(1) If the proposed subdivision is serviced with a public water supply and Town sewer or a community type sewage treatment plant, approval of the plat shall be subject to the minimum requirements set forth herein and the zoning regulations of the Town and County.

(2) If the proposed subdivision is serviced with a public water supply, but not with a public sewer system, the preliminary plat will be submitted on the basis of a minimum of one-half acre lots and subject to the approval of the Town Engineer and the Wyoming State Health Department after percolation tests are caused to be made by the subdivider. The plat will be so proportioned as to permit future replatting consistent with good subdivision design. The optimum proportion shall be 125 foot frontage by 160 foot depth.

(3) If the proposed subdivision is served with a public sewer system and not with a public water supply, and the developer will use a private water supply, the preliminary plat will be submitted on the basis of a minimum of one-half acre lots, subject to the approval of the Town Engineer and the Wyoming State Health Department, and be so proportioned that future platting will be consistent with good subdivision design. The optimum proportion shall be 125 foot frontage by 160 foot depth.

(4) If the proposed subdivision is not served with either a public water supply or a public sewer system and the developer will be using a private water supply with a septic tank sewage disposal system, the subdivider shall submit his preliminary plat on the basis of 2½ acre lots, subject to the approval of the Town Engineer and the Wyoming State health Department

after percolation tests are caused to be made by the subdivider. The plat will be so proportioned as to permit future replatting consistent with good subdivision design.

**(5)** The subdivider shall submit a petition for consideration for annexation of the subdivision to the Town with the preliminary plat, except for Class B-c subdivision.

**(b)** Class C Subdivisions: In all Class C subdivisions, the same requirements shall apply as applied to Class A and B subdivisions with the exception that in Class C subdivisions, the subdivider shall not be required to submit a petition for annexation of the proposed subdivision. (Ord. 105 §106, 1978)

## TITLE 14

### SUBDIVISIONS

#### CHAPTER 20

#### MINIMUM DESIGN STANDARDS

##### Sections:

14-20-100	Blocks
14-20-110	Streets, Alleys, and Public Ways
14-20-120	Lots
14-20-130	Easements
14-20-140	Dedication

**14-20-100. Blocks.** Minimum design standards for blocks are as follows:

(a) Length. Intersecting streets (which determine block lengths), shall be provided at such intervals as to serve cross traffic adequately and to meet existing streets in the neighborhood. In residential districts, where no existing plats are recorded, the blocks shall not exceed 600 feet in length, except that in outlying subdivisions a greater length may be permitted where topography or other conditions justify a departure from this maximum. In blocks longer than 300 feet, pedestrian ways and/or easements through the block may be required near the center of the block. Such pedestrian ways or easements shall have a minimum width of ten feet. Blocks for business use should normally not exceed 300 feet in length.

(b) Width. In residential development, the block width shall normally be sufficient to allow two tiers of lots of appropriate depth. Blocks intended for business or industrial use shall be of such width and depth as may be considered most suitable for the prospective use. (Ord. 105 §107, 1978)

**14-20-110. Streets, Alleys, and Public Ways.** Minimum design standards for streets, alleys, and public ways are as follows:

(a) Relations to Adjoining Street System. The arrangement of streets in new subdivisions shall make provisions for the continuation of the principal existing streets in adjoining additions (or their proper projection where adjoining property is not subdivided) insofar as they may be necessary for public requirements. The width of such streets in new subdivisions shall not be less than the minimum street widths established herein. Alleys, when required, and street arrangement must also be such as to cause no hardship to owners of adjoining property when they plat their land and seek to provide for convenient access to it. Whenever there exists a dedicated or platted half street or alley adjacent to the tract to be subdivided, the other half of the street or alley shall be platted, and dedicated as a public way.

(b) Street Names. Streets that are obviously in alignment with others already existing and named shall bear the names of the existing streets.

(c) Major Streets. Major streets through subdivisions shall conform to the major street plan as adopted by the Planning Commission and the Town Council.

(d) Minor Streets. Minor streets shall be so designed to discourage through or non-local traffic.

(e) Cul-de-sacs. Cul-de-sacs shall be permitted only when topography or ownership prevents normal subdivision of a tract or plot of ground. Said Cul-de-sacs shall normally be no longer than 500 feet, including an adequate turn-around which shall be provided at the closed end.

(f) Right Angle Intersections. Under normal conditions, streets shall be laid out to intersect, as nearly as possible, at right angles. Where topography or other conditions justify a variation from the right angle intersection, the minimum angle shall be 60 degrees.

(g) Streets Adjacent to a Railroad Right-of-Way, Limited Access Freeway, Principal. Where lots front or side, but do not back on railroad rights-of-way, limited access freeways or principal highways, a marginal access street or frontage road shall be provided parallel and adjacent to the boundary of such rights-of-way. The distance from said rights-of-way shall be determined, with due consideration, to minimum distance required for approach connections to future grade separation.

(h) Major streets shall conform to the Master Plan and shall connect with major streets in adjoining subdivisions.

(i) Dead-end streets are prohibited.

(j) Cul-de-sacs shall be no longer than 500 feet in length, including the turnaround.

(k) Streets shall intersect at 90° whenever possible.

(l) Half-Streets. Dedication of half-streets will not be approved, except where it is essential to the reasonable development of the subdivision and in conformity with the Major Street Plan and other requirements of these regulations.

(m) Alleys. Alleys shall be provided in commercial and industrial districts, except that the requirements may be waived where other definite and assured provisions are made for service access to off-street loading and unloading areas and to off-street parking areas, consistent with and adequate for the uses proposed. Dead-end alleys shall be avoided, wherever possible. Alleys may be required in certain residential areas.

(n) Minimum Dimensions. All streets, alleys and public ways, included in any subdivision, hereafter dedicated and accepted, shall not be less than the minimum dimensions for each classification as follows:

(1) Major Streets

Arterial	100 Feet
Collectors	80 Feet
Local Streets	60 Feet
Cul-de-Sacs	60 Feet Radius on Turn-Around

(2) Marginal Access Streets or Frontage Roads.

Two Way	50 Feet
One-Way	50 Feet
Alleys	20 Feet
Pedestrian Ways	10 Feet

(o) Additional Requirements. When existing or anticipated traffic on Arterial and Collector thoroughfares warrants greater widths of rights-of-way, the additional width shall be provided.

(p) Drainage Easements. Drainage easements may be required, in addition to street rights-of-way, where the street or streets adjoin or are parallel with streams or drainage areas or



where lots back on where said drainage areas exist. The width of such drainage easement shall be determined by the Town and/or County Engineer who shall notify the Planning Commission of his recommendation in writing.

(q) Street Grades. The grades of streets, alleys and other public ways included in any subdivision shall not be greater than is necessary for the topographical conditions.

(r) Street Alignment. Minimum, horizontal and vertical alignment on all streets, except in unusual cases, shall be as follows:

(1) Horizontal-Radii at the Centerline: Major Streets, 300 Feet; Local Streets, 100 Feet. A tangent shall be provided between all reversed curves as recommended by the Town and/or County Engineer, to provide for a smooth flow of traffic.

(2) Vertical. All changes in street grade shall be connected by vertical curves of such length as to provide for desired sight distance and shall be subject to the approval of the Town Engineer and/or County Engineer.

(Ord. 105 §107, 1978)

**14-20-120. Lots.** Minimum design standards for lots are as follows:

(a) Minimum width shall be 70 feet. (Said width shall be measured at the building setback line.)

(b) Minimum area shall be subject to the zoning regulations of the District in which the subdivision is located.

(c) In subdivisions where septic tank or other individual sewage disposal devices are to be installed, the size of all lots included in the subdivision shall be subject to regulations in Chapter 15 of this Title (requirements for each class of subdivision).

(d) In subdivisions where private water supply is by well or other means, the size of all lots included in the subdivision shall be subject to regulations in Chapter 15 of this Title (requirements for each class of subdivision).

(e) All side lot lines shall bear 60 to 90 degrees from the street right-of-way line on a straight street or from the tangent of a curved street.

(f) Corner lots, in residential subdivisions, shall observe the same setback on both streets.

(g) Double frontage lots shall be avoided unless, in the opinion of the Planning Commission, a variation to this rule will give better street alignment and lot arrangement.

(h) Every lot shall abut on a street other than an alley.

(I) Building or setback lines shall be shown on the final plat for all lots in the subdivision and shall not be less than the setback required by the zoning regulation.

(j) The subdivision or resubdivision of a tract or lot shall not be permitted where said subdivision or resubdivision places an existing permanent structure in violation of the requirements of the zoning regulations. (Ord. 105 §107, 1978)

**14-20-130. Easements.** Minimum design standards for easements are as follows:

(a) Where alleys are not provided, permanent easements of not less than 7½ feet in width shall be provided on each side of all rear lot lines, and on side lot lines, where necessary, for utility poles, wires, conduits, storm and sanitary sewers, gas, water and heat mains and other public utilities. These easements shall provide for a continuous right-of-way at least 15 feet in width.

(b) An additional 12 foot temporary construction easement shall be provided for initial construction of water, sewer, and other utility lines. (Ord. 105 §107, 1978)

**14-20-140. Dedication.** In subdividing land or resubdividing an existing plat, due consideration should be given by the subdivider to the dedication or reservation of suitable sites for schools, parks, playgrounds, or other public recreational areas or open spaces. Any areas so dedicated or reserved shall conform as nearly as possible to the recommendation of the Planning Commission in its master plan and to the recommendations of the Board of Education in regard to school sites. All areas, acceptable to the Planning Commission, to be reserved for or dedicated to public use shall be indicated on the preliminary plat in order that it may be determined when and in what manner such areas will be dedicated to or acquired by the appropriate agency. There shall be no private streets. (Ord. 105 §107, 1978)

## TITLE 14

### SUBDIVISIONS

#### CHAPTER 25

#### PRELIMINARY PLAT

##### Sections:

14-25-100	Pre-application
14-25-110	Submission of Preliminary Plat
14-25-120	Filing Fee
14-25-130	Number of Copies
14-25-140	Contents of Preliminary Plats
14-25-150	Action on Preliminary Plat

**14-25-100. Pre-application.** Prior to the filing of the preliminary plat, the subdivider shall contact the Town Engineer, the Town Building Official and/or other Administrative personnel to determine:

(a) Procedure for filing plats.

(b) Availability of public sewers and water.

(c) Master plan requirements for major streets, land use, parks, schools and public open spaces.

(d) Zoning requirements for the property in question and adjacent properties. (Ord. 105 § 108, 1978)

**14-25-110. Submission of Preliminary Plat.** After reaching the preliminary conclusions regarding the requirements for the proposed subdivision, the subdivider shall submit a preliminary plat together with any supplementary information necessary to the Town Clerk. (Ord. 105 §109, 1978)

**14-25-120. Filing Fee.** A filing fee of \$50.00 shall accompany the filing of each preliminary plat. (Ord. 105 §109, 1978)

**14-25-130. Number of Copies.** The subdivider shall submit three copies of the preliminary plat and three copies of a vicinity map (if not on the preliminary plat) showing the location of the proposed subdivision. These plans shall be filed with the Town Clerk at least 15 days prior to a regular Planning Commission Meeting at which the preliminary plat is to be considered. (Ord. 105 §109, 1978)

**14-25-140. Contents for Preliminary Plats.** The required contents of the preliminary plat are:

(a) The proposed name of the subdivision. (The name shall not duplicate or too closely resemble the name or names of any existing subdivision.)

(b) The location of the boundary lines of the subdivision and reference to the section or quarter section lines.

(c) The names and addresses of the developer, licensed surveyor or professional engineer who prepared the plat.

(d) Scale of the plat, one inch = one hundred (100) feet or larger.

(e) Date of preparation and north point.

(f) Existing conditions:

(1) Location, width and name of platted streets or other public ways, railroads and utility rights-of-way, parks and other public open spaces and permanent buildings within or adjacent to the proposed subdivision shall be shown on the Preliminary Plat.

(2) All existing sewers, water mains, gas mains, culverts, or other underground installations, within the proposed subdivision, or adjacent thereto, with pipe size and manholes, grades and location shall be shown.

(3) Names of adjacent subdivisions together with arrangement of streets and lots, and owners of adjacent parcels of unsubdivided land shall be shown.

(4) Topography (unless specifically waived) with contour intervals of not more than five feet, referred to Town or U.S.G.S. datum shall be shown; also location of water courses, bridges, wooded areas, lakes, ravines and such other features as may be pertinent to the subdivision shall be shown.

(g) The general arrangement of lots and their approximate size.

(h) Location and width of proposed streets, alleys, pedestrian ways, and easements.

(i) The general plan of sewage disposal, water supply and utilities, in areas where public sewers and/or water are proposed to serve the subdivision. In other cases a notation shall be made on the plat indicating type of sewage disposal and water system proposed.

(j) Location and size of proposed parks, playgrounds, churches, school sites, or other special uses of land to be considered for reservation for public use.

(k) General layout of adjacent unsubdivided property to show how streets and other public facilities, in the proposed subdivision, relate to the unsubdivided property.

(l) A proposed general plan for street lighting. The plan shall also be submitted to the electrical utility supplier. (Ord. 112, 1979; Ord. 105 §109, 1978)

**14-25-150. Action on Preliminary Plat.** Action by the Planning Commission shall be conveyed to the subdivider in writing within ten days after the official Planning Commission Meeting, at which time the plat was considered. In case the plat is disapproved, the subdivider shall be notified of the reason for such action and what requirements shall be necessary to meet the approval of the Planning Commission. The approval of the preliminary plat does not constitute an acceptance of the subdivision, but is deemed to be an authorization to proceed with the preparation of the final plat. The approval of the preliminary plat shall only be effective for a period of six months, unless an extension is granted by the Planning Commission. If the final plat has not been submitted for approval within this specified period, a preliminary plat must be submitted again to the Planning Commission for approval. (Ord. 105 §109, 1978)

**TITLE 14**  
**SUBDIVISIONS**  
**CHAPTER 30**  
**FINAL PLAT**

**Sections:**

14-30-100	Submission of Final Plat
14-30-110	Time for Submission
14-30-120	Signatures Required
14-30-130	Size and Scale
14-30-140	Information on Plat
14-30-150	Required Improvements
14-30-160	Consideration by Planning Commission
14-30-170	Variances and Exceptions

**14-30-100. Submission of Final Plat.** After approval of the preliminary plat, the subdivider shall submit a final plat, for recording purposes, to the Town Clerk. (Ord. 105 §110, 1978)

**14-30-110. Time for Submission.** The original (on mylar, tracing cloth, or similar material) and three prints thereof shall be submitted to the Town Clerk at least 15 days prior to the Planning Commission public hearing. (Ord. 105 §110, 1978)

**14-30-120. Signatures Required.** The names and signatures of owner or owners of the property, duly acknowledged and notarized, shall appear on the original copies submitted. (Ord. 105 §110, 1978)

**14-30-130. Size and Scale.** The final plat, prepared for recording purposes, shall be drawn at a scale of at least one inch = 100 feet or larger. The size of the sheet on which such final plat is prepared shall be made in accordance with Wyoming Statutes. (Ord. 105 §110, 1978)

**14-30-140. Information on Plat.** The final plat shall show and contain the following information:

(a) Name of subdivision (not to duplicate or too closely approximate the name of any existing subdivision).

(b) Location of section, township, range, county and state, including the descriptive boundaries of the subdivision based on an accurate traverse, giving angular and linear dimensions which must be mathematically closed. The allowable error of closing on any portion of the plat shall be one foot in 5,000.

(c) The location of monuments shall be shown and described on the final plat. Location of such monuments shall be shown in reference to existing official monuments or the nearest

established street lines, including the true angles and distances to such reference points or monuments.

(d) The location of lots, streets, public highways, alleys, parks and other features, with accurate dimensions in feet and decimals of feet with the length of radii on all curves, and other information necessary to reproduce the plat on the ground. Dimensions shall be shown from all curves to lot lines.

(e) Lots shall be numbered clearly. Blocks shall be numbered or lettered clearly in the center of the block.

(f) The exact locations, widths, and names of all streets to be dedicated.

(g) Location and width of all alleys to be dedicated.

(h) Boundary lines and description of the boundary lines of any area other than streets and alleys, which are to be dedicated or reserved for public use.

(i) Building setback lines on the front and side streets with dimensions.

(j) Name and address of the developer and licensed Surveyor making the plat.

(k) Scale of plat (scale to be shown graphically and in feet per inch), date of preparation and north point.

(l) Statement dedicating all easements.

(m) Statement dedicating all streets, alleys, and all other public areas not previously dedicated. (Ord. 105 §110, 1978)

**14-30-150. Required Improvements.** As a condition to the approval of a final plat, the subdivider shall agree to install the following improvements:

(a) Streets. Streets shall be surfaced with concrete, asphaltic concrete, or materials approved by the Town Engineer and shall include curb. County streets and roadways shall be improved in accordance with the requirements and specifications of the County Engineer and shall include drainage ways.

(b) Water. Where a public water supply is proposed to serve the subdivision, said water lines shall be installed in proper easements or within the limits of the street and alley right-of-way and shall be of a size as approved by the Town Engineer.

(c) Sewers. If the subdivision is of the type included under Section 14-15-110(a)(2), the sewer system shall be constructed to provide service to each lot within the subdivision. The system of lateral sewers shall collect the sewage within the subdivision and discharge it into a main sewer or a community disposal system approved by the Town Engineer and an Approval, in writing, of the plans and specifications for the sewer system shall be made by the Town Engineer.

(d) Street Signs. Street signs will be supplied and erected by the Town and/or County.

(e) Sidewalks. Sidewalks shall be a minimum of four feet in width where required by the Planning Commission.

(f) Other Improvements. If other improvements are required, such as tree planting, retaining walls, drainage structures, etc., such improvements shall be made in accordance with the recommendations of the Planning Commission and specifications of the Town Engineer.

(g) Bond for Construction. In lieu of the actual construction of the physical improvements required, the Town Council may accept one of the following:

(1) A bond guaranteeing construction of the required improvements within a period of time to be specified by the Town Council. Such bond shall be in a form approved by said Town Council.

(2) A petition, presented and approved by the Town Council having jurisdiction, properly executed by the property owners, as provided by law, for the construction by the Town Council of the improvements, with the cost to be assessed against the subdivided property.

(h) **Street Lighting.** Street lighting shall be according to a plan approved by the electrical utility supplier and the Town of Ranchester. Monthly street lighting costs shall be paid entirely by the subdivision developer until 75% of the lots within the subdivision are occupied or one year from the date the plat is approved, whichever shall occur first. The installed lighting shall then become part of the Town of Ranchester street lighting system. (Ord. 112, 1979; Ord. 105 §110, 1978)

**14-30-160. Consideration by Planning Commission.** If the Planning Commission rejects or withholds approval of the final plat, the subdivider may request that said plat be submitted to the Town Council. The Secretary of the Planning Commission shall forward the proposed plat together with the report of the Planning Commission, stating the reason for its action. The Town Council may make such findings and determination as they deem proper. (Ord. 105 §110, 1978)

**14-30-170. Variances and Exceptions.** Whenever it is found that the land included in a subdivision plat, presented for approval, is of such size, or shape or is subject to, or is affected by topographical location or conditions, or is to be devoted to such usage that full conformity to the provisions of these regulations is impossible or is impractical, the Planning Commission may recommend to the Town Council, by letter of transmittal, that said Town Council authorize variances or exceptions in the final plat so that substantial justice may be done and the public interest secured. In recommending such variances or exceptions, the Planning Commission shall find the following:

(a) That there are special circumstances or conditions affecting the property.

(b) That the variances or exceptions are necessary for the reasonable and acceptable development of the property in question.

(c) That the granting of the variances or exception will not be detrimental to the public welfare or injurious to other property in the vicinity in which the property is situated. (Ord. 105 §111, 1978)

## TITLE 14

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#### CHAPTER 35

#### MISCELLANEOUS REQUIREMENTS

##### Sections:

14-35-100	Building Permit
14-35-110	Final Filing Fee
14-35-120	Certifications Required on Final Plat
14-35-130	Supplementary Documents and Information
14-35-140	Submission to Town Council
14-35-150	Recorded Plats
14-35-160	Subdivision Plan
14-35-170	Approval or Denial
14-35-180	Standards
14-35-190	Construction
14-35-200	Completion of Construction
14-35-210	Dedication
14-35-220	Completion Before Conveyance
14-35-230	Exceptions to Conveyance
14-35-240	Penalties

**14-35-100. Building Permits.** After the date of the adoption of these rules and regulations by the Town Council, no building permit or zoning permit shall be issued for any structure that is located upon a lot in a subdivision that has not been subdivided and approved in the manner as provided for in these subdivision regulations. This shall not apply to subdivisions or lots of record which were platted prior to the adoption of this subdivision regulation. No such plat or replat or dedication or deed of a street or public way shall be filed with the Register of Deeds, as provided by law, until such plat or replat or dedication or deed shall have endorsed on it the fact that it has been submitted and approved by the Planning Commission and Town Council as required by law. (Ord. 105 §112, 1978)

**14-35-110. Final Filing Fee.** The final plat shall be accompanied by a fee in the amount of \$10.00 plus .50 for each lot and the maximum fee shall not exceed \$100.00. (Ord. 105 §112, 1978)

**14-35-120. Certifications Required on Final Plat.**

(a) Certifications shall be shown on the final plat, signed and acknowledged by all parties holding title or having any title interest in the land subdivided and consenting to the preparation and recording of the plat as submitted. The original and three copies of the plat submitted shall carry the signatures of the owner or owners or corporation and shall be duly notarized by a Notary Public. The original plat must be recorded in the County Court House.



(b) A certification by a Licensed Surveyor shall be shown on the final plat stating that the physical and mathematical details of the plat are correct.

(c) Space shall be reserved on the plat to certify approval and for the date and signatures of the following:

(1) chairman and Secretary of the Planning Commission.

(2) Town Council, to be signed by the Mayor and attested by the Town Clerk.

(3) Space for the recording of the instrument and the name of the County Clerk. (Ord. 105 §112, 1978)

**14-35-130. Supplementary Documents and Information.** The following supplementary documents and information shall accompany the final plat:

(a) Plan and profile prints of streets to be dedicated, indicating the grades thereon, may be required by the Planning Commission for plats submitted.

(b) Certificate stating that all taxes and encumbrances have been satisfied on record on the land to be dedicated as streets, alleys or other public purposes.

(c) If private restrictions are to be filed affecting the subdivision or any part thereof, two copies shall be submitted to Town Clerk with the final plat. (Ord. 105 §112, 1978)

**14-35-140. Submission to Town Council.** After the review of the final plat by the Planning Commission, such final plat, together with the recommendations of the Planning Commission, shall be transmitted to the Town Council as required by law for their review and action. (Ord. 105 §112, 1978)

**14-35-150. Recorded Plats.** Eight copies of the recorded plat shall be provided by the subdivider and shall be submitted to the Town Clerk for distribution as follows:

(a) Town File (2)

(b) Town Engineer

(c) County Engineer

(d) Building Official

(e) Utility Companies

**14-35-160. Subdivision Plan** No subdivision plat shall be approved by the Town of Ranchester unless the subdividers submit in writing to the Town Council a plan for the construction of road, water, and sewer systems which will provide service to each lot within the proposed subdivision. The plan must provide for the connection of the road, water and sewer systems with the public road, water, and sewer systems of the Town of Ranchester. (Ord. 74 §1, 1975; Ord. 71 §1, 1974)

**14-35-170. Approval or Denial.** The Council may either approve or disapprove the proposed plan or approve the plan subject to conditions and restrictions deemed necessary by the Council. (Ord. 74 §2, 1975; Ord. 71 §3, 1974)

**14-35-180. Standards.** The Council may approve the plan or approve the plan subject to conditions and restrictions if it determines that:

(a) The plan conforms with all applicable state, county, and town laws and regulations;

(b) The plan would not be detrimental to present and potential uses of the Town's road, water, and sewer system;

(c) The proposed road, water, and sewer systems are compatible with the Town's road, water, and sewer systems;

(d) The proposed road, water, and sewer systems are adequate for the proposed development;

(e) The plan would not be detrimental to the public health, safety, or welfare. (Ord. 74 §3, 1975)

**14-35-190. Construction.** Upon approval of the plan, all costs of the construction, installation, and connection of the system shall be paid by the subdividers. (Ord. 74 §4, 1975; Ord. 71 §2, 1974)

**14-35-200. Completion of Construction.** The subdividers shall notify the Council within ten days of the completion of the road, water, and sewer systems within the subdivision. The Council shall then inspect the completed systems and determine if they comply with the approved plan. (Ord. 74 §5, 1975)

**14-35-210. Dedication.** If the systems comply with the approved plans, then the Council shall notify the subdividers that the construction is acceptable to the Town. The subdividers shall within ten days of receipt of the notice that the construction is acceptable to the Town dedicate in writing the road, water, and sewer system to the Town. (Ord. 74 §6, 1975)

**14-35-220. Completion Before Conveyance.** A subdivider shall be required to complete streets and water-sewer main installation before the Town will issue Building Permits and allow construction to start on the lots. He shall, however, be allowed to sell lots or parcels of land at his discretion. (Ord. 128 §1, 1980; Ord. 95 §7, 1977; Ord. 74 §7, 1975)

**14-35-230. Exceptions to Conveyance.** The Town of Ranchester shall have the option to approve the issuance of Building Permits if the Developer is deemed to be adequately bonded, is engaged in a Local Improvement District, or will put an amount stipulated by the Town Council in escrow to guarantee all necessary work will be completed. (Ord. 128 §2, 1980; Ord. 95 §7b, 1977)

**14-35-240. Penalties.** Any willful and intentional violation of this Chapter shall be punishable by a fine of \$200.00 or imprisonment not exceeding three months. (Ord. 74 §8, 1975)

