



600 9th Street · Wheatland, WY 82201 · (307)322-2962

NOTICE OF WORKSHOP

Platte County Planning and Zoning will hold a workshop on Subdivision Rules and Regulations on March 8, 2022, after the 6 PM Planning and Zoning meeting in the Town Hall Council Chambers at 600 9th Street, Wheatland, WY. Any person(s) interested in having their opinions heard should attend the workshop or email planner@plattecountywyoming.com

This is what is currently in the Regulations:

Section 12.20.060 – Subdivision Standards

A. General Standards

- a. **Conformity:** The subdividers should study any adopted land use plans and regulations and design the subdivision to comply with those policies. The Planning Commission and Board will study the plans as they relate to such adopted policies.
- b. **Building Lots:** All subdivision should result in the creation of lots which are developable, and which have adequate building sites.
- c. **Access to Public Streets:** The subdivider shall provide a minimum access roadway right-of-way of sixty (60) feet to the subdivision for all public ways.
- d. **Land Unsuitable for Subdivision:** Land unsuitable for subdivision shall mean land that, if subdivided, would be detrimental to the health, safety, or general welfare of existing or future residents because of potential hazards such as flooding, landslides, steep slopes, rock falls, high water table, polluted or non-potable water supply, high voltage lines, high pressure gas lines, danger from fire or explosion or other hazardous features. The presence of these features does not preclude subdivision approval; provided the subdivision is reviewed as a major subdivision and the hazards are eliminated or will be overcome by approved design and construction plans, where applicable.
- e. **Matters of historical, archeological, or geologic significance** shall be identified sites and landmarks shall be considered in subdivision plans in accordance with adopted State preservation plan.

- f. Circulation: Automobile, transit and pedestrian circulation should be designed to provide safe, convenient access to schools, shops, parks, transportation facilities, and other community facilities.
- B. Design Standards
- a. Lots
 - i. Widths and depths of lots shall be designed for the type of land use contemplated for the development.
 - ii. Corner lots should be wide enough to permit building sites which could have orientation from either street and allow good traffic site distance.
 - iii. Each lot shall have access to a public dedicated street in the continuous integrated network of county, city, state, and federal roadways. A statement dissolving right of access from individual lots to arterial streets may be required on the final plat.
 - iv. Each lot should have an adequate building area with consideration of poor soils, high water tables, flooding possibilities, or other limiting hazards to building sites, access, or sanitary sewage facilities. Adequate area for fire protection vehicles to turn around on the developed lot should be considered.
 - v. Lots shall be numbered beginning at Lot #1 and numbered consecutively upward for each filing. Lots in re-plats generally shall be alphabetically identified to avoid numerical confusion. Block numbers are discouraged in order to prevent confusion.
 - vi. Reserve Strips controlling access to streets shall be prohibited except where their control is given to the county under conditions approved by the Board.
 - vii. Lot splits in a platted subdivision shall be done with consideration of access, building area, and capability of the soil with respect to wells and wastewater disposal.
 - b. Easements
 - i. Public Utility Easements: The subdivider should discuss utility easements required with local utilities. Utility easements shall not be less than fifteen (15) feet in width on each lot where utilities require them and providing easements shall be the responsibility of the subdivider. Irrigation Districts are considered to be public utilities.
 - ii. Drainage Easements: If a subdivision is traversed by a watercourse, drainage way, or channel, then a storm water easement shall conform to the lines of such watercourse and shall be of such width or construction, or both, as may be necessary to provide adequate storm water drainage and for access to and maintenance thereof.

Drainage areas generally should be left in a natural state unless channelization is recommended by the County Engineer.

c. Street Plan

- i. The street pattern shall be in conformity with any municipal major street plans. Location of existing, planned, or platted streets shall be considered in street layout. Centerlines of streets not in alignment shall be offset by a minimum of 135 feet.
- ii. Proposed streets shall be extended to the boundary lines of the land to be subdivided, unless prevented by topography or other physical conditions or unless, in the opinion of the Planning Commission, such extension is not necessary for the connection of the subdivision with the existing thoroughfare layout or is not the most advantageous future development of adjacent tracts.
- iii. In the case of stub-end streets which shall continue with future development, a temporary turnaround easement, being one hundred (100) feet in diameter, will be indicated at the end of the stub-street. A note limiting the life of this easement shall be put on the final plat.
- iv. Proposed streets and rights-of-way should intersect one another at right angles. The intersection of more than two streets is not permitted.
- v. Half streets are not permitted.
- vi. Streets shall have the following minimum right-of-way widths when public:
 1. Major collector streets: 80 feet
 2. Minor collector streets: 60 feet
 3. Local streets: 60 feet
- vii. Cul-de-sacs: Permanent cul-de-sacs may serve no more than twenty (20) lots and must be provided with a right-of-way at the turnaround of fifty-five (55) feet in radius or more and the outside curb or pavement edge radius shall be forty-five (45) feet or more.
- viii. Street Names: Names and numbering shall be subject to approval by the Planning Office. Street names shall not be duplicated and shall not be too closely similar phonetically to any name of an existing street in an adjacent municipality in Platte County. Any street, which is continuation or an approximate or logical continuation of any existing dedicated street, shall bear the same number as the existing street. Street name designation shall be as follows:
 1. Street, Avenue, or Road: Shall be reserved for principle or minor arterial streets, in conformance with the major street plan.

2. Street, Circle, Lane, Way, or Drive: Shall be reserved for collector or local street with continuity.
 3. Court, Place, Square, or Terrace: Shall be reserved for streets with no continuity, such as cul-de-sacs.
- C. Improvement Standards: In order to provide for the orderly construction of public improvements as areas are built and developed and to promote the public health, safety, and welfare and to ensure a serviceable and healthy living environment, the subdivider shall provide the following:
- a. Water and wastewater systems: The subdivider shall install water and wastewater systems with connections to all lots being platted smaller than one acre. If either a water system or wastewater system is proposed the lot size shall be determined by the physical capability of the soils to contain the development.
 - b. Underground Utilities: All utility services may be placed overhead or underground, at the discretion of the developer. Transformers, switching boxes, terminal boxes, meter boxes, pedestals, and other facilities appurtenant to underground facilities may be placed above ground.
 - c. Street name signs: The subdivider shall install street name signs in accordance with county specifications.
 - d. Erosion Control Measures: The subdivider shall grade, develop and/or install improvements based on a rational plan for preventing erosion and undue sedimentation, and return topsoil to graded areas.
 - e. Minimum Street Improvement:
 - i. For all subdivisions, the subdivider shall install gravel roadways in compliance with the Wyoming Highway Department minimum specifications, and necessary drainage facilities in compliance with the approved drainage report.
 - ii. Dedication: The subdivider shall dedicate the entire right-of-way for public streets to Platte County.
 - f. Acceptance of Improvements: Upon completion of all improvements within the subdivision, or portion thereof, as mutually agreed upon the subdivider and the Engineer, the subdivider may request acceptance of public improvements for maintenance by the County.
 - g. The Board will consider each request individually and base the decision to maintain the improvements on the County's financial ability, the need (demand), and location.
 - h. Improvement Guarantee
 - i. Submission of Estimate: The subdivider shall submit an "Estimate of Guarantee Funds" with the final plat if any public improvements are necessary. This form is available at the Planning Office. An administrative cost of 5% of estimated costs shall be added to the

letter of credit to cover inspection, mileage, contingencies, administration costs, unknowns, etc., by the Engineer.

1. After the "Estimate of Guarantee Funds" has been checked and approved by the County Engineer, the subdivider shall submit in favor of Platte County a Corporate Completion Bond, or an irrevocable Letter of Credit, or a Cashier's Check or an Escrow Account, or other collateral acceptable to the Board to secure to the County the actual construction of the improvements within a period of eighteen (18) months of the approval of the plat, a revised cost estimate must be submitted for approval in order to have the approved final plat recorded. If the collateral has not been submitted within six (6) months of the approval of the plat, a revised cost estimate must be submitted for approval in order to adjust to price and materials changes.
 2. Recall of funds, if necessary, will be at the discretion of the Board and by written request. Recalled funds may be credited to a special account and an accurate accounting of the cost incurred in the completion of defaulted work will be maintained.
 3. As an alternative to the preceding method of handling defaulted work, the County Engineer may elect to make contractual agreements wherein defaulted work will be completed under his supervision by contracts with payment to contractor direct from guarantee funds by order. Administrative expenses of up to 5% of contract amounts will be paid to the County upon order. Any residue of guarantee funds will be returned to the proper source.
 4. Performance guarantees may be extended beyond the 18-month period with the following conditions:
 - a. That the request for extension is made by the grantor at least thirty (30) days prior to the terminating date of the active guarantee;
 - b. That a schedule of completion be approved by the County Engineer (priority for construction of arterial streets shall be a policy in evaluating a satisfactory schedule);
 - c. And that the request be approved by the Board.
- ii. Partial Release: Upon a satisfactory completion of a phase of work or a portion thereof, the subdivider may make a request in writing for a partial release of funds. Amounts, so released, will be calculated on the same basis as used in the original estimate of funds. Any costs

billed to the County by the County Engineer for his inspection and mileage shall be withheld by the County, up to a maximum of 5% of the guarantee funds.

- iii. Upon the completion of all improvements to the satisfaction of the County Engineer (as determined by final inspection and corrections of listed deficiencies) a release of the funds may be made by the Board on recommendation of the County Engineer, except for those funds withdrawn for inspection and mileage.
- iv. Real Estate Disclosure Laws
 1. Wastewater Disposal: If no public sewage disposal system is proposed by the subdivider, the words "NO PROPOSED PUBLIC SEWAGE DISPOSAL SYSTEM", in bold capital letters shall appear on all offers, solicitations, advertisements, contracts, agreements, and plats relating to the subdivision.
 2. Water Supply: If no domestic water is proposed by the subdivider, the legend "NO PROPOSED WATER SOURCE" shall appear on all offers, solicitations, advertisements, contracts, agreements, and plats relating to the subdivision.
 3. Road Maintenance: If no public maintenance of streets, alleys, or roadways is contemplated by the subdivider, the legend "NO PUBLIC MAINTENANCE OF STREETS OR ROADS" shall appear on the plat of the subdivision, on the advertisements for the subdivision and on the contracts or agreements for the sale or purchase of lots within the subdivision showing the streets, alleys and roadways.
 4. Only normal rural fire protection and ambulance service can be expected.
 5. All owners of lots in this subdivision shall abide by the policies of the Wheatland Irrigation District as adopted by the Platte County Planning Commission relating to assessment and administration of water to said subdivision.
 6. High winds may cause blowing of farm residue on to the subdivision.

Other disclosure statements may be required on the final plat as deemed necessary by the Board, upon recommendations of the Planning Commission and hearing of the proposed subdivision. These statements shall also appear on all offers, solicitations, advertisements, contracts, and agreements relating to the subdivision.

SKETCH PLAN REQUIREMENTS

- A. An U.S.G.S. topographic map at 1:24,000 scale showing the general location of the subdivision, the property boundaries of the subdivision, topographic contours, and the North arrow.
- B. A map or survey showing the lot layout and indicating the approximate dimensions and acreage of lots. This map shall be prepared using a tax map or previous survey as a base.
- C. A description of the type of domestic water system proposed and information pertinent to the proposed water system (such as water rights and available data on quality of water).
- D. Any known information concerning flooding, landslides, steep slopes, rock falls, high water table, polluted or non-potable water supply, high voltage lines, high pressure gas lines, danger from fire or explosion or other hazardous features on the property.
- E. A copy of the review and recommendations from the local conservation district regarding soil suitability, erosion control, sedimentation, and flooding problems. The applicant is responsible for requesting this report. The local conservation district may require up to 60 days to prepare the report.
- F. Proof of ownership.
- G. Any requests for variances from the standards of these Regulations.

DISCLOSURE STATEMENT

The applicant shall submit a full disclosure statement for review and approval by the Planning Commission and Board of County Commissioners prior to approval of a final plat. Copies of the approved disclosure statement shall be recorded with the plat in the office of the County Clerk and will be available on request to the public. The subdivider must give a copy of the disclosure statement to each purchaser of a lot in the subdivision prior to the close of the sale on that lot.

Disclosure statements shall clearly and concisely present all the facts related to the following as applicable:

- A. Identification of entities responsible for road construction and maintenance including snow removal.
- B. Description of the domestic water supply including identification of entities responsible for maintenance of any water supply system(s); Statement that wells are required to be registered with the State Engineer.
- C. Description of sewage disposal methods and permits required; Identification of entities responsible for maintenance of the sewage disposal system(s).
- D. Statement concerning the existence of subdivision covenants including where copies of the covenants may be obtained; Statement that Platte County does not enforce private subdivision covenants.
- E. Information on the homeowner's association, if applicable; This shall include identification of all of the association's maintenance responsibilities and how the association is funded.

- F. Garbage disposal availability.
- G. Fire protection availability.
- H. Statement if any of the land is subject to flooding.
- I. Identification of any codes or covenants relating to construction in the subdivision.
- J. Postal service availability and mail delivery points.
- K. Statement of status of any water rights in the subdivision; Statement that subdivision purchasers are not allowed to use water out of any ditch or stream without a water right.
- L. Statement concerning the plans for disposal of irrigation wastewater.
- M. Identification of service providers for cable TV, telephone, gas and electricity with addresses and phone numbers; Statement indicating which of these services have been extended to the lots in the subdivision.

12.10 – General Requirements for all Subdivisions

Any land to be subdivided in the unincorporated area of Platte County is required to complete the process according to these regulations. This chapter applies to all types of subdivisions except as noted within these regulations. No construction of buildings or disturbance of land is allowed on subdivisions or land prior to its being recorded. If subdivisions are within one mile of the boundaries of an incorporated town or city, the plat may not be recorded or deemed reviewed without the review of the Council of that town or city.

12.10.010 – General Requirements

- A. All proposed subdivisions must be accompanied by the appropriate application or exemption form and preliminary plat or record of survey. Submission of an application or exemption form to the Planning Office does not constitute approval of the subdivision.
- B. It is highly recommended that the applicant contact the Platte County Planning Office to discuss the intent to subdivide land in unincorporated Platte County prior to submittal of an application.
- C. Filing any type of application under these regulations constitutes permission for the Planning Office staff to conduct on-site inspections. In cases where inclement weather or road conditions make inspections unsafe, the consideration of the application may be postponed until the inspection is possible.
- D. Upon review of a completed application or exemption form with preliminary plat or record of survey, the Planning Office will determine if additional permits or documentation are required. Examples of conditions that may warrant additional documentation include, but are not limited to:
 - a. Access issues
 - b. Floodplain
 - c. Wetlands

- d. Wilderness areas
- e. Conditions regulated by State or Federal departments
- f. Slopes
- g. Wildfire
- h. Matters of historical, archeological, or geologic significance

12.10.020 Documentation Requirements

In addition to the plat requirements, the following documentation is required:

- A. A Title report issued by a title agency dated within a year of the time of submittal of the subdivision application is required in accordance with § 18-5-306(a)(iii).
 - a. If the title report is over one year old, an updated title report is required. If no changes have occurred, a signed Affidavit of No Change may be acceptable.
- B. If there is an existing mortgage on the property, an affidavit from the mortgage holder stating they do not object to the subdivision.
- C. If applicable, approval from the Wheatland Irrigation District (WID) on a form adopted by WID regarding attached water rights.

12.10.030 Lands Unsuitable for Subdivision

Land unsuitable for subdivision shall mean land that, if subdivided, would be detrimental to the health, safety, or general welfare of existing or future residents because of potential hazards.

- A. No land shall be subdivided which is deemed unsuitable for the proposed use for reasons which may include:
 - a. Danger from fire or explosion or other hazardous features
 - b. Inadequate water supply or sewer disposal capabilities
 - c. Severe erosion potential, landslides, rockfalls
 - d. Soil and rock formations with severe limitations for development
 - e. Flooding or high-water table
 - f. Inadequate drainage
 - g. Polluted or non-potable water supply
 - h. Incompatible surrounding land use
 - i. Unfavorable topography
 - j. Proximity to high voltage lines and/or high-pressure pipelines
 - k. Any other conditions likely to be harmful to the health, safety or welfare of the future residents of the proposed subdivision or surrounding areas.
- B. The Planning Office, County Engineer, and Planning and Zoning Commission shall determine the issue of suitability or unsuitability as part of the review process. The applicant shall be afforded the opportunity to present evidence regarding the issue of suitability or unsuitability at the public hearings. Following the hearings, the Planning Office shall issue an overview of the decision, which shall set forth the facts upon which the conclusion of unsuitability, conditional approval or denial is based.

12.10.040 Adequate Access

- A. The applicant shall provide recorded proof that permanent adequate access has been provided to each subdivision lot proposed, including un-platted parcels and parcels which may be exempted from these regulations but are affected by the creation of the proposed lots.
 - a. Proof of recorded access shall be noted on the plat.
- B. Public roads that abut the property shall be identified on the plat.
- C. The subdivider shall provide a minimum access roadway right-of-way of sixty (60) feet to the subdivision for all public ways.
- D. Where a road maintained by the County will provide the intended point of access to the subdivision, an Encroachment License must be secured from the Road and Bridge Department. If the access is existing, proof of approval is required.
- E. Where access is planned along a state-maintained highway, an access permit must be obtained from the Wyoming Department of Transportation. If the access is existing, proof of approval is required.
- F. At least two (2) means of access shall be provided to the subdivision so that all lots within the subdivision are insured adequate ingress and egress in the event of fire, flooding, slides, or other emergency conditions. The county may, at its discretion, waive this requirement or require that more than two (2) points of access be provided to satisfy the purpose of this section. Evidence shall be provided that legal access between public roads and the two or more points of access (on the subdivision boundaries) are provided for potential buyers.

12.10.050 Design Standards for Lots

All subdivision should result in the creation of lots which are developable, and which have adequate building sites.

- A. Widths and depths of lots shall be designed for the type of land use contemplated for the development.
- B. Corner lots should be wide enough to permit building sites which could have orientation from either street.
- C. Each lot shall have access to a public dedicated street in the continuous integrated network of county, city, state, and federal roadways. A statement dissolving right of access from individual lots to arterial streets may be required on the final plat.
- D. Each lot should have an adequate building area with consideration of poor soils, high water tables, flooding possibilities, or other limiting hazards to building sites, access, or sanitary sewage facilities. Adequate area for fire protection vehicles to turn around on the developed lot should be considered.
- E. Lots shall be numbered beginning at Lot #1 and numbered consecutively upward for each filing. Lots in re-plats generally shall be alphabetically identified to avoid numerical confusion. Block numbers are discouraged in order to prevent confusion.
- F. Reserve Strips controlling access to streets shall be prohibited except where their control is given to the county under conditions approved by the Board.
- G. Lot splits in a platted subdivision shall be done with consideration of access, building area, and capability of the soil with respect to wells and wastewater disposal.

12.10.060 Road Design Standards

The road pattern in the proposed subdivision shall be in general conformity with a plan for the most advantageous development of adjoining areas. Where appropriate the road pattern shall be in conformity with any municipal major road plans. Excessively long residential roads conducive to high-speed traffic shall be discouraged. The creation of private roads is recommended.

- A. Proposed roads shall be extended to the boundary lines of the land to be subdivided unless prevented by topography or other physical conditions, or unless, in the opinion of the Planning Commission, such extension is not necessary for connection of the subdivision with the existing layout or the probable future layout of adjacent tracts.
- B. In the case of stub-end roads which shall continue with future development, a temporary turnaround easement, being one hundred (100) feet in diameter, will be indicated at the end of the stub-road. Design of stub-end roads shall include areas for storage of plowed snow.
- C. Proposed roads shall intersect one another as nearly at right angles as topography permits. The intersection of more than two roads is not permitted.
- D. Half streets are not permitted.
- E. Alleys will normally be permitted in residential subdivisions and may be required in commercial areas.
- F. All property boundary lines shall extend to the middle of the road right-of-way.
- G. All roads shall be dedicated to public use.
- H. All roads shall be utility easements.
- I. Where subdivisions are located adjacent to existing or proposed arterial or collector roads and streets, the subdivision street pattern shall conform to highway plans.
- J. Intersection of proposed roads in the subdivision with such highways shall be held to a minimum.
- K. Lots bordering such highways shall be either reverse-facing (on an internal road within the subdivision) or be served by a frontage road designed to collect traffic from within the subdivision and provide access to a designed intersection with the arterial or collector roads and streets.
- L. Roads shall have the following minimum right-of-way widths:
 - a. Major collector roads: 80 feet
 - b. Minor collector roads: 60 feet
 - c. Local roads: 60 feet
 - i. Right-of-way widths shall be increased as necessary to include all cut and fill slopes necessary for road construction and maintenance. In calculating this width, all slopes will be calculated at the rate of three (3) feet horizontal to one (1) foot vertical, except in those cases where adequate engineering reports are submitted by the subdivider to insure the Board that the back slopes will be stable at steeper slopes.
- M. Cul-de-sacs: Permanent cul-de-sacs may serve no more than twenty (20) lots and must be provided with a right-of-way at the turnaround of eighty (80) feet in radius

or more and the outside curb or pavement edge radius shall be seventy (70) feet or more. The overall length of a cul-de-sac measured from the centerline of an intersecting street to the radius point of the turnaround should not exceed six hundred (600) feet. Cul-de-sacs will only be allowed in those cases where the subdivision can adequately ensure that the road will be passable year around.

- N. Road Names and numbering shall be subject to approval by the Planning Office. Road names shall not duplicate an existing road name unless the said road is an extension of the existing road. Road names shall not be too closely similar phonetically to any name of an existing road in an adjacent municipality in Platte County. The developer shall be required to furnish and install road signs and all traffic control devices shall be designed to complement surrounding landscapes and architecture. Road name designation shall be as follows:
- a. Street, Avenue, or Road: Shall be reserved for principle or minor arterial streets, in conformance with the major street plan.
 - b. Street, Circle, Lane, Way, or Drive: Shall be reserved for collector or local street with continuity.
 - c. Court, Place, Square, or Terrace: Shall be reserved for streets with no continuity, such as cul-de-sacs.
- O. The subdivider shall be required to obtain all permits and necessary forms and perform all work required by the Public Service Commission and the railroad company whose tracks will be crossed in the event any portion of his subdivision involves a railway crossing. The subdivider will supply the Commission with a copy of all agreements that the subdivider and the railroad company enter.
- P. When a proposed subdivision is in an area serviced by an existing county road, the Planning Office, Road and Bridge Staff, and Planning Commission shall review the adequacy of the road to serve the proposed development. If they determine that the traffic generated by the subdivision will result in safety hazards for vehicle drivers, pedestrians, and/or adjacent residents, or result in substantially increased maintenance costs to the county.
- a. The Board will then determine the amount of work necessary to bring the road to acceptable standards to provide adequate safe service to present owners, to the proposed subdivision and to other probable subdivisions. The subdividers and the Board shall then develop and agree upon a cost-sharing program to bring the road up to an acceptable safe condition which agreement shall be made part of the subdivision agreement.
- Q. As a minimum, culverts shall be designed for a 10-year flood (flow of 10-year recurrence interval) without a head at the entrance. They should also be designed to carry a 50-year flood without exceeding the allowable headwater. The allowable headwater is the maximum water elevation for which the resulting flood damages are considered to be acceptable. Major culverts (end area greater than 35 square feet) and minor bridges (spans on the order of 30 feet or less) should be designed for a 20-year flood and checked for a 50-year flood. All other bridges should be designed to pass a 50-year flood and checked for a 100-year flood.

- R. The subdivider shall note on the plat and post at all entrances to the subdivision a sign which states "NOTICE: ROADS WITHIN THIS SUBDIVISION HAVE NOT BEEN ACCEPTED BY PLATTE COUNTY FOR MAINTENANCE". This sign shall remain in place until such time that acceptance may be made by the county.

12.10.070 Water Supply and Water Rights

The subdivider shall install water to all lots being platted smaller than four (4) acres. If a water system is proposed the lot size shall be determined by the physical capability of the soils to contain the development.

- A. Where utilization or connection to an existing private or public water system is proposed, the applicant shall provide documentation that application to such entity has been made and the entity can and will provide service.
- B. Wyoming Statute 18-5-306(a)(xi) provides for the disposition of water rights appurtenant to the lands involved in a proposed subdivision development prior to its approval by county officials.
 - a. If there are no water rights found on the lands to be subdivided, the applicant shall obtain a statement from the State Engineer's Office confirming this fact.

12.10.080 Wastewater Management

- A. Where utilization or connection to an existing private or public sewage system is proposed, that applicant shall provide documentation that application to such entity has been made and the entity can and will provide service.
- B. If the applicant proposes to utilize adjoining property for sewer or sewer lines, the applicant shall provide copies of binding easements of not less than twenty (20) feet in width for the proposed facilities from each property owner over whose land such services shall extend, except that the Board may accept copies of binding easements of a width less than twenty (20) feet if the subdivider demonstrates to the Board's satisfaction that the easement is adequate to protect the health and safety of the public and provides adequate access for the maintenance of the facilities.

12.10.090 Improvement Guarantee

In order to provide for the orderly construction of public improvements as areas are built and developed and to promote the public health, safety, and welfare and to ensure a serviceable and healthy living environment, the subdivider shall provide the following:

- A. Submission of Estimate: The subdivider shall submit an "Estimate of Guarantee Funds" with the final plat if any public improvements are necessary. This form is available at the Planning Office. An administrative cost of 5% of estimated costs shall be added to the letter of credit to cover inspection, mileage, contingencies, administration costs, unknowns, etc., by the Engineer.
 - a. After the "Estimate of Guarantee Funds" has been checked and approved by the County Engineer, the subdivider shall submit in favor of Platte County a Corporate Completion Bond, or an irrevocable Letter of Credit, or a Cashier's

Check or an Escrow Account, or other collateral acceptable to the Board to secure to the County the actual construction of the improvements within a period of eighteen (18) months of the approval of the plat, a revised cost estimate must be submitted for approval in order to have the approved final plat recorded. If the collateral has not been submitted within six (6) months of the approval of the plat, a revised cost estimate must be submitted for approval in order to adjust to price and materials changes.

- b. Recall of funds, if necessary, will be at the discretion of the Board and by written request. Recalled funds may be credited to a special account and an accurate accounting of the cost incurred in the completion of defaulted work will be maintained.
- c. As an alternative to the preceding method of handling defaulted work, the County Engineer may elect to make contractual agreements wherein defaulted work will be completed under his supervision by contracts with payment to contractor direct from guarantee funds by order. Administrative expenses of up to 5% of contract amounts will be paid to the County upon order. Any residue of guarantee funds will be returned to the proper source.
- d. Performance guarantees may be extended beyond the 18- month period with the following conditions:
 - i. That the request for extension is made by the grantor at least thirty (30) days prior to the terminating date of the active guarantee;
 - ii. That a schedule of completion be approved by the County Engineer (priority for construction of arterial streets shall be a policy in evaluating a satisfactory schedule);
 - iii. And that the request be approved by the Board
- e. Partial Release: Upon a satisfactory completion of a phase of work or a portion thereof, the subdivider may make a request in writing for a partial release of funds. Amounts, so released, will be calculated on the same basis as used in the original estimate of funds. Any costs billed to the County by the County Engineer for his inspection and mileage shall be withheld by the County, up to a maximum of 5% of the guarantee funds.
- f. Upon the completion of all improvements to the satisfaction of the County Engineer (as determined by final inspection and corrections of listed deficiencies) a release of the funds may be made by the Board on recommendation of the County Engineer, except for those funds withdrawn for inspection and mileage.

12.10.100 Easements

Easements shall be provided for all utilities, drainage ways, channels or streams which traverse across or serve the subdivision.

A. Utility Easements

- a. Acceptable easement shall be provided following utility design requirements. In no case shall easements along rear lot lines or side lot lines be less than

7.5 feet. In addition, a 15-foot wide easement following the exterior boundary line of the subdivision shall be shown.

B. Irrigation Ditch

- a. Irrigation ditch easements shall be provided for all irrigation ditches crossing the proposed subdivision, unless the subdivider can prove conclusively that they have been legally abandoned. Irrigation ditch easements shall be of a width equal to the average ditch width plus twenty (20) feet or as otherwise recommended by the ditch owner and as approved by the Board.

C. Underground Utilities

- a. Where a subdivider proposes underground utilities, it shall be the applicant(s) responsibility to coordinate design of the systems with the appropriate utility company during the preliminary design stage. No reference to provision of underground utilities shall be made on either the Final Plat or any covenants unless the subdivider has submitted to the Commission an agreement between the subdivider and the utility company for the installation of underground wiring. The county shall not be a party to said agreement.

12.10.110 Real Estate Disclosure

Other disclosure statements may be required on the final plat as deemed necessary by the Board, upon recommendations of the Planning Commission and hearing of the proposed subdivision. These statements shall also appear on all offers, solicitations, advertisements, contracts, and agreements relating to the subdivision.

- A. Wastewater Disposal: If no public sewage disposal system is proposed by the subdivider, the words "NO PROPOSED PUBLIC SEWAGE DISPOSAL SYSTEM", in bold capital letters shall appear on all offers, solicitations, advertisements, contracts, agreements, and plats relating to the subdivision.
- B. Water Supply: If no domestic water is proposed by the subdivider, the legend "NO PROPOSED WATER SOURCE" shall appear on all offers, solicitations, advertisements, contracts, agreements, and plats relating to the subdivision.
- C. Road Maintenance: If no public maintenance of streets, alleys, or roadways is contemplated by the subdivider, the legend "NO PUBLIC MAINTENANCE OF STREETS OR ROADS" shall appear on the plat of the subdivision, on the advertisements for the subdivision and on the contracts or agreements for the sale or purchase of lots within the subdivision showing the streets, alleys and roadways.
- D. Only normal rural fire protection and ambulance service can be expected.
- E. All owners of lots in this subdivision shall abide by the policies of the Wheatland Irrigation District as adopted by the Platte County Planning Commission relating to assessment and administration of water to said subdivision.
- F. High winds may cause blowing of farm residue on to the subdivision.