

**PARK COUNTY PLANNING & ZONING DEPARTMENT**

Staff Report – Planning & Zoning Commission

Mendoza Subdivision – Public Hearing

Sketch Plan Review

**Staff:** Jenny Cramer  
**Applicant:** Lorenzo Mendoza  
**Tax ID#:** 01559908410005

**Hearing Date:** April 10, 2024  
**Zoning:** GR-P  
**Planning Area:** Powell

**Application:** On March 8, 2024, Lorenzo Mendoza (applicant), on behalf of the Sullivan Land, LLC (landowner) submitted a Major Subdivision Permit Application (**attached**), including payment, description of the proposed use, sketch plan, title report and copy of notice of intent to subdivide. An updated sketch plan was submitted on March 26, 2024 (see Figure 1).

**Requested Action:** The applicant requests approval to create a two-lot subdivision consisting of one 2.55-acre lot and one 1.58-acre lot, each for residential use.

**Applicable Regulations (portions referenced herein):** *Park County Wyoming, 2015 Development Standards and Regulations* adopted September 15, 2015.

**Classification of Subdivision:** A major subdivision is the division of a tract of record into six (6) or more lots, each smaller than 35 acres. Major subdivisions lots shall be configured to create a contiguous area. A major subdivision also includes any subdivision that does not qualify as a simple or minor subdivision. Major subdivisions must comply with the Major Subdivision Review Process.

Note: The subdivision parcel was part of a larger tract of record that was subdivided into a five-lot minor subdivision (Sullivan MS-14, recorded in Plat Cabinet M, Page 2) in 2012. As a result, the proposed two-lot subdivision will create a total of seven lots divided from the tract of record and is, therefore, classified as a major subdivision by Park County regulations.

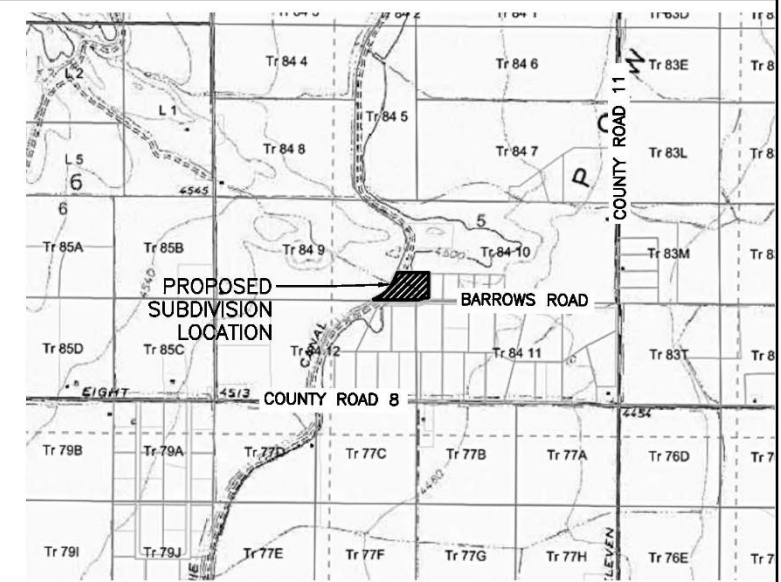
**Zoning District and Purpose:** **The proposed subdivision is located within a General Rural Powell (GR-P) zoning district.** The GR-P district allows low and moderate-intensity land uses. Lots with on-site septic systems shall have a one-acre minimum lot size. Otherwise, no other minimum lot sizes are specified. Subdivision densities will be set in the subdivision review process based on consideration of site and area characteristics and the land use guidelines of the Land Use Plan. A variety of uses are permitted in this district in recognition of the varied land uses typical of rural areas. This district is also intended to promote the retention of open space, agricultural land, wildlife habitat, riparian habitat and scenic areas and prevent development on unstable geologic features. **The lot sizes as proposed are consistent with the GR-P zoning district.**

**NOTES**

1. TOTAL ACREAGE OF THE PROPOSED SUBDIVISION IS 4.13 ACRES. (AREAS ARE BASED ON GROSS SQUARE FOOTAGE)
2. PLANNED USE – SINGLE FAMILY RESIDENCES.
3. ANTICIPATED IMPROVEMENTS – 2 TOTAL NEW RESIDENTIAL LOT.
4. PARK COUNTY ZONING OF PROPERTY IS GR-P.
5. USES OF THE UNPLATTED LANDS AROUND PARCEL ARE AGRICULTURAL, RESIDENTIAL VACANT, & RESIDENTIAL.
6. PROPOSED ON-SITE SEPTIC SYSTEM. NO OTHER PROPOSED CENTRALIZED SEWAGE SYSTEM. ENGINEERED SMALL WASTE SYSTEMS WILL MOST LIKELY BE REQUIRED AS MANY NEIGHBORING PROPERTIES HAVE REQUIRED THEM.
7. NORTHWEST RURAL WATER DISTRICT HAS SERVICE TO LOT 2 OF THE PROPOSED SUBDIVISION, DOMESTIC WELL PROPOSED TO SERVE LOT 1.
8. NO NEW ROADS PROPOSED.
9. ACCESS TO BOTH LOTS WILL BE FROM BARROWS ROAD.
10. NO KNOWN INFORMATION CONCERNING LANDSLIDES, STEEP SLOPES, ROCK FALLS, POLLUTED OR ON-POTABLE WATER SUPPLY, HIGH VOLTAGE LINES, HIGH PRESSURE GAS LINES, DANGER FROM FIRE OR EXPLOSION OR OTHER HAZARDOUS FEATURES ON THE PROPERTY.

**PROPERTY DESCRIPTION**

LANDS DESCRIBED BY DEED DOC. #2022-6484 TOWNSHIP 55 NORTH OF RANGE 99 WEST OF THE 6TH P.M. DESCRIBED AS: 4.13 ACRES IN THE SOUTHWEST CORNER OF TRACT 10, LOT 84 WEST OF SULLIVAN MS-14 T.55N. R.99W. (3.80 AC NET) AS DEPICTED AND DESCRIBED ON THE PLAT RECORDED IN THE PARK COUNTY CLERKS OFFICE UNDER DOCUMENT NO. 2014-5180 AS LABELED AS FAMILY EXEMPTION PARCEL A.



**UTILITIES**

1. GARLAND LIGHT & POWER
2. NORTHWEST RURAL WATER DISTRICT
3. NO IRRIGATION WATER RIGHTS – SHOSHONE IRRIGATION DISTRICT
4. PRIVATE DISPOSAL SERVICE (GARBAGE COLLECTION)
5. TCT (COMMUNICATIONS)
6. MONTANA DAKOTA UTILITIES (NATURAL GAS)
7. CELLULAR PHONE SERVICE

**VICINITY MAP**  
1" = 800'

**LEGEND**

- ⊗ COMPUTED POINT
- ⊙ FOUND 2" ALUMINUM CAP
- ⊙ SET 2" ALUMINUM CAP ON 5/8" x 24" REBAR, UNLESS OTHERWISE NOTED.
- — — — — PROPOSED SIMPLE SUB. BOUNDARY
- TEL TEL EXISTING BURIED FIBER
- OHP — OHP EXISTING OVERHEAD POWER LINE
- X — X EXISTING FENCE
- — — — — EXISTING COUNTY ROAD RIGHT-OF-WAY
- — — — — EXISTING GRAVEL DRIVEWAY
- IRR — IRR EXISTING IRRIGATION DITCH
- — — — — PROPOSED LOT LINES
- — — — — PROPOSED ACCESS & UTILITY EASEMENT
- S.56°43'09"W., 365.25' MEASURED DIMENSIONS, THIS SURVEY
- SURFACE FLOW DIRECTION

**SKETCH PLAN FOR MENDOZA SUBDIVISION**

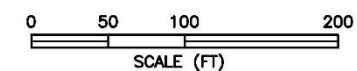
LOCATED WITHIN

**4.13 ACRE FAMILY EXEMPTION A TRACT 10, LOT 84 RESURVEY T.55N., R.99W., 6TH P.M., PARK COUNTY, WYOMING**

PREPARED BY: ENGINEERING ASSOCIATES CONSULTING ENGINEERS & SURVEYORS 902 13TH STREET CODY, WYOMING 82414



JOB NO. 24000.15 03/26/2024



P:\2024\Cody 24000.00-24199.00\Misc Surveys\24000.15 Mendoza Sub - Barrows Rd\ACAD\24000.15 Mendoza Sub.dwg  
ATTENTION: THIS PLAN SHOWS THE ABOVE CERTIFIED PROFESSIONAL ENGINEER & LAND SURVEYOR OR AS OTHERWISE ALLOWED BY LAW MAY AFFECT LIABILITY FOR THE ACCURACY OF THIS PLAN.

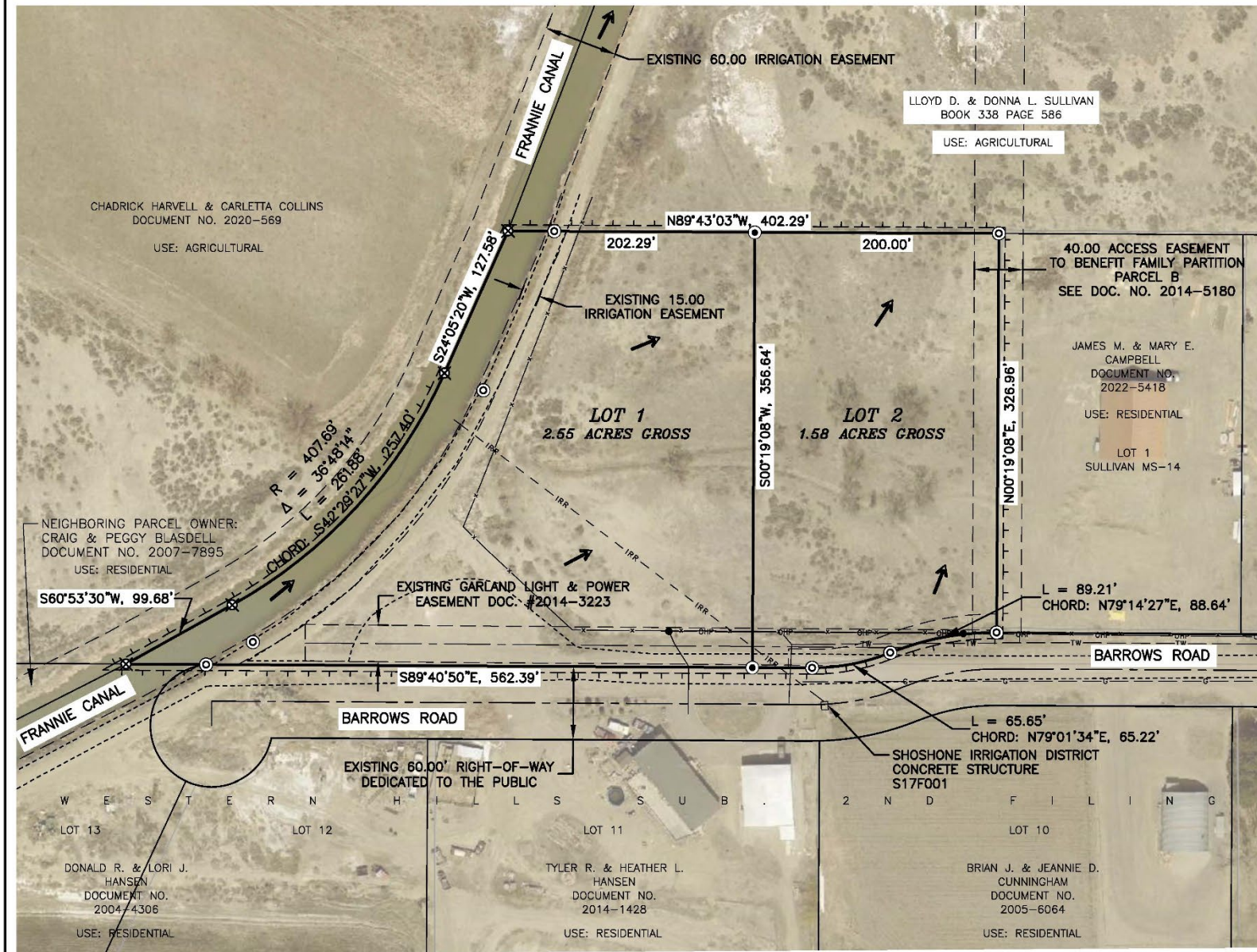


Figure 1: Sketch Plan Mendoza Subdivision

48 **Ownership:** Ownership is affirmed to Sullivan Land, LLC, from L. Brian & Kristie R.  
49 Sullivan, husband and wife, by Quitclaim Deed dated December 9, 2022.

50  
51 **Legal Description:** 4.13 Acres in the southwest corner of Tract 10, Lot 84, west of Sullivan  
52 MS-14, Township 55 North, Range 99 West as depicted and described on the record of  
53 survey recorded at Plat Cabinet M-64, according to the records of the Clerk and Recorder  
54 of Park County, State of Wyoming.

55  
56 **Location:** As shown in Figure 2, the proposed subdivision is located approximately 1 ½  
57 miles northwest of Powell, north of Barrows Road, west of Road 11. The property is  
58 currently unaddressed.

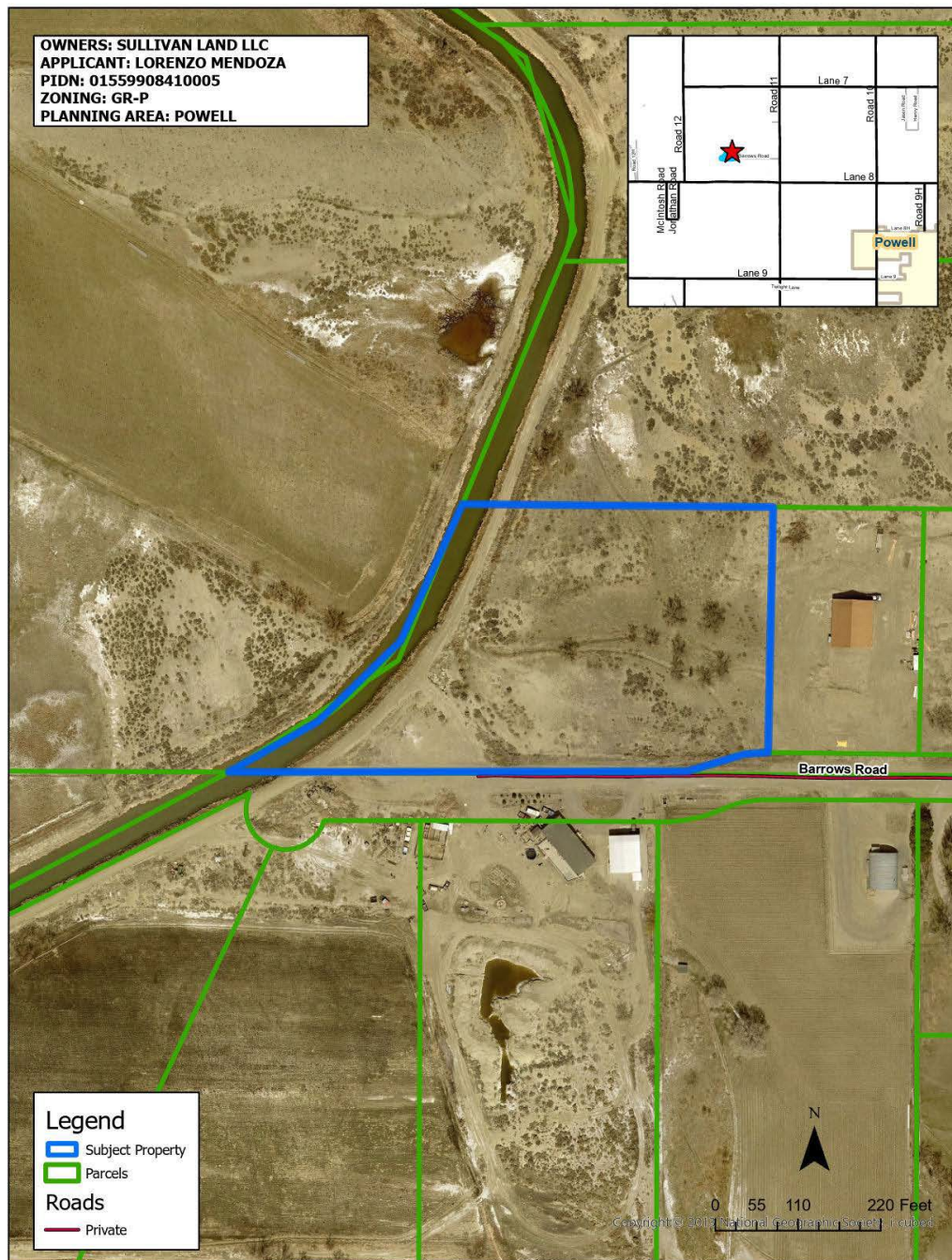
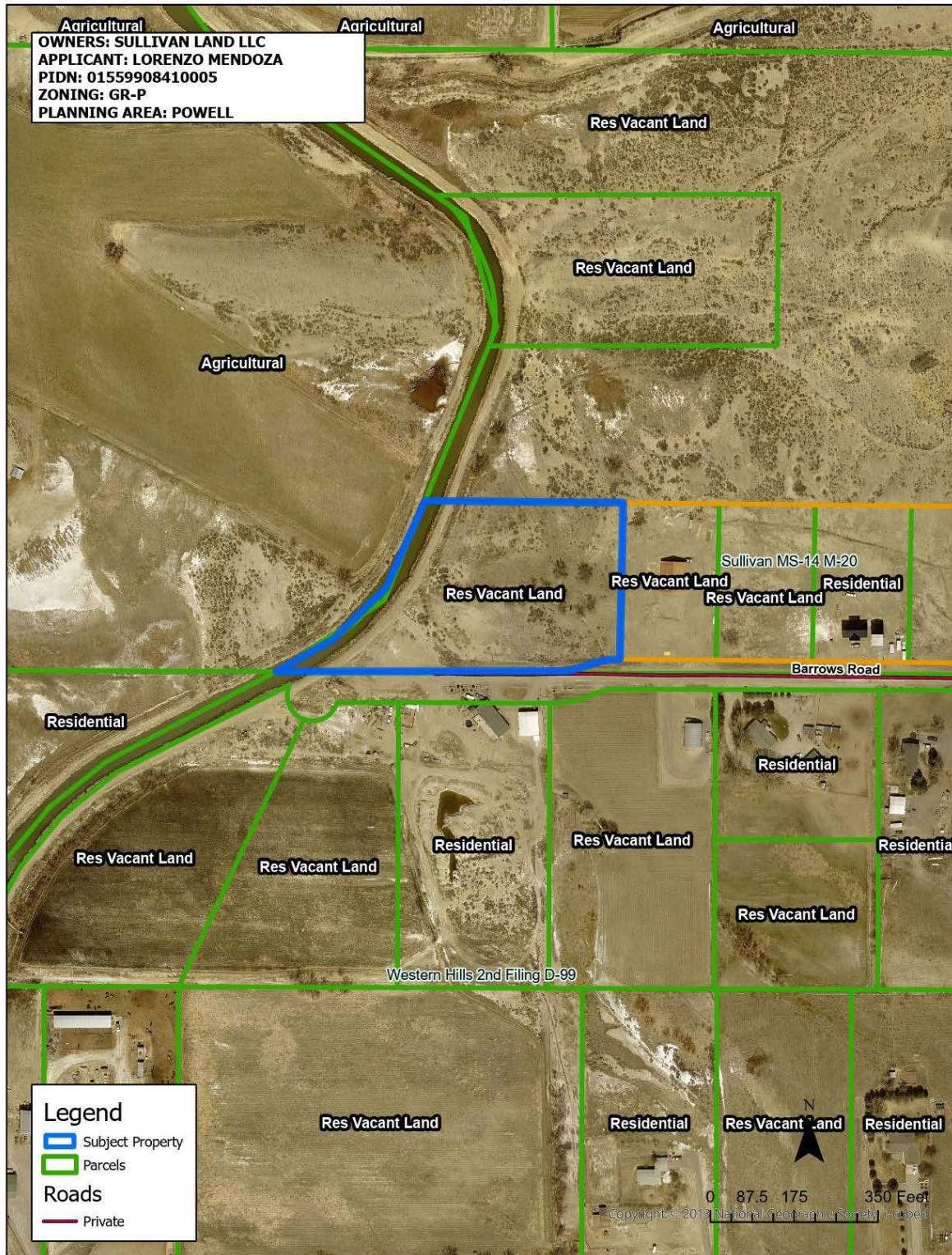


Figure 2: Mendoza Major Subdivision location

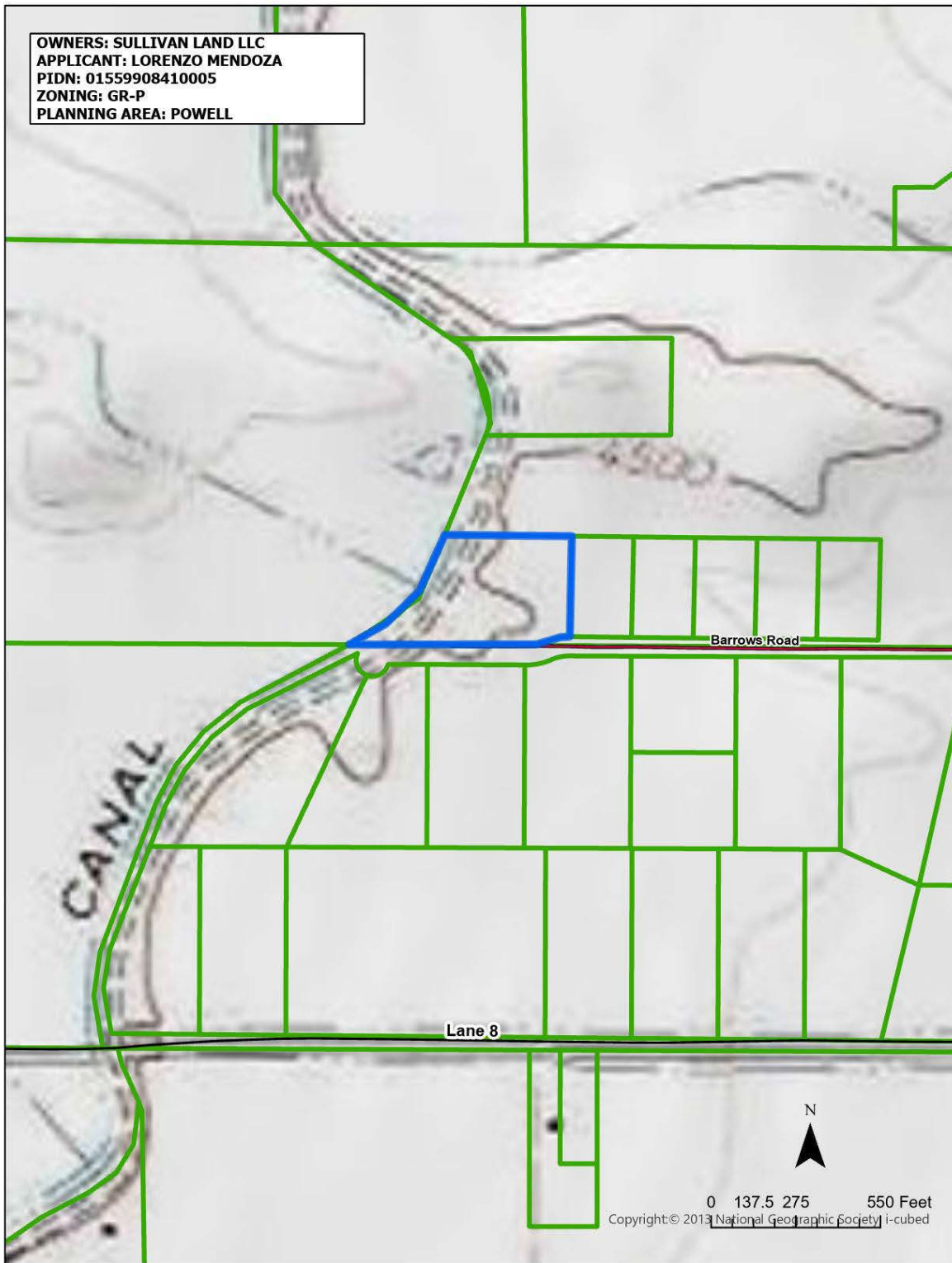
61 **Neighboring Land Use:** As shown in Figure 3, surrounding land uses are residential,  
62 residential vacant and agricultural. The Frannie Canal and agricultural lands border the  
63 west line of the property. Residential vacant and residential lands are north, east, south  
64 and southwest of the property. The Sullivan MS-14 is on the east boundary of the proposed  
65 subdivision. The Western Hills Subdivision (second filing) is south of the property.



66  
67

Figure 3: Neighboring Land Uses

68 **Site Characteristics:** The property is currently residential vacant, un-irrigated land. The  
69 topography is rolling with the Frannie Canal bounding the west side of the property. (see  
70 Figure 4).  
71



72  
73  
74  
75  
76

**Figure 4: Topography**

**Municipal Review:** The property is not within one mile of a municipality; therefore, municipal review is not required.

77 **Notices:** Notice of Intent to Subdivide was published on March 7, 2024 and March 14,  
78 2024 in the *Powell Tribune* as required in Ch. III Sec. 3. The Planning Department  
79 published a Notice of Public Hearing as required in Appendix 1 including the following  
80 information: applicant name; proposed project description and location; legal description;  
81 public hearing date, time and place; and how additional information can be obtained. The  
82 notice was published in the *Powell Tribune* on March 26, 2024 and April 2, 2024 with one  
83 notice at least 14 days before the hearing. On March 25, 2024, certified notice was mailed  
84 to the owners of all properties within 660 feet of the subject property which were identified  
85 using the property ownership records of the County Assessor. The Staff Report was sent  
86 to applicant/representative and Planning & Zoning Commission prior to the scheduled  
87 public hearing as specified in Ch. III, Sec. 4e.  
88

89 **Agency Referrals:** County Regulations Ch. III, Sec. 4a specifies that the Planning Office  
90 forward all subdivision applications to Public Works, Fire District, County Treasurer, Weed  
91 & Pest Control District, Small Wastewater Administrator, Wyoming Game & Fish  
92 Department and any other county official or agency the Planning Director deems  
93 appropriate. The following relevant agencies were notified by the applicant and by Staff on  
94 March 18, 2024.  
95

96 Park County Public Works (PW):

- 97 ➤ In an email dated February 9, 2024, PW stated Barrows Road is a road that has  
98 been dedicated to the use of the general public by a previous subdivision plat.  
99 Barrows Road is not a County Road and does not receive maintenance by the  
100 County. PW does not have any concern regarding legal access as the proposed  
101 subdivision fronts Barrows Road which is accessed from County Road 11. PW  
102 recommends the proposed subdivision be required to be part of any existing or  
103 future road maintenance association of Barrows Road. (Attached)  
104 ➤ In an email dated April 2, 2024 (attached), PW stated there are currently 15 (or  
105 17 depending on interpretation) lots that could potentially front or utilize Barrows  
106 Road, and as a result, the road should be improved and paved by Park County  
107 Road & Bridge Standards. The applicant may submit a request to PW for  
108 administrative relief, and if relief is granted it may be appealed to the Board of  
109 County Commissioners.  
110

111 Park County School District #1: In a letter dated February 29, 2024, the District  
112 Transportation Supervisor stated that transportation to and from school will be  
113 provided to the proposed subdivision from the intersection of Road 11 and Barrows.  
114 The stops would be right-hand stops in the morning and afternoon. If the school  
115 board continues to grant approval to travel on Barrows Road, the stops may move  
116 to the addresses of the dwellings, however maintenance of Barrows Road will need  
117 to improve for that to continue. (Attached)  
118

119 TCT: In a letter dated February 29, 2024, TCT stated they may have the availability  
120 and capacity to provide terrestrial wireless internet and VOIP phone service to the  
121 proposed subdivision. Line of sight to one of their towers is required, however, so  
122 service is not guaranteed. (Attached)  
123

124 Northwest Rural Water District (NRWD): In an email dated March 4, 2024, NRWD  
125 stated they have existing service to proposed Lot 2, however, they do not currently  
126 have capacity for an additional service to proposed Lot 1. They hope to have  
127 capacity in the area in the near future. (Attached)

128  
129 Montana-Dakota Utilities Company (MDU): In a letter dated March 8, 2024, MDU  
130 stated they have the capacity to serve the proposed subdivision, from an existing 2”  
131 natural gas main line located in the ROW of Barrows Road. Natural gas service line  
132 installations can be initiated once a structure is erected that will use natural gas.  
133 (Attached)

134  
135 Wyoming Department of Environmental Quality (DEQ): In an email dated March 18,  
136 2024, DEQ summarized the notifications, permits, and certificates required for  
137 various activities that may impact surface or groundwater. (Attached)

138  
139 Park County Treasurer (PCT): In an email dated March 18, 2024, PCT stated the  
140 first half of property taxes for this parcel have been paid, the second half will be due  
141 May 10, 2024. (Attached)

142  
143 Wyoming Game & Fish (G&F): In an email dated March 19, 2024, G&F stated they  
144 have no terrestrial wildlife comments but offered their standard subdivision  
145 recommendations to help mitigate wildlife issues. (Attached)

146  
147 Park County Weed & Pest (PCWP): In a letter dated March 22, 2024, PCWP stated  
148 they completed their initial inspection and found the presence of Russian Olive on  
149 the property. They will require a Long-Term Noxious Weed Management Plan.  
150 (Attached)

151  
152 Garland Light & Power (GLP): In an email dated March 25, 2025, GLP stated a  
153 power line currently runs on the north side of Barrows Road and they have the  
154 capacity to serve both lots. (Attached) In an email dated March 28, 2024, GLP  
155 confirmed that power service is adjacent to both proposed lots. (Attached)

156  
157 Park County Fire District #1: PCFD#1 has not provided comment.

158  
159 United States Postal Service (USPS): USPS has not provided comment.

160  
161 Powell-Clarks Fork Conservation District: The District has not provided a soils report  
162 or comment.

163  
164 Shoshone Irrigation District: SID has not provided comment.

165  
166 **Public Comments:** No public comments have been received.

167  
168 ***CONCLUSION: Based upon the above findings, all notice requirements***  
169 ***have been met.***

170  
171 **Application Submissions for Sketch Plan Review:** As required in Ch. III Sec. 3.

- 172 a. **Pre-application meeting:** Pre-application meetings are required for all  
173 subdivisions unless waived by the Planning Director: **A pre-application**  
174 **meeting occurred on February 12, 2024 with the applicant, his surveyor**  
175 **and Planning and Zoning Department staff present.**  
176 b. **Applications:** Initial application submissions for all subdivisions shall include the  
177 following:

- 178 (1) Fees: **Paid March 8, 2024 (Receipt #240305).**  
179 (2) Application and required submittals, including:  
180 A. Proof that a “Notice of Intent to Subdivide” has been published in a  
181 local newspaper in the legal notice section once each week for two (2)  
182 weeks within 30 days prior to filing the application. The notice shall  
183 include the name of the subdivider, general location of the land to be  
184 subdivided, number and size of lots proposed and intended uses  
185 within the subdivision. **The Notice of Intent was published on March**  
186 **7, 2024 and March 14, 2024.**  
187 B. Title report: **A title report (dated February 21, 2024) was provided.**  
188 C. Identification of entities responsible for road construction and  
189 maintenance including snow removal and drainage facilities: **Barrows**  
190 **Road, a private road dedicated to public use, will serve as access**  
191 **to both proposed lots. An HOA or Road Maintenance Agreement**  
192 **will be required to set out maintenance responsibility, including**  
193 **snow removal and drainage facilities.**  
194 D. Garbage disposal availability: **Solid waste disposal services are**  
195 **available through private providers.**  
196 E. Fire protection availability: **Park County Fire District #1 is available**  
197 **for fire protection on this property.**  
198 F. Postal service and mail delivery points: **USPS can provide postal**  
199 **service and will determine mail delivery points.**  
200 G. School bus stop/pullout locations: **Park County School District #1**  
201 **can provide bus service to the proposed subdivision.**  
202 H. Information on availability of service providers for cable TV, telephone,  
203 gas and electricity with addresses and phone numbers, indicating  
204 which of these services has been extended to the lots in the  
205 subdivision: **Garland Light & Power has confirmed they have the**  
206 **capacity to serve the proposed subdivision, and power service is**  
207 **adjacent to each proposed Lot. MDU has capacity to serve, and**  
208 **is available in the existing ROW along the south boundary of**  
209 **each lot.**  
210 I. Any known information concerning landslides, steep slopes, rock falls,  
211 high water tables, polluted or non-potable water supply, high voltage  
212 lines, high pressure gas lines, danger from fire or explosion or other  
213 hazardous features on the property. **No known landslides, steep**  
214 **slopes, rockfalls, high water tables, danger from fire or explosion**  
215 **or other hazardous features exist on the property. The Frannie**  
216 **Canal is along the west boundary of the proposed subdivision.**  
217 J. Evidence that a soils report has been requested from the Local  
218 Conservation District. **Powell Clarks Fork Conservation District**  
219 **has been contacted and a soils report has been requested.**  
220 K. Evidence the Irrigation District has been contacted: **The Shoshone**  
221 **Irrigation District has been contacted.**  
222 L. Evidence the Weed & Pest District has been contacted: **Park County**  
223 **Weed & Pest has been contacted.**  
224 M. Proof of ownership showing encumbrances of record: **Proof of**  
225 **ownership has been provided together with a title report showing**  
226 **encumbrances of record.**



- 227 (3) Legible and reproducible 11" x 17" Sketch Plan for the proposed  
228 subdivision showing: **A Sketch Plan was provided with the application.**  
229 A. Legal description; **Included.**  
230 B. Boundaries of the area to be subdivided; **Included.**  
231 C. Lot layout indicating the approximate dimensions and acreage of lots,  
232 total acreage of the subdivision, size of recreational, open and/or  
233 dedicated spaces and the current county zoning classification;  
234 **Included.**  
235 D. Existing structures, wells and septic facilities; **None currently exist**  
236 **on the property.**  
237 E. Irrigation facilities including laterals, head gates and waste ditches,  
238 and direction of flow where flood irrigation is proposed; **Included.**  
239 F. Means of access from the lots to the public road system; **Included.**  
240 i. All lots and parcels shall have legally enforceable access.  
241 **Included.**  
242 ii. In the case of direct access to a county or state road, the  
243 applicant shall submit a valid state or county right-of-way  
244 permit or a letter from the governing body indicating favorable  
245 "access review" where the specific point of access has not yet  
246 been determined:  
247 G. Existing uses of adjoining properties. **Included.**  
248

249 ***CONCLUSION: Based upon the above findings, all application***  
250 ***submission requirements for sketch plan review have been met, except***  
251 ***confirmation of availability of fire protection and mail delivery.***  
252

- 253 c. **Wastewater:** Where a minor or major subdivision is within 400 feet of an existing  
254 collector or main sewer line connected to a municipal sewage treatment plant,  
255 or a municipal sewer line is planned within two years from the date of application  
256 and the municipality agrees to serve the development, the development shall  
257 connect to the sewer line. The development must meet all requirements of the  
258 municipality operating the system, and DEQ requirements. **The proposed**  
259 **subdivision is not within 400 feet of a municipal wastewater system.**  
260

261 Applicants proposing on-site wastewater systems for Major Subdivisions must  
262 submit a report to the DEQ evaluating the adequacy and safety of the proposed  
263 wastewater system. The report shall at a minimum comply with W.S. § 18-5-  
264 306(a) (iv) and any requirements of the DEQ. **The applicant was granted a**  
265 **Variance from this requirement with the Board of County Commissioners**  
266 **at a public hearing on April 2, 2024, by Resolution #2024-17. Therefore,**  
267 **wastewater standards for simple and minor subdivisions shall apply:**  
268

- 269 c. **Wastewater Requirement:** Ch. III Sec. 3c (5) On-site wastewater systems for  
270 Simple and Minor Subdivisions: Prior to sketch plan review, the applicant shall  
271 submit the following to the Small Wastewater Administrator:  
272 A. Subsurface Evaluations: **A subsurface evaluation will be required.**  
273 i. At least one percolation test must be performed on a minimum of  
274 half of the proposed lots according to the procedures described in  
275 Chapter 11, Part D, Appendix A of Wyoming Water Quality Rules  
276 and Regulations (Appendix 13). Raw data from those percolation

- 277 tests must be tabulated and submitted with the application; **The**  
278 **applicant will be required to provide percolation test data**  
279 **prior to Preliminary Plat Review with the Planning & Zoning**  
280 **Commission.**
- 281 ii. The depth to groundwater and/or impervious soils or rocks must  
282 be determined on a minimum of half the proposed lots by  
283 excavating trenches to a depth of at least ten (10) feet, or the first  
284 occurrence of saturated soil; **The applicant will be required to**  
285 **provide excavation cut data prior to Preliminary Plat Review**  
286 **with the Planning & Zoning Commission.**
- 287 iii. The applicant must demonstrate that the separation of the base of  
288 the proposed drain fields relative to groundwater, impervious soils  
289 and/or rock types will meet or exceed the minimum standards  
290 established in Chapter 11, Part D, Section 36(c) (as amended) of  
291 Wyoming Water Quality Rules and Regulations (Appendix 13).  
292 **Adequacy of separation distance to groundwater will be**  
293 **based upon evidence from the excavation cuts.**
- 294 B. Diagrams:
- 295 i. A map showing lot configurations and their surface  
296 topographies and the locations of proposed septic systems and  
297 domestic water sources for each lot; **Standard applies.**
- 298 ii. A map showing the locations of percolation tests performed as  
299 a component of the application and their stabilized rates. This  
300 map shall also show the location and depth to seasonal high  
301 groundwater discovered in the trenches excavated for subsurface  
302 evaluation. **Standard applies.**
- 303 C. The above information will be utilized, in part, to determine the type of  
304 wastewater treatment system necessary that may include a  
305 wastewater treatment solution engineered by a Wyoming Registered  
306 Engineer.
- 307 D. Prior to sketch plan review, the Small Wastewater Administrator shall  
308 submit a letter to the Planning Director indicating that septic systems  
309 are feasible on the lots and noting any special conditions that may  
310 apply. **Standard applies.**
- 311 E. The Planning Director may consult with a qualified professional to  
312 determine the potential for adverse effects on groundwater as a result  
313 of the proposed simple or minor subdivision. The Planning Director  
314 may make a determination whether or not the applicant's plan for  
315 septic facilities shall be reviewed by the Department of Environmental  
316 Quality (DEQ) pursuant to W.S. §18-5-306(c). If DEQ review is  
317 required, the applicant shall proceed through major subdivision  
318 review.
- 319 F. Plat language: The words "NO PROPOSED CENTRALIZED  
320 SEWAGE SYSTEM" in bold capital letters shall appear on all offers,  
321 solicitations, advertisements, contracts, agreements and plats  
322 relating to the subdivision. **Standard applies.**

323  
324 ***CONCLUSION: Based upon the above findings, wastewater requirements***  
325 ***for sketch plan have not been met.***  
326

- 327 d. **Domestic Water:** Where a major subdivision is within 400 feet of an existing  
328 water main and the operator agrees to serve the subdivision, the developer shall  
329 install distribution lines contiguous to each lot. **The proposed subdivision is**  
330 **within 400 feet of a Northwest Rural Water District main, however NRWD**  
331 **does not currently have the capacity to provide service to both lots.**

332  
333 Applicants proposing on-site domestic water systems for Major Subdivisions  
334 must submit a report to the DEQ evaluating the adequacy and safety of the  
335 proposed system. The report shall at a minimum comply with W.S. § 18-5-306(a)  
336 and any requirements of the DEQ. **The applicant was granted a Variance from**  
337 **this requirement with the Board of County Commissioners at a public**  
338 **hearing on April 2, 2024, by Resolution #2024-17. Therefore, water**  
339 **standards for simple and minor subdivisions shall apply:**

- 340  
341 d. **Domestic Water Requirement:** Ch. III Sec. 3d (4) On-site wells for Simple and  
342 Minor Subdivisions: Prior to sketch plan review, the following water analysis must  
343 be submitted to the Planning Office:

344 A. Ambient groundwater quality must be established by means of the  
345 analysis of one or more representative water wells in the same  
346 formation as the area of the proposed subdivision, but no more than  
347 1/2 mile away. If existing sample results are not publicly available,  
348 new representative samples must be collected and analyzed. At a  
349 minimum, analytical laboratory results must be provided for the  
350 elements and compounds listed in Chapter 23, Section 7(C)(III) of  
351 Wyoming Water Quality Rules and Regulations. In certain  
352 circumstances, this condition may be waived based on other available  
353 data. **Domestic water to proposed Lot 2 will be provided by**  
354 **NRWD and an individual well is proposed for Lot 1, to be**  
355 **permitted and approved by the Wyoming State Engineer's Office.**  
356 **Water test results from a well within ½ mile will be required.**

357 i. When there are no wells within the ½ mile radius, it must be stated  
358 on the final plat **"NO WATER ANALYSIS WAS CONDUCTED**  
359 **AND THE AVAILABILITY AND QUALITY OF POTABLE WATER**  
360 **IS UNKNOWN. CISTERNS MAY BE REQUIRED". Standard may**  
361 **apply.**

362 B. The estimated total number of gallons per day required for the  
363 subdivision; **Not available.**

364 C. Plans for the mitigation of water right conflicts resulting from the use  
365 of water within the proposed subdivision. **Not applicable at this time.**

366 D. All wells shall meet all requirements of the Wyoming State Engineer.  
367 **If on-site wells are chosen to serve all lots in the subdivision, the**  
368 **landowners must comply with the requirements of the Wyoming**  
369 **State Engineer's Office in establishing new wells and getting the**  
370 **appropriate permits for them.**

371  
372 **CONCLUSION: Based upon the above findings, domestic water**  
373 **requirements for sketch plan have not been met.**

- 374  
375 e. **Agricultural Impacts:**

- 376 (1) Impact Mitigation: Subdivisions shall be designed to mitigate adverse impacts  
377 to agricultural operations including, but not limited to, control of weeds, pests  
378 and litter; confinement of domestic pets that may threaten livestock; and  
379 protection and maintenance of irrigation facilities and ditches that cross  
380 private property. Fences or restrictive covenants may be required to control  
381 adverse impacts. **There will not be a reduction in land available for  
382 agricultural use upon the development of the proposed subdivision  
383 lots. The applicant will be required to comply with the  
384 recommendations of County Weed and Pest regarding the control of  
385 weeds. The applicant has not addressed control of pests or litter, or the  
386 confinement of domestic pets. No irrigation water rights are known to  
387 exist on the property.**
- 388 (2) Right to Farm and Ranch: Subdivisions shall be designed to minimize  
389 problems resulting from exposure to legal and generally accepted agricultural  
390 practices in the vicinity. The plat shall contain a notice of the Wyoming Right  
391 to Farm and Ranch Act of 1991 (W.S. §11-44-101) and shall be subject to  
392 Ch. IV Section 5c (1) Agricultural Overlay District review. (3) Existing  
393 Irrigation Facilities: Existing irrigation structures and easements may not be  
394 relocated or otherwise disturbed without the approval of the owner of the  
395 structure or easement. Existing ditches and facilities may be subject to the  
396 right of access for other water right holders. **This parcel is not located in  
397 an Agricultural Overlay District. Anticipated impacts to agriculture have  
398 been addressed herein.**
- 399 (3) Irrigation Easements: Subdivision plats shall provide irrigation easements  
400 prohibiting building construction and allowing access for maintenance as  
401 provided by state law. **Standard applies.**

402  
403 ***CONCLUSION: Based upon the above findings, agricultural impacts have  
404 been sufficiently addressed.***

- 405  
406 e. **Water Rights:** With respect to any water rights appurtenant to lands to be  
407 subdivided, the subdivider shall provide:
- 408 (1) If the subdivision is located within lands served by or crossed by a ditch,  
409 irrigation company or association, or by an unorganized ditch, evidence that  
410 the plan has been submitted to the company, or association, or the remaining  
411 appropriators in the case of an unorganized ditch for their review and  
412 recommendations; **This proposed subdivision is located within the  
413 Shoshone Irrigation District, however no water rights are known to exist  
414 on the property.**
- 415 A. Evidence that the subdivider will specifically state on all offers and  
416 solicitations relative to the subdivision the intent to comply with this  
417 paragraph and that the seller does not warrant to a purchaser that  
418 there are any rights to the natural flow of any stream within or adjacent  
419 to the proposed subdivision. It shall further be stated that Wyoming  
420 law does not recognize any riparian rights to the continued natural flow  
421 of a stream or river for persons living on the banks of the stream or  
422 river. **No stream or river passes within or adjacent to the  
423 proposed subdivision lots.**
- 424 B. If the subdivision is located within the boundaries of an area that is  
425 subject to the provisions of W.S. §41-7, the application shall include a

- 426 review and recommendations from the irrigation district regarding the  
427 attached water rights and the irrigation district's easements. If there is  
428 a conflict with the irrigation district's recommendations, the applicants  
429 shall certify they have met with and made a good faith effort to resolve  
430 any conflicts with the irrigation district. **The proposed subdivision is  
431 located within the Shoshone Irrigation District. Review and  
432 comments will be required from the District regarding the Frannie  
433 Canal easement.**
- 434 C. If the subdivision will create a significant additional burden or risk of  
435 liability to the irrigation district, company, association or remaining  
436 appropriators, including appropriators on an unorganized ditch, the  
437 applicant shall provide an adequate and responsible plan to reduce or  
438 eliminate the additional burden or risk of liability. **Not applicable.**
- 439 D. Subdivisions retaining all water rights with no change of use are  
440 exempt from state review.

441  
442 ***CONCLUSION: Based upon the above findings, all water rights  
443 requirements pertaining to sketch plan review have been met.***  
444

- 445 g. **Utilities:** Major subdivisions shall install electrical power service adjacent to the  
446 lot lines. Natural gas, if available within 400 ft., shall also be stubbed to the lot  
447 lines. Telephone service shall be stubbed with a service connection to the edge  
448 of each lot unless quality consistent wireless cell service is available. All utility  
449 installation at a minimum shall meet requirements of the utility providing the  
450 service. All utilities shall be located underground.
- 451 ➤ **Garland Light & Power can serve the proposed  
452 subdivision and power service is adjacent to each  
453 proposed lot.**
  - 454 ➤ **MDU has the capacity to serve, from an existing main in  
455 the road ROW adjacent to each lot. MDU will install service  
456 lines once a structure is erected and service is requested.**
  - 457 ➤ **TCT does have the ability to provide terrestrial wireless,  
458 internet or VOIP phone service in this area.**

459  
460 ***CONCLUSION: Based upon the above findings, utility requirements  
461 pertaining to sketch plan review have been met.***  
462

- 463 h. **Design and Improvement Standards:** Ch. III Sec. 8a specifies design and  
464 improvement standards, and all that apply must be met prior to final approval of  
465 the subdivision application. **Lot standards have been met. An HOA or Road  
466 Maintenance Agreement will be required to address the maintenance of  
467 Barrows Road.**

468  
469 **Wyoming Statute § 18-5-319. Fencing Requirements for Subdivision  
470 Permits. [Effective July 1, 2023]:**  
471

472 **(a)** Each subdivider seeking to create or divide a subdivision that is adjacent to  
473 lands upon which livestock can be legally run at large shall comply with all of  
474 the following:

475 (i) The subdivider shall be responsible for the construction of a perimeter fence  
476 on any part of the subdivision that is adjacent to lands upon which livestock  
477 can be legally run at large unless a legal perimeter fence already exists at that  
478 location or all adjacent landowners' consent that a perimeter fence is not  
479 necessary;

480 (ii) The perimeter fence required under this subsection shall be a lawful fence  
481 as prescribed by W.S. 11-28-102;

482 (iii) The subdivider shall be responsible for all costs of the original construction  
483 for the perimeter fence.

484 (b) Upon completion of the construction of a perimeter fence required under  
485 this section, the subsequent landowner or, if the subdivided parcel has not  
486 been sold, the subdivider shall:

487 (i) Be responsible for the costs of maintaining the perimeter fence provided that  
488 the adjoining landowner shall be responsible for half of the costs of maintaining  
489 the perimeter fence, not to exceed the reasonable costs to maintain the fence if  
490 the fence was a fence under W.S. 11-28-102(a)(i);

491 (ii) Not be liable for any damage caused by or arising from livestock pastured  
492 on adjoining land that may breach the perimeter fence and wander on the  
493 subdivided land, provided that the perimeter fence is maintained in accordance  
494 with this section.

495 (c) The adjoining landowner shall not be liable for any damages caused by, or  
496 arising from, livestock pastured on the adjoining land that may wander onto the  
497 subdivided land except as provided in W.S. 11-28-108.

498 (d) Before receiving a subdivision permit under this article, a subdivider shall  
499 provide information and evidence of the construction or plans to construct any  
500 perimeter fence required by this section in accordance with W.S. 18-5-  
501 306(a)(xiii).

502 **Statute applies. It appears that livestock can be run at large on lands**  
503 **adjacent to the proposed subdivision. Applicant will need to provide**  
504 **evidence of (1) an existing legal perimeter fence as prescribed by W.S.**  
505 **11-28-102, (2) written consent from all adjacent landowners a perimeter**  
506 **fence is not necessary, or (3) design plans to construct a perimeter fence**  
507 **as required by this section in accordance with W.S. 18-5-306(a)(xiii). If**  
508 **plans to construct a perimeter fence are necessary, a Subdivision**  
509 **Improvements Agreement will be required.**

510  
511

512 **Overlay Districts:** The subdivision is not located within an Overlay District.

513  
514 **Approval Standards:** In conducting review of the sketch plan, the Planning & Zoning  
515 Commission should:

516 A. Give particular attention to the arrangement, location and dimensions of the lots  
517 and the means of access, their relationship to the topography of the land,  
518 relationship to the geologic and hydrologic setting, sewage disposal, drainage,  
519 arrangement for domestic water, the potential future development of adjoining  
520 land, and the goals and objectives of the County's Land Use Plan; **The property**  
521 **does not have any hydrologic features (i.e., streams, ponds) other than the**  
522 **Frannie Canal on its western border. Individual domestic wells and septic**  
523 **systems are proposed for each lot.**

524

- 525 B. Review whether the design and development of subdivisions makes every effort  
526 to retain the natural terrain, natural drainage, existing topsoil, trees, wildlife and  
527 fish habitats; **The design and development of the subdivision is not**  
528 **expected to impact the natural terrain, drainage, topsoil or wildlife and fish**  
529 **habitats.**  
530
- 531 C. Review impacts to agriculture; **The proposed subdivision is not expected to**  
532 **impact agriculture or be impacted by agricultural operations.**  
533
- 534 D. Review whether land subject to hazardous conditions such as landslides, rock  
535 falls, possible subsidence, shallow water table, open quarries, floods, and  
536 polluted or non-potable water supply has been identified and that the hazards  
537 have been eliminated or will be eliminated by the subdivision and construction  
538 plans; **No known landslides, steep slopes, rockfalls, high water tables,**  
539 **danger from fire or explosion or other hazardous features exist on the**  
540 **property. Due to frontage of the Frannie Canal, a portion of the site is**  
541 **subject to possible flooding during high precipitation events and in the**  
542 **event of a breach in the adjacent irrigation facilities.**  
543
- 544 E. Review whether land subject to flooding has been set aside for uses which will  
545 not aggravate the danger of flood hazard, will not be endangered by flooding, or  
546 will not endanger the general health, safety or welfare of the public; **No portion**  
547 **of the proposed subdivision falls within the mapped special flood hazard**  
548 **area in Park County.**  
549
- 550 F. Review whether land for natural areas, schools, parks, open spaces, and future  
551 road rights-of-way are reserved and located according to good planning  
552 practices and principles; **No open spaces, natural areas, schools or parks**  
553 **are proposed or required.**  
554
- 555 G. Make specific written requirements for changes in the subdivision to address  
556 identified problems and ensure compliance with these regulations. The applicant  
557 shall incorporate any required changes in the next submission to the County; **To**  
558 **be completed by Planning and Zoning Commission, if necessary.**  
559
- 560 H. Subdivisions may be reclassified by the Commission to receive additional  
561 evidence and testimony for good cause shown. **The subdivision is classified**  
562 **as a major subdivision which requires the most stringent review and**  
563 **conditions for approval.**  
564  
565

566 **Staff Findings:**

- 567 1. On March 8, 2024, Lorenzo Mendoza (applicant) submitted a Major  
568 Subdivision Permit Application, on behalf of the landowners, Sullivan Land,  
569 LLC;
- 570 2. The applicant requests approval to create a two-lot subdivision consisting of  
571 one 2.55-acre lot and one 1.58-acre lot, each for residential use;
- 572 3. Applicable Regulations are the *Park County, Wyoming, 2015 Development*  
573 *Standards and Regulations* adopted September 15, 2015;
- 574 4. The subdivision parcel was part of a larger tract of record that was subdivided  
575 into a five-lot minor subdivision (Sullivan MS-14, recorded in Plat Cabinet M,  
576 Page 2) in 2012. As a result, the proposed two-lot subdivision will create a total  
577 of seven lots from the tract of record and is, therefore, classified as a major  
578 subdivision by Park County regulations;
- 579 5. The subdivision is located in a General Rural Powell (GR-P) zoning district;
- 580 6. The lot sizes as proposed are consistent with the GR-P zoning district;
- 581 7. Ownership is affirmed to Sullivan Land, LLC, by Quitclaim Deed dated  
582 December 9, 2022;
- 583 8. The property is described as 4.13 Acres in the southwest corner of Tract 10,  
584 Lot 84, west of Sullivan MS-14, Township 55 North, Range 99 West, Park  
585 County, State of Wyoming;
- 586 9. The proposed subdivision is located approximately 1 ½ miles northwest of  
587 Powell, north of Barrows Road, west of Road 11. The property is currently  
588 unaddressed;
- 589 10. Surrounding land uses are residential, residential vacant and agricultural;
- 590 11. The Sullivan MS-14 is on the east boundary of the proposed subdivision. The  
591 Western Hills Subdivision (second filing) is south of the property;
- 592 12. The property is currently residential vacant, un-irrigated land. The topography  
593 is rolling with the Frannie Canal bounding the west side of the property;
- 594 13. The property is not located within one mile of a municipality; therefore,  
595 municipal review is not required;
- 596 14. Public notice requirements have been met;
- 597 15. Relevant agencies were notified;
- 598 16. Park County Public Works stated the following:  
599 • Barrows Road is a private subdivision road that has been dedicated to the  
600 general use of the public and provides legal access to the proposed  
601 subdivision;
- 602 • Barrows Road is not a County Road, nor is it maintained by Park County;
- 603 • The proposed subdivision should be required to be part of any existing or  
604 future road maintenance association of Barrows Road; and
- 605 • Road improvements to include paving will be required for the proposed  
606 subdivision, unless administrative relief is requested by the applicant and  
607 granted by the County Engineer, and if appealed, upheld by the Board of  
608 County Commissioners;



- 609 17. Park County School District #1 will provide school bus service at the  
610 intersection of Road 11 and Barrows Road. If maintenance of Barrows Road is  
611 improved, and the school board approves use of the road, bus service to each  
612 address may become available;
- 613 18. TCT has terrestrial wireless available in this area and can possibly provide  
614 internet and VOIP phone service to this location, depending upon line of site  
615 and tower availability;
- 616 19. Northwest Rural Water District confirmed one water service exists to proposed  
617 Lot 2, however, they do not currently have capacity for an additional service to  
618 proposed Lot 1;
- 619 20. Montana-Dakota Utilities Company has the capacity to serve the proposed  
620 subdivision, from an existing 2" natural gas main line located in the ROW of  
621 Barrows Road. Natural gas service line installations can be initiated once a  
622 structure is erected that will use natural gas;
- 623 21. Wyoming DEQ summarized their requirements for various activities that may  
624 impact surface or groundwater;
- 625 22. The Park County Treasurer reported the first half of property taxes for this  
626 parcel have been paid, the second half will be due May 10, 2024;
- 627 23. The Wyoming Game & Fish Department have no terrestrial wildlife comments  
628 but recommended their standard subdivision recommendations to help  
629 mitigate wildlife issues;
- 630 24. Park County Weed & Pest inspected the property and will require a Long-Term  
631 Noxious Weed Management Plan;
- 632 25. Garland Light & Power has the capacity to serve the proposed subdivision lots  
633 and power service is adjacent to each lot;
- 634 26. Comments have not been received by Park County Fire District #1, USPS, the  
635 Conservation District, or Shoshone Irrigation District;
- 636 27. No public comments have been received;
- 637 28. Application submission requirements for sketch plan have been met;
- 638 29. A pre-application meeting occurred with the applicant, his surveyor and  
639 Planning & Zoning Staff;
- 640 30. A notice of intent was published as required;
- 641 31. A title report was provided;
- 642 32. An HOA or Road Maintenance Agreement will be required to set out Lot 1 and  
643 Lot 2 maintenance responsibility of Barrows Road, including snow removal and  
644 drainage facilities;
- 645 33. Solid waste disposal services are available from private service providers;
- 646 34. The proposed subdivision is not within 400 feet of a municipal wastewater  
647 system;
- 648 35. The applicant was granted a Variance by the Board of County Commissioners  
649 from the wastewater and domestic water requirements for major subdivisions,  
650 on April 2, 2024, by Resolution #2024-17;

- 651 36. The applicant shall comply with wastewater and domestic water standards for  
652 simple and minor subdivisions;
- 653 37. Agricultural impacts to the subdivision have been addressed, as well as  
654 impacts of surrounding agricultural activities on the subdivision, with the  
655 exception of addressing the control of pests or litter and the confinement of  
656 domestic pets;
- 657 38. No irrigation water rights are known to exist on the property;
- 658 39. Comments from Shoshone Irrigation District will be required regarding the  
659 Frannie Canal Easement;
- 660 40. No stream or river passes within or adjacent to the subdivision;
- 661 41. Power service is adjacent and natural gas is stubbed to each proposed lot;
- 662 42. Lot standards have been met;
- 663 43. No open spaces, natural areas, schools or parks are proposed or required;
- 664 44. It appears that livestock can be legally run at large on lands adjacent to the  
665 proposed subdivision. The subdivision is subject to Wyoming Statute § 18-5-  
666 319;
- 667 45. The applicant will be required to provide evidence of 1) an existing legal  
668 perimeter fence as prescribed by W.S. 11-28-102; 2) written consent from all  
669 adjacent landowners a perimeter fence is not necessary; or 3) plans to  
670 construct a perimeter fence as required by statute and in accordance with W.S.  
671 18-5-306(a)(xiii);
- 672 46. A Subdivision Improvements Agreement will be required for this subdivision if  
673 a perimeter fence is required;
- 674 47. This subdivision is not located in an overlay district; and
- 675 48. Hazardous conditions such as landslides, rock falls, polluted or danger from  
676 fire or explosion or other hazardous features on the property are not known,  
677 however a portion of the site is subject to possible flooding during high  
678 precipitation events and in the event of a breach in the Frannie Canal.

679 **Conditions Recommended by Staff:**

- 680 1. The applicant shall provide all easements as requested by applicable utilities  
681 and special districts, irrigation districts or public agencies providing services.  
682 The width of any utility easement shall be sufficient to allow adequate  
683 maintenance of the system, but in no case shall such utility easement be less  
684 than 20 feet in width. Easements must be identified on the final plat;
- 685 2. Prior to Preliminary Plat Review by the Planning & Zoning Commission, the  
686 applicant shall submit responses from Park County Fire District #1, the  
687 Conservation District, and USPS, to the Planning & Zoning Department;
- 688 3. Prior to Preliminary Plat Review by the Planning & Zoning Commission, the  
689 applicant shall submit a subsurface evaluation as prescribed for on-site

- 690 wastewater systems for Simple and Minor Subdivisions, to the Planning &  
691 Zoning Department;
- 692 4. Prior to Preliminary Plat Review by the Planning & Zoning Commission, the  
693 applicant shall submit a water analysis as prescribed for on-site wells for  
694 Simple and Minor Subdivisions, to the Planning & Zoning Department;
- 695 5. Prior to Preliminary Plat Review by the Planning & Zoning Commission, the  
696 applicant shall submit comments from Shoshone Irrigation District regarding  
697 their easement requirements for the Frannie Canal;
- 698 6. Prior to Final Plat Review by the Board of County Commissioners, the  
699 applicant shall provide evidence of 1) an existing legal perimeter fence as  
700 prescribed by W.S. 11-28-102; 2) written consent from all adjacent  
701 landowners a perimeter fence is not necessary; or 3) plans to construct a  
702 perimeter fence as required by statute and in accordance with W.S. 18-5-  
703 306(a)(xiii);
- 704 7. Prior to Final Plat Review by the Board of County Commissioners, the  
705 applicant shall provide plans to improve and pave Barrows Road, to Road  
706 and Bridge Standards;
- 707 8. Prior to Final Plat Review by the Board of County Commissioners, the  
708 applicant shall submit an appropriate Subdivision Improvements Agreement  
709 addressing all applicable required improvements (i.e., fencing, road  
710 improvements, etc.) for review by staff and approval of the County Attorney  
711 and the Board;
- 712 9. Prior to Final Plat Review by the Board of County Commissioners, the  
713 applicant shall submit an HOA or Road Maintenance Agreement to address  
714 Lot 1 and Lot 2 maintenance responsibility of Barrows Road to the Planning  
715 & Zoning Department;
- 716 10. The applicant shall place the following note on the final plat: "Each Lot owner  
717 is required to participate in any existing or future road maintenance  
718 association of Barrows Road."
- 719 11. The applicant shall place the following note on the final plat: "A portion of the  
720 site is subject to possible flooding during high precipitation events and in the  
721 event of a breach in the Frannie Canal."
- 722 12. The applicant shall otherwise comply with standards in the Park County  
723 Development Regulations and the minimum subdivision requirements as set  
724 forth in Wyoming Statute 18-5-306.

**Photo 1. From the southwest corner of proposed Lot 1, facing northeast along the western boundary and Frannie Canal.**



**Photo 2. From the southwest corner of proposed Lot 2, facing west along the southern boundary of Lot 1 and Barrows Road.**



**Photo 3. From the southeast corner of proposed Lot 2, facing north along the eastern boundary of the subdivision.**



**Photo 4. From the northeast corner of proposed Lot 2, facing west across the northern boundary of the subdivision.**



727

**Photo 5. From the northwest corner of proposed Lot 1, facing southeast across Lots 1 and 2.**



728



# Park County Planning & Zoning

1002 Sheridan Ave. Suite 109, Cody, WY 82414  
Phone: 307-527-8540 | Fax: 307-527-8515  
E-mail: [planning@parkcounty.us](mailto:planning@parkcounty.us)

Rec. By:	<u>ECA</u>
Date:	<u>3/18/24</u>
Receipt #:	<u>240305/ck#46575</u>
App. #:	<u>MAJ 20240308-1</u>

## MAJOR SUBDIVISION PERMIT APPLICATION (4 pages) Fee: \$300.00\*

A major subdivision permit application is required to obtain a permit to divide a tract of record into six or more lots, each lot being smaller than 35 acres. All major subdivisions require a subdivision permit per Wyoming State Statute. No land subject to subdivision shall be transferred or sold before a subdivision plat has been approved and recorded. Please contact the Planning and Zoning Department for any assistance needed to complete this application. **The applicant is required to hold a pre-application meeting with Planning and Zoning Staff and Public Works prior to submitting this application. Further, the applicant must also provide proof that a "Notice of Intent to Subdivide" was published in the legal section of the local newspaper once each week for two weeks within 30 days prior to submitting this application.** \*Additional fees apply.

<b>SECTION 1: APPLICANT INFORMATION:</b>		<b>OWNER INFORMATION (if different from applicant):</b>	
Name: <u>Lorenzo Mendoza</u>		Name: <u>Sullivan Land, LLC</u>	
Mailing Address: <u>138 E. Monroe St.</u>		Mailing Address: <u>370 S. Gilbert St.</u>	
<u>Powell, Wyoming 82435</u>		<u>Powell, Wyoming 82435</u>	
Phone: <u>307-202-2897</u>		Phone: _____	
Email: <u>orenzomendoza2315@gmail.com</u>		Email: _____	
<b>SECTION 2: PROPERTY INFORMATION:</b>			
Physical Address: <u>North of 1150 Borrows Road, Powell, Wyoming 82435</u>		<input checked="" type="checkbox"/> Not addressed	
Property ID # or Deed Recording #: <u>01559908410005</u>			
Property Identification # or Deed Recording #: <u>Deed Doc # 2022-6484</u>			
Proposed Subdivision Name: <del>ed Doc # 2022-6484</del> <u>Mendoza</u>			
<b>SECTION 3: INCLUDE THE FOLLOWING WITH YOUR APPLICATION:</b>			
<input type="checkbox"/> Proof of "Notice of Intent to Subdivide"			
<input checked="" type="checkbox"/> Title Report – full chain of title (back to patent) showing proof of ownership & encumbrances of record			
<input checked="" type="checkbox"/> Letters or emails from the following service providers indicating 1) if they already provide service to the proposed lots and 2) if they have the capacity to serve the proposed lots:			
<input type="checkbox"/> Fire Protection District/Fire Station	<input type="checkbox"/> TV/Telephone/Internet		
<input type="checkbox"/> US Postal Service mail delivery	<input type="checkbox"/> Natural Gas		
<input type="checkbox"/> School district - bus stop locations	<input type="checkbox"/> Electricity		
<input checked="" type="checkbox"/> Evidence that a subdivision soils review has been requested from the local conservation district.			
<input type="checkbox"/> Evidence that the local irrigation district (if applicable) has been contacted.			
<input checked="" type="checkbox"/> Evidence that the County Weed and Pest District has been contacted.			
<input checked="" type="checkbox"/> Draft Disclosure Statement			

**SECTION 4: PROVIDE THE FOLLOWING INFORMATION:**

- Identification of entities responsible for road construction and maintenance including snow removal and drainage facilities (if applicable): No new roads proposed within the subdivision  
\_\_\_\_\_  
\_\_\_\_\_
  
- Any known information concerning landslides, steep slopes, rock falls, high water tables, 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: None that is known of.  
\_\_\_\_\_  
\_\_\_\_\_

**SECTION 5: SUBMIT A LEGIBLE AND REPRODUCIBLE 11" x 17" SKETCH PLAN SHOWING:**

- Legal Description
- Boundaries of the area to be subdivided
- Lot layout indicating the approximate dimensions and acreage of lots
- Total acreage of subdivision
- Size of recreational, open and/or dedicated spaces (if proposed)
- Current zoning district classification
- Existing structures, wells and septic facilities (to include utility lines)
- Irrigation facilities (e.g., laterals, head gates, waste ditches, direction of flow of flood irrigation)
- Existing uses of adjoining properties (e.g., residential, commercial, industrial, agricultural, public)
- Means of access from the lots to the public road system:
  - For County road access, proof of right-of-way permit from Public Works
  - For State highway access, proof of access permit from WYDOT
  - For access over private land outside of the subdivision, proof of recorded easement(s)
  - For access over public land outside of the subdivision, written evidence of verified access

**SECTION 6: WASTEWATER AND DOMESTIC WATER (DEQ REVIEW REQUIRED, in most cases)**

**What is proposed for wastewater (check all that apply)?**

- Connection to planned/existing municipal sewer line: \_\_\_\_\_
- On-site, individual wastewater system(s)
- On-site, shared wastewater system(s)
- Other: \_\_\_\_\_

**What is proposed for domestic water?**

- Connection to existing water main connected to a water treatment plant
- Connection to shared on-site water system
- On-site wells (requires well analysis, estimated total number of gallons per day needed, plans for mitigation of water right conflicts, State well permit)
- Other: \_\_\_\_\_



**SECTION 7: IMPACTS TO AGRICULTURE**

- How will you minimize negative impacts to agricultural operations (e.g., weed intrusion, pet disturbances, etc.), if applicable? The proposed lots do not have irrigation rights so this subdivision will not impact agricultural operations. If a weed plan is required, it will be followed.
- The final plat shall contain a notice of the Wyoming Right to Farm and Ranch Act of 1991.
- Address any changes to existing irrigation facilities or easements and address existing ditches and easements on the plat.
- Plats shall provide irrigation easements prohibiting building construction and allowing access for maintenance.

**SECTION 8: WATER RIGHTS (IF APPLICABLE, IRRIGATION DISTRICT & STATE REVIEW MAY BE REQUIRED)**

What do you intend to do with respect to existing water rights appurtenant to the land being subdivided? (check all that apply)

- Relinquish water rights
- Retain all water rights on the property and distribute to each lot accordingly (no change in use)
- Change of use (e.g., flood irrigation to reservoir)
- Change in place of use (e.g., to neighbor or other location) or change in point of diversion or means of conveyance

**SECTION 9: GENERAL QUESTIONS**

- Is the subdivision within an already platted subdivision lot?  Yes  No
- Who will conduct the survey work for the subdivision? Engineering Associates
- Who will complete any engineering work for the subdivision? Engineering Associates
- Will this be a phased subdivision?  Yes  No

**SECTION 10: CONFIRM EACH OF THE FOLLOWING (Circle T for TRUE / F for FALSE):**

- T /  F There is not a financing agreement, mortgage or lien that could prevent this subdivision.
- T /  F There are not existing conservation easements that could prevent this subdivision.
- T /  F There are covenants proposed for this subdivision.
- T /  F There is a Homeowner’s Association proposed for this subdivision.
- T /  F I/We plan to complete subdivision improvements before final plat recordation.

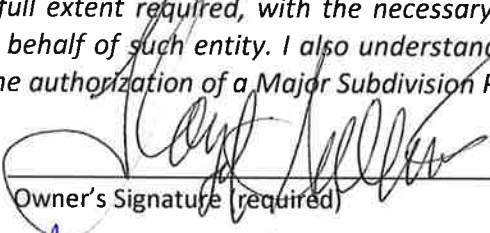
**SIGN HERE:** In accordance with Wyo. Stat. §1-2-104, I certify under penalty of false swearing that the foregoing is true and the information provided in this application is accurate and complete. I agree that providing incomplete or inaccurate information may void or delay any and all permits authorized under this application. I further understand that any permit granted under this application by the Park County Board of Commissioners does not approve any continued or future violation of County regulations or State law. I further agree to comply with all County regulations and laws of the State of Wyoming pertaining to this application and authorize representatives of Park County to enter upon the abovementioned property for inspection purposes before, during and/or after the permitting process to ensure compliance. I further acknowledge that if signing on behalf of co-owners, multiple owners, a corporation, partnership, Limited Liability Company or similar entity, the undersigned hereby swear(s) that authorization is given, to the full extent required, with the necessary and appropriate approval, allowing the undersigned to act on behalf of such entity. I also understand that additional permitting may be necessary prior to or after the authorization of a Major Subdivision Permit.

Sullivan Land, LLC

Owner's Name (required)

Owner's Signature (required)

Date



3-5-24

Lorenzo Mendoza

Applicant's Name (if not the owner)

Applicant's Signature

Date



3-4-2024

**\*\*\*\* BELOW – FOR OFFICE USE ONLY \*\*\*\***

Zoning District (circle one): 

GR-M	GR-P	GR-40	GR-35	GR-20	GR-5	RR-2	R-H	C	I	T
------	------	-------	-------	-------	------	------	-----	---	---	---

- Planning Area: Powell Within 1-mile of a city?  YES  NO
- Date of pre-application meeting: 2/12/2024
- Confirm subdivision name: Mendoza Major
- Is this a re-subdivision?  YES  NO - If yes, note vacation notice requirements.
- In an ag overlay zone?  YES  NO - If yes, consult ag overlay regs & notify applicant of dust/noise considerations.
- In a flood overlay zone?  YES  NO - If yes, contact applicant regarding floodplain development reqs.
- In an airport overlay zone?  YES  NO - If yes, consult airport overlay regs.
- Notes: \_\_\_\_\_

• Date sketch plan reviewed by P&Z: \_\_\_\_\_ Resolution #: \_\_\_\_\_

P&Z:  APPROVED  DENIED - Reason: \_\_\_\_\_

Applicant Appealed –  BCC Upheld Decision  BCC Overturned Decision

Staff Initials: \_\_\_\_\_

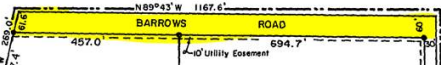
From: Ben McDonald  
 To: Erika Decker, Joy Hill, Jennifer Cramer, Kim Dillivan, Anthony Camiccia, schatz@EAengineers.com, nick.hummel@EAengineers.com, Lorenzo Mendoza  
 Subject: RE: Pre-application - Lorenzo Mendoza - 2 Lot Major/Variance  
 Date: Friday, February 9, 2024 10:11:24 AM  
 Attachments: jmw0001.png

Jenny,

Park County Public Works would consider Barrows a public road ( a subdivision road dedicated to the use of the general public by way of the subdivision process and platting). Barrows Road is NOT a County Road and does NOT receive County maintenance.

We do not have any concerns regarding legal access. The subject parcel for the proposed development has direct frontage to Barrows Road, which accesses Park County Road 11. Park County will recommend that the proposed development be required to be a part of any existing road maintenance association or any future road maintenance associations.

**Western Hills Subdivision – 1969 – Dedicated a 60' Right of Way for the use of the general public forever.**



**CERTIFICATE OF DEDICATION**

State of Wyoming } ss  
 County of Park }

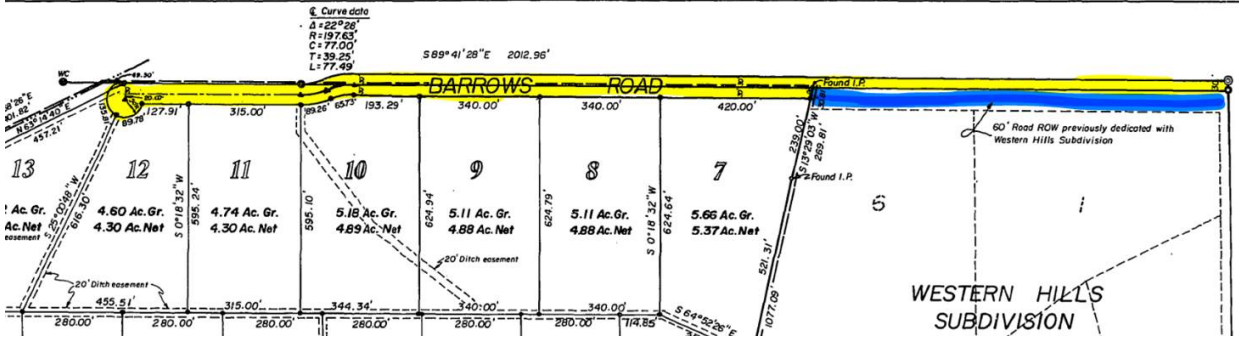
This certifies that James R. Costberg and Jeanne E. Costberg, husband and wife, and Francis C. Gillette and Adele D. Gillette, husband and wife, are the owners of the tract of land shown on this plat as WESTERN HILLS SUBDIVISION, near Powell, Wyoming, described as a portion of Tract II, Lot 84, T.55N., R.58W., 6th P.M., Park County, Wyoming, said portion of Tract II containing 38.25 acres, more or less, and being more particularly described as follows: Beginning at a point on the east line of said Tract II, said point being located N 0°16' W a distance of 240 feet from the Southeast corner of said Tract II, and thence proceeding N 0°16' W along the east line of said Tract II a distance of 1077.9 feet, thence N 89°43' W a distance of 1167.6 feet, thence S 13°26' W a distance of 269.0 feet, thence S 12°41' W a distance of 180.0 feet to a point on the south line of said Tract II, thence S 89°43' E along the south line of said Tract II a distance of 180.4 feet, thence N 0°16' W a distance of 240 feet, thence S 89°43' E a distance of 330 feet to the point of beginning heretofore described, and that the owners have caused said described lands to be surveyed and platted as Lots 1 through 6, of WESTERN HILLS SUBDIVISION as shown hereon, and as described in the Engineer's Certificate, and that the owners hereby dedicate to the use of the public forever, all roads, streets, easements, etc., as are shown on this plat. This subdivision is made with the free consent and in accordance with the desires of the undersigned owners. Homestead rights are hereby relinquished. In witness whereof, we have hereunto set our hands this 22<sup>nd</sup> day of February, 1969.

Witness: *Harriet A. Costberg*  
 Witness: *Harriet A. Costberg*  
 Witness: *Harriet A. Costberg*  
 Witness: *Harriet A. Costberg*

*James R. Costberg*  
 James R. Costberg  
*Jeanne E. Costberg*  
 Jeanne E. Costberg  
*Francis C. Gillette*  
 Francis C. Gillette  
*Adele D. Gillette*  
 Adele D. Gillette

**Western Hills Subdivision – 1979 – Second Filing - Dedicated a 60' Right of Way for the use of the general public forever and 30' of additional right of way to the original 60' of right of way from Western Hills Subdivision 1969.**

Yellow Highlighted is the Right of Way dedicated to the General Public 1979 Second Filing.  
 Blue Highlighted is the Right of Way dedicated with the Western Hills Subdivision 1969.



**CERTIFICATE OF DEDICATION**

The undersigned, as partners in F B J Enterprises, do hereby certify as follows: We are the owners of part of Tracts 10, 11 and 12 of Lot 84, T.55N., R.58W., 6th P.M., Park County, Wyoming, described as all that part of Form Unit 11 or Tract 12 of Lot 84, lying East of the Fronte Canal, and all of Form unit 11 or Tract 12 of Lot 84, except that part more particularly described as follows: Beginning at the Southeast corner of said Form Unit 11, thence north along the east line of said unit 240 feet, thence west along a line parallel with the south line of said unit 260 feet, thence south along a line parallel with the east line of said unit 240 feet, thence east along the south line of said unit 260 feet to the point of beginning, and also excepting therefrom that part of Tract II previously subdivided as Western Hills Subdivision, and said parts of Tracts 11 and 12 being more particularly described by plats and bounds as follows: Beginning at a point on the south line of said Lot 84, which point of beginning bears N 89°43' W a distance of 180.0 feet from the southeast corner of said Lot 84, and thence proceeding N 89°43' W along the south line of Lot 84 a distance of 219.40 feet to a point on the centerline of the Fronte Canal, thence along the centerline of the Fronte Canal N 9°28' 57" W 177.89 feet, N 8°04' 43" E 144.14 feet, N 20°45' 56" E 518.05', N 27°31' 59" E 135.36 feet, N 39°34' 45" E 143.86 feet, N 51°15' 22" E 152.88 feet, N 62°58' 26" E 401.82 feet to a point of intersection with the north line of Tract 12, thence S 89°41' 28" E along the north line of Tract 12 a distance of 511.60 feet to the northeast corner of Tract 12, thence continuing S 89°41' 28" E along the north line of Tract 11 a distance of 1451.36 feet, thence S 12°50' 05" W a distance of 269.81 feet, thence S 12°43' 54" W a distance of 1077.09 feet to the point of beginning heretofore described, and containing 74.94 acres of land, more or less. We have caused said lands to be surveyed and platted as shown hereon. The subdivision of said lands as appears on this plat, is with the free consent and in accordance with the desires of the undersigned owners and proprietors. The subdivision shall be known hereafter as Western Hills Subdivision - Second Filing. We hereby dedicate and set apart that portion of Lot 84, as shown hereon and Barrows Road as shown hereon including a part of Tract 10 of Lot 84, described as follows: Beginning at the southeast corner of said Tract 10 (also northeast corner Tract 11) and thence proceeding N 0°18' 55" W along the east line of Tract 10 a distance of 30.00 feet, thence N 89°41' 28" W parallel to the south line of Tract 10 a distance of 2472.57 feet to a point of curve, thence along a curve to the right the radius of which is 167.63 feet, through a central angle of 22°28' for a distance of 65.73 feet to the northwest corner of Tract 11, thence S 89°41' 28" E along the north line of Tract 11 a distance of 2023.62 feet to the point of beginning, and all of the easements as shown hereon to the use of the general public. We hereby release and relinquish all rights of homestead.

*F B J Enterprises*  
*James R. Costberg*  
 James R. Costberg - Partner  
*Francis C. Gillette*  
 Francis C. Gillette - Partner

State of Wyoming } ss

-----Original Appointment-----  
 From: Jennifer Cramer <jennifer.cramer@parkcounty-wy.gov> On Behalf Of Erika Decker  
 Sent: Friday, February 9, 2024 8:09 AM  
 To: Ben McDonald  
 Subject: FW: Pre-application - Lorenzo Mendoza - 2 Lot Major/Variance  
 When: Monday, February 12, 2024 2:00 PM-3:00 PM (UTC-07:00) Mountain Time (US & Canada).  
 Where: Planning & Zoning Meeting Room

Ben,

I should have mentioned this one yesterday on the phone. More of a heads up – it is at the end of Barrows Road, private but dedicated to the public. It seems like we’ve had calls about it in the past – folks disputing who has the right of access, etc.

They are proposing 2 lots out of this parcel. Do you have any initial concerns we should mention? If not, don’t worry about it until we get an application! Thanks!

-----Original Appointment-----

From: Erika Decker

**From:** [Brian Edwards](#)  
**To:** [Cody Schatz](#)  
**Cc:** [Joy Hill](#); [Ben McDonald](#); [Trapper Marsh](#); [Whitney Weidenborner](#); [Lloyd Thiel](#); [Dossie Overfield](#); [Jennifer Cramer](#)  
**Subject:** Subdivision Planned on Barrow Road  
**Date:** Tuesday, April 2, 2024 10:48:31 AM

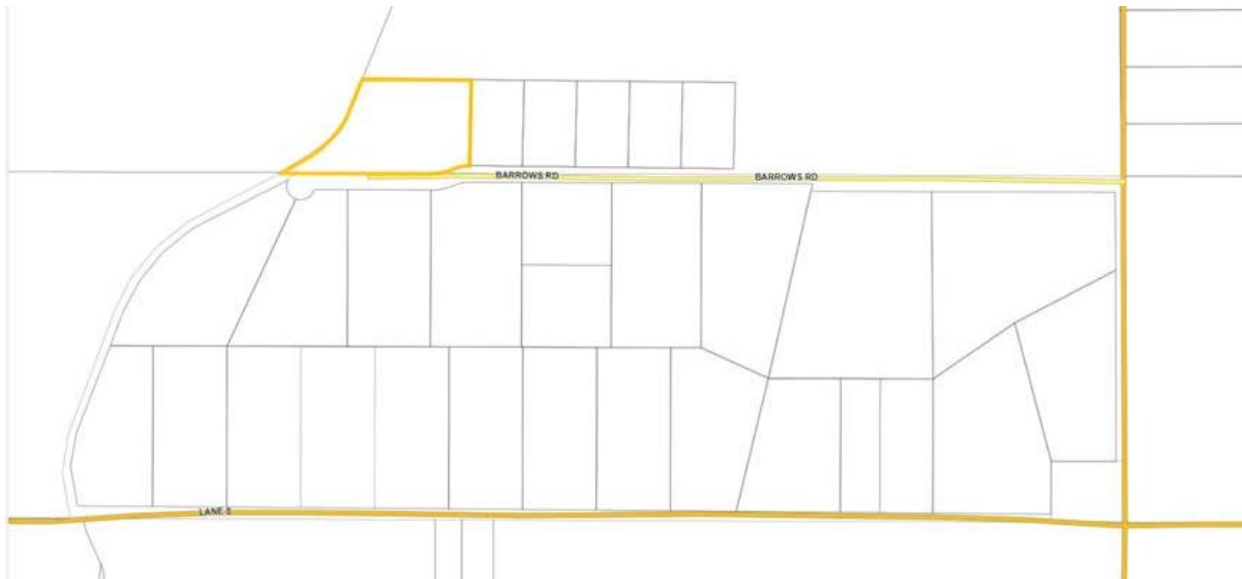
---

Cody:

I hate to do this to you as I know you are buried with other projects (some of which are ours). I wanted to give you a heads-up regarding the subdivision you are working on as it relates to Barrow Road. Similar to others you have worked on with us, technically the road should be improved and paved per Park County R&B Standards. There are currently, 15 (or 17 depending on interpretation) lots that could potentially front on or utilize Barrow Road prior to your subdivision. In being consistent with others (to the extent possible and practical), if your client does not want to pursue road improvements, he/she is welcome to submit a request for administrative relief. I suspect the neighbor at the end of the road would likely appeal any decision that we would make regarding the road which would likely result in the Commissioners reviewing and upholding or overturning any position that this office takes. Call me if this does not make sense.

Technically 5 lots were added north of Barrow Road in 2012 which was reviewed/approved by then County Engineer Greg Meinecke. I cannot see where a request for administrative relief was required at that time. Admittedly it should have been a requirement then to be consistent with our standards.

Sorry Cody.



**Brian Edwards, P.E. – County Engineer**  
**PARK COUNTY PUBLIC WORKS DEPARTMENT**

1131 11<sup>TH</sup> Street  
Cody, WY 82414  
(307) 527-8523

Please Make Note of My New Email Address:

**[Brian.Edwards@parkcounty-wy.gov](mailto:Brian.Edwards@parkcounty-wy.gov)**

# Park County School District #1 Transportation

---

160 North Evarts Street  
Powell, Wyoming 82435  
Phone: 307-764-6189  
Fax: 307-764-6178

**Stephen Janes, Supervisor**  
Email: srjanes@pcsd1.org  
**Christy Schwartz, Administrative Assistant**  
Email: cdschwartz@pcsd1.org

February 29, 2024

Nicholas S, Hummel  
Engineering & Surveying Technician  
Engineering Associates  
902 13th Street | P.O. Box 1900 | Cody, WY 82414

RE: Unnamed 2 Lot Major Subdivision  
PARK COUNTY, WYOMING

Mr. Hummel, in regards to the proposed 2 Lot Major Subdivision currently owned by Sullivan Land, LLC, being developed by Lorenzo Mendoza, just west of 1137 Barrows Road located on the north side of Barrows Road, the subdivision is in the Park 1 School District boundary. It will have school bus stops at the intersections of road 11 and Barrows. The bus stops would be right hand stops in the morning and afternoon. If we were to continue getting board approval to travel on Barrows Road, the stops may move to the addresses of the dwellings, but maintenance of Barrows Road will need to improve for that to continue next year. If you need any further information, feel free to email or call.

Sincerely,



Stephen R. Janes  
Transportation Supervisor  
PCSD #1





**Basin Office**  
PO Box 310 - 405 S 4th St  
Basin, WY 82410  
307.568.3357

**Billings Office**  
1321 Discovery Dr.  
Billings, MT 59102  
406.248.4204

**Cody Office** (Corporate)  
1601 S. Park Dr.  
Cody, WY 82414  
307.586.3800

**Lovell Office**  
451 Shoshone Ave  
Lovell, WY 82431  
307.548.2275

**Powell Office**  
401 S Bent St, #4  
Powell, WY 82435  
307.754.9160

*Your Superior Hometown Service Provider • 1.800.354.2911 • [www.tct.net](http://www.tct.net)*

February 29, 2024

Engineering Associates  
Attn: Nicholas Hummel  
902 13<sup>th</sup> St.  
Cody, WY 82414

RE: Lorenzo Mendoza Proposed Major Subdivision, Park County

Dear Mr. Hummel,

The purpose of this letter is to inform you that TCT may have the availability and capacity to provide terrestrial wireless internet and VOIP phone service to the subdivision for Lorenzo Mendoza, west of Sullivan MS-14, Resurvey T55N, R99W, Park County. Line of sight to one of our towers is required, however, so service is not guaranteed. All install and equipment fees are the responsibility of the customer.

Sincerely,

Stacy Southworth  
TCT

**From:** [Tony Rutherford](#)  
**To:** [Nicholas Hummel](#)  
**Cc:** [Dan Nordland](#)  
**Subject:** RE: 24000.15 - New Major Sub - 2 Lot  
**Date:** Monday, March 4, 2024 8:32:40 AM  
**Attachments:** [image003.png](#)  
[image004.png](#)

---

Morning Nick,

Per your request, NRWD has reviewed the proposed subdivision. While NRWD has existing service to what would be proposed Lot 2 in this instance, we do not currently have capacity for additional service for what would be proposed Lot 1. As we have discussed, we hope to have capacity for additional service in the area in the near future.

In addition, it appears that additional easement may be required to get service to the lot once it is available. It might be a good idea for the owner to include that now if they would like NRWD service to proposed Lot 1 in the future.

Let me know if you have any questions.

Tony

**Tony Rutherford**  
**District Manager**  
**Northwest Rural Water District**  
526 Stone Street  
Cody, Wyoming 82414  
307-527-4426  
[www.nrwdcodywy.com](http://www.nrwdcodywy.com)



---

**From:** Nicholas Hummel <Nick.Hummel@EAengineers.com>  
**Sent:** Monday, March 4, 2024 7:21 AM  
**To:** Tony Rutherford <tony@nrwdcodywy.com>  
**Subject:** 24000.15 - New Major Sub - 2 Lot

Good morning Tony,

We are sending out letters to all utilities for a new 2 lot major subdivision at the end of Barrows Road. Attached is a formal letter and sketch plans.

Let me know if you have any questions, look forward to hearing from you. Thanks!



***In the Community to Serve®***

---

2324 Dry Ranch Road  
Sheridan, WY 82801

March 8, 2024

Dear Mr. Hummel,

Regarding the proposed Major Subdivision being developed by Lorenzo Mendoza on Burrows Rd. Powell, WY, Montana Dakota Utilities (MDU) does have natural gas service available. There is a 2" natural gas main line located in the ROW of Burrows Rd. Natural gas service line installations can be initiated once a structure is erected that will use natural gas.

Please contact me at 307-674-3551 or [David.Magee@MDU.com](mailto:David.Magee@MDU.com) for any questions.

Sincerely,

Dave Magee  
Field Operations Coordinator



**From:** [Eric Hargett](#)  
**To:** [Jennifer Cramer](#)  
**Cc:** [Anne Lawler](#); [Ben McDonald](#); [Brian Edwards](#); [Corey Class](#); [Game and Fish - Jason Burckhardt](#); [Game and Fish - Laura Burckhardt](#); [Game and Fish - Tony Mong](#); [Game and Fish - Sam Hochhalter](#); [Nick Oliver](#); [Shoshone Irrigation](#); [Trent Shoshone Irr](#); [Burrell, Joseph](#); [Powell-Clarks Fork CD - Ann Trosper](#); [Matt Thomas-Rocky Mountain Power](#)  
**Subject:** Re: Agency Notice - Mendoza Major Subdivision  
**Date:** Monday, March 18, 2024 3:19:38 PM

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**CAUTION:** This email originated from outside of Park County Government.

Jennifer,

If the development on this property is anticipated to result in the discharge of dredged or fill material, stormwater, or other pollutant into a surface water (stream, river, wetland, lake, pond, reservoir, ditch), please consult the following information:

For any dredged or fill activity associated with the proposed project that occurs on a water of the United States, the project proponent may need to secure a 404 permit from the U.S. Army Corps of Engineers and a 401 water quality certification from the Wyoming DEQ. For more information on determining whether a 404 permit and 401 water quality certification may be needed, the project proponent can click on 'How to Apply for a 401 Water Quality Certification for USACE Section 404 Permits' at <https://deq.wyoming.gov/water-quality/watershed-protection/cwa-section-401-turbidity-wetland/401-water-quality-certification/>.

If the dredged or fill activity occurs on a stream or wetland that is not considered a water of the United States, then the project proponent would need to work with the Wyoming DEQ to secure proper coverage for the activity.

For activities that will clear, grade or otherwise disturb 1 or more acres of land and there is a potential for discharge of storm water to surface waters of the state, coverage under a stormwater permit must be obtained from the Wyoming DEQ. More information regarding stormwater permits can be found at <https://deq.wyoming.gov/water-quality/wypdes/discharge-permitting/storm-water-permitting/>.

For any point source discharge to surface waters not related to stormwater runoff or dredged/fill material such as discharges from gravel crushing and washing operations, cofferdam or site dewatering, vehicle or machinery washing, drilling fluids or cuttings, or other material processing operations, coverage under a Wyoming DEQ WYPDES temporary discharge permit may be required. More information on temporary discharge permits can be found at <https://deq.wyoming.gov/water-quality/wypdes/discharge-permitting/>.

Eric

On Mon, Mar 18, 2024 at 2:02 PM Jennifer Cramer <[Jennifer.Cramer@parkcounty-wy.gov](mailto:Jennifer.Cramer@parkcounty-wy.gov)> wrote:

| Good Morning,

**From:** [Anne Lawler](#)  
**To:** [Jennifer Cramer](#)  
**Subject:** RE: Agency Notice - Mendoza Major Subdivision  
**Date:** Monday, March 18, 2024 2:13:58 PM

---

Good Afternoon,

1<sup>st</sup> half of this parcel is paid and the 2<sup>nd</sup> half due May 10<sup>th</sup>, 2024

Thank you,

Anne Lawler  
1<sup>st</sup> Deputy  
Park County Treasurer  
307-527-8630

-

**Please note new e-mail**

**[Anne.Lawler@parkcounty-wy.gov](mailto:Anne.Lawler@parkcounty-wy.gov)**

---

**From:** Jennifer Cramer <Jennifer.Cramer@parkcounty-wy.gov>  
**Sent:** Monday, March 18, 2024 2:02 PM  
**To:** Anne Lawler <Anne.Lawler@parkcounty-wy.gov>; Ben McDonald <Ben.McDonald@parkcounty-wy.gov>; Brian Edwards <Brian.Edwards@parkcounty-wy.gov>; Corey Class <corey.class@wyo.gov>; Game and Fish - Jason Burckhardt <jason.burckhardt@wyo.gov>; Game and Fish - Laura Burckhardt <laura.burckhardt@wyo.gov>; Game and Fish - Tony Mong <tony.mong@wyo.gov>; Game and Fish - Sam Hochhalter <sam.hochhalter@wyo.gov>; Eric Hargett <eric.hargett@wyo.gov>; Nick Oliver <sid.archivist@gmail.com>; 'Shoshone Irrigation' <sid.secretary@outlook.com>; 'Trent Shoshone Irr' <shoshoneid@hotmail.com>; Burrell, Joseph <Joseph.Burrell@blackhillscorp.com>; Powell-Clarks Fork CD - Ann Trosper <ann.trosper@wy.nacdnet.net>; Matt Thomas-Rocky Mountain Power <Matthew.Thomas@pacificorp.com>  
**Subject:** Agency Notice - Mendoza Major Subdivision

Good Morning,

Attached please find an application and Sketch Plan for the Mendoza Major Subdivision (Applicant: Lorenzo Mendoza on behalf of Sullivan Land, LLC, landowner) The proposed two lot subdivision will create one 2.55-acre lot and one 1.58-acre lot, from a 4.13-acre parcel for residential use. The proposed subdivision is within Tract 10 of Lot 84, Resurvey, T55N, R99W of the 6<sup>th</sup> P.M., Park County, WY. The property is located in a GR-P zoning district in the Cody/Powell Rural Area, approximately 1.5 miles northwest of the City of Powell, west of Road 11 on the north side of Barrows Road, and is currently unaddressed.

**From:** [Corey Class](#)  
**To:** [Jennifer Cramer](#); [Sam Hochhalter](#); [Luke Ellsbury](#); [Tony Mong](#)  
**Subject:** Re: Agency Notice - Mendoza Major Subdivision  
**Date:** Tuesday, March 19, 2024 2:16:00 PM

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**CAUTION:** This email originated from outside of Park County Government.

We have no terrestrial wildlife comments for this project but offer standard subdivision language to help mitigate wildlife issues.

**1. Riparian/Wetland Habitat** It is extremely important that existing riparian habitat be retained and/or enhanced. We recommend no construction within a 100-foot buffer along each side of live or intermittent streams. All wetland areas should be evaluated and protected before final approval is obtained. If protection is not possible, we recommend on or off-site mitigation (in-kind replacement) at a ratio of two acres for every acre lost. Enhancing wetlands for wildlife by improving water supply, pothole development and shallow water impoundment of suitable water sources should be considered.

**2. Habitat Alteration** Development should be minimized or avoided in mountain shrub communities, aspen stands and any other important plant communities. Burning or cutting may revitalize old, decadent stands of aspen. Standing dead trees and dead and downed plant material should be left to provide important habitat for small wildlife species and to replenish soil nutrients through decomposition. No filling, excavating, dredging, mining, drilling, or removing of topsoil, sand, gravel, rock, or other minerals should be done except when associated with approved development plans.

**3. Non-native Plants** Introduction of non-native shrubs and trees should be restricted to those species that are the least palatable to browsing wildlife animals and pose little risk of spreading to adjacent areas (e.g., Russian olive should never be planted). The developer should consult with our local wildlife biologist \_\_\_\_\_ when planning landscaping for the subdivision.

**4. Bird Nesting/Perching Habitat** Nesting and perching areas for raptors and some cavity nesting birds should be maintained and human disturbance minimized during incubation and rearing time frames. See [Raptors](#) for the appropriate time frames. Developments should be located to protect unique physical or vegetative features that provides important nesting habitat. Home construction should be discouraged in these areas.

**5. Damage/Feeding** When applicable, the subdivision covenants should explain to prospective purchasers that wildlife inhabits, winters and/or migrates through the area. It is very likely that wildlife may damage ornamental shrubs, trees, homes and fences. The land purchaser accepts this risk factor. We will not accept compensation claims for damages caused by wildlife to ornamentals, homes and fences. Supplemental feeding of ungulates or carnivores should not be allowed. Homeowners in elk range should protect hay, alfalfa and other stored livestock feed at their own expense. In most cases, protecting stored feed with elk-proof fencing is the most effective method for preventing elk damage. In addition, livestock feed such as grain, or other attractants including pet food, bird feeders or barbecue grills, should be stored in such a manner to make them inaccessible to bears.

## 6. Information on [Fences](#)

7. **Garbage** Garbage disposal must be strictly regulated. No open pits or landfills should be allowed. If black bears and/or grizzly bears are known to frequent the area, garbage collection and/or disposal rules must be formulated and enforced to minimize bear-human conflicts. Bear-proof garbage containers should be required in areas with resident bear populations.

8. **Pets** Domestic pets, especially dogs and cats, should be restrained and prevented from roaming at large. Unrestrained pets can harass and kill small and large birds and mammals.

9. **Migration Corridors and Crucial Habitats** Subdivisions in these habitats should be avoided. If avoidance is not possible, the developer should consider obtaining conservation easements to protect remaining important habitats. Where migration corridors are affected, the subdivision layout or plat should attempt to maximize an open-space, natural-habitat corridor.

10. **Agriculture** The pasturing of livestock (e.g., horses, sheep, cattle) should be confined to established agricultural meadows, and stocking rates should be limited to those that maintain adequate plant cover to prevent erosion. Livestock should not be allowed to graze forest and shrub habitats since these types are important to wildlife and can be seriously impacted. Overgrazing by livestock can cause significant damage to plants by direct consumption, trampling, soil compaction and erosion. Livestock can displace wildlife by directly competing for forage and degrading habitat.

11. **Roads** Construct the minimum standard and number of roads needed to serve the subdivision. Roads should be constructed to avoid watercourses, wetlands and other important wildlife habitats.

12. **Habitat Enhancement** Enhancements can improve the existing wildlife habitat and provide enjoyment for wildlife enthusiasts within the subdivision. Enhancements should be planned thoroughly and thoughtfully prior to any construction. The developer and/or homeowners association should review the plan before approval. We will assist developers or homeowners in designing habitat enhancements.

13. **Chemical Herbicides, Pesticides, Fertilizers** The use of chemical herbicides, pesticides and fertilizers is discouraged. Spot treatments with herbicides are acceptable for controlling noxious terrestrial weeds. Only licensed personnel should apply herbicides, pesticides, and fertilizers.

14. **Off-road Vehicles** Restricted use of off-road vehicles should be written into the covenant. Off-road vehicles include all-wheel drives, motorcycles, all-terrain vehicles, and snowmobiles.

15. **Land Use Plan** An integrated and comprehensive land use plan should be developed. The plan should consider natural resource values in the county for orderly, long-term development.

16. **Corridors** - Developers should preserve wildlife corridors by maintaining areas of undeveloped open or wooded habitat and reducing the density of dwellings or through cluster

development with undeveloped land between clusters. Corridors will help wildlife move through or around developments, provide protection for sensitive areas, and reduce many land use conflicts.

**Corey Class**  
**Cody Wildlife Management Coordinator**  
**Wyoming Game and Fish Department**  
**NEW 2 Tilden Trail**  
**Cody, WY 82414**  
**NEW Office:(307)586-2858**  
**Cell: (307)399-9241**  
[corey.class@wyo.gov](mailto:corey.class@wyo.gov)



[wgfd.wyo.gov](http://wgfd.wyo.gov)

On Mon, Mar 18, 2024 at 2:02 PM Jennifer Cramer <[Jennifer.Cramer@parkcounty-wy.gov](mailto:Jennifer.Cramer@parkcounty-wy.gov)> wrote:

Good Morning,

Attached please find an application and Sketch Plan for the Mendoza Major Subdivision (Applicant: Lorenzo Mendoza on behalf of Sullivan Land, LLC, landowner) The proposed two lot subdivision will create one 2.55-acre lot and one 1.58-acre lot, from a 4.13-acre parcel for residential use. The proposed subdivision is within Tract 10 of Lot 84, Resurvey, T55N, R99W of the 6<sup>th</sup> P.M., Park County, WY. The property is located in a GR-P zoning district in the Cody/Powell Rural Area, approximately 1.5 miles northwest of the City of Powell, west of Road 11 on the north side of Barrows Road, and is currently unaddressed.

Also attached is a Variance Application and narrative from the applicant. This property is part of the remainder parcel of the five-lot Sullivan MS-14, therefore five lots have been created out of this tract of record and the proposed subdivision is classified as a major subdivision. The applicant is seeking a variance from the requirement to provide written letters of “no adverse recommendation” regarding water and sewer from the Wyoming DEQ.

The Property Tax Identification Number is 01559908410005 . Here is a link to the parcel on Park County Mapserver: [Park County, Wyoming, MapServer \(greenwoodmap.com\)](http://Park County, Wyoming, MapServer (greenwoodmap.com))



**Park County Weed & Pest Control District**

**P.O. Box 626**

**1067 Road 13**

**Powell, WY 82435**

Phone: 307-754-4521 Powell

Phone: 307-527-8885 Cody

Fax: 307-754-9005

[www.parkcountyweeds.org](http://www.parkcountyweeds.org)

Engineering Associates  
Attn: Nicholas Hummel  
PO BOX 1900  
Cody, WY 82414

March 22, 2024

Dear Nicholas,

Park County Weed and Pest Control District (PCWP) has completed the initial inspection of the proposed **Mendoza Major Simple Subdivision** located east of 1137 Barrows Road Powell, WY. During this survey, the following noxious weed species were found to be present on the property including (but not limited to):

**Russian olive (*Elaeagnus angustifolia*)**

The property is currently a mix of rangeland and desert shrubland in fair condition. The Russian olive infestations are identified on the map. Due to the fact that there is the probability of no water being available for this subdivision for irrigation and the difficulty in establishing any desirable species once disturbance occurs, as well as the presence of noted noxious species a Long-Term Noxious Weed Management Plan addressing a prevention and control program to minimize the introduction or spread of these or any noxious weeds as defined in Wyoming Statutes §11-5-101 inclusive *will be* required. Templates of this required Integrated Weed Management Plan were provided along with a copy of this correspondence and treatment recommendations.

Mitigation of these *or any* noxious weed species should begin before any further disturbance commences. Park County Weed and Pest Control District staff can provide technical assistance or referrals if necessary. We do carry perennial grass seed mixes at a 50% cost share including alkali tolerant mixes. We appreciate your cooperation in this matter. We appreciate your cooperation in this matter.

Sincerely,

Assistant Supervisor

cc: Park County Planning and Zoning

# Mendoza Major Subdivision



Park County Weed and  
Pest Control District

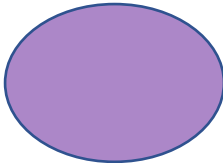
Mary McKinney

March 20, 2024

**Noxious Weed locations** *(approximate and many contiguous)*

**Russian olive** **X**

*(More incidentals may be present)*



**Russian olive**

(c) BNSullivanPhoto.com



**From:** [Molly Lynn](#)  
**To:** [Jennifer Cramer](#)  
**Subject:** RE: Agency Notice - Mendoza Major Subdivision  
**Date:** Monday, March 25, 2024 10:19:46 AM

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**CAUTION: This email originated from outside of Park County Government.**

Jenny,

This proposed subdivision is located in Garland's certified territory. We currently have a line running on the north side of Barrows Road. Garland has the capacity to serve these lots but has not been contacted by the developer for detailed plans.

Take care!

Molly Lynn | General Manager  
Garland Light & Power Co.  
755 HWY 14A | Powell, WY 82435  
Office: 307.754.2881 | Fax: 307.754.5320 | Mobile: 307.202.0681

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**From:** Jennifer Cramer <Jennifer.Cramer@parkcounty-wy.gov>  
**Sent:** Sunday, March 24, 2024 1:00 PM  
**To:** Molly Lynn <mlynn@garlandpower.org>  
**Subject:** Agency Notice - Mendoza Major Subdivision

Hi Molly,

This project app material has RMP as the power provider, but I'm wondering if it is in GLP service boundary? It is on Barrows Road, approximately 1 ½ miles NW of Powell (next door neighbor is 1137 Barrows Rd).

Thank you! If it is in your area, the agency notice with more detail is below for reference.

***Jenny Cramer***

Planner I

**Park County Planning & Zoning**

1002 Sheridan Avenue, Suite 109

Cody, WY 82414

Phone: 307-527-8540

Fax: 307-527-8515

Email: [jennifer.cramer@parkcounty-wy.gov](mailto:jennifer.cramer@parkcounty-wy.gov)

Website: [www.parkcounty-wy.gov](http://www.parkcounty-wy.gov)

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**From:** [Molly Lynn](#)  
**To:** [Jennifer Cramer](#)  
**Subject:** RE: Agency Notice - Mendoza Major Subdivision  
**Date:** Wednesday, March 27, 2024 2:27:37 PM

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**CAUTION:** This email originated from outside of Park County Government.

Jenny,

Yes. The power line runs along the south edge of Lot 2 and the last pole is 70' inside of Lot 1.

Molly Lynn | General Manager  
Garland Light & Power Co.  
755 HWY 14A | Powell, WY 82435  
Office: 307.754.2881 | Fax: 307.754.5320 | Mobile: 307.202.0681

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**From:** Jennifer Cramer <Jennifer.Cramer@parkcounty-wy.gov>  
**Sent:** Wednesday, March 27, 2024 12:40 PM  
**To:** Molly Lynn <mlynn@garlandpower.org>  
**Subject:** RE: Agency Notice - Mendoza Major Subdivision

Hi Molly,

I'm sorry, I should have asked this question the other day. Since the existing line is on the north side of Barrows Road, can we state that "power service is adjacent to both Lots 1 and 2."? Just confirming because Lot 1 is at the very end of Barrows, so I'm not positive it is covered.

Attached is the sketch plan. It looks like the last pole on Barrows does get to Lot 1?

Thank you so much!

**\*\*The Planning and Zoning Department moved to a temporary office space at the Park County Complex: 1501 Stampede Ave., Suite 2201, Cody, WY. Please bear with us as we settle into the new office space. We apologize for any inconvenience.\*\***

***Jenny Cramer***

Planner I  
**Park County Planning & Zoning**  
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