

1 **PARK COUNTY PLANNING & ZONING DEPARTMENT**
 2 Staff Report – Planning & Zoning Commission
 3 Half Star Minor Subdivision-82 (MS-82) – Public Hearing
 4 Sketch Plan Review

5
 6 **Staff:** Joy Hill & Jenny Cramer
 7 **Applicant:** Triple KB Ranch, LLC
 8 on behalf of Cody Easum
 9 **Tax ID#:** 01559807516000

Hearing Date: April 10, 2024
Zoning: General Rural Powell (GR-P)
Planning Area: Cody/Powell Rural

10
 11 **Application:** Triple KB Ranch, LLC (applicant), on behalf of Cody Easum (landowner)
 12 submitted a Minor Subdivision Application (**attached**) to the Planning and Zoning
 13 Department on March 8, 2024, including payment, a sketch plan, a copy of the Notice of
 14 Intent to Subdivide and other supporting documentation. A revised sketch plan was
 15 received on March 29, 2024. (see Figure 1)

16
 17 **Requested Action:** The applicant requests approval of a subdivision resulting in one
 18 15.06-acre lot and an approximately 77.27-acre exempt remainder parcel.

19
 20 **Ownership:** Ownership is affirmed by Warranty Deed dated April 17, 2008 (Doc. #2008-
 21 3468) to Cody A. Easum and Gwen J. Easum, husband and wife as tenants by entireties
 22 with right of survivorship and not as tenants in common, from Cody A. Easum, a married
 23 man.

24
 25 **Applicable Regulations (portions of which are referenced herein):** *Park County,*
 26 *Wyoming, 2015 Development Standards and Regulations* adopted September 15, 2015
 27 (“regulations”).

28
 29 **Classification of Subdivision:** A minor subdivision is the division of a tract of record into
 30 not more than five (5) lots, each lot being smaller than 35 acres. An existing subdivision
 31 lot may be divided using the minor subdivision process so long as the division creates no
 32 more than five (5) lots each smaller than 35 acres within the existing subdivision or tract
 33 of record. Minor subdivision lots shall be configured to create a contiguous developed
 34 area. Minor subdivisions must comply with the Minor Subdivision Review Process.

35
 36 **NOTE:** This subdivision is classified as a minor subdivision due to the Easum SS-67, two-
 37 lot subdivision splitting the tract of record in 2005.

38
 39 **Legal Description:** A 92.33-acre tract described as: That part of Lots 75-V and 75-W
 40 lying south and east of the centerline of Lane 11 ½ and Lots 75-EE and 75-P and 74-Q
 41 and Tracts 1, 3 and 9 of Section 32, T55N, R98W of the 6th P.M., Park County, Wyoming.

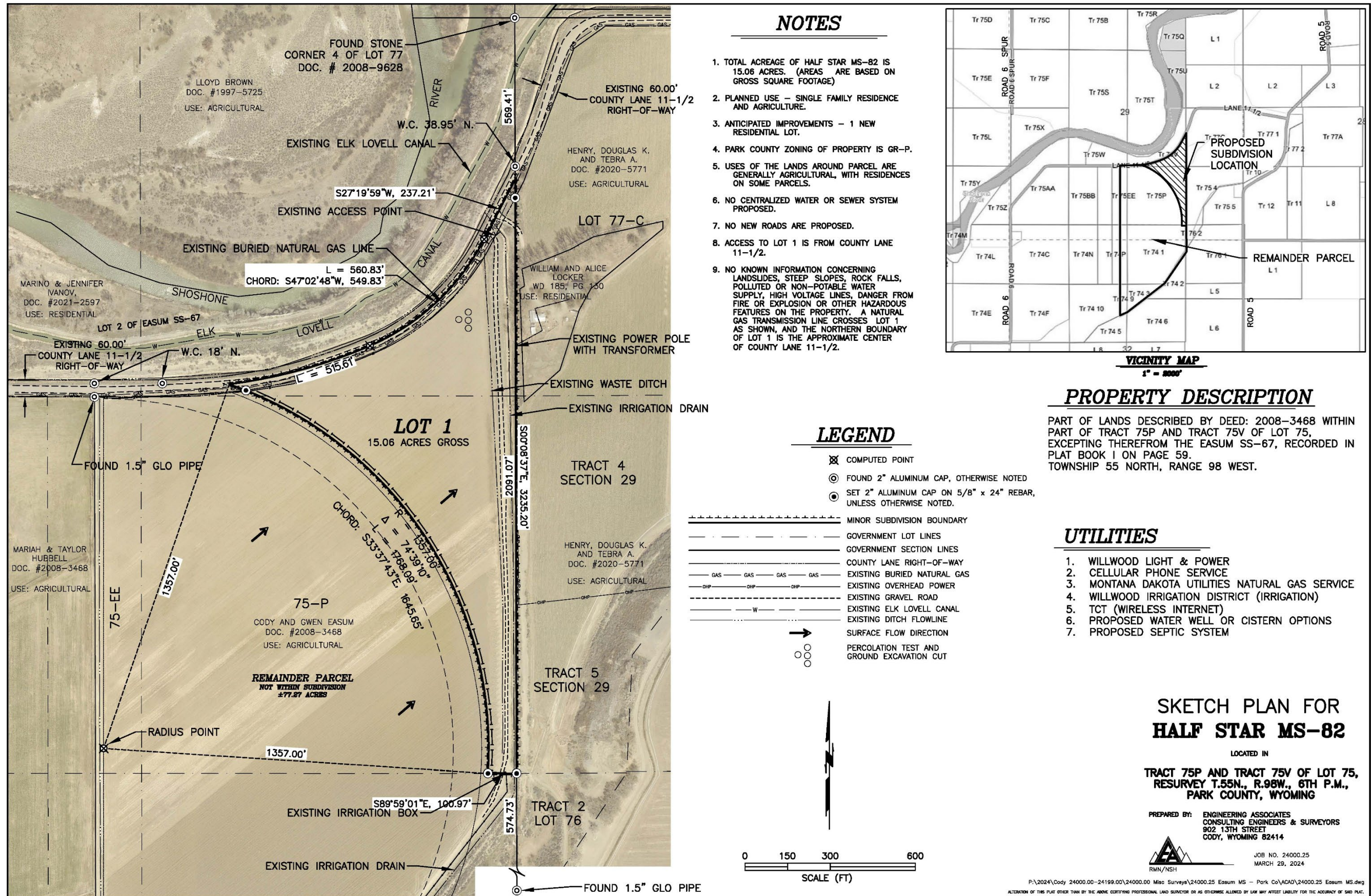
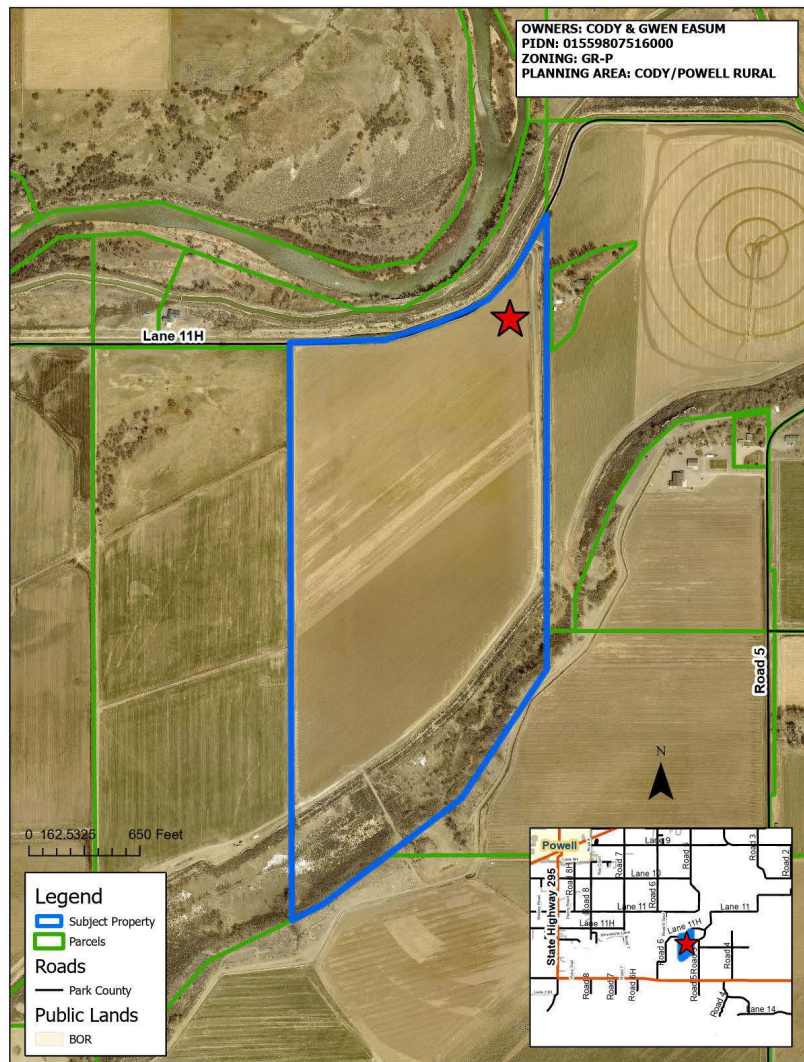


Figure 1: Sketch Plan of Half Star MS-82

43 **Zoning District and Purpose:** The property 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 size proposed is consistent with the GR-P zoning district.**

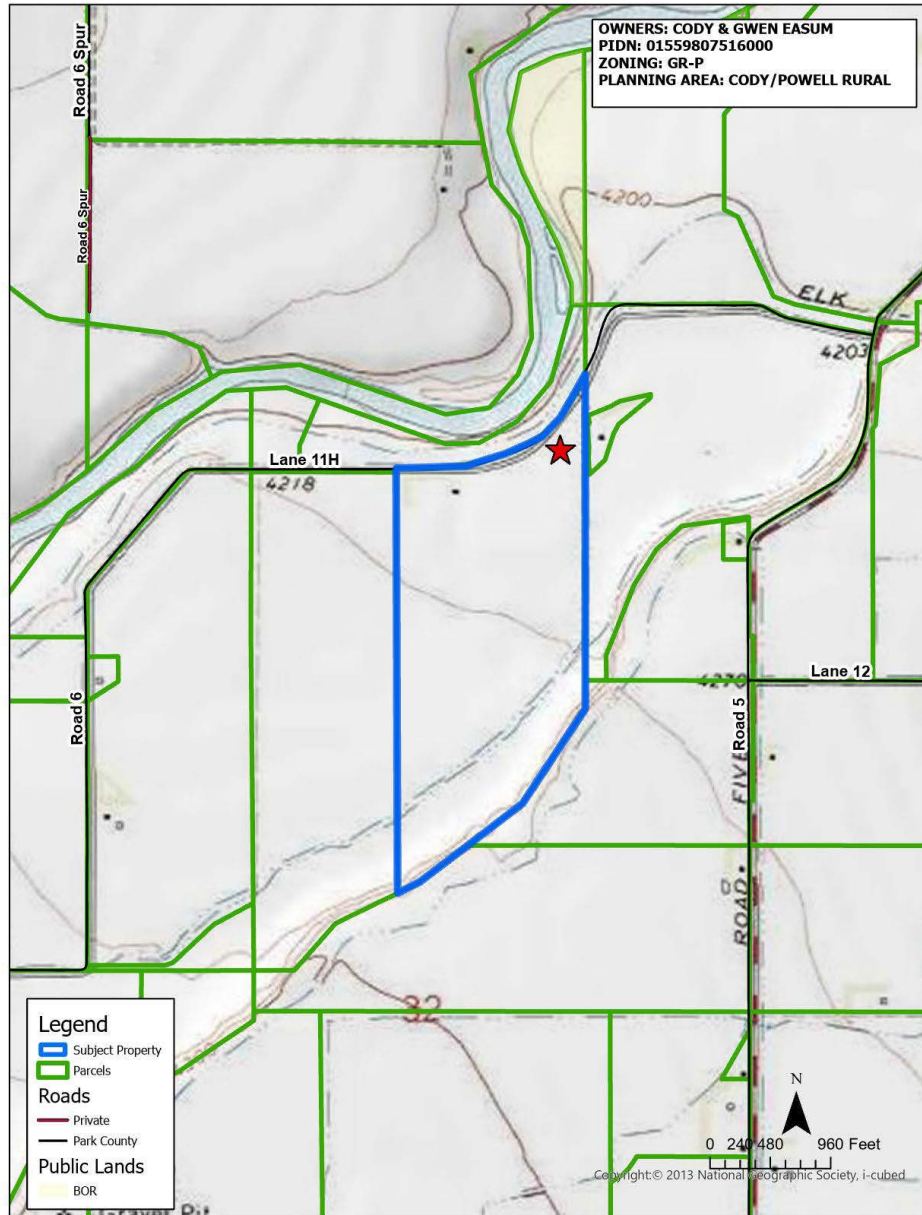
54 **Location:** As shown in Figure 2, the proposed subdivision is located approximately 3 ½ miles southeast of Powell, south of Lane 11H, and west of Road 5.



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57

**Figure 2: Half Star MS-82 Location
(red star is approximate center of subdivision lot)**

58 **Site Characteristics:** The proposed lot is currently vacant, irrigated cropland. As shown
59 in Figure 3, the property is relatively flat.



60
61 **Figure 3: Topographic Map of the Property and Surrounding Area**
62 **(red star is approximate center of subdivision lot)**

63
64 **Neighboring Land Use:** As shown in Figure 4, neighboring land uses are agricultural
65 and residential. Easum SS-67 is to the north and Himes Homestead MS-75 is to the west.

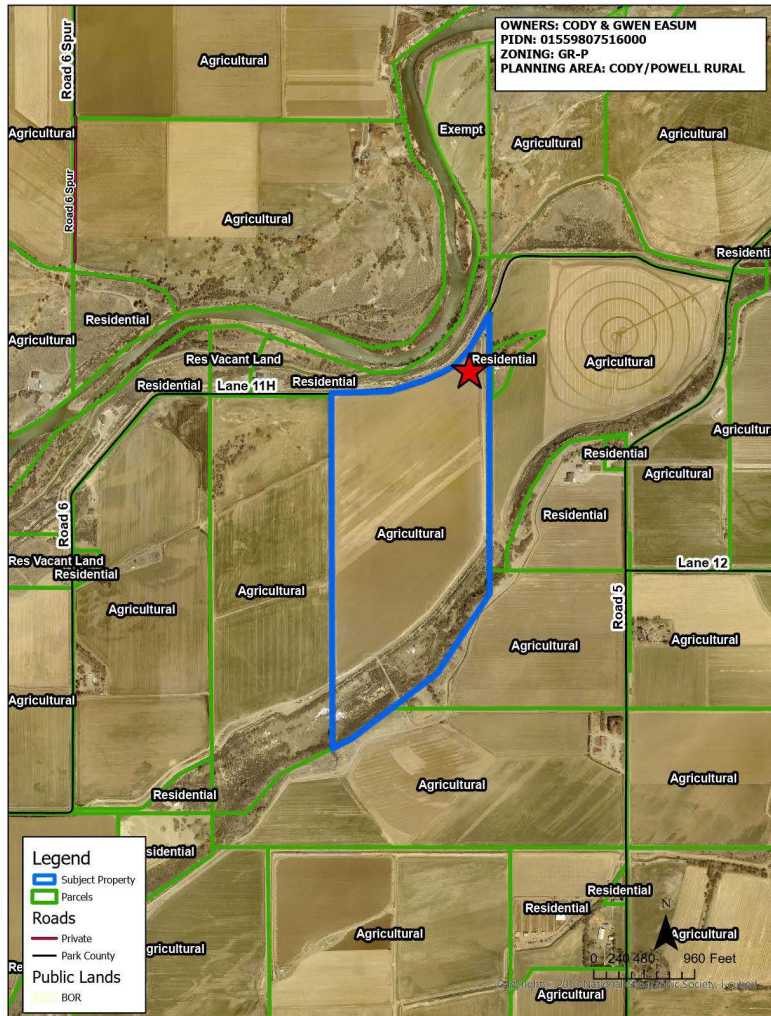


Figure 4. Half Star MS-82 Neighboring Land Use (red star is approximate center of subdivision lot)

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

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

Agency Referrals: County Regulations Ch. III, Sec. 4a specifies that the Planning Department forward all subdivision applications to the Park County Treasurer, Public

87 Works, the Fire District, the Weed & Pest Control District, the Small Wastewater
88 Administrator, the Wyoming Game & Fish Department and any other county official or
89 agency the Planning Director deems appropriate. Relevant agencies were notified by the
90 applicant, as well as by staff, and responses were received as follows:

91
92 Park County Fire Protection District #1: In a letter dated February 29, 2024, the
93 District stated they can provide fire suppression to this location, and request any
94 and all accesses are constructed to accommodate the fire equipment. (Attached)

95
96 Park County School District #1 (PSCD1): In a letter dated February 29, 2024, the
97 District Transportation Director stated this proposed subdivision is in the PCSD1
98 boundary, and they will have drop off and pick up at all exit points onto Lane 11H.
99 (Attached)

100
101 TCT: In a letter dated February 29, 2024, TCT stated they may have the ability to
102 provide terrestrial wireless internet and VOIP phone service to his location,
103 depending on line-of-site to one of their towers. (Attached)

104
105 Willwood Irrigation District (WID): In an email dated February 29, 2024, WID
106 provided initial comments regarding irrigation on the property, and a 50' from
107 centerline (or more if needed) required drain easement. (Attached)

108
109 Montana-Dakota Utilities Company (MDU): In a letter dated March 8, 2024, MDU
110 stated natural gas service is available to the proposed subdivision from an existing
111 2" main line on the south side of Lane 11H in the county road right-of-way. Natural
112 gas service line installations can be initiated once a structure is erected that will
113 use natural gas. (Attached)

114
115 Wyoming Department of Environmental Quality (DEQ): In an email dated March
116 15, 2024, DEQ summarized the notifications, permits, and certificates required for
117 various activities that may impact surface or groundwater. (Attached)

118
119 Park County Treasurer (PCT): In an email dated March 15, 2024, the PCT stated
120 property taxes are paid in full. (Attached)

121
122 Wyoming Game & Fish Department (G&F): In an email dated March 19, 2024,
123 G&F stated they have no terrestrial wildlife comments for this subdivision.
124 (Attached)

125
126 Park County Weed & Pest Control District (W&P): In a letter dated March 20, 2024,
127 W&P reported their findings from an initial inspection of the property and a Long-
128 Term Noxious Weed Management Plan will be required. (Attached)

129
130 Powell-Clarks Fork Conservation District: No response has been received.

131
132 Willwood Light and Power: No response has been received.

133
134 United States Postal Service (USPS): No response has been received.

135

136 Park County Public Works (PW): No response has been received.

137

138 ***CONCLUSION: Based upon the above findings, all notice requirements have***

139 ***been met.***

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141 **Public Comments:** No public comments have been received.

142

143 **Application Submissions for Sketch Plan Review:** As required in Ch. III, Sec. 3 of the

144 County Regulations.

145

146 a. **Pre-application meeting:** Pre-application meetings are required for all

147 subdivisions unless waived by the Planning Director: **A pre-application**

148 **meeting occurred on March 4, 2024 and was attended by the applicant's**

149 **surveyor, and Planning Department staff.**

150 b. **Applications:** Initial application submissions for all subdivisions shall include

151 the following:

152 (1) Fees: **\$300 paid on March 8, 2024 (Receipt #240306).**

153 (2) Application and required submittals, including:

154 A. Proof that a "Notice of Intent to Subdivide" has been published in a

155 local newspaper in the legal notice section once each week for two

156 (2) weeks within 30 days prior to filing the application. The notice

157 shall include the name of the subdivider, general location of the land

158 to be subdivided, number and size of lots proposed and intended

159 uses within the subdivision. **Proof was provided that the notice of**

160 **Intent to Subdivide was published on March 7, 2024 and March**

161 **14, 2024.**

162 B. Title report: **A title report dated March 1, 2024 has been**

163 **submitted.**

164 C. Identification of entities responsible for road construction and

165 maintenance including snow removal and drainage facilities: **No new**

166 **roads are proposed.**

167 D. Garbage disposal availability: **Solid waste disposal services are**

168 **available through private providers.**

169 E. Fire protection availability: **Fire protection will be available from**

170 **Park County Fire Protection District #1.**

171 F. Postal service and mail delivery points: **No response has been**

172 **received from USPS. To be determined.**

173 G. School bus stop/pullout locations: **Park County School District #1**

174 **stated it will have drop off and pickup at all exit points on Lane**

175 **11H.**

176 H. Information on availability of service providers for cable TV,

177 telephone, gas and electricity with addresses and phone numbers,

178 indicating which of these services has been extended to the lots in

179 the subdivision.

180 ➤ **Willwood Light & Power has not confirmed their capacity**

181 **to serve the lots.**

182 ➤ **Montana-Dakota Utilities Co. has confirmed they have**

183 **natural gas service available from an existing 2" main**

184 **line that runs through the subdivision lot and on the**

- 185 south side of Lane 11H in the County Road Right-of-Way.
 186 Service line installations can be initiated once structures
 187 are erected.
- 188 ➤ TCT may have the ability to provide terrestrial wireless,
 189 internet or VOIP phone service.
- 190 I. Any known information concerning landslides, steep slopes, rock
 191 falls, high water tables, polluted or non-potable water supply, high
 192 voltage lines, high pressure gas lines, danger from fire or explosion
 193 or other hazardous features on the property: **No known information**
 194 **concerning landslides, steep slopes, rock falls, polluted or non-**
 195 **potable water supply, high voltage lines, danger from fire or**
 196 **explosion has been revealed.**
- 197 J. Evidence that a soils report has been requested from the Local
 198 Conservation District: **A soils report has been requested from the**
 199 **Powell-Clarks Fork Conservation District.**
- 200 K. Evidence the Irrigation District has been contacted: **Willwood**
 201 **Irrigation District was notified.**
- 202 L. Evidence the Weed & Pest District has been contacted: **Weed &**
 203 **Pest has been contacted and a Long-Term Noxious Weed**
 204 **Management Plan is required.**
- 205 M. Proof of ownership showing encumbrances of record: **Ownership**
 206 **has been affirmed and a current title report has been provided.**
- 207 (3) Legible and reproducible 11" x 17" Sketch Plan for the proposed
 208 subdivision showing: **Sketch Plan was provided with the application.**
- 209 A. Legal description; **Included.**
- 210 B. Boundaries of the area to be subdivided; **Included.**
- 211 C. Lot layout indicating the approximate dimensions and acreage of lots,
 212 total acreage of the subdivision, size of recreational, open and/or
 213 dedicated spaces and the current county zoning classification;
 214 **Included.**
- 215 D. Existing structures, wells and septic facilities; **Included.**
- 216 E. Irrigation facilities including laterals, head gates and waste ditches,
 217 and direction of flow where flood irrigation is proposed; **Included.**
- 218 F. Means of access from the lots to the public road system; **Access to**
 219 **the lot is directly from County Lane 11H.**
- 220 i. All lots and parcels shall have legally enforceable access.
- 221 ii. In the case of direct access to a county or state road, the
 222 applicant shall submit a valid state or county right-of-way
 223 permit or a letter from the governing body indicating favorable
 224 "access review" where the specific point of access has not yet
 225 been determined.
- 226 G. Existing uses of adjoining properties. **Included.**

227
 228 **CONCLUSION: Based upon the above findings, application submission**
 229 **requirements for sketch plan review have been met.**

- 230
 231 c. **Wastewater Requirement:** Ch. III Sec. 3c (5) On-site wastewater systems for
 232 Simple and Minor Subdivisions: Prior to sketch plan review, the applicant shall
 233 submit the following to the Small Wastewater Administrator:

- 234 A. Subsurface Evaluations: **A subsurface evaluation has not been**
235 **completed.**
236 i. At least one percolation test must be performed on a minimum of
237 half of the proposed lots according to the procedures described
238 in Chapter 11, Part D, Appendix A of Wyoming Water Quality
239 Rules and Regulations (Appendix 13). Raw data from those
240 percolation tests must be tabulated and submitted with the
241 application; **Percolation test data has not been received.**
242 ii. The depth to groundwater and/or impervious soils or rocks must
243 be determined on a minimum of half the proposed lots by
244 excavating trenches to a depth of at least ten (10) feet, or the first
245 occurrence of saturated soil; **An excavation cut has not been**
246 **made.**
247 iii. The applicant must demonstrate that the separation of the base
248 of the proposed drain fields relative to groundwater, impervious
249 soils and/or rock types will meet or exceed the minimum
250 standards established in Chapter 11, Part D, Section 36(c) (as
251 amended) of Wyoming Water Quality Rules and Regulations
252 (Appendix 13). **Unknown.**
- 253 B. Diagrams:
254 i. A map showing lot configurations and their surface topographies
255 and the locations of proposed septic systems and domestic water
256 sources for each lot; **Sketch Plan shows lot configuration.**
257 **Locations of future structures, septic system(s) and well(s),**
258 **if any, have yet to be determined.**
259 ii. A map showing the locations of percolation tests performed as a
260 component of the application and their stabilized rates. This map
261 shall also show the location and depth to seasonal high
262 groundwater discovered in the trenches excavated for subsurface
263 evaluation. **Locations where the percolation test will be**
264 **performed is shown on the Sketch Plan.**
- 265 C. The above information will be utilized, in part, to determine the type
266 of wastewater treatment system necessary that may include a
267 wastewater treatment solution engineered by a Wyoming Registered
268 Engineer.
- 269 D. Prior to sketch plan review, the Small Wastewater Administrator shall
270 submit a letter to the Planning Director indicating that septic systems
271 are feasible on the lots and noting any special conditions that may
272 apply. **This will be completed once a subsurface evaluation has**
273 **been completed.**
- 274 E. The Planning Director may consult with a qualified professional to
275 determine the potential for adverse effects on groundwater as a
276 result of the proposed simple or minor subdivision. The Planning
277 Director may make a determination whether or not the applicant's
278 plan for septic facilities shall be reviewed by the Department of
279 Environmental Quality (DEQ) pursuant to W.S. §18-5-306(c). If DEQ
280 review is required, the applicant shall proceed through major
281 subdivision review.

- 282 F. Plat language: The words “NO PROPOSED CENTRALIZED
 283 SEWAGE SYSTEM” in bold capital letters shall appear on all offers,
 284 solicitations, advertisements, contracts, agreements and plats
 285 relating to the subdivision. **Standard applies.**

286
 287 ***CONCLUSION: Based upon the above findings, wastewater requirements***
 288 ***pertaining to sketch plan review have not been met.***

- 289
 290 d. **Domestic Water Requirement:** Ch. III Sec. 3d (4) On-site wells for Simple and
 291 Minor Subdivisions: Prior to sketch plan review, the following water analysis
 292 must be submitted to the Planning Office:

293 A. Ambient groundwater quality must be established by means of the
 294 analysis of one or more representative water wells in the same
 295 formation as the area of the proposed subdivision, but no more than
 296 1/2 mile away. If existing sample results are not publicly available,
 297 new representative samples must be collected and analyzed. At a
 298 minimum, analytical laboratory results must be provided for the
 299 elements and compounds listed in Chapter 23, Section 7(C)(III) of
 300 Wyoming Water Quality Rules and Regulations. In certain
 301 circumstances, this condition may be waived based on other
 302 available data. **Domestic water is proposed by an individual on-**
 303 **site well to be permitted and approved by the Wyoming State**
 304 **Engineer’s Office. Test results from a water well within 1/2 mile**
 305 **of the subdivision have not been provided.**

306 i. When there are no wells within the ½ mile radius, it must be stated
 307 on the final plat “**NO WATER ANALYSIS WAS CONDUCTED**
 308 **AND THE AVAILABILITY AND QUALITY OF POTABLE**
 309 **WATER IS UNKNOWN. CISTERNS MAY BE REQUIRED”.**
 310 **Standard applies.**

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

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

316 D. All wells shall meet all requirements of the Wyoming State Engineer.
 317 **Landowners must comply with the requirements of the**
 318 **Wyoming State Engineer’s Office in establishing new wells and**
 319 **getting the appropriate permits for them.**

320
 321 ***CONCLUSION: Based upon the above findings, domestic water***
 322 ***requirements pertaining to sketch plan review have not been met.***

- 323
 324 e. **Agricultural Impacts**

325 (1) Impact Mitigation: Subdivisions shall be designed to mitigate adverse
 326 impacts to agricultural operations including, but not limited to, control of
 327 weeds, pests and litter; confinement of domestic pets that may threaten
 328 livestock; and protection and maintenance of irrigation facilities and ditches
 329 that cross private property. Fences or restrictive covenants may be required
 330 to control adverse impacts. **The property is undeveloped irrigated**

331 farmland. The applicant will be required to comply with the
 332 recommendations of County Weed and Pest regarding the control of
 333 weeds. The applicant has not proposed any changes expected to
 334 impact neighboring agricultural activities. The applicant has not
 335 addressed pests and litter or domestic pets. Existing irrigation
 336 facilities/ditches are shown on the sketch plan.

337 (2) Right to Farm and Ranch: Subdivisions shall be designed to minimize
 338 problems resulting from exposure to legal and generally accepted
 339 agricultural practices in the vicinity. The plat shall contain a notice of the
 340 Wyoming Right to Farm and Ranch Act of 1991 (W.S. §11-44-101) and shall
 341 be subject to Ch. IV Section 5c (1) Agricultural Overlay District review. **This**
 342 **parcel is located in an Agricultural Overlay District; standard applies.**

343 (3) Existing Irrigation Facilities: Existing irrigation structures and easements
 344 may not be relocated or otherwise disturbed without the approval of the
 345 owner of the structure or easement. Existing ditches and facilities may be
 346 subject to the right of access for other water right holders. **Standard**
 347 **applies.**

348 (4) Irrigation Easements: Subdivision plats shall provide irrigation easements
 349 prohibiting building construction and allowing access for maintenance as
 350 provided by state law. **Standard applies.**

351
 352 **CONCLUSION: Based upon the above findings, agricultural impacts have**
 353 **been addressed.**

354
 355 f. **Water Rights:** With respect to any water rights appurtenant to lands to be
 356 subdivided, the subdivider shall provide:

357 (1) A plan, a copy of which was submitted to and approved by the state
 358 engineer prior to the final approval of the subdivision application, for the
 359 distribution of the water rights appurtenant to the land to be subdivided. The
 360 plan shall specify the distribution of the water to the lots within the
 361 subdivision and shall include all appropriate applications for change of use,
 362 change of place of use or change in point of diversion or means of
 363 conveyance in accordance with W.S. §41-3-103, 41-3-104 or 41-3-114; and

364 A. If the subdivision is located within lands served by or crossed by a
 365 ditch, irrigation company or association, or by an unorganized ditch,
 366 evidence that the plan has been submitted to the company, or
 367 association, or the remaining appropriators in the case of an
 368 unorganized ditch for their review and recommendations. **The**
 369 **proposed subdivision is in the Willwood Irrigation District, and**
 370 **a plan has been submitted to the District for review.**

371 B. Evidence that the subdivider will specifically state on all offers and
 372 solicitations relative to the subdivision the intent to comply with this
 373 paragraph and that the seller does not warrant to a purchaser that
 374 there are any rights to the natural flow of any stream within or
 375 adjacent to the proposed subdivision. It shall further be stated that
 376 Wyoming law does not recognize any riparian rights to the continued
 377 natural flow of a stream or river for persons living on the banks of the
 378 stream or river. **No stream/river passes within or adjacent to the**
 379 **proposed subdivision lots.**

- 380 C. If the subdivision is located within the boundaries of an area that is
 381 subject to the provisions of W.S. §41-7, the application shall include
 382 a review and recommendations from the irrigation district regarding
 383 the attached water rights and the irrigation district's easements. If
 384 there is a conflict with the irrigation district's recommendations, the
 385 applicants shall certify they have met with and made a good faith
 386 effort to resolve any conflicts with the irrigation district. **Willwood
 387 Irrigation District has provided initial comment and
 388 recommendations and designated a width for irrigation
 389 easements on the property. An approved water distribution plan
 390 will be required.**
- 391 D. If the subdivision will create a significant additional burden or risk of
 392 liability to the irrigation district, company, association or remaining
 393 appropriators, including appropriators on an unorganized ditch, the
 394 applicant shall provide an adequate and responsible plan to reduce
 395 or eliminate the additional burden or risk of liability. **Not applicable.**
- 396 E. Subdivisions retaining all water rights with no change of use are
 397 exempt from state review. **No state review required.**

398
 399 ***CONCLUSION: Based upon the above findings, water rights requirements
 400 pertaining to sketch plan review have been met.***

- 401
 402 g. **Utilities:** Minor subdivisions shall install electrical power service adjacent to
 403 the lot lines. Natural gas, if available within 400 ft., shall also be stubbed to the
 404 lot lines. Telephone service shall be stubbed with a service connection to the
 405 edge of each lot unless quality consistent wireless cell service is available. All
 406 utility installation at a minimum shall meet requirements of the utility providing
 407 the service. All utilities shall be located underground.
- 408 ➤ **Willwood Light & Power has not responded regarding their
 409 capacity to serve and how service will be brought to each of the
 410 lots.**
 - 411 ➤ **Montana-Dakota Utilities Co. has the capacity to provide natural
 412 gas service to each lot from an existing main located on the south
 413 side of County Lane 11H. Natural Gas service has not been
 414 stubbed to each proposed lot; however, MDU will not stub service
 415 to any of the lots until a structure is constructed and service is
 416 requested.**
 - 417 ➤ **TCT may have the ability to provide terrestrial wireless internet
 418 and VOIP phone service to his location, depending on line-of-site
 419 to one of their towers.**

420
 421 ***CONCLUSION: Based upon the above findings, utility requirements
 422 pertaining to sketch plan review have been met with the exception that
 423 power is not yet adjacent to the proposed lot; therefore, a Subdivision
 424 Improvements Agreement will be required.***

- 425
 426 h. **Design and Improvement Standards:** Ch. III Sec. 3h: All subdivisions must
 427 comply with Section 8 except: Simple and minor subdivisions need not submit
 428 covenants or a Homeowners Association Agreement (HOA) unless the

429 proposal includes roads or other common facilities maintained by the lot-
430 owners. If common maintenance of facilities is proposed, a Homeowners
431 Association must be formed to address terms of common maintenance. **Lot**
432 **standards have been met. No common maintenance of facilities is**
433 **proposed. No sidewalks, street lighting, alleys, or open spaces are**
434 **proposed. An HOA will not be required.**

435
436 **Wyoming Statute § 18-5-319. Fencing Requirements for Subdivision**
437 **Permits. [Effective July 1, 2023]:**

438
439 **(a)** Each subdivider seeking to create or divide a subdivision that is adjacent to
440 lands upon which livestock can be legally run at large shall comply with all of
441 the following:

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

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

449 **(iii)** The subdivider shall be responsible for all costs of the original construction
450 for the perimeter fence.

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

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

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

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

465 **(d)** Before receiving a subdivision permit under this article, a subdivider shall
466 provide information and evidence of the construction or plans to construct any
467 perimeter fence required by this section in accordance with W.S. 18-5-
468 306(a)(xiii).

469 **Statute applies. It appears that livestock can be run at large on lands**
470 **adjacent to the proposed subdivision. Applicant will need to provide**
471 **evidence of (1) an existing legal perimeter fence as prescribed by W.S.**
472 **11-28-102, (2) written consent from all adjacent landowners a perimeter**
473 **fence is not necessary, or (3) design plans to construct a perimeter fence**
474 **as required by this section in accordance with W.S. 18-5-306(a)(xiii). If**
475 **plans to construct a perimeter fence are necessary, a Subdivision**
476 **Improvements Agreement will be required.**

477

478 **Overlay Districts: The subdivision is located within an Agricultural Overlay District.**
479 The Commission shall examine:

480
481 Agricultural Overlay District Considerations:

- 482 A. Impacts on Agricultural Operations: The Board or Commission shall
483 examine the effects of non-agricultural development on nearby commercial
484 agricultural operations in the AGO district not including agricultural
485 operations of the applicant, if any. The review may identify reasonable
486 changes to the design or operating features of a development that shall be
487 implemented to mitigate adverse impacts to commercial agriculture. Such
488 requirements may include, but are not limited to control of weeds, pests and
489 litter; confinement of domestic pets that may threaten livestock; and
490 protection and maintenance of irrigation facilities and ditches that cross
491 private property. **These impacts were addressed earlier in this report.**
- 492 B. Vulnerability of Use to Agricultural Practices: Examine whether the
493 proposed use will be particularly vulnerable to problems resulting from
494 exposure to legal and generally accepted commercial agricultural practices
495 in the vicinity. Uses that will be vulnerable to agricultural noise, dust, odors,
496 light, etc., shall be designed and operated to minimize such problems. **The**
497 **landowner(s) are aware of the existing surrounding agricultural**
498 **practices and a note regarding ag practices and the Wyoming Right to**
499 **Farm and Ranch Act of 1991 will be placed on the final plat.**
- 500 C. Use of Marginal Land: Examination of the location of the proposed non-
501 agricultural development relative to the conversion of productive agricultural
502 land to non-agricultural use. Applicants shall minimize such conversion by
503 locating non-agricultural use on the least productive or agriculturally
504 marginal portions of the applicant's property if this is practical given
505 consideration of other factors involved in siting the use. **The landowner is**
506 **installing a pivot irrigation system on the parcel and the proposed lot**
507 **will be a pivot corner; no longer useful in the farming operation and**
508 **considered marginal land.**
- 509 D. Limitations on Review: This review shall not be used as a basis for denial
510 of approval for any use that is permitted by right of by Special Use Permit
511 in the zoning district in which the subject property is located.

512
513 **Approval Standards:** In conducting review of the sketch plan, the Planning & Zoning
514 Commission should:

- 515 A. Give particular attention to the arrangement, location and dimensions of the
516 lots and the means of access, their relationship to the topography of the land,
517 relationship to the geologic and hydrologic setting, sewage disposal, drainage,
518 arrangement for domestic water, the potential future development of adjoining
519 land, and the goals and objectives of the County's Land Use Plan; **No new**
520 **roads are proposed; access is from County Lane 11H. No shared facilities**
521 **or infrastructure are proposed. The lot is vacant irrigated land. Should the**
522 **subdivision be approved and developed, domestic water will be provided**
523 **by individual on-site water wells. The proposed lot conforms to the lot**
524 **design and improvement standards. There are no hydrologic features**
525 **(i.e., streams, rivers) located on the property.**

- 526 B. Review whether the design and development of subdivisions makes every
 527 effort to retain the natural terrain, natural drainage, existing topsoil, trees,
 528 wildlife and fish habitats; **Future development is intended for residential or
 529 agricultural use. These developments are in harmony with the
 530 surrounding area and will not significantly impact the surroundings.**
- 531 C. Review impacts to agriculture; **The proposed subdivision is in an
 532 Agricultural Overlay District. Impacts have been addressed previously in
 533 this staff report.**
- 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 information concerning landslides, steep slopes, rock
 539 falls, polluted or non-potable water supply, high voltage lines, danger
 540 from fire or explosion has been revealed.**
- 541 E. Review whether land subject to flooding has been set aside for uses which will
 542 not aggravate the danger of flood hazard, will not be endangered by flooding,
 543 or will not endanger the general health, safety or welfare of the public; **No
 544 portion of proposed Lot 1 falls within the mapped special flood hazard
 545 area.**
- 546 F. Review whether land for natural areas, schools, parks, open spaces, and future
 547 road rights-of-way are reserved and located according to good planning
 548 practices and principles; **No open spaces, natural areas, schools, or parks
 549 are proposed or required. No future road plans are foreseen specific to
 550 this subdivision, therefore particular attention to future rights-of-way are
 551 unnecessary.**
- 552 G. Make specific written requirements for changes in the subdivision to address
 553 identified problems and ensure compliance with these regulations. The
 554 applicant shall incorporate any required changes in the next submission to the
 555 County; **To be completed by the Planning and Zoning Commission, if
 556 necessary.**
- 557 H. Subdivisions may be reclassified by the Commission to receive additional
 558 evidence and testimony for good cause shown. **The subdivision is classified
 559 as a minor subdivision with no known unusual characteristics warranting
 560 reclassification to a major subdivision.**

561
 562 ***CONCLUSION: Based upon the above findings, all approval standards
 563 requirements pertaining to sketch plan review have been met.***
 564

565 **Staff Findings:**

- 566 1. Triple KB Ranch, LLC. (applicant) on behalf of Cody Easum (landowner),
 567 submitted a Minor Subdivision Application, including payment, a sketch plan,
 568 and other supporting documentation on March 8, 2024;
- 569 2. A revised sketch plan was received on March 29, 2024;
- 570 3. The applicant requests approval of a subdivision resulting in one 15.06-acre
 571 lot and an approximately 77.27-acre exempt remainder parcel;
- 572 4. Ownership is affirmed by Warranty Deed dated April 17, 2008 (Doc. #2008-

- 573 3468) to Cody A. Easum and Gwen J. Easum, husband and wife as tenants
574 by entirety with right of survivorship and not as tenants in common;
- 575 5. Applicable Regulations for this development are the *Park County, Wyoming,*
576 *2015 Development Standards and Regulations* adopted September 15, 2015
577 (“Regulations”);
- 578 6. This subdivision is classified as a minor subdivision;
- 579 7. The parcel is a 92.33-acre tract described as: That part of Lots 75-V and 75-
580 W lying south and east of the centerline of Lane 11 ½ and Lots 75-EE and
581 75-P and 74-Q and Tracts 1, 3 and 9 of Section 32, T55N, R98W of the 6th
582 P.M., Park County, Wyoming;
- 583 8. The property is in a GR-P zoning district;
- 584 9. The lot size as proposed is consistent with the GR-P zoning district;
- 585 10. The proposed subdivision is located approximately 3 1/2 miles southeast of
586 Powell, south of Lane 11H, and west of Road 5.
- 587 11. The proposed lot is currently vacant, irrigated cropland and is relatively flat;
- 588 12. Adjacent land uses are agricultural and residential, and several simple
589 subdivisions are located nearby;
- 590 13. This property is not located within one mile of any municipality; therefore,
591 municipal review is not required;
- 592 14. Public notice requirements have been met;
- 593 15. Agency referral requirements have been met;
- 594 16. Park County Fire District #1 can provide fire suppression;
- 595 17. Park County School District #1 stated they will have drop off and pick up at
596 all exit points onto Lane 11H;
- 597 18. TCT stated they may have the ability to provide terrestrial wireless internet
598 and VOIP phone service to his location;
- 599 19. Willwood Irrigation District provided initial comments regarding irrigation on
600 the property, and a 50’ from centerline (or more if needed) required drain
601 easement;
- 602 20. MDU stated natural gas service is available;
- 603 21. Wyoming DEQ summarized the notifications, permits, and certificates
604 required for various activities that may impact surface or groundwater;
- 605 22. The Park County Treasurer stated property taxes are paid in full;
- 606 23. The Wyoming Game and Fish Department said they have no terrestrial
607 wildlife comments;
- 608 24. Park County Weed and Pest reported their findings from an initial inspection
609 of the property and a Long-Term Noxious Weed Management Plan will be
610 required;
- 611 25. Responses have not been received from Powell-Clarks Fork Conservation
612 District, Willwood Light & Power, USPS and the Park County Public Works
613 Department;

- 614 26. No public comments have been received;
- 615 27. A pre-application meeting was held on March 4, 2024;
- 616 28. A title report dated March 1, 2024 has been submitted;
- 617 29. No new roads are proposed;
- 618 30. Solid waste disposal services are available through private providers;
- 619 31. Access to the lot will be directly from County Lane 11H;
- 620 32. Application submission requirements for sketch plan review have been met;
- 621 33. Wastewater requirements pertaining to sketch plan review have not been
622 met. A subsurface evaluation is required;
- 623 34. Domestic water is proposed by an on-site well, however test results from a
624 water well within ½ mile of the proposed subdivision have not been provided;
- 625 35. If well water sample results are not provided, it must be stated on the final
626 plat: **“NO WATER ANALYSIS WAS CONDUCTED AND THE
627 AVAILABILITY AND QUALITY OF POTABLE WATER IS UNKNOWN.
628 CISTERNS MAY BE REQUIRED”**;
- 629 36. Domestic water requirements pertaining to sketch plan review have not been
630 met;
- 631 37. This parcel is located in an Agricultural Overlay District;
- 632 38. Agricultural impacts pertaining to sketch plan review have been addressed,
633 though the applicant did not address pests, litter or domestic pets;
- 634 39. No stream/river passes within or adjacent to the proposed subdivision lot;
- 635 40. An approved water distribution plan is required from the Willwood Irrigation
636 District;
- 637 41. Water rights requirements pertaining to sketch plan review have been met;
- 638 42. Power is not adjacent to the lot, therefore a Subdivision Improvements
639 Agreement will be required;
- 640 43. Lot standards have been met;
- 641 44. Common maintenance of facilities is not proposed;
- 642 45. No sidewalks, street lighting, alleys, or open spaces are proposed;
- 643 46. An HOA will not be required;
- 644 47. It appears that livestock can be legally run at large on lands adjacent to the
645 proposed subdivision. The subdivision is subject to Wyoming Statute § 18-
646 5-319;
- 647 48. The applicant will be required to provide evidence of 1) an existing legal
648 perimeter fence as prescribed by W.S. 11-28-102; 2) written consent from all
649 adjacent landowners a perimeter fence is not necessary; or 3) plans to
650 construct a perimeter fence as required by statute and in accordance with
651 W.S. 18-5-306(a)(xiii);
- 652 49. The landowner is installing a pivot irrigation system on the parcel and the
653 proposed lot will be a pivot corner; no longer useful in the farming operation

- 654 and considered marginal land;
- 655 50. No portion of proposed Lot 1 falls within the mapped special flood hazard
656 area;
- 657 51. No open spaces, natural areas, schools, or parks are proposed or required;
658 and
- 659 52. All approval standards requirements pertaining to sketch plan review have
660 met.

661 **Conditions Recommended by Staff:**

- 662 1. The applicants shall provide all easements as requested by applicable utilities
663 and special districts, irrigation districts or public agencies providing services.
664 The width of any utility easement shall be sufficient to allow adequate
665 maintenance of the system, but in no case shall such utility easement be less
666 than 20 feet in width. Easements must be identified on the final plat;
- 667 2. Prior to sketch plan review by the Board of County Commissioners, the
668 applicants shall provide a response from Willwood Light & Power confirming
669 they have the capacity to serve the proposed subdivision, and whether power
670 service is adjacent to each of the proposed lots, and if not, how and when will
671 service be made adjacent to each lot, to the Planning and Zoning Department;
- 672 3. Prior to final plat review by the Board of County Commissioners, the applicant
673 shall provide an approved Long-Term Noxious Weed Management Plan to the
674 Planning and Zoning Department;
- 675 4. Prior to sketch plan review with the Board of County Commissioners, the
676 applicants shall provide responses from the Powell-Clarks Fork Conservation
677 District, USPS and the Park County Public Works Department to the Planning
678 & Zoning Department;
- 679 5. The applicants shall provide water test results from a well within ½ mile of the
680 proposed subdivision, or place the following note on the final plat: **“NO
681 WATER ANALYSIS WAS CONDUCTED AND THE AVAILABILITY AND
682 QUALITY OF POTABLE WATER IS UNKNOWN. CISTERNS MAY BE
683 REQUIRED”**;
- 684 6. Prior to final plat review by the Board of County Commissioners, the applicants
685 shall provide an approved Water Distribution Plan from the Willwood Irrigation
686 District to the Planning & Zoning Department for recording with the final plat;
- 687 7. The applicant shall provide evidence of 1) an existing legal perimeter fence as
688 prescribed by W.S. 11-28-102; 2) written consent from all adjacent
689 landowners a perimeter fence is not necessary; or 3) plans to construct a
690 perimeter fence as required by statute and in accordance with W.S. 18-5-
691 306(a)(xiii);
- 692 8. At the time of Final Plat Application submission, the applicants shall submit an
693 appropriate Subdivision Improvements Agreement addressing all applicable
694 required improvements (ex. utilities, fencing etc.) for review by staff and

- 695 approval of the County Attorney and the Board;
- 696 9. The applicants shall place the following note on the final plat: "Any proposed
- 697 water wells on these subdivision lots shall be permitted by the Wyoming State
- 698 Engineer's Office prior to installation";
- 699 10. The final plat shall contain a notice of the Wyoming Right to Farm and Ranch
- 700 Act of 1991; and
- 701 11. The applicants shall otherwise comply with standards in the Park County
- 702 Development Regulations and the minimum subdivision requirements as set
- 703 forth in Wyoming Statute 18-5-306.

704 **Next Step:** Whether the Planning and Zoning Commission recommends approval or
705 denial, the applicants may proceed with the subdivision process by requesting Sketch
706 Plan Review by the Board of County Commissioners.
707

708 **Photo 1: From the northwest corner of proposed Lot 1, facing east along the**
709 **north boundary of the lot and Lane 11H.**

710



711 **Photo 2: From the southernmost corner of the proposed subdivision, facing**
712 **north across proposed Lot 1.**



728

729 **Photo 3: From the southernmost corner of the proposed subdivision, facing**
730 **northwest across proposed Lot 1.**



732 **Photo 4: From the western boundary of the subdivision, facing southeast across**
733 **proposed Lot 1.**



734 **Photo 5: From County Lane 11H, facing south along the existing field access in**
735 **the eastern section of proposed Lot 1.**





Park County Planning & Zoning

1002 Sheridan Ave. Suite 109, Cody, WY 82414
Phone: 307-527-8540 | Fax: 307-527-8515
E-mail: planning@parkcounty-wy.gov

Rec. By:	_____
Date:	_____
Receipt #:	_____
App. #: MIN	_____

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

A minor subdivision permit application is required to obtain a permit to divide a tract of record into three to five lots, each lot being smaller than 35 acres. All minor 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.

SECTION 1: APPLICANT INFORMATION:

Name: Triple KB Ranch LLC
Mailing Address: 208 Lane 16
Cody, Wyoming 82414
Phone: 307-250-2438
Email: triplekbranch@yahoo.com

OWNER INFORMATION (if different from applicant):

Name: Cody Easum
Mailing Address: 1226 Road 5
Powell, WY 82435
Phone: 307-202-0769
Email: cg4easum@gmail.com

SECTION 2: PROPERTY INFORMATION:

Physical Address: _____ Not addressed
Property ID # or Deed Recording #: Deed Doc. # 2008-3468
Property Identification # or Deed Recording #: PIDN : 01559807516000
Proposed Subdivision Name: Half Star MS-**

SECTION 3: INCLUDE THE FOLLOWING WITH YOUR APPLICATION:

- Proof of "Notice of Intent to Subdivide"
- Title Report – full chain of title (back to patent) showing proof of ownership & encumbrances of record
- 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:
 - Fire Protection District / Fire Station
 - US Postal Service mail delivery
 - School district - bus stop locations
 - TV/ Telephone/internet
 - Natural Gas
 - Electricity
- Evidence that a subdivision soils review has been requested from the local conservation district.
- Evidence that the local irrigation district (if applicable) has been contacted.
- Evidence that the County Weed and Pest District has been contacted.
- 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): None - access will be utilized from an existing access point off County Lane 11 - 1/2.

- 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 known.

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

What is proposed for wastewater (check all that apply and identify for which proposed lots)?

- On-site, individual wastewater system(s): Lot(s) 1 Total _____ (perc tests and GW cut required)
- On-site, shared wastewater system(s): Lot(s) _____ (DEQ review required)
- Connection to planned/existing municipal sewer line: Lot(s) _____
Name of provider: _____
- Other: _____

What is proposed for domestic water?

- Connection to existing water main connected to a water treatment plant
- On-site well(s) (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? Follow any weed plan required. This lot is proposed to utilize a corner of the field that will not be in high ag production as the rest of the field will be under a pivot. Large acre lot will continue to have water rights
- 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 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)

- Abandon/detach water rights (requires state review and approval)
- Retain all water rights on the property and distribute to each lot accordingly (no change in use; must submit water distribution plan to the irrigation district for review and approval)
- Change of use (e.g., flood irrigation to reservoir) (requires state review and approval)
- Change in place of use (e.g., to neighbor or other location) or change in point of diversion or means of conveyance (requires state review and approval of plan)

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
- Are you proposing to have covenants or an HOA? YES NO

SECTION 10: CONFIRM EACH OF THE FOLLOWING (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 This subdivision will not be served by a central water supply system not owned or operated by a public entity.**
- T / F This subdivision will not be served by a central sewer system not owned or operated by a public entity.**
- T / F There are no hazards listed in Section 4 of this application.**

**This condition, if false, may qualify the subdivision as a major subdivision.

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 Minor Subdivision Permit.*

<u>Cody Easum</u>	<u>Cody Easum</u>	<u>3-5-24</u>
Owner's Name (required)	Owner's Signature (required)	Date
<u>Ken Heinrich</u>	<u>Ken Heinrich</u>	<u>3-5-24</u>
Applicant's Name (if not the owner)	Applicant's Signature	Date

****** 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: _____ Within 1-mile of a city? YES NO
 - Date of pre-application meeting: _____
 - Confirm Subdivision Name: _____
 - 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 recommended: APPROVAL DENIAL - Reason: _____

 - Date sketch plan reviewed by BCC: _____ Resolution #: _____
 BCC: APPROVED DENIED - Reason: _____
-
- Staff Initials:** _____

Park County Fire Protection District #1

1101 E. South Street Powell, Wyoming

(307) 754-2211

charlie@pvfd.net

02/29/2024

Regarding the proposed Minor Subdivision for Triple KB Ranch, Park County Fire Protection District #1 along with the Powell Volunteer Fire Department can provide fire suppression to said property. Park County Fire Protection District #1 requests that all access points are constructed to accommodate our fire equipment.

Respectfully,



Charlie Ziska

Administrator

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 Minor Subdivision
PARK COUNTY, WYOMING

Mr. Hummel, in regards to the proposed unnamed Minor Subdivision in Park County for Triple KB Ranch on a 15-acre parcel currently owned by Cody Easum, it is just south and east of Lane 11H, between Road 6 and Road 5, south of Powell. The subdivision is in the Park 1 School District boundary. It will have school bus stops at exit points on Lane 11H. The bus stops would be right hand stops in the morning and afternoon. 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

February 29, 2024

Engineering Associates
Attn: Nicholas Hummel
902 13th St.
Cody, WY 82414

RE: Triple KB Ranch Proposed Minor 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 Triple KB Ranch, within Lot 75-P and 75V, Resurvey T55N, R98W, 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: [Willwood Irrigation District](#)
To: [Nicholas Hummel](#)
Subject: Re: 1 Lot Minor Sub - Triple KB Ranch - Easum
Date: Thursday, February 29, 2024 1:31:22 PM
Attachments: [image002.png](#)
[image003.png](#)

Lateral 70-11 is where Cody will be getting water for his pivot, Lateral 70-12 is the last box to the east after Cody's that feeds Doug Heny's property east of the drainage. Easement for the drainage I believe is 50 foot from the center, with the exception that we will need whatever room possible to do the work. We know the drainage is deeper and the 50 foot might not give us enough room to work. I would like to say 50 foot from the center of the drain plus the road easement would be adequate. We would have to truck all the material off from the drainage when it's cleaned. Does that make sense?

I will be out the week of the 11th of March and should be back on the 19th of March. I will be unavailable to review emails from the 11th to the 18th. Thanks,

On Thu, Feb 29, 2024 at 12:00 PM Nicholas Hummel <Nick.Hummel@eaengineers.com> wrote:

Fully agreed to that. Thank you for catching that as yesterday was a rush just to get letters out so we can submit to P&Z next Friday haha

I'll get that updated and like I said we will get a WDP drafted in the next week or two I hope for your review.

Can you let me know what drain easements will need to be pointed out? Do you have lateral numbers for those concrete structures?

Thank you,

Nicholas S. Hummel, LSIT WY

902 13th Street | P.O. Box 1900 | Cody, WY 82414

Phone: 307-321-7468 | Fax: 307-587-2596

Nick.Hummel@EAengineers.com

From: Willwood Irrigation District <willwoodirrigation@gmail.com>
Sent: Thursday, February 29, 2024 11:47 AM
To: Nicholas Hummel <Nick.Hummel@EAengineers.com>

Subject: Re: 1 Lot Minor Sub - Triple KB Ranch - Easum

Good Morning Nick,

I was looking at your drawings. I was thinking under the utilities you probably should include Willwood Irrigation District. We are the Irrigation provider for that field they are planning to subdivide. Just a thought. Thanks,

On Wed, Feb 28, 2024 at 6:02 PM Nicholas Hummel <Nick.Hummel@eaengineers.com> wrote:

Good evening,

Attached you will find a formal request for your response on a 1 Lot Minor Subdivision currently owned by Cody Easum, being developed by Triple KB Ranch, just west of address 514 Lane 11 1/2. Also attached is a sketch plan with and without imagery to help locate the project. Let me know if you have any questions.

Look forward to hearing from you, thank you.

NICHOLAS S. HUMMEL, LSIT (WY)

902 13TH Street | PO BOX 1900 | Cody, WY 82414 | Website: eaengineers.com

Office: (307) 587-4911 | Cell: (307) 321-7468 | Email: nick.hummel@eaengineers.com



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2324 Dry Ranch Road
Sheridan, WY 82801

March 8, 2024

Dear Mr. Hummel,

Regarding the proposed Minor Subdivision being developed by Triple KB Ranch on Lane 11 ½ Powell, WY, Montana Dakota Utilities (MDU) does have natural gas service available. There is a 2” natural gas main line located on the south side of Lane 11 ½ in the ROW. 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 for any questions.

Sincerely,

Dave Magee
Field Operations Coordinator

From: [Eric Hargett](#)
To: [Jennifer Cramer](#)
Cc: [Anne Lawler](#); [Leslie Barnett](#); [Ben McDonald](#); [Brian Edwards](#); [Game and Fish - Corey Class](#); [Game and Fish - Jason Burckhardt](#); [Game and Fish - Laura Burckhardt](#); [Game and Fish - Sam Hochhalter](#); [Game and Fish - Tony Mong](#); [Skip Hart](#); willwoodinfo@gmail.com; jason.c.flint@usps.gov; [Mary McKinney](#); [Erika Decker](#)
Subject: Re: Agency Notice - Half Star Minor Subdivision (MS-82)
Date: Friday, March 15, 2024 4:13:17 PM

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 Fri, Mar 15, 2024 at 4:07 PM Jennifer Cramer <Jennifer.Cramer@parkcounty-wy.gov> wrote:

Good Afternoon,

Jennifer Cramer

From: Anne Lawler
Sent: Friday, March 15, 2024 4:17 PM
To: Jennifer Cramer
Subject: RE: Agency Notice - Half Star Minor Subdivision (MS-82)

This parcel is paid in full!!

Thank you,

Anne Lawler
1st Deputy
Park County Treasurer
307-527-8630

Please note new e-mail

Anne.Lawler@parkcounty-wy.gov

From: Jennifer Cramer <Jennifer.Cramer@parkcounty-wy.gov>
Sent: Friday, March 15, 2024 4:07 PM
To: Anne Lawler <Anne.Lawler@parkcounty-wy.gov>; Leslie Barnett <Leslie.Barnett@parkcounty-wy.gov>; Ben McDonald <Ben.McDonald@parkcounty-wy.gov>; Brian Edwards <Brian.Edwards@parkcounty-wy.gov>; Game and Fish - 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 - Sam Hochhalter <sam.hochhalter@wyo.gov>; Game and Fish - Tony Mong <tony.mong@wyo.gov>; Eric Hargett <eric.hargett@wyo.gov>; Skip Hart <skiphart3@yahoo.com>; willwoodinfo@gmail.com; jason.c.flint@usps.gov; Mary McKinney <Mary.McKinney@parkcounty-wy.gov>
Cc: Erika Decker <Erika.Decker@parkcounty-wy.gov>
Subject: Agency Notice - Half Star Minor Subdivision (MS-82)

Good Afternoon,

Attached please find an application and Sketch Plan for the Half Star Minor Subdivision (MS-82) (Applicants: Triple KB Ranch LLC on behalf of Cody Easum). The proposed subdivision will create one 15.06-acre lot for residential and agricultural use. The proposed subdivision is within an approximately 92.33-acre parcel described as that part of Lots 75-V and 75-W lying South and East of the Centerline of Lane 11 1/2 & Lots 75-EE & 75-P & 74-Q & Tracts 1, 3 & 9 in Section 32 T55N- R98W of the 6th P.M., Park County, WY. The subdivision will produce a 77.27-acre exempt remainder parcel. The property is unaddressed and is located in the Cody/Powell Rural Planning Area, approximately 3.5 miles southeast of Powell, on the south side of Lane 11 ½ in a General Rural-Powell (GR-P) zoning district.

The Property Tax Identification Number is 01559807516000 . Here is a link to the parcel on Park County Mapserver: [Park County, Wyoming, MapServer \(greenwoodmap.com\)](https://www.parkcountywyoming.gov/MapServer/greenwoodmap.com)

From: [Corey Class](#)
To: [Jennifer Cramer](#); [Tony Mong](#); [Luke Ellsbury](#); [Sam Hochhalter](#)
Subject: Re: Agency Notice - Half Star Minor Subdivision (MS-82)
Date: Tuesday, March 19, 2024 2:10:36 PM

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

We have no terrestrial wildlife comments on this proposal.

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



wgfd.wyo.gov

On Fri, Mar 15, 2024 at 4:07 PM Jennifer Cramer <Jennifer.Cramer@parkcounty-wy.gov> wrote:

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Park County Weed & Pest Control District
1067 Road 13
Powell, WY 82435

Phone: 307-754-4521 Powell

Phone: 307-527-8885 Cody

Fax: 307-754-9005

www.parkcountyweeds.org

Park County Planning and Zoning Department
1002 Sheridan Ave. Suite 109
Cody, WY 82414

March 20, 2024

RE: Half Star Minor Subdivision-82

Dear Park County Planning and Zoning Commission,

Park County Weed and Pest Control District (PCWP) has completed the inspection of the proposed **Half Star Minor Subdivision** located South and East of the Centerline of Lane 11 1/2 Powell, WY. During this survey the following noxious weed species were found to be present including (but not limited to):

Showy milkweed – *Asclepias speciosa*

Property is currently in agriculture production row crops. Agriculture ground is in good condition with noted noxious weed species minor and adjacent to the Lovell canal and the County Road. There were also plenty of nuisance species along the perimeter and in the field including kochia, tansy mustard and pigweed species. Considering the area to be subdivide is in production and the potential to have a large portion remain fallow, the risk of these areas becoming infested with weeds, both noxious and nuisance is a real probability; therefore, 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. Mitigation of these *or any* noxious weed species should begin before any disturbance commences.

Park County Weed and Pest Control District staff can provide technical assistance or referrals if necessary. Cost share for effective herbicides as well as locally sourced perennial grass seed mixes are available from PCWP. We appreciate your cooperation in this matter

Sincerely,

Assistant Supervisor

cc: Cody Easum
Ken Heinrich

Half Star Minor Subdivision



Park County Weed and
Pest Control District

Mary McKinney

March 20, 2024

Noxious Weed locations (*approximate and many contiguous*)

S. milkweed X

(*More incidentals may be present*)

