

1 **PARK COUNTY PLANNING & ZONING DEPARTMENT**
2 Staff Report – Planning & Zoning Commission
3 Ollokot Minor Subdivision-79 (MS-79) – Public Hearing
4 Sketch Plan Review
5

6 **Staff:** Jennifer Cramer and Kim Dillivan **Hearing Date:** March 13, 2024
7 **Applicant:** Mighty Rock Properties, LLC **Zoning:** General Rural 20-Acre (GR-20)
8 **Tax ID#:** 03570202742004 **Planning Area:** Clark
9

10 **Application:** Nate Hoffert, agent on behalf of Mighty Rock Properties, LLC., submitted a
11 Minor Subdivision Application (**attached**) on January 23, 2024, including payment, sketch
12 plan, a copy of the Notice of Intent to Subdivide and other supporting documentation. A
13 revised sketch plan was received on February 6, 2024 (see Figures 1 and 2).
14

15 **Requested Action:** The applicant requests approval of a four-lot subdivision consisting
16 of one 20.13-acre lot, one 20.23-acre lot and two 20.21-acre lots, each for agricultural
17 and residential use.
18

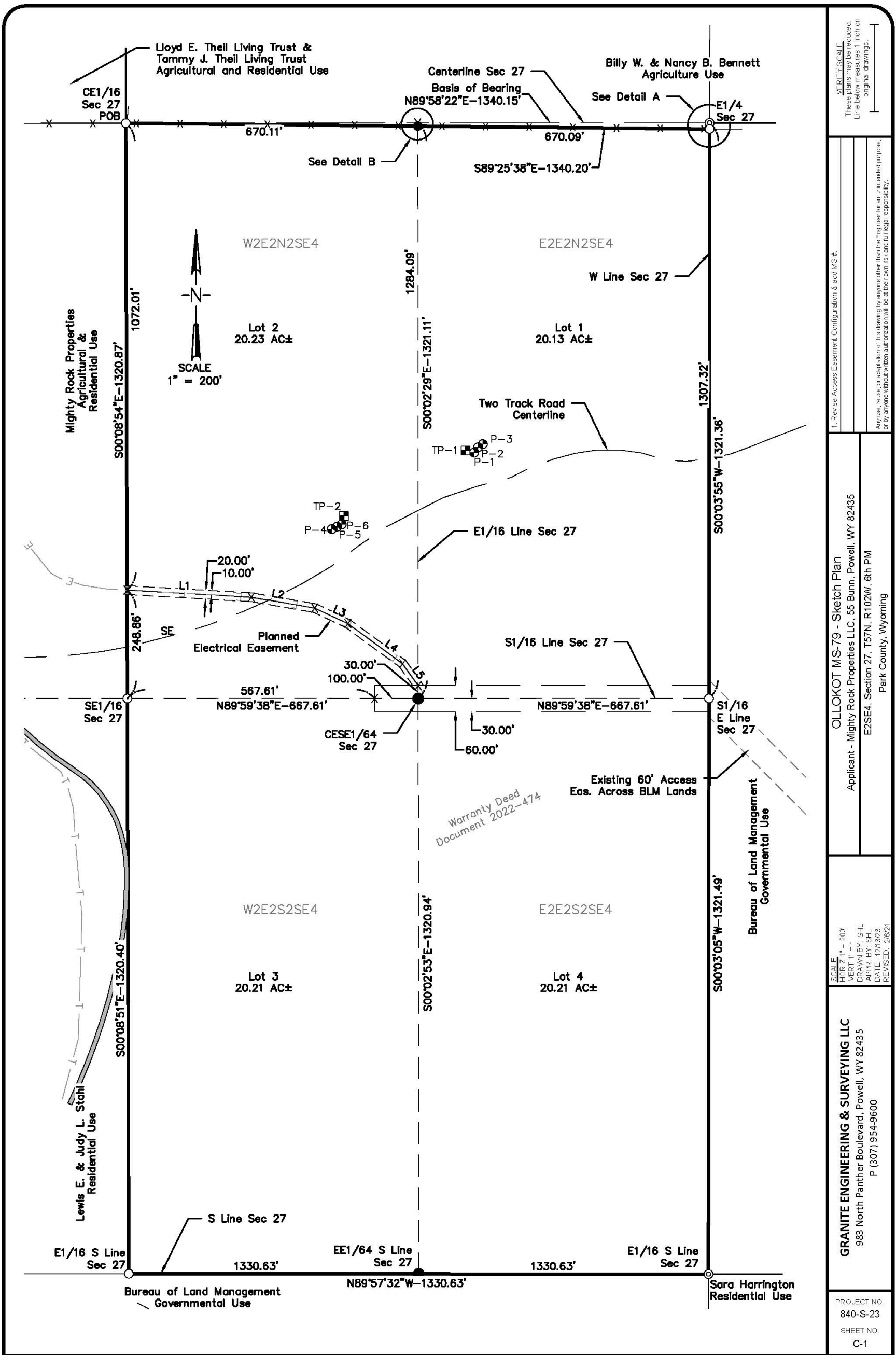
19 **Ownership:** Ownership is affirmed by Warranty Deed (dated January 27, 2022 Doc.
20 #2022-474) to Mighty Rock Properties, LLC, a Wyoming limited liability company, from
21 CJ Smith Land Services, LLC, a Texas limited liability company.
22

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

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

34 **Zoning District and Purpose:** **The property is located within a General Rural 20-Acre**
35 **(GR-20) zoning district.** The GR-20 district allows low-intensity rural land uses in areas
36 that are not well suited for higher intensity development. Conventional subdivisions will
37 average 20 acres per housing unit. A variety of uses is permitted in this district in
38 recognition of the varied land uses typical of rural areas. This district is also intended to
39 promote the retention of open space, agricultural land, wildlife habitat, riparian habitat or
40 scenic areas and prevent development on unstable geologic features. **The lot sizes as**
41 **proposed are consistent with the GR-20 zoning district.**
42

43 **Legal Description:** A parcel of land being the E1/2SE1/4, Section 27, T57N, R102W,
44 6th PM, Park County, Wyoming, EXCEPTING a small portion of the NE1/4SE1/4, as
45 described by the Warranty Deed recorded as Document 2020-3110, at the Park County
46 Clerk and Recorder's Office in Cody, Wyoming;



VERTICAL SCALE
These plans may be reduced
Line below measures 1 inch on
original drawings

1. Revise Access Easement Configuration & add MS #.

Any use, reuse, or adaptation of this drawing by anyone other than the Engineer for an unintended purpose, or by anyone without written authorization will be at their own risk and full legal responsibility.

OLLOKOT MS-79 - Sketch Plan
Applicant - Mighty Rock Properties LLC, 55 Bunn, Powell, WY 82435
E2SE4, Section 27, T57N, R102W, 6th PM
Park County, Wyoming

SCALE
HORIZ 1" = 200'
VERT 1" = 200'
DRAWN BY: SHL
APPR BY: SHL
DATE: 12/13/23
REVISED: 2/6/24

GRANITE ENGINEERING & SURVEYING LLC
983 North Panther Boulevard, Powell, WY 82435
P (307) 954-9600

PROJECT NO.
840-S-23
SHEET NO.
C-1

FILE PATH: OneDrive:\PROJECTS\Ollokot MS - Nate Hoffert\840-S-23\DWG\840 Ollokot MS Base - 121123.dwg [11X17 SP C.1]

Figure 1: Ollokot MS-79 Sketch Plan, Page 1

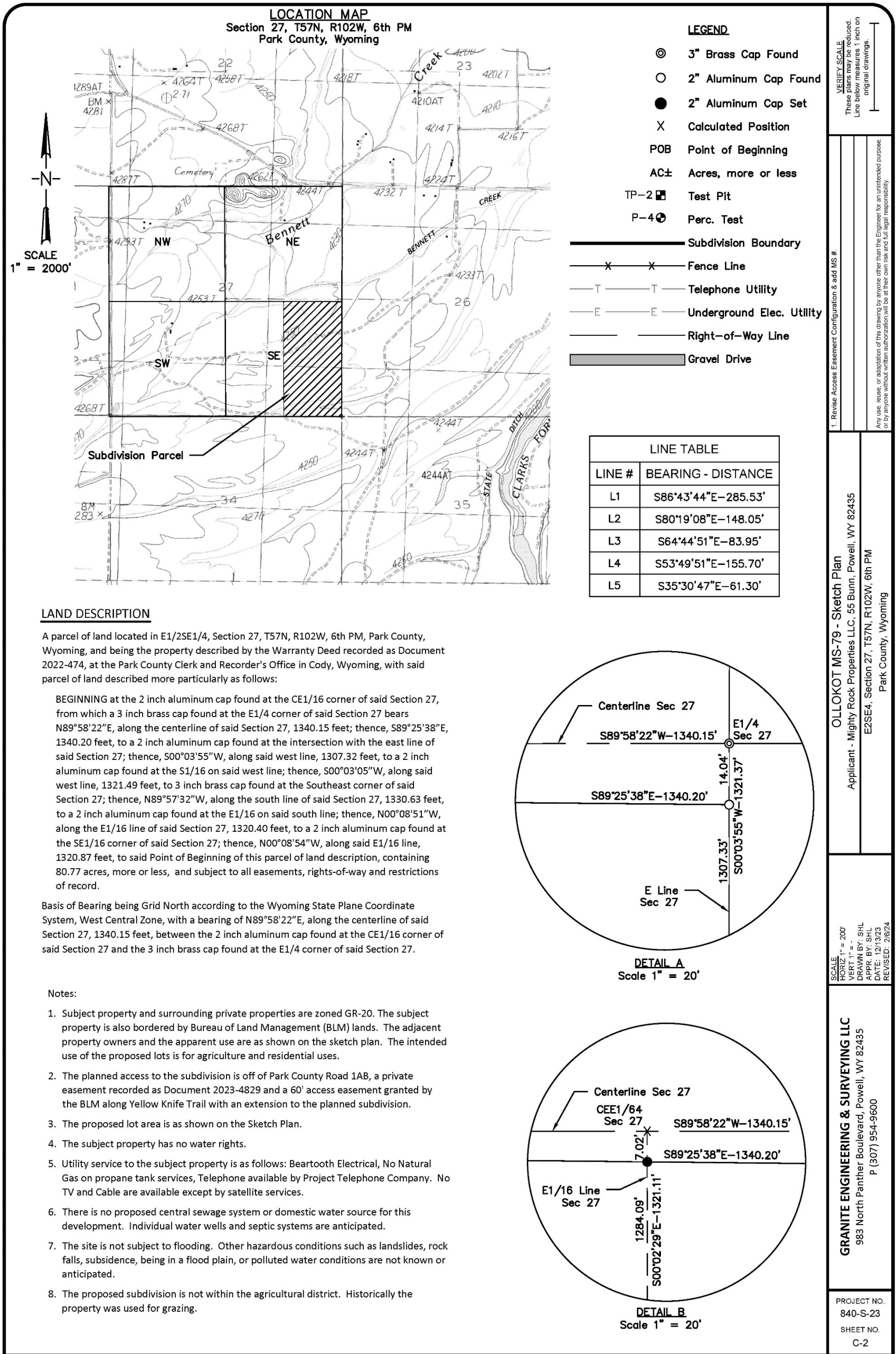


Figure 2: Ollokot MS-79 Sketch Plan, Page 2

50 **Location:** As shown in Figure 3, the proposed subdivision is located approximately 2.5
51 miles west/southwest of the intersection of the Belfry Highway and County Road 1AB,
52 east of the terminus of Jackrabbit Lane, on an unaddressed parcel.

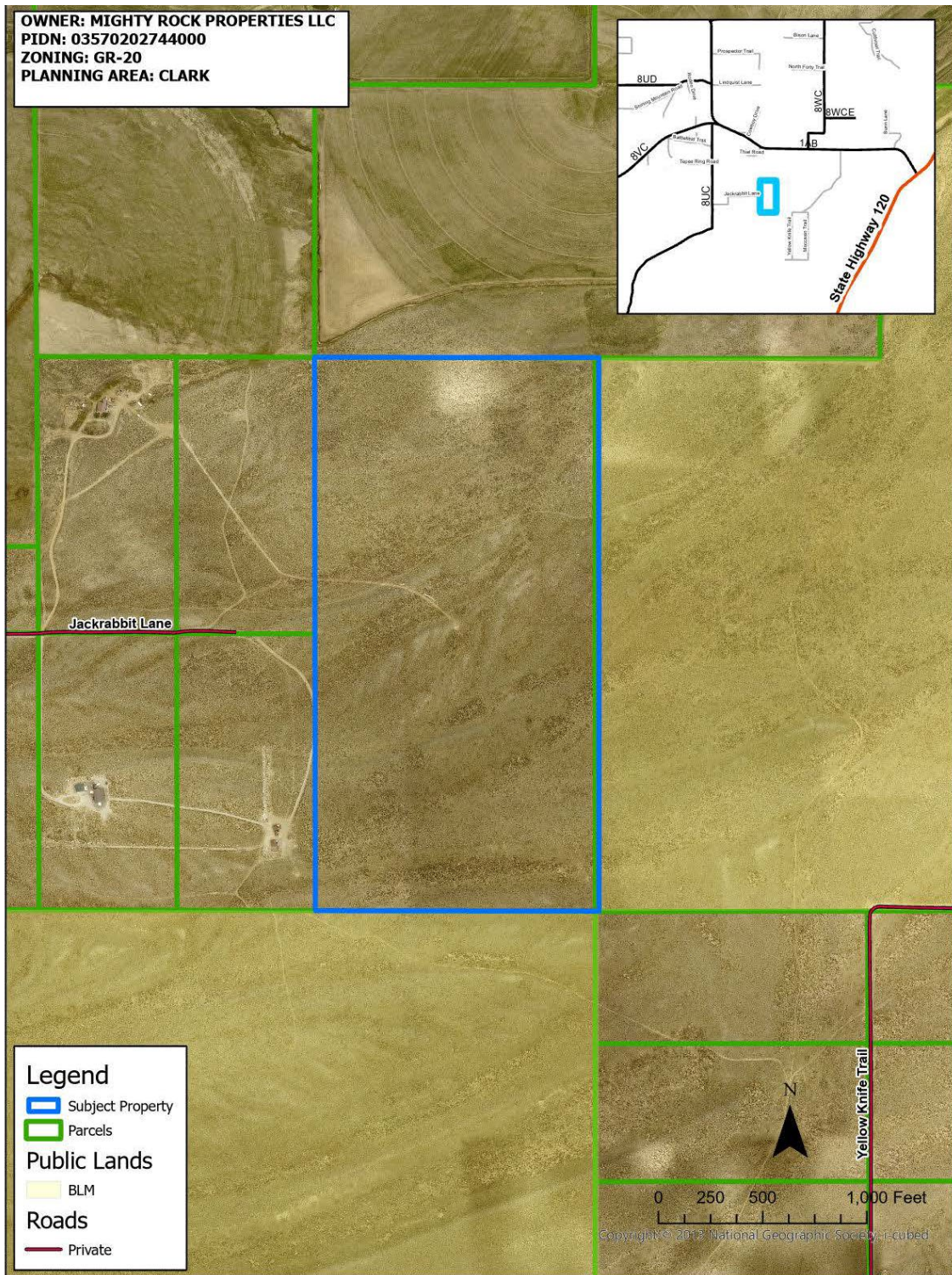
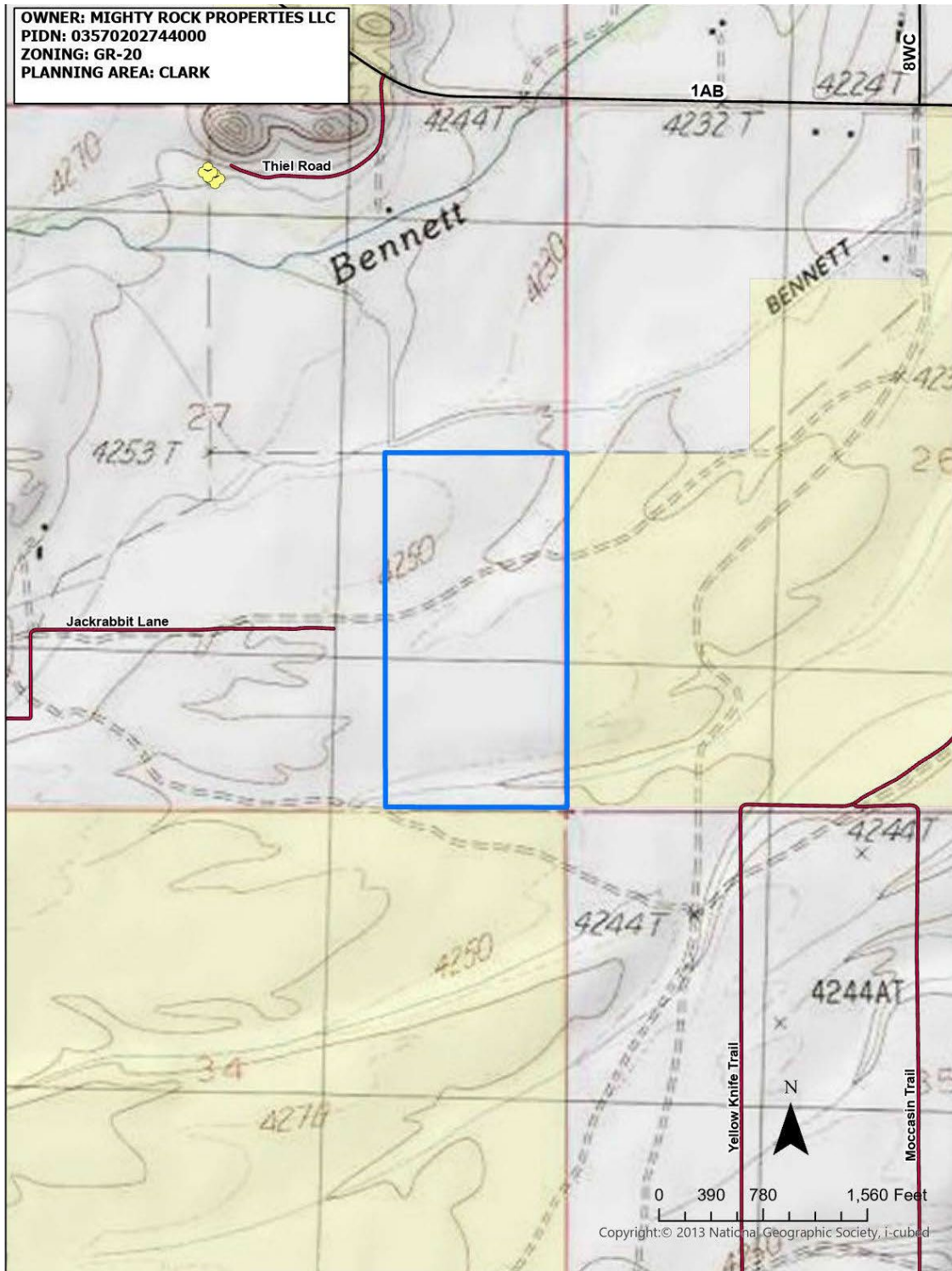


Figure 3: Ollokot MS-79 Location

54 **Site Characteristics:** The proposed subdivision is currently undeveloped and
55 unirrigated land. As shown in Figure 4, the property topography is gently rolling.
56



57 **Figure 4: Topographic Map of the Property and Surrounding Area**

58 **Neighboring Land Use:** As shown in Figure 5, neighboring land uses are agricultural to
59 the north and northwest, exempt Bureau of Land Management lands to the east and
60 south, and a combination of residential and residential vacant lands to the west and
61 southeast. Dodson SS-90 borders the west line of proposed Lot 3 and Chief Joseph
62 Estates is southeast of the property.

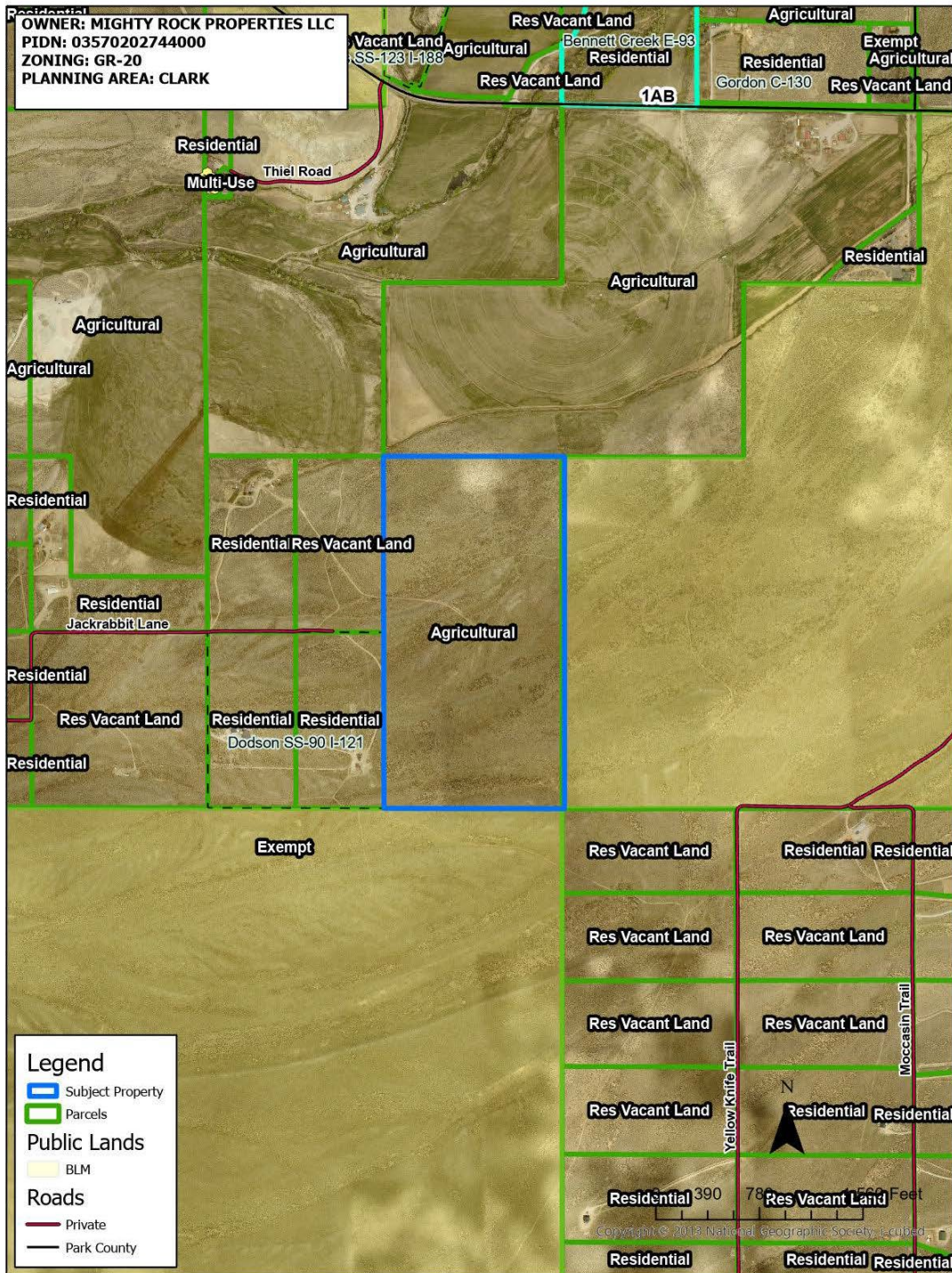


Figure 5. Ollokot MS-79 Neighboring Land Use

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

66
67 **Notices:** A Notice of Intent to Subdivide was published December 21, 2023 and
68 December 28, 2023 in the *Powell Tribune* as required in Ch. III Sec. 3. The Planning
69 Department published a Notice of Public Hearing as required in Appendix 1 of the
70 Regulations including the following information: applicant name; proposed project
71 description and location; legal description; public hearing date, time, and place; and how
72 additional information can be obtained. The notice was published in the *Powell Tribune*
73 on February 27, 2024 and March 5, 2024, with one notice at least 14 days before the
74 hearing. On February 26, 2024, certified notice was mailed to the owners of all properties
75 within 660 feet of the subject property which were identified using the property ownership
76 records of the County Assessor. The Staff Report was sent to the applicant/applicant's
77 representative and the Planning & Zoning Commission prior to the scheduled public
78 hearing as specified in Ch. III, Sec. 4e of the Regulations.

79
80 **Agency Referrals:** County Regulations Ch. III, Sec. 4a specifies that the Planning
81 Department forward all subdivision applications to the Park County Treasurer, Public
82 Works, the Fire District, the Weed & Pest Control District, the Small Wastewater
83 Administrator, the Wyoming Game & Fish Department and any other county official or
84 agency the Planning Director deems appropriate. Relevant agencies were notified by the
85 applicants, as well as by staff, and responses were received as follows:

86
87 Beartooth Electric Cooperative (BEC): In an email dated January 11, 2024, BEC
88 stated an underground primary power line exists through proposed Lot 2 and if a
89 60 ft. utility easement is provided around the CESE 1/64th Corner of Section 27,
90 the other 3 lots would also have access to the existing power line. (Attached) In an
91 email dated February 21, 2024, BEC confirmed that underground power has been
92 extended across proposed Lot 2 to the CESE 1/64th Corner of Section 27 and is
93 therefore adjacent to each proposed lot. (Attached)

94
95 Nemont Telephone: In an email dated January 11, 2024, Nemont stated they can
96 provide phone and internet, with limited speeds to the proposed lots. (Attached)

97
98 United States Postal Service (USPS): In a letter dated January 11, 2024, USPS
99 stated they are able to deliver mail for the new addresses and the placement of
100 mailboxes will be determined when the new residents are ready for mail delivery.
101 (Attached)

102
103 Park County Fire Protection District #4: In an email dated January 13, 2024,
104 PCFD4 stated they can provide fire protection and first response medical service
105 to the proposed subdivision. (Attached)

106
107 Powell Clarks Fork Conservation District: The District provided a cover letter dated
108 February 6, 2024 (attached) together with a soils report that identified the following:

- One soil type was identified on the proposed subdivision; Sierravista-like gravelly fine sandy loam, 0 to 3 percent slopes, very stony.
- The soil type is rated “not limited” regarding dwellings with or without basements and small commercial buildings.
- The soil type is rated “not limited” regarding septic tank absorption fields.
- The soil type is not considered to be prime farmland.

Wyoming Department of Environmental Quality (DEQ): In an email dated February 13, 2024, Eric Hargett provided agency contacts and information for permitting associated with various construction activities. (Attached)

Park County Treasurer (PCT): In an email dated February 13, 2024, the PCT stated property taxes are paid in full. (Attached)

Wyoming Game & Fish Department (G&F): In an email dated February 26, 2024 G&F stated the proposed subdivision is not located within crucial winter range, however subdivision within this area will reduce the amount of usable space for deer and other wildlife, thus cumulatively reducing deer numbers over time. They provided standard subdivision wildlife recommendations for consideration. (Attached)

Park County School District #1 (PSCD1): In letter dated February 29, 2024, the District Transportation Director stated this proposed subdivision is in the PCSD1 boundary, and they will have bus stops at the intersection of Yellow Knife Trail and Road 1AB. Students will have to cross Road 1AB in the afternoon for drop off. (Attached)

Park County Weed & Pest Control District (W&P): W&P has not provided a response.

Park County Public Works (PW): PW has not provided a response.

CONCLUSION: Based upon the above findings, all notice requirements have been met.

Public Comments: No public comments have been received.

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

- a. **Pre-application meeting:** Pre-application meetings are required for all subdivisions unless waived by the Planning Director: **A pre-application meeting occurred on June 22, 2023 and was attended by the applicants, and Planning Department staff.**
- b. **Applications:** Initial application submissions for all subdivisions shall include the following:

- 155 (1) Fees: **\$300 paid on January 23, 2024 (Receipt #240122).**
156 (2) Application and required submittals, including:
157 A. Proof that a “Notice of Intent to Subdivide” has been published in a
158 local newspaper in the legal notice section once each week for two
159 (2) weeks within 30 days prior to filing the application. The notice
160 shall include the name of the subdivider, general location of the land
161 to be subdivided, number and size of lots proposed and intended
162 uses within the subdivision. **Proof was provided that the notice of**
163 **Intent to Subdivide was published on December 21, 2023 and**
164 **December 28, 2023.**
165 B. Title report: **A title report dated January 8, 2024 has been**
166 **submitted.**
167 C. Identification of entities responsible for road construction and
168 maintenance including snow removal and drainage facilities. **An**
169 **HOA will be required to address maintenance including snow**
170 **removal and drainage facilities across a portion of Yellow Knife**
171 **Trail, the new road across BLM lands and the new road within**
172 **the proposed subdivision. The developer will be responsible for**
173 **construction of the new roads.**
174 D. Garbage disposal availability: **Solid waste disposal services are**
175 **available through private providers.**
176 E. Fire protection availability: **Fire protection will be available from**
177 **Park County Fire Protection District #4.**
178 F. Postal service and mail delivery points: **Mail delivery is available to**
179 **this subdivision once new addresses are assigned, and the**
180 **placement of mailboxes will be determined at that time.**
181 G. School bus stop/pullout locations: **Park County School District #1**
182 **stated it will have school bus stops at the intersection of Yellow**
183 **Knife Trail and County Road 1AB.**
184 H. Information on availability of service providers for cable TV,
185 telephone, gas and electricity with addresses and phone numbers,
186 indicating which of these services has been extended to the lots in
187 the subdivision.
188 ➤ **Beartooth Electric Cooperative has confirmed they have**
189 **capacity to serve the lots, and power service is adjacent**
190 **to each proposed lot.**
191 ➤ **Natural gas is not available in the area.**
192 ➤ **Nemont Telephone has can provide phone and internet**
193 **service to the proposed subdivision.**
194 I. Any known information concerning landslides, steep slopes, rock
195 falls, high water tables, polluted or non-potable water supply, high
196 voltage lines, high pressure gas lines, danger from fire or explosion
197 or other hazardous features on the property: **No known landslides,**
198 **steep slopes, rockfalls or other hazardous features are known**
199 **to exist on the property.**

- 200 J. Evidence that a soils report has been requested from the Local
 201 Conservation District: **The Powell-Clarks Fork Conservation**
 202 **District has provided a soils report.**
- 203 K. Evidence the Irrigation District has been contacted: **The proposed**
 204 **subdivision is not within an irrigation district.**
- 205 L. Evidence the Weed & Pest District has been contacted: **Weed &**
 206 **Pest has been contacted.**
- 207 M. Proof of ownership showing encumbrances of record: **Ownership**
 208 **has been affirmed and a current title report has been provided.**
- 209 (3) Legible and reproducible 11" x 17" Sketch Plan for the proposed
 210 subdivision showing: **Sketch Plan was provided with the application.**
- 211 A. Legal description; **Included.**
- 212 B. Boundaries of the area to be subdivided; **Included.**
- 213 C. Lot layout indicating the approximate dimensions and acreage of lots,
 214 total acreage of the subdivision, size of recreational, open and/or
 215 dedicated spaces and the current county zoning classification;
 216 **Included.**
- 217 D. Existing structures, wells and septic facilities; **Existing structures,**
 218 **wells and septic facilities are shown on the sketch plan.**
- 219 E. Irrigation facilities including laterals, head gates and waste ditches,
 220 and direction of flow where flood irrigation is proposed; **Included.**
- 221 i. Means of access from the lots to the public road system;
 222 **Access to each proposed lot is by BLM ROW WYW-**
 223 **192034 and a private easement across Yellow Knife Trail,**
 224 **which is accessed by County Road 1AB.**
- 225 ii. All lots and parcels shall have legally enforceable access.
- 226 iii. In the case of direct access to a county or state road, the
 227 applicants shall submit a valid state or county right-of-way
 228 permit or a letter from the governing body indicating favorable
 229 "access review" where the specific point of access has not yet
 230 been determined.
- 231 F. Existing uses of adjoining properties. **Included.**

232
 233 ***CONCLUSION: Based upon the above findings, application submission***
 234 ***requirements for sketch plan review have been met.***

- 235
 236 c. **Wastewater Requirement:** Ch. III Sec. 3c (5) On-site wastewater systems for
 237 Simple and Minor Subdivisions: Prior to sketch plan review, the applicant shall
 238 submit the following to the Small Wastewater Administrator:
- 239 A. Subsurface Evaluations: **A subsurface evaluation was completed**
 240 **on the proposed Lot 1 and Lot 2 on December 6, 2023.**
- 241 i. At least one percolation test must be performed on a minimum of
 242 half of the proposed lots according to the procedures described
 243 in Chapter 11, Part D, Appendix A of Wyoming Water Quality
 244 Rules and Regulations (Appendix 13). Raw data from those
 245 percolation tests must be tabulated and submitted with the

- 246 application; **Percolation test data were collected on proposed**
247 **Lot 1 and Lot 2 on December 6, 2023. Percolation rates were**
248 **determined to be 7 mpi on both lots. Conventional septic**
249 **systems will likely be sufficient should this subdivision be**
250 **approved and septic systems proposed.**
- 251 ii. The depth to groundwater and/or impervious soils or rocks must
252 be determined on a minimum of half the proposed lots by
253 excavating trenches to a depth of at least ten (10) feet, or the first
254 occurrence of saturated soil; **Excavation cuts were made on**
255 **proposed Lot 1 and Lot 2 on December 6, 2023, each to a**
256 **depth of 8 feet. No groundwater or impermeable layers were**
257 **discovered.**
- 258 iii. The applicant must demonstrate that the separation of the base
259 of the proposed drain fields relative to groundwater, impervious
260 soils and/or rock types will meet or exceed the minimum
261 standards established in Chapter 11, Part D, Section 36(c) (as
262 amended) of Wyoming Water Quality Rules and Regulations
263 (Appendix 13). **Based upon evidence from the excavation**
264 **cuts, adequate separation distance exists.**
- 265 B. Diagrams:
- 266 i. A map showing lot configurations and their surface topographies
267 and the locations of proposed septic systems and domestic water
268 sources for each lot; **Sketch plan shows lot configurations.**
269 **Locations of future structures, septic system(s) and well(s),**
270 **if any, have yet to be determined.**
- 271 ii. A map showing the locations of percolation tests performed as a
272 component of the application and their stabilized rates. This map
273 shall also show the location and depth to seasonal high
274 groundwater discovered in the trenches excavated for subsurface
275 evaluation. **Locations have been shown on the sketch plan.**
- 276 C. The above information will be utilized, in part, to determine the type
277 of wastewater treatment system necessary that may include a
278 wastewater treatment solution engineered by a Wyoming Registered
279 Engineer.
- 280 D. Prior to sketch plan review, the Small Wastewater Administrator shall
281 submit a letter to the Planning Director indicating that septic systems
282 are feasible on the lots and noting any special conditions that may
283 apply. **This has been completed. (Attached) Conventional septic**
284 **systems will likely be sufficient should this subdivision be**
285 **approved and development occur.**
- 286 E. The Planning Director may consult with a qualified professional to
287 determine the potential for adverse effects on groundwater as a
288 result of the proposed simple or minor subdivision. The Planning
289 Director may make a determination whether or not the applicant's
290 plan for septic facilities shall be reviewed by the Department of
291 Environmental Quality (DEQ) pursuant to W.S. §18-5-306(c). If DEQ

292 review is required, the applicant shall proceed through major
293 subdivision review.

294 F. Plat language: The words "NO PROPOSED CENTRALIZED
295 SEWAGE SYSTEM" in bold capital letters shall appear on all offers,
296 solicitations, advertisements, contracts, agreements and plats
297 relating to the subdivision. **Standard applies.**

298
299 ***CONCLUSION: Based upon the above findings, all wastewater***
300 ***requirements pertaining to sketch plan review have been met.***

301
302 d. **Domestic Water Requirement:** Ch. III Sec. 3d (4) On-site wells for Simple and
303 Minor Subdivisions: Prior to sketch plan review, the following water analysis
304 must be submitted to the Planning Office:

305 A. Ambient groundwater quality must be established by means of the
306 analysis of one or more representative water wells in the same
307 formation as the area of the proposed subdivision, but no more than
308 1/2 mile away. If existing sample results are not publicly available,
309 new representative samples must be collected and analyzed. At a
310 minimum, analytical laboratory results must be provided for the
311 elements and compounds listed in Chapter 23, Section 7(C)(III) of
312 Wyoming Water Quality Rules and Regulations. In certain
313 circumstances, this condition may be waived based on other
314 available data. **Domestic water will be provided by individual on-**
315 **site wells to be permitted and approved by the Wyoming State**
316 **Engineer's Office. A water sample from a well within 1/2 mile of**
317 **the subdivision will be collected by the applicant for analysis.**

318 i. When there are no wells within the 1/2 mile radius, it must be stated
319 on the final plat "**NO WATER ANALYSIS WAS CONDUCTED**
320 **AND THE AVAILABILITY AND QUALITY OF POTABLE**
321 **WATER IS UNKNOWN. CISTERNS MAY BE REQUIRED". This**
322 **standard will apply if the applicant does not provide a water**
323 **analysis from a well within 1/2 mile of the proposed**
324 **subdivision.**

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

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

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

335
336 ***CONCLUSION: Based upon the above findings, domestic water***
337 ***requirements pertaining to sketch plan review have not met. A water***

338 ***analysis from a well within ½ mile of the proposed subdivision must be***
339 ***provided or a note will be required on the final plat regarding potential for***
340 ***cisterns.***

341
342 **e. Agricultural Impacts**

343 (1) Impact Mitigation: Subdivisions shall be designed to mitigate adverse
344 impacts to agricultural operations including, but not limited to, control of
345 weeds, pests and litter; confinement of domestic pets that may threaten
346 livestock; and protection and maintenance of irrigation facilities and ditches
347 that cross private property. Fences or restrictive covenants may be required
348 to control adverse impacts. **The applicants have not proposed any**
349 **changes expected to impact neighboring agricultural activities. The**
350 **applicants will be required to comply with the recommendations of**
351 **County Weed and Pest regarding the control of weeds. The**
352 **subdivision, with existing and future residential uses, is not expected**
353 **to cause further disturbances of weed development, pests and litter or**
354 **domestic pets. No irrigation water rights or irrigation infrastructure**
355 **exists on the property. Fencing requirements apply.**

356 (2) Right to Farm and Ranch: Subdivisions shall be designed to minimize
357 problems resulting from exposure to legal and generally accepted
358 agricultural practices in the vicinity. The plat shall contain a notice of the
359 Wyoming Right to Farm and Ranch Act of 1991 (W.S. §11-44-101) and shall
360 be subject to Ch. IV Section 5c (1) Agricultural Overlay District review. **This**
361 **parcel is not located in an Agricultural Overlay District. Standard**
362 **applies.**

363 (3) Existing Irrigation Facilities: Existing irrigation structures and easements
364 may not be relocated or otherwise disturbed without the approval of the
365 owner of the structure or easement. Existing ditches and facilities may be
366 subject to the right of access for other water right holders. **Standard does**
367 **not apply.**

368 (4) Irrigation Easements: Subdivision plats shall provide irrigation easements
369 prohibiting building construction and allowing access for maintenance as
370 provided by state law. **Standard does not apply.**

371
372 ***CONCLUSION: Based upon the above findings, agricultural impacts have***
373 ***been addressed.***

374
375 **f. Water Rights:** With respect to any water rights appurtenant to lands to be
376 subdivided, the subdivider shall provide:

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

- 384 A. If the subdivision is located within lands served by or crossed by a
- 385 ditch, irrigation company or association, or by an unorganized ditch,
- 386 evidence that the plan has been submitted to the company, or
- 387 association, or the remaining appropriators in the case of an
- 388 unorganized ditch for their review and recommendations. **This**
- 389 **subdivision is not within an Irrigation District. A water**
- 390 **distribution plan is not required.**
- 391 B. Evidence that the subdivider will specifically state on all offers and
- 392 solicitations relative to the subdivision the intent to comply with this
- 393 paragraph and that the seller does not warrant to a purchaser that
- 394 there are any rights to the natural flow of any stream within or
- 395 adjacent to the proposed subdivision. It shall further be stated that
- 396 Wyoming law does not recognize any riparian rights to the continued
- 397 natural flow of a stream or river for persons living on the banks of the
- 398 stream or river. **No stream or river is within or adjacent to the**
- 399 **proposed subdivision, standard does not apply.**
- 400 C. If the subdivision is located within the boundaries of an area that is
- 401 subject to the provisions of W.S. §41-7, the application shall include
- 402 a review and recommendations from the irrigation district regarding
- 403 the attached water rights and the irrigation district's easements. If
- 404 there is a conflict with the irrigation district's recommendations, the
- 405 applicants shall certify they have met with and made a good faith
- 406 effort to resolve any conflicts with the irrigation district. **This parcel**
- 407 **is not located within an irrigation district.**
- 408 D. If the subdivision will create a significant additional burden or risk of
- 409 liability to the irrigation district, company, association or remaining
- 410 appropriators, including appropriators on an unorganized ditch, the
- 411 applicant shall provide an adequate and responsible plan to reduce
- 412 or eliminate the additional burden or risk of liability. **Not applicable.**
- 413 E. Subdivisions retaining all water rights with no change of use are
- 414 exempt from state review. **Not applicable.**
- 415

416 ***CONCLUSION: Based upon the above findings, all water rights***

417 ***requirements pertaining to sketch plan review have been met.***

418

- 419 g. **Utilities:** Minor subdivisions shall install electrical power service adjacent to
- 420 the lot lines. Natural gas, if available within 400 ft., shall also be stubbed to the
- 421 lot lines. Telephone service shall be stubbed with a service connection to the
- 422 edge of each lot unless quality consistent wireless cell service is available. All
- 423 utility installation at a minimum shall meet requirements of the utility providing
- 424 the service. All utilities shall be located underground.
- 425 ➤ **Beartooth Electric Cooperative has the capacity to serve**
- 426 **the proposed lots, and service is adjacent to each of the**
- 427 **lots.**
- 428 ➤ **Natural gas service is not available within 400 feet of the**
- 429 **proposed subdivision.**

- 430 ➤ **Nemont does have the ability to provide phone and**
431 **internet service in this area.**

432
433 ***CONCLUSION: Based upon the above findings, utility requirements***
434 ***pertaining to sketch plan review have been met.***

- 435
436 h. **Design and Improvement Standards:** Ch. III Sec. 3h: All subdivisions must
437 comply with Section 8 except: Simple and minor subdivisions need not submit
438 covenants or a Homeowners Association Agreement (HOA) unless the
439 proposal includes roads or other common facilities maintained by the lot-
440 owners. If common maintenance of facilities is proposed, a Homeowners
441 Association must be formed to address terms of common maintenance.
442 **No sidewalks, street lighting, alleys, or open spaces are proposed,**
443 **however common roads will be shared. An HOA will be required to**
444 **address maintenance of common facilities.**

445
446 **Wyoming Statute § 18-5-319. Fencing Requirements for Subdivision**
447 **Permits. [Effective July 1, 2023]:**

448
449 **(a)** Each subdivider seeking to create or divide a subdivision that is adjacent to
450 lands upon which livestock can be legally run at large shall comply with all of
451 the following:

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

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

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

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

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

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

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

475 (d) Before receiving a subdivision permit under this article, a subdivider shall
 476 provide information and evidence of the construction or plans to construct any
 477 perimeter fence required by this section in accordance with W.S. 18-5-
 478 306(a)(xiii).

479 **Statute applies. It appears that livestock can be run at large on lands**
 480 **adjacent to the proposed subdivision. Applicant will need to provide**
 481 **evidence of (1) an existing legal perimeter fence as prescribed by W.S.**
 482 **11-28-102, (2) written consent from all adjacent landowners a perimeter**
 483 **fence is not necessary, or (3) design plans to construct a perimeter fence**
 484 **as required by this section in accordance with W.S. 18-5-306(a)(xiii). If**
 485 **plans to construct a perimeter fence are necessary, a Subdivision**
 486 **Improvements Agreement will be required.**

487

488 **Overlay Districts:** The subdivision is not located within any Overlay District.

489

490 **Approval Standards:** In conducting review of the sketch plan, the Planning & Zoning
 491 Commission should:

492

493 A. Give particular attention to the arrangement, location and dimensions of the
 494 lots and the means of access, their relationship to the topography of the land,
 495 relationship to the geologic and hydrologic setting, sewage disposal, drainage,
 496 arrangement for domestic water, the potential future development of adjoining
 497 land, and the goals and objectives of the County's Land Use Plan; **The**
 498 **proposed lots allow adequate space for development on each lot and**
 499 **adjacent lands, some of which are Bureau of Land Management Lands**
 500 **that are not likely to ever be developed. Should the subdivision be**
 501 **approved, domestic water will be provided by individual on-site water**
 502 **wells. Conventional small wastewater systems will likely be suitable on**
 503 **all lots.**

504

505 B. Review whether the design and development of subdivisions makes every
 506 effort to retain the natural terrain, natural drainage, existing topsoil, trees,
 507 wildlife and fish habitats; **Due to the large size of the lots, much of the**
 508 **natural terrain will be retained. Drainage and topsoil are not expected to**
 509 **be significantly impacted by the proposed subdivision.**

510

511 C. Review impacts to agriculture; **The proposed subdivision is not in an**
 512 **Agricultural Overlay District. Development of the land will not**
 513 **significantly reduce acreage available for agricultural uses.**

514

515 D. Review whether land subject to hazardous conditions such as landslides, rock
 516 falls, possible subsidence, shallow water table, open quarries, floods, and
 517 polluted or non-potable water supply has been identified and that the hazards
 518 have been eliminated or will be eliminated by the subdivision and construction
 519 plans; **No known information concerning landslides, steep slopes, rock**
 520 **falls, polluted or non-potable water supply, high voltage lines, danger**
 521 **from fire or explosion has been revealed.**

522

523 E. Review whether land subject to flooding has been set aside for uses which will
 524 not aggravate the danger of flood hazard, will not be endangered by flooding,
 525 or will not endanger the general health, safety or welfare of the public; **No**

521 **portion of the proposed subdivision falls within the mapped special flood**
 522 **hazard area.**

523 F. Review whether land for natural areas, schools, parks, open spaces, and future
 524 road rights-of-way are reserved and located according to good planning
 525 practices and principles; **No open spaces, natural areas, schools or parks**
 526 **are proposed or required. Adequate rights-of-way have been obtained.**

527 G. Make specific written requirements for changes in the subdivision to address
 528 identified problems and ensure compliance with these regulations. The
 529 applicant shall incorporate any required changes in the next submission to the
 530 County; **To be completed by the Planning and Zoning Commission, if**
 531 **necessary.**

532 H. Subdivisions may be reclassified by the Commission to receive additional
 533 evidence and testimony for good cause shown. **The subdivision is classified**
 534 **as a minor subdivision with no known unusual characteristics warranting**
 535 **reclassification to a major subdivision.**

536
 537 ***CONCLUSION: Based upon the above findings, approval standards and***
 538 ***requirements pertaining to sketch plan review have been met.***

539

540 **Summary of Findings:**

- 541 1. Nate Hoffert, agent on behalf of Mighty Rock Properties, LLC., submitted a
 542 Minor Subdivision Application on January 23, 2024;
- 543 2. A revised sketch plan was received on February 6, 2024;
- 544 3. The applicant requests approval of a four-lot subdivision consisting of one
 545 20.13-acre lot, one 20.23-acre lot and two 20.21-acre lots, each for
 546 agricultural and residential use;
- 547 4. Ownership is affirmed by Warranty Deed (dated January 27, 2022 Doc.
 548 #2022-474) to Mighty Rock Properties, LLC, a Wyoming limited liability
 549 company;
- 550 5. Applicable Regulations for this development are the *Park County, Wyoming,*
 551 *2015 Development Standards and Regulations* adopted September 15, 2015
 552 (“Regulations”);
- 553 6. This subdivision is classified as a minor subdivision;
- 554 7. The property is in a GR-20 zoning district;
- 555 8. The lot sizes as proposed are consistent with the GR-20 zoning district;
- 556 9. The parcel is located within the E1/2SE1/4, Section 27, T57N, R102W, 6th
 557 PM, Park County, Wyoming;
- 558 10. The proposed subdivision is located approximately 2.5 miles west/southwest
 559 of the intersection of the Belfry Highway and County Road 1AB, east of the
 560 terminus of Jackrabbit Lane, on an unaddressed parcel;
- 561 11. The proposed subdivision is currently undeveloped and unirrigated land;

- 562 12. The property topography is gently rolling;
- 563 13. Neighboring land uses are agricultural to the north and northwest, exempt
564 Bureau of Land Management lands to the east and south and a combination
565 of residential and residential vacant lands to the west and southeast. The
566 Dodson SS-90 borders the west line of proposed Lot 3 and Chief Joseph
567 Estates is southeast of the property;
- 568 14. This property is not located within one mile of any municipality; therefore,
569 municipal review is not required;
- 570 15. Public notice requirements have been met;
- 571 16. Relevant agencies were notified as required;
- 572 17. Beartooth Electric Cooperative has the capacity to serve the subdivision and
573 has confirmed power service is adjacent to each proposed lot;
- 574 18. Nemont Telephone can provide phone and internet to the proposed
575 subdivision;
- 576 19. USPS stated they are able to deliver mail for the new addresses;
- 577 20. Park County Fire Protection District #4 stated they can provide fire protection,
578 and first response medical service to the proposed subdivision;
- 579 21. Powell Clarks Fork Conservation District identified one soil type on the
580 proposed subdivision; Sierravista-like gravelly fine sandy loam, 0 to 3 percent
581 slopes, very stony;
- 582 22. The soil type is rated "not limited" regarding dwellings with or without
583 basements and small commercial buildings;
- 584 23. The soil type is rated "not limited" regarding septic tank absorption fields;
- 585 24. The soil type is not considered to be prime farmland;
- 586 25. Wyoming DEQ provided agency contacts and information for permitting
587 associated with various construction activities;
- 588 26. The Park County Treasurer stated the property taxes have been paid in full;
- 589 27. Wyoming Game & Fish stated the proposed subdivision is not located within
590 crucial winter range, however subdivision within this area will reduce the
591 amount of usable space for deer and other wildlife, thus cumulatively reducing
592 deer numbers over time. They provided standard subdivision wildlife
593 recommendations for consideration;
- 594 28. Park County School District #1 stated they will have bus stops at the
595 intersection of Yellow Knife Trail and County Road 1AB;
- 596 29. Park County Weed & Pest has not provided a response;
- 597 30. Park County Public Works has not provided a response;
- 598 31. No public comments have been received;
- 599 32. A pre-application meeting was held on June 22, 2023;

- 600 33. A notice of intent was published in the Powell Tribune on December 21, 2023
601 and December 28, 2023;
- 602 34. A title report dated January 8, 2024 has been submitted;
- 603 35. An HOA will be required to address maintenance including snow removal and
604 drainage facilities across a portion of Yellow Knife Trail, the new road across
605 BLM lands and the new road within the proposed subdivision. The developer
606 will be responsible for construction of the new roads;
- 607 36. Solid waste disposal services are available through private companies;
- 608 37. No known landslides, steep slopes, rockfalls or other hazardous features are
609 known to exist on the property;
- 610 38. Access to each lot is by BLM ROW WYW-192034 and a private easement
611 across Yellow Knife Trail, which is accessed by County Road 1AB;
- 612 39. Application submission requirements for sketch plan have been met;
- 613 40. Percolation test data were collected on proposed Lot 1 and Lot 2 on
614 December 6, 2023. Percolation rates were 7 mpi on both lots;
- 615 41. Excavation cuts were made on proposed Lot 1 and Lot 2 on December 6,
616 2023 to a depth of 8' feet. No groundwater or impermeable layers were
617 discovered;
- 618 42. Conventional septic systems will likely be sufficient should this subdivision be
619 approved and development occur;
- 620 43. Wastewater requirements pertaining to sketch plan review have been met;
- 621 44. Domestic water will be provided by individual on-site wells to be permitted
622 and approved by the Wyoming State Engineer's Office;
- 623 45. A water analysis from a well within ½ mile of the proposed subdivision is
624 required from the applicant, or if one is not available, a note on the final plat
625 regarding the potential for cisterns will be required;
- 626 46. Domestic water requirements pertaining to sketch plan review have not been
627 met;
- 628 47. The applicants have not proposed any changes expected to impact
629 neighboring agricultural activities. The applicant will be required to comply
630 with the recommendations of County Weed and Pest regarding the control of
631 weeds. The subdivision, with existing and future residential uses, is not
632 expected to cause further disturbances of weed development, pests and litter
633 or domestic pets;
- 634 48. This parcel is not located in an Agricultural Overlay District;
- 635 49. Agricultural impacts have been addressed;
- 636 50. The proposed subdivision does not have any irrigation water rights and is not
637 within an irrigation district;
- 638 51. No stream or river is within or adjacent to the proposed subdivision;

- 639 52. All water rights requirements pertaining to sketch plan have been met;
640 53. Electric service is adjacent to each lot;
641 54. Natural gas is not available or within 400' of the proposed subdivision;
642 55. Utility requirements pertaining to sketch plan have been met;
643 56. Lot standards have been met;
644 57. Common maintenance of a road is proposed;
645 58. No sidewalks, street lighting, alleys, or open spaces are proposed;
646 59. It appears that livestock can be legally run at large on lands adjacent to the
647 proposed subdivision. The subdivision is subject to Wyoming Statute § 18-
648 5-319;
- 649 60. The applicant will be required to provide evidence of 1) an existing legal
650 perimeter fence as prescribed by W.S. 11-28-102; 2) written consent from all
651 adjacent landowners a perimeter fence is not necessary; or 3) plans to
652 construct a perimeter fence as required by statute and in accordance with
653 W.S. 18-5-306(a)(xiii);
- 654 61. The subdivision is not within an Overlay District;
- 655 62. The proposed subdivision has been designed to allow adequate space for
656 development on each lot and adjacent lands;
- 657 63. No open spaces, natural areas, schools, or parks are proposed or required;
658 and
- 659 64. Approval standards and requirements pertaining to sketch plan review have
660 been 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 responses from Park County Weed & Pest and Park
669 County Public Works to the Planning and Zoning Department;
- 670 3. The applicants shall provide water test results from a well within ½ mile of the
671 proposed subdivision, or place the following note on the final plat: **“NO**
672 **WATER ANALYSIS WAS CONDUCTED AND THE AVAILABILITY AND**
673 **QUALITY OF POTABLE WATER IS UNKNOWN. CISTERNS MAY BE**
674 **REQUIRED”**;
- 675 4. The applicant shall provide evidence of 1) an existing legal perimeter fence as
676 prescribed by W.S. 11-28-102; 2) written consent from all adjacent

- 677 landowners a perimeter fence is not necessary; or 3) plans to construct a
678 perimeter fence as required by statute and in accordance with W.S. 18-5-
679 306(a)(xiii);
- 680 5. Prior to Final Plat Review by the Board of County Commissioners, the
681 applicants shall submit an appropriate Subdivision Improvements Agreement,
682 if applicable, addressing all applicable required improvements (ie. road
683 construction, fencing, etc.) for review by staff and approval of the County
684 Attorney and the Board;
- 685 6. The applicant shall not proceed with installing subdivision improvements until
686 after the SIA and final plat are approved by the Board;
- 687 7. Prior to Final Plat Review by the Board of County Commissioners, the
688 applicant shall submit an HOA that addresses maintenance of shared
689 facilities, to the Planning & Zoning Department;
- 690 8. The applicants shall place the following note on the final plat: "Any proposed
691 water wells on these subdivision lots shall be permitted by the Wyoming State
692 Engineer's Office prior to installation";
- 693 9. The final plat shall contain a notice of the Wyoming Right to Farm and Ranch
694 Act of 1991; and
- 695 10. The applicants shall otherwise comply with standards in the Park County
696 Development Regulations and the minimum subdivision requirements as set
697 forth in Wyoming Statute 18-5-306.

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

701 **Photo 1: From the southeast corner of Lot 4, facing west across the southern**
702 **boundary of the subdivision.**



703

704 **Photo 2: From the southeast corner of proposed Lot 4, photographer facing**
705 **northwest across the proposed subdivision.**



706 **Photo 3: From the southwest corner of proposed Lot 4, photographer is facing**
707 **north across the eastern boundary of the subdivision.**



723 **Photo 4: From the eastern boundary of the subdivision, between Lot 1 and Lot 4,**
724 **facing west along the proposed subdivision road.**



725 **Photo 5: From the southeast corner of proposed Lot 1, facing northwest across**
726 **Lot 1 and lot 2.**

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741 **Photo 6: From the southwest corner of Lot 2, facing northeast across Lot 2.**

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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: | ATC |
| Date: | 1/23/24 |
| Receipt #: | 240122 |
| App. #: MIN | 20240123-1 |

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: | OWNER INFORMATION (if different from applicant): |
| Name: <u>Mighty Rock Properties LLC</u> | Name: _____ |
| Mailing Address: <u>55 Bunn Lane</u> <u>Clark, WY 82435</u> | Mailing Address: _____ |
| Phone: <u>307-899-5275 - (Nate - Agent)</u> | Phone: _____ |
| Email: <u>nate@wyomingproperty.com</u> | Email: _____ |

SECTION 2: PROPERTY INFORMATION:

Physical Address: _____ Not addressed

Property ID # or Deed Recording #: 03570202744000 tax ID # R0038283

Property Identification # or Deed Recording #: _____

Proposed Subdivision Name: Ollokot Sub. (Ollokot Minor Subdivision)

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:

| | |
|---|--|
| <input checked="" type="checkbox"/> Fire Protection District / Fire Station | <input checked="" type="checkbox"/> TV/ Telephone/internet |
| <input checked="" type="checkbox"/> US Postal Service mail delivery | <input type="checkbox"/> Natural Gas <u>N/A</u> |
| <input checked="" type="checkbox"/> School district - bus stop locations | <input checked="" type="checkbox"/> 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. N/A

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): Access road to all 4 lots will be constructed by Mighty Rocks and their Contractor of choice. Maintenance and snow removal will be the responsibility of the lot owners.
- 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) N/A
- Current zoning district classification
- Existing structures, wells and septic facilities (to include utility lines) N/A
- Irrigation facilities (e.g., laterals, head gates, waste ditches, direction of flow of flood irrigation) N/A
- 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 & 2 (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? _____

- 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) N/A

- 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? Granite Engineering - Scott Lewis
- Who will complete any engineering work for the subdivision? " "
- 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.*

Jon Gibson
 Owner's Name (required) *Jon K. Gibson*
 Owner's Signature (required) Date: Januray 17, 2024

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: Clark Within 1-mile of a city? YES NO
- Date of pre-application meeting: 6/22/23
- Confirm Subdivision Name: Ollokot
- 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: _____



Scott Lewis <granitees@gmail.com>

840 - Ollokot MS - Electrical Information Request Ltr

3 messages

Scott Lewis <granitees@gmail.com>

Thu, Jan 11, 2024 at 12:46 PM

To: "mtomlin@beartoothelectric.com" <mtomlin@beartoothelectric.com>

Marty,

Please send me a note regarding the referenced subdivision information. Thank you.

Granite Engineering & Surveying LLC
Scott H. Lewis, PELS, CFedS
983 North Panther Boulevard, Powell, WY 82435
P 307.754.9600; C 307.254.0061
website granite-es.com

2 attachments**840 - 7 - GES to Beartooth Elec - Elec GES Sub Info Ltr - 011124.pdf**
83K**840 - 0A - Ollokot MS Sketch Plan C1 & C2 - 121323.pdf**
1880K

Marty Tomlin <mtomlin@beartoothelectric.com>
To: Scott Lewis <granitees@gmail.com>

Thu, Jan 11, 2024 at 1:50 PM

Scott,

Beartooth Electric has an existing underground 7.2kv primary power line through the proposed lot 2 as per your sketch.

If there was a 60ft. utility easement around the CESE 1/64th Corner of Section 27 the other 3 proposed lots would have access to the existing buried power line to feed each of those lots.

There would be additional cost to each of the lots if they wanted a new service, however we don't know where a prospective buyer may want a new service.

The individual new lot owners would have to fill out membership and construction applications and pay for their own individual services as needed.

Respectfully,

Marty Tomlin

Beartooth Electric Staking Tech.

PO box 1110

Red Lodge, Mt. 59068

[Quoted text hidden]

Scott Lewis <granitees@gmail.com>
To: Marty Tomlin <mtomlin@beartoothelectric.com>

Thu, Jan 11, 2024 at 1:55 PM

Thank you. This will work for us.

Granite Engineering & Surveying LLC
Scott H. Lewis, PELS, CFedS
983 North Panther Boulevard, Powell, WY 82435
P 307.754.9600; C 307.254.0061
website granite-es.com

[Quoted text hidden]

Jennifer Cramer

From: Marty Tomlin <mtomlin@beartoothelectric.com>
Sent: Wednesday, February 21, 2024 3:52 PM
To: Jennifer Cramer
Subject: RE: Ollokot Minor Subdivision

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

Jenny,

That is correct the underground power line is installed through the easement on lot 2 and into the 60ft road and utility easement. It is available for lots 1,3 and 4 to access and take to their own building sites at their expense and it can serve all 4 lots.

Respectfully,

Marty Tomlin
Beartooth Electric Staking Tech.
PO box 1110
Red Lodge, Mt. 59068

From: Jennifer Cramer <Jennifer.Cramer@parkcounty-wy.gov>
Sent: Wednesday, February 21, 2024 11:53 AM
To: Marty Tomlin <mtomlin@beartoothelectric.com>
Subject: Ollokot Minor Subdivision

Hi Marty,

Attached is an email from you to Scott Lewis regarding power at the proposed Ollokot MS-79 subdivision (Mighty Rock Properties is the owner.) In our staff report for the P&Z Commission hearing, we address electric and report whether or not power service is adjacent to each proposed lot. In your email you said there is underground power running *through* Lot 2. I just wanted to confirm that power is truly installed through what is labeled "Planned Electrical Easement" on the attached sketch plan, to the very center of all four lots. And that this line will have the capacity to serve all four lots.

Please let me know when you have a chance to take a look. Thanks so much!

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

Website: www.parkcounty-wy.gov



Scott Lewis <granitees@gmail.com>

840 - Ollokot MS - Internet Information Request Ltr

2 messages


Scott Lewis <granitees@gmail.com>
To: jim.tuell@nemont.coop

Thu, Jan 11, 2024 at 12:53 PM

Jim,
Please send me a note regarding the referenced subdivision information. Thank you.

Granite Engineering & Surveying LLC
Scott H. Lewis, PELS, CFedS
983 North Panther Boulevard, Powell, WY 82435
P 307.754.9600; C 307.254.0061
website granite-es.com

2 attachments

-  **840 - 4 - GES to Numont - Internet GES Sub Info Ltr - 011124.pdf**
83K
-  **840 - 0A - Ollokot MS Sketch Plan C1 & C2 - 121323.pdf**
1880K

Jim Tuell <jim.tuell@nemont.coop>
To: Scott Lewis <granitees@gmail.com>
Cc: Chase Boyd <chase.boyd@nemont.coop>

Thu, Jan 11, 2024 at 1:13 PM

Hi Scott

I looked it over and yes we have copper facilities in that area, not fiber as of yet, but coming soon we hope. We may have to plow additional cable east on Jackrabbit Ln, that would depends on how many lots or new homes we would serve in this subdivision.

We would be able to provide the area with phone and limited internet speeds for now. I hope this help. Please feel free to reach out with additional questions.

My email is jim.tuell@nemont not jim.tool as on the letter. Just fyi

Thank you,

Jim Tuell



ROW Agent

O: 406-783-2344

M:406-620-7011

E: jim.tuell@nemont.coop

www.nemont.com

[Broadband](#) • [Mobile](#) • [Landline](#) • [Data Management](#)

From: Scott Lewis <granitees@gmail.com>
Sent: Thursday, January 11, 2024 12:54 PM
To: Jim Tuell <jim.tuell@nemont.coop>
Subject: 840 - Ollokot MS - Internet Information Request Ltr

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

[Quoted text hidden]



DATE: January 11, 2024

To Whom it May Concern,

Thank you for contacting the Powell Post Office regarding the newly proposed subdivision located east of Jackrabbit Lane, Clark, WY.

Mail delivery will be available and the placement of mailboxes will be determined when the new residents are ready for mail delivery.

If you have any questions please feel free to contact me (307) 754-2952.

Marie Bucher
Supervisor of Customer Services
Powell, WY 82435

CC: File



Scott Lewis <granitees@gmail.com>

Re: 840 - Ollokot MS - Fire Protection - Information Ltr

2 messages

Nate Hoffert <nate@wyomingproperty.com>
To: Scott Lewis <granitees@gmail.com>

Sat, Jan 13, 2024 at 1:39 PM

Hi Scott,

Clark Volunteer Fire Department and Park County Fire District#4 have reviewed the sketch plan of the proposed Ollokot subdivision and we see no issues with the plan and would be able to provide fire protection and first response medical service to the proposed subdivision.

Nate Hoffert- Chief
Clark Volunteer Fire Department
308 Road 1AB
Clark, Wy. 82435
(307)899-5275

Nate Hoffert
Associate Broker
The Real Estate Connection
(307)899-5275
Nate@wyomingproperty.com

From: Scott Lewis <granitees@gmail.com>
Sent: Thursday, January 11, 2024 12:21 PM
To: Nate Hoffert <nate@wyomingproperty.com>
Subject: 840 - Ollokot MS - Fire Protection - Information Ltr

Nate,

Please send me a note regarding the reference subdivision information. Thank you

Granite Engineering & Surveying LLC
Scott H. Lewis, PELS, CFedS
983 North Panther Boulevard, Powell, WY 82435
P 307.754.9600; C 307.254.0061
website granite-es.com

Scott Lewis <granitees@gmail.com>
To: Nate Hoffert <nate@wyomingproperty.com>

Mon, Jan 15, 2024 at 10:22 AM

Thank you.

Granite Engineering & Surveying LLC
Scott H. Lewis, PELS, CFedS
983 North Panther Boulevard, Powell, WY 82435
P 307.754.9600; C 307.254.0061
website granite-es.com

[Quoted text hidden]

Powell-Clarks Fork Conservation District

1017 Highway 14A Powell Wyoming 82435 • 307-754-9301 ext 3 • FAX 307-754-2761 • Email ann.trosper@wy.nacdnet.net

2/6/2024

To: Park County Planning and Zoning
Re: Ollokot MS Subdivision

The Conservation District Board of Supervisors has reviewed natural resource information for the Ollokot MS Subdivision. The project is located near Jack Rabbit Road in the Clark area, Powell, Wyoming. The project will encompass 80 acres. We have included with this letter soils information.


It is the policy of the Powell Clarks Fork Conservation District that agricultural land should stay in agriculture production. Under this policy we encourage you not to increase urban development on property under agriculture production. We also strongly suggest that the appropriate irrigation district review and approve an irrigation water management plan. Such plan should be attached to the property and reviewed upon sale of property to fully explain to future landowners the rights and responsibilities associated with irrigation water for both the new landowner and the irrigation district. A weed management plan should also be reviewed by Park County Weed and Pest. This plan should also be attached to the property and reviewed upon sale to property to fully explain to future landowners the need and legal requirements to manage the property for noxious weed control. Where wildlife/human encounters are anticipated, we also recommend that the Wyoming Game and Fish be contacted for wildlife management advice.

We emphasize the need for proper engineering and construction of sanitary facilities. Consultation with a knowledgeable entity, including proper permits by law, must occur before construction or installation. Appropriate measures must be taken to overcome the soils limitations for these uses.

Attached is the soils report for the property. If development occurs, we recommend not removing vegetation off the site prior to any construction activity to reduce the risk of wind and/or water erosion of the soil. During construction, the use of wind barriers is encouraged. Erosion control efforts should also include using adapted grass species to seed areas that have been disturbed to reduce bare areas. Good grass cover will also reduce weed problems.

If you have any additional natural resource information needs, please contact the District or the USDA – Natural Resources Conservation Service.

Sincerely,



Regan Smith
Chairman

cc: Granite Engineering and Surveying LLC Scott H Lewis

Jennifer Cramer

From: Eric Hargett <eric.hargett@wyo.gov>
Sent: Tuesday, February 13, 2024 10:04 AM
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; Blank, Cara C
Subject: Re: Agency Notice - Ollokot Minor Subdivision (MS-79)

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 Tue, Feb 13, 2024 at 8:47 AM Jennifer Cramer <Jennifer.Cramer@parkcounty-wy.gov> wrote:

Good Morning,

Jennifer Cramer

From: Anne Lawler
Sent: Tuesday, February 13, 2024 8:57 AM
To: Jennifer Cramer
Subject: RE: Agency Notice - Ollokot Minor Subdivision (MS-79)

Good Morning,

This parcel is paid in full.

Thank you and have a good day!!

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: Tuesday, February 13, 2024 8:48 AM
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>; Blank, Cara C <cblank@blm.gov>
Subject: Agency Notice - Ollokot Minor Subdivision (MS-79)

Good Morning,

Attached please find an application and Sketch Plan for the Ollokot Minor Subdivision (MS-79) (Applicant: Mighty Rock Properties LLC). The proposed four lot subdivision will create one 20.23-acre lot, one 20.13-acre lot and two 20.21-acre lots, from an 80.78-acre parcel for agricultural and residential use. The proposed subdivision is described as the E1/2SE1/4 of Section 27, T57N, R102W of the 6th P.M., Park County, WY. The property is located in the Clark Planning Area, approximately 2.5 miles west/southwest of the intersection of the Belfry Highway and County Road 1AB, and approximately ½ mile south of County Road 1AB, in a General Rural 20-acre (GR-20) zoning district. The subdivision is proposing access by a new road to be constructed across BLM lands from Yellowknife Trail, which is accessed from County Road 1AB.

The Property Tax Identification Number is 03570202742004 . Here is a link to the parcel on Park County Mapserver: [Park County, Wyoming, MapServer \(greenwoodmap.com\)](https://www.parkcountywy.gov/MapServer/greenwoodmap.com)

Jennifer Cramer

From: Corey Class <corey.class@wyo.gov>
Sent: Monday, February 26, 2024 11:20 AM
To: Jennifer Cramer; Tony Mong; Luke Ellsbury; Sam Hochhalter
Subject: Re: Agency Notice - Ollokot Minor Subdivision (MS-79)

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

Jennifer, while this isn't located within crucial winter range, subdivisions within this area will reduce the amount of usable space for deer and other wildlife and thus cumulatively reduce deer numbers over time. I've attached standard subdivision wildlife recommendations.

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 barbeque 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

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

Granite Engineering & Surveying LLC
Scott H. Lewis, PELS, CFedS
983 North Panther Boulevard, Powell, WY 82435
GraniteES@gmail.com 754-9600

RE: Bus routing for Ollokot Minor Subdivision

The proposed minor subdivision is located east of the east end of Jackrabbit Lane and west of Yellow Knife Trail, in the Clark area of Park County. It will have busing available. The bus stop would be at the intersection of Yellow Knife Trail and Road 1 AB. It is within the boundaries of Park County #1 school district. Yellow Knife Trail is not a county maintained road, so the bus will not travel on it. Morning stops would not require students to cross the road for pickup. Students would have to cross Road 1AB in the afternoon for drop off. If you need any further information, feel free to email or call.

Sincerely,



Stephen R. Janes
Transportation Supervisor
PCSD #1



Park County
Planning and Zoning Department
1002 Sheridan Avenue Ste 109
Cody, Wyoming 82414-3550
307-527-8540 or 307-754-8540



February 21, 2024

Joy Hill
Planning Director
Park County Courthouse
1002 Sheridan Ave
Cody, Wyoming 82414

Re: Ollokot MS-79

Joy,

A review of the subsurface evaluation data submitted on behalf of the applicants indicates that conventional septic systems will likely be sufficient should this minor subdivision be approved, and septic systems proposed.

Percolation tests were completed on proposed Lot 1 and Lot 2 on December 6, 2023. Percolation rates were determined to be 7 mpi on Lot 1, and 7 mpi on Lot 2.

Groundwater exploration cuts were made on December 6, 2023 on proposed Lot 1 and Lot 2, each to a depth of 8 feet. Groundwater was not discovered, nor did they encounter any impermeable layers.

Site specific testing will be required for any new septic application, and any new septic system will be required to meet current county regulations.

Kim Dillivan
Small Wastewater Administrator