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CHAPTER 15.16: SUBDIVISION

15.16.010 INTENT

This Article is intended to promote the health, safety, convenience, order, prosperity, and welfare of the present and future inhabitants of Laramie by:

1. Promoting compact, well-defined, sustainable neighborhoods that enhance the city's character and are compatible with adjoining lands;
2. Creating livable neighborhoods that foster a sense of community and reduce dependency on private vehicles;
3. Encouraging the proper alignment of streets in relation to existing or planned streets and ensuring streets facilitate safe, efficient, and pleasant walking, biking, and driving;
4. Providing a variety of lot sizes and housing types in every neighborhood;
5. Protecting sensitive natural and historic areas and the city's environmental quality;
6. Providing for adequate and convenient open spaces for traffic, utilities, access of fire apparatus, recreation, light, and air for the avoidance of congestion for the population;
7. Providing protection from natural hazards and flood prone areas;
8. Ensuring compliance with the Laramie Comprehensive Plan; and
9. Regulating such other matters as the city council may deem necessary in order to protect the best interest of the public.

15.16.020 APPLICABILITY

15.16.020.A. Generally

No person shall subdivide any tract of land that is located within the city, except in conformity with the provisions of this title. (Prior code § 35-2).

15.16.020.B. Approvals Required

Before a preliminary plat for a subdivision shall be approved, the owner or his or her authorized agency shall apply for and secure approval pursuant to section 15.06.060 Subdivisions, Major; Minor Land Division; or Other Land Adjustments and Lot Consolidations (Ord. 1744 § 26, 2018).

15.16.020.C. Exemptions

The standards of this Article shall not apply to the creation, realignment, or extinguishment of an easement.

15.16.020.D. Plats - Generally

No plat of any subdivision shall be accepted by the city until it has been approved in the manner prescribed in this chapter and also is in compliance with Wyoming State Statutes.

15.16.020.E. Plats - Changes or Revisions

1. No changes, erasures, modifications, or revisions shall be made in any recorded plat of a subdivision, unless such plat is first resubmitted to the applicable reviewing body, and recorded as a revised plat. No replat shall be approved unless the previous, recorded final plat or portion thereof has been properly vacated. Vacation may be accomplished by written statement on the replat meeting the requirements of section 15.16.060.T Vacations, Subdivisions. The filing of any instrument of conveyance with the county clerk, that conveys a portion less than the whole of a platted lot within the city, and does not have endorsed thereon the approval of the city council, shall be deemed a change, modification, or revision of the recorded plat of which the lot is a part, and therefore is prohibited under provisions of this chapter.
2. Any person or entity recording a deed in violation hereof shall not be entitled to a building permit for the property in question. Any building permit contrary to these provisions shall be considered null and void. (Ord. 1001 § 1, 1990: Ord. 771 § 1, 1984: prior code § 35-7).

15.16.030 TYPES OF LAND DIVISION

15.16.030.A. Subdivision (Subdivision, Major)

"Subdivision" means improved or unimproved land or lands divided for the purpose of financing or sale, whether immediate or future, into three or more lots, tracts, or parcels of land. "Subdivision" also includes any condominium, cooperative, community apartment, townhouse or similar project containing three or more parcels, in which an undivided interest in the land is coupled with the right of exclusive occupancy of any unit located thereon, but plats of such projects need not show the buildings or the manner in which the buildings or airspace above the property shown on the plat are to be divided. The procedure for creating a subdivision is located in section 15.06.060.P Subdivisions, Major. The procedure for creating a condominium subdivision is located in section 15.06.060.T Condominium.

15.16.030.B. Minor Land Division

A minor land division is a subdivision that creates two lots, tracts, or parcels. The procedure for creating a minor land division is located in section 15.06.060.P Minor Land Division (Ord. 1744 § 7 2018).

15.16.030.C. Other Land Adjustments and Lot Consolidations

Additional land adjustments include lot line adjustments and lot consolidations. The procedures for these actions are contained in section 15.06.060.Q Other Land Adjustments and Lot Consolidations.

15.16.040 PLAT REQUIREMENTS

15.16.040.A. Minimum Standards

The design standards in this section are minimum standards. The city may impose more restrictive standards when it finds that they are necessary to conform the design of a proposed subdivision to sound engineering or design practices or other standards in this Code or in Wyoming State Statutes.

15.16.040.B. Compliance With Comprehensive Plan And Development Code

All subdivisions shall comply with all other applicable zoning, design, and development regulations set forth in this Code, including but not limited to:

1. The Laramie comprehensive plan;
2. The requirements of the zoning district in which the property is located (chapter 15.08, 15.10, and 15.12); and
3. Applicable development and design standards (chapter 15.14).
4. Subdivision improvement standards (chapter 15.18)

15.16.040.C. Suitability For Subdivision

Land subject to hazardous conditions such as floods, mud flows, rock falls, possible mine subsidence, mine shafts, shallow water table, open quarries, and polluted or non-potable water supply shall be identified and shall not be subdivided until the hazards have been mitigated or will be mitigated by the subdivision and improvements.

15.16.040.D. Exceptions

The design requirements of chapter 15.18 Improvements, the requirements of this chapter and applicable requirements of this code shall apply to all subdivisions within the city unless unusual conditions warrant an exception from such requirements. Unusual conditions may include but are not limited to:

1. Unusual shape, exceptional topographic conditions, geological problems, or other extraordinary situation or condition in connection with a specific piece of property where the literal enforcement of this Code would involve difficulties or result in an undesirable plat; or
2. The granting of the exception results in better lot design than previously existed. Better lot design is defined as: larger in area, more practical site design because of topography, wetlands, or other environmental constraints, or that the lot design will result in lots closer to conformance to required standards; and

3. The granting of the exception will not be unduly detrimental to the public welfare nor injurious to the property or improvements in the vicinity of which the subject property is located.

Exceptions from the requirements of sections listed below may be granted by the decision-making body upon recommendation by the City Manager's Office and the signature of a professional engineer employed or retained by the city. Applicants may seek changes to sections not listed here through section 15.06.060.D Variance, section 15.06.060.J Minor Administrative Modification, or section 15.06.060.K Alternative Equivalent Compliance.

1. Section 15.18.010.A.4, Dead ends;
2. Section 15.18.010.A.5, Intersections;
3. Section 15.18.010.A.7, Street Grades; provided that an exception of more than ten percent from the specifications of this section requires approval of the city council;
4. Section 15.18.010.A.8, Street Intersection Grades;
5. Section 15.18.010.A.9, Full Width Platting;
6. Section 15.16.040.F, Lot Lines; and
7. Section 15.16.040.H, Block Dimensions. (Ord. 1728 § 16, 2017)

15.16.040.E. Lots

All lots shall conform to the requirements of the zone district in which they are located and the following additional standards.

15.16.040.F. Lot Lines

Lot lines are encouraged to be designed in conjunction with existing topography. (Prior code § 35-3(m)).

15.16.040.G. Frontage

All lots shall front on a public street, highway or a marginal access street.

15.16.040.H. Block Dimensions

Blocks for residential use shall be more than 450 feet in length and shall be less than 600 feet in length to conform to the requirements of section 15.14.060.E.2.b.

15.16.040.I. Reservation of Property

1. If the Laramie Comprehensive Plan or other applicable adopted city plan contains proposals for drainage rights-of-way, school sites, parks, playgrounds or other public areas within a proposed subdivision, before approving the subdivision the city council, upon recommendation of the planning commission, may require that drainage rights-of-way, school sites, parks, playgrounds or other public areas shown on the public plan be shown in locations and sites suitable for their intended sizes.
2. This reservation may be in addition to any required dedication as required pursuant to the requirements of chapter 15.14 Development Standards.

3. Such reservation shall be for a period of three years after the approval of the final plat or such further time as may be agreed to by the subdivider. At the end of the three-year period or extension thereof the city council or school board shall enter into a contract to purchase or institute condemnation proceedings according to law for such drainage rights-of-way, school sites, parks, playgrounds or other public areas shown on the master plan; otherwise, the subdivider shall no longer be bound by the reservation.
4. A reserved area on a plat may be preliminary platted for the purposes of a preliminary development plan; however, it shall be clearly stated on the preliminary plat that the subject lands are subject to reservation and no final plat shall be filed for reserved lots until the reservation period has expired.
5. This provision shall not apply to the streets and roads or drainage rights-of-way required for final approval of any plat and deemed essential to the public welfare. (Prior code § 35-3 (t)).

15.16.040.J. Franchise Utilities and Electrical Transmission Lines

Concurrent with final platting, all new and existing IT (telecommunications, cable TV, fiber, and similar) and electrical utilities within the final plat area and within rights-of-way adjacent to the final plat shall be undergrounded in streets, alleys and easements in a manner approved by the City with the following exceptions

1. Existing pole-mounted primary (greater than 600 volt) electrical distribution lines, any existing IT attached or adjacent to these poles, and any existing secondary (less than 600 volt) electrical lines attached to these poles, in non-residential zone districts; and
2. Electrical transmission lines (WAPA and similar) that transmit electrical power from generation to substations (Ord. 1744 § 28, 2018; Prior code § 35-3 (u)).

15.16.040.K. Alleys

Alleys shall be at least 24 feet in width, unless additional width is required for utility installation; dedicated to the city as rights-of-way and improved in accordance with the improvement standards of LMC 15.18.010.A.15. Alleys are not required, unless proposed to provide rear-yard access to properties, or access to maintain city utilities. When paving an existing alley, the alley pavement width may be less than the full right-of-way width to accommodate construction constraints, as determined by the City Engineer.

15.16.040.L. Streets

All streets shall be dedicated and shall conform to the requirements of the City of Laramie's engineering and public works design standards and sections 15.14.060 and 15.18.010.A.