2.1 ZONING AND DEVELOPMENT PERMITS GENERAL DATA REQUIREMENTS

Applications for Zoning and Development Permits shall contain all information needed to determine the development's compliance with the standards of these Land Use Regulations. The Administrator shall prepare all the necessary forms. Only items relevant to the proposed development will be required. The following items shall be submitted with the applications:

A. Copy of Deed and Easements

1. A copy of the recorded deed and easements pertaining to the property to be developed shall be attached to the application.
2. If the applicant does have title to the property, the applicant shall obtain a copy of an instrument which gives the applicant permission to process an application.

B. Site Plan

Each application shall include a plan sheet which contains information relevant to the application. The site plan shall include the following items:

1. Scaled site plan including north arrow and scale of the drawing.

2. A title block should be located in the lower right hand corner of the sheet. The title block shall contain the following items:
   a. The name of the development shall be substantially different from any other development in Lincoln County.
   b. Names of owners, applicants, surveyors, architects, engineers, and builders, when applicable.
   c. Date of preparation.

3. Locate all lot or parcel lines. Label the length of property lines on the site plan.
Indicate size of lot or parcel, in acres or square feet on the site plan.

4. Locate and label width of all existing and proposed easements on the property. Include road, railroad, and utility easements.

5. Location of existing and proposed on-site sewer and water systems, including septic tanks and leach fields.

6. The site plan shall indicate the location of existing and proposed structures on the site, including buildings, garages and other accessory buildings, location of on-site parking, driveways, wells, potable water supplies and springs. Show and indicate by name, if applicable, adjoining access roads.

7. Plans shall illustrate how drainage will be directed away from buildings and driveways and how water drainage will be managed (see Land Use Regulations Chapter 6.5). The location of existing and proposed culverts, including their diameter and material shall be shown. Include the location of any existing or proposed ditches or irrigation structures on the site. If the lot is next to a stream or river, indicate the distance between mean high-water line and proposed buildings (see Land Use Regulations Chapter 6.21).

8. Indicate on the site plan the locations of phased development in compliance with the approved master plan.

9. Parking layout and traffic circulation, in accordance with these regulations, shall be shown on the site plan.

C. Additional Application Contents

1. General topographic information including, but is not limited to, United States Geological Survey information and information collected on the site.

2. A topographic and/or boundary survey stamped by a Wyoming licensed professional surveyor and/or a Wyoming licensed professional engineer shall be required under one or more of the following conditions:

   a. Where the site of the development is located in a flood plain, flash flood area or where other hazard, ponding, or drainage problems might occur;

   b. Where the development is situated in such a way that drainage has the potential of damaging downhill private or public properties;

   c. Where there are known or suspected problems with property boundaries, including, but not limited to: property overlap, vague legal descriptions, development which is suspected to be located in State or County rights-of-way, and contested land ownership.

   d. The Administrator shall determine contour intervals appropriate to given site conditions.

3. Other information as required by zoning standards and the objectives of the Comprehensive Plan.
2.2 ZONING AND DEVELOPMENT PERMIT PROCEDURES

A. The following procedures apply to Zoning and Development Permits

1. Zoning and Development permits are for uses indicated as permitted uses on the Land Use Table in Chapter 7.3 of these Land Use Regulations.

2. A pre-application conference is required prior to the submission of an application. The pre-application conference will occur by appointment only. During the conference the project design criteria will be reviewed and the items for a complete application shall be determined.

3. Within seven (7) days of receiving application, the administrator shall determine if the application is complete. Incomplete applications, as determined by the Administrator, shall not be accepted and may be returned to the applicant. If the application is deemed to be incomplete, the Administrator shall notify the applicant, by mail or by phone, if possible, of the deficiencies in the application and how they can be eliminated. Within fourteen (14) days of the determination of completeness, the Administrator shall either approve or deny the application. Upon a determination that the applicant has completed the items laid out in the pre-application conference and that the project is consistent with the standards of these Land Use Regulations and goals and objectives of the Comprehensive Plan, the administrator may grant final approval.

4. Developments with required improvements may require a performance guarantee according to the performance guarantee procedures.

The Administrator is authorized to inspect all developments for compliance with the Comprehensive Plan, and the requirements of these Land Use Regulations.

B. Appeals

1. Appeals of the decisions made by the administrator shall be sent to the Board of County Commissioners. The application shall be forwarded to the Board of County Commissioners for consideration following the procedures below.

2. The Board of County Commissioners shall hold a public review of the application.

3. There shall be at least a quorum of County Commissioners in order to entertain motions to approve, deny, or table the application. In approving or denying the application, the Board shall make findings of fact which shall include but are not limited to:
a. The proposed Zoning and Development Permit is consistent with the goals and objectives of the Lincoln County Comprehensive Plan.

b. The proposed Zoning and Development Permit will not have any significant adverse impacts on neighboring properties.

c. The proposed Zoning and Development Permit is consistent with the Lincoln County Land Use Regulations.

4. The County Commissioners shall notice the applicant in writing as to the action the Board makes on the application.
### Table 2.1

**Zoning & Development**

**Step 1: Pre-Application Conference**
- Zoning standards
- Agency issues
- Access issues
- Ownership issues
- Septic issues

**Step 2: Action by Applicant**
- Make application:
- Detailed project description
- Site plan
- Deed
- Easements
- Signatures
- Fees
- Apply for small wastewater permit, if applicable.

**Step 3: Action by Planning Office**
- Review for completeness within 7 days.
- Make completeness determination, notify applicant within 14 days.
- Notify appropriate agencies & neighbors.
- Receive agency & neighbor comments
- Compliance review.
- Approval or denial.
- If approved, assign address.
- Commence construction within 2 years
- Make report to Board of County Commissioners of Permit Approval
2.3 RESIDENTIAL USE PERMIT PROCEDURES

A. The following procedures apply to Residential Use Permits. Residential Use permits are for uses indicated as residential uses on the Land Use Table in Section 7.3 of these Land Use Regulations.

1. A pre-application conference is suggested, but not required, for residential building permits. The purpose of the pre-application conference is to ensure the applicant is familiar with the procedure and content of these Land Use Regulations, including required standards, Comprehensive Plan Goals and Objectives, and any hazards and/or special conditions associated with the site. The pre-application conference is intended to be a service to the applicant, not a regulatory proceeding. The applicant may submit a sketch plan as the basis for discussion at the pre-application conference.

2. A complete application for a permit shall be submitted in accordance with Section 2.4.

3. Incomplete applications, as determined by the Administrator, shall not be accepted and may be returned to the applicant. Within seven (7) days the Administrator shall review the application for completeness. If the application is deemed to be incomplete, the Administrator shall notify the applicant, by mail or by phone, if possible, of the deficiencies in the application and how they can be eliminated.

4. When the permit application is complete, the Administrator shall accept the application and note the date upon which the application is accepted. The Administrator then shall review the application in terms of compliance with standards which apply to permits processed under the Residential Use Permit procedure. Within fourteen (14) days, the Administrator shall notify the applicant of the result of the review of the standards and approve, approve with findings, deny, or extend the review period of the permit application.

5. The administrator shall only approve the application if the following findings are made:

   a. The proposed permit is consistent with the goals and objectives of the Lincoln County Comprehensive Plan.
   b. The proposed permit is consistent with these Lincoln County Land Use Regulations.

6. The Administrator shall prepare a staff report to the Board of County Commissioners which shall include a description of the permit type, the applicant's name, the permit location, and a description of the permit

The Administrator is authorized to inspect all development for compliance with the Comprehensive Plan, and the requirements of these Land Use Regulations.
Table 2.2

Residential Use

Step 1: Pre-Application Conference (Suggested not required)
Zoning, density, access, septic issues

Step 2: Make Application
- Site plan
- Deed
- Easements
- Signatures
- Fees
- Apply for small wastewater permit, if applicable. (Site plan, perc test, signatures, and fees) (Enhanced system-maintenance agreement, notary, fees)

Step 3: Action by Planning Office
- Review for completeness within 7 days.
- Compliance review.
- Approval or denial within 14 days.
- If approved, assign address.
- Post green tag.
- Commence construction within 2 years.
- Make report to Board of County Commissioners of Permit Approval
B. Appeals

1. Appeals of the decisions made by the administrator shall be sent to the Board of County Commissioners. The application shall be forwarded to the Board of County Commissioners for consideration following the procedures below.

2. The Board of County Commissioners shall hold a public review of the application.

3. There shall be at least a quorum of County Commissioners in order to entertain motions to approve, deny, or table the application. In approving or denying the application the Board shall make findings of fact which shall include but are not limited to:

   a. The proposed Residential Use Permit is consistent with the goals and objectives of the Lincoln County Comprehensive Plan.
   b. The proposed Residential Use Permit will not have any significant adverse impacts on neighboring properties.
   c. The proposed Residential Use Permit is consistent with these Lincoln County Land Use Regulations.

4. The County Commissioners shall notice the applicant in writing as to the action the Board makes on the application.

2.4 RESIDENTIAL USE PERMIT APPLICATION REQUIREMENTS

A. The following are the requirements for Residential Use Permits
   (applies to Single and Two-Family Dwellings, Townhouses, Duplexes, Twin Homes and Guest Houses - see Land Use Regulations Chapter 7)

1. Applications for a residential use permit shall contain the below listed information needed to determine the development's compliance with applicable standards of these Land Use Regulations. The Administrator shall prepare all the necessary forms. Only items relevant to the proposed development will be required.

2. A copy of the recorded deed and easements pertaining to the property to be developed shall be attached to the application by the applicant. A real estate contract, letter of consent, or similar document, which gives the applicant the right to develop, will also be accepted.

3. If the applicant does not have title to the property, the applicant shall obtain a copy of an instrument which gives the applicant permission to develop said property.

4. Each application shall include a plan sheet, which contains information relevant to the application. The following items shall be provided:
a. A site plan is required. A scaled site plan is encouraged, but not required.
b. Locate all lot or parcel lines on the site plan. Label the length of property lines on
   the site plan. Indicate size of parcel, in acres or square feet, on the site plan.
c. Locate and label the width of all existing and proposed easements on the property
   on the site plan. Include road, railroad, and utility easements on the site plan.
d. Locate existing and proposed on-site sewer and water systems. Include septic tanks
   and leach fields on the site plan.
e. The site plan shall indicate the location of existing and proposed structures
   including: buildings, garages and other accessory buildings, location of on-site
   parking, driveways, wells, potable water supplies and springs. Show and indicate
   by name, if applicable, adjoining access roads.
f. The site plan shall illustrate how drainage will be directed away from buildings and
   driveways and how water drainage will be managed. The location of existing and
   proposed culverts, including their diameter and material shall be shown. Include
   location of any existing or proposed ditches, canals, or other irrigation structures on
   the site. If the lot is next to a stream or river, indicate the distance between mean
   high-water line and proposed buildings.

5. A topographic and/or boundary survey stamped by a Wyoming licensed professional
   surveyor and/or a Wyoming licensed professional engineer may be required under one
   or more of the following conditions:
   a. Where the site of the development is located in a flood plain or flash flood area, or
      where other hazard, ponding, or drainage problems might occur;
   b. Where the development is situated so that drainage has the potential of damaging
      downhill private or public properties; and
   c. Where there are known or suspected problems with property boundaries, including,
      but not limited to: property overlap, vague legal descriptions, development which is
      suspected to be located in State or County rights-of-way, and contested land
      ownership.
   d. The Administrator shall determine appropriate contour intervals based on the
      steepness of terrain and potential risks associated with the given site conditions.

6. Other information as required by standards of these Land Use Regulations.

2.5 OTHER TYPES OF PERMITS

A. Driveway Access Permit

1. A driveway access permit is required for all private driveways/roadways accessing onto
   a County road. This permit shall follow the Residential Use Permit Procedure.
2. Data requirements include a site plan meeting county driveway access standards as
   specified in Land Use Regulations Chapter 6, Development Standards.
3. If the development of a driveway access is part of another permit application, a separate
   Driveway Access Permit is not required.
B. Oil and Gas Location Permit

1. Oil and gas development is defined as including all development which is reasonably necessary to the extraction, exploration or production of oil and gas wells and accessory office, storage buildings, rig camps, gas gathering systems, and gas transmission lines located on federal land or private land. This application shall follow the Zoning and Development Permit Procedure.

2. The data requirements for an oil and gas location permit include, but are not limited to:
   a. County Road Agreement. (Resolution 3-1 (1982);
   b. Certified land corner recordation certificates;
   c. Hydrogen Sulfide Contingency Plan if necessary;
   d. Permit to Drill Water Well from State Engineer; and
   e. Location of the site indicated on a U.S.G.S. quadrangle.
   f. Driveway Access Permit from the State Highway Department or Lincoln County Office.
   g. Access agreement obtained from County, State, private landholder, BLM, USFS, whichever is applicable.
   h. A copy of the Plat of Drilling Location prepared by the surveyor.
   i. Timeframes: include construction start and completion dates, and any other timeframes identified.

3. Inspections shall occur only during working hours following adequate notification to the applicant. Applicants shall notify Planning Office of actual start date at least 48 hours in advance of actual construction.

4. Pipelines noticed and permit approved through the FERC NEPA EIS process may be required to apply through the Conditional Use Permit Procedure if the scope of the project was not inclusive of complete factors at time of the NEPA approval.

5. Applications for oil and/or gas pipelines may require application through the Conditional Use Permit Procedure if the project is located on private land and has not been permitted through the NEPA process prior to application.

C. Small Wastewater Facility Permit

A Small Wastewater Facilities Permit to Construct shall be required for all wastewater treatment facilities as outlined in Lincoln County Regulations for a Permit to Construct, Install or Modify Small Wastewater Facilities and Related Design Standards, dated June 7, 2017 (See Appendix E).
D. Temporary Use Permit

1. A temporary use is a use established for a fixed period of time, not to exceed 120 days, with the intent to discontinue such use upon the expiration of the time period. Temporary uses shall include: structures without any foundation or footings, fireworks stands, circuses, and mobile or seasonal restaurants or commercial uses.

2. The permit shall be issued for an established time period. Temporary permits shall be revoked and the applicant shall be deemed in violation of these Regulations if the minimum standards are not met and/or the use is active beyond the established time period. New temporary use permits may only be obtained six (6) months after the expiration date of the previous permit. Data requirements are the same as for Residential Use permits and shall follow the Residential Use Permit Procedure.

3. The proposed uses shall be consistent with the provisions of these Regulations.