

# **SUBDIVISION EXEMPTION GUIDE**

## **FOR LARAMIE COUNTY**

### **WHAT IS A SUBDIVISION EXEMPTION?**

A subdivision exemption allows a landowner to divide their property without approval from Laramie County.

**Laramie County administratively reviews and certifies** that a subdivision exemption meets the intent of the Wyoming State Statutes. It does not approve the subdivision exemption.

Use Section 4-1-106 through 4-1-108 of the Laramie County Land Use Regulations – Subdivision Exemptions, when you want to carry out a subdivision exemption.

A subdivision exemption may be of any size. Laramie County Subdivision Regulations encompass all divisions of land up to 80 acres.

Wyoming Statute 18-5-316 allows Laramie County to regulate subdivisions between 35 and 80 acres. Tracts that are between 35 to 80 acres are called Large Acreage Subdivisions. Those standards allow for an exemption under certain circumstances. See 4-5-101 of the Laramie County Land Use Regulations to learn more.

A person is required to use a licensed Wyoming surveyor for all subdivision exemptions.

For assistance contact Planning at 307-633-4303 or email at: [planning@laramiecountyywy.gov](mailto:planning@laramiecountyywy.gov)

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### **WYOMING SUBDIVISION EXEMPTIONS**

Subdivision exemptions are permitted by Wyoming Statute 18-5-303. As of July 1, 2024, the following are subdivision exemptions:

- a) Unless the method of sale or other disposition is adopted for the purpose of evading the provisions of this article, this article shall not apply to the following subdivisions of land however, the following subdivisions are subject to requirements which may be adopted by the board of county commissioners regarding documentation of the proper use and implementation of the following exemptions:
  - (i) A division of land made outside of platted subdivisions for the purpose of a single gift or sale to a member of the landowner's immediate family, subject to the following requirements:

(A) A member of the immediate family is limited to any person who is a natural or adopted child, stepchild, spouse, sibling, grandchild, grandparent or parent of the landowner;

(B) The purpose of the division is to provide for the housing, business or agricultural needs of the grantee;

(C) The land shall have been titled in the name of the grantor, or in the name of a trust controlled by the grantor, for a combined period prior to the division of not less than five (5) years for land titled before February 27, 2019, or ten (10) years for land titled on or after February 27, 2019. Parcels created under this paragraph shall be titled in the name of the immediate family member for whom the division is made for a period of not less than five (5) years, or for not less than one (1) year if the parcel was created before February 27, 2019, unless the parcels are subject to involuntary transfer including, but not limited to, foreclosure, death, judicial sale, condemnation or bankruptcy;

(D) No parcel smaller than five (5) acres created under this paragraph shall be further divided unless the owner obtains a subdivision permit pursuant to W.S. 18-5-304;

(E) Where the landowner is a business entity and eighty percent (80%) of the ownership interest or shares in the business entity are held by, or in the name of a trust controlled by, individuals related by blood or marriage, the sale or gift may be made subject to the provisions of this section to an immediate family member of any shareholder who has owned at least five percent (5%) of the outstanding shares for at least five (5) years continuously before the date of the sale or gift.

(ii) A division which may be created by any court of this state pursuant to the law of eminent domain, by operation of law or by order of any court in this state, except that this paragraph shall not exempt a partition of real property pursuant to W.S. 1-32-101 through 1-32-122 from compliance with this article if the division would otherwise be subject to the provisions of this article;

(iii) A division which is created by a lien, mortgage, deed of trust or any other security instrument, easements and rights-of-way;

(iv) Lands located within incorporated cities or towns;

(v) A division which is created by the sale or other disposition of land to the state of Wyoming or any political subdivision thereof;

(vi) A division which affects railroad rights-of-way;

(vii) A division which is a sale or other disposition of land for agricultural purposes or affects the alignment of property lines for agricultural purposes;

(viii) A division which is created by boundary line adjustments where the parcel subject of the sale or other disposition is adjacent to and merged with other land owned by the grantee;

(ix) A division which creates cemetery lots;

(x) A division which is created by the acquisition of an interest in land in the name of the husband and wife or other persons in joint tenancy or as tenants in common, and the interest shall be deemed for purposes of this subsection as only one (1) interest;

(xi) A division of land creating a parcel five (5) acres or less for the purpose of establishing unmanned communication facilities, compressor stations, metering stations, fiber optic booster stations or similar unmanned facilities;

(xii) A division which creates a cluster development pursuant to and in accordance with article 4 of this chapter;

(xiii) The sale or disposition of separate parcels of land that were separate when lawfully created or conveyed and which have not been combined by a recorded instrument of conveyance signed by all of the owners.

(b) Except as provided in W.S. 18-5-316, this article shall not apply to the sale or other disposition of land where the parcels involved are thirty-five (35) acres or larger, subject to the requirement that ingress and egress and utility easements shall be provided to each parcel by binding and recordable easements of not less than forty (40) feet in width to a public road unless specifically waived by the grantee or transferee in a binding and recordable document.

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## **HOW TO GET IT DONE AND WHAT TO PROVIDE**

1. A pre-application meeting is required to provide guidance.
2. An application is provided by the grantor with the following documentation.
  - a. A Certificate of Affidavit signed and notarized by each grantor and each grantee who are parties to the subdivision exemption.
  - b. A copy of the original deed to the property.
  - c. A copy of the proposed deed to the property with an exact legal description.
  - d. Record of Survey for new property with exact legal description and necessary easements. See 4-5-102 for Record of Survey contents.
  - e. Digital Shape File of Record of Survey, and other documents deemed necessary for certification/recording.
3. All documentation is reviewed by the Assessor, Real Estate, GIS and Planning.
4. When any outstanding issues are resolved, Planning administratively certifies the Affidavit of Subdivision Exemption as meeting state statutes and notifies the applicant.
5. The applicant is to record the Affidavit of Subdivision Exemption, the Record of Survey and the new deed or deeds at the Real Estate Office at the Laramie County Courthouse in order to be in effect and of record.

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