Conservation subdivisions (aka conservation design subdivisions) are an alternative to conventional large-lot subdivisions. Conservation subdivisions allow subdividers to design subdivisions creatively to maintain the open character and agricultural viability of the county's agricultural and rural areas, continue the use of lands for agricultural and ranching activities, conserve riparian areas and other natural resources, such as wildlife habitat, and avoid placing residential buildings in floodplains or on steep slopes. What is in it for you?

- Preserving unique natural features
- Greater design variability
- Lower road/utility expenditure per dwelling
- More building sites
- Higher market value
- Retained Ag potential

Conservation subdivision are regulated by Sheridan County. There are possible tax benefits for the conservation of the conservation area, the preliminary plat process is eliminated and the normal application subdivision fee is abolished.

SCLT holds a voluntary conservation agreement (aka conservation easement) on the first conservation subdivision in Sheridan County. The conservation subdivision protected 80 acres while allowing 3 residential units.
Parcels need to be a certain size to consider a conservation subdivision based on underlying zoning district

- In properties zoned Agricultural – 70 acres or more
- In properties zoned Rural Residential or Urban Residential – 10 acres or more

Conservation subdivisions are composed of two components

Conservation area: this area permanently is conserved for agriculture, open space, or non-motorized recreation uses. It must be at least 70% of gross land area and can be contiguous or split between two lots.

Residential cluster: this area is subdivided into lots for single-family residential development. The permitted density of residential development depends on the underlying zoning district

  a. Agricultural zone district - net development density can range from 1 residential unit per 40 acres, to 1 unit per 20 acres. Compared to 1 residential unit per 80 with standard Large-lot subdivision.
  b. Rural Residential - can yield higher densities than the general range of 1 residential unit per 2 acres to 1 unit per 5 acres.
  c. Urban Residential - minimum lot area is the same as Rural Residential.

So you have a parcel with the minimum size….how many residential units can you have with a conservation subdivision?

Step one: Figure your base density

- Agriculture zoning - 1 residential unit per 40 acres
- Rural Residential zoning - 1 residential unit per 2 acres outside of the Groundwater Protection Area, 1 residential unit per 5 acres within the Groundwater Protection Area
- Urban Residential zoning - same as Rural Residential district

Step two: Add some density bonuses - Parcels within the County’s Conservation Development Area can qualify for bonuses. More than one bonus can be applied with no more than 100% for Agricultural district or 50% for Rural Residential or Urban Residential. Bonuses are for the following:

- Providing central sewer – 25% bonus
- Conserving prime farmland – 25% bonus
- Dedicating additional conservation area(s) 25% bonus for dedicating 80% of the parcel for conservation; 50% bonus for deducing 90% of the parcel for conservation
- Protecting streams and riparian areas - 25% bonus
- Protecting visual resources - 25% bonus
- Conserving connected open space or wildlife habitat - 25% bonus
- Replanting large acreage – 10% bonus
- Providing fire protection measures – 10% bonus
- Public trail dedications – 10% bonus
- Stream bank restoration and tree planting – 10% bonus
- Installation of wildlife-friendly fencing – 5% bonus

Example 1: 160 lot in Agricultural zoning district with 50% bonuses for conserving prime farmland and protecting streams

  Maximum density for Large-lot subdivision - Maximum 2 residential units (160 acres / 80 acres)
  Density with conservation subdivision and bonuses - maximum 6 residential units

Example 2: 160 lot in Agricultural zoning district without bonuses and minimum conservation area of 70% (112 acres)

  Base density - 4 parcels of averages size of 12 acres (48 acres / 4)
  Possible tax benefits for the conservation of the 112 acre conservation area

What happens to the conservation area

The subdivider shall propose measures or methods for permanent or long-term conservation of the conservation area(s). This can be achieved through:

  1. Fee simple dedication to Sheridan County
  2. Fee simple dedication to other Governmental entity
  3. Dedication of conservation easement to Sheridan County
  4. Property owners Association
  5. Retention of interest with deed restriction
  6. Fee simple or conservation easement to a private non-profit organization such as SCLT
  7. Non-common private ownership with conservation easement or deed restriction

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