

CITY OF GILLETTE
SUBDIVISION REGULATIONS
ORDINANCE NO. 3727

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SUBDIVISION REGULATIONS
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ORDINANCE NO.3727

AN ORDINANCE ESTABLISHING PROCEDURES, RULES, REGULATIONS AND STANDARDS FOR THE SUBDIVISION OF LAND IN THE CITY OF GILLETTE, WYOMING, SETTING FORTH PENALTIES FOR THE VIOLATION OF THESE PROVISIONS, AS PROVIDED IN THE STATUTES OF THE STATE OF WYOMING, AND REPEALING ALL PREVIOUSLY EXISTING SUBDIVISION REGULATIONS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GILLETTE, WYOMING:

ARTICLE I: GENERAL CONDITIONS

SECTION 1. AUTHORITY This ordinance is adopted pursuant to and in accordance with the authority vested in the City Council of the City of Gillette, Wyoming, by the statutes of the State of Wyoming, § 9-8-101 through § 9-8-302; § 15-1-401 through § 15-1-415; § 15-1-501 through § 15-1-512; § 16-1-101 through § 16-1-104; § 34-12-101 through § 34-12-115. All previous existing subdivision regulations for the City of Gillette are hereby repealed.

SECTION 2. SHORT TITLE. This ordinance shall be known, cited, and referred to as the Subdivision Regulations of the City of Gillette, Wyoming.

SECTION 3. LEGISLATIVE INTENT

It is the legislative intent of the City Council in enacting this ordinance that the Subdivision Regulations of the City of Gillette, Wyoming are constructed, administered and intended to be effective with reasonable results while being in accordance with state statutes for the purpose of regulating land subdivisions within the city limits and areas of joint jurisdiction with Campbell County.

SECTION 4. EFFECTIVE DATE

This ordinance shall be effective on July 1, 2011. Applications received on or after that date shall be governed by these regulations.

SECTION 5. PURPOSE

The purposes of these regulations are to:

a. Serve the public health, safety, and general welfare of the city and residents of Gillette and its surrounding jurisdiction.

b. Provide for the orderly development and growth of the city by prescribing rules and standards ensuring the functional arrangement of streets, public improvements, open spaces, community facilities and utilities, consistent with the City's Comprehensive Plan, Zoning Ordinance, Engineering Design and Construction Standards, Electrical Service Distribution Standards and all other city standards or requirements which are related to the provision and functionality of subdivision improvements.

c. Establish standards and procedures that protect the common interests of the general public, landowners, developers, neighborhoods and subdividers of Gillette and its surrounding jurisdiction.

d. Promote the creation of safe, functional, serviceable, as well as well-planned and attractive residential, commercial, institutional and industrial developments within the city and its jurisdiction.

e. Avoid excessive costs to the taxpayers of Gillette or the residents of the jurisdiction of the city for the provision of public services and utilities, while maintaining high standards for the efficient operation of these services.

f. Protect the unique environment of the City of Gillette by avoiding negative environmental impacts whenever feasible and appropriate; and by encouraging flexibility and innovation in the design of subdivisions.

g. Establish adequate and accurate records of land through subdivisions.

h. Provide the City of Gillette with the ability to grow according to the guidance provided by the Comprehensive Plan through annexations, current zoning districts, commercial site developments, development plans, zoning map amendments and filings of new subdivision applications.

i. Support the ability to carry out the adopted and current City Strategic Plan.

j. Provide for development sustainability through conservation and subdivision design.

k. Provide consistent, equitable and balanced judgment between the public need for subdivision regulation with its review processes and requirements, and the private interests that are a necessary component of subdividing land for development.

l. Promote the long term economic development of the City and its surrounding jurisdiction to create a more diverse economy.

m. Provide for the increased connectivity of the City's transportation network.

SECTION 6. APPLICATION AND EXEMPTIONS

a. Application

(1) The provisions of this section shall be applicable to all property within the corporate limits of the City of Gillette and any areas of joint jurisdiction with Campbell County.

(2) No owner of real property within the City of Gillette and any extra-territorial jurisdiction established by joint City-County agreement may subdivide or plat such property into lots for buildings or any other use, streets, or other forms of dedication for public use without gaining approval pursuant to this ordinance. In addition, no individual may sell, offer to sell, or construct buildings on any lots or parts of real property that are required to be subdivided by state law or this section.

(3) None of the provisions of these regulations shall be construed to require replatting of any subdivision plats legally recorded under regulations previously in force. All such plats filed for record and not subsequently vacated are hereby declared valid, notwithstanding the fact that the procedures or the manner and form of acknowledgment may have been different than those prescribed by these regulations.

b. Exemptions

(1) Unless the method of the sale of land is adopted for the purpose of evading these regulations, these regulations shall not apply to:

(a) the subdivision of land for and the sale of cemetery lots;

(b) the sale of land to the State of Wyoming or any political subdivision thereof;

(c) railroad rights-of-way; and,

(d) any designated lot of any already recorded subdivision, if the lot is not being altered in any way for the sale.

SECTION 7. INTERPRETATION, CONFLICT, AND SEVERABILITY

a. These regulations shall be held to provide the minimum requirements necessary for the promotion of the public health, safety, and welfare. If any provision conflicts with any other provision of the Zoning Ordinance or Subdivision Regulations, or any other ordinance of the City of Gillette, or any applicable state or federal law, the more restrictive provision shall apply.

b. Nothing in these provisions shall relieve any property owner or user from satisfying any condition or requirement associated with a previous approval, special permit, variance, development permit, or other permit issued under any local, state or federal ordinance or statute.

c. If any part or provision of this ordinance or its application is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined to the part, provision, section or application expressly involved in the controversy and shall not affect or impair the integrity or validity of the remainder of the ordinance or its application to other persons, property or circumstances.

SECTION 8. SAVING PROVISION

These regulations shall not be construed as abating any action now pending under or by virtue of the previous Subdivision Regulations; or as discontinuing, modifying or altering any penalty accruing or about to accrue, or as affecting the liability of any person, or as waiving any right of the City of Gillette under any section or provision existing at the time of adoption. Further, these regulations do not annul any rights obtained by any person by lawful action prior to the adoption of these regulations.

SECTION 9. TRANSITION PROVISION

If a preliminary plat is submitted before the effective date of this ordinance, it may proceed through the review and consideration process, and if approved, to the final plat stage, without making changes to the overall layout and design of the subdivision, as long as it remains a valid preliminary plat. If a final plat is submitted before the effective date of this ordinance, it may proceed through the review and consideration process, and if approved, to the recording stage. If a preliminary plat or a final plat is submitted after the effective date of this ordinance, it is subject to the provisions of this ordinance. If a final plat is submitted after the effective date of this ordinance and it is related to a preliminary plat that was submitted before the effective date of this ordinance and the preliminary plat was approved and remains valid, the final plat processing and requirements are subject to this ordinance, but no change will be required to the overall layout and design of the subdivision.

SECTION 10. CONFLICT WITH OTHER PUBLIC LAWS, ORDINANCES OR REGULATIONS

This ordinance is intended to complement other municipal, state and federal regulations that affect land use. This ordinance is not intended to revoke or repeal any other public law, ordinance, regulation or permit. However, where conditions, standards, or requirements imposed by any provision of this ordinance are more restrictive than comparable standards imposed by any other public law, ordinance, or regulation, the provisions of this ordinance shall govern.

SECTION 11. CONFLICT WITH PRIVATE AGREEMENTS

This code is not intended to revoke or repeal any private agreement, covenant or restrictive covenant. However, where the regulations of this ordinance are more restrictive or impose higher standards than a private agreement, covenant or restrictive covenant, then the requirements of this ordinance shall govern. Nothing in this ordinance shall nullify, modify or repeal any private agreement, covenant or restrictive covenant, but such private agreement, covenant or restrictive covenant shall not excuse any failure to comply with this ordinance. In no case shall the City of Gillette be obligated to enforce the provisions of any private agreement, covenant or restrictive covenant between private parties.

SECTION 12. FEES

Fees for review of subdivision plats and other services under the Subdivision Regulations of the City of Gillette, Wyoming are listed in section 5.k of the Zoning Ordinance of Gillette, Wyoming.

ARTICLE II: ADMINISTRATION AND ENFORCEMENT

SECTION 1. ADMINISTRATION

a. These regulations shall be administered by the City of Gillette Department of Engineering and Development Services, Planning Division.

b. All plats submitted to the City Council of the City of Gillette shall first have been examined by the Planning Division and the Planning Commission, in accordance with the procedures, regulations, standards and schedules established by these regulations. As a part of their examination, the Planning Division and the Commission shall consult with other public or private agencies to determine whether or not the plat, as proposed, will contribute to the orderly growth and development of the City. The Planning Division shall receive all materials required to be submitted by these regulations in a timely manner as shown by the published Development Review Schedule. Preliminary and

final subdivision plats, supporting materials and the Division's recommendations thereon shall be reviewed and evaluated by the Planning Commission. After concluding its examination, the Planning Commission shall communicate its findings and recommendations to the City Council. The actions of the Division, the Commission and the Council shall be governed by the procedures and schedules hereinafter set forth.

c. Pursuant to the provisions of Wyoming Statutes §34-12-103, when any part of a subdivision lies outside of, but within one (1) mile of the City of Gillette, that subdivision shall be approved by the City Council of the City of Gillette before it is finally approved by the Campbell County Board of County Commissioners, and the plat filed in the office of the County Clerk and Recorder.

d. The City shall not extend utilities and services and shall not approve any proposed subdivision of land outside of the City of Gillette which, by itself, or as a part of a larger tract, is contiguous to the boundaries of the City, unless a preliminary plat is submitted to the Planning Division and it is accompanied by a properly acknowledged petition for annexation to the City with a separate application for proper zoning. As an alternative, a pre-annexation agreement may be filed for review and approval, only upon direction provided by City Council.

(1) The Planning Division shall review the annexation plat, the preliminary plat and the zoning application for accuracy and completeness and shall process the plats as if the land were already a part of the City. The required plats and the annexation petition may be considered by the City simultaneously. City Council shall act on the Annexation Plat and determine the Zoning District prior to acting on the Final Plat.

SECTION 2. APPEALS

Any subdivider or landowner aggrieved by the action of the Planning Commission or the administrative staff of the City of Gillette in their administration of these regulations may request a hearing before the City Council. The request shall be in writing, shall be submitted within thirty (30) days of the action or decision appealed from and shall state the specific relief which the subdivider or landowner seeks. Within thirty (30) days of the receipt of such a request, the City Council shall hold a hearing to determine the proper disposition of the matter. At the hearing, the Council shall consider not only the subdivider's appeal, but also the written or verbal comments of the Planning Division,

Planning Commission, and/or the agency or person appealed from. The Council shall either reaffirm or modify the decision in the record of its hearing. The subdivider or landowner may proceed subject to the decision of the City Council. This decision shall be binding upon all agencies and administrative personnel of the City of Gillette.

SECTION 3. VARIANCES

a. When it can be shown that, in the case of a particular subdivision, strict compliance with the provisions of these regulations would cause undue hardship, the City Council may authorize a variance to these requirements. The granting of any variance shall be based upon evidence provided by the applicant. The evidence shall be reviewed by the Planning staff and forwarded to the Planning Commission for their recommendation to City Council. The evidence shall be based upon the following findings:

(1) there are unusual topographical or other special circumstances associated with the property which are not the result of any action of the subdivider and which prohibit the use of the property in a manner similar to the use of adjacent or nearby properties;

(2) the variance is necessary for reasonable development of the property in question and will alleviate a clearly demonstrable hardship which is to be provided in writing to City Council;

(3) the variance will not nullify the intent or purpose of these regulations; and,

(4) granting the variance will not be detrimental to the general public health, safety and welfare.

b. Any variance granted shall constitute the minimum adjustment necessary to alleviate the hardship.

c. A request for a variance may be submitted at the following times: at the time of the Sketch Plat filing; simultaneously with the Preliminary Plat; at the time of Final Plat for situations not determined at the Preliminary Plat phase.

d. All requests for variances shall be submitted, in writing, to the Planning Division. Variances shall be reviewed by the Planning Commission and their recommendation

shall be forwarded to the City Council. All variance requests shall be acted upon by the City Council. In granting a variance, the Council may impose such conditions as will ensure substantial compliance with the objectives and standards of these regulations. The findings and action on each variance, and any conditions imposed, shall be recorded in the minutes of the Council and a copy provided to the Planning Division.

SECTION 4. REQUEST TO VACATE

a. Any plat may be vacated by the owners thereof at any time before the sale of any lots, by submitting a copy of the plat to the Planning Division, along with a written request to vacate the plat. In cases where lots have been sold, the written request shall be made by all of the owners within the plat. The Planning Commission shall make a recommendation on the request to vacate to the City Council, and the Council shall approve or deny the request. The recording of an ordinance vacating the plat nullifies the force and effect of the original plat. Only those subdivisions which have not had the public improvements accepted for ownership and maintenance by City Council are eligible to be vacated.

b. The Director may initiate a request to vacate a public easement, City street or alley upon due consideration of its functionality and by providing property owner notification.

c. Streets, alleys, and other City owned properties, platted and laid out under the provisions of these regulations, or laid out under any prior law of the State of Wyoming regulating private plats, may be altered or vacated in the manner provided by law for the alteration or discontinuance of said streets, alleys and other City owned properties. The land shall be reasonably divided among adjacent property owners.

d. Any part of a plat may be vacated under the provisions and subject to the conditions of this section, provided such vacating does not abridge or destroy any of the rights and privileges of other owners in said plat; and provided that nothing contained in this section shall authorize the closing or obstruction of any public highways laid out according to law. The request to vacate shall be made by all of the owners of lots within that portion of the overall plat sought to be vacated.

e. Upon recording the ordinance vacating the plat or a portion of the plat, the County Clerk and Recorder shall write the word "VACATED" in plain, legible letters

across that part of the plat being vacated and also make a reference to the volume and page in which the instrument of vacation is recorded.

f. Land covered by a vacated plat may be replatted, as described by these regulations. Any later replatting of an area already platted and not vacated shall be considered an act to vacate the original plat it replaces.

SECTION 5. ADMINISTRATIVE LIABILITY

The City shall hold harmless the Department of Engineering and Development Services, Planning Division and other City departments or agencies and officials, and their official agents and representatives when acting in good faith and without malice, from all personal liability for any damage that may accrue to any person or property, as a result of any act required by these regulations, or for the omission of any act on the part of the Department, agency or official, or their authorized agents, in the discharge of their duties hereunder. Any suit brought against the City or the City Administrator because of any such act or omission in the carrying out of the provisions of these regulations shall be defended by the City's legal department through final determination of such proceedings.

SECTION 6. CONFORMITY WITH SUBDIVISION REGULATIONS PROVISIONS

Property within the City and/or within its jurisdiction shall be subdivided in conformance with this ordinance.

SECTION 7. UNLAWFUL SALE OR TRANSFER OF PROPERTY

No person shall transfer, offer for sale or lease, or sell, any land by reference to or by the use of a plat of a subdivision, before such plat has been approved and recorded. The description of such land by metes and bounds shall not exempt the transaction from the provisions of this ordinance.

SECTION 8. PENALTIES

Any person who violates any provision of these regulations, and any person who, as an agent for a subdivider, developer or owner of subdivided lands, offers for sale any subdivided lands or subdivisions without first complying with the provisions of these regulations shall, upon conviction, be fined not more than seven hundred fifty dollars (\$750.00) per day. Each day of violation constitutes a new offense.

SECTION 9. PUBLIC IMPROVEMENTS

a. All lots within the City are to be served by the City of Gillette water system and sanitary sewer system. All lots shall have the appropriate frontage along a publicly dedicated right-of-way or approved private street. No residential lot under these regulations shall have frontage or gain access from an access easement. An access easement may be considered for lots in non-residential subdivisions.

b. All subdivisions developed under this ordinance shall have the required public improvements installed as determined by the City Engineer, shall provide an acceptable financial guarantee to the City as determined by the City Attorney for public improvements installation, and provide warranty in accordance with the City Engineering Design and Construction Standards once the public improvements have been accepted by City Council.

c. Subdivisions completed for ownership purposes only, in a commercial or industrial zoning district, with no immediate development planned, shall be exempt from installing water, sanitary sewer and other required public improvements. In this case, there shall be a note on the final plat stating that all public improvements, including water, sanitary sewer, streets and other required public improvements, are the responsibility of the developer at the time of development.

d. Subdividers of subdivisions completed for ownership purposes only, in a zoning district for residential use, with no immediate development planned, may request an exemption from installing required public improvements with the subdivision. A request shall be submitted to the Planning Division, in writing, and the Director shall either approve or deny the request. If approved, there shall be a note on the final plat stating that all public improvements, including water, sanitary sewer, streets and other required

public improvements, are the responsibility of the developer at the time of development. Developers of subdivisions that are approved for ownership purposes only shall be required to submit a preliminary plat prior to any development. A final plat shall be submitted upon approval of a preliminary plat, in order for all public improvements to be installed.

SECTION 10. USE OF RECORDED OR UNRECORDED PLAT AGREEMENTS

All subdivisions requiring subdivision improvements shall have either a Recorded or Unrecorded Plat Agreement. The Recorded or Unrecorded Plat Agreement is an agreement between the City of Gillette and the developer to install the required subdivision improvements within a specified time. Subdivisions which do not require subdivision improvements are not required to have a Recorded or Unrecorded Plat Agreement. For additional requirements on agreements, refer to Title VI of this ordinance.

SECTION 11. BUILDING PERMIT REQUISITE

a. Residential: A building permit for new residential construction or remodeling on a lot shall be issued only after a subdivision plat has met interim acceptance through the use of a Recorded Plat Agreement; or the plat has been filed through the use of an Unrecorded Plat Agreement, which requires that all public improvements have been installed and have been accepted by City Council. Interim acceptance is an administrative action by City Engineering which gives tentative approval to acquire a building permit. The public improvements consisting of water, sanitary sewer, and curb and gutter shall be installed and approved by City Engineering prior to interim acceptance being granted.

b. Other than residential: For projects other than residential, the public improvements consisting of water and sanitary sewer shall be installed and approved by City Engineering prior to a building permit being issued.

SECTION 12. CERTIFICATE OF OCCUPANCY

In all Zoning Districts, Certificates of Occupancy shall not be issued until all subdivision improvements, except for sidewalks outside of the lot for which the Certificate of Occupancy is sought, have been installed and approved by the City Engineer.

ARTICLE III: SUBDIVISION REVIEW AND PROCEDURES

SECTION 1. PURPOSE

The purpose of this Article is to establish procedures for subdivision applications and for review and action on applications by the City Planning Division, City Engineering Division, the City Staff Review Team, Planning Commission and the City Council. The procedures are designed to assure adequate review and consideration of subdivision applications, while providing for an orderly and expeditious approval process. The Article provides procedures for the approval of three types of subdivisions: Administrative Plats, Minor Subdivisions, and Major Subdivisions.

SECTION 2. ADMINISTRATIVE PLAT

a. Scope

Administrative Plat procedures may be used to adjust an interior lot line between two (2) lots or to combine two (2) lots into one (1) lot, provided the following conditions are met:

(1) Administrative Lot Line Adjustment Plat

(a) The lots involved must be designated within the same zoning district and the proposed adjustment will not create or result in a violation of any provision of the Zoning Ordinance or Subdivision Regulations. The lots involved shall not create circumstances which promote a variance request from the Zoning Ordinance or Subdivision Regulations.

(b) The lots involved must be existing platted lots within the same subdivision.

(c) The adjustment alters lot lines of no more than two (2) lots and shall not create any additional lots.

(d) The property owners of both lots involved in the lot line adjustment shall sign the application requesting the adjustment.

(e) The property is served by existing utilities and does not require the extension of streets, utilities or any subdivision improvements. Any water and/or sanitary sewer service lines not needed shall be abandoned according to the City Engineering Design and Construction Standards prior to the plat being recorded. Any new service lines shall either be installed or provided with a financial guarantee for their installation on residential lots prior to the plat being recorded, according to the Service Line Agreement.

(f) It is the responsibility of the applicant to request a determination from the Planning Division if the proposed lot line adjustment meets the requirements for an Administrative Plat.

(2) Administrative Lot Consolidation Plat

(a) The lots involved must be designated within the same zoning district and the proposed lot consolidation will not create or result in a violation of any provision of the Zoning Ordinance or Subdivision Regulations.

(b) The lots involved must be existing platted lots within the same subdivision.

(c) The lots must be under unified ownership.

(d) The proposed consolidation combines no more than two (2) lots into one (1) lot.

(e) The proposed consolidation is served by existing utilities and does not require the extension of streets, utilities or subdivision improvements. Any water and/or sanitary sewer service lines not needed shall be abandoned according to the City Engineering Design and Construction Standards prior to the plat being recorded. Any new service lines shall either be installed or provided with a financial guarantee for their

installation on residential lots prior to the plat being recorded, according to the Service Line Agreement.

(f) Each lot resulting from the consolidation procedure will conform fully to all requirements of the zoning district that pertain to the lots; and each lot shall be developable according to the site development regulations of the Zoning Ordinance.

(g) It is the responsibility of the applicant to request a determination from the Planning Division if the proposed lot consolidation meets the requirements for an Administrative Plat.

b. Application and Review Procedures

An application for an Administrative Plat may be approved using the following procedures:

(1) The applicant shall file an application on a form established by the Director and shall include the supporting documents required for Administrative Plats as shown in Table 2. The application shall be filed using the City of Gillette's ePlans Review System. Five (5) paper copies shall be submitted to the Planning Division at time of application. The application shall be filed according to the published Development Review Schedule.

These documents shall include a plat of all lots and parcels that are affected by the action, prepared by a Wyoming Licensed Surveyor. The plat document shall also include existing subdivision improvements that serve the site and shall include a demonstration that required setbacks will be met. No public notice or hearing is required for an Administrative Plat.

(2) After the application is filed, the Planning Division, in consultation with the City Staff Review Team, shall review each application according to the following criteria:

(a) Compliance with the conditions for an Administrative Lot Line Adjustment or Administrative Lot Consolidation.

(b) Compliance with the stated purposes of the Subdivision Regulations.

(3) The subdivider or the subdivider's agent shall attend the City Staff Review meeting. Failure to attend shall result in the project being rescheduled to a later Staff Review meeting.

(4) Following such review, the City Administrator and the Director of Engineering and Development Services, or their respective designees, may approve the Administrative Plat. Such approval shall be denoted by a Certificate of Approval which shall be shown on the plat.

(5) The City Administrator and the Director of Engineering and Development Services, or their respective designees, may deny the Administrative Plat or require another subdivision review process. In the event of the latter action, the application may proceed through the Minor or Major Subdivision process. If the subdivision complies with the conditions of a Minor Subdivision application, it will be directed to that approval process. Otherwise, the proposed subdivision shall be deemed a Major Subdivision and proceed through the appropriate review and action process.

(6) If the subdivider contends that conditions of approval are of such a nature as to make development of the proposed Administrative Plat impractical, or if the subdivider contends that denial of the Administrative Plat by the City staff was a wrongful decision, the subdivider may request in writing a hearing before the City Council. The request shall be filed within thirty (30) days of the Staff Review meeting at which the Administrative Plat was acted upon.

(7) Following approval of an Administrative Plat, the City shall file the plat with the Campbell County Clerk and Recorder. It is the applicant's responsibility to ensure that the plat contents meet all the requirements for filing under State Statutes with the County Clerk and Recorder. The Administrative Plat shall also contain a signature line for the Campbell County Clerk and Recorder.

(8) The Planning Division shall keep a complete and accurate record of all Administrative Plat requests and actions.

(9) A signed and recordable Administrative Plat shall be submitted to the Planning Division within sixty (60) days of the approval of the plat. The Director may grant a sixty (60) day extension due to a demonstrated hardship if a written request is submitted prior to the expiration of the initial sixty (60) day period. If the instrument is not received within the stated time period, then the plat is deemed null and void and the subdivider shall be notified that the plat is null and void.

SECTION 3. MINOR SUBDIVISIONS

a. Scope

Minor Subdivision procedures may be used when a proposed subdivision meets all of the following conditions:

(1) The subdivision adjusts the lot lines of more than two (2) lots without creating additional lots; combines more than two (2) lots into one (1) lot; combines two (2) or more lots into multiple lots; or creates no more than ten (10) new lots from any single or multiple parcels, tracts, or lots.

(2) The subdivision is served by existing utilities and does not require the extension of streets, utilities or subdivision improvements.

(3) Any water and/or sanitary sewer service lines not needed shall be abandoned according to the City Engineering Design and Construction Standards prior to the plat being recorded. Any new service lines shall either be installed prior to recording the plat or provided a financial guarantee for their installation on residential lots prior to the plat being recorded. A financial agreement between the applicant and the City of Gillette shall be completed. This agreement is known as a Service Line Agreement and it covers the installation or abandonment of service lines only.

(4) Water and sanitary sewer services may be installed at time of development for commercial, institutional and industrial subdivisions.

(5) Each lot resulting from the subdivision procedure shall conform fully to all requirements of the zoning district pertaining to the lots; and each lot shall conform to all current City of Gillette regulations.

b. Application and Review Procedures

An application for a Minor Subdivision may be approved under the following procedures:

(1) The applicant shall file an application on a form established by the City and shall include the supporting documents required for Minor Subdivisions as shown in Table 2. The application shall be filed using the City of Gillette's ePlans Review System. Five (5) paper copies shall be submitted at this time of filing. All applications shall be filed in accordance with the published Development Review Schedule. These

documents shall include a plat of all lots and parcels that are affected by the action, prepared by a Wyoming Licensed Surveyor.

(2) After filing, the Planning Division, in consultation with the City Staff Review Team, shall review each application according to the following criteria:

(a) Compliance with the City of Gillette Subdivision Regulations.

(b) Consistency with the Comprehensive Plan of the City of Gillette.

(c) Analysis and evaluation of any known hazards which may conflict with the City Engineering Design and Construction Standards, Zoning Ordinance or any other City requirements for the development of land and the construction of buildings.

(3) The subdivider or the subdivider's agent shall attend the City Staff Review meeting. Failure to attend shall result in the project being rescheduled to a later Staff Review meeting.

(4) Following such review, the Planning Division shall forward the application and its recommendation to the Planning Commission.

At least ten (10) days prior to the date of the Planning Commission meeting for which the Minor Subdivision is to be considered, the Planning Division shall, from information provided by the subdivider, notify the owners of land within 140 feet of the subject property, not including any right-of-way or alleys.

The subdivider shall pay a deposit to the City for a subdivision notification sign and post the sign on the property at least ten (10) days prior to the date of the Planning Commission meeting. The sign shall remain on the property up to and including the date of the Planning Commission meeting. The deposit shall be returned to the subdivider after the subdivision notification sign is returned to the City.

(5) The Planning Commission, following proper notice, shall hold a public meeting on each Minor Subdivision. If additional information is needed in order to make an informed decision because of issues brought up at the meeting, the Planning Commission may table the application to its next regularly scheduled meeting, and to subsequent meetings if necessary, until that information is received. After due deliberation, the Planning Commission shall either recommend approval, approval with conditions or denial to the City Council. The recommendation of the Planning Commission shall then be forwarded to the City Council.

(6) The correct legal description shall be provided prior to the plat being forwarded to City Council.

(7) The City Council may accept, reject or modify the recommendation of the Planning Commission for each Minor Subdivision.

(8) Following approval of a Minor Subdivision, the City shall file the plat with the Campbell County Clerk and Recorder. It is the subdivider's responsibility to ensure that the plat meets all the requirements for filing with the County Clerk and Recorder.

(9) A signed and recordable Minor Subdivision Plat shall be submitted to the Planning Division within sixty (60) days of the approval of the plat by City Council. The Director may grant a sixty (60) day extension due to a demonstrated hardship if a written request is submitted prior to the expiration of the initial sixty (60) day period. If the instrument is not received within the stated time period, then the action and any associated document for approving the plat will be repealed.

(10) The Planning Division shall keep a complete and accurate record of all Minor Subdivision requests and actions.

SECTION 4. MAJOR SUBDIVISIONS

a. Applicability

Major Subdivision procedures apply to all subdivisions which are not approved or eligible for approval under the Administrative Plat or Minor Subdivision procedures. In general, these include subdivisions that:

(1) are not approved under the Administrative Plat or Minor Subdivision procedures;

(2) create more than ten new lots from any single or multiple parcels, tracts or lots;

(3) require development or extension of subdivision improvements.

b. Stages in the Review Process

The approval process for Major Subdivisions consists of four stages: the pre-application stage, the sketch plat review stage, the preliminary plat stage, and the final plat stage.

c. Pre-application Stage

Before filing an application for a sketch plat or preliminary plat, it is recommended that the applicant meet with the Director or the Director's designee, the City Engineer or the City Engineer's designee, and other necessary City staff regarding general requirements and issues relating to the proposed major subdivision.

d. Sketch Plat Application and Review Stage

(1) Circumstances Requiring a Sketch Plat

A sketch plat to be reviewed by the City Staff Review Team and the Planning Commission shall be required when the applicant proposes a subdivision of seventy-five (75) lots or more. If the subdivision contains less than seventy-five (75) lots, the applicant may still choose to prepare and file an application for a sketch plat.

(2) Purpose of Sketch Plat Review

The purpose of a sketch plat review is to provide the applicant feedback from City Staff and the Planning Commission about the proposed subdivision before time and resources are used to prepare a preliminary plat. The proposed subdivision will be reviewed for adherence to the provisions of the Subdivision Regulations, topographical issues, transportation, drainage, land use compatibility, open space networks, phasing of the subdivision, public improvements/services and other significant issues related to the property and the proposal. The feedback provided by City Staff and the Planning Commission is for general direction only and does not provide the applicant with any commitment that the subdivision will be approved when it proceeds to the preliminary plat and final plat stages.

(3) Application Requirements

The applicant shall file an application using the City of Gillette's ePlans Review System. Five (5) paper copies shall be submitted at the time of application. All sketch plats shall be filed in accordance with the published Development Review Schedule. The applicant shall file the appropriate sketch plat application and the supporting documents required for a sketch plat as shown in Table 1, along with the payment of a

fee, the amount of which is determined by the City Council. The application shall be filed in a timely manner and be complete at the time of filing or it shall be returned.

(4) Sketch Plat Review Process

The sketch plat shall be reviewed by the Staff Review Team and any comments shall be provided to the applicant. The applicant and/or the agent for the applicant shall attend the Staff Review Team meeting for which the sketch plat is to be reviewed. Failure to attend will result in the project being rescheduled to a later Staff Review meeting.

After the Staff Review Team meeting with the applicant, review comments on the sketch plat shall be forwarded to the Planning Commission by the Planning Division.

At least ten (10) days prior to the date of the Planning Commission meeting for which the sketch plat is to be considered, the Planning Division shall, from information provided by the subdivider, notify the owners of land within 140 feet of the subject property, not including any right-of-way or alleys.

The subdivider shall pay a deposit to the City for a subdivision notification sign and post the sign on the property at least ten (10) days prior to the date of the Planning Commission meeting. The sign shall remain on the property up to and including the date of the Planning Commission meeting. The deposit shall be returned to the subdivider after the subdivision notification sign is returned to the City.

The Planning Commission shall provide feedback to the applicant at the scheduled Planning Commission meeting. The applicant or agent of the applicant is required to be present for the sketch plat review of the Planning Commission. Should the applicant/agent not attend the meeting, the Planning Commission, at its discretion, may table the sketch plat until such time that the applicant/agent will attend a Planning Commission meeting.

e. Preliminary Plat Stage

(1) Circumstances Requiring a Preliminary Plat

A preliminary plat is required when the proposed subdivision is within the Major Subdivision category and review process.

(2) Purpose of the Preliminary Plat

The purpose of the preliminary plat is to enable the City Staff Review Team, Planning Commission and City Council to make an informed judgment using the City Comprehensive Plan, City Engineering Design and Construction Standards, City Zoning Ordinance and other related plans and codes pertaining to utilities to determine whether the proposed subdivision can function and serve the public as intended.

(3) Application Requirements

After the pre-application conference, or after the sketch plat review by the Planning Commission, the applicant shall prepare and submit an application for preliminary plat review. The application shall be filed using the City of Gillette's ePlans Review System. Five (5) paper copies shall be provided at the time of filing. The application for preliminary plat approval shall be filed with the Planning Division according to the published Development Review Schedule. The application shall consist of a plat and form established by the Planning Division; the supporting documents required for Major Subdivisions as shown in Table 2; and payment of a fee, the amount of which is determined by City Council. The application shall be filed in a timely manner and be complete at the time of filing or it shall be returned.

(4) Preliminary Plat Review Procedures

(a) After filing a complete application for a preliminary plat, the Planning Division shall review the application. As part of the review, the Director shall circulate the application to the City Staff Review Team. The Staff Review Team meeting allows for the Planning Division to provide a recommendation about the proposed subdivision to the Planning Commission and City Council. The Staff Review meeting is intended to identify and solve development problems and to ensure that the proposal meets all City requirements. The subdivider or the subdivider's agent shall attend the Staff Review meeting. Failure to attend will result in the project being rescheduled to a later Staff Review meeting. The City Staff Review Team is made up of the following City Divisions and affected service providers:

- City Engineering
- City Building Inspection
- City Water
- City Wastewater
- City Electrical
- City Parks

- City Streets
- City GIS
- City Planning
- Campbell County School District
- Campbell County Fire Department
- United States Post Office
- telecommunication providers
- natural gas providers
- Campbell County Clerk and Recorder and Assessor's Offices
- any affected City department, utility, local government or special district

(b) Each application for a preliminary plat shall be reviewed by the City Staff Review Team according to the following criteria:

1) Compliance with the City Subdivision Regulations and City Engineering Design and Construction Standards.

2) Consistency with the adopted City of Gillette Comprehensive Plan.

3) Analysis and evaluation of any known hazards which may conflict with the City Engineering Design and Construction Standards, Zoning Ordinance or any other City requirements for the development of land and the construction of buildings.

(c) After the Staff Review Team meeting, the Planning Division will summarize agency comments and present the material and recommendations to the Planning Commission for its consideration at the meeting scheduled for the proposed preliminary plat. The scheduled meetings of the City Staff Review Team and the Planning Commission are contained in the Development Review Schedule.

(d) At least ten (10) days prior to the date of the Planning Commission meeting at which the preliminary plat is to be considered, the Planning Division shall, from information provided by the subdivider, notify the owners of land within 140 feet of the subject property, not including any right-of-way or alleys.

The subdivider shall pay a deposit to the City for a subdivision notification sign and post the sign on the property at least ten (10) days prior to the date of the Planning Commission meeting. The sign shall remain on the property up to and including the date of the Planning Commission meeting. The deposit shall be returned to the subdivider after the subdivision notification sign is returned to the City.

(e) The subdivider and all other interested or affected parties shall be allowed to offer comments on the preliminary plat at the Planning Commission meeting. The subdivider or the subdivider's agent shall attend the Planning Commission meeting. Should the subdivider or the subdivider's agent not be present at the Planning Commission meeting, the Planning Commission, at its discretion, may table the proposed preliminary plat. If additional information is needed in order to make an informed decision because of issues brought up at the meeting, the Planning Commission may table the application to its next regularly scheduled meeting, and to subsequent meetings if necessary, until that information is received. After due deliberation, the Planning Commission shall either recommend approval, approval with conditions, or denial to the City Council. The recommendation of the Planning Commission shall then be forwarded to the City Council.

(f) The City Council may accept, reject or modify the recommendation of the Planning Commission for the preliminary plat.

(g) Approval of the preliminary plat, for a subdivision which has no phasing, shall be effective for twelve (12) months. The final plat for the subdivision shall be filed within twelve (12) months from the date of approval. The subdivider may apply in writing for, and the Director may, for cause shown, grant a six (6) month extension to the twelve (12) month period. If a final plat has not been filed within this specified period, the preliminary plat expires and a new preliminary plat shall be required.

(h) Approval of the preliminary plat, for a phased development, shall be effective for twelve (12) months. The final plat for the first phase of the subdivision shall be filed within twelve (12) months from the date of approval. The subdivider may apply in writing for, and the Director may, for cause shown, grant a six (6) month extension to the twelve (12) month period. If a final plat for the first phase has not been filed within this specified period, the preliminary plat expires and a new preliminary plat shall be required. A final plat shall be filed for each phase and each final plat subsequent to the first phase shall have twelve (12) months to be filed from the acceptance date of improvements for the previous final plat. The subdivider may apply in writing for, and the Director may, for cause shown, grant a six (6) month extension to the twelve (12) month periods for each subsequent phase. If a final plat has not been submitted within these specified periods, the preliminary plat expires and a new preliminary plat shall be required.

(i) Approval of the preliminary plat neither means that the final plat of the same proposed subdivision shall be deemed as approved, nor requires the Planning Commission or City Council to approve the final plat. A final plat, based upon a preliminary plat, is reviewed on the requirements set forth by this ordinance.

f. Preliminary Plat and Final Plat – Joint City-County Subdivisions

In the case of a subdivision within the Joint Subdivision Approval Area, Campbell County acts as the lead agency for review. All preliminary and final plat Joint City-County Subdivisions are to be filed according to the annual Development Review Schedule. City Planning Division Staff and other City Departments, as necessary, shall review the preliminary plat and final plat with County Staff and the applicant.

Joint City-County Preliminary and Final Plat Subdivisions are forwarded to a Joint City-County Planning Commission meeting at which time the preliminary and final plats are acted upon by both the City Planning Commission and the County Planning Commission. The plats are then forwarded to City Council for action. It is not a requirement to file a Joint City-County preliminary or final plat using the City of Gillette's ePlans Review System.

g..Final Plat Stage

(1) Application Requirements

After approval of a preliminary plat, the applicant may prepare and submit an application for final plat review and approval. The applicant shall file using the City of Gillette's ePlans Review System. Five (5) paper copies shall be provided at the time of filing. The application for final plat approval shall be filed with the Planning Division according to the published Development Review Schedule. The application shall consist of a plat and form established by the Planning Division; the supporting documents required for Major Subdivisions as shown in Table 2; and payment of a fee, the amount of which is determined by City Council.

(2) Plat Agreement

The final plat application for a Major Subdivision shall include a plat agreement to be executed between the City and the applicant. The terms of this agreement shall be acted upon along with action on the final plat. The final plat agreement shall include an addendum (referred to as Addendum A) to the agreement which shows the details of the type, quantity and cost of all subdivision improvements.

(3) Phased Final Plats

Final platting may be accomplished in phases covering reasonable portions of the area of an approved preliminary plat. All final plats filed shall be of the same scale; shall have identical titles, legends and other information; and shall have match lines, so that mosaics of the entire subdivision can be assembled. Each phase shall be numbered according to the sequence in which it is to be recorded. Each phase of the subdivision shall be self sustaining and complete. Each phase shall meet the design standards set forth in these regulations, so that if development of the entire subdivision is interrupted or discontinued after one (1) or more phases are completed, a viable development will result. Each subdivision phase shall be stand alone for water, sanitary sewer, streets, drainage and electrical services. Plats of a phased subdivision may be submitted together for concurrent review by the Planning Commission and City Council.

(4) Final Plat Review Procedures – Filing and City Staff Review

(a) After filing a complete application for a final plat, the Planning Division shall review the application. As part of the review, the Director shall circulate the application to the City Staff Review Team. The Staff Review Team meeting enables the Planning Division to provide a recommendation about the proposed final plat to the Planning Commission and City Council. The Staff Review meeting is intended to identify and solve development problems and to ensure that the proposal meets all City requirements. The subdivider or the subdivider's agent shall attend the Staff Review meeting. Failure to attend shall result in the project being rescheduled to a later Staff Review meeting. The City Staff Review Team is made up of the following City Departments and affected service providers:

- City Engineering
- City Building Inspection
- City Water
- City Wastewater
- City Electrical
- City Parks
- City Streets
- City GIS
- City Planning
- Campbell County School District
- Campbell County Fire Department

- United States Post Office
- telecommunication providers
- natural gas providers
- Campbell County Clerk and Recorder and Assessor's Offices
- any affected City department, utility, local government or special district

(b) After the Staff Review Team meeting, the Planning Division will summarize agency comments and present the material and recommendations to the Planning Commission for its consideration at the meeting scheduled for the proposed final plat. The scheduled meetings of the City Staff Review Team and the Planning Commission are contained in the Development Review Schedule.

(c) At least ten (10) days prior to the date of the Planning Commission meeting at which the final plat is to be considered, the Planning Division shall, from information provided by the subdivider, notify the owners of land within 140 feet of the subject property, not including any right-of-way or alleys.

The subdivider shall pay a deposit to the City for a subdivision notification sign and post the sign on the property at least ten (10) days prior to the date of the Planning Commission meeting. The sign shall remain on the property up to and including the date of the Planning Commission meeting. The deposit shall be returned to the subdivider after the subdivision notification sign is returned to the City.

(5) Final Plat Review Procedures - Planning Commission

(a) After due deliberation, the Planning Commission shall either recommend approval, approval with conditions or denial of the final plat to the City Council.

(6) Final Plat Review Procedures – Permit to Construct, Title Documents

(a) An application for a Permit to Construct, if required, shall be submitted to City Engineering with all required supporting documentation, reports and materials at the time of application for a final plat.

(b) A Permit to Construct, as issued by the City Engineer, if required, shall be approved by City Engineering one (1) week prior to the City Council granting final approval of the subdivision.

(c) A certificate of title, a title insurance policy, or a report from a title insurance company on the condition of title to the property proposed for subdivision that

identifies the owners of record of the property, lien holders or claimants of record, encumbrances, easements and restrictions of record, and all other conditions of title of public record, shall be submitted to the Planning Division and be accompanied by a guarantee of the accuracy of the report from the title insurance agent or its underwriter.

(d) The plat shall have a correct legal description prior to being forwarded to City Council.

(7) Final Plat Approval by City Council - Preparing to Record

(a) After receiving the recommendations of the Planning Commission, along with the final plat and all required materials, the final plat shall be scheduled for the next available City Council meeting. The City Council shall either approve, approve with conditions or deny the final plat.

(b) When applicable, the subdivider shall submit to the Planning Division a warranty deed conveying to the City of Gillette, or other appropriate public agency, any public lands, other than streets, alleys or easements shown on the final plat. Title insurance on the subject parcel(s) shall also be submitted.

(c) All required fees, including recording fees and other fees related to subdivision development, shall be paid to the Planning Division.

(d) A certified copy of an appropriate, recorded instrument granting the right of public access, if access to the subdivision or any part thereof must be gained across property outside of the subdivision, shall be submitted to the Planning Division at time of recording.

(e) Any other off-site easement instrument required for the subdivision shall be prepared and provided to the Planning Division at time of recording.

(f) A Consent to Subdivide shall be submitted to the Planning Division if there is a mortgage on the property.

(g) Covenants, property owners' association by-laws or other instruments providing for the maintenance of any private streets or other improvements being proposed in lieu of required public improvements, shall be submitted to the City Attorney for review and approval as to form.

(h) Upon approval by the City Council of the final plat, the Department shall transmit the subdivider's recording fee and the duly adopted and executed final plat to the County Clerk and Recorder for filing of the final plat among the official records of the County.

(i) Provisions for a Recorded Plat Agreement: If the subdivision plat is to be recorded in the records of the County Clerk and Recorder prior to acceptance by the City of all required public improvements and/or approval by the City Engineer of completed streets and utilities, appropriate security guaranteeing the proper and timely completion of such improvements shall be provided. A Recorded Plat Agreement shall be submitted with the final plat to the Planning Division. The financial security instrument shall be submitted prior to recording the plat. A performance and payment bond, an Irrevocable Letter of Credit, funds in escrow or other suitable commitment, as approved by the City Attorney, shall constitute appropriate security. The security shall be for not less than one hundred percent (100%) of the cost of improvements, as estimated by the subdivider's engineer and approved by the City Engineer. The security shall be accompanied by a standard contract on forms provided, executed by the City and the subdivider, providing for completion and approval of all improvements within a period not exceeding twenty-four (24) months from the date of approval of the final plat by the City Council. The security shall provide for its release, only after acceptance of secured public improvements by the City, or after approval of completed private streets and utilities by the City Engineer, as appropriate. When the Recorded Plat Agreement and financial security are deemed appropriate by the City, the approved final plat may be recorded and the sale of lots may proceed with the approved and recorded final plat. The subdivider is responsible for payment of all recording fees. In the event of default by the subdivider on the terms of the Recorded Plat Agreement, the City shall use the financial guarantee to complete the subdivision improvements which are covered by the financial guarantee. Should a subdivider receive approval of a subdivision through an Unrecorded Plat Agreement and change to a Recorded Plat Agreement, an addendum (referred to as Addendum A) shall be provided along with an executed Recorded Plat Agreement, with the financial guarantee of one hundred percent (100%) of all remaining subdivision improvements. For additional requirements on agreements, refer to Article VI of this ordinance.

(j) Provisions for an Unrecorded Plat Agreement: As an alternate to a Recorded Plat Agreement, and at the request of the subdivider, the City Council may grant approval of a final plat and instruct the Department to withhold the plat from

recording for a period of time to allow the subdivider to install all of the required improvements, according to the plans and specifications approved by the City Engineer. This procedure, an Unrecorded Plat Agreement, when approved by the City Council, shall be in lieu of the guarantees of installation of improvements as set forth in these regulations. An executed, standard contract, as approved by the City Attorney regarding installation of improvements, shall still be submitted with the final plat. The contract shall require that all improvements be completed and approved by the City Engineer, according to the requirements specified in these regulations, within a period not to exceed twenty-four (24) months from the date the final plat was conditionally approved by the City Council. If required by the City Engineer, the subdivider shall also submit with the final plat a signed and acknowledged instrument, in recordable form, dedicating to the City those easements shown on the plat which may be needed in advance of the plat being recorded. The subdivider shall also agree to cooperate with the City Engineer in the necessary inspections of the construction of subdivision improvements. When the completed improvements are inspected and approved by the City Engineer, and, if proposed for City maintenance, accepted by the City Council, the plat shall be recorded and the sale of lots may proceed according to the approved and recorded plat. The subdivider is responsible for all plat recording fees. In the event of default by the subdivider on the terms of the contract, the City Council may repeal the approval of the plat. For additional requirements on agreements, refer to Article VI of this ordinance.

(8) Affidavit of Corrections, Plat Alterations and Corrected Plats

Following the recording of a plat, minor changes, including erasures and modifications to the legal description, survey data, notes, curve data, easements and plat dedication, may be carried out as approved by the Director with an Affidavit of Correction. No changes to the plat shall be made which will alter the intent of the subdivision plat after it has been approved. The Director shall make the determination if a corrected plat is deemed necessary.

(a) If, after the approval and recording of a final plat, substantial errors are found in the language or numbers on the recorded plat, the subdivider shall file a properly signed, corrected or revised original mylar with the Planning Division. The plat shall be noted as a "CORRECTED PLAT" under the name of the subdivision. Notations shall be made on the face of the plat listing all corrections made and the book and page numbers where the original plat was recorded. The Department shall review the plat for

correction, secure the signatures of the proper public officials on the corrected plat and present the plat to the City Council for the reaffirmation of their approval and to the County Clerk and Recorder for recording. The recording of the corrected plat shall void the incorrect original plat, and the County Clerk and Recorder shall note "VOID" across the face of the incorrect plat.

(b) The owner's certificate on resubdivision plats shall contain a legal description of platted areas being vacated and resubdivided. The new legal description shall not duplicate existing lot, block or tract designations used in the previous platting of the same area.

(c) Conflicts or ambiguities in descriptions of land which are part of a recorded plat may be corrected by an Affidavit of Correction as indicated by Wyoming Statute 34-11-101. The affidavit shall be prepared by a Licensed Wyoming Surveyor, as authorized by the owner of the land to which the affidavit pertains, and approved by the Director. The Affidavit of Correction form to be used shall be obtained from the Planning Division.

The affidavits shall include a description of the land, title to which may be affected by facts stated in the affidavit, and shall state the name of the person appearing by the record to be the owner of the land at the time of the recording of the affidavit. The County Clerk and Recorder shall index the affidavit in the name of the record owner and in the same manner as deeds are recorded.

Table 1

Sketch Plat Requirements

Application Requirements	Information Required At Filing
Property Owner(s), Developer, Agent: Name, Address, Phone Number and Email for All Parties	Provide Information
Checklist & Development Summary Sheet	Provide Information
Size of Property and Current Use of Property	Provide Information
Zoning Classification	Provide Classification – Indicate if Rezoning Will be Requested - Rezoning is Separate Action
Type of Development	Provide Type
Proposed Density – Residential	Provide Density Range
Topography	Explain Conceptual Impacts and Effects
Transportation – Access and Street Types	Explain Connectivity to Existing System and Calculate Internal Connectivity
Drainage – How it Works	Explain Concept
Land Use Compatibility – Existing Land Use on Parcel(s) Fitting in with Surrounding Land Uses and Neighborhoods in Relation to Connectivity, Drainage, Etc. – Minimum Area is All Land within 500 Feet of Proposed Subdivision	Describe and Explain How Proposal Will Alter Land Use and be Compatible with Surrounding Land Uses
Open Space, Parks and Pathways	Explain Concept
Administrative Requirements	Action And Information Required
Upload Plat into City ePlans Electronic Review System	At Filing

Five (5) Paper Copies of Plat – 24" X 36" (No Blueline)	Folded Paper Copies – Provide at Filing
One (1) Paper Copy - 11" X 17"	Provide at Filing
Surrounding Property Owners List, Up to 140 Feet from All Property Boundaries, Not Including Rights-of-Way and Alleys	Provide at Filing
Payment of Fee	Provide at Filing
Applicant Posts Sign on Property	Post Sign 10 Days Prior to Planning Commission Meeting
Attendance at All Required Meetings	Ongoing
Plat Requirements	All Items Required To Be Shown On Plat
Property Boundary, North Arrow and Scale at 1 Inch = 100 Feet	Show on Plat
Vicinity Map – Minimum 2,000 Feet Around Property at 1 Inch = 500 Feet	Show on Plat
Title Block: Subdivision Name, Firm Preparing Sketch Plat	Show on Plat
Streets – Proposed Layout and Street Widths & ROW Widths Shown	Show on Plat
Proposed Lots	Show on Plat
Drainage Indicators and Topography – Provide at Intervals Appropriate to Accurately Indicate Drainage, Not to Exceed 10 Foot Intervals	Show on Plat
Proposed Water, Sewer Services, Drainage and All Other Utilities – Concept, No Detail	Show on Plat
Open Space – Concept, No Detail	Show on Plat
Parkland & Pathways – Concept, No Detail	Show on Plat

Table 2

Plat Requirements

	Administrative Plat	Minor Subdivision Final Plat	Major Subdivision Preliminary Plat	Major Subdivision Final Plat
Application Requirements At Time of Filing				
Property Owner(s), Developer, Agent, Surveyor, Engineer, Landscape Architect: Name, Address, Phone Number and Email	√	√	√	√
Checklist & Development Summary Sheet	√	√	√	√
Type of Development	√	√	√	√
Existing Zoning	√	√	√	√
Number of Proposed Lots	√	√	√	√
Title Report	√	√		√
Required Engineering Supporting Materials		√	√	√
Street Connectivity Calculation			√	
Access and Drainage Areas, and If Applicable, Parkland, Open Space and Trails	√	√	√	√

Administrative Requirements At Time of Filing				
Upload Plat into City ePlans Electronic Review System	√	√	√	√
Five (5) Paper Copies of Plat - 24" X 36" (No Blueline)	√	√	√	√
One (1) Paper Copy – 11" X 17"	√	√	√	√
Surrounding Property Owners List, Up to 140 Feet from All Property Boundaries, Not Including Rights-of-Way and Alleys		√	√	√
Payment of Fee	√	√	√	√
Applicant Posts Sign on Property 10 Days Prior to Planning Commission Meeting		√	√	√
Information To Be Shown On Plat				
Title Block: 1. Subdivision Name 2. Developer, Land Owner(s), Firm Preparing Plat, Engineer for Subdivision 3. Name, Address, Phone Number and Email for Developer, Engineer and Firm Preparing Plat 4. Wyoming License Numbers for Surveyor and Engineer 5. Plat Type 6. Date of Preparation	√	√	√	√
Required Certifications	√	√	√	√

North Arrow, Scale, Legend and Summary Table	√	√	√	√
Vicinity Map – Minimum 2,000 Feet Around Plat at 1 Inch = 500 Feet	√	√	√	√
Description of Boundaries and Control Monuments, Benchmark and Basis of Bearing - All Monuments Defining Property Boundaries to be Clearly Shown and Symbolized by Type	√	√	√	√
Legal Description of Subdivision Boundaries	√	√	√	√
Contour Intervals and Flow Indicator Arrows			2 Foot Intervals and Show Flow Indicator Arrows	
Floodplains	√	√	√	√
Significant Natural Features and All Hazards – Shall be Mitigated or Eliminated Prior to Plat Being Recorded	√	√	√	√
Any Existing Wells	√	√	√	√
Fonts Used to be Large Enough to be Readable, Reproducible and Easily Distinguishable Between All Characters	√	√	√	√
Thick, Solid Lines for Subdivision Boundaries	√	√	√	√

Thin, Solid Lines for Lot Boundaries	√	√	√	√
Thin, Dashed Lines for Any and All Easements – Label All Easements	√	√	√	√
Lot Number, Layout, Size and Dimensions of Each Lot	√	√	√	√
Block Numbers	√	√	√	√
Street and ROW Widths	√	√	√	√
Distances and Bearings Given for All Property Line Segments	√	√	√	√
Curve Descriptions Given for All Property Line Arcs - Descriptions Must Carry at Least Chord Bearing, Chord Length and Radius	√	√	√	√

(9) Plat Certificate Language

Certificate of Ownership

A signed and notarized certificate by all parties having any titled interest consenting to the recording of the plat and dedicating public ways, grounds and easements shall be required. All signatures shall be in permanent, black ink. The certificate shall read:

Know all men by these presents that the undersigned (official name of subdivider), being the owner, proprietor or parties of interest in the land shown on this plat, do hereby certify:

That the foregoing plat designated as (name of subdivision or addition), is located in (Section, Township, Range, City, County, State), and is more particularly described as follows:

(Insert full, legal description)

and contains an area of _____ acres, more or less, and

That this subdivision, as it is described and as it appears on this plat, is made with the free consent and in accordance with the desires of the undersigned owner(s) and proprietor(s); and that this is a correct plat of the area as it is divided into lots, blocks, streets and easements.

That the undersigned owner(s) of the land shown and described on this plat does (do) hereby dedicate to the City of Gillette and its licensees for perpetual public use, all streets, alleys, easements and other public lands within the boundary lines of the plat, as indicated, and not already otherwise dedicated for public use.

Utility easements, as designated on this plat, are hereby dedicated to the City of Gillette and its licensees for perpetual public use, for the purpose of installing, repairing, reinstalling, replacing and maintaining sanitary sewer lines, water lines, gas lines, electric lines, telephone lines, cable TV lines and other forms and types of public utilities now or hereafter generally utilized by the public.

(On plats containing drainage easements, add:)

Drainage easements, as designated on this plat, are hereby dedicated to the City of Gillette and its licensees for public use, to accommodate the flow or storage of storm waters and shall be kept free of all fences, structures or other impediments.

(Individuals, where applicable, should add:)

All rights under and by virtue of the homestead exemption laws of the State of Wyoming are hereby waived and released.

Executed this _____ day of _____, A. D., 20____,
by: _____

(Designation of interest: owner, mortgagee, etc.)

STATE OF WYOMING)

) ss.

CAMPBELL COUNTY)

The foregoing instrument was acknowledged before me this _____ day of _____, A. D. 20 ____, by _____, as a free and voluntary act and deed.

Witness my hand and official seal.

Notary Public

My Commission Expires: _____

Consent to Subdivide Certificate

On plats containing mortgagees, the following language may be added to the plat or a separate Consent to Subdivide document shall be submitted:

The undersigned _____ (name of mortgagee) _____, hereinafter MORTGAGEE, holds a mortgage in and to the property embraced by this subdivision plat, which mortgage was filed with the Clerk of Campbell County and Ex-Officio Recorder of Deeds at Book _____ of Photos, at Page _____. MORTGAGEE, by his or her signature on this plat, consents to the dedications made herein and specifically releases all streets, alleys, parks, easements, open spaces and other areas dedicated to the City of Gillette for public use, as listed and described on this plat from the aforementioned mortgage.

Name, Title and Company

STATE OF WYOMING)

) ss.

CAMPBELL COUNTY)

The foregoing instrument was acknowledged before me this _____ day of _____, A. D. 20 ____, by _____, as a free and voluntary act and deed.

Witness my hand and official seal.

Notary Public

My Commission Expires: _____

Land Surveyor Certificate

A certificate of a registered land surveyor, as follows:

I, _____, do hereby certify that I am a registered land surveyor, licensed under the laws of the State of Wyoming, that this plat is a true, correct and complete plat of (Subdivision Name), as laid out, platted, dedicated and shown hereon, that such plat was made from an accurate survey of said property by me and under my supervision and correctly shows the location and dimensions of the lots, easements and streets of said subdivision as the same are staked upon the ground in compliance with City of Gillette regulations governing the subdivision of land.

Registered Land Surveyor

No. _____

Certificate of the City Engineer

A certificate of review of the City Engineer as follows:

Data on this plat reviewed this ____ day of _____, 20
__, by the City Engineer of Gillette, Wyoming.

City Engineer

Certificate of the Planning Commission

A certificate of approval by the City of Gillette Planning Commission, as follows:

This plat approved by the City of Gillette Planning Commission
this ____ day of _____, A. D., 20____.

Chairman

Secretary

Certificate of the City Council

A certificate of approval by the City Council of the City of Gillette, as follows:

Approved by the City Council of the City of Gillette, Wyoming, this
____ day of _____, A. D., 20____.

Mayor

City Clerk

Certificate of Recording

A certificate for recording by the County Clerk and Recorder, as follows:

This plat was filed on this ___ day of _____, 20___, for record in the Office of the Clerk and Recorder at ___ o'clock __.m., and is duly recorded in Book __, Page No. __.

County Clerk

Administrative Plats

Certificate of the City Administrator and Director of Engineering and Development Services

For Administrative Plats, the Certificate of the City Engineer, the Certificate of the Planning Commission and the Certificate of the City Council shall be replaced with the Certificate of the City Administrator and Director of Engineering and Development Services, which shall read as follows:

The Resubdivision of _____, to be known as _____, is hereby approved for recording as an Administrative Plat on _____ through authority granted by the City of Gillette Subdivision Regulations.

City Administrator

Director of Engineering and Development Services

Additional Plat Notes as May be Required

When the plat of a subdivision or a resubdivision intends to vacate an existing easement, the location of the easement shall be shown on the plat with a notation that it is being vacated by the plat.

In the case of a resubdivision of an existing subdivision or portion of a subdivision, the following declaration shall appear above the Mayor's signature or below the title:

DECLARATION VACATING PREVIOUS PLATTING

This plat is the resubdivision of (subdivision or portion of subdivision being resubdivided) , as recorded in Book _____ of Plats, Page _____, of the records of the Campbell County Clerk. All earlier plats or portions thereof, encompassed by the boundaries of this plat, are hereby vacated.

ARTICLE IV: CONSTRUCTION STANDARDS AND DESIGN CRITERIA

SECTION 1. PURPOSE

The purpose of this Article is to provide design guidelines to assure that subdivisions in the Gillette jurisdiction create safe, attractive, functional and efficient environments. The planning of subdivisions shall require minimizing adverse effects, and making the subdivision an asset to the City's urban and natural setting, as well as adapting the subdivision design to its specific situation. This section outlines specific design and construction criteria that shall be incorporated into the concepts and plans of various types of subdivisions. The City Planning Commission and City Council shall consider the design and construction standards contained within this Article during their review and approval of subdivision applications.

SECTION 2. COMPATIBILITY WITH CITY PLANS

The design of developments shall consider and be compatible with all existing local and regional plans for Gillette. These include but are not limited to the Comprehensive Plan for the City of Gillette, Master Water Plan, Master Wastewater Plan, Master Electrical Service Plan, City of Gillette Transportation Plan, City of Gillette Parks and Pathways Plan and City of Gillette Stormwater Master Plan.

SECTION 3. COMPATIBILITY WITH CITY OF GILLETTE STANDARDS

The City Engineer shall maintain the City of Gillette Engineering Design and Construction Standards, setting forth the detailed standards for the design and construction of improvements within subdivisions. All electrical infrastructure is to

comply with the City of Gillette Electrical Service Design and Construction Criteria which is maintained by the Director of Utilities. All subdivision improvements shall be designed and constructed according to these standards.

SECTION 4. SITE DESIGN COMPATIBILITY AND CONSTRAINTS

a. Compatibility

The design and development of subdivisions shall be compatible with adjacent land uses. Compatibility is achieved when adjacent land uses, whether differing or similar in function, scale, and/or intensity, do not create adverse effects upon one another. In areas where different uses abut, a variety of measures may be employed to ensure compatibility, including the use of adequate setbacks, landscaping, barriers or transitions, building height considerations, lighting and access requirements.

b. Compatibility Standards with Adjacent Property

When a subdivision is proposed that is adjacent to land uses differing in function, scale and/or intensity, compatibility mitigation standards take effect. The Planning Division shall ensure compatibility mitigation standards are in place with the development of the subdivision. The required standards shall show as a public or private improvement on the plat and/or as a disclosure statement on the final plat.

(1) All lighting within the subdivision shall be directed downward and shall not be directed toward or cause glare on any property within the subdivision or on an adjacent land use or property which is adjacent to the subdivision.

(2) Subdivision development shall comply with all applicable City of Gillette landscape requirements.

c. Compatibility During Subdivision Construction of Improvements

Compatibility of a subdivision with the existing land uses is important to the public health, safety and general welfare of the community.

The following standards apply:

(1) Staging areas for equipment and materials are to be located as far as practical from existing land uses without causing security problems for the developer or builder.

(2) Work hours shall follow the City of Gillette Engineering Design and Construction Standards.

(3) Erosion and sediment control on the site shall adhere to City standards.

Should there be a violation of any City requirement during the improvements construction stage of a subdivision, the City Engineer is authorized to issue a "Stop Work" order to the violator until such time that the violation is corrected.

d. Hazardous Conditions to be Avoided or Eliminated

Land that is subject to hazardous conditions, such as, but not limited to, active or inactive oil or gas wells, soil conditions, flooding, subsidence, slopes at fifteen percent (15%) or greater, shallow water tables, geologic hazards, shallow coal seams and mud or debris flows, shall be identified and shall not be subdivided until the hazards are eliminated or until adequate plans have been filed and approved for eliminating or mitigating the hazard. There may be instances where a proposed lot is not developable due to hazards which cannot be eliminated or mitigated. A preliminary plat which identifies hazards shall be accompanied by a plan which either eliminates the hazard or shows how the hazard will be mitigated. City Engineering shall review, approve, approve with changes or deny the plan which either eliminates or mitigates a hazard. Any or all portions of a lot which are subject to a hazardous condition shall not be counted as meeting the minimum size requirements for a lot in the zoning district in which it is located.

e. Off-Site Improvements Necessary For Subdivisions

Should off-site improvements be necessary in order for the subdivision to function on its own in relation to access, water, sanitary sewer and drainage, the subdivider is responsible for the construction of those improvements, whether the improvements are public or private.

f. Grading Plan Required

A Grading Plan is required for erosion and sediment control on all construction sites as indicated by the City of Gillette Engineering Design and Construction Standards. The Grading Plan shall be approved prior to any grading taking place on the subject property.

g. Stormwater Management

The subdivider shall follow the standards and requirements of the City of Gillette Stormwater Master Plan and the Storm Drainage Design Manual.

h. General Guidelines for Subdivision Layout

Subdivisions shall be designed to comply with the following overall performance objectives:

- (1) Avoidance of adverse effects on ground water and aquifer recharge.
- (2) Reduction and minimizing of cut and fill, and eliminating hazards.
- (3) Prevention of flooding and encroachment of water onto other properties.
- (4) Provision of adequate access to lots, including alternative routes to lots and sites within the subdivision and minimizing the use of cul-de-sacs.
- (5) Mitigation of negative environmental effects on surrounding properties, including effects of shadow, noise, odor, traffic, drainage, and utilities.
- (6) Respect for the urban character and traditional layout of Gillette, including providing continuity to established street and community facility networks; and establishing linkages and connections between new developments as well as to existing parts of the City.
- (7) Dedication of arterial, collector, and key local streets on the general alignments specified in the City of Gillette Transportation Plan.

i. Easements

Easements are a necessary part of a subdivision in order to provide various services to the area of land being developed. All easements, except for electrical easements, shall be configured at the approval of City Engineering. Electrical easements shall be configured at the approval of Electrical Engineering. All proposed easement configurations shall consider topography, ease of long term maintenance, and the placement of fences and accessory uses which may cause interference with required maintenance activities. The placement and configuration of any easement shall be considered so as to minimize problems during an emergency situation, as well

as the placement of accessory uses, such as fencing, retaining walls and sheds. Any utility provider has the ability to review the proposed easements and may request additional easements specific to their needs. Easements for utilities and drainage are to be shown on the final plat using the following standards:

(1) General Utility Easement – A General Utility Easement allows all utilities to be placed within it. A General Utility Easement shall be a minimum of twenty (20) feet wide.

(2) Specialized Utility Easement – A Specialized Utility Easement allows only a specific utility or utilities to be located within it. A Specialized Utility Easement shall be a minimum of ten (10) feet wide, with the exception of electrical streetlight easements, which shall be a minimum of five (5) feet wide.

(3) Electrical Easements shall be a minimum of ten (10) feet wide, except streetlight easements shall be a minimum of five (5) feet wide. Electrical easements may be located anywhere on a lot. The configuration of electrical easements is to be designated and approved by Electrical Engineering.

(4) Drainage Easements shall be provided as required by the City Engineer through review of the drainage report and other City information. Drainage easements may be situated anywhere on a lot, be minimized where appropriate and shall be a minimum of ten (10) feet wide. Drainage improvements situated along a side lot line shall be placed underground in pipe.

(5) All private streets shown on a plat shall be contained within private street rights-of-way. The width of each right-of-way shall meet the City of Gillette Engineering Design and Construction Standards. It shall be noted on the plat that all private street rights-of-way shall be accessible to public utility and emergency services.

(6) If a final subdivision plat shows easements, there shall be a note on the plat stating that no permanent structure is allowed within any easement.

(7) If a final subdivision plat shows drainage easements, there shall be a note on the plat stating that no fence or structure shall be allowed within the easements. In addition, the note shall stipulate that the drainage easements shall be free of all impediments and that the owner of the land is responsible for the maintenance of the drainage easements.

(8) If a final subdivision plat shows any type of easement, there shall be a note stipulating that the land owner is responsible for the maintenance of the easement.

(9) A fence may be placed within a General Utility Easement or Specialized Utility Easement, only after gaining approval of a Utility Easement Encroachment Agreement and other appropriate permits required for the type of fence to be built.

j. Tracts, Blocks and Lots

(1) Subdivisions shall consist of, in addition to public ways, an integrated and logical arrangement of tracts, blocks and lots. All blocks and lots within each block shall be consecutively numbered. Numbering of blocks and lots in later phases of a subdivision shall continue the sequence established in earlier phases. There shall be a Street Connectivity Index of 1.4 for each subdivision, as indicated by this ordinance.

(2) A tract is a land area, usually larger in size than a typical lot, set aside for a special use or not otherwise included within the normal subdivision pattern of blocks and lots. Tracts shall bear a letter designation, such as "Tract A." Letter designations of tracts shall be sequential and shall not duplicate designations of tracts in earlier phases of a phased subdivision.

(3) With the exception of challenging topography and subdivisions with 15,000 square feet minimum lot sizes, blocks in residential subdivisions shall be a minimum of 500 feet long and a maximum of 900 feet long. Low density subdivisions consisting of lot sizes of at least 15,000 square feet may have a block length that shall be no longer than 1,200 feet. Commercial subdivision block lengths shall not exceed 1,000 feet. Industrial and institutional subdivision block lengths shall not exceed 1,400 feet. Depending upon topography, the Director may allow longer or shorter block lengths of up to fifty percent (50%) of the stated requirements.

(4) In a residential development, the block width shall normally be sufficient to accommodate two (2) rows of lots. Blocks for business, industrial, commercial or institutional uses shall be of appropriate width and depth to accommodate the proposed development and meet all City requirements.

(5) Residential corner lots, as well as residential lots with street frontage on three (3) sides, shall be of sufficient size to reasonably accommodate the permitted residential use for the lot. The lot shall be capable of accommodating a residential

structure that reasonably fits on the corner lot, along with required parking and the ability to construct an accessory structure without violating setback requirements as contained in the Zoning Ordinance. Should topography, or other natural or man-made hazards present a problem in meeting required setbacks, the lot shall be made larger in order for structures to meet the required setbacks.

(6) Double frontage lots shall not be platted, except where those lots back up to a collector or arterial street. When this is the case, access to those lots from the collector or arterial street shall be prohibited for residential subdivisions and access shall be gained from the internal subdivision street network.

(7) Every residential zoned lot shall abut and have access to an officially approved street or road. Each residential platted lot shall have access to an officially approved street or road. An access easement may be considered for lots in non-residential subdivisions.

(8) Lot lines shall be designed in a manner to take advantage of right angles to straight street lines or radial angles to curved street lines.

(9) Whenever a plat is resubdivided, the newly created lots shall be numbered in a manner that avoids duplication of any original lot numbers. A letter may be used in conjunction with a number, such as "Lot 2A."

(10) Whenever two (2) or more platted lots are proposed to be combined as a single zone lot for purposes of zoning, it shall so be stated on the final plat.

(11) All lots shall be designed and graded so that the tops of foundations of all structures can be reasonably located at least eighteen (18) inches above the tops of the adjoining curbs. Alternate provisions may be allowed if approved by the City Engineer.

(12) Flag lots may be considered on a limited basis for reasons of unusual topography. The pole portion of the lot shall have a minimum width of twenty-six (26) feet and the flag portion of the lot shall meet the minimum width standard of the zoning district in which it is located.

(13) Gated subdivisions are allowed within the City of Gillette. Easements for water and sanitary sewer lines shall be dedicated to the City for public maintenance. Curbs, gutters, sidewalks, streets and drainage infrastructure within a gated subdivision

shall be privately owned and maintained. It shall be noted on the plat that the gated subdivision shall be accessible to public utility and emergency services. Public land dedication for parkland is prohibited within a gated subdivision.

SECTION 5. GEOGRAPHICAL INFORMATION REQUIREMENTS AND STANDARDS

The purpose of this section is to set forth requirements and standards to help ensure the accuracy of subdivision plats through appropriate reference to control stations, to ensure an accepted level of survey closure, to provide for the naming of the subdivision and its street names in order to prevent duplication, and to provide for the addressing which is given by the City of Gillette. The accuracy of subdivision plats is necessary in order to uphold public safety, to determine clear title to land ownership, and to maintain accurate records at the Campbell County Clerk and Recorder's office where subdivision plats are filed. Also, plats shall be accurate to ensure the correct location of required monuments, subdivision improvements and easements, and to avoid unnecessary recording problems at the time the subdivision plat is filed at the office of the Campbell County Clerk and Recorder. It is the subdivider and the subdivider's agent who are ultimately responsible for ensuring the accuracy of all information contained on the subdivision plat.

a. Legal Description

The legal description of the property shall be reviewed for accuracy by the City of Gillette Geographic Information Systems Division (GIS) prior to the final plat being forwarded to City Council for consideration. GIS and the Surveyor of Record of the subdivision shall work together to resolve any problems with the necessary legal description.

b. Boundary Closure

The boundary closure requirement for all final subdivision plats shall be consistent with the rules and guidelines promulgated by the Licensing Board of Engineers and Land Surveyors. The maximum allowable error of closure shall be one (1) part in ten thousand (10,000).

c. Subdivision Plat Accuracy Requirements

The City of Gillette GIS Division shall review administrative, minor, sketch, preliminary and final plats for accuracy.

d. Addressing

Addresses shall be provided by GIS and in accordance with the Campbell County Addressing Standards. Addresses shall be provided to the subdivider only after the final plat of the subdivision has been recorded.

e. Naming of Subdivisions and Streets

The naming of subdivisions and streets shall be approved by GIS and in accordance with the Campbell County Addressing Standards.

f. Theme Naming

The subdivider is encouraged to create a theme that ties the name of the subdivision with the street names within the subdivision. However, all subdivision and street names shall be approved by GIS and in accordance with the Campbell County Addressing Standards.

g. Types of Roadways

The types of roadway names (avenue, road, street, etc.) shall comply with the Campbell County Addressing Standards.

ARTICLE V: SUBDIVISION IMPROVEMENTS

SECTION 1. PURPOSE

The purpose of this Article is to assure that all subdivisions developed in the City of Gillette and its jurisdiction are adequately furnished with necessary subdivision improvements and services. These subdivision improvements and services include street and pedestrian ways, water, sanitary sewer, stormwater management, parks and public facilities, electrical services, mailbox locations and solid waste collection.

SECTION 2. CONSTRUCTION REQUIREMENTS

a. Design by Engineer

All subdivision improvements must be designed by a professional engineer licensed in the State of Wyoming.

b. Construction Standards

The subdivider is responsible for installing all subdivision improvements as required and specified in the City of Gillette Engineering Design and Construction Standards.

c. Required Improvements

As provided in the plat agreement, the subdivider shall install the following monuments and improvements in a timely manner and in accordance with plans, specifications and data, as approved by the City Engineer:

(1) Monuments at the corners of all tracts, blocks and lots and at all subdivision boundary corners. Monuments at subdivision boundary corners shall be two (2) inch diameter pipe, a minimum of thirty (30) inches long, with brass cap. All tract, block and lot corners shall be 5/8 inch rebar, a minimum of twenty-four (24) inches long, with aluminum cap. All monuments must be stamped with the licensed land surveyor's number, and the top is to be flush with the ground. Wooden stakes are prohibited as monuments.

(2) Grading, drainage, and drainage structures for streets and highways and for areas within the subdivision. Special precautions may be required to prevent erosion during and after construction.

(3) Road improvements, including base, surfacing, gutters and curbs. Sidewalks, where required, shall meet current City of Gillette Engineering Design and Construction Standards.

(4) Street lights, street name signs and traffic control signs.

(5) Water distribution mains, services, fire hydrants and facilities of a size, type and at locations approved by the City Engineer.

(6) Sanitary sewer mains, laterals and facilities of a size, type and at locations approved by the City Engineer.

(7) Storm sewer mains and laterals of a size, type and at locations approved by the City Engineer.

(8) Electrical distribution, trenching, conduit and transformer pads, as required.

(9) Any other drainage improvements and/or facilities that may be on or off site, but which are necessary to serve the subdivision.

(10) Other facilities or improvements as may be specified in the plat agreement.

d. As-Built Plans

Prior to the approval of any completed improvements, as-built plans must be submitted to the City Engineer and be in accordance with the City of Gillette Engineering Design and Construction Standards.

Construction of subdivision improvements shall not commence without a "Permit to Construct" issued by the City Engineer.

SECTION 3. STREETS AND PEDESTRIAN WAYS

The purpose of this section is to assure the development of functional and safe circulation patterns within new subdivisions in order to encourage economical and effective movement of motor vehicles, bicycles, and pedestrians; provide access for public safety vehicles; and encourage the development of circulation systems that enhance the quality of life within new and existing neighborhoods in the City of Gillette and its surrounding urban area.

a. Roadway System Design

(1) The road system shall be designed to permit safe and orderly movement of traffic, be simple and logical, respect natural features, topography and the landscape, and present an attractive streetscape.

(2) The system shall conform to the City's Comprehensive Plan and Transportation Plan. For streets not shown on the Comprehensive Plan or Transportation Plan, the arrangement of streets shall provide for the logical extensions of existing streets through a dedication of rights-of-way. Any logical extensions of streets within a subdivision shall be guided by the Official Map as shown in the

Transportation Plan. Such extensions shall make provisions for, when necessary, temporary turnarounds as approved by the City Engineer.

(3) The system shall provide adequate traffic flow through a subdivision and provide at least two (2) routes in and out of the subdivision to external collector and arterial streets, except as explicitly permitted by the Director.

(4) The system shall provide for internal street network connectivity. Internal connectivity shall be measured by a Street Connectivity Index, calculated as:

CI = L/N, or, Connectivity Index equals the number of links (roadway sections between intersections) divided by the number of nodes (roadway intersections) within a subdivision.

The street system within a proposed subdivision shall meet a minimum internal Connectivity Index of 1.40. This calculation shall be carried out for the proposed internal subdivision street network only.

The Street Connectivity Index is designed to promote long term connectivity within a subdivision and with the surrounding area, as well as be a mechanism which promotes the resilience of the street network by allowing for more routes to and from the subdivision. The Street Connectivity Index also allows and encourages multiple routes to the same destination for public safety, police, fire, mail delivery, solid waste and the snow plow operations of the City. The Street Connectivity Index is also meant to provide more continuous and direct routes for pedestrians and bicyclists, lower speeds on streets, improved utility connections and reduced travel time for vehicles. The Street Connectivity Index shall not apply to resubdivisions where the street network has been built or administrative and minor subdivisions where the street network has been constructed. It shall only apply to residential subdivisions as shown on a proposed preliminary plat. See Figure 1 in Article VII of this ordinance for some examples of the application of the street connectivity calculation.

b. Pedestrian and Bicycle Systems

(1) A continuous pedestrian system shall be provided within each subdivision, except for development within an R-R, Rural Residential Zoning District, R-S, Suburban Residential Zoning District and I-2, Heavy Industrial Zoning District unless otherwise required by the City Engineer as outlined in this section. The system shall

be designed to conduct pedestrians between every point in the subdivision in a safe manner. The pedestrian system shall be designed and constructed according to the City of Gillette Engineering Design and Construction Standards.

(2) In conventional subdivisions, the pedestrian system will ordinarily be provided by sidewalks placed parallel to and on both sides of each street, with exceptions permitted to preserve drainage or maintain greenways and pedestrian ways proposed in the Gillette Comprehensive Plan and approved by the City Engineer and Public Works Director.

(3) All aspects of the pedestrian system, including sidewalks and intersection crossings, shall be designed and constructed to comply with the Americans with Disabilities Act.

(4) Bikeways or recreational pathways and trails shall be required only if specifically indicated by the Comprehensive Plan and Parks and Pathways Master Plan.

c. Street Hierarchy and Design

(1) Streets shall be classified and designed according to a street hierarchy with design tailored to function and be in accordance with the City of Gillette Transportation Plan and the City of Gillette Engineering Design and Construction Standards.

(2) The applicant shall demonstrate that the distribution of traffic created by the subdivision will not exceed the design capacity of the proposed street system and its individual segments, as shown by a Traffic Impact Analysis.

d. Street Width

(1) Street width for each street classification is determined by the City of Gillette Engineering Design and Construction Standards.

(2) To promote the economical development of streets, minimum street width shall be used. Any request to have a smaller width shall be approved by the City Engineer.

e. Curbs, Gutters, and Shoulders

(1) Curbing shall be required for the purposes of safety, drainage and protection of the pavement edge. Curbing shall comply with the City of Gillette Engineering Design and Construction Standards.

(2) Where curbing is not required, edge definition and stabilization shall be provided and approved by the City Engineer. Curbing is not required in the R-R, Rural Residential and R-S, Suburban Residential Zoning Districts.

(3) Shoulders, when developed, shall meet all City standards on each side for all streets, and shall be located within the rights-of-way. Swale width is site-specific. Shoulders shall consist of material approved by the City Engineer. Shoulders are required in the R-R, Rural Residential and R-S, Suburban Residential Zoning Districts.

(4) All curbs shall provide ramps for accessibility consistent with the requirements of the Americans with Disabilities Act.

f. Sidewalks and Pedestrian Ways

(1) Sidewalk requirements are determined by road classification and intensity of development. All new development is required to be served by a sidewalk, except for development within an R-R, Rural Residential Zoning District, R-S, Suburban Residential Zoning District and I-2, Heavy Industrial Zoning District unless otherwise required by the City Engineer as outlined in this section.

(2) Where sidewalks are not generally required, the City Engineer may require their installation, if necessary, to provide access to generators of pedestrian traffic or major community features, to continue a walk on an adjacent street or to link parts of the City.

(3) In conventional developments, sidewalks are generally parallel to streets and within the rights-of-way, although undulations and interesting variations in alignment are encouraged, consistent with accepted practices. Exceptions are possible to preserve important natural features or to accommodate topography or drainage when the applicant shows an alternative for a safe and convenient pedestrian system. The location of all sidewalks shall be approved by the City Engineer. Where sidewalks meander out of the right-of-way, sidewalk easements are required.

(4) All sidewalks shall be constructed according to the City of Gillette Engineering Design and Construction Standards.

(5) All sidewalks, crossings, and other segments of a continuous pedestrian system shall comply with standards of the Americans with Disabilities Act.

g. Bikeways and Recreational Trails

(1) Bikeways and recreational trails shall be required in subdivisions only when specified as part of the Comprehensive Plan and/or Parks and Pathways Master Plan.

(2) All off-street recreational trails shall be a minimum of ten (10) feet in width for two-way traffic, although this width may be reduced to eight (8) feet in constrained areas or to preserve important environmental features. All trails shall comply with the Americans with Disabilities Act. Surfacing of trails shall meet the standards of the City of Gillette Engineering Design and Construction Standards. Gradients for bikeways and recreational trails shall not exceed five percent (5%), except for short distances, and shall be approved by the City Engineer.

(3) Recreational trails may satisfy part of the requirements of this ordinance for sidewalks. The final determination on whether the sidewalk requirements are being met is made by the City Engineer. The Public Works Director is responsible for determining whether recreational trails meet dedicated open space or parkland requirements.

(4) All residential streets shall utilize bicycle safe drainage grates at storm sewer inlets.

h. Alleys

Alleys are discretionary for residential areas in the City of Gillette. All commercial and industrial subdivisions shall provide for service access using alleys or an alternative technique approved by the City Engineer. When permitted in any project, alleys shall be required to meet the City of Gillette Engineering Design and Construction Standards. Alleys shall not be considered for complying with parking requirements or primary or secondary vehicular access requirements in and out of a subdivision.

i. Rights-of-Way

(1) Measurement. The right-of-way of a street shall be measured from lot line to lot line, and shall conform to the City of Gillette Transportation Plan and meet the requirements of the Engineering Design and Construction Standards.

(2) Any right-of-way that is a continuation of an existing street shall be no less than that of the existing street.

(3) The requirements for the rights-of-way widths and the rights-of-way for the functional categories of roads are set forth in the City of Gillette Engineering Design and Construction Standards.

(4) Dedications. Dedications of rights-of-way for collector, sub-collector, community, or arterial streets shall be consistent with the Comprehensive Plan and Transportation Plan.

j. Street Design Standards

(1) Pavement

All streets shall be paved according to the current standards of the City of Gillette Engineering Design and Construction Standards.

(2) Continuity of Arterial and Collector Streets

No subdivision shall prevent the extension of arterial or collector streets through and beyond the subdivision. The subdivider may plan and design collector streets not designated in the Comprehensive Plan or Transportation Plan, subject to the approval of the City Council at the preliminary plat review stage.

(3) Cul-de-sacs

(a) Cul-de-sac streets are allowed only if the Street Connectivity Index of the proposed subdivision meets the minimum requirement as stated by this ordinance.

(b) The closed end of a cul-de-sac within a conventional subdivision shall have a turnaround with a street property line diameter that meets the City of Gillette Engineering Design and Construction Standards. In very low density settings, or for public safety purposes, the City Engineer may allow the use of hammerhead designs or other non-standard designs.

(c) The length of a cul-de-sac shall be determined by the average number of daily trips made to and from the cul-de-sac. No cul-de-sac shall contain a number of lots that exceeds 200 average daily trips. The 200 average daily trips number is derived from the latest edition of the Institute of Transportation Engineers Trip Generation informational report and accompanying handbook.

(d) Unless otherwise approved by the City Engineer, cul-de sacs shall only be allowed within residential zoning districts.

(4) Street Grades

All street grades shall meet the City of Gillette Engineering Design and Construction Standards. Any variation in a street grade from the adopted City Standards shall be approved by the City Engineer.

(5) Street Intersections

All intersections shall meet the City of Gillette Engineering Design and Construction Standards. Any variation from the intersection design standards shall be approved by the City Engineer.

SECTION 4. WATER

a. Connection and Capacity

(1) All new subdivisions inside of the corporate limits of Gillette shall be connected to the existing City water system.

(2) All proposals for new water supplies, extensions, or main installations shall be approved by the City of Gillette and meet the Engineering Design and Construction Standards.

(3) A certification from a registered Wyoming Professional Engineer shall be filed with the City of Gillette certifying that the water supply system of the subdivision is designed and constructed in accordance with the requirements of this section, and all applicable standards of the State of Wyoming.

(4) All state requirements shall be met and approvals from appropriate state departments shall be obtained for all water systems.

SECTION 5. SANITARY SEWER

a. Connection and Capacity

(1) All new subdivisions inside of the corporate limits of Gillette shall be connected to an existing public sanitary sewer system.

(2) All proposals for new public sanitary sewer systems or extensions of existing systems shall be approved by the City Engineer and meet the City of Gillette Engineering Design and Construction Standards.

(3) All state requirements shall be met and approvals from appropriate state agencies shall be obtained for all wastewater disposal systems.

(4) A certification from a registered Wyoming Professional Engineer shall be filed with the City of Gillette certifying that the sanitary sewer system of the subdivision is designed and constructed in accordance with the requirements of this section, and all applicable standards of the State of Wyoming.

SECTION 6. STORMWATER MANAGEMENT

a. Design

The design of the stormwater management system shall conform to the City of Gillette Engineering Design and Construction Standards and the Storm Drainage Design Manual.

SECTION 7. PARK AND PATHWAY FEES AND DEDICATIONS

a. Purpose

In order to enhance the quality of life and provide for the recreational needs of residents within subdivisions, and to promote a healthy lifestyle, general welfare, community character and property values, residential subdividers are required to provide resources to make improvements to the City of Gillette parks and pathways system.

The City parks system provides a wide array of benefits to the public and also serves to preserve essential ecological functions. The pathways system for the City of Gillette is designed to connect neighborhoods with major destinations, such as schools, areas of retail concentration and other recreational areas.

When planned as part of the sustainable infrastructure, parks meet the recreational needs of the community, buffer incompatible land uses and help reduce the public costs for stormwater management. When pathways are required to be dedicated and constructed, pedestrian access links are provided which enable better connectivity between activity centers. Such connectivity provides for enhanced mobility throughout the community.

b. Review Process for Parks and Pathways

The review and decisions made for the park development fee, parkland dedications and the pathways to be dedicated and constructed are carried out at the preliminary plat stage of a proposed subdivision. The recommendation of the Parks and Beautification Board is forwarded to the Planning Commission for their review and recommendation to City Council. The City Council is the final approving body for parkland and pathway decisions.

c. Park Development Fee and Applicability

(1) General Requirements

The amount of park facilities required for a new subdivision or development is based on data and policies adopted in the City of Gillette Comprehensive Plan and Parks and Pathways Master Plan. These plans are a result of a technical analysis and citizen participatory planning process, which identified short-term and long-term needs for the City parks system.

Parkland is only required for residential uses within the City of Gillette. All proposed residential development requires the payment of a park development fee.

(2) Determination and Timing of Fee

The park development fee is determined at the preliminary plat review stage for major subdivisions and at the final plat stage for all other subdivisions. In the case of a residential subdivision which has a proposed lot or lots for multiple family development,

the fee shall be determined at the time the multiple family development is being reviewed.

(3) Applicability of Fee

The subdivider is required to pay a park development fee for all proposed dwelling units within a residential subdivision. This includes developments that are single-family, duplex, triplex, four-plex, structures with five or more dwelling units, structures which contain one or more dwelling units as part of a mixed use development, townhouses, condominium units, and dwelling units within a mobile home or manufactured home subdivision or within a mobile home or manufactured home park.

(4) Fee

The park development fee is \$350.00 per dwelling unit. The fee is subject to change over time. Credit shall not be provided to any residential development for on-site private recreation or park facilities.

(5) Fee Calculation and Timing of Payment

The fee is calculated by multiplying the current fee rate by the proposed number of dwelling units being provided. The fee payment shall be made prior to recording the final plat.

In the case of land to be platted and developed as a mobile home or manufactured home park, the park development fee is due prior to the final plat or development plan being recorded. In all instances, the fee shall be paid prior to a zoning or building permit being issued.

d. Pathway Dedication and Construction

(1) Dedication of Approved Pathways

The Parks Division shall determine if a pathway, as designated by the adopted Parks and Pathways Master Plan, shows an alignment through a proposed subdivision. The pathways in Gillette are made up of a priority pathway system, multiple use trails and side paths which are separated roadside trails and shared routes for bicycles along roadways and walking trails. If a determination is made that an approved pathway has

an alignment through a proposed subdivision, then the subdivider is required to dedicate the land for the approved pathway and construct it according to the City of Gillette Engineering Design and Construction Standards.

(2) Pathway Alignment, Width, and Construction

The pathway alignment and width through a proposed subdivision shall be designed to ensure that the necessary connection to the next pathway segment is as efficient as possible. The pathways shall be designated according to the Parks and Pathways Master Plan and shall be constructed in accordance with the City of Gillette Engineering Design and Construction Standards. The widths of pathways may be altered by the Parks Division and approved by the Public Works Director when circumstances arise pertaining to access and topography.

(3) Credit

Should a subdivider be required to dedicate land and build a pathway, a one hundred percent (100%) credit shall be given for the fair market value of the land dedication and the actual construction costs for the pathway. The credit shall be directly applied against the total amount due for the park development fee. Should the amount of the credit exceed the total park development fee required for the proposed subdivision, the subdivider shall be reimbursed for the cost difference by the City at the time of final acceptance of public improvements by City Council.

e. Consideration of Parkland Dedication

(1) When Parkland May Be Considered

The City, at its sole discretion, may request parkland dedication. The City shall consider the location for neighborhood and community parks based on the City's Comprehensive Plan and Parks and Pathways Master Plan.

(2) Credit

Should a subdivider dedicate parkland at the City's request, a one hundred percent (100%) credit shall be given for the land dedication at fair market value. The credit shall be directly applied against the total amount due for the park development fee. Should the amount of the credit exceed the total park development fee required for

the proposed subdivision, the subdivider shall be paid for the cost difference by the City at the time the City receives the applicable deed for the parkland.

(3) Timing and Conveyance of Land for Park Use

In the event the City elects to request or accept parkland dedication, the subdivider shall convey to the City the parkland by the delivery of the following documents at the time a final plat is to be recorded:

(a) A Warranty Deed conveying fee simple title, free and clear of all liens and encumbrances, except for liens and encumbrances dischargeable by cash accompanying the warranty deed. The property shall be current with all real estate taxes.

(b) An Ownership and Encumbrance Report.

SECTION 8. ELECTRICAL SERVICES

a. Applicable Regulations

All construction requiring electrical service within the City of Gillette shall conform to the applicable provisions of the National Electrical Safety Code, the National Electrical Code, the City of Gillette Electrical Engineering Distribution Standards & Customer Service Drop Policy and all other applicable City of Gillette codes.

b. Permitting, Inspection and Acceptance

Prior to the installation of any portion of the electrical distribution system, the subdivider shall obtain an Electrical Permit to Construct. The permit shall be issued by the City Electrical Engineering Division following the approval of the electrical system design. The Electrical Permit to Construct is required for release of specific material from the City's Warehouse inventory as identified on the Electrical Permit to Construct.

All installations on the electrical distribution system shall be inspected by a City Electrical Engineering Division representative prior to acceptance of the installation. The subdivider shall develop, maintain, and submit to the Electrical Engineering Division, compaction test results and any other data relevant to the installation of the electrical distribution system as required by the City.

Prior to the City Electrical Engineering Division accepting any installation or providing service to a customer, all required easements shall be officially recorded at the Campbell County Clerk and Recorder's office. Electrical easements shall be granted for all locations where electrical lines and equipment are located. All electrical equipment, and primary and secondary wire lines require a minimum ten (10) foot wide easement. Streetlight wire requires a five (5) foot wide easement.

c. Specific Requirements for Construction, Streetlights and Other Electrical Equipment

(1) Construction Requirements

(a) All electrical equipment shall be located out of all drainage areas.

(b) Compaction tests shall be provided by the subdivider at all transformer locations.

(c) The subdivider is required to request field inspections for the trench, conduit installation and burial depth of conduit, and the setting of all electrical equipment such as transformer pads, secondary pedestals, junction boxes and streetlights, all of which are the subdivider's responsibility to install.

(d) The subdivider is required to install all electrical equipment in designated easements. The easements in which electrical equipment is located shall not change grade more or less than six (6) inches.

(2) Streetlights

(a) The subdivider shall purchase from the City of Gillette and install all residential and highway style streetlights as required in the City of Gillette Electrical Engineering Distribution Standards & Customer Service Drop Policy.

(b) All wire sizing shall be determined either by the Electrical Engineering Division or the National Electrical Code.

(c) The subdivider shall purchase from the City of Gillette and install all wire from the power source to the streetlight pedestal by the streetlight. In addition, the subdivider is responsible for providing and installing wire in all streetlight poles as

required in the City of Gillette Electrical Engineering Distribution Standards & Customer Service Drop Policy.

(d) The subdivider shall install concrete bases for all highway style streetlights as required in the City of Gillette Electrical Engineering Distribution Standards & Customer Service Drop Policy.

(e) The subdivider shall purchase from the City of Gillette and install streetlight pedestals for streetlights, where required.

(3) Other Electrical Equipment

(a) All electrical equipment shall be installed in accordance with the City of Gillette Electrical Engineering Distribution Standards & Customer Drop Policy.

(b) All conduits shall be installed by the subdivider to the required depth specifications after the final grade is established.

(c) The subdivider shall purchase all transformer pads and secondary pedestals from the City of Gillette.

(d) The primary junction box/vault shall be provided by the City and shall be installed by the subdivider.

(e) The City shall provide and install all distribution transformers. The City shall also provide and install all primary wire for electrical services.

SECTION 9. MAILBOX LOCATIONS

a. Cooperation

It is the responsibility of the subdivider, working with the City of Gillette and the United States Postal Service, to develop the necessary locations within the subdivision to provide for the delivery and collection of mail sent through the US Postal Service. When mailbox delivery and collection points are situated within a street right-of-way of the City of Gillette, the City exercises its right and responsibility to ensure that street rights-of-way are safe for pedestrian and traffic movement. The subdivider is responsible for providing and installing the mailboxes at the delivery and collection points.

b. Responsibility

The City of Gillette, the subdivider and the United States Postal Service share the responsibility in determining the location(s) for mail delivery and collection within a proposed subdivision. The City of Gillette will make the final determination based on input from the subdivider and US Postal Service. If mailbox locations are within a City right-of-way, the City Engineer shall make the final determination based upon roadway geometrics, the ability for vehicles and pedestrians to safely access the site and a review of sight distances to and from the site to enable appropriate caution measures so mail can be delivered and collected by Post Office employees and customers in a safe and secure manner.

c. Site Standards

The following site standards govern the selection of US Mail delivery and collection locations within a subdivision:

(1) The site shall be of a length and width adequate to serve the number of mailboxes.

(2) The site shall have reserved parking for a distance of thirty (30) feet along the curb in front of and centered on the mailboxes. The reserved parking is for use at the mail delivery and collection site only.

(3) The subdivider is responsible for obtaining and installing the mailboxes to be used at the delivery and collection location(s).

(4) Mailboxes shall be approved by the US Postal Service.

(5) All mail delivery and collection sites are to have mailboxes installed behind the back of curb.

(6) The mail delivery and collection area shall be lighted by a streetlight.

ARTICLE VI: AGREEMENTS, IMPROVEMENT FINANCING AND GUARANTEES

SECTION 1. PURPOSE

The purpose of this Article is to ensure the equitable financing and proper installation and maintenance of required streets, utilities and other improvements. Guarantees shall be structured to provide adequate assurances to the City while not adding unnecessary costs to the developer.

SECTION 2. APPLICATION

This Article applies to the City requirement to install streets, water, sanitary sewer, electrical service, parks, storm sewer, drainage detention areas or any other subdivision improvements, whether it is intended to be publicly owned or privately owned.

SECTION 3. RESPONSIBILITY OF SUBDIVIDER

a. Timing of Subdivision Improvements

The required subdivision improvements to be installed by the subdivider shall not commence until City Council has given final approval for the subdivision plat, or the Council has approved the installation of the improvements.

b. Subdivider Guarantees

(1) Prior to the approval of any final plat by the City Council, and prior to the commencement of construction on any subdivision improvements, the subdivider shall either:

(a) guarantee the installation of the required subdivision improvements by complying with an Unrecorded Plat Agreement which requires that all improvements be installed as part of the subdivision and be in place and accepted by City Council before the final plat can be recorded or any lots can be sold or built upon; or

(b) guarantee the installation of the required subdivision improvements by complying with a Recorded Plat Agreement which requires that all improvements be installed as part of the subdivision and be provided with an approved financial guarantee which will cover one hundred percent (100%) of the total amount of the cost associated with all of the improvements to be installed as part of the subdivision.

(2) The Unrecorded Plat Agreement or the Recorded Plat Agreement shall be in effect for a period of twenty-four (24) months, beginning on the date of final approval by the City Council.

SECTION 4. PLAT AGREEMENTS

a. Condition for Plat Approval

As a condition for final approval, each subdivision plat which has subdivision improvements shall include either an Unrecorded Plat Agreement or a Recorded Plat Agreement; an agreement entered into between the City of Gillette and the subdivider. An Unrecorded Plat Agreement or Recorded Plat Agreement is also known as a subdivision agreement.

b. Components of the Agreement and Types of Agreements

The plat agreement shall include provisions for the time frame for which its provisions are enforceable, as well as the type, quantities and cost of subdivision improvements. The subdivider shall execute the agreement and the schedule listing all subdivision improvements, their quantities and estimated cost, which must be approved by the subdivider's engineer with the approval of the City Engineer. This schedule is known as Addendum A. No contract for the construction of subdivision improvements involving a subdivision within the corporate limits of Gillette shall be awarded without the approval of such an agreement. No construction of subdivision improvements shall commence until the City Engineer has issued a Permit to Construct and the City Council has granted final approval of the subdivision.

c. Unrecorded Plat Agreement

The Unrecorded Plat Agreement requires that the subdivider install all required subdivision improvements and have all public subdivision improvements accepted by

City Council prior to the final plat being recorded or any building permits being issued. It is in effect for a period of twenty-four (24) months measured from the date of final approval by City Council of the subdivision plat. The agreement requires the signed consent of the subdivider and the approval of Addendum A and the Permit to Construct one (1) week prior to final approval of the subdivision. No contract for the construction of subdivision improvements involving a subdivision within the corporate limits of Gillette shall be awarded without the approval of such an agreement. No building permit shall be issued for the subdivision until the final plat has been recorded.

Once City Council has accepted the public subdivision improvements, the subdivider shall provide the Planning Division with an acceptable mylar to record. Once an acceptable mylar has been submitted to the Planning Division, and the fees have been received to record the plat and any other documents related to it, the subdivision plat is to be recorded by the Planning Division.

d. Recorded Plat Agreement

The Recorded Plat Agreement requires that the subdivider provide a financial guarantee of one hundred percent (100%) of the costs for all required subdivision improvements. The financial guarantee is provided through the use of an Irrevocable Letter of Credit, bond, cash or certified check, or any other financial guarantee which shall be approved by the City Attorney. The Recorded Plat Agreement is in effect for a period of twenty-four (24) months and is measured from the date of final approval by City Council of the subdivision plat. The financial guarantee instrument shall be effective for a period of sixty (60) days beyond the plat agreement expiration date. The agreement requires the signed consent of the subdivider and the approval of Addendum A and the Permit to Construct one (1) week prior to final approval of the subdivision.

Once the Recorded Plat Agreement has been signed by the City and the appropriate financial guarantee has been accepted by the City, the subdivider shall provide the Planning Division with an acceptable mylar to record. Once an acceptable mylar has been submitted to the Planning Division and the fees have been received to record the plat and any other documents related to it, the subdivision plat is to be recorded by Planning Division.

The recording of the subdivision plat using the Recorded Plat Agreement allows for the sale of lots within a subdivision. The recording of a plat using the Recorded Plat Agreement does not allow for a building permit to be issued by the City, unless the

subdivision has received interim acceptance by the City Engineer and all required monuments are in place.

e. Interim Acceptance of Subdivision Improvements by City Engineer

Interim acceptance of subdivision improvements by the City Engineer shall be carried out according to the procedures shown in the City of Gillette Engineering Design and Construction Standards. The Engineer of Record or a designated representative may request the City Engineer to inspect the grading, water, sanitary sewer, and curb and gutter improvements after they have been installed and before any street preparation has begun. The curb and gutter improvements shall only apply to residential subdivisions. All required pressure tests and disinfection tests shall be performed prior to the City inspecting the improvements. At the time the request for the inspection is made, the Engineer of Record shall file interim "Record Drawings" plans on the water and sanitary sewer improvements. An approval checklist shall be attached to the interim plans. All items on the checklist shall be completed prior to approval by the City Engineer. The approval of the grading, water, sanitary sewer, and curb and gutter improvements and the interim "Record Drawings" plans shall be done only to start the process of issuing building permits. The approval does not mean that the water, sanitary sewer, or curb and gutter improvements are being accepted for City ownership or maintenance.

f. Sidewalk Installation

For building projects on individual lots, the building permit applicant is responsible for installing the sidewalk within the right-of-way according to City standards. The sidewalk shall be installed prior to a Certificate of Occupancy being issued.

If all sidewalks are not constructed by the subdivider in residential subdivisions at the time of final acceptance, the subdivider shall enter into a Sidewalk Agreement and furnish additional security before final acceptance and release of any posted security, equal to fifty percent (50%) of the cost of the construction of the remaining sidewalks as approved by the City Engineer. The additional security shall be released only after the completion of all remaining sidewalks by the subdivider and acceptance of all the remaining sidewalks by the City Council. All sidewalk installation shall occur within two (2) years of final acceptance of public improvements by City Council.

SECTION 5. TIME PERIODS FOR PLAT AGREEMENTS

a. Time Period for Unrecorded and Recorded Plat Agreements

The time period for an Unrecorded and Recorded Plat Agreement is twenty-four (24) months. The time frame for the life of the Unrecorded or Recorded Plat Agreement is measured from the date of final plat approval of the subdivision.

b. Choice of Plat Agreement

The subdivider may select the Unrecorded or Recorded Plat Agreement and has the option to switch from an Unrecorded Plat Agreement to a Recorded Plat Agreement during the time period in which the original agreement is valid. Should a subdivider change from an Unrecorded Plat agreement to a Recorded Plat Agreement, the new agreement shall be attested to by the subdivider, and an Addendum A shall be filed and approved by the City Engineer prior to the City signing the new plat agreement. An acceptable financial guarantee for one hundred percent (100%) of the remaining required subdivision improvements shall be provided. This is an administrative duty of City staff and does not require City Council approval.

c. Extension Requests for Plat Agreements

Should a subdivider desire to extend the time frame for a plat agreement beyond the stated twenty-four (24) month time period, a written request providing the rationale for the extension shall be given to the Planning Division. The Director may grant an extension of the plat agreement for up to nine (9) months beyond the stated twenty-four (24) month time period for a plat agreement due to a demonstrated hardship. Any further request for an extension of the plat agreement shall be reviewed and decided upon only by City Council. Any request for an extension of the time period beyond twenty-four (24) months shall be received in writing at least one (1) month prior to the plat agreement expiration date.

SECTION 6. FINANCIAL GUARANTEES AND RECORDED PLAT AGREEMENTS

a. Financial Guarantee Required

Any and all Recorded Plat Agreements shall be accompanied by a financial guarantee. The financial guarantee accompanying a Recorded Plat Agreement allows the final plat of a subdivision to be recorded at the Campbell County Clerk and Recorder's office prior to the completion of required subdivision improvements. Once the final plat is recorded, the sale of lots within the subdivision may take place.

b. Acceptable Types of Financial Guarantees

A variety of securities are considered acceptable for a financial guarantee. Acceptable types of securities include: direct payment of cash to the City, cash escrow held by the City, Irrevocable Letter of Credit, performance bond, Certificate of Deposit or other securities deemed acceptable and approved by the City Attorney.

c. Valid Period of Financial Guarantees

All financial guarantees shall be valid for a period of sixty (60) days after the plat agreement expiration date.

d. Amount of Financial Guarantee Required

The financial guarantee shall be for one hundred percent (100%) of the cost estimate as shown on the approved Addendum A. The amount shall be for one hundred percent (100%) regardless if the subdivider starts with a Recorded or Unrecorded Plat Agreement. A financial security shall be required only when a Recorded Plat Agreement is in effect.

e. Drawdowns of the Financial Guarantee

A subdivider may request a partial reduction of the posted financial security amount for a subdivision with a Recorded Plat Agreement. The subdivider has the ability to switch from an Unrecorded Plat Agreement to a Recorded Plat Agreement and utilize the ability to draw down a financial security. If a subdivider elects to utilize a Recorded Plat Agreement at the time the plat is approved by City Council, the project is eligible for two (2) drawdown requests. If the subdivider chooses to use an Unrecorded Plat

Agreement and then switch to a Recorded Plat Agreement, the project is eligible for one (1) drawdown request.

The City shall receive a new and approved financial security instrument prior to exchanging the original financial security instrument when a drawdown is requested.

f. Requirements for Drawdown

The subdivider is responsible for providing a completed Drawdown Request form, new Addendum A and a new Recorded Plat Agreement each time a drawdown is requested from the City. The City and subdivider shall execute the Recorded Plat Agreement and Addendum A shall be approved by the City Engineer prior to the City accepting the financial guarantee attesting to the new Recorded Plat Agreement.

The subdivider shall remit \$500.00 payable to the City of Gillette for each drawdown request.

The drawdown request of the subdivider is approved through City Engineering by the approval of Addendum A, and by the City Engineer and the Planning Manager. Both parties shall agree prior to a drawdown request being granted.

City Engineering shall carry out the necessary inspections and approve the installation of the completed subdivision improvements prior to a drawdown request being authorized. A new financial security instrument shall be provided prior to releasing the original financial security instrument.

The City may or may not approve a drawdown request based upon inspections, the state of subdivision construction and other appropriate factors that influence the completion of subdivision improvements in a timely manner.

The reduction allowed by the City shall be proportional and verifiable to the amount of work completed by the subdivider. At all times during the period of a Recorded Plat Agreement, there shall be a minimum of ten percent (10%) of the total amount of the estimated cost, as shown on the original Addendum A, which shall not be eligible to be released until such time as City Council gives final acceptance of the subdivision improvements.

g. Return of Financial Guarantee to Subdivider

The financial guarantee shall be returned directly to the lending institution or issuer of the security after final acceptance of the public improvements for the subdivision by City Council. The subdivider will be notified in writing when their security has been released.

h. Warranty Period for Subdivision Improvements

The Warranty Period for subdivision improvements begins on the date City Council gives final acceptance of the subdivision improvements. The warranty period is valid for two (2) years. The City Engineer shall identify any deficiency or defect upon inspection and make these deficiencies known to the developer. In accordance with the Warranty Agreement, the developer is responsible for correcting all deficiencies within the two (2) year warranty period.

ARTICLE VII: DEFINITIONS AND FIGURES

SECTION 1. PURPOSE

The purpose of this Article is to provide definitions and figures that will promote consistency and precision in the interpretation of this ordinance. The meanings and construction of words as set forth shall apply throughout this ordinance, unless where modified in a specific section or where the context of such words or phrases clearly indicates a different meaning or construction.

SECTION 2. INTERPRETATIONS OF LANGUAGE

The following general rules of construction apply to the text of this ordinance:

a. Headings. Section and subsection headings contained herein are provided for illustrative purposes only and shall not be deemed to limit, govern, modify or otherwise affect the scope, meaning or intent of any provision of this ordinance.

b. Illustrations. In the case of any real or apparent conflict between the text of this ordinance and any illustration explaining the text, the text shall apply.

c. Shall and may. "Shall" is mandatory. "May" is discretionary.

d. Tenses and numbers. Words used in the present tense include the future tense. Words used in the singular include the plural, and the plural the singular, unless the context clearly indicates the contrary.

e. Conjunctions. Unless the context clearly indicates the contrary, the following conjunctions shall be interpreted as follows:

(1) "And" indicates that all connected items or provisions apply.

(2) "Or" indicates that the connected items or provisions may apply singly or in any combination.

(3) "Either ... or" indicates that the connected items or provisions shall apply singly but not in combination.

f. Referenced agencies. Unless otherwise indicated, all public officials, bodies and agencies referred to in this ordinance are those of the City of Gillette.

SECTION 3. INTERPRETATION STANDARDS

Interpretation of Subdivision Regulations. The Planning Division has the authority to determine the interpretation or usage of terms and processes used in this ordinance. An appeal of an interpretation made by the division shall be to the City Council.

Undefined Term. The Planning Division has the authority to provide the definition for a term where it is not defined in this ordinance. An appeal of a definition provided by the division shall be to the City Council.

Meaning and Intent. All provisions, terms, phrases and expressions contained in this ordinance shall be construed according the ordinance's stated purpose and intent.

Technical and Nontechnical Terms. Words and phrases not otherwise defined in this ordinance shall be construed according to the common and approved usage of the language; but technical terms, words and phrases not otherwise defined in this

ordinance that may have acquired a particular and appropriate meaning in law shall be construed and understood according to such meaning.

References to Other Regulations or Publications. Whenever a reference is made to a statute, ordinance, resolution, regulation, standard or document, it shall be construed to be the most recent edition of such statute, ordinance, resolution, regulation, standard or document.

Computation of Time. References to days are calendar days unless otherwise specified.

Delegation of Authority. Any act authorized by this ordinance to be carried out by a specific official of the City may be carried out by a designee of such official.

SECTION 4. CLARITY OF DEFINITIONS

For the purposes of this ordinance, certain terms and words are hereby defined. Certain sections contain definitions which are additional to those listed here. Where terms are not specifically defined, their ordinarily accepted meaning or meanings implied by their context shall apply. The Director, or designee, has the authority to clarify the meaning of a word or words as used in the context of these Subdivision Regulations.

SECTION 5. DEFINITIONS OF SPECIFIC WORDS

ABUT. Adjoining, bordering, touching or contiguous. If two (2) lots are separated by a right-of-way, those lots shall not be deemed abutting.

ADDENDUM A. A document attached to the plat agreement, and reviewed and approved by City Engineering, which shows the quantities and costs of all subdivision improvements.

ADJACENT. Nearby, but not necessarily touching or abutting. If two (2) lots are separated by a right-of-way, those lots shall be deemed adjacent.

ADMINISTRATIVE PLAT. The adjusting of an interior lot line between two (2) lots, or the combining of two (2) lots into one, with review and consideration for approval conducted by City staff.

AFFIDAVIT OF CORRECTION. A legal document prepared by a Wyoming Registered Land Surveyor which allows for minor changes to a recorded plat, including erasures, modifications to the legal description, survey data, notes, curve data, easements and plat dedication.

AGENT. One who represents the subdivider. It may be a person, firm or company.

ALLEY. A public or private right-of-way between rear or side property lines, which provides access to adjacent properties.

APPEAL. A process for requesting a review of a decision, determination, order or failure to act pursuant to the terms of this ordinance.

BLOCK. A parcel of land entirely surrounded by streets, streams, railroad rights-of-way, parks or adjacent property outside the subdivision, or by a combination thereof.

BLOCK FACE. One side of a block.

BLOCK LENGTH. The distance between intersections of through streets, such distance being measured parallel to the longest street bounding the block and from right-of-way line to right-of-way line of the two intersecting streets.

BOUNDARY CLOSURE. The connection of the outer platted subdivision boundary which meets an allowable range of error.

BUILDING PERMIT. The authorization by a building official of the City of Gillette to build structures under the provisions of building codes adopted by City Council, or as amended, or other applicable City ordinances.

CERTIFICATE OF OCCUPANCY. A certificate which must be obtained prior to the occupancy of any premises.

CITY ADMINISTRATOR. The City Administrator for the City of Gillette, Wyoming, or the City Administrator's designated representative.

CITY COUNCIL. The governing body of the City of Gillette, Wyoming.

COMPREHENSIVE PLAN. The guiding land use document adopted by the Gillette City Council, as provided by law, for the physical development of the City of Gillette and surrounding area. The term includes any unit or component part of such plan and any amendment to such plan or part thereof when adopted.

COUNTY. Campbell County, Wyoming.

COUNTY COMMISSION. The governing body of Campbell County, Wyoming.

CROSSWALK WAY. A public right-of-way between property lines, which provides pedestrian access but no vehicular access to adjacent properties.

CUL-DE-SAC. A street having only one (1) outlet and being terminated by a vehicle turnaround at its other end.

CURB CUT. The opening along the curb line at which point vehicles may enter or leave a roadway.

DEDICATION. The transfer in ownership of a lot, parcel, tract or right-of-way to the City of Gillette or other public entity. The transfer is completed by a final plat or a separate written instrument. The act of dedicating is completed by formal acceptance by City Council.

DEPARTMENT. The Department of Engineering and Development Services. The Department Divisions are Planning, Building Inspection and Engineering.

DEVELOPER. See "SUBDIVIDER."

DEVELOPMENT. The act of installing site improvements and building structures.

DIRECTOR. The Director of Engineering and Development Services, or the Director's designated representative.

DRAINAGE EASEMENT. A land area designated on a final plat and set aside to accommodate the calculated and approved flow or storage of storm waters and kept free of all structures or other impediments.

DRAWDOWN. A partial reduction of the financial security amount required for subdivision improvements. Drawdowns are only allowed after a portion of the subdivision improvements have been completed and inspected by City staff.

EASEMENT. A grant by the owner of the property which allows the use of a strip or piece of land by others for specific purposes.

ELECTRICAL PERMIT TO CONSTRUCT. The authorization by the City Electrical Engineering Division to commence construction of subdivision electrical improvements according to approved plans and specifications.

ENCUMBRANCE. A mortgage or other lien of record securing or evidencing indebtedness and affecting land to be subdivided, including liens for labor and materials. Taxes and assessments levied by a public authority are not an encumbrance, except such taxes and assessments as may be delinquent.

ENGINEER. A licensed, professional engineer registered within the State of Wyoming.

ENGINEERING PLANS. The drawings on which the proposed subdivision improvements are shown and which, if approved, will be used for construction of the improvements.

EPLANS. The City of Gillette's required electronic review system for all development applications.

FEMA. Federal Emergency Management Agency.

FINAL PLAT. The final map or drawing on which the subdivision plat is submitted to the City for final approval.

FINANCIAL GUARANTEE. The surety bond, cash, escrow account, Letter of Credit or any other legal financial instrument approved by the City Attorney to secure promises made by the subdivider to complete subdivision improvements as indicated in a Recorded Plat Agreement.

FLAG LOT. A lot that is shaped in a manner that looks like a pole with a flag attached. A flag lot normally is intended to have a structure placed on that part of the lot which is the flag portion.

FLOOD. A general and temporary condition of partial or complete inundation of two (2) or more acres of normally dry land or of two (2) or more properties from overflow of inland or tidal waters, from unusual and rapid accumulation or runoff of surface waters from any source, or from mudflow, or as defined by the current FEMA definition.

FLOOD, 100 YEAR. The flooding event that has a one percent (1%) chance of being equaled or exceeded in a particular location in any given year, or as defined by the current FEMA definition.

FLOODPLAIN (FLOOD-PRONE AREA). Any land susceptible to being inundated by water from any source, or as defined by the current FEMA definition.

FLOODWAY. The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without causing any cumulative increase in the water surface elevation, or as defined by the current FEMA definition. The floodway is intended to carry the dangerous and fast-moving water.

GATED SUBDIVISION. A subdivision characterized by a controlled entrance for vehicles, bicycles and pedestrians.

HOMEOWNERS' ASSOCIATION. A legal entity involving agreement among property owners for certain rights and privileges for the use of land within a particular subdivision. Homeowners' Associations usually address the joint use of open space, common areas, sidewalks, recreational facilities, private utilities, driveways, and private streets, but may also address many other items associated with living within a particular subdivision.

IMPROVEMENTS. All types of installed, physical features such as streets, curbs, gutters, sidewalks, bicycle ways, bicycle paths, water mains, sanitary sewers, electrical lines and equipment, storm sewers, storm drainage structures, grading, street signs, structures, landscaping and other items for the welfare of the property owners and the general public.

INTERIM ACCEPTANCE. The administrative action by the City Engineer which approves the grading and the installation of water, sanitary sewer and curb and gutter for residential subdivisions. For all other types of subdivisions, curb and gutter are not part of interim acceptance. Interim acceptance is required as part of a Recorded Plat Agreement in order to obtain a building permit for construction. Interim acceptance does not constitute final acceptance, ownership or maintenance of the subdivision improvements by the City.

JOINT JURISDICTION AREA. The area measured one (1) mile from the current city limits in which subdivisions are reviewed and approved by the City of Gillette City Council and the Campbell County Commissioners.

LINK. A roadway section between intersections.

LOT. A portion of a subdivision or other parcel of land intended for transfer of ownership or for building development. A lot is the basic unit of a subdivision plat or the smallest division of land owned by someone within a subdivision. Refer to Figure 2 of this Article for visual descriptions of lot types.

LOT OF RECORD. Except as may be defined otherwise by State Statute, a lot, parcel or tract of land designated on a plat, survey or deed, and recorded at the office of the County Clerk and Recorder.

MAJOR SUBDIVISION. A division of land that is not approved under the Administrative Plat or Minor Subdivision procedures, creates more than ten (10) new lots from any single or multiple parcels, tracts, or lots, or requires the development or extension of public improvements.

MINOR SUBDIVISION. A division of land that adjusts the lot lines of more than two (2) lots without creating additional lots, combines more than two (2) lots into one (1) lot, combines two (2) or more lots into multiple lots, or creates no more than ten (10) new lots from any single or multiple parcels, tracts, or lots.

MITIGATION OF HAZARD. Any sustained action taken to reduce or eliminate long-term risk to people and property from hazards and their effects. Mitigation to moderate or lessen potential significant impacts can be accomplished by specific design changes or commitments, restoration efforts, offsetting measures, timing of actions, or planning and development commitments.

MUNICIPAL OR MUNICIPALITY. The City of Gillette and, where appropriate to the context, that area lying within the corporate limits of the City.

NODE. A roadway intersection.

OFF-SITE. Any premises not located within the property being subdivided, whether or not in the same ownership of the developer for subdivision approval.

PERMIT TO CONSTRUCT. The authorization by the City Engineer to commence construction of subdivision improvements according to approved plans and specifications.

PLANNING COMMISSION OR COMMISSION. The City Planning Commission of the City of Gillette.

PLAT AGREEMENT. A legally binding document which provides for the installation of all subdivision improvements by the developer in a specified time period. It is also known as an Unrecorded Plat Agreement or a Recorded Plat Agreement.

PRELIMINARY PLAT. The preliminary map or drawing on which the proposed layout of a subdivision is submitted to the City for consideration and tentative approval. The purpose of a preliminary plat is to determine if the proposed subdivision is functional for water, sanitary sewer, drainage, streets, parks, electrical services and other utilities.

PUBLIC. Anything held for the use and benefit of all people.

RESIDENTIAL ZONING DISTRICT. A zoning district which allows residential uses as a permitted use. Residential uses in a residential zoning district are also known to be allowed as a use by right.

RESUBDIVISION. Any amendment to an already approved and recorded plat, except for the correction to any drafting or surveying errors. The process of creating a resubdivision is known as replatting.

RIGHT-OF-WAY. A strip of land dedicated for public use.

ROADWAY. The portion of a street available for vehicular traffic. Where curbs are installed, the portion between the top of curb on one side of the street and the top of curb on the opposite side of the street.

SELL. The sale, contract to sell, lease, assignment, auction, award by lottery or any offer or solicitations of any offer to do any of the foregoing, concerning a subdivision or any part of a subdivision.

SERVICE LINE AGREEMENT. A legally binding document which provides for the installation, removal or relocation of service lines.

SIDEWALK. The portion of a street right-of-way constructed with concrete and intended for pedestrian use only.

SIDEWALK AGREEMENT. A legally binding document which provides for the installation of all required sidewalks.

SKETCH PLAT. The conceptual map or drawing on which the proposed layout of a subdivision is submitted to the City for review and feedback before time and resources are used by the applicant to prepare a preliminary plat.

STOP WORK ORDER. An order issued by the City Engineer, Chief Building Official or the Director requiring the immediate cessation of all or a specified portion of work being performed on subdivision improvements or any part thereof.

STORMWATER POLLUTION PREVENTION PLAN. A professional document containing three (3) basic components, including an Erosion and Sediment Control Plan for the temporary construction period, a Water Quality Control Plan describing the permanent water treatment measures, and a Water Quantity Control Plan describing the permanent peak flow and volume control measures.

STREET. A public right-of-way which provides vehicular and pedestrian access to adjacent properties.

STREET, ARTERIAL. A public street of considerable continuity and traffic carrying capacity connecting the various parts of the City, as shown on the adopted Transportation Plan.

STREET, LOCAL. A public street which affords primary access to abutting, private properties.

STREET, COLLECTOR. A public street, as designated by the City Engineer, which collects traffic from local streets and carries it to an arterial street or highway, as shown on the adopted Transportation Plan.

STREET, PRIVATE. Any privately owned street, drive, or roadway which provides vehicular and pedestrian access to adjacent properties as allowed in the City of Gillette Engineering Design and Construction Standards.

STREET, LOCAL THROUGH. A public street, as designated by the City Engineer, which collects a limited amount of traffic from residential streets and carries it to a primary collector, arterial street or highway.

STREET CONNECTIVITY INDEX. An index which shows the extent that a street system has multiple routes and connections serving the same origins and destinations. It is calculated by dividing the number of links, otherwise known as roadway sections between intersections, by the number of nodes, otherwise known as roadway intersections. Cul-de-sacs are included in this calculation. A cul-de-sac has one (1) link and two (2) nodes. The end of a stub out street which is intended for future development and the intersection of a street with only a stub out do not constitute a node or intersection for the purposes of determining Street Connectivity Index.

SUBDIVIDE. The act of creating a subdivision.

SUBDIVIDER. The applicant or owner of a subdivision. The subdivider is also known as the developer. The subdivider may be an individual, company, corporation, partnership or any other legal entity initiating proceedings under these regulations to create a subdivision of land as herein defined.

SUBDIVISION. The division of a lot, tract, parcel or other unit of land into two (2) or more lots for the immediate or future purpose of sale, building development or redevelopment, for residential, industrial, commercial or public uses. The word "subdivide," or any derivative thereof, shall have reference to the term subdivision, including mobile home courts, the creation of which constitutes a subdivision of land.

SUBDIVISION AGREEMENT. See "PLAT AGREEMENT."

SUBDIVISION IMPROVEMENTS. Streets, sidewalks, utilities and other facilities required by these regulations which are proposed for maintenance, either by the City or by a private entity.

SUBDIVISION JURISDICTION. All land located in the corporate limits of the City of Gillette and its extraterritorial jurisdiction as defined by State Statutes, and not located within the corporate limits of any other municipality or within the subdivision jurisdiction of any other municipality having a planning commission.

SUBDIVISION PHASE. Part of a Major Subdivision which is divided into buildable areas, and which part can function on its own in relation to water, sanitary sewer, streets and drainage.

SURVEYOR. A registered land surveyor in the State of Wyoming.

TRACT. A parcel of land normally larger than a lot within a subdivision and which is intended for public dedication or future subdividing. A tract is given a letter designation which carries through consecutively with all phases of a subdivision.

UTILITY EASEMENT ENCROACHMENT AGREEMENT. A legally binding document which allows for improvements to be placed within a utility easement. The agreement neither applies to permanent structures nor structures within a drainage easement. This type of agreement is used when issuing a permit for a fence or shed on skids that is to be located within a utility easement.

VACATE. A request to eliminate a recorded easement, right-of-way or plat, or portion thereof.

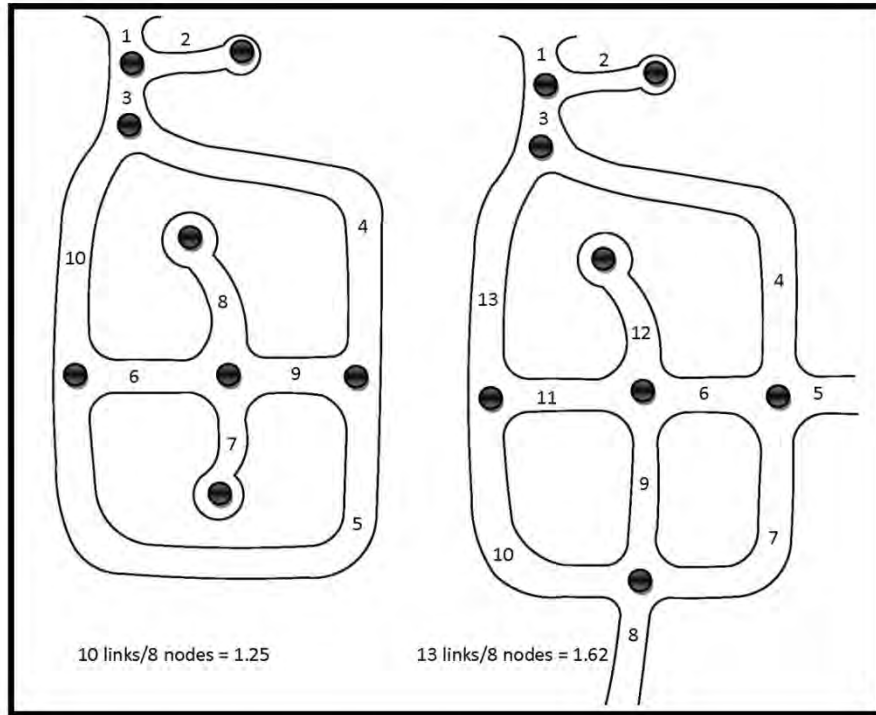
VARIANCE. A procedure by which requirements may be modified for the development of property under the Subdivision Regulations, so long as certain requirements and circumstances pertaining to the land are met as indicated by the ordinance.

WETLAND. An area that meets the conditions identified in the “Federal Manual for Identifying and Delineating Jurisdictional Wetlands,” dated January, 1987, or subsequent revisions.

ZONING ORDINANCE. The City of Gillette Zoning Ordinance as duly approved and adopted by the Gillette City Council.

ZONING PERMIT. A permit issued by the Planning Division which authorizes an applicant’s proposal for construction that meets all provisions of the City Zoning Ordinance.

Figure 1
Street Connectivity



Map illustrating street segments (also known as links, shown as numbers) and intersections (also known as nodes, shown as ●) with the calculated street connectivity index.

Legend:

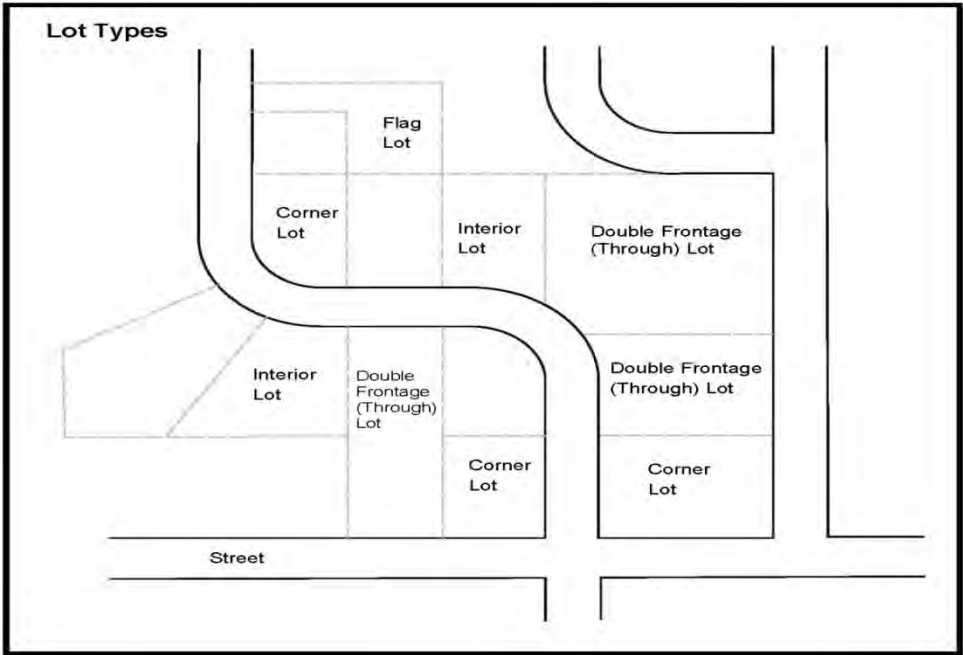
1,2,3 etc. = Links or sections

● = Node or intersection

The street layout on the left has a lower street connectivity index as compared to the street layout shown on the right.

Figure 2

Lot Types



PASSED, APPROVED AND ADOPTED this 20th day of June, 2011.

Tom Murphy, Mayor

(S E A L)

ATTEST:

Karlene Abelseth, City Clerk

Published: