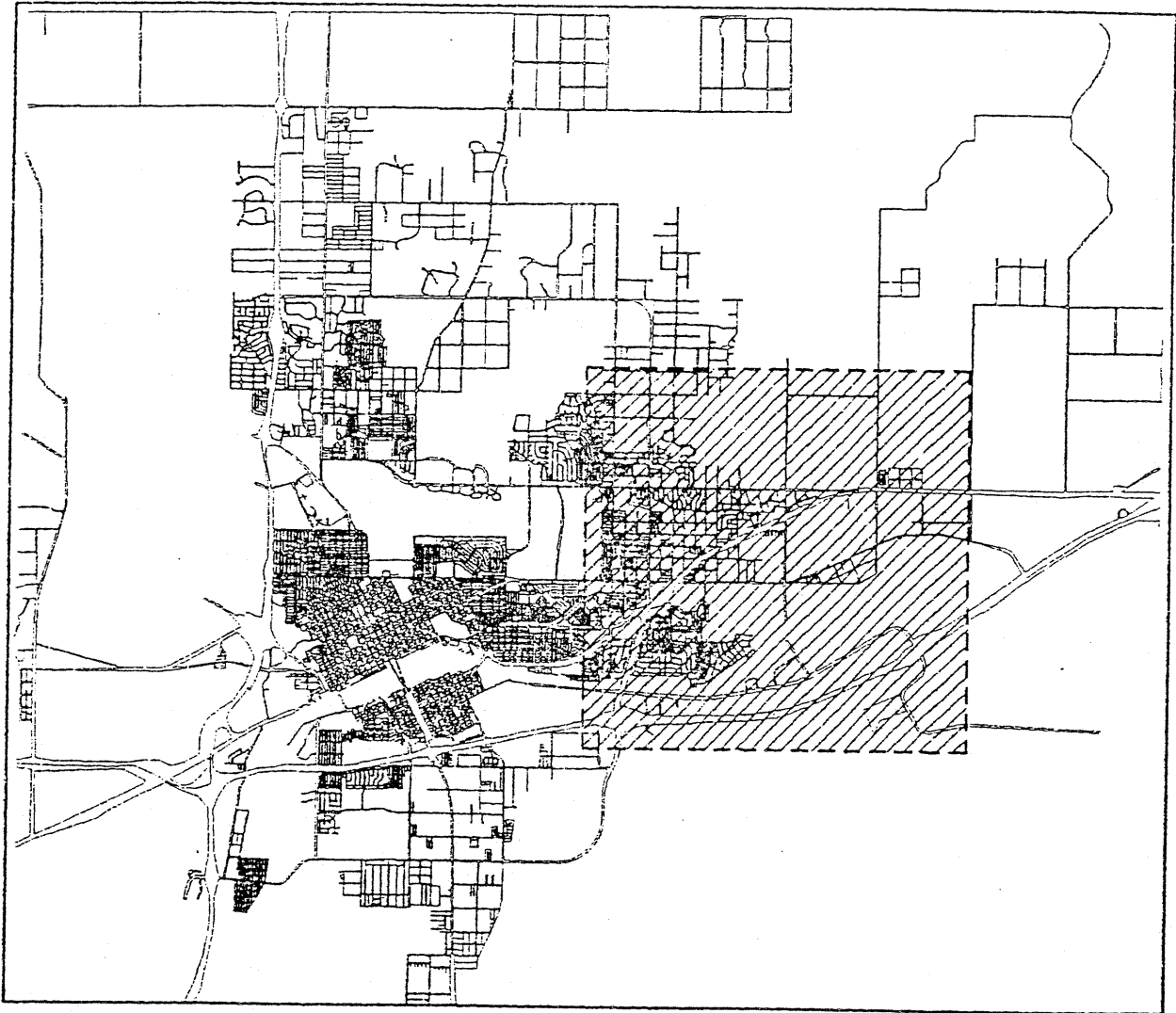


# EAST CHEYENNE INFRASTRUCTURE IMPROVEMENT PLAN



BenchMark of Cheyenne, PC  
EDAW, Inc.

Prepared for the



Cheyenne Area Transportation Planning Process  
2101 O'Neil Avenue Cheyenne, WY 82001

JANUARY, 1998

# East Cheyenne Infrastructure Improvement Plan

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# Chapter I

## Introduction

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## CHAPTER I - INTRODUCTION

### **The Purpose of the Plan**

The purpose of the study is to develop the vision for East Cheyenne as a part of a 10-year action plan. The purpose of the action plan is to improve identified problems and create the desired climate for the development and redevelopment of the study area.

### **Description of the Study Area**

The Study Area includes the eastern portion of the Cheyenne urbanized area, as indicated in Map 1-1. The Study Area includes many types of development, including portions which have been annexed into the City of Cheyenne. The estimated population of the Study Area in 1990 was 13,653, and the area is approximately 16.12 square miles. The Union Pacific Railroad and Interstate Highway 80 both cross the southern part of the Study Area, and much of the area between the two is the LEADS Industrial Park.

Map 1-2 indicates the location of the City Limits, and the public facilities located in the area. It also indicates the "county islands" which are areas that are in the county that are surrounded by land that is in the City of Cheyenne.

### **Background**

In 1982, the City of Cheyenne adopted a report from the Cheyenne Area Development Committee entitled City of Cheyenne Annexation Policies. The Policies identified four annexation priority areas -- three of which were on the east edge of the City. The Policies indicated:

"Growth in this area has been erratic due to land development difficulties, inconsistent zoning enforcement, varying of densities without concern for levels of public services available and a lack of area-specific development policies. As indicated earlier, the infill pockets pose problems for providing services to City residents, creating health and safety problems regarding drainage considerations on the east side of the City." (p. 29)

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In 1994, the City discussed a major annexation program which included most of the developed area around the City. The undertaking was rebuffed by the affected citizens and the County Commission.

In 1995, the Legislature approved a moratorium on annexations until a new Statute could be enacted, and in 1997 a new law was approved which amended the procedures for annexations. The 1997 Legislature also approved a new law requiring more thorough analyses of proposed rural subdivisions.

The East Cheyenne Infrastructure Improvement Plan was undertaken in late 1996 to develop an action plan for the east Cheyenne area. The purpose was not to deal with the annexation issue, but rather to determine the recommended actions to create the best climate for the development and redevelopment of the area.

At the first meeting of the Steering Committee, there were no representatives present from outside the City Limits. As a result, an additional effort was made to recruit interested and influential representatives of the County. The effort was successful, and it was learned after several meetings of the Steering Committee that there were strong feelings about several planning and annexation items which are summarized as follows:

- They do not desire "improvements" designed to meet future annexation requirements.
- The flood plain should be studied in light of changes resulting from the greenway and other land developments.
- No additional high-density or medium-density development should be indicated on the land-use plan.
- Existing residents and property owners in the County should not be required to pay for the extension of City sewer, water, curb, gutter or streets for the benefit of areas to be developed in the future.

- 
- Future development should not negatively affect current residents of the County.
  - Surface runoff from new developments should not have a negative effect on current residents.

Residents of the County, whose properties were in place at the time of approval of the plan, should not be forced to conform to City standards regarding improvements already in place, types of animals kept, tall grass, or other changes in lifestyle. They also desire that they not be prevented from repairing, maintaining, reconstructing or replacing existing buildings.

## **The Planning and Public Involvement Process**

The Cheyenne Area Transportation Planning Process (ChATPP) retained the engineering firm of BENCHMARK OF CHEYENNE, PC, with assistance from EDAW, Inc., a planning and landscape architecture firm, to prepare the plan. The process involved (1) preparing a vision of what East Cheyenne should be in the future, (2) determining what types of land uses and public amenities are desirable, (3) identifying existing problems, (4) determining the infrastructure needs of the study area to support the proposed land uses, and (5) identifying specific projects that are needed to provide a high quality of life for existing and future residents.

The involvement of citizens in the Study Area was an important part of developing the East Cheyenne Infrastructure Improvement Plan. A Steering Committee with representation from both the City and County sections of the Study Area met eight times with the consulting team to discuss the important aspects of the Study. The members of the Steering Committee members are:

- Mr. Stephen T. Alyea (*Regional Planning Commission*)
- Mr. Joe Bonds (*City Council, Ward III*)
- Mr. Tom Bonds (*Director, City Planning*)
- Mr. Bruce Brinkman
- Mr. C. J. Brown (*City Council, Ward III*)
- Dr. Jean Cotton, D.V.M.
- Mr. John Hayes
- Mr. Pete Inniss (*County Planner*)
- Mr. Tom Mason (*Director, ChATPP*)

- 
- Mr. Ed Murray
  - Mr. Brad Oberg (*Planning Director for LCSD #1*)
  - Mr. Don Pierson (*City Council, Ward III*)
  - Mr. Tony Rameriz (*Community Development Director*)
  - Mrs. Sandy Rounds
  - Mr. Bill Smith
  - Mr. Robert Whitney
  - Mr. Dave Young

In addition to the involvement of the Steering Committee, two public meetings were held in the Study Area during the preparation of the Plan. Both were held at East High School. The first was on April 24, 1997, and approximately 50 persons attended. The second was on December 2, 1997, and approximately 35 persons attended. Both meetings lasted approximately two hours and included a presentation by the consultants followed by questions and discussion by those in attendance.

## **Acronyms, Abbreviations and Definitions**

An explanation of acronyms and abbreviations is included as Appendix A, and definitions are included in Appendix B.

## **Related Plans, Studies and Reports**

Numerous planning studies have been completed in recent years which include all or a part of the Study Area. These studies were considered in developing this Plan, and several of them are discussed in more detail in the following chapters of this Report.

Several other documents were used in determining the Plan. These include:

The 201 Facilities Plan Final Report (1982)

The City of Cheyenne Annexation Policies (1982)

The Subdivision Regulations, (1979, updated 1990)

The Cheyenne And Laramie County Zoning Ordinance, 1988

The Road, Street & Site, Planning and Design Standards,

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(1990)

Cheyenne Area Development Plan, An Update, 1992

Enrolled Act No. 65, 1997 General Session, An Act relating to annexation by cities and towns, Approved 2-28-97.

Enrolled Act No. 110, 1997 General Session, An act relating to real estate subdivisions, Approved 3-4-97.

Procedures for DEQ Review of Subdivision Applications. Subdivision Information Requirements for Evaluation of the Adequacy and Safety of Proposed Water and Sewer Systems. Individual On-Site Domestic Drinking Water Systems. Wyoming Department of Environmental Quality, July, 1997.

Designation of Agricultural and Non-agricultural Lands for Ad Valorem Taxation, Chapter 10, Regular Rules, Laramie County Assessor, October 4, 1995.

# **East Cheyenne Infrastructure Improvement Plan**

**Prepared for the**



Cheyenne Area Transportation Planning Process  
2101 O'Neil Avenue Cheyenne, WY 82001

**Prepared by**

**BENCHMARK OF CHEYENNE, P.C.**  
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240 E. Mountain Ave.  
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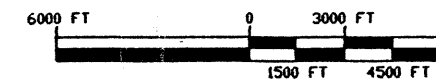
**January**  
**1998**

# STUDY AREA LOCATION

MAP 1.1

## LEGEND

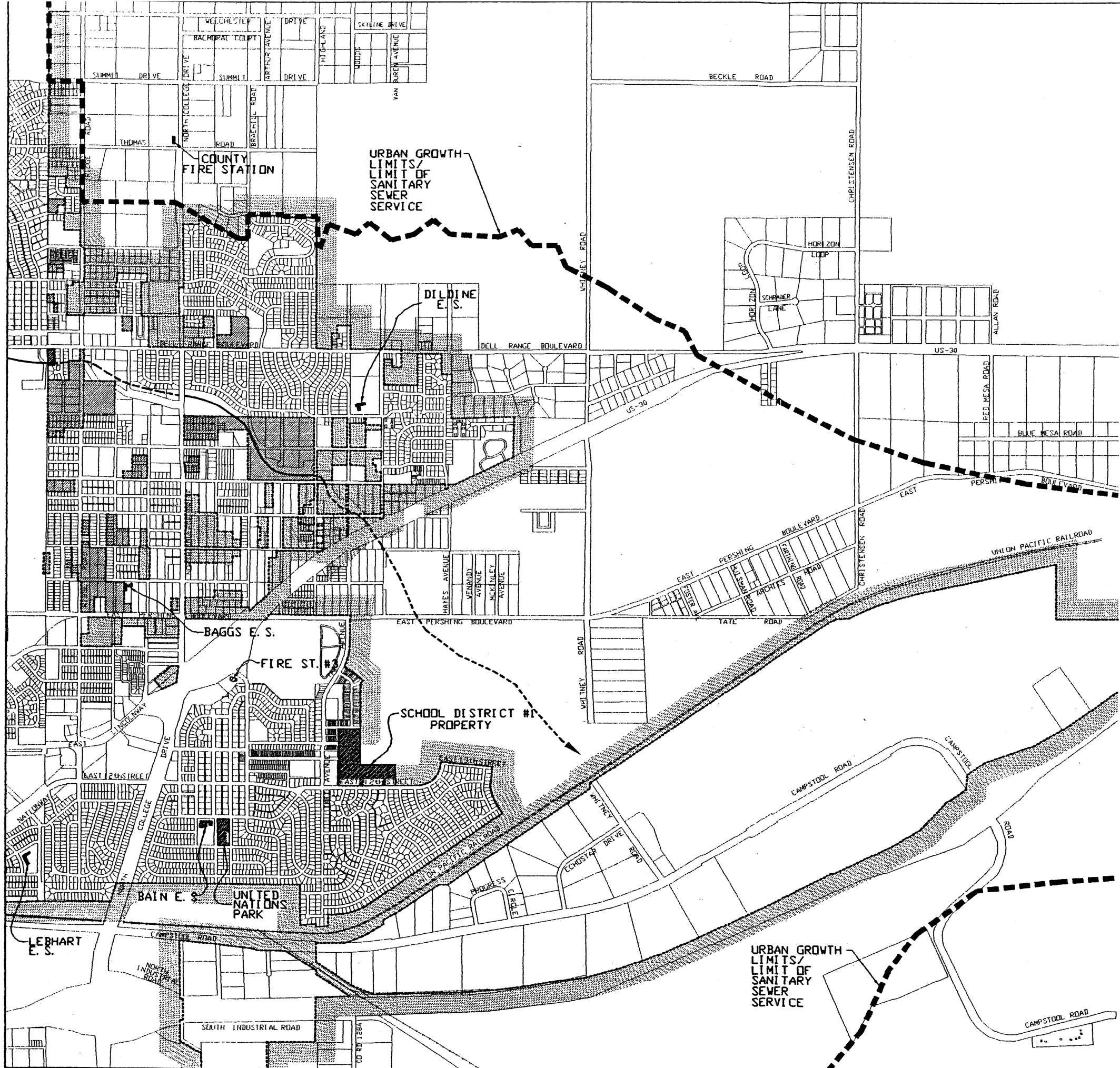
STUDY AREA 



## EAST CHEYENNE INFRASTRUCTURE IMPROVEMENT PLAN

BENCHMARK  
Of Cheyenne, P.C.  
EDAW, Inc.  
January 1997

Cheyenne Area  
Transportation  
Planning Process  
(CHATPP)

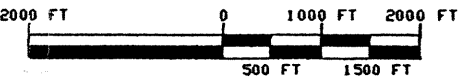


# STUDY AREA

MAP 1.2

## LEGEND

- CITY LIMITS
- URBAN GROWTH LIMITS/LIMITS OF SANITARY SEWER SERVICE
- GREENWAY
- PROPOSED GREENWAY



# EAST CHEYENNE INFRASTRUCTURE IMPROVEMENT PLAN

BENCHMARK  
Of Cheyenne, P.C.  
EDAW, Inc.  
July 1997

Cheyenne Area  
Transportation  
Planning Process  
(CHATPP)

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## Chapter II

### Inventory of Existing Conditions

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## CHAPTER II - THE EXISTING CONDITIONS

This chapter describes the jurisdictional boundaries, zoning, land uses and infrastructure systems that exist in east Cheyenne.

### **Jurisdictional Boundaries**

All of the land area within the study area is within Laramie County. As new urban density developments occurred, Cheyenne expanded to the east, surrounding many county islands with lands that have been annexed to the City. This has created a situation where along a street one may encounter city and county lands alternately, and with this, differing road construction standards, road maintenance agencies and land use regulations. The provision of community services, such as utilities and emergency services is also checker-board in these areas, requiring that both the City and the County provide nearby law enforcement, fire and medical emergency stations. The Rural Electric Association (REA) provides electricity to the county parcels, while Cheyenne Light Fuel & Power provides electricity to annexed lands.

Even though joint service agreements have been developed in some situations, the mix of city and county lands creates confusion at times. This is readily apparent in the provision of fire protection services for a structural fire, because specific equipment needs to be sent to the fire depending upon the available water supply. For example, if a property is connected to the public water supply and has fire hydrants nearby, a hose truck is needed for a structural fire; if there is no pressurized source of water different equipment must be sent.

### **Existing Zoning**

The existing zoning districts within the study area (as of March 1997) were mapped to understand the land uses that have been approved by the City and Laramie County (see Map 2.1, Zoning), and are summarized in Table 2.1. By far, the greatest amount of land is zoned agricultural, comprising 57.5% of the study area in April of 1997. Most of the agricultural lands are located in the eastern and northern portions of the study area. These zones allow some residential uses, with AR and A-1 allowing a minimum lot size of 5 acres,

and A-2 a minimum lot size of 20 acres, except in special circumstances. Zoning districts A-1 and A-2 are allowed only in the county.

**Table 2.1, Zoning Summary**

<b>Zoning District</b>	<b>Area (acres)</b>	<b>% of Study Area</b>
A-1, Agricultural and Rural Residential	1,144	10.9
A-2, Agricultural	3,879	37.0
AR, Agricultural Residential	993	9.5
LR-1, Low Density Residential, Established	7	.1
LR-2, Low Density Residential, Developing	8	.1
MR-1, Medium Density Residential, Established	858	8.2
MR-2, Medium Density Residential, Developing	739	7.1
HR-1, High Density Residential, Established	93	.9
HR-2, High Density Residential, Developing	24	.2
NB, Neighborhood Business	9	.1
CB, Community Business	183	1.8
MUB, Mixed Use With Business Emphasis	319	3.1
LI, Light Industrial	220	2.1
HI, Heavy Industrial	1,617	15.5
PUD, Planned Unit Development	47	.4
P, Public	316	3.0
<b>Total</b>	<b>10,456</b>	<b>100.0</b>

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A large proportion of the area within the city limits is zoned medium density residential, MR-1 and MR-2 (1,597 acres), which are primarily single-family residential zones. Group day-care homes, residential accessory uses, and townhomes and duplexes are permitted if they are in conformance with the Cheyenne Area Development Plan (CADP) 1992. Offices are permitted when in conformance with the CADP, and when the building area does not exceed 3,500 square feet. The MR-1 and MR-2 zone districts specify a minimum lot size of 7,000 and 6,000 square feet, respectively, for new single-family development and typically are developed to net densities between 4 and 8 units per acre. High density residential zones (HR-1 and HR-2) are scattered through the urban area and are typically developed to densities greater than 8 dwelling units per acre. The HR zone districts allow uses such as single-family residences (minimum lot size of 5,000 square feet), group day-care homes, offices, townhomes, duplexes and apartments. A total of 15 acres in the study area is zoned LR-1 or LR-2, low density residential (less than 4 units per acre). In all, the residential land uses support a population of approximately 14,000 people (ChATPP).

Business zones (NB-Neighborhood Business, CB-Community Business, and MUB-Mixed Use with Business Emphasis) are located along arterial roadways and US-30, with the largest concentration occurring at the convergence of Nationway, Lincolnway, College Drive and US-30. The NB zone district is intended to be used for retail businesses and offices that support the needs of the nearby neighborhood. The NB zone allows uses such as retail sales (within a building), offices, child care facilities and light manufacturing that is contained within a building. Bars, liquor stores, drive-up facilities and retail sales requiring storage outdoors may be approved after public hearings. The CB zone district is intended to be used for retail business and convenience services for several neighborhoods. The CB zone allows uses such as retail and wholesale establishments (indoor and outdoor), offices, hotels and motels, restaurants, drive-up facilities, child care facilities, entertainment establishments, light manufacturing that is contained within a building, and fireworks stands (county only). Bars, liquor stores, storage parks and transportation facilities may be approved after a public hearing. The MUB

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zone district is intended for areas that are transitioning from residential uses to the business uses described above.

Heavy industrial uses (HI) occupy 1,617 acres, all within the city limits and are located mostly in the LEADS Industrial Park on Interstate 80, south of the U.P. Railroad. The HI zone district is intended for uses that should be isolated and buffered in order to protect both the community and the land use. The HI zone allows for any industrial, manufacturing, fabrication or processing uses that do not emit noxious noise, smoke, odor or dust beyond the confines of the property, and that do not emit pollutants to the soil. Other uses include uses such as railroad yards, storage parks, warehousing and wholesaling.

Other zone districts within the study area include: P-Public; LI-Light Industrial; and PUD-Planned Unit Development. These zone districts are scattered throughout the western portion of the study area. P-Public is primarily for governments building and uses, schools, open space and parks, hospitals, recreational facilities and child care facilities. The LI-Light Industrial zone is intended for environmentally controlled manufacturing or intensive employment uses, and may also have accessory commercial or office uses. The LI zone allows uses such as warehousing, wholesale distributors, retail sales, storage parks, recycling centers and any industrial manufacturing, fabrication or processing uses that do not emit noxious noise, smoke, odor or dust beyond their property, and that do not emit pollutants to the soil. The PUD zone district allows for creative design of sites to accommodate a variety of land uses.

## **Existing Land Use**

Land uses were mapped using the existing City/County land use data and modified by reviewing 1994 aerial photography of the study area. The land uses within the study area vary from east to west, with dryland agriculture and rural residential subdivisions in the east, and urban development associated with the City of Cheyenne in the west. Table 2.2 summarizes the land area associated with each land use in the study area.

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**Table 2.2 Existing Land Use Summary**

<b>Land Use</b>	<b>Area (acres)</b>	<b>% of Study Area</b>
High Density Residential - >8 units per acre *	236	2.3
Medium Density Residential - 4 to 8 units per acre *	1070	10.2
Low Density Residential - <4 units per acre to <5 acre lots	713	6.8
Very Low Density Residential - 5 acre lots or larger *	1,141	10.9
Agricultural	3,745	35.8
Open Space/Park	218	2.1
Public	100	1.0
Community Business	172	1.7
Neighborhood Business	1	0
Industrial *	210	2.0
Vacant	2,031	19.4
Undesignated (rights-of-way)	819	7.8
<b>Total</b>	<b>10,456</b>	<b>100</b>

\* Includes areas recently developed or under construction as follows: High Density Residential, 50 acres; Medium Density Residential, 94 acres; Very Low Density Residential, 313 acres; Industrial, 4 acres.

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Development projects that have recently been completed (1995 to 1997) or are currently under construction have been also shown on Map 2.2. These areas are accounted for in the acreages shown on Table 2.2, Existing Land Use Summary. As can be seen on Map 2.2, some agricultural lands have also been platted for subdivision, however there is no known development activity on these properties at this time. The approved future land uses on these parcels is shown on Map 2.1, Zoning.

The largest single land use is agriculture, with 3,745 acres (35.8% of the study area) devoted to this use. Residential uses, including high, medium, low and very-low density residential occupy 3,160 acres (30% of the study area). Very Low Density Residential subdivisions (5 acre lots or larger) account for 1,141 acres (36%) of all residential development in the study area. Medium Density Residential subdivisions (4 to 8 units per acre) account for 1,070 acres (34%). Low and Very Low Density subdivisions, are typically east of the urban density developments, but are in many places surrounded by areas that have been annexed into the city. High density residential land uses (more than 8 units per acre) are located in relatively small developments throughout the western ½ of the study area, and total 236 acres. Several of these developments are mobile home parks developed to county standards.

Of particular interest is the recent activity in High Density Residential development. Fifty acres (20%) of the total 236 acres of High Density Residential development has occurred within the last 18 months, much of which has been “affordable” or subsidized housing. At the other end of the spectrum, a large subdivision (over 300 acres) of Very Low Density Residential lots (approximately 5 acres each) was approved in August 1997 and is in the initial stages of construction, increasing the acreage of this type of land use by 27%.

Vacant lands occupy a significant proportion of the study area. The largest vacant properties are located in the LEADS Industrial Park north of Interstate 80. This project is anticipated to be developed over a 50 year time frame. Other

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smaller vacant parcels are scattered through the fringes of the urbanized area, reflecting the area's transition from a rural to a more urban land use pattern.

Several parks and open space areas are located within or adjacent to the study area including portions of Cahill (8 acres), Cheyenne Soccer Park (23 acres) and Prairie View Golf Course (90 acres). United Nations Park (3 acres), a City neighborhood park, and Dry Creek Park (40 +/- acres), a Laramie County park along Dry Creek with a trail and a frisbee golf course, are located entirely within the study area. Open space areas include detention ponds and rights-of-way along Nationway and Lincolnway, as well as a large 60 acre fenced detention pond adjacent to the U.P. rail line, immediately east of College Drive. This parcel is owned by the State of Wyoming and would be a wonderful amenity for the adjacent neighborhood if public use were allowed.

The need for additional parks, recreational facilities and open space in East Cheyenne was mentioned several times during the public input process. Using a typical neighborhood parkland standard of 2 acres per 1,000 population, East Cheyenne is short by approximately 21 acres, which translates to 2 neighborhood parks. This is based on an existing supply of 7 acres (United Nations Park and ½ of Cahill Park).

Public uses in the study area include schools (Dildine Elementary, Baggs Elementary and Bain Elementary), 2 fire stations (one county and one city), a cemetery and various public agency offices and assisted housing projects. The school district owns approximately 25 acres on East 12th Street, just beyond the city limits which is currently vacant. No schools are planned for this site in the near future, however an elementary or junior high school may be eventually needed if the area continues to grow. If the property is developed as an elementary school, approximately 10 acres could potentially be sold or used for a neighborhood park.

Commercial uses (neighborhood business and community business) are located almost exclusively along arterial roads, with the largest being Cheyenne Plaza, at the intersection of

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Lincolnway and College Drive. This development has seen a decline in recent years as several large tenants have left due to corporate restructuring. The only area classified as neighborhood business is a one-acre Mini-Mart at the northeast corner of East 12th Street and College Drive. The amount of land that has been zoned for commercial (511 acres, including mixed-use business areas) is almost three times the amount that currently exists.

Industrial uses are primarily located in the southern portion of the study area near Interstate 80, and occupy 210 acres or 2.0% of the study area.

## **Drainage**

### **Special Flood Hazard Areas**

This section summarizes the existing mapping and studies that have been performed related to storm water drainage in East Cheyenne, as well as site-specific areas of concern that were identified as part of this study.

The location of the special flood hazard area (100 year flood plain) is indicated on Map 2-3. The location of the special flood hazard area was provided by the ChATPP, and was based on a 1997 update of the Drainage Master Plan discussed later in this section. The largest drainage shown on the map is the Dry Creek drainage, which flows from northwest to southeast through the Study Area. The drainage basin to the south of Dry Creek is known as the East Lincolnway Basin.

### **Existing Storm Sewers**

The storm sewers in the area are indicated on Map 2-3. Only storm sewers 24" and larger are shown. The map includes the new storm sewer along Ridge Road which was constructed in 1997.

The City and the County have nearly identical floodplain management regulations, which are based on Federal Emergency Management Agency (FEMA) Guidelines. The City's regulations recognize both the FEMA Flood Insurance Rate Map, and the Cheyenne Floodplain Management Maps, which were prepared in 1988 by a consultant for the City. The latter indicate both the 100 year (Floodplain), and 500 year (Other Flood Areas) flood plains. There are significant

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differences between the two approaches.

The FEMA 100 year floodplain is designated as a special flood hazard area. The City and County Regulations place restrictions on development in the flood hazard area, consistent with FEMA policy. For example, a residence must have the elevation of the lowest floor at or above the base flood level.

### **Drainage Master Plan**

The City completed a Drainage Master Plan for the city in 1988. The Plan was done by CH2M Hill, of Denver, Colorado. The plan is designed to provide protection from the 100-year flood.

The Drainage Master Plan includes numerous projects in the East Cheyenne Study Area, which are listed in priority on the next two pages by basin location, improvement type, and the estimated total cost in 1988 dollars. The criteria used to determine the priorities were:

- Life-safety hazard reduction
- Property damage hazard reduction
- Construction sequencing

### **Related Improvements**

There have been three drainage-related improvement projects recently completed in the Study Area and one is underway.

The work in the vicinity of Pershing Blvd., indicated in the previous section, was completed by Laramie County. At Dry Creek, a box culvert was installed for Pershing Blvd. which has 5 - 12' openings, and a 6' rise. The box culvert replaces 7 - 36" pipe culverts. The project will affect the location of the flood plain since the size of the waterway openings was increased from 45.5 sq. ft., to about 360 sq. ft.

A detention pond was constructed in 1995 by WYDOT on the east side of Wills Road, just north of Lincolnway. The pond has a capacity of approximately 23 acre feet, and should improve the flooding situation south of it in the East Lincolnway drainage area. It may also affect the costs indicated for the East Lincolnway Basin.

### RECOMMENDED DRAINAGE IMPROVEMENTS FOR THE DRY CREEK BASIN

Location	Improvement	Total Cost
Dell Range Blvd. (Upstream of Ridge Rd.)	Add Culverts and Interim Channel Transitions	\$ 222,000.00
Ridge Road	Add Culverts	\$ 267,000.00
Rawlins Street	Replace Culverts, Raise Roadway, and Construct Floodwall	\$ 632,000.00
Upstream Pershing Blvd. **	Construct Floodwall	\$ 83,000.00
Pershing Blvd. **	Replace Culverts	\$ 279,000.00
Pershing Blvd. **	Raise Pershing Blvd.	\$ 201,000.00
North College Drive	Add Culverts and Improve Existing Channel	\$ 1,532,000.00
Upstream UPRR	Acquire Into Salvage	\$ 150,000.00
Upstream UPRR	Construct Flood Wall	\$ 241,000.00
Charles Street*	Remove Crossing	\$ 2,000.00
Channel between U.S. 30 and 1,000' Downstream of Pershing Blvd. * **	Improve Existing Channel	\$ 666,000.00
Campstool Road Downstream from UPRR*	Construct Detention Pond	\$ 350,000.00
Campstool Road (Downstream from I-80)	Add Culverts	\$ 87,000.00
Total Project Cost - East Cheyenne Study Area		\$ 4,712,000.00
Less Completed Project		\$ 1,229,000.00
Remaining Project (1988 dollars)		\$ 3,483,000.00
Inflation Factor (3% / Yr.. for 10 yrs. = 0.344)		\$ 1,198,152.00
<b>Total Estimated Cost for Drainage Improvements - Dry Creek Basin</b>		<b>\$ 4,681,152.00</b>

Source: Drainage Master Plan, Dry Creek, 1988, Table 1.

\*These improvements are all equally low priority and can be implemented based on factors other than flood hazard.

\*\* These projects or similar improvements have been completed by Laramie County.

**RECOMMENDED DRAINAGE IMPROVEMENTS FOR THE  
EAST LINCOLNWAY BASIN**

<b>Location</b>	<b>Improvement</b>	<b>Total Cost</b>
Pershing Boulevard to Holmes Street	Open Channel with 16-foot Bottom Width	\$ 297,000
Holmes Street	Double 10-foot Width by 5-foot Height RCB Culvert	\$ 70,000
Holmes Street to East Lincolnway	Open Channel with 18-foot Bottom Width	\$ 671,000
East Lincolnway	48-inch Diameter RCB Culvert	\$ 80,000
East Lincolnway to 12th Street	Open Channel with 12-foot Bottom Width and Remove Dam and Culvert	\$ 115,000
12th Street and College Drive	Quadruple 10-foot Width by 6-foot Height RCB Culvert	\$ 782,000
College Drive to the WHD Detention Pond	Open Channel with 12-foot Bottom Width	\$ 610,000
Monroe Ave. to 12th St. to WHD	New Sewers	\$ 1,138,000
Grove Drive to Pershing Blvd.	New Sewers	\$ 1,756,000
Henderson Dr. to College Dr.*	Open Channel with 20' Bottom Width	\$ 525,000
Total Project Cost - East Cheyenne Study Area		\$ 6,044,000
Inflation Factor (3% / Yr... for 10 yrs. = 0.344)		\$ 2,079,140
<b>Total Estimated Cost for Drainage Improvements - E. Lincolnway Basin</b>		<b>\$ 8,123,140</b>

Source: Drainage Master Plan, Henderson and East Lincolnway Basins, 1988, Table 7-2.

\*This project is on Henderson Mainstream. All other projects are on East Lincolnway Mainstream.

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The Union Pacific Railroad installed an additional pipe under the railroad tracks to increase the flow from the detention pond located south of Sun Valley, and east of College Drive.

A storm sewer is currently being installed along Ridge Road, north of Dell Range Blvd., as a part of the street improvement project. This improvement will not affect the Dry Creek flood plain, but it will reduce the amount of surface water along the street after storms.

### **Revision of the Special Flood Hazard Area**

The City has requested that FEMA make a study to revise the Special Flood Hazard Area along Dry Creek, and the County has also expressed an interest in a similar study. The request to FEMA was submitted through the Wyoming Emergency Management Agency (WEMA). WEMA indicated in September, 1997 that FEMA had not approved making the requested study.

### **Site Specific Concerns**

Three areas were identified as priority drainage problems in the Study Area. These areas include Sun Valley near the Bain School, Uinta Road west of Pierce Avenue, and the intersection of Ridge Road and Holmes Avenue, and the problems and suggested solutions are discussed in Chapter IV. Recommendations regarding other resident's concerns, such as that County Standards do not require adequate planning and design measures from developers, are also discussed in Chapter IV.

### **Conclusions Related to Drainage**

A drainage master plan was prepared in 1988. It indicates project priorities and approximate construction costs for both the Dry Creek and East Lincolnway Basins.

There have been drainage improvement projects initiated and/or completed since the study was completed.

There are approximately \$12,800,000 worth of drainage improvements needed in the Study Area.

The special flood hazard area needs to be updated, and the City has requested FEMA to make the necessary study.

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Drainage improvement projects can frequently be funded as a part of, and incorporated into, street improvement projects.

## **Transportation**

The purpose of this section is to review the existing transportation system in the Study Area, and discuss related transportation issues.

### **Related Studies**

The Cheyenne Area Master Transportation Plan (1994) was prepared by the Cheyenne Area Transportation Planning Process. It includes a chapter indicating the Prioritized Twenty Year Projects for transportation in the Cheyenne area.

The Twenty Year Project List was updated in the Draft Innovative Finance Analysis, Transportation Improvement Programming Process, and 1997 Project Update List Update, December 3, 1997, prepared for the ChATPP. The following tabulation indicates those projects that are in, or partially in, the Study Area. The project are listed by high, medium, and low priority, with projects shown as high priority having the greatest chance to be implemented within the next five years.

Projects that are the responsibility of the City of Cheyenne are separated from those that are the responsibility of Laramie County. A list of WYDOT projects is available from the ChATPP, but is not included in the following listings because almost all of the work consists of repairing or upgrading existing facilities.

### City of Cheyenne Transportation Projects

**H=High, M=Medium, L=Low**

Priority	Project Name & Location	Est. Cost	Potential Jurisdiction or Funding	Remarks
H	Storey Blvd. extension and construction between Sycamore and College including the reconstruction of Storey Blvd. and Powderhouse intersection	\$4,500,000	STP-U / 1% / SFLB	Only the East end is in the Study Area
H	LEADS Phase I - Includes the reconstruction of the Campstool and College Drive intersection. Joint city / County / WYDOT (Developer will fund realignment)	\$850,000	FED / STATE / CFT / 1% / * Developer	
M	Omaha Rd. reconstruction between Henderson and Ridge	\$1,000,000	1% / STP-U*	Only the east end is in the Study Area.
M	LEADS Phase II - Includes the construction of Christensen Road between I-80 to Pershing Blvd. Joint City/County/WYDOT.	\$3,500,000	FED / STATE / CFT / 1% / IR * Private	
L	LEADS Phase III - Includes Whitney Road construction between Campstool Road and Pershing Blvd. Joint City / County / WYDOT.	\$4,000,000		
L	LEADS Phase IV - Includes the widening of I-80, Campstool. Joint City / County / WYDOT	\$5,000,000		

### Laramie County Transportation Projects

H	Christensen Road construction between East Pershing and US 30	\$75,000	1%	
H	Christensen Road construction and reconstruction from US 30 to Four Mile Road. 1997.	\$500,000	SC-CFM / SFLB*	
M	Whitney Rd. construction and reconstruction between Dell Range and Beckle Road	\$125,000	1%	
M	Whitney Road, new construction from Beckle to Four Mile Road	\$100,000	1%	
M	Four Mile Road construction and reconstruction between College and Christensen.	\$150,000	1%	
M	Riding Club Road construction between Ridge and Whitney.	\$100,000	1%	
M	Dell Range Blvd. reconstruction and widening between James and US 30 (including US 30 intersection)	\$2,000,000		
L	Christensen Rd. construction and reconstruction from Four Mile to Iron Mountain	\$50,000		
L	Storey Blvd. extension and construction between College and Christensen.	\$3,000,000		
L	Hayes Rd. construction between Pershing and 12th Street		Developer	

Source: Innovative Finance Analysis, Transportation Improvement Programming Process, and 1997 Project List Update, December 3, 1997, Planning Information Corporation.

\*Acronyms are explained in Appendix A.

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The Long Range Master Plan, Cheyenne Business Parkway (1990), was developed for the industrial park located in the southern part of the Study Area between Interstate Highway 80 and the Union Pacific Railroad. The industrial park includes over 900 acres of land zoned for heavy industrial and related uses, and when fully developed is expected to provide employment for over 20,000 persons. Prior to the employment reaching the 20,000 level, major improvements in the transportation system will be needed. These improvements will include connections to the north across the UPRR at Christensen and Whitney Roads, and the widening to six lanes of sections of I-80, College Drive, and Campstool Road. The initial grade separation over the UPRR should probably be at Christensen Road due to the lower cost of construction and the direct connection to the interchange on I-80.

### **Traffic Volumes**

Traffic volumes in the Study Area are indicated in Map 2-4. It can be noted that the highest east-west volumes are on I-80 near the south edge of the Study Area, and the highest north-south volumes are on College Drive, near the west edge of the Study Area. Other major streets in the Study Area include Dell Range Blvd., Pershing Blvd., Lincolnway (U.S. 30), and Ridge Road.

### **Functional Classification**

The proposed functional classification of the streets in the Study Area is indicated in Map 2-5. In addition to the Interstate Route, it indicates the streets proposed to be classified as arterials, minor arterials, and collectors. In addition to the streets mentioned in the above paragraph, the future major street system in the Study Area includes Summit Road, Christensen Road, and Whitney Road.

### **Ridge Road**

The improvement of Ridge Road from Dell Range Blvd., north to Four Mile Road was reconstructed by the Wyoming Department of Transportation in 1997.

In the vicinity of the intersection with Summit Road, the road will be a rural section with three lanes. Just north of Summit, the road transitions back to two lanes. The road includes a water line which ends at the intersection with Summit. A fire hydrant will be installed at the southwest corner of the

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intersection. Ridge Road, in the vicinity of the intersection, is on a grade of over 3 percent, sloping to the north.

### **Extension of 12th Street**

One of the transportation issues in the Study Area concerns the future alignment of 12th Street, after it turns north in the area known as Sun Valley. A master plan prepared by the developer of the area in the late 1970's showed the alignment as extending northerly and forming the south leg of the intersection of Hayes Avenue at Pershing Blvd. The majority of this alignment is in the Dry Creek flood plain.

The current developer of Sun Valley plans to align the extension of 12th Street along the west side of the Dry Creek flood plain, and connect it to Taft Avenue, south of Pershing Blvd. An intersection location will be provided so that a street connection can be made by others to the intersection of Hayes and Pershing. This approximate location is shown on Map 2-5, the Proposed Functional Classification of Streets.

Hayes Avenue is not recommended to be a major street. North of Pershing Blvd.; it is a gravel road with a narrow right-of-way. There is also an intersection at Charles Street where the roadways do not align. North of U.S. 30, Hayes Avenue is in a residential neighborhood, and through traffic should not be encouraged in the neighborhood.

### **Traffic Accidents**

A review was made of the traffic accidents occurring in the Study Area during 1996.

The highest number of accidents, eighteen, occurred at the intersection of College Drive and 12th Street. Although there were no fatalities, 13 persons were injured. Ten of the accidents involved left-turning vehicles, and four were rear-end collisions.

The next highest number of accidents, eleven, occurred at the intersection of Lincolnway and College Drive. Five of the accidents were angle collisions, and four involved left-turning vehicles.

The third highest number of accidents, ten, occurred at the intersection of Pershing Blvd. and Ridge Road. Three of the

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accidents were rear-end collisions, and two involved left-turning vehicles.

The accident occurrences were also reviewed based on the frequency of occurrence per million vehicles through the intersection.

Location	Accidents/Million Vehicles
College & 12th	2.15
College & Lincolnway	1.88
Pershing & Ridge	1.21

### **Sidewalks**

One of the needs in the Study Area is for sidewalks or paths, particularly in the vicinity of the elementary schools (Baggs and Dildine), and along the major streets. Sidewalks or paths are relatively inexpensive, and provide for the safety of pedestrians.

### **City Overlay and Chip Seal Projects**

The City has two overlay projects and two chip seal projects scheduled in the Study Area for 1997, which are a part of its continuing street maintenance program.

#### **Overlay Projects Scheduled for 1997**

- Taft Avenue from East 12th to Copperville, 2487', 46' wide
- Cleveland Ave. from E. 6th to Lincolnway, 4837', 46' wide

#### **Chip Seal Projects Scheduled for 1997**

- East Dell Range from College to the City Limits (James Avenue)
- Van Buren from U.S. 30 to Dell Range

### **Conclusions Related to Transportation**

A prioritized listing of roadway improvement projects for the next twenty years is available from the ChATPP.

Ridge Road between Dell Range Blvd. and Four Mile Road is

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currently being reconstructed.

Laramie County is planning to improve Christensen Road from U.S. 30 north for approximately two miles in 1999. The project will be funded with a grant from the Farm Loan Board and SC-CFM funds.

The City of Cheyenne is planning to overlay and chip seal several streets in the Study Area during 1997.

The developer's plan for the extension of 12th Street is logical and should be approved. Hayes Avenue should not be developed as a major street.

The intersection of College Drive and 12th Street should be reviewed for traffic safety improvements.

As the LEADS Industrial Park develops, a new grade separation of the Union Pacific Railroad should be designed and constructed. A second grade separation structure will be needed before the employment at the industrial park reaches 20,000.

Sidewalks are needed, particularly in the vicinity of the Baggs and Dildine Elementary Schools, and along the major streets.

## **Water System**

The locations and line sizes of the public water system in the Study Area are indicated on Map 2-6.

The public water system is under the jurisdiction of the Cheyenne Board of Public Utilities (BPU). The BPU is a part of the City Government of Cheyenne, but it can and does sell water to residences and businesses in the County on a case by case basis.

## **Master Plan**

A Cheyenne Water Supply Master Plan was prepared in 1994 by the consulting firm of Black & Veatch. The Plan includes the water main needs of the east Cheyenne area. It indicates by the year 2004, 12,576' of new 20" mains will be needed at an estimated cost of \$1,132,000; and by the year 2020, an additional 39,282' of 16, 20, and 24" mains will be needed at an estimated cost of \$3,725,000. The breakdown of the Year

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2020 needs are:

16" Main	3,134'	\$ 226,000.00
20" Main	22,489'	\$2,024,000.00
24" Main	13,659'	\$1,475,000.00
<b>Total by 2020</b>	<b>39282'</b>	<b>\$3,725,000.00</b>

### **Peak and Off-Peak Conditions**

Discussions with the staff of the BPU indicate that new developments in the Study Area may require a pressure reduction valve in off-peak periods and a pump station in peak periods.

A pump station development fee (\$800) applies to Viewpoint-2nd Filing and the surrounding area (the boundaries are flexible). The Viewpoint-2nd Filing subdivision is located north of Dell Range Blvd. and east of College Drive. The BPU Policy on pump station development fees is set forth in its Resolution No. 1995-1.

### **BPU Position on Development**

The BPU staff is not aware of any major problems related to providing water service to new developments in the sewerable portion of the Study Area. (See Map 2.7)

Property owners/developers are responsible for extending existing facilities to and through their developments, and providing the needed systems within the developments.

### **Water Service Outside the City Limits**

Persons outside the City Limits of Cheyenne who desire water service must apply to the BPU for service, and be willing to sign an agreement which among other provisions requires payment of a rate 1.5 times the rate paid by in-City users. The agreement also requires consent to annexation of the property if and when the property qualifies in the future.

### **Conclusions Related to the Water System**

The Cheyenne BPU has adequate water to serve the sewerable portion of the Study Area.

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Some areas may require pressure reduction valves during off-peak periods, and pump stations during peak periods.

A pump development fee is required in the Viewpoint - 2nd Filing subdivision and the surrounding area.

Persons outside the City Limits who desire BPU water will be required to pay more than City residents, and must sign an agreement indicating a willingness to be annexed in the future.

The 1994 Master Plan estimates that approximately \$3,725,000 will be required for new water mains in East Cheyenne before the year 2020.

The cost of new water mains is the responsibility of the developer/property owner who is requesting the service.

## **Sanitary Sewer**

The existing sanitary sewer line sizes and locations in the Study Area are shown on Map 2-7.

## **Master Plans**

The Cheyenne Wastewater Treatment and Collections Systems Master Plan was prepared for the Cheyenne Board of Public Utilities (BPU) by Black & Veatch in 1995. The plan does not indicate the proposed locations of any new sewer mains. However it does indicate the boundary of the current sewer area, and the anticipated boundary in the year 2020. The anticipated boundary is not based on topography, but rather appears to be the anticipated growth area.

The Plan shows a future wastewater treatment plant to serve the Child's basin, which is located north of the Dry Creek basin. No schedule is indicated for the development of the plant.

The 201 Facilities Plan Final Report was prepared for the City of Cheyenne, the South Cheyenne Water and Sewer District, and Laramie County, by Banner Associates, Inc., in 1982. The purpose was to identify the wastewater treatment requirement for Cheyenne, South Cheyenne, and the surrounding area in Laramie County.

The Report defines the "Urban Service Area" as the general

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area within which gravity flow can deliver wastewater to the treatment plants. For areas outside this "Urban Service Area", i.e. the ranchette developments, onsite wastewater treatment processes were recommended.

### **BPU Position on Development**

The BPU has opposed bringing sanitary sewage from the Child's basin into the Dry Creek Basin, with the exception of the deep line serving the north part of Crest Ridge.

The Crow Creek Treatment Plant is at capacity, and the excess is transferred to the Dry Creek Plant.

Although the Dry Creek Plant was planned to accommodate a fully developed Dry Creek basin, expansion of the Plant at the same site (or downstream) is being contemplated in anticipation of continuing development.

Developers are responsible for extending existing facilities to and through their developments, and providing the needed systems within their developments.

### **Sewer Service Outside the City Limits**

Persons outside the City Limits of Cheyenne who desire sanitary sewer service must apply for service from the BPU, and be willing to sign an agreement which among other provisions requires payment of a rate 1.5 times the rate paid by in-City users. The agreement also requires consent to annexation of the property if and when the property qualifies in the future.

### **Conclusions Related to the Sanitary Sewer System**

The sewerable area (using gravity) based on topography is the area south of the ridge line on the north side of Dry Creek. It includes approximately 2/3 of the Study Area.

Onsite wastewater treatment processes are recommended for areas outside the sewerable area.

The potential for a wastewater treatment plant to serve the Child's Basin is remote.

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It is the intent of the BPU to provide adequate wastewater treatment capacity to serve the needs of development in the Cheyenne area.

People outside the City Limits who desire BPU sanitary sewer service will be required to pay more than City residents, and must sign an agreement indicating a willingness to be annexed in the future.

The cost of new sewer mains and service lines is the responsibility of the developer / property owner who is requesting the service.

### **Airport Proximity**

At the Second Public Meeting, there was a question about the impact of the Cheyenne Airport on the Study Area. It was indicated that the instrument approach to Runway 26 is over the area and, at times, there is significant noise related to aircraft. The question was followed-up with a written statement that there should be a moratorium on any future residential building in the corridor under the runway for 5 miles east of the runway end and 1,000 feet wide.

In June, 1992, A FAR *Part 150 Noise Exposure and Land Use Compatibility Program* was submitted by Barnard Dunkelberg & Company and Mestre Greve Associates to the Cheyenne Airport. The Program was submitted to the Federal Aviation Administration and the FAA approved all proposed action elements in the Program.

The Program included a map (on the following page) showing the Recommended Land Use Plan and Future Noise Exposure Map - 1995, which indicated the 65 and 70 Ldn contours. Neither the 65 Ldn contour nor the 70 Ldn contour extends into the East Cheyenne Study Area. According to the Program (report), the Future Noise Exposure Map contours are based on the shifting of the Runway 30 arrivals of large aircraft (commuter, corporate jet and C-130 aircraft) to Runway 08/26, along with the planned extension of that runway to the east.

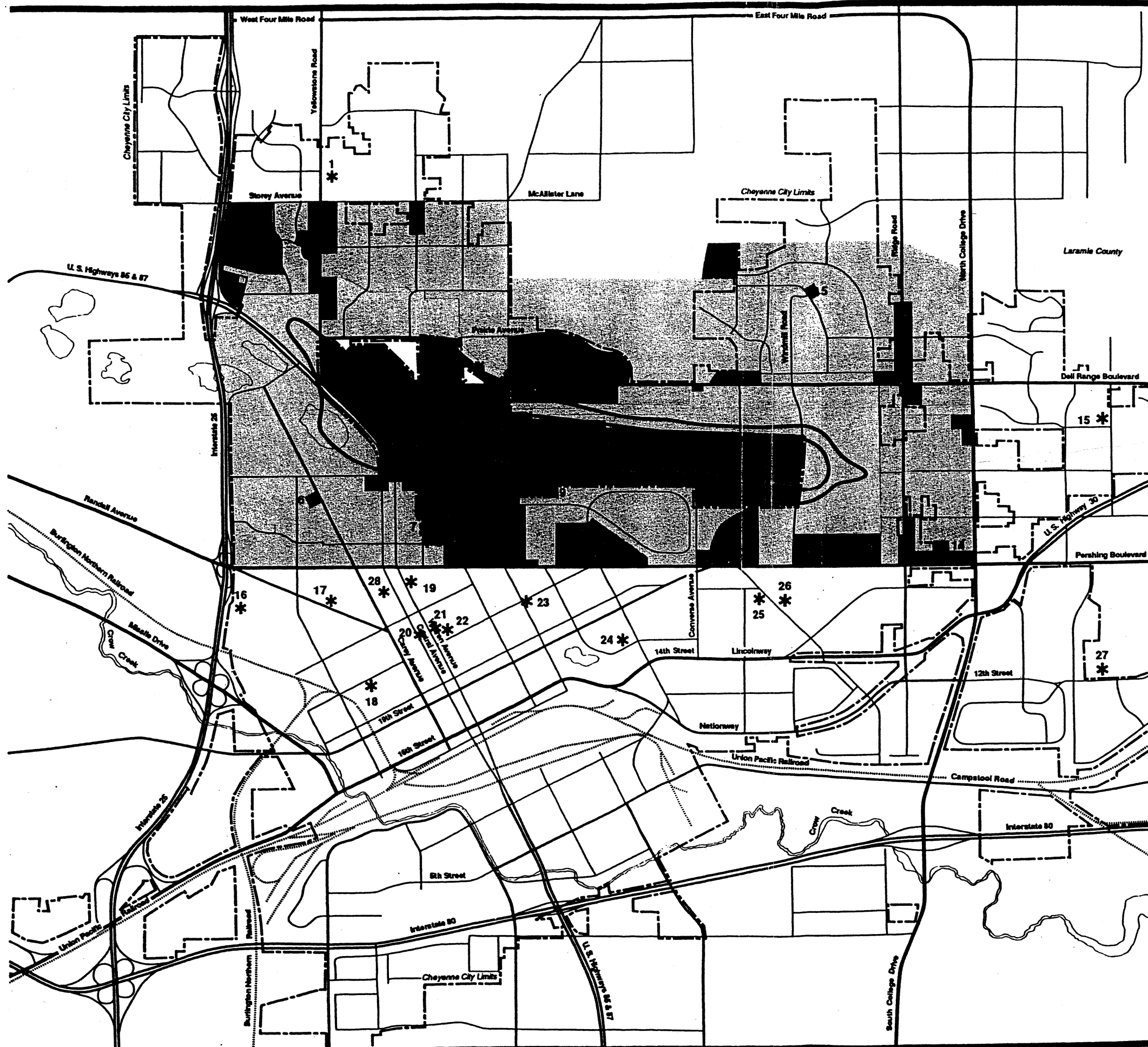


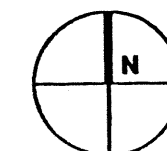
Figure G1 Recommended Land Use Plan and Future Noise Exposure Map - 1995

- Residential
- Commercial/Office
- Public
- Parks and Open Space
- Airport
- Noise Sensitive

The 65 Ldn contour contains approximately 921 acres and 2 people.  
The 70 Ldn contour contains approximately 486 acres and no people.  
Planning jurisdictions are as shown on the map.  
Noise measurement sites and flight tracks are depicted on the Noise Measurement Sites and Flight Tracks Map.  
Residential land use is defined as incompatible within the 65 Ldn contour or greater by the FAR Part 150.

The Noise Exposure Map and accompanying documentation for the Noise Exposure Map for Cheyenne Airport, submitted in accordance with FAR Part 150 with the best available information, are hereby certified as true and complete to the best of my knowledge and belief. In addition, it is hereby certified that the public was afforded the opportunity to review and comment on the document and its contents.

Signed \_\_\_\_\_ Date \_\_\_\_\_



0 1500 4500  
750 3000

SCALE IN FEET  
1" = 3000'

June, 1989

**Cheyenne Airport  
FAR Part 150 Noise Exposure and  
Land Use Compatibility Study**

**BARNARD DUNKELBERG & COMPANY  
MESTRE GREVE ASSOCIATES**

# Zoning

Map 2.1

## Legend

High Density Residential/Established HR-1

High Density Residential/Developing HR-2

Medium Density Residential/Established MR-1

Medium Density Residential/Developing MR-2

Low Density Residential/Established LR-1

Low Density Residential/Developing LR-2

Agricultural Residential AR

Agricultural and Rural Residential A-1

Agricultural A-2

Public P

Community Business CB

Mixed Use w/ Business Emphasis MUB

Neighborhood Business NB

Heavy Industrial HI

Light Industrial LI

Planned Unit Development PUD

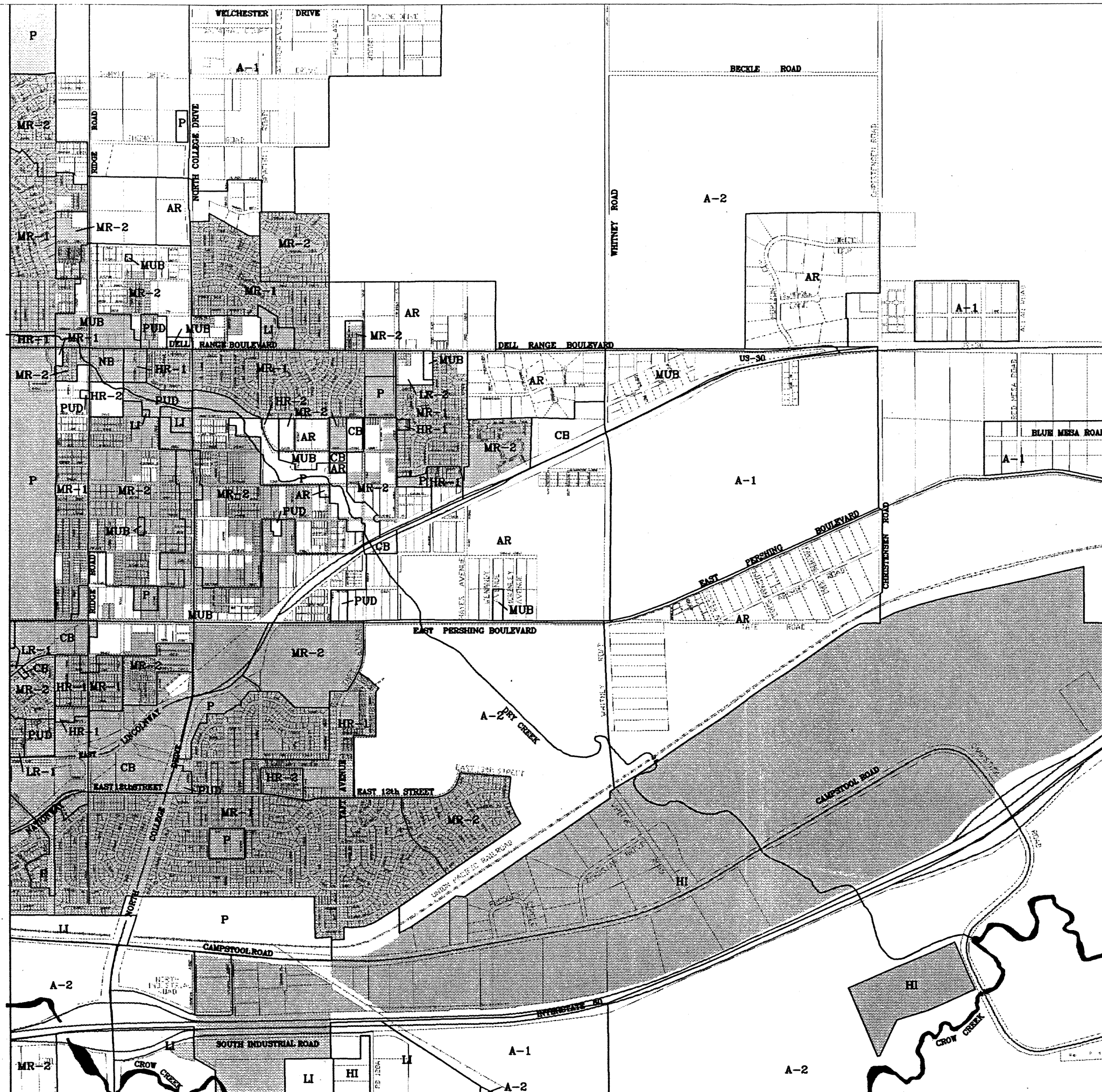
City Limits



## EAST CHEYENNE INFRASTRUCTURE IMPROVEMENT PLAN

BenchMark of  
Cheyenne, P.C.  
EDAW, Inc.  
August 1997

Cheyenne Area  
Transportation  
Planning Process  
(CHATPP)



# Existing Land Use

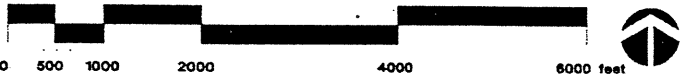
Map 2.2

## Legend

- High Density Residential
- Medium Density Residential
- Low Density Residential
- Very Low Density Residential
- Agricultural
- Open Space/Park/Golf Course
- Public
- Community Business
- Neighborhood Business
- Light Industrial and Industrial
- Vacant
- Flood Hazard Area (100-yr Flood Fringe Boundary)
- City Limits

Recently Completed or Under Construction (9-25-97 Per City and County Development Offices)

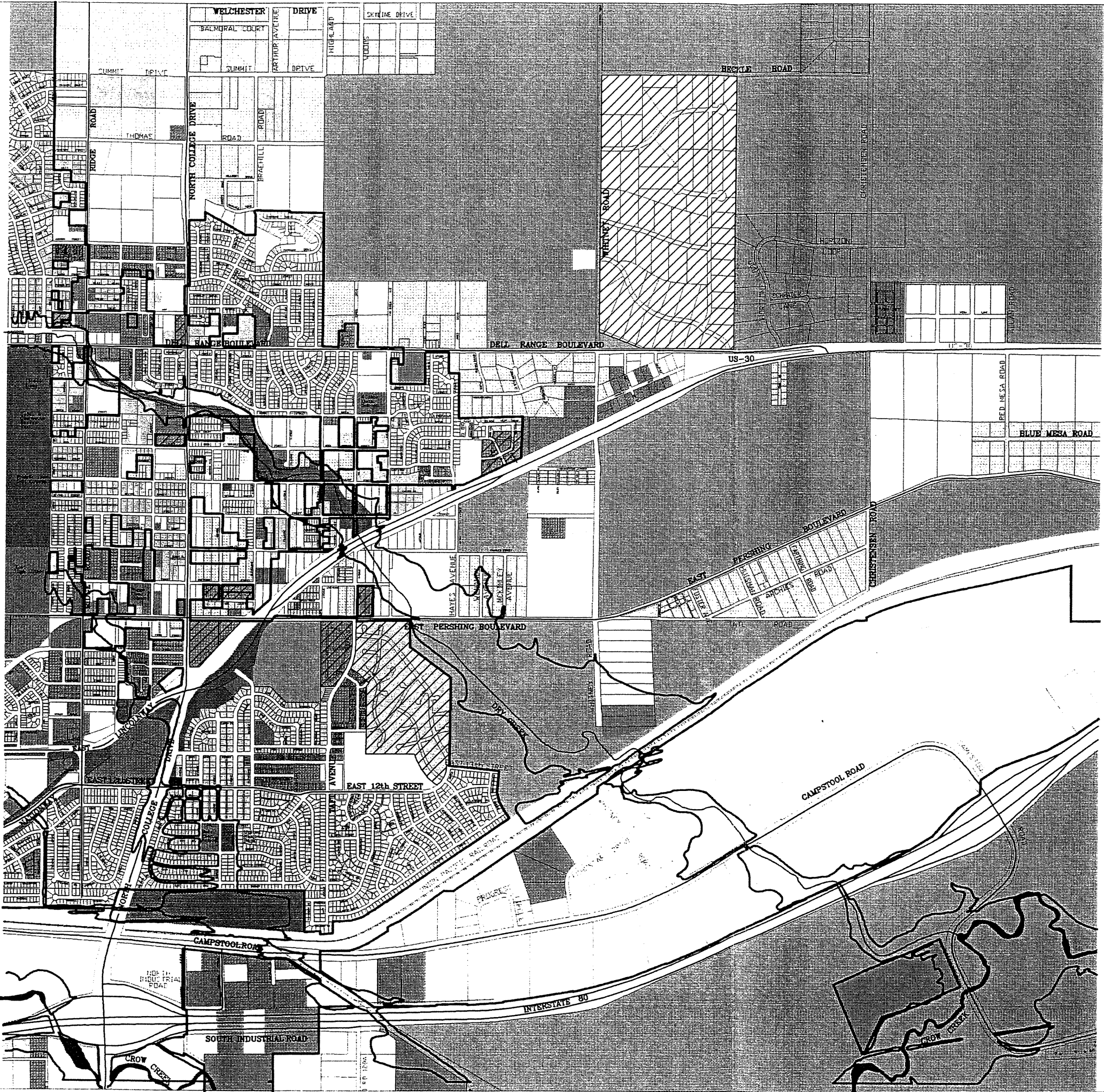
Sources: 1. CHATTP Public R.O.W.s, parcels and 100 yr. floodplain, 1997.  
2. CHATTP Land Use Inventory, and modified by reviewing 1996 aerial photography.



# EAST CHEYENNE INFRASTRUCTURE IMPROVEMENT PLAN

BenchMark of Cheyenne, P.C. EDAW, Inc. October 1997




Cheyenne Area Transportation Planning Process (CHATPP)



# STORM-SEWERS & SPECIAL FLOOD HAZARD AREAS

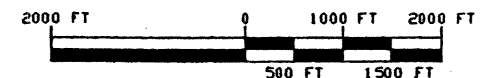
MAP 2.3

## LEGEND

- DETENTION PONDS 
- STORM-DRAIN 
- SPECIAL FLOOD HAZARD AREA 

## SOURCES OF INFORMATION:

FLOOD PLAIN: CHATPP  
STORM SEWER: CITY OF CHEYENNE STORM SEWER  
MAP SYSTEM, 1994.



# EAST CHEYENNE INFRASTRUCTURE IMPROVEMENT PLAN

BENCHMARK  
Of Cheyenne, P.C.  
EDAW, Inc.  
July 1997

Cheyenne Area  
Transportation  
Planning Process  
(CHATPP)



# TRAFFIC VOLUMES

MAP 2.4

## LEGEND

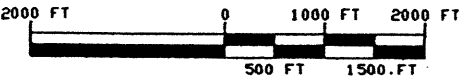
VEHICLES COUNTED IN 24 HOURS - 137

YEAR COUNT TAKEN ('90)

ARROW INDICATES LOCATION OF COUNT

## SOURCES OF INFORMATION:

EXISTING: CHEYENNE AREA TRANSPORTATION PLANNING PROCESS



# EAST CHEYENNE INFRASTRUCTURE IMPROVEMENT PLAN

BENCHMARK  
Of Cheyenne, P.C.  
EDAW, Inc.  
July 1997

Cheyenne Area  
Transportation  
Planning Process  
(CHATPP)

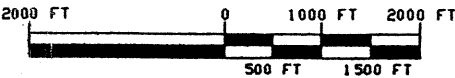


# PROPOSED FUNCTIONAL CLASSIFICATION OF STREETS IN THE STUDY AREA, AND LOCATIONS OF TRAFFIC SIGNALS

MAP 2.5

## LEGEND

EXISTING - PROPOSED	
PRINCIPAL ARTERIALS	
INTERSTATE	
OTHER ARTERIAL STREETS	
MINOR ARTERIAL STREETS	
COLLECTOR STREETS	
INTERSECTION W/SIGNAL LIGHTS	



# EAST CHEYENNE INFRASTRUCTURE IMPROVEMENT PLAN

BENCHMARK  
Of Cheyenne, P.C.  
EDAW, Inc.  
July 1997

Cheyenne Area  
Transportation  
Planning Process  
(CHATPP)

# EXISTING AND PROPOSED WATER DISTRIBUTION SYSTEM

MAP 2.6

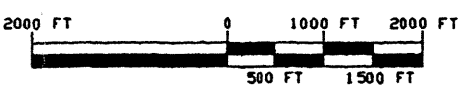
## LEGEND

- CITY LIMITS
- FIRE HYDRANT
- EXISTING WATER
- PROPOSED WATER
- WATER MAIN SIZES
  - 4 = 4'
  - 6 = 6'
  - 8 = 8'
  - 10 = 10'
  - 12 = 12'
  - 14 = 14'
  - 16 = 16'
  - 20 = 20'
  - 24 = 24'
  - 30 = 30'

## SOURCES OF INFORMATION:

EXISTING: BOARD OF PUBLIC UTILITIES MASTER MAP  
CHEYENNE, WYOMING

PROPOSED: CHEYENNE WATER SUPPLY MASTER PLAN, LEVEL 1  
VOLUME 3, FIG. 9-7  
BY BLACK & VEATCH, JULY, 1994



# EAST CHEYENNE INFRASTRUCTURE IMPROVEMENT PLAN

BENCHMARK  
Of Cheyenne, P.C.  
EDAW, Inc.  
July 1997

Cheyenne Area  
Transportation  
Planning Process  
(CHATPP)

# SANITARY-SEWER LINE LOCATIONS AND LINE SIZES

MAP 2.7

## LEGEND

CITY LIMITS

CURRENT SEWERED BOUNDARY

NORTH EDGE OF SEWERABLE  
AREA -- APPROXIMATE

SEWER MAIN SIZES

④ = 4'  
⑧ = 8'  
⑩ = 10'  
⑫ = 12'  
⑮ = 15'  
⑯ = 16'  
⑲ = 18'  
⑳ = 24'  
㉔ = 30'  
㉙ = 36'

## SOURCES OF INFORMATION:

EXISTING: BOARD OF PUBLIC UTILITIES MASTER MAP  
CHEYENNE, WYOMING

2000 FT 0 1000 FT 2000 FT  
500 FT 1500 FT



# EAST CHEYENNE INFRASTRUCTURE IMPROVEMENT PLAN

BENCHMARK  
Of Cheyenne, P.C.  
EDAW, Inc.  
July 1997

Cheyenne Area  
Transportation  
Planning Process  
(CHATPP)

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## Chapter III

### The Vision for East Cheyenne

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## CHAPTER III - THE VISION FOR EAST CHEYENNE

### Introduction

This chapter contains the vision statement, goals and objectives, and proposed land use plan that were developed as part of the planning process.

To develop the vision, goals and objectives, the consultant team worked with the steering committee and asked the neighbors who attended the public meeting to identify existing assets and opportunities in the area, elements that were needed or lacking, and specific items or areas of concern. The assets and opportunities in the neighborhoods should be preserved and enhanced; elements that are needed or lacking should be targeted and pursued for inclusion in the study area; and community concerns should be addressed in this plan.

The following is a list of perceived assets and opportunities, needs and concerns in the study area.

### Assets and Opportunities

- Good place to raise a family:
  - safe,
  - good schools,
  - greenway path system (Dry Creek Park),
  - quiet residential streets,
  - easy access to major roads,
  - many long-term residents that genuinely care about the community.
- Larger county parcels and vacant land contribute to the existing rural, low density character and provide opportunities for new development.
- The area has a broad mix of uses beyond residential: from Cheyenne Plaza, a regional commercial area, to smaller commercial and industrial areas, eating establishments and grocery stores.
- Views from the ridge to the Rocky Mountains are spectacular.

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## Needs

- Public water and sanitary sewer utilities in the urbanized area.
- Community facilities (e.g. library, neighborhood recreational/meeting facility, city fire station in LEADS Industrial Park).
- Additional businesses (e.g. shopping, entertainment, restaurants, home improvement centers and other services) in the neighborhood in lieu of traveling down Dell Range Blvd.
- Another road across the railroad tracks, east of College Drive.
- Clean, high-tech industry, like Hewlett-Packard.
- Parks, trails, open space and greenways.
- Extension of 12th Street to Pershing.
- Streetscape improvements on major roads.
- Additional sidewalks, especially near schools.

## Concerns

- The large amount of high density residential development that has been approved in East Cheyenne in the past several years.
- Differing regulations in City and County (e.g. nuisances, allowable uses, development standards) and lack of enforcement of the regulations. Need uniform standards for development and a way to assist existing landowners in changing their properties to meet the standards.
- Duplication of and confusion with services provided in the area by the city and the county (e.g. police/sheriff, city fire protection staff/county volunteer fire department; Cheyenne Light, Fuel and Power/REA) due to mixture of city and county properties.

- 
- Declining viability of commercial areas and hospitals.
  - Appearance of some residential and commercial properties.
  - Local and basin-wide storm drainage/flooding problems. The future of existing development in the 100-year Dry Creek Floodplain should be addressed.
  - Inadequate fee structure to cover the impacts to community services generated by new development.
  - Spot annexation and lack of coordination between the City and the County to prevent more county islands.
  - Lack of uniformly applied design and public utility standards associated with annexations.
  - Litter and windblown debris.

## Vision, Goals and Objectives

The following is the vision for the East Cheyenne Study Area, followed by specific goals and objectives needed to move towards realization of this vision. The goals in which the goals and objectives are listed is not prioritized.

### Vision

*To be an area of attractive, mixed-use, mixed-density, cohesive, accessible and safe neighborhoods with a broad array of services, recreational opportunities and amenities.*

### Goal 1:

**Maintain and enhance the viability of and types of businesses in commercial areas.**

- Objectives:
- 1.1 Enhance major commercial centers with pedestrian amenities and landscaping to better compete with new businesses on Dell Range.
  - 1.2 Provide assurances that the area will become/remains attractive.
  - 1.3 Identify economic incentives for improving the appearance of

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- commercial areas.
- 1.4 Develop a marketing association to promote area businesses and target specific types of businesses to fill voids in the services that are available in the area.

**Goal 2:**

**Enhance the quality of life in existing residential neighborhoods (e.g. pedestrian/bicycle access, parks and recreational facilities)**

- Objectives:
- 2.1 Provide additional neighborhood parks in underserved areas.
  - 2.2 Provide a large community park in the east Cheyenne area (e.g. Sun Valley Community Park).
  - 2.3 Construct sidewalks on primary streets to link to schools and parks where appropriate.
  - 2.4 Complete the Dry Creek Greenway trail and provide secondary trails to connect to the greenway from residential areas.
  - 2.5 Provide open space to retain a lower density character and opportunities for passive recreation.

**Goal 3:**

**Eliminate conflicts between land uses and the Dry Creek floodplain.**

- Objectives:
- 3.1 Transition existing uses within the 100-year floodplain to open space over time.
  - 3.2 Do not allow new development within the 100-year floodplain.
  - 3.3 Implement drainageway improvements that reduce life-threatening risks.

**Goal 4:**

**Provide efficient and safe network of roads, bike lanes and bike paths.**

- Objectives:
- 4.1 Provide another road connection

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across the railroad tracks to the east of College Drive.

- 4.2 Provide another major east-west arterial roadway to reduce the drive time currently experienced via Dell Range Blvd.
- 4.3 Create a continuous network of on-street bike lanes on collector roadways and lower volume arterial roadways.
- 4.4 Extend the Dry Creek Greenway trail to the LEADS Industrial Park (Campstool Road) and develop it to standards that will accommodate commuter and recreational bicyclists.

**Goal 5:**

**Develop a land use pattern that respects the economics of providing infrastructure, including sanitary sewer, storm drainage, potable water and street systems.**

- Objectives:
- 5.1 Reserve areas for urban density development that can currently, or in the foreseeable future, be served by the public domestic water and sanitary sewer systems.

**Goal 6:**

**Correct existing storm drainage problems in the Study Area.**

- Objectives:
- 6.1 Identify problem areas and develop an action plan for their remediation.
  - 6.2 Ensure that new development does not alter historic drainage patterns and flows.

**Goal 7:**

**Provide adequate lands and construction funds for community services and facilities that will be needed as development occurs (e.g. roads, schools, utilities, parks, etc.)**

- Objectives:
- 7.1 Revise land dedication requirements and/or impact fees for new

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development to adequately cover the provision of community facilities.

**Goal 8: Improve the visual quality of both public and private lands.**

- Objectives:
- 8.1 Add landscaping along Nationway, Lincolnway and College Drive.
  - 8.2 Implement a community pride program. Develop incentives for property owners to properly maintain their properties, such as a "Most Improved Property" award.
  - 8.3 Clarify public rights-of-way maintenance responsibilities with private land owners.
  - 8.4 Develop a litter control ordinance.
  - 8.5 Continue to provide City and County support for special clean-up efforts.
  - 8.6 Enforce nuisance and weed-control ordinances. Define nuisances. Seek tighter regulations regarding the responsibilities of absentee landlords.

**Goal 9: Resolve the inconsistencies between and provide for uniform implementation by the City and the County regarding design standards, and animal and nuisance regulations.**

- Objectives:
- 9.1 Designate an "Urbanized Area" within which all newly developed City and County properties will have similar standards for street pavements, curbs, walks, parks, utilities, animals and nuisances.
  - 9.2 Define which land uses may appropriately allow livestock animals to be maintained on the property, regardless of whether they are in the city or county.
  - 9.3 Assist property owners with annexation of and improvements to

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county islands.

**Goal 10: Reduce redundancies in services provided by various agencies in the area.**

- Objectives:
- 10.1 Develop service area agreements for all types of services.
  - 10.2 Assist property owners with annexation of and improvements to county islands.

**Goal 11: Recognize and protect the rights and financial concerns of existing residents and business owners.**

- Objectives:
- 11.1 Adhere to the State regulations regarding annexations.
  - 11.2 Assist areas that desire improvements in the formation of Special Improvement Districts, and in securing grants and other funding sources to offset costs.

**Goal 12: Encourage the utilization of environmentally sensitive techniques in the design, development and maintenance of properties.**

- Objectives:
- 12.1 Limit the amount of irrigated turf grass. Encourage the use of native grass species.
  - 12.2 Plant trees to buffer winds, assist in the deposition of snow to supplement available moisture in the soil and provide wildlife habitat.
  - 12.3 Explore ways to reduce the amount of paved surfaces associated with development.
  - 12.4 Enforce animal control regulations to reduce the impact that loose pets have on wildlife.
  - 12.5 Explore ways to use untreated and "gray" water to irrigate landscapes rather than relying solely on wells and

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- the domestic water supply.
  - 12.6 Encourage sound grazing practices to protect existing vegetation and reduce topsoil loss.
  - 12.7 Protect natural areas in the floodplain and elsewhere in the community. Provide buffers between natural areas and development.

## Land Use Plan

Map 3.1, Land Use Plan, illustrates the land uses that are desirable in East Cheyenne. The plan is somewhat similar to the land uses and zoning that exist in the western portion of the study area; however, between Taft Avenue and the ridge to the east, Low Density Residential development is shown where there are currently vacant lands or agricultural uses. The decision to designate the ridge as the Urban Growth Limits was based on the fact that the area below the ridge can be served by sanitary sewer and should be reserved for land uses that require this infrastructure. Planning for future development of this area, including appropriate design standards for this area will also help prevent the issues that the city and county are currently facing with county islands that have been surrounded by city developments. The action items associated with the Urban Growth Limits (UGL) are addressed specifically in the next chapter.

Map 3.1, Land Use Plan, shows a mix of land uses, predominantly residential, in the study area. The uses are summarized in Table 3.1.

**Table 3.1, Land Use Plan Summary**

<b>Proposed Land Uses</b>	<b>Area (acres)</b>	<b>% of Study Area</b>
High Density Residential - 8+ units per acre	236	2.3
Medium Density Residential - 4 to a maximum of 8 units per acre. Low density residential uses may be allowed in this land use category as well.	1,485	14.2
Low Density Residential - <4 units per acre to 4.9 acre lots	1,449	13.9
Very Low Density Residential - 5 acre lots and larger. May allow lots as small as 1 ½ acres if connected to water supply system and soils are adequate for septic systems.	1,972	18.9
Agricultural - 20+ acre lots.	1,540	14.7
Park (includes portion of Prairie View Golf Course, Cahill and Cheyenne Soccer Park)	153	1.5
Open Space	784	7.4
Public	114	1.1
Community Business	228	2.2
Neighborhood Business	63	0.6
Mixed Use (Business emphasis)	83	0.8
Heavy Industrial	1,378	13.2
Light Industrial	170	1.6
Undesignated (rights-of-way)	801	7.7
<b>Total</b>	<b>10,456</b>	<b>100</b>

Note: density is based on net acreage and can be translated to an average lot size (e.g. 4 units per acre equals an average lot size of 10,890 square feet).

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The residential uses shown indicate the maximum gross densities (number of units per total project area) that are desirable in a given area. The locations and land area dedicated for the future uses are conceptual and should be adjusted as needed based on specific site conditions and needs at the time of development. The majority of new residential uses within the UGL should be developed to a density of between 3.9 units per acre and 4.9 acre lots (Low Density Residential). Low Density Residential development was selected for all remaining lands within the UGL that are east of existing developed areas because the steering committee felt that East Cheyenne could not absorb any more High Density Residential developments or large Medium Density Residential neighborhoods and still maintain the existing quality of life. Medium Density Residential areas are shown on infill parcels.

At the current growth of 1% per year, the City of Cheyenne can expect to have an additional 10,400 people in twenty years. If one-third to one-half of these new residents choose to live in East Cheyenne, the population of the study area may increase to between 17,500 and 19,200 by the year 2017. At build-out the area may contain between 10,000 and 12,000 dwelling units with a population of 25,000 to 30,000 people, approximately double the existing population of 14,000. Clearly, the land use plan is a long range vision that may take several decades to develop.

Open Space is shown along the Dry Creek floodplain and the large detention pond east of College Drive near the railroad tracks. Open Space is also shown at detention ponds, near the intersection of College Drive and Lincolnway, and along selected trail corridors. A trail is shown in the open space along Dry Creek, as a continuation of the greenway. The trail connection to the LEADS Industrial Park will become an important bicycle-commuter link as the area develops, but will be costly to implement given the design challenges associated with crossing under the railroad. Currently, the storm drainage pipe under the railroad is not sufficiently large to accommodate a trail.

Additional trails are shown along other major roadways to

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provide secondary trail loops in the community. As areas develop, there should be adequate right-of-way for the trail corridors (minimum of 25') incorporated into the site plans, and a limited number of roads that cross the trails. The use of the rights-of-way along US30 and College Drive (from Dry Creek to Crow Creek) as a trail corridor should also be investigated, as it would provide a feasible connection between these two greenways in the future.

A large community park (80 acres) is shown along Dry Creek as it has been envisioned in previous plans, including the 1992 City of Cheyenne Parks and Recreation Facilities Master Plan and the 1992 Cheyenne Area Development Plan. This park would contain some active sports fields, passive use areas and community gathering spaces. Its location is conceptual as no land has yet been acquired.

Four neighborhood parks (8 to 12 acres) are also conceptually shown on the plan. The park recommendations in this document differ slightly from the 1992 Parks and Recreation Facilities Master Plan. This document is recommending that neighborhood parks be between 8 and 12 acres in size to match a neighborhood parkland standard of 2 acres per 1,000 population, or one 10-acre park per neighborhood of 5,000 people.

Two of the neighborhood parks, the one near East 12th Street and Taft Avenue and the one located at Dry Creek Park, can be justified based on the needs of the current population (Chapter 2, Section - Existing Land Use), and would provide a park within walking distance of most residents. The Dry Creek Park is envisioned to be an expansion of the existing park to include a multi-purpose play field, picnic shelter, playground and other neighborhood amenities. The park in Sun Valley (E. 12th Street) should ideally be at least 8 acres in size and located adjacent to, or as a portion of, the school site to maximize the benefit of the open space areas that the school and park will provide. The remaining two neighborhood parks are conceptually located in future development areas and should be planned with the development of these properties.

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Community Business is concentrated along US 30, College Drive, Pershing and Nationway, in areas that are presently zoned for this use. As mentioned earlier, only one-third of the existing commercially zoned properties are developed for commercial uses, indicating that there is excess capacity. The Community Business areas will be destinations for people throughout Cheyenne, and are easily accessible from major roads and commuter bike routes. They should be designed to accommodate large volumes of traffic, while respecting the needs of pedestrians.

The Mixed Use (with business emphasis) areas are shown in areas that are currently zoned MUB, except in areas where the properties were more specifically designated for Neighborhood Business uses.

Heavy Industrial uses are shown in the LEADS Industrial Park to acknowledge the approved development plan for this area. No new Light Industrial areas are shown. However, it is assumed that some may be appropriately located in the Mixed Use areas, especially the one east of Whitney Road.

A conceptual location for a new school is shown between US 30 and East Pershing Blvd., east of Whitney Road. The existing school site in Sun Valley is also shown as being developed. The school district does not know if or when these sites will be developed, or if they will be elementary or junior high schools.

Agricultural uses are shown south of I-80 and in the far eastern portion of the study area.



# STUDY AREA

MAP C

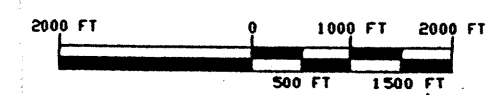
## LEGEND

CITY LIMITS

NORTH EDGE OF SEWERABLE AREA  
--- APPROXIMATE

ONE MILE FROM CHEYENNE CITY LIMITS -- 1997

1995 SHORT TERM GROWTH AREA



# EAST CHEYENNE INFRASTRUCTURE IMPROVEMENT PLAN

BENCHMARK  
Of Cheyenne, P.C.  
EDAW, Inc.  
July 1997

Cheyenne Area  
Transportation  
Planning Process  
(CHATPP)

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## Chapter IV

### The Action Plan

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## CHAPTER IV - THE ACTION PLAN

In the previous two Chapters, we have reviewed the existing conditions in East Cheyenne, and discussed the vision for the area. In this Chapter, an Action Plan is suggested which includes actions by both governmental agencies as well as capital improvement projects that need to be accomplished. This Chapter also includes sections on determining the unit costs of improvements, and the possible sources of funds to finance the recommended improvements.

Several studies have been done in the past which concerned the East Cheyenne Study Area. These include the Memorandum of Agreement between the City of Cheyenne and Laramie County (1995); the 201 Facilities Plan Final Report (1982), the Subdivision Regulations (1979, updated 1990); Road, Street & Site, Planning & Design Standards (1990); and the Cheyenne and Laramie County Zoning Ordinance (1988). The highlights of these studies as they relate to the development of the Study Area are included as Appendix C to this Report.

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## Actions by Government

### Recommended Approach to Improving Drainage in the Area

In Chapter III, Goal 6 is to Correct Existing Storm Drainage Problems. The supporting Objectives are:

- 6.1 Identify problem areas and develop an action plan for their remediation.
- 6.2 Ensure that new development does not alter historic drainage patterns and flows.

Suggestions were made by members of the Steering Committee regarding both the flood plain, and drainage as summarized below.

- The flood plain should be studied in light of changes resulting from the greenway and new drainage in the City and County.
- There should be no development within 200 feet of the Flood plain as currently identified, and no development planned within the flood plain in the future.
- Drainage needs to be considered in the entire study area.
- Future development should establish that it will not have a negative effect on current residents. In cases where calculations prove to be incorrect, the responsible developer should remediate any problems.
- Rules and regulations need to be developed for retention ponds in terms of size, safety, and efficacy.
- Surface runoff areas need to be adequately identified before development takes place and should be addressed in this plan.

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It was indicated in Chapter II that the City and County have nearly identical floodplain management regulations, which are based on Federal Emergency Management Agency (FEMA) guidelines. The FEMA 100 year floodplain is designated as a special flood hazard area, and the City and County regulations place restrictions on development in the flood hazard area.

To assist in implementing the Flood Management Regulations, the County needs to develop what is generally referred to as a "Storm Water Management Manual". The City prepared such a manual in 1988, and although it needs to be updated, it has been helpful in resolving the types of concerns expressed above by several members of the Steering Committee. The Manual should include the methods to be used for the preparation of secondary drainage plans, and indicate the procedures to be used for hydrologic and hydraulic design. It should also include policies on site drainage and erosion control. It is estimated that a combined effort could be accomplished for approximately \$15,000, which could be divided equally between the City and the County.

As indicated in Chapter II, a Drainage Master Plan was completed in 1988 for the eight major drainage areas in and around the City of Cheyenne, including the two which are in the Study Area -- Dry Creek and Henderson/E. Lincolnway. The Drainage Master Plan utilized computer modeling to determine the extent of the 100 year flood, and estimated the cost of the needed drainage improvement for all eight drainage basins to be \$85,781,000, in 1985 dollars. The Drainage Master Plan includes detailed recommendations for improvements, cost and priorities, making it a major planning tool and an important part of the overall plan for the East Cheyenne Study Area.

The selection and priority of drainage projects, along with the funding of those projects, is up to the governing bodies of the City and the County. Frequently drainage improvements are done as a part of road improvement projects, but there are many needed drainage projects in the Study Area that are not associated with needed street improvements.

The Cheyenne City Council is investigating the feasibility of

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forming a surface water drainage utility to promote and fund drainage improvements. It appears that a committee will be formed to evaluate projects and provide guidance to the Council regarding the formation of the utility.

In an effort to determine the current priority drainage issues in the Study Area, members of the consulting team met with Jim Harker, Cheyenne City Engineer, and Mike Hand, Assistant City Engineer. At that meeting, the problems and solutions for drainage problems at three locations were identified. This information is summarized below.

### **1.) Sun Valley (City)**

**Problem:** In moderate rainfall events, stormwater runoff flows south at high volumes and velocities on Monroe, Madison, and, to a lesser extent, Adams Avenues. The flow creates hazards along these streets and at the crossings of Monroe and Madison with 12th Street. The Drainage Master Plan, Henderson and East Lincolnway Basins, 1988 (p. 3 - 8) notes that during a 100 year storm, the Bain School area is expected to be inundated to a depth of 0.5 feet and that most of the homes in the block east of Monroe Avenue are expected to flood to a depth of approximately one foot (p. 3 - 8).

**Solution:** The Drainage Master Plan recommends construction of storm sewers along Monroe Avenue from 12th Street south to the detention basin north of the UPRR at an estimated cost of \$827,000 (1988 dollars).

### **2.) Uinta Road west of Pierce Avenue (County)**

**Problem:** A small tributary to Dry Creek follows the alignment of Uintah Road. Culverts at Pierce Avenue are inadequate to convey runoff from moderate storms. A major storm would endanger property at the low-lying residences

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on Uintah Road.

**Solution:** A study to quantify the risk to residences on Uintah Road and the effects of current upstream development in the watershed would define the problem and indicate whether improvements are indicated. At the least, the culverts on Pierce should be replaced. The estimated cost of a study is \$5,000.

### **3.) Ridge Road and Holmes Avenue Intersection (City)**

**Problem:** Runoff flowing east along Holmes Avenue routinely backs up at the intersection with Ridge Road, even during small events, causing nuisance flooding at the intersection. There are no inlets on Holmes; flow has to turn the corner to the inlets on Ridge Road.

**Solution:** Inlets on Holmes Avenue west of Ridge Road would alleviate much of the problem. An analysis is needed to determine flow rates, number and size of inlets required, and ability of the storm sewer and laterals to handle the flow. The design will have to consider several underground utilities in Holmes Avenue near the intersection. The estimated cost of the improvements is \$29,000.

### **Recommended Approach to Solving Problems Related to the "County Islands"**

"County islands" are those areas that are totally enclosed by lands that are a part of the City. They are rural islands in an urban environment.

A major planning challenge to be resolved in the East Cheyenne Study Area is to prepare an approach to address problems that have been identified in county islands. These islands are characterized by unpaved streets, no sidewalks, wells and septic systems. In some cases, these characteristics have resulted in health and safety problems for residents of these areas, and to a lesser degree, the residents of the

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adjacent areas.

Development or redevelopment of these areas is known as "infill", and is desirable since utility services are usually readily available and the area could be made to match the design and land use standards of the surrounding neighborhood.

The following approach to solving the problems related to the "county islands" is recommended for adoption and implementation to the Regional Planning Commission, the City Council, the County Commission, and the Cheyenne Board of Public Utilities.

The approach is to work cooperatively with the property owners and governing bodies to:

- Pursue joint police and fire service agreements.
- The islands should be reviewed individually in conjunction with each landowner.
- When land within a county island is developed or redeveloped, urban standards will be required.
- A study will be conducted of each county island to determine its public health and safety problems (including water quality, quantity of water available, proximity of fire hydrants, dust problems, sidewalk needs, availability of electricity, natural gas, and telephone service). The study will determine and list critical needs, and the cost of the needed improvements will be determined.
- A financing plan will be developed for each island, which will list potential sources of funds including grant possibilities and other public fund sources. The financing plan will review the feasibility of an improvement district.
- Guidelines will be developed to mitigate the impacts of the transition to urban standards with respect to costs, codes, animals, utilities and other items which could

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cause hardships to individual landowners. Section 33-55 of the City Code provides for modifications:

“Any of the individual requirements of this article may be amended or modified in individual cases by action of the city council where the necessity therefore is demonstrated or manifest hardship would otherwise result. A specific example of a case where such hardship might be found is in the case of an annexation petition by individual owners for isolated lots. Such exception will be made in such event if the city council finds that the benefit of the city and the area would be served by a variance in the interest of promoting specific land annexations to the city. Such request for variance will be submitted to the planning commission for specific recommendations before any action will be taken by the city council.”

■ The City of Cheyenne Annexation Policies suggested that incentives be developed to encourage favorable absorption into the City. Suggested development incentives included:

“Public sharing of capital improvements with developers, as justified by the balancing of these costs and benefits against existing public costs. Agreements should be made on a case by case basis to include adjacent land areas whenever possible.

Density tradeoffs can be made within the constraints of other adopted plans. Density tradeoffs should be made only where the design, density, and use furthers growth and development goals of the City.

Change in existing use should be allowed within the context of adopted plans. Zone changes should be to P.U.D. to maximize the quality of the proposed development.

The City should leverage private developments through a specific effort directing capital investments close to these infill areas. Consideration should also

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be given to land packaging, with disposition being either to the private sector for development or retained by the public as open space or future park development. In either instance, attention should be given to developing a land acquisition and disposition program, to include the mechanism for sale or lease of acquired lands to simultaneously leverage private investment and further the growth and development goals of the City. Vacant land areas in the City and underutilized City-owned property should be considered in a land development program.”

**Recommended Approach to  
Improving “Substandard” Areas  
of the City in the East Cheyenne  
Study Area**

There are parts of the East Cheyenne Study Area inside the City Limits of Cheyenne that do not have paved streets curb and gutter, sidewalks, or adequate fire hydrant coverage. The development of an approach to improve these areas is a major planning challenge.

There are approximately 11,000 lineal feet of street in these areas of the City which need improvements including pavement, sidewalks, and curb and gutter.

Using a cost of \$85.42 per lineal foot for street improvements, and adding 15% for engineering, and 20% for contingencies, the estimated cost of bringing these street sections to City Standards is \$1,268,500. Any storm sewer improvements needed as a part of the street improvement projects will be an additional cost.

Since these areas were probably annexed so that they could have City water and sewer services, it is assumed that the properties are connected to the public water and sewer supply, and that there are no additional water and sewer needs. There will, no doubt, be areas where the existing water and/or sanitary sewer lines do not meet current standards, however, these costs could not be determined in the context of this plan.

The following approach for the improvement of these substandard areas is recommended for adoption to the Regional Planning Commission, the City Council, the County

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Commission, and the Cheyenne Board of Public Utilities.

- When property adjacent to these substandard streets is proposed for development or redevelopment, the owner/developer should be required to make needed improvements in accordance with current City standards.
- A study, undertaken cooperatively with the property owners, should be made to determine the improvements needed to meet City requirements including the pavement section, curb and gutter, sidewalks, fire hydrants, and water and sewer connections. It should also indicate the existence of wells and septic systems in these areas to the extent feasible. The study should include a detailed estimate of the cost of the needed improvements by street section.
- A financing plan should be developed for the accomplishment of the needed improvements. It should list potential sources of funds including grant possibilities and other public fund sources. The plan should review the feasibility of one or more improvement districts to improve these substandard areas.

In low income areas, it is probable that grants can be obtained to assist with the cost of the improvements.

#### **New Development within the Urban Growth Limits**

During the planning process, the steering committee, consultants and staff explored ways to ensure that new development within the Urban Growth Limits (Sewerable Area) was done in a way that would be compatible with existing and future development, or provide for its future transition to a more urban, higher density development. The concepts were based on the assumption that the Sewerable Area will ultimately be developed as an urban area, with public water and sewer systems, and required developers to demonstrate that this could happen, even if an area was initially developed as very low density residential (5+ acre lots). A preliminary recommendation was included in the

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initial draft of this report, however it became apparent that crafting a detailed statement of developer requirements that was mutually agreeable to all parties was beyond the scope of this plan.

A member of the Steering Committee, Edward F. Murray, III, who is a developer in the Study Area, submitted comments on the preliminary recommendations and made suggestions which appeared to make the concept acceptable most of the other members of the Steering Committee. Mr. Murray's comments are included in Appendix E to this Report.

This plan does recognize the need to plan development within the Urban Growth Limits (UGL) so that more county islands with rural standards are not created as the City expands eastward. This may mean that all new developments within the UGL should have paved roads, a walkway system and provisions for future connections to public water and sewer systems.

Several other members of the Steering Committee submitted comments related to new development in the Sewerable Area. These comments were:

- **"Improvements:** County Committee members do not desire "improvements" designed to meet future annexation requirements.
- Prevention of City-created infrastructure problems should be addressed in this study-particularly drainage
- **Density:** Due to excessive quantities of high density residential development currently in place and in the planning stage, as well as medium density residential planned and in place, we request that all remaining area within this plan be designated low to very low density residential.
- **Dollars:** Existing residents, property owners, etc. should not be required to pay for the extension of City sewer, water, curb, gutter or streets for the benefit of areas to be developed in the future. Liens, low

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interest loans and other forms of taxation are not to be used. If existing landowners choose to develop/sell for development excess property they hold, at that point they should pay for such "improvements".

We know that this could happen if an owner gets annexed by the 75% of perimeter rule now in state law.

- **Protection:** Residents and their properties in place at the time of approval of this plan shall not be forced to conform to City standards regarding construction already in place, types of animals kept, tall grass, or other changes in lifestyle. Nor shall they be prevented from repair, maintenance or reconstruction/replacement of existing buildings."

The 1997 Legislature approved several changes to the State Annexation Law which make it more difficult for a City to force the annexation of an area, except for areas which have 75% or more of their perimeter contiguous to the City. This Statute is referred to in the second paragraph under "Dollars" of the above comments. The Statute also provides in Section 15-1-410 much of the "protection" requested above. It indicates that the City cannot restrict the continuous use of a property unless the use is discontinued for a one year period. The provisions of this Statute are summarized in Appendix D.

The 1997 Legislature also approved amendments to W.S. 18-5-36 which made significant changes to the subdivision application requirements. The amendment requires an evaluation of whether the proposed drinking water system is dependable and has sufficient quality and quantity, and the proposed wastewater system is adequately designed and will not downgrade the use of the aquifer used for disposal or within the subdivisions. The Statute requires that Counties must submit all applications for subdivision permits to the State Department of Environmental Quality for review.

These new amendments will make it more expensive, and potentially more difficult, to obtain a subdivision permit for a

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rural subdivision in the Study Area. A summary of the amended subdivision statute and the new DEQ Regulations to implement the statute can be found in Appendix F. When rural developments within the sewerable area are planned, consideration should be given to the potential for urban level development as outlined in Appendix E.

The concern about “Dollars” was at least partially answered by a hypothetical question and answer posed during a meeting of the Steering Committee. This question and answer, along with a follow-up question and answer, are included on the next two pages. The answers were reviewed by the attorney for the Cheyenne BPU, and are based on current ordinances and regulations.

The concern about “Density” was addressed in Chapter III and the proposed Land Use Plan has been revised.

The concern about “Drainage” was addressed earlier in this Chapter.

It is probable that some “urban level development” is going to continue in the sewerable area of East Cheyenne. The speed of the development process will depend on economic forces. If there is a demand for new housing and other improvements, developers will be looking for new sites which can be economically developed. However, the Governing Bodies can regulate development through zoning, development requirements and standards, fees and incentives.

Existing Statutes, Ordinances, and Regulations also offer adequate protection so that annexation is not a threat to most residents of the County. Since land must be contiguous to the City to be annexed, and since the water and sewer mains are primarily within the City Limits, the urban type development can be expected to move from west to east within the Study Area. The cost responsibility for any new development lies with the developer for both on-site and off-site improvements. The new State Statute provides more protection to land owners who do not desire to be annexed by requiring:

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Question 1:

If Mr. X desired to extend water and sewer to his property (located on the east side of the Study Area in unincorporated Laramie County), what is the cost to Mr. Z, who is not interested in being served by public water and sewer nor in being annexed (Mr. Z owns the property adjacent to the rights-of-way where the utility lines would be extended)?

DISCUSSION:

There are two ways that Mr. X may obtain public water and sanitary sewer services from the Cheyenne Board of Public Utilities (BPU):

1. Annexation, or
2. Developer Water Services and Sanitary Sewer Services Agreements with the BPU.

Wyoming Statutes (15-1-402) require that an area to be annexed must be contiguous with or adjacent to the annexing city or town. Since Mr. X's property is not contiguous to the City of Cheyenne, this alternative is not available to him. (If he desired to include other properties so that the annexation would be contiguous, he would have to follow the provisions of the State Statutes and City Ordinances related to annexation. The provisions of the new State Statute are summarized in Appendix D of this report.)

To obtain Developer Water Services and Sanitary Services Agreements with the BPU, the user must make application to the BPU and the Board must approve the application. The agreements include numerous provisions including:

- The developer must pay for the construction of the lines in accordance with BPU standards.
- The developer must transfer ownership of the system to the BPU upon completion and acceptance including sewer mains and manholes; and water mains and fire hydrants.
- The developer must warrant the systems for two years from the date of transfer.
- The developer/users must pay 1.5 times the water and sewer rates paid by in-City users.
- The developer must consent to annexation in the event the property qualifies for annexation.
- The developer must agree that no wells will be drilled, nor will septic systems be allowed on the property so long as water and sewer services are provided by the BPU.
- The developer waives any right to reimbursement for the cost of constructing the lines, except to the extent that a City Ordinance provides for such reimbursement.

ANSWER:

There is no cost to Mr. Z.

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Question 2: "What if Mr. Z, at some future date, desires to connect to the water and sewer lines that Mr. X has constructed adjacent to, and extended beyond, Mr. Z's property?"

#### DISCUSSION:

Mr. Z may obtain public water and sanitary sewer services from the BPU either by:

1. Annexation
2. A User Water & Sanitary Sewer Services Agreement with the BPU.
3. Developer Water Service and Sanitary Service Agreements.

If he desires the service for only his personal residence, he would probably use either alternative 1 (if the property is contiguous to the City), or alternative 2.

With alternative 1, he would be required to follow the State and City annexation regulations.

With alternative 2, he would have to apply to the BPU for a User Water & Sanitary Services Agreement. If approved, the agreement would include numerous provisions including:

- The user must pay for the construction of the lines and retain ownership.
- The user must maintain the line.
- The user must pay 1.5 times the water and sewer rates paid by in-City users.
- The user must consent to annexation in the event the property qualifies for annexation.
- The user is not permitted to drill wells or have septic systems on the property.

If Mr. Z desired to develop the property, he would probably use either alternative 1 (annexation) or 3 (Developer Agreements with the BPU).

With annexation, he would be required to follow the State and City annexation regulations.

With a developer agreement, the procedure would be the same as indicated for Mr. X under the original question posed above.

This information is based on existing City Ordinances and Policies of the Board of Public Utilities, which can both change.

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Notes: \*These questions and answers deal only with water and sanitary sewer services.

\*Information provided by the County Attorney, about reimbursement, upon annexation, for previously installed infrastructure as outlined in the City Code is included as Appendix G to this report.

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notification to all landowners within one-half mile of the proposed corporate limits of the City; an annexation report, including estimated infrastructure costs required of land owners by the City; and public hearings. The new Statute also includes provisions to stop an annexation action for two years upon receipt of written objections by land-owners and protects the continuing uses of the land after annexation.

Even though there appears to be adequate controls and protections related to development and annexation, the stated policy of the Planning Commission and the City Council should be that annexation will be considered only if requested (or forced annexation is unopposed), except in those areas which have 75% or more of their boundary contiguous to the City Limits.

## Street Standards

Street standards are one of the primary issues in the East Cheyenne Study Area. Should new streets be gravel or paved, and should the drainage along the streets be in curb and gutter, or in open ditches?

The concept has been that City Streets are required to be paved and have adjacent curb and gutter, utilizing the standards found in the Road, Street and Site, Planning and Design Standards. County Roads generally are gravel roads with open ditches for drainage, although the above-referenced standards indicate that County streets are to be paved in areas intended for annexation into the City or in subdivisions where the average density equals or exceeds three dwelling units/acre. The advantages of paving streets include a smoother driving surface, elimination of dust, and less frequent maintenance. The advantages of curb and gutter are that a narrower right-of way can be utilized, erosion is eliminated, and less maintenance is required.

Although it is feasible to have connecting segments of road that are paved and unpaved, there is an engineering problem in trying to connect segments with curb and gutter to segments with open ditches. Open ditches are usually at a lower elevation and further from the roadway centerline, than are curb and gutter flow lines. However, if the drainage system for an entire area is in ditches, the drainage system

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should work.

The City has set a precedent for open ditch drainage in the LEADS Cheyenne Business Parkway. In a letter from Mike Pell, Director of the Cheyenne/Laramie County Development Office, to Jack Crews of Cheyenne LEADS, dated November 12, 1992, it was indicated that an alternate roadway section was approved for the particular development and that each phase of construction would require pre-approval. The alternate roadway section which was approved is understood to be the "Optional County Section" which was approved as a change to the Road, Street and Site, Planning and Design Standards in February, 1993. This roadway section has a 30' wide pavement with 3:1 maximum slopes to ditches on each side of the roadway.

The LEADS Cheyenne Business Parkway is a unique situation. Throughout the sewerable area it is bounded on the north by the Union Pacific Railroad. The development is an effort by the local governmental agencies to lure industrial developments to the area, and reducing standards (and costs) could be considered to be a part of the incentive package.

Developers in the East Cheyenne Area may want to consider asking the City to use open ditches for drainage where it can be shown that such a system will work and will not cause undue hardships for downstream owners in developing their properties. Such areas will have a rural character and may appeal to those who do not like the appearance of curb and gutter. In these areas, wider right-of-ways will be required (to accommodate the street cross section and drainage swales) but development costs should be less than streets with curb and gutter.

## **Performance Standards**

The above discussion is indicative of a "performance standard" for drainage. That is, a standard which is based on the assumption that facilities and services provided for an area should meet the needs of the residents of that area.

A performance standard for water and sewer has been developed by the Governing Bodies which requires a minimum lot size based on the source and type of the system. For

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example, if both the water and sewer system are on-site, a minimum lot size of 5 acres is required. If only the sewer is on-site, and there is a public water supply, the minimum size of the lot is reduced to 1.5 acres (Rural Residential).

The 1997 Legislature has developed the performance standard for water and sewer services even further, by requiring numerous studies to substantiate that the proposed on-site water and sewer service to a rural subdivision be adequate.

Some jurisdictions have also developed performance standards for streets. The standards are primarily for low volume, local streets, and are based on the idea that the over design of streets inflates the cost of the housing on the street, and results in excessive maintenance costs for the jurisdiction that accepts the maintenance responsibility. However, some caution is necessary since any problems resulting from an under-design will become the responsibility of the jurisdiction which accepts the maintenance for the facility.

The concept of a performance standard for streets could be applied in the East Cheyenne Study Area. If a proposed low volume, local street will serve a small number of large lots, does it really need to be more than 18 or 20' wide? If there is plenty of space on the lots for parking, if curb and gutter is not needed for drainage, and if little heavy traffic is expected, does the street need to have a curb and gutter, or improved shoulders? Sod shoulders have the benefit of creating less runoff, and can provide adequate emergency parking under most conditions.

Performance standards will apply in developments planned for low density (under 4 units/acre to less than 5 acre lots) and medium density residential (4 - 8 units/acre) areas. This is because high density residential developments (over 8 units per acre) are expected to be in urban settings with public water and sewer, and paved streets with curb and gutter. On the other hand, very low density residential developments (5 acre or larger, lots) can be expected to have rural settings with on-site water and sewer, and gravel streets.

To implement the concept, developers should be permitted to

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propose the use of performance standards for new developments in East Cheyenne. The developer should justify any proposed performance standard by submitting studies which consider alternatives and the related factors. For street related items such as bituminous or concrete paving and curb and gutter, the factors should include functional classification, traffic volumes, street continuity, right-of-way widths, size and weight of vehicles using the street, drainage, soil conditions, grades, alignment, and safety. In some locations, sidewalks may be needed even though a gravel street is all that is needed to serve traffic. Such areas might include school routes, pedestrian walking routes, or a place for neighborhood children to roller-blade or ride their bicycles.

Section 10 (Chapter V) of the Cheyenne/Laramie County *Subdivision Regulations* includes General Performance Standards which are applicable to all plats submitted to the Board of County Commissioners and/or the City Council for approval.

## **Priority Action Plan**

The Action Plan for East Cheyenne calls for a balanced approach to development in the East Cheyenne Study Area. It includes actions by local governmental bodies, as well as a coordinated effort to accomplish a list of improvements.

Recognition must be given to the recent actions of the State Legislature in the areas of annexation and rural subdivisions.

Also there must be an awareness that economics will drive developments within the guidelines established by the Governing Bodies.

## **Approve an Annexation Policy**

As indicated in the preceding section, the Planning Commission and City Council should adopt a written policy that annexation will be considered only if requested (or forced annexation is unopposed) by the property owners of an area, except in those areas which have 75% or more of their boundary contiguous to the City Limits.

## **Encourage Infill**

Infill should be encouraged by following the recommended approach to solving problems related to county islands.

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Studies should be made of the individual areas, and the recommendations should include consideration of the “modifications” included in the City Code, and “incentives” as recommended in the City of Cheyenne Annexation Policies, 1988.

**Improve Substandard Areas  
Within the City Limits**

Detailed site-specific studies should be made to identify specific problems and course of action.

**Provide for the  
Growth of the City**

The City should be permitted to protect its ability to grow in the future, with consideration of the above two actions. It can do this by continuing its policies regarding the provision of water and sanitary sewer to the residents of the area. The agreement provisions should make it clear that annexation involves developing to City standards including improvement of the adjacent street(s).

**Reduce Hazards Related  
to Surface Runoff**

The Federal Emergency Management Agency (FEMA) should be requested to determine the current flood hazard area of Dry Creek in both the City and the County.

A conceptual greenway plan should be developed cooperatively by the City and the County for East Cheyenne. The primary purpose of the plan will be to make planners of roadway and drainage improvements aware of the greenway planning so that such improvement can be coordinated. Such a plan should also be used by developers so that provisions for greenways can be included in new developments.

The City should update its Stormwater Management Manual in cooperation with the County, and the new manual should be adopted by both agencies.

Drainage improvements should be done cooperatively by the City and the County in the Dry Creek and East Lincolnway basins in accordance with the priorities indicated in the Drainage Master Plan.

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The three drainage problems (Sun Valley, Uinta Road west of Pierce, and the intersection of Ridge Road and Holmes Avenue) should be given a high priority for improvement.

### **Reduce Hazards Related to Transportation**

Sidewalks should be provided on elementary school routes in accordance with the school route plans. Many of the school routes do not have improvements and the school children walk either in the mud or in the street.

Standards for County roads should be developed based on functional classification and projected traffic volumes with provisions for paved streets and walkways within the Urban Growth Limits.

A study should be made of the intersection of College Drive and 12th Street to determine the cause of the high number of traffic accidents, and the necessary steps needed to reduce them.

Transportation improvements should be constructed in the Study Area in accordance with the priorities indicated in the Transportation Master Plan.

### **Landscape Improvements**

Since there is very little landscaping along the streets in the Study Area, it is proposed to provide some landscaping in the southwest quadrant of the intersection of Lincolnway and College Drive.

### **Plan for a New Fire Station**

Planning should be initiated for a new fire station on the south side of the Union Pacific Railroad in the LEADS Industrial Park. This recommendation is based on the assumption that the existing City and County fire stations can adequately serve the northeast part of the Study Area.

### **Improve and Develop Parks**

The Dry Creek Neighborhood Park occupies a part of the flood plain, and it is proposed to expand it and make improvements. Two new parks are proposed. One would be in the vicinity of the proposed Sun Valley elementary school, and perhaps utilize a part of the existing undeveloped school site. The other proposed park is a large park in the Dry Creek

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flood plain, and would be located east of the Sunrise Estates Subdivision.

## East Cheyenne Infrastructure Improvement Plan

Priority Action Items (Not listed in order of priority)	Preliminary Cost Estimate	Possible Sources of Funds and/or Remarks
Encourage Infill (Study of County Islands)	Preliminary Studies \$82,500 Improvements \$5,815,000	Studies - ChATPP Planning Funds for Collectors and Arterials, CDBG for other Streets Implementation - Owner / Developer Funds, SID with grants from FLB & CDBG
Improve "Substandard" Areas Within the City Limits	\$1,268,500 +Storm Sewers	Owner / Developer Funds, SID's with Grants from FLB & CDBG
Reduce Hazard Related to Surface Runoff 1. Obtain Study to Update Flood Plain 2. Develop Conceptual Greenway Plan - Study Area 3. Update Stormwater Management Manual 4. Drainage Improvements (Dry Creek & E. Lincolnway Basins) 5. Three Priority Projects	\$40,000 10,000 15,000 12,800,000 861,000	FEMA, WEMA Greenway Funds, Enhancement Funds, ChATPP City Funds \$7,500; County Funds \$7,500 Surface Water Drainage Utility, Capital Facilities Tax Surface Water Drainage Utility, Capital Facilities Tax
Reduce Transportation Hazards 1. Sidewalks for Elementary Schools 2. Develop County Road Standards 3. Traffic Study - College & 12th St. (Accident Reduction) 4. Street Improvements (High Priority Projects)	\$100,000 2,000 5,000 5,925,000	Enhancement Funds, SC-CFM ChATPP ISTEA Continuation, Optional 1% Sales Tax, SC-CFM, FLB
Street Landscaping @ College & Lincolnway (Trees & Shrubs)	40,000	Enhancement Funds
Plan for New Fire Station	\$20,000	City Funds, City Staff
Improve and Develop Parks Dry Creek Neighborhood Park Sun Valley School Park Sun Valley Community Park	\$15,000 400,000 80,000 800,000 120,000 2,600,000	Capital Facilities Tax, County Funds Enhancement Funds, Public Recreation Funds, Option 1% Sales Tax Capital Facilities Tax Enhancement Funds, Public Recreation Funds, Capital Facilities Tax Enhancement Funds, Public Recreation Funds, Optional 1% Sales Tax

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## Unit Costs for Improvements

Numerous factors are involved in estimating the cost of improvements. Some of the factors involved in estimating the cost of a pavement section include the underlying soil conditions, the thickness of the base and pavement, the type of pavement, the size of the project, the haul distance for the materials, weather conditions, and the desire of the contractor to obtain the work. Similarly the cost of water and sanitary sewers lines vary with the size of the pipe, the type of pipe, the burial depth, the difficulty of the excavation, the size of the project, weather conditions, and how badly the contractor wants the work.

However, for East Cheyenne, the preliminary cost of street improvements can be estimated as follows assuming a large project:

Curb & Gutter	\$6.90/LF (Both Sides of Street = 13.80/LF)
Sidewalk (4')	\$2.05/SF (Both Sides of Street = 16.40/SF)
Crushed Base (6")	\$0.63/SF
Pavement	\$0.59/SF
Grading & Shaping	\$0.20/SF

The basic cost of a 32' residential street with curb, gutter and sidewalks is estimated to be \$74.06 per LF.

The basic cost of a 40' street with curb, gutter and sidewalks, is estimated to be \$85.42 per LF.

The basic cost of a 24' roadway section without curb and gutter nor sidewalks is \$34.08 per LF.

The above costs are estimated bid prices and do not include drainage, engineering or contingencies. It is recommended the prices be increased 15% for engineering, and 20% for contingencies. On street sections where storm sewers are needed or where detention ponds are required, their costs

would be in addition to those shown.

In 1983, a study was done for the Sunnyside area by Engineering Inc. of Wyoming, of Sheridan, Wyoming. Eight special improvement districts were proposed, seven of which were in the East Cheyenne Study Area. It is understood that two districts were completed although the boundaries did not correspond to the original boundaries indicated in the study.

The study included cost estimates for streets, sewer, and water by street section for each of the eight proposed improvement districts. The estimated total cost of all eight districts was \$6,191,077.51. The average cost of the streets improvements was 56.9% of the total, the average cost of the sewer improvements was 16% of the total, and the average cost of the water improvement was 27.1% of the total. This information, perhaps, provides a rough method of approximating total improvement costs for an area if the street improvement cost has been determined.

The Board of Public Utilities charges tap and system development fees for connecting to its system. The fees charged in the City are indicated below, and the fees for connections outside the City are 150% of those shown:

No. of Living Units	Water Tap Size	Water Tap Fee	Water System Development Fee	Sewer Fee	Sewer System Development Fee
1	3/4"	\$90.00	\$1,500.00	\$30.00	\$500.00
2	1"	\$125.00	\$2,520.00	\$30.00	\$750.00
3 - 4	1-1/2"	\$450.00	\$3,750.00	\$30.00	\$1,125.00
5 - 10	1-1/2"	\$450.00	\$5,000.00	\$30.00	\$1,500.00
11 - 20	2"	\$600.00	\$8,000.00	\$30.00	\$2,400.00
21 - 90	4"	\$1,900.00	\$30,000.00	\$30.00	\$9,000.00
91 - 200	6"	\$2,200.00	\$71,500.00	\$30.00	\$21,450.00
201 - 360	8"	\$2,750.00	\$125,000.00	\$30.00	\$37,500.00
201 - 360	10"	\$3,700.00	\$198,000.00	\$30.00	\$59,500.00
360+	12"	\$4,700.00	\$290,000.00	\$30.00	\$87,000.00

The Board does allow these fees to be amortized monthly over a twelve-month period at 8% interest.

The applicant is responsible for all costs related to installation of water and sewer lines which include such items as the pipe, hardware, meter pits when required, street cuts, excavating, backfilling, asphalt and concrete replacement.

Typical installation costs for water and sewer mains, and residential service lines are indicated below. The estimates are based on maximum spacing of valves, fire hydrants, and man-holes, and average excavation conditions. These unit costs increase rapidly when the streets are paved, existing services must be maintained, or when an area is congested.

<b>Water Mains</b>	8"	\$22.50 / LF
	10"	\$28.50 / LF
	12"	\$32.50 / LF
<b>Water Service Lines</b>	3/4"	\$900 / EA
	1"	\$1300 / EA
	1-1/2"	\$1800 / EA
	2"	\$2300 / EA
<b>Sanitary Sewer Mains</b>	8"	\$65.00 / LF
	12"	\$69.00 / LF
<b>Sanitary Sewer Service Line</b> 4", 50' Long		\$1200 / EA
<b>Cost to Disable Septic System</b>		\$100.00

## Possible Sources of Funds to Finance Improvements

### Sales and Use Tax for Capital Facilities

The voters of Laramie County previously approved a one percent sales and use tax which took effect on July 1, 1991. The tax was approved for specific capital facilities totaling \$29,168,606, including \$11,110,000 for a new county building, and \$3,668,500 for the remodeling of the current county building. The taxes to pay for these facilities were

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collected in early, 1996, and the tax was discontinued.

The County, and the municipalities in the County, assembled a new list of projects and submitted them to the voters for approval in the Spring of 1996. The issue was defeated.

It seems likely that the electorate will again be requested to approve a list of projects utilizing this tax, and it provides a potential funding source to accomplish some of the high priority projects on the Action Program.

### **Optional One Percent Sales Tax**

An optional one percent sales tax was approved by the voters of Laramie County for calendar years 1995, 1996, 1997, and 1998. The projects for which the funds raised by the tax were to be spent within the City of Cheyenne were indicated in Resolution No. 3565, which was approved on August 8, 1994. The Resolution indicated that approximately 69% of the funds were to be used for Street Renovation and Construction. It also indicated that if the 1995 Legislature enacted the proposed Storm Water Utility Bill (which it did), the funds designated for storm water drainage improvements would revert to street renovation work. It is anticipated that in the fall of 1998 the electorate will be requested to continue this tax for another four years. It also provides a potential source of funds for needed improvements in the Study Area. Generally, these funds have been used for reconstruction or repairs rather than the initiation of new projects.

### **System of Public Recreation Funding**

Another possible source of funds for the expansion of the Dry Creek Park, or for other recreational facilities, could be to establish a system of public recreation, and fund it as provided in Sections 18-9-101 and 18-9-201 of the Wyoming Statutes. Under these statutes, a school district may levy up to one mill on the assessed valuation of property within the district. (One mill in School District No. 1 will raise approximately \$190,000 per year.)

### **SC-CFM Program**

The State-County and County-Farm-to-Market program provides for the construction and improvement of county roads, bridges and culverts. These State funds are

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administered by the Wyoming Department of Transportation, but the project priorities are determined by the individual counties. SC-CFM projects are built to AASHTO design standards and guidelines for local roads although waivers are considered on a case-by-case basis. Laramie County is currently allocated about \$600,000 per year of these funds.

### **ISTEA Continuation**

The Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) expired on September 30, 1997, although it is anticipated that a similar new act will be approved by Congress. The following four types of funds are included in the current ISTEA and are included since similar programs are expected in the new legislation.

### **Cheyenne Area Transportation Planning Process (ChATPP) Funds**

The ChATPP has Federal Highway Planning funds, allocated to it through WYDOT, which are used for planning only. These funds were used for preparing this "East Cheyenne Infrastructure Improvement Plan".

### **Surface Transportation Program**

ISTEA includes a block grant program, known as the Surface Transportation Program (STP), that may be used by the states and localities for any roads which are not functionally classified as local or rural minor collectors. Bridge projects paid for with STP funds may be on any public road. Once the funds are distributed to the states, each state must set aside 10 percent for safety construction activities and 10 percent for transportation enhancements (see below). The allocation to Wyoming of STP funds is approximately \$35,640,000. The Cheyenne Area receives \$708,000 a year from this Program. If the City was larger, more funds would be available for the total Cheyenne Urban Area which includes the City and the County area surrounding the City.

### **ISTEA funds for Transportation Enhancements**

ISTEA provides that transportation funds can be used for a wide variety of uses related to intermodal transportation enhancements. Some of the permitted uses include: landscaping and other scenic beautification; and pedestrian and bicycle facilities. The Wyoming Transportation Commission

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has passed a resolution authorizing \$2,000,000 of enhancement funds to be used on projects other than those on the State Highway System. These funds must be applied for annually by submitting an application to the Wyoming Department of Transportation for a grant.

### **Bridge Replacement and Rehabilitation Program**

ISTEA also includes funding to provide assistance for any bridge on a public road. The annual allocation to Wyoming for the Bridge Replacement and Rehabilitation Program is about \$6,410,000.

### **Community Development Funds**

The City receives approximately \$600,000 each year in Community Development Funds. These Federal funds do not require a local match, but are intended for redevelopment and affordable housing. The funds could be used for land trades which could benefit the area.

### **Community Development Block Grant Program (CDBG)**

The Community Development Block Grant Program is a federally funded pass thru grant program from the U.S. Department of Housing and Urban Development. The allocation to Wyoming in 1997 is \$3,434,000, which is administered by the State Department of Economic & Community Development. Projects must meet one of three national objectives which are: (a) benefit to low and moderate income families, (b) elimination of slums and blight, and (c) projects which meet an urgent community development need that poses a serious and immediate threat to the health or welfare of the community. HUD rules require that at least 70% of the funds be allocated to projects which benefit low and moderate income families.

The program in Wyoming is divided into three components (1) community development, (2) economic development, and (3) housing. The community development component applies to public infrastructure projects, while the economic development component is used to benefit businesses. The responsibility for the housing component has been turned over to the WCDA (see WCDA funding below).

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Only counties and incorporated cities and towns are eligible to apply for CDBG funds.

**Wyoming Community  
Development Authority  
Housing Programs**

The Wyoming Community Development Authority (WCDA) is the State Housing Finance Agency and has been designated as the State Public Housing Authority. The WCDA administers programs for home ownership, as well as various federal funding sources for low-income homeowner rehabilitation, very low-income rental housing acquisition, rehabilitation and new construction, and a Statewide Section 8 Rental Assistance program. The home ownership program funds are allocated to participating lenders.

**Cheyenne Board of  
Public Utilities Funds**

The Cheyenne Board of Public Utilities is responsible for the water distribution and sanitary sewer collections systems in the East Cheyenne Area, including new construction and modifications. The Board's revenues are derived primarily from user fees, and fees related to new land developments.

**State Farm Loan Board --  
Grants and Loans**

Laramie County, the City of Cheyenne, the Cheyenne Board of Public Utilities, special districts, and joint powers boards are eligible to obtain grants and loans from the Farm Loan Board. These funds are obtained by submitting an application to the Farm Loan Director, who makes recommendations to the Board, which is composed of the top five elected officials of the State (Governor, Sec. of State, etc.). Grants may be awarded for municipal, county, or special district purposes involving the planning, construction, acquisition, improvement, or emergency repair of public facilities. Loans are usually made for the same purposes for revenue-generating facilities. Grants are not awarded for operating, administrative or routine maintenance purposes. Most grants are for 50% of the project cost, although a higher percent may be requested. The current interest rate on loans is 7 1/4% per annum, but the rate is reviewed annually by the Board.

**Surface Water Drainage  
Utility Act**

The 1995 Legislature approved an act which permits the City

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to form a surface water drainage utility for specific areas within its jurisdiction. However, the funding for the surface drainage improvements within the area must be approved by the electors within that area. This approach is a potential future source of funds for making drainage improvements within the Study Area.

### **Subdivider or Developer**

A subdivider or developer is responsible for accomplishment of all necessary improvements to specified standards related to the subdivision of land or a building development with certain exceptions. The improvements include streets, drainage, and utilities including water and sanitary sewer. The improvements also include off-site improvements necessary to meet the demands of the proposed development.

### **Special Improvement District (City)**

State Statutes permit cities and towns to make and maintain local improvements, and levy and collect special assessments on the property specially benefitted to pay all or part of the cost of the improvement. Many of the communities in Wyoming, including Cheyenne, have used special improvement districts to make street and other improvements. Examples of successful projects in Cheyenne have included two projects in Sunnyside and three in north Cheyenne. One advantage of this approach is that the indebtedness is above and beyond the limitation of indebtedness of the City.

The law provides protection for the property owner in a proposed improvement district. For example, if the owners of over 50% of the property in the proposed district file written protests, the City must abandon the project. Also, the project cannot proceed if the construction bids are more than 10% above the estimated cost of the project.

The statute indicates that if the improvements confer general benefits on the City, it can create a revolving local improvement fund using local proceeds from the State gasoline tax and/or the State cigarette license tax. This fund cannot exceed 20% of the bond obligation.

Generally, most of the costs of a special improvement district will be the responsibility of the individual property owners.

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## **County Improvement and Service Districts**

Counties are authorized to created improvement and service districts to perform any of the following functions:

- Acquire, construct, operate and maintain improvements of local necessity and convenience;
- Obtain improvements or services hereunder by contracting for the same with any city, town, county or other entity;
- Furnish or perform any special local service which enhances the use or enjoyment of any improvement or facility.

The formation of a district is commenced by the filing of a petition signed by not less than sixty percent of the persons owning land within the territory proposed to be included in the district, whose land in the proposed district has a assessed value of sixty percent or more of the assessed value of all of the land within the proposed district.

After the petition is received, the commissioners hold a hearing subsequent to giving public notice of the hearing. If the commissioners find that the proposed district will serve the public convenience and necessity, they adopt a resolution and call for an election on the organization of the district.

County improvement and service districts have broad powers which are outlined in the statutes. More detailed information about county improvement and service districts can be found in Sections 18-12-101 through 18-12-140 of the Wyoming Statutes.

## **Wyoming DEQ Trust and Agency Fund**

The State Department of Environmental Quality places funds collected as penalties in its Trust and Agency Fund. These funds can be used when a threat is documented, but every effort including legal, is used to recover the funds expended. The use of the funds is authorized by the Environmental Quality Council. This is not an attractive source of funds because of the efforts taken to recover the funds.

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**Clean Water State  
Revolving Fund**

The State Department of Environmental Quality has a revolving fund which provides loans for sanitary sewer system improvements. The City, County, or a Joint Powers Board can apply for the funds which have an interest rate of 4%, and a repayment period of not more than twenty years. After an application indicating the intended use plan is submitted, a priority list is prepared and an environmental assessment is generally required. The Cheyenne Board of Public Utilities is currently using this type of loan to make improvements in the vicinity of Frontier Refinery.

**Drinking Water State  
Revolving Fund**

The U.S. Congress has approved legislation so that the states can have revolving funds for water system improvements, similar to the program for sanitary sewer improvements. The program will need to be approved by the State Legislature and is expected to be available in 1998. It is expected that the fund will provide only a portion of the needs in the State, and therefore, priorities for improvements will need to be established. The program is expected to be administered by the State Department of Environmental Quality (DEQ).

**Abandoned Mine Lands  
Public Facility Projects  
(Grant Program)**

Communities, counties, special districts, or joint powers boards impacted by coal or mineral mining are eligible for this program which is administered by the DEQ Abandoned Mine Lands Division. Projects are prioritized using a point system provided with the application forms. Eligible projects include the construction of specific public facilities which have a relationship to the coal or mineral industries, and activities of public benefit which are related to impacts from the coal or mineral industries.

**Rural Utilities Service**

The U.S. Department of Agriculture, Rural Utilities Service, has grant and loan programs for water and wastewater disposal programs. The program was previously administered by the Rural Development Administration and the Farmer's Home Administration, both of which have been abolished by reorganization.

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The water and waste disposal loan and grant program assists public entities for water and waste disposal facilities in rural areas and towns of up to 10,000 people. Funds may be used to: (a) construct, repair, improve, expand, or modify existing rural water supply and distribution facilities including pipelines, pumping stations, and reservoirs. (b) pay necessary fees such as legal and engineering connected with development of facilities; (c) pay other cost related to the development of the facility including the acquisition of rights-of-way and easements, and the relocation of roads and utilities.

The maximum term for loans is 40 years. The interest rate changes quarterly and is currently 4.5% of poverty line, 5.0% for intermediate level, and 5 1/2% for market level. Grant assistance may be made available for facilities servicing the most financially needy communities to reduce user cost for eligible grant recipients to a reasonable level. Grant funds may be available for up to 75% of eligible facility development costs.

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## Appendix A

### Explanation of Abbreviations

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## Appendix A

### Explanation of Acronyms and Abbreviations

AASHTO	.....	The American Association of State Highway and Transportation Officials
BPU	.....	Cheyenne Board of Public Utilities
CADP	.....	Cheyenne Area Development Plan
CDBG	.....	Community Development Block Grant
CFT	.....	Capital Facilities Tax
ChATPP	.....	The Cheyenne Area Transportation Planning Process
DEQ	.....	The Wyoming Department of Environmental Quality
FED	.....	Federal
FEMA	.....	Federal Emergency Management Agency
FLB	.....	The Wyoming Farm Loan Board
ISTEA	.....	Intermodal Surface Transportation Efficiency Act
LEADS	.....	The Cheyenne-Laramie County Corporation for Economic Development
LCSD #1	.....	Laramie County School District Number One
REA	.....	Rural Electric Association
SC-CFM	.....	State-County -- County Farm to Market

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SFLB .....	Same as FLB (Farm Loan Board)
SID .....	Special Improvement District
STP .....	Surface Transportation Program
STP-U .....	Surface Transportation Program - Urban
UGL .....	Urban Growth Limits
UPRR .....	Union Pacific Railroad
WEMA .....	Wyoming Emergency Management Agency
W.S. ....	Wyoming Statute
WYDOT .....	Wyoming Department of Transportation

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# Appendix B

## Definitions

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## Appendix B

### Definitions

Generally, the words used in planning have the customary dictionary definitions. However, definitions of some of the technical terms found in this Report are indicated below. The source of the definition, in most cases, is indicated in parentheses at the end of the definition.

**Access Point:** A driveway or intersection that provides an entrance or exit to private land from a public street.

**Alley:** A street or highway intended to provide access to the rear or side of lots or buildings in urban districts and not intended for the purpose of through vehicular traffic. (City Code)

**Arterial Street:** Any U.S. or State numbered route, controlled-access roadway, or other major radial or circumferential street or highway designated by local authorities within their respective jurisdictions as part of a major arterial system of streets or highways. (W.S. 31-5-102)

**City:** The City of Cheyenne, Wyoming (City Code)

**Collector Street:** A street or road designed to collect or distribute vehicular traffic from one or more residential or nonresidential areas to or from a freeway, expressway, or arterial street. (Subdivision Regulations)

**County:** The County of Laramie, Wyoming. (City Code)

**Cul-de-sac:** A short dead-end street terminating in a vehicular turn-around area. (Subdivision Regulations)

**Developer:** The persons who petition the city for the annexation of land to the city, or their successor in interest, or the owners of land in the addition. (City Code) Developers are also persons, partnerships or corporations that desire to plat (or replat), zone (or rezone) land in preparation for its

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development as indicated in the following definition.

**Development:** Any man-made change to real estate, including, but not limited to, the construction of buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling. (City Code)

**Easement:** A permanent or temporary grant of right by a property owner, to the public, a corporation, or other person(s), for the use of a strip or parcel of land for specified purposes. Ownership shall remain with the property owner. (City Code)

**Facilities:** Sewer and water mains, and appurtenances, curbs, gutters, street paving in such additions (annexations), flood control, drainage and other required improvements. (expanded from City Code definition)

**Improvement:** Includes buildings, structures and all facilities of a public nature intended for public use, including but not limited to: streets, sidewalks, curbs, gutters, alleys and other public ways, parks, recreational facilities, water, sewage, solid waste disposal and other sanitary systems and improvements as relate or contribute to the full public use and enjoyment thereof. (W.S. 18-1-102)

**Land Use Planning:** The process which guides the growth and development of an area and assures the best and wisest use of that area's resources now and in the future. (W.S. 9-8-102)

**Local Street:** A street or road designed to carry vehicular traffic from one or more individual residential or nonresidential units to or from a collector street. (Subdivision Regulations)

**Outfall Point:** The area or point usually defined as the topographic low of a drainage basin or sub-basin. (City Code)

**Owner:** The Owner of record of a parcel of land, as recorded in the office of the County Clerk. (City Code)

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**Planning Commission:** The Cheyenne-Laramie County Planning Commission. (City Code)

**Right-of-way:** A general term denoting land, property or interest therein, usually in a strip, acquired for or devoted to transportation purposes. (AASHTO)

**Site Plan:** A plan of the land showing the existing and proposed features for the property. (City Code)

**State:** The State of Wyoming (City Code)

**Street:** The entire width between the boundary lines of every way publicly maintained or, if not publicly maintained, dedicated to public use when any part thereof is open to the use of the public for purposes of vehicular travel. (W.S. 31-5-102)

**Subdivider:** Any person who lays out any subdivision or parts thereof either for the account of the subdivider or others. (W.S. 18-5-302)

**Use:** The purpose for which land is designed, arranged or intended to be utilized. (City Code)

**Zoning:** A form of regulatory control granted to local governments which may be used to guide and to develop specific allowable land use. (W.S. 9-8-102)

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## Appendix C

### Summary of Past Actions

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## Appendix C

### Past Actions

During the past thirty years, the City and County have approved various actions which pertain to land planning. A summary of some of these actions follows:

#### Memorandum of Agreement between the City of Cheyenne and Laramie County

The Memorandum of Agreement between The City of Cheyenne and Laramie County for the creation of a new Cooperative Planning Effort for the Cheyenne Area (9-5-95) refers to the Short Term Growth Area. The governing bodies designate and define the Short Term Growth Area as:

Those sections that are either entirely or partially contained within a one (1) mile radius from the City Limits of the City of Cheyenne as it was published on the City Engineer's Map in January of 1995 as shown in Attachment 1 (See Map C).

A later paragraph in the Agreement indicates "All area(s) contained within the designated Short Term Growth Area(s) should be those expected to develop to urban level or require urban services within the ten (10) year horizon".

#### 201 Facilities Plan Final Report

The 201 Facilities Plan Final Report (1982), discussed the "Urban Service Area" and defined it as the general area within which gravity flow can deliver the wastewater to the treatment plants. It recommended for areas outside the urban service area i.e., the ranchette developments, the use of onsite wastewater treatment processes.

#### Subdivision Regulations

The Subdivision Regulations, (1979, updated 1990), in the Chapter on Subdivision Design Standards, indicate that residential lots or tracts shall meet requirements based on three types of areas:

Urban Density Area  
Rural Density Area  
Low Density Area

The following is extracted from the Regulations:

- 
1. Urban Density Area: The area adjacent to the City of Cheyenne which meets the following criteria shall be reserved for urban level development. Developments in this area must either be annexed to the City of Cheyenne or included in an organized sewer and water district such as the South Cheyenne Water and Sewer District.
    - a. The area can be provided with sewage treatment services via gravity flow by existing facilities operated by the City of Cheyenne or the South Cheyenne Water and Sewer District; and
    - b. The area can be incorporated into the current water distribution system operated by the City of Cheyenne or the South Cheyenne Water and Sewer District; and
    - c. The area is east of Round Top Road (north of Happy Jack Road) and east of the Union Pacific Railroad Line (south of Happy Jack Road).
  2. Rural Density Area: Residential developments outside the urban density area which meet the following criterion shall be developed to a density no greater than one principle dwelling unit for each five (5) acres, except parcels served by common water or sewer systems or within a water or sewer district.
    - a. The area is included in an organized fire district; as now or hereafter organized or modified.
  3. Low Density Area: Residential developments outside the urban and rural density areas shall be developed to a density no greater than one (1) dwelling unit per twenty (20) acres. Dwellings in these areas should be clustered.

The Subdivision Regulations, in Sections 4 and 5, include the

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following sections regarding the development of standards:

Section 4.     Streets, Alleys, and Easements.

- a.     The City or County Engineers are authorized to develop and maintain road and street planning and design standards. These standards may be issued in combination with other planning and design documents for public works and site development. These standards shall be revised as necessary to meet the requirements of the City and County and shall be made available to the public. A fee to cover the cost of printing is authorized.

.....

Section 5.     Drainage

- c.     Design Standards. The design standards which will be utilized in the implementation of the Drainage Policies are as follows:

- (1)     Rural and Urban Standards utilization.

- (a)     Rural Design Standards shall be utilized for those projects which are planned to be permanently a rural environment, and for which it is not expected that normal City services and improvements will ever be provided, nor will the area be annexed to the City.
    - (b)     Urban Design Standards shall be utilized for all projects located within the City and for projects located in the County but which are planned or may be expected to be annexed to the City. The general nature of the development that is proposed, and the City Land Use Plan, shall be used as a guide to determine whether the area of planned

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development should be considered as urban or rural.

**Road, Street & Site,  
Planning & Design Standards**

The Road, Street & Site, Planning and Design Standards, (1990), set forth planning and design standards for both streets and drainage.

With regard to the paving of streets, the Standards include the following paragraph on page VI-4:

“Structurally, streets within the City of Cheyenne and in areas which are intended for annexation into the city (including subdivisions where the average density equals or exceeds three dwelling units/acre) are to be constructed of either asphalt cement concrete pavement or portland cement concrete pavement, base course material, and sub-base material (where required), placed on a compacted subgrade. The use of treated base and treated subgrade will be acceptable under controlled conditions.”

On Page VI-14, the Purpose section under the County Road Standards indicates: “These specifications are written for the purpose of specifying the standards to which a dedicated road of rural subdivision or any declared public road shall be constructed before it is acceptable for maintenance by the County. A rural subdivision is a subdivision located outside the limits of an incorporated city or town, and is subdivided into lots that are not planned or intended for city annexation.”

**The Cheyenne and Laramie  
County Zoning Ordinance**

The Zoning Districts established in The Cheyenne And Laramie County Zoning Ordinance 1988, basically fit the criteria set forth in the above documents.

District A-2 (Agricultural) will fit in the Low Density Areas. A maximum of one dwelling unit per 20 acres is permitted, County Road Standards apply, and there is on-site water and sewer.

Districts AR (Agricultural Residential) and A-1 (Agricultural

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and Rural Residential) will fit the Rural Density Areas. A maximum of one dwelling unit per 5 acres is permitted, County Road Standards apply, and there is on-site water and sewer.


















Most of the other Zoning Districts fit within the Urban Density Area. The permitted density should be according to the Zoning Ordinance; public or community water and sewer will be utilized; and City Development Standards will apply.

The only Zoning Districts that don't fit are District RR (Rural Residential), and District AG (Agricultural - City). Both apply to annexed areas. The RR Zone requires a public or community water supply (but not sanitary sewer), a maximum density of 1.5 dwelling units per acre, and appears to permit the use of County Road Standards. The AG Zone has the requirements of a low density area, but it is in the City.

# Land Use Plan

Map 3.1

**Legend**

- |  |   |
|--|---|
| High Density Residential<br>(+8 units/acre)                  |    |
| Medium Density Residential<br>(4-8 units/acre)               |    |
| Low Density Residential<br>(4.9 acre lots to 3.9 units/acre) |    |
| Very Low Density Residential<br>(5 acre lots and larger)     |    |
| Agricultural   |    |
| Park/Golf Course   |    |
| Open Space   |    |
| Public   |    |
| Community Business   |    |
| Neighborhood Business  |    |
| Mixed Use  |  |
| Heavy Industrial   |  |
| Light Industrial   |  |
| Proposed Community Park                                      |  |
| Proposed Neighborhood Park                                   |  |
| • all locations are conceptual                               |   |
| Existing or Proposed Trail                                   |  |
| Flood Hazard Area<br>(100-yr Flood Fringe Boundary)          |  |
| City Limits  |  |



# EAST CHEYENNE INFRASTRUCTURE IMPROVEMENT PLAN

**BenchMark of  
Cheyenne, P.C.  
EDAW, Inc.  
February 1998**

**Cheyenne Area  
Transportation  
Planning Process  
(CHATPP)**

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## Appendix D

### Summary of Annexation Legislation

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## Appendix D

### Summary of New Annexation Statute (1997)

(Interpretation by BENCHMARK OF CHEYENNE, PC, as it applies to East Cheyenne. Anyone with more than a casual interest is encouraged to review the actual Statute.)

Original Senate File No. 0013  
Enrolled Act No. 65, Senate  
Chapter No: 158  
Signed by Governor 2-28-97

15-1-422 -- The City cannot grant an exception to the 201 Plan as a condition requiring annexation. (See discussion of Cheyenne 102 Report in Chapter 2 - Sanitary Sewer Section.)

15-1-401 -- For purposes of W. S. 15-1-402, 15-1-404 and 15-1-405, the definition of "landowner" includes persons owning property which, as a result of the proposed annexation would then be brought within one-half mile of the corporate limits of the City.

15-1-402 -- Before annexation, the City, at a hearing as provided in W. S. 15-1-405, shall find that:

- the area to be annexed is a logical and feasible addition to the City,
- the extension of basic and other services customarily available to residents of the City shall, within reason, be available to the area to be annexed, and
- the City is prepared to issue franchises as necessary to serve the annexed area.

Not less than 20 business days before the public hearing required in 15-1-405, the City shall send by certified mail to all landowners and public utilities within the area a summary of the proposed annexation report, and notice of the time, date and location of the public hearing.

The City is required to prepare a proposed annexation report unless all of the landowners of the area proposed for annexation agree in writing that the report or a specified

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portion is not necessary.

The proposed annexation report shall, at a minimum contain:

- A map of the area proposed to be annexed showing identifiable landmarks and boundaries, and the area which will, as a result of the annexation then be brought within one-half mile of the new corporate limits of the City;
- The total estimated cost of infrastructure improvements required of all landowners by the City related to the annexation;
- A list of basic and other services customarily available to residents of the City and a timetable when those services will reasonably be available to the area proposed to be annexed;
- A projected annual fee or service cost for services described in the above paragraph;
- The current and projected property taxes.

If the annexation was initiated by a landowners petition, the City may collect the cost of preparing the proposed annexation report from the petitioning landowners.

Before any territory is eligible for annexation the City shall prepare for each landowner and affected public utility so requesting in writing, the estimated cost of infrastructure improvements required of the landowner and affected public utility related to the annexation. The estimate shall be provided to the landowner and affected public utility prior to the hearing.

15-1-404 -- The City may initiate proceedings to annex territory by the following procedure:

- Cause to be prepared a legal description,
- a listing of the current mailing address of each

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landowner,

- a map showing identifiable landmarks and boundaries of the area considered for annexation, and the area, which as a result of the annexation will be brought within one-half mile of the City,
- determine if the area considered for annexation complies with W.S. 15-1-402,
- prepare a proposed annexation report,
- prepare for each landowner or public utility so requesting in writing, the foreseeable changes to zoning, animal control and other health and safety requirements requiring immediate compliance at the time of annexation. The foreseeable changes shall be provided prior to the hearing.

15-1-405 -- In any annexation proceeding, the City shall establish a date, time and place for a public hearing. It shall be held not less than 60 days nor more than 120 days after the effective date of the resolution.

The City Clerk is required to publish a notice of the public hearing at least twice in the newspaper. The notice shall contain the required map, and unless the proposed annexation report has been waived, a summary of the report.

15-1-406 -- If more than 50% of the landowners, or if landowners owning more than 50% of the area to be annexed, file written objections with the City Clerk within 20 business days after the hearing, no further action may be taken on any area within the proposed annexation within 2 years.

The provisions of the above paragraph do not apply if 75% or more of the perimeter of the area to be annexed is contiguous to the City Limits.

No annexation shall create an area which is situated entirely within the boundaries of the City but is not annexed.

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15-1-407 -- If the city is the sole owner of any territory that it desires to annex, or if all of the owners of such land sign a petition to annex, the City may annex the territory without the notice or public hearing and without preparing the annexation report.

15-1-409 -- Any aggrieved landowner or utility may appeal the annexation to the district court.

15-1-410 -- The inhabitants of an annexed area are subject to all laws of the City, and are entitled to all rights, privileges, and franchises and other services.

The City cannot restrict the continuous use of the property by a current or subsequent owner of an interest in the property, if the use was existing at any time within the year prior to the date of annexation and was lawful at the time the property was annexed. If the use was discontinued for any one year period after annexation, it is considered to be no longer a continuous use and cannot be reestablished unless it is in conformance with current law.

The City must give notice of the annexation to all public electric utilities presently providing service within the annexed area.

If necessary, the electric utility may petition the Wyoming Public Service Commission for a certificate to include the annexed area.

The City shall hold a public hearing, and then issue franchises to one or more public utilities.

15-1-421 -- No deannexation shall create an area which is situated entirely within the municipality but is not a part of the municipality.

39-6-411 -- This section concerns the distribution of sales taxes related to an annexation.

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## Appendix E

Comments on First Draft  
by Edward F. Murray, III

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## Appendix E

# MEADOWLARK ESTATES LLC

Edward F. Murray, III - Manager  
1616 Warren Ave., Ste. 21  
Cheyenne, Wyoming 82001

TELEPHONE (307) 634-8364

FAX NUMBER (307) 634-2413

---

TO: Tom Mason/East Cheyenne Plan Steering Committee  
FROM: Ed Murray  
SUBJECT: Comments - Draft East Cheyenne Infrastructure Improvement Plan  
DATE: July 3, 1997

Dear Tom:

I'm submitting the following remarks in response to your call for written comments.

First, with respect to the portion of the draft plan entitled "Recommended Concept Regarding New Development in the Sewerable Area" (see pages IV-10 et. seq.), I've taken a stab at revising the language thereof consistent with some of the points I was trying to offer during our meeting of June 19th. Following is a proposed restatement of this section with my revisions in italics. I'm only offering the same as additional "food for thought" in attempting to address some of the interesting and challenging issues raised concerning the concept of new development in the sewerable area:

The Steering Committee desires that future development in the study area be capable of meeting urban design standards and not create the problems associated with county islands.

One of the major planning challenges is to formulate a development concept for the portion of the study area which can be sewered by gravity. This concept is needed so that City developments (with paved streets and connections to public water and sewer systems) will not be interspersed with county developments (with unpaved streets, wells, and septic systems). It is needed for public health and safety in the area, planning of public facilities and utilities, and for proper maintenance of public facilities.

The following concept for the new development in East Cheyenne is recommended for adoption and implementation by the Regional Planning Commission, the City Council, the County Commission, and the Cheyenne Board of Public Utilities:

*•This plan contemplates that any development falling within the sewerable limits will ultimately be urban and constructed with paved streets (including curb, gutter and sidewalks) and provided with public water and sewer.*

*•This plan contemplates that the sewerable limits (gravity) will be the Urban Growth Limits until it is determined otherwise in the future.*

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*•Following the effective date of this plan, if new development within the sewerable limits is situated within 1000' of existing sewer main (minimum 8"), then the developer must extend sewer (and water) lines into any portion of the new development situated within the sewerable limits.*

*•If new development within the sewerable limits is situated more than 1000' from existing sewer mains, then developers may be permitted to initially plat in densities less than that which is recommended within the urban growth area, provided they will:*

*(a) Submit a plan showing how the new development may be replatted with urban improvements with paved streets (including curb, gutter and sidewalks) and public water and sewer. Said plan shall include map(s) illustrating how the larger tracts will be further developed including, but not limited to, future tract boundaries, the street layout, utility line locations, easements, and provisions for drainage, as well as other data that may be required by the Regional Planning Commission, the City Council, and/or the Board of County Commissioners.*

*Said plan shall also establish a procedure which ensures successor landowners and/or developers the ability to make the future improvements as depicted in the maps required above. In these regards, it is preferable that the plan enable the successor landowners, if need be, to collectively combine the portions of their property subject to further development to facilitate the sale and/or development of the same consistent with the map(s) submitted above. The plan must also establish a procedure which, in the future, enables any successor landowners and the City and County to determine when the urban improvements shall be made. In these regards, it is contemplated that the consent of a majority of any successor land owners affected by the future development shall be required prior to implementation of the plan for future development.*

*(b) Disclose to purchasers of the properties the plan referred to above and require that they be bound by said plan.*

*(c) Include the plan in the covenants for the new development.*

*(d) Provided Sidewalks initially, where needed, based on School District planning.*

*(e) Zone the tract for the ultimate development.*

*(f) Indicate those animals to be permitted on the lots, and agree that City regulations will be followed when the land is replatted.*

*•NOTE: The prior provisions setting forth guidelines for new development within the sewerable limits situated more than 1000' from existing sewer mains is an effort to accommodate the competing interests of private (developers) and public sectors on a case by case basis. Said provisions are designed to facilitate, compliment and compromise said competing interests and shall not be construed to supersede and/or nullify the rules, regulations, resolutions, or policies for urban development previously adopted. Accordingly, plans for new development within the sewerable limits situated more than 1000' from existing sewer mains should be evaluated on a case by case basis and the governing bodies certainly retain the authority and discretion to deny the same based upon previously adopted policies.*

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## Appendix F

### Amended Subdivision Statute

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## Appendix F

### Amended Subdivision Statute

The 1997 Legislature amended W.S. 18-5-306 to 308 related to real estate subdivisions. The amended law requires counties to require several studies for a proposed subdivision, and indicates the minimum information to be included in each of the studies. In general, the studies are:

- (1) A study evaluating the sewage disposal system proposed for the subdivision and the adequacy and safety of the system,
- (2) A study evaluating the water supply and distribution system proposed for the subdivision and the adequacy and safety of the system,
- (3) A report certifying that a water supply that is sufficient in terms of quality, quantity and dependability will be available to ensure an adequate supply of water for the type of subdivision proposed, and
- (4) Detailed estimates of all construction costs and proposed method of financing for the proposed water supply and distribution system and the proposed sewage system for the subdivision.

The new statute further requires the county receiving the application to send a copy to the Wyoming Department of Environmental Quality (DEQ) for review of the adequacy of the sewage treatment works and the adequacy of the proposed water supply and distribution system. The DEQ may request assistance from any other State agency in preparing its review.

The DEQ is required to file its written comments and recommendations on the application with the county within 30 days of receipt of the application, or within 30 days of the receipt of the receipt of any additional information required by the DEQ.

If the county approves an application notwithstanding an

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adverse recommendation by the DEQ, the subdivider is required to furnish to all potential purchasers a copy of the DEQ's recommendation prior to sale.

The Wyoming Water Development Commission may disqualify from consideration or give lower priority to a project proposed to correct problems identified in a review performed by the DEQ where the County approved a subdivision application notwithstanding the DEQ's recommendation that the application be disapproved. (Amendment to W.S. 41-2-121)

The statute continues to require that the subdivider provide satisfactory evidence to the County that adequate access is being provided and that all proposed streets, alleys and roadways within the subdivision conform to the minimum standards adopted by the county and applied uniformly throughout the county.

### **New DEQ Regulations to Implement the Amended Subdivision Statute**

To implement the new responsibilities given it under the amendment of W.S. 306(c), the Department of Environmental Quality (DEQ) prepared four *SUBDIVISION INFORMATION REQUIREMENTS*. The four *REQUIREMENTS* apply to:

- Individual On-Site Domestic Sewage Disposal Systems and Individual On-Site Domestic Drinking Water Systems,
- Individual On-Site Domestic Sewage Disposal Systems with a Central Water System,
- Central Wastewater Systems, and
- Centralized Subdivision Water Supply.

Each of the *REQUIREMENTS* indicates the information required by the DEQ and the State Engineer's Office to process a subdivision application. Where an on-site system is proposed, the requirements are indicated by a step process, which is 17 pages in length for the Individual On-Site

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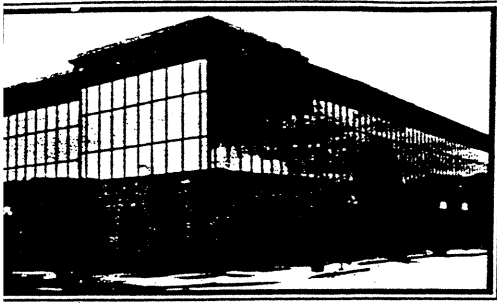
Domestic Sewage Disposal Systems and Individual On-Site  
domestic Drinking Water Systems.

The *REQUIREMENTS* are available at the offices of the  
Department of Environmental Quality.

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## Appendix G

### Reimbursement Upon Annexation for Previously Installed Infrastructure



## Laramie County Government

THOMAS D. ROBERTS ♦ LARAMIE COUNTY ATTORNEY  
P.O. BOX 608 ♦ 309 W. 20TH ST. ♦ SUITE 2200 ♦ CHEYENNE, WY ♦ 82003-0608  
Phone (307) 633-4370 ♦ Fax (307) 633-4329

December 11, 1997

Peter L. Inniss, AICP  
The Planning Studio  
3001 Henderson Drive  
Cheyenne, WY 82001

re: Cheyenne City Code §§33-60, 33-61, and 33-62

Dear Peter,

The Cheyenne City Code includes three sections, 33-60, 33-61, and 33-62, addressing reimbursement, upon annexation, for previously installed infrastructure as outlined in City Code §33-57. The infrastructure in question is "off site", that is, located on undeveloped property outside the city boundaries other than the property being platted and developed.

Cheyenne City Code §33-60 requires a developer constructing off site infrastructure to pay the full costs thereof. The section further provides, however, at such time as the undeveloped property containing, or immediately adjacent, to the infrastructure installed by the developer is to be annexed, the then current property owner, as a condition of annexation, will be required to pay a proportionate share of the original infrastructure cost, plus 7% interest. The interest shall be compounded annually, based upon the city's fiscal year, from the date of acceptance of the infrastructure by the city. This Code section thus provides a mechanism for a developer required by the Code to construct off site infrastructure to recover a portion of the cost thereof, plus interest, from the owners of undeveloped areas benefitting from the infrastructure after annexation.

Subsection b of §33-60 does, however, place a time limit on reimbursement. Reimbursement by owners of undeveloped property adjacent to or containing the infrastructure is only required if the undeveloped property is annexed within 15 years from the date the developer first contracted for the infrastructure improvements. Please note the 7% interest requirement commences on the date the infrastructure is accepted by the city, which would generally be later in time than the date the developer contracted for installation. The time frame between the date of initial contract and the date of acceptance by the city, while counting towards the 15-year limitation, is not subject to the 7% interest requirement.

Cheyenne City Code §33-61 allows the City of Cheyenne to similarly recover the cost of infrastructure the city itself may have installed. This section also allows accrual of 7% interest from the date of acceptance of the infrastructure, with a 20-year time frame for recovery. Please

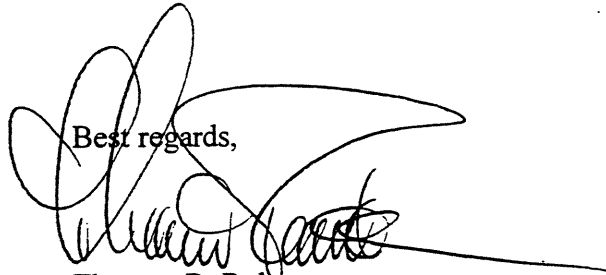
Inniss / re: Cheyenne City Code §§33-60, 33-61, and 33-62  
page two

note, however, under Cheyenne City Code §33-61(b), although the city has 20 years from the date of acceptance of the infrastructure improvement to require reimbursement, the 7% interest accrual ends at the end of the 10th year. Interest does not thus accrue on the cost of the infrastructure improvements in years 11 through 20.

Cheyenne Code §33-62 sets forth the collection and repayment procedures for the proportionate costs mandated by §§33-60 and 33-61. Section 33-62 also indicates the preferred, but not required, method for proration is a per-foot cost of improvement multiplied by the lot frontage adjacent to the improvement.

Thank you.

Best regards,

A handwritten signature in black ink, appearing to read 'Thomas D. Roberts', is written over the 'Best regards,' text.

Thomas D. Roberts  
Laramie County Attorney

TDR/mp  
Enclosure

cc: Laramie County Commissioners; Mary B. Guthrie, Cheyenne City Attorney; tdr; files (3)

RESOLUTION NO. 3895

APPROVED AS TO  
FORM ONLY:  
MB Gutierrez  
DATE 2-2-98

**ENTITLED: "A RESOLUTION ADOPTING THE EAST CHEYENNE INFRASTRUCTURE IMPROVEMENT PLAN AS AN UPDATE TO THE CHEYENNE AREA DEVELOPMENT PLAN - 1992 FOR THE EAST CHEYENNE AREA."**

WHEREAS, the Wyoming Statutes, 15-1-503 and 18-5-202, allows cities and counties to prepare and adopt master plans to guide the growth and development of an area and the CHEYENNE AREA DEVELOPMENT PLAN - 1992 was prepared and adopted by the governing body of the City of Cheyenne and the Board of Commissioners for Laramie County as the comprehensive or master plan for the development of the Cheyenne area in accordance with the requirements of those statutes; and

WHEREAS, the CHEYENNE AREA DEVELOPMENT PLAN - 1992 is a dynamic document and is meant to be amended as needs of the community change or as planning in greater detail is conducted and the Wyoming Statutes, 15-1-503(b) and 18-5-202(b), anticipate and provides for these plan amendment changes; and

WHEREAS, the CHEYENNE AREA DEVELOPMENT PLAN - 1992 is to be amended in the same manner and process as required for the comprehensive plan; and

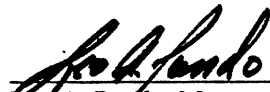
WHEREAS, an amendment, THE EAST CHEYENNE INFRASTRUCTURE IMPROVEMENT PLAN was prepared with citizen involvement and was discussed in detail at two advertized public meetings within the area encompassed by the plan during its development and further that the notice of the amendments to the CHEYENNE AREA DEVELOPMENT PLAN - 1992 was advertised on December 19, 1997 for the public hearing held by the Regional Planning Commission on January 20, 1998; and

WHEREAS, the Regional Planning Commission held a public hearing on January 20, 1998 and accepted public comments and did recommend this plan as the update for this area to the Governing Body of the City of Cheyenne and the Board of Commissioners for Laramie County for adoption.

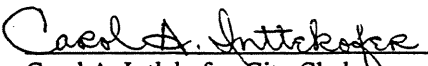
NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF CHEYENNE, WYOMING, THAT:

**THE EAST CHEYENNE INFRASTRUCTURE IMPROVEMENT PLAN is adopted as an amendment to the CHEYENNE AREA DEVELOPMENT PLAN - 1992 for the East Cheyenne Area and supersedes or replaces the specifics of the existing CHEYENNE AREA DEVELOPMENT PLAN - 1992 for that area and that the City and County Planning staffs are to incorporate the text and mapping into the next update of the Cheyenne Area Development Plan.**

PRESENTED, READ, AND ADOPTED ON THIS 23rd DAY OF February, 1998

  
Leo A. Pardo, Mayor

(SEAL)  
ATTEST:

  
Carol A. Intlekofer, City Clerk

RESOLUTION NO. 980303-04

ENTITLED: "A RESOLUTION ADOPTING THE EAST CHEYENNE INFRASTRUCTURE IMPROVEMENT PLAN AS AN UPDATE TO THE CHEYENNE AREA DEVELOPMENT PLAN - 1992 FOR THE EAST CHEYENNE AREA."

WHEREAS, the Wyoming Statutes, 15-1-503 and 18-5-202, allows cities and counties to prepare and adopt master plans to guide the growth and development of an area and the CHEYENNE AREA DEVELOPMENT PLAN - 1992 was prepared and adopted by the governing body of the City of Cheyenne and the Board of Commissioners for Laramie County as the comprehensive or master plan for the development of the Cheyenne area in accordance with the requirements of those statutes; and

WHEREAS, the CHEYENNE AREA DEVELOPMENT PLAN - 1992 is a dynamic document and is meant to be amended as needs of the community change or as planning in greater detail is conducted and the Wyoming Statutes, 15-1-503(b) and 18-5-202(b), anticipate and provides for these plan amendment changes; and

WHEREAS, the CHEYENNE AREA DEVELOPMENT PLAN - 1992 is to be amended in the same manner and process as required for the comprehensive plan; and


WHEREAS, an amendment, THE EAST CHEYENNE INFRASTRUCTURE IMPROVEMENT PLAN was prepared with citizen involvement and was discussed in detail at two advertized public meetings within the area encompassed by the plan during its development and further that the notice of the amendments to the CHEYENNE AREA DEVELOPMENT PLAN - 1992 was advertised on December 19, 1997 for the public hearing held by the Regional Planning Commission on January 20, 1998; and

WHEREAS, the Regional Planning Commission held a public hearing on January 20, 1998 and accepted public comments and did recommend this plan as the update for this area to the Governing Body of the City of Cheyenne and the Board of Commissioners for Laramie County for adoption.

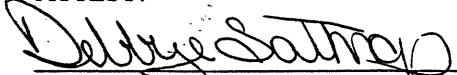
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS FOR LARAMIE COUNTY, WYOMING, THAT:

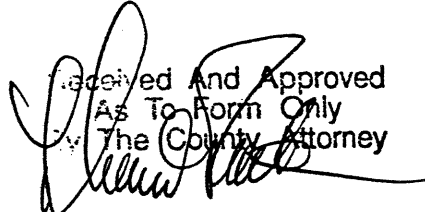
THE EAST CHEYENNE INFRASTRUCTURE IMPROVEMENT PLAN is adopted as an amendment to the CHEYENNE AREA DEVELOPMENT PLAN - 1992 for the East Cheyenne Area and supersedes or replaces the specifics of the existing CHEYENNE AREA DEVELOPMENT PLAN - 1992 for that area and that the City and County Planning staffs are to incorporate the text and mapping into the next update of the Cheyenne Area Development Plan.

PRESENTED, READ, AND ADOPTED ON THIS 3<sup>rd</sup> DAY OF March, 1998.

  
Fred Emerich - D.V.M., Chairman  
Laramie County Commissioners

(SEAL)  
ATTEST:

  
Debbye Lathrop, County Clerk

  
Received And Approved  
As To Form Only  
By The County Attorney