



**UNIFIED DEVELOPMENT CODE & FORM-BASED CODE
CHEYENNE, WY**

IMPLEMENTATION SNAPSHOT

An Examination and Comparison of Current Regulations to Plan Cheyenne

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Planning and Development Department

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SECTION I. INTRODUCTION

PROJECT GOALS AND APPROACH

The *Implementation Snapshot* provides an independent and objective analysis of the City of Cheyenne's development regulations (zoning ordinance, subdivision ordinance, and road and street standard). It is conducted as a preliminary step in the development of a unified development code to implement the policies and strategies of Plan Cheyenne. The purpose of this report is to evaluate how well the existing City regulations will implement *PlanCheyenne*, and identify a range of options the City may take to correct any deficiencies.

The report is based on (1) a cursory review of the Wyoming Statutes to identify how the City could best take advantage of its statutory authority to implement *PlanCheyenne* through development regulations; (2) a detailed review of *PlanCheyenne*, including the Community Plan, Transportation Plan, and Parks and Recreation Plan; and (3) analysis of the existing development regulations in light of contemporary plan implementation and regulatory strategies. The report contains a narrative, discussing key and important regulating policies and comparisons to the *PlanCheyenne*.

None of the commentary or analysis in this report represents an official recommendation or formal direction for the City towards future growth. Rather, the report presents a wide range of ideas to consider that could better implement the *PlanCheyenne*. Comments are based strictly on how well the regulations are aligned to policies, goals, concepts and development patterns included in the Plan, and reflect an initial step in the project. The remainder of the project process and public participation strategy is intended to develop these concepts further, and thoughtfully discuss whether or how they may be applicable to Cheyenne. This report is a critical review meant to advance the dialogue as the City continues to explore plan implementation strategies to incorporate into its long-range planning process. It is a rare opportunity to consider development regulations outside of any immediate or pending development application.

PROJECT OBJECTIVES...

The following are the three primary objectives that will guide this project:

- **Clarify** – Reorganize the code, rewrite confusing language, add tables and graphics, and develop consistency and eliminate conflicts.
- **Streamline** – Analyze process, provide flexibility and options, and reduce risk and uncertainty.
- **Improve** – Upgrade existing regulations, add new regulations and/or zoning categories, reflect the future land use map of *PlanCheyenne*, and increase density (options) and flexibility.

ABOUT PLAN CHEYENNE

PlanCheyenne was adopted in 2006. It is a general guide to future growth and development for the City of Cheyenne. It is a policy and is conceptual, and it must be implemented by the day-

today decisions of landowners, developers, public officials, and other stakeholders. One part of successful plan implementation is how development regulations impact these decisions.

Most of the City's development regulations pre-date *PlanCheyenne*. It is not uncommon that a city's regulations conflict with current planning goals when they are not updated in conjunction with or quickly following a comprehensive planning effort. A community's vision, values and goals can change over time, and regulations should help steward development practices that respond to those changes. The City is taking this opportunity to emphasize regularity approaches that are working in conjunction with the Plan, add additional opportunities to better implement the Plan, and change provisions that undermine the Plan.

The extent that *PlanCheyenne* calls for change to its approach to long range growth can best be identified in two key framework elements of the plan – the Plan Foundations and the Key Land Use strategies. Although the Plan has many more specific policies, strategies, and design and development principles or concepts, the Plan Foundation and Key Land Use concepts capture in a summary fashion the major themes of the Plan, and a filter through which all regulatory changes will be evaluated.

Plan Foundations

1. Grow as a Community of Choice
2. Create Livable "Hometown" Neighborhoods
3. Fostering Vital Employment and Activity Centers
4. Developing a Connected and Diverse Transportation System
5. Celebrating our Character and Varied Heritages
6. Creating a Legacy of Parks, Open Spaces, and Trails
7. Developing in a Fiscally Responsible Way

Key Land Use Concepts

1. Urban development focused within an Urban Service Boundary (USB)
2. A balanced mix of housing and jobs
3. Neighborhoods with housing choices
4. A variety of vital "Activity Centers"
5. Connected and coordinated transportation system
6. System of connected parks throughout our neighborhoods and community
7. Viable agricultural and ranch lands
8. Natural/cultural resource conservation
9. Attractive community gateways and Interstate corridors
10. Flexibility in land use categories

These foundations will be referred to frequently in the project process as benchmarks against which the existing regulations are evaluated.

DEVELOPMENT REGULATIONS GENERALLY

There are many roles that the City has beyond regulating development that will implement the *PlanCheyenne*. Non-regulatory policies, public/private partnerships, and decisions on how the City spends its own financial resources on capital projects may arguably have a more immediate impact on plan implementation than the City's development regulations. However, development regulations set the basic policy framework, and are one point in the process where all of the stakeholders in development activities interact in building a future for the City. Cumulatively and

incrementally, the many decisions made within this framework and according to the regulations, become more significant.

The City has two primary regulatory tools that will shape and direct future growth towards the vision of the *PlanCheyenne* – the subdivision ordinance and the zoning ordinance. Although the statutory authority behind each of these ordinances is related, there are some important distinctions between zoning and subdivision regulations that help set the context for the commentary and analysis in this report.

Subdivision Regulations. Subdivision regulations are perhaps the most important regulatory tool in implementing a comprehensive plan for a city.¹ Subdivision regulations are intended to coordinate development and establish efficient development patterns as land division occurs across multiple development projects. One of the key public interests in regulating land division is ensuring that systems for serving broad groups of future land owners are put in place efficiently and according to long-range plans. Subdivision regulations are therefore the first critical step in implementing a comprehensive plan from a regulatory perspective.

However, subdivision are frequently overlooked (in terms of specifically implementing the comprehensive plan) by many jurisdictions in favor of the more familiar topics and contents of a zoning ordinance. Many local governments treat subdivision regulations as merely a technical document – insuring only that the engineering standards for streets and infrastructure are met or that the procedures for platting and conveying lots are followed. This approach ignores a city’s most significant opportunity to regulate future development and direct it towards a more specific character and community vision.

Subdivision regulations set the “bones” of the community in place – addressing development patterns, street networks, block and lot structure, open spaces (public, common, or private), and infrastructure. Once built these elements are not likely to change over the course of a long-range plan – or ever without significant re-investment by local government. In essence, subdivision regulations implement the big picture, while zoning can implement pieces of the picture on a site-by-site, or area-by-area basis.

Therefore, it is critical that subdivision regulations be evaluated primarily on their ability to direct growth in a fashion that is consistent with the community’s vision. Key policy and planning concepts that will most affect the commentary in this report with respect to the City’s subdivision regulations are found in the Structure component of the *PlanCheyenne* Community Plan and the Structure Component of the *PlanCheyenne* Transportation Plan. These sections of the Plan suggest that greater attention to “urban design” be incorporated into subdivision regulations.

Urban design refers to the relationship of buildings and spaces between buildings, and specifically the design details that define this relationship. Significantly urban design deals largely with public spaces, represented by rights-of-way or other open space platted throughout the community. These areas are not directly impacted by or created through zoning regulations that apply to private property, but rather are the result of community design standards in the subdivision regulations. Subdivision regulations are an opportunity to more effectively deal with

¹ In most states, including Wyoming, the authority to enact subdivision regulations is included in its comprehensive planning authority, unlike zoning which is often included as a separate but related power. This stems from the model Standards City Planning Enabling Act (1928) (SCPEA) and the model Standard Zoning Enabling Act (1926) (SZE), which is the basis of most states’ planning authority – at least historically. The footnotes and commentary from authors of the SCPEA support the importance and more intimate link of subdivision regulation to long-range planning that is suggested in this report. Although the Wyoming statutes do not strictly follow the model SCPEA and SZE, they do borrow much of the terminology and approaches of those companion acts.

the physical design of the public realm through the platting of streets and open spaces, and laying out of future growth areas of the city according to the Plan.

This report focuses on how the urban design concepts of *PlanCheyenne* can be better reflected in the City's subdivision regulations.

Zoning Regulations. Zoning regulations represent the counterpart to subdivision regulations – establishing development standards that apply to private lots within the development patterns and public spaces established through subdivision regulations. Zoning is intended to implement plans by establishing different districts which “regulate the erection, construction, reconstruction, alteration, repair, or use of buildings, structures, or land”² distinctly between districts, and establish different standards for each “class or kind of building”³ enabled within a district. Significantly, the Wyoming statutes, like most state statutes using some form of the model Standard Zoning Enabling Act, authorize the regulation of many aspects of development beyond just the “use of land.” In fact, “use” is just one aspect of a range of regulatory topics that are recognized by the statutes as important topics to consider in zoning ordinances, and that will impact the form and character of the community when implementing a plan.

Although the statutes authorize zoning to address a broad range of topics, particularly when related to policies in a local comprehensive plan, the tendency among the planning profession over the past few decades has been to utilize zoning primarily to arrange similar land uses in limited groupings across large areas through broad application of districts. This tendency is the predominant philosophy in what have most recently come to be known as “conventional zoning ordinance.” Conventional zoning ordinances are based on two basic assumptions: 1) that categories of similar uses grouped into districts creates “compatibility,” and 2) impacts of development are best minimized when uses and buildings are separated from adjacent sites and streets through setbacks and buffers. This approach often fails to take advantage of other appropriate design and development techniques which are authorized under the statutes, and which may better implement local plans.

This report challenges the two basic assumptions of conventional zoning ordinances and suggests that a regulatory strategy specifically tied to the *PlanCheyenne* would better position the City to guide development over the next 20 years. Further, *PlanCheyenne* in many cases specifically recommends a different direction than would result from these assumptions. Cheyenne's zoning ordinance was analyzed for opportunities to incorporate a wider range of design-based regulatory strategies in a manner that emphasizes the Foundations and Key Land Use Concepts of *PlanCheyenne*.

² Wyo. Stat. Ann. Section 15-1-601.(b).

³ Wyo. Stat. Ann. Section 15-1-601.(c). Note the important implication that regulations can address distinct urban form, or different “kinds and classes of buildings” within districts, in addition to regulating permitted uses. The statutes also enable regulation of many building design, orientation, and massing topics along with “use of buildings”. Wyo. Stat. Ann. Section 15-1-601(a).

SECTION II. CHEYENNE – LARAMIE COUNTY SUBDIVISION / DEVELOPMENT REGULATIONS (2000)

Cheyenne's subdivision / development regulations were looked at in terms of four key "systems" that are the subject of most subdivision regulations, and which are the foundation of community development patterns: Transportation Systems / Street Networks, Open Space Systems, Blocks and Lots, and Infrastructure Systems.

1. *Transportation Systems / Street Networks.* A key element of any land division application is how it integrates within, and supports existing or planned transportation networks beyond the boundaries of a project. Cheyenne's subdivision / Development Regulations defer most of the planning standards for transportation and street networks to the Road, Street, and Site Design standards reviewed below. Specific comments on the standards in relation to *PlanCheyenne* are addressed there.
2. *Open Space Systems.* Cheyenne's standards have a general reference to preserving "natural features" on land proposed to be subdivided (80.060) and encourage "clustering" of residences, but only in the County (80.020(d)). In addition, they have detailed provisions for fees for neighborhood parks (Article IV. Community Facility Fees.). *PlanCheyenne* has many specific provisions for different parks and open spaces, including recommendations for updating the fee structure. However, the regulations currently don't recognize that different contexts could allow a range of different open space solutions to serve neighborhoods, and only contain standards for natural open spaces. By including specific standards for different types of open spaces (per the Plan) in the regulations, greater flexibility may be offered to developers to include open spaces within their plans, dedicate it to the City based on specifications, and help implement a more connected system of parks, trails and open spaces per the plan. Specifications for open spaces are being developed as a parallel scope to the ordinance revisions, and will be used to help inform updates to the open space provisions of the subdivision regulations.
3. *Blocks and Lots.* Most of the standards in Article VIII on design standards deal with lots. However, they do not clearly identify any specific development patterns in relation to the Plan. Instead, much of Article VIII appears to be a collection of various standards addressing lots. *PlanCheyenne* indicates that a variety of development patterns, particularly neighborhoods, nodes and activity centers should be developed. Subdivision regulations emphasize an opportunity to link future development to the plan by enabling a range of block and lot development patterns that will serve the immediate development, and which will integrate with existing, planned or future development in the vicinity. Since much of the subdivision design standards defer to zoning ordinance lot standards, improvement of the zoning ordinance lot standards (see point 2 below under Zoning Ordinance comments), will improve this aspect of the subdivision standards. However, block limits are an essential component of implementing patterns called for in *PlanCheyenne*, and in promoting connectivity of the Transportation Network. Currently the definition of a block is too vague to use this tool (it allows "other property lines" to define a block) effectively, and there are no specific block standards keyed to the different development contexts called for in the Plan.

4. *Infrastructure.* Cheyenne’s regulations do a good job of facilitating comprehensive infrastructure planning, including utilities, storm drainage and community facilities (public safety, schools, etc.). They ensure that the immediate development is adequately served and that opportunities and expenses for expanded facilities that meet long-term plans can be equitably shared by the City and developer. However, a clear process for reserving lands that could be appropriate, based on documented plans, for serving broader community needs can be helpful in implementing the Plan. These types of provisions allow acquisition strategies and provide incentives that balance the public and private interests at stake. Other improvements to the technical sections regarding infrastructure planning and design will be better gauged through interviews with key staff and the development community on issues affecting infrastructure design and maintenance.
5. *Applications and Procedures.* The administration of the development regulations can basically be organized under four primary functions – interpretation (including definitions), application requirements, review processes, and enforcement. Both the Zoning Ordinance and Subdivision / Development Standards contain many sections and pages related to development applications and review processes. Through key interviews, approaches to streamlining and clarifying these sections will be determined. Preferred approaches of staff to present processes in a flow-chart type approach will be incorporated, and generally checklists for applications will be explored. Many of the technical or specific details of the application sections may be better housed in an administrative manual or actual application packet maintained by the departments. Further, as part of a potential “unified code” project, the opportunity to organize all Administration and Procedures elements into a single Article of the code can improve consistency (particularly with respect to definitions) and streamlining of ordinance requirements among the three documents under consideration (Zoning, Subdivision, and Road, Street and Site Design Standards.)

In general the City’s Subdivision / Development Standards are very process intensive (54 pages of procedures in first seven articles) and do not emphasize the importance of broad community planning patterns (approximately 13 pages in Article VIII). Further, an organizational structure that separates the broad planning principles from the technical and engineering specifications should be explored. This can help draw more explicit links to the land use policies in *PlanCheyenne*, but still ensure that appropriate technical specifications are implemented on a lot by lot basis. In addition, this can aid in a more user-friendly format for the different professions that must interpret and use the regulations in the development process.

SECTION III. CITY OF CHEYENNE ROAD, STREET AND SITE PLANNING DESIGN STANDARDS (2007)

The City of Cheyenne Road, Street and Site Planning Design standards were drafted to provide “uniform design standards for development of transportation facilities in the City of Cheyenne.” They apply to public rights-of-way and to private property where access to public rights-of-way is required. They primarily impact the design of roads, streets, and related public facilities, but include standards for private site design. They are intended to be used in conjunction with other applicable laws, including city subdivision and zoning regulations. These standards were updated in 2006 to address certain development issues facing the community, with several housekeeping changes made in 2007. The standards address issues such as street network requirements, traffic impact analysis, street cross-section designs (roadway and non-roadway rights of way), street access and intersection spacing and design requirements, requirements, pedestrian and bicycle facilities, drainage, and some site design standards on private property.

Cheyenne’s Road, Street, and Site Planning Design Standards were analyzed for opportunities where transportation system and facility design can better support the land use concepts of *PlanCheyenne*. These comments will assist in the evaluation to reinforce standards that are working well, improve areas that may not work well, and add flexibility or more explicit strategies to implement some of the new or innovate concepts of the Plan.

1. *Hierarchies*. Road “hierarchies” (eg. major arterial, minor arterial, collector, and local), where most traffic is forced to larger-scale arterial streets, are emphasized as the fundamental planning element. This tends to create a development framework that could prioritize traffic volume and flow over all other goals, potentially having negative impacts on pedestrian design, multi-modal mix, aesthetics, urban design, or land use and development patterns identified in the Plan.
2. *Connectivity*. The connectivity standards between road classifications and road access, or “scale” for which the street hierarchy is planned, does not support development patterns identified in the Plan (activity centers, and walkable, mixed-dwelling neighborhoods.). They require large minimum separation points between different classifications of streets and access from those streets. The typical result from development patterns with this scale of connectivity is larger-scale commercial uses separated from other supporting uses (residential, employment, or civic). This pattern, if applied universally, will also lead to more vehicle trips, longer vehicle trips, increased automobile dependency, and eventually greater traffic and congestion. The result includes higher capital construction costs for the City as well as increased long-term maintenance costs. All of these conflict with the goals and objectives of *PlanCheyenne*.
3. *System / Land Use Relationship*. The hierarchy framework and connectivity standards could result in a system that will not clearly support or promote the key land use concepts in the plan, and in fact may prioritize more strip commercial patterns which are discouraged or rejected in the Plan. Large scale roadways (designed for 15,000 Average Daily Traffic [ADT] or greater), create market conditions where all lands along that corridor become attractive to commercial development interest due to exposure to pass

through traffic. When design capacity approaches 40,000 ADT, all lands along that corridor become attractive to regional-scale commercial development. Eventually, development investment could become dispersed along the length of these corridors, and retail interests may compete against or possibly cannibalize each other competing for a limited market of residences within a trade area. Without local governments instituting regulatory measures to neutralize the negative market conditions created by the roadway system, strip commercial patterns can result. In contrast, if smaller scale streets are planned, but with greater frequency and network connections to support broad mobility goals, a market condition is created that targets development investment at key intersections (eg. 12,000 ADT + 12,000 ADT = 24,000 ADT, or an attractive retail environment), or in areas where sufficient residential density exists within an ¼ mile to ½ mile “walkable” radius. This type of transportation system and resulting development patterns is more consistent with the pattern of “nodes” and activity centers in *PlanCheyenne*.

4. *Design for Alternative Modes.* The design standards for streets, with the exception of standards in Chapter 8 that address pedestrian level of service, prioritize vehicle volumes and flow (vehicle LOS). Many development contexts anticipated in *PlanCheyenne*, and the Foundations and Key Land Use concepts in the Plan, suggest that there are many instances where other interests should take priority over vehicle flow, including considerations for other modes of transportation, relationships to adjacent land use and development patterns, or aesthetic considerations. The “complete streets” and pedestrian level of service concepts in the Plan should be emphasized as a mechanism for altering design standards, or directly incorporated into the default design standards.
5. *Design of Specific Functional Classifications.* The design standards for street cross sections assume that any particular segment of a street within a single functional classification (eg. major arterial, minor arterial, collector, local) should be designed the same, regardless of the surrounding development patterns or adjacent land uses. If more connected street networks are developed to support development, greater flexibility may exist for different street design types, without disrupting the overall function of the street or transportation system. This allows street designs that better support and relate to adjacent land uses, and can incorporate a better balance for different modes of transportation (vehicle, pedestrian, bike, and transit).
6. *Format and Usability.* The document format could be improved to “clarify” and “streamline.” It is a long document, with much narrative, and at times it can be difficult to find standards. It also includes a mix of planning, urban design, engineering, and construction / specification information without a clear organization or orientation for each of these different topics. (This can create difficulty for any of the different professions or specialists who may be working with just a part of the document). Lastly it appears to overlap with other regulatory topics that are in the zoning or subdivision regulations, without explicit cross-referencing. This has a tendency to breed conflicts or interpretation issues between all of the documents and forces applicants or other users of the regulations to go to three sources to gain a complete understanding of regulatory or design issues.

SECTION IV. CITY OF CHEYENNE ZONING ORDINANCE (DATE)

Cheyenne's zoning ordinance was analyzed for opportunities to incorporate a wider range of design and development regulatory strategies in a manner that emphasizes the Foundations and Key Land Use Concepts of *PlanCheyenne*.

1. *Districts Generally.* The zoning ordinance has 25 different zoning districts, including rural districts, residential districts, commercial districts, mixed use districts, and special purpose districts. While this amount of zoning districts is not unusual, concepts or policies in the Plan may allow us to explore consolidating some districts. Where one or more districts can allow a greater mix or integration of similar uses, based on strategies or design concepts in the plan, it may present an opportunity to streamline development of the regulations. Further, the separation of City and County planning may mean that some districts will not need to be retained in the City's zoning ordinance.

All of the zoning districts could be improved by beginning with an explicit "Intent and Applicability" statement. Such statements establish links to *PlanCheyenne* and the future land use map, explain parameters on the extent and intensity of any single zoning district before transitioning to other supporting uses, and explain goals for relationships between mutually supporting zoning districts. Such statements provide helpful guidance to applicants, public officials and staff in the development process, and keep long-range goals and strategies in focus amidst day to day decisions.

In addition, there are many pages devoted to the various zoning districts. Most provide use and dimension standards for lots. In the current format it can become difficult to navigate these sections. Provided an overall format is developed to address other standards that may affect zoning districts (site design, parking, signs), much of the current format for all of the zoning districts could be consolidated into 2 or 3 pages of tables for allowed uses and dimension standards for all of the zoning districts. This may also allow easy comparison among zoning districts for landowners or developers who may need to better understand their options.

2. *Neighborhood Residential Districts.* There are six "neighborhood residential" districts ranging from low density to high density. Although they do allow a mix of housing types within some districts (as called for in *PlanCheyenne*) – particularly at the higher density range – the districts are primarily distinguished by lot size. For example, the difference between MR-1 district and LR-1 district, is that single-family houses may have lots with 2,000 square feet less (7,000 instead of 9,000) and duplexes may have lots with 1,000 square feet less (3,500 instead of 4,500). The MR-1 district also allows "multi-family" uses for the first time. A better approach that could more affectively implement the goals of *PlanCheyenne* for a compatible mix of housing types within some neighborhoods may be to tie the building type (i.e. large detached, small detached, semi-attached, attached, multi-unit, etc.) to the lot type so that no matter what district you are in consistent and quality urban design standards are applied to the building and lot. Then districts could be differentiated on the range and intensity of the building / lot combinations they allow.

3. *Commercial Districts.* There are three primary commercial (“business”) districts – Neighborhood, Community, and Central Business. This is typical, and it is consistent with the patterns of *PlanCheyenne* and the Future Land Use Map, and the Key Land Use Concept of a “variety of vital activity centers.” However, there is nothing in the standards of these districts to guide development within the three distinct scales intended – neighborhood scale, community scale, or downtown scale. The districts enable uses generally, and assume that all “retail and wholesale establishments” would have the same impacts and further the land use policy goals equally. This is not the case, as the scale of businesses in relation to surrounding supporting uses is instrumental in creating “vital centers” and in achieving the urban design principles of the Plan. Adding Intent and Applicability statements for each of these districts can help with this issue. In addition, while still maintaining a general approach to categories of uses (as the zoning ordinance currently does and *PlanCheyenne* recommends) there may be an opportunity to break down use categories to appropriate scales of uses consistent with the land use plan policies, and then differentiate these districts by scale.
4. *Mixed-use Districts.* *PlanCheyenne* has three mixed-use land use categories on the Future Land Use Map – Employment Campus, Residential Emphasis, and Commercial Emphasis. The current zoning ordinance has two mixed-use districts which match the later two categories. One of the priority code amendments recommended in *PlanCheyenne* is to update these districts consistent with the plan. However, although these districts do allow for a mix of uses, there are very little planning or urban design standards to indicate how these uses are to be arranged in a compatible development format, consistent with the plan. The MUR district appears to be more of a residential district with retail as a use requiring administrative approval. There is very little guidance to prospective developers as to what design and development standards are necessary to gain approval. The MUB district appears to be a business district that allows residential according to the MR-1 district standards (medium density residential). Neither of these will assure the desired or effective mix of uses. Further, it is worth pointing out that a compatible mix of uses consistent with the plans land use policies can be achieved by a better integration and relationship among compatible zoning districts. Better guidance on how to implement development using the NB (neighborhood business) and MR-1 (medium density residential) districts, can achieve the same or better results as is intended by the two existing mixed-use districts.
5. *Special / Planned Districts.* There are several special purpose districts in the ordinance including provisions for planned districts, Airport district, Military District, Airport and Capital Districts, and Development Incentive overlays, Wireless Telecommunications Facilities, and Manufactured Homes. As these are technical and issue-specific provisions, no immediate improvements are noted in light of implementing *PlanCheyenne*. However part of the process will include interviewing key people most familiar with the technical aspects of these sections of the ordinance to determine if any changes or improvements are needed.
6. *Rural / Agriculture Districts.* There are several districts addressing agriculture and rural residential development to varying degrees. This area presents the most likely opportunity for consolidating districts, due to the split of County and Zoning issues (some districts express “county only” application) and the fact that *PlanCheyenne* recommends limited application of large-lot or rural development in growth areas. A single district, reflecting the strategies and approaches in the plan should be explored.

7. *Design.* Design standards, or standards that address the physical and aesthetic arrangement of development on individual sites are scattered in several sections of the zoning ordinance. Common topics of design, most of which are reflected in the Cheyenne Zoning ordinance in some places, include Site Access and Circulation (vehicular), Parking, Landscape, Open Space (private – on-site), and Building Design (these can cover a range of basic urban form, aesthetics and materials, or architectural styles).

One immediate improvement to Cheyenne’s zoning ordinance is to remove the sign provisions from all of the individual zoning districts (where they are repeated) to a single section on signs (addressing all sign issues in the current section 17.128). The signs provisions included in all of the individual zoning districts have few distinctions between different zoning districts or groups of zoning districts, enabling to opportunity to reduce much of the repetitive text. This can be achieved in a format that still preserves important distinctions where a different character and sign allowance will be preserved. Another issue related to signs is the extensive list of sign definitions (some of the defined sign terms don’t appear to be used in the regulations). This list may be simplified while still achieving the City’s goals and protecting adjacent property interests. In addition, a few of the definitions appear to be “content based” (i.e. “political signs” or “real estate signs”), which presents constitutional concerns on whether the regulation can be more limiting than other similar signs.

The current parking provisions appear sufficient, although the content can be better organized in a table format. However, more specific incentives for reducing or sharing parking facilities should be explored to better meet the urban design principles in *PlanCheyenne*. For example, the parking section does not allow a mixed-use development to share spaces among different uses that may have different peak times, instead requiring parking to meet the cumulative requirement of all uses. (17.124.040.B.7.) Reducing the cumulative parking requirement is one of the advantages to more compact development with a mix of compatible uses. Several models exist to set an industry accepted threshold for parking sharing among compatible uses with different peak times. This can make the allowances and incentives of collective parking facilities (17.124.020) more explicit. In addition, location sharing, credits for existing on-street parking, and credits or reductions for site designs that support alternative modes of transportation (pedestrian, bicycle, and transit) should be explored as a means of reducing the parking footprint and allowing more better urban design features and amenities.

The landscape requirements within the site plan section (17.136.040) are extensive, and rely on a complex buffering requirement. Gaining a better understanding on how successfully these have been implemented through the development process will be key to identifying if improvements need to be made. However, it does appear that some more context-specific solutions should be explored so that landscape design is incorporated into the overall character of the district, and not simply used to “buffer” things that are assumed incompatible.

With respect to other site design elements (site access and circulation, open space, and building design), only large scale commercial uses are subject to specific standards (17.118). The site plan section (17.136) has some general provisions where a site plan is required, but no specific standard guiding how development sites should be arranged or relate to the adjacent public streetscape. These issues can be especially critical to

successful and compatible development among different sites when a more compact development pattern is promoted as in *PlanCheyenne*. Further, the large-scale commercial design standards could benefit from a reorganization and streamline of words. This reorganization will present an opportunity to evaluate whether similar provisions (but with different specific standards) should be applied to other districts with respect to site access and circulation, open space, landscape, and building design.

In general, all of the design standards should be organized into one primary section of the ordinance. This will allow a more clear expression of the *Intent and Applicability* of the standards, the relationship to of the standards in developing integrated site designs, and allow design specialists in the development community to have access to the information that is most relevant to them in one location.

8. *Procedures / Administration*. [see comments offered with Subdivision / Development Regulations point 5. above.] In general, the opportunity to organize all Administration and Procedures elements into a single Article of the code can improve consistency (particularly with respect to definitions) and streamlining of ordinance requirements.

SECTION V. SUMMARY

The following themes emerge after reviewing the development regulations and considering improvements to better implement *PlanCheyenne*.

- Begin with a logical framework for the overall development code. Improve cross-references so that topics or regulations are only addressed once, but it can be easily found when dealing with related sections. This will also help with identifying appropriate places to make future amendments when that need arises.
- Incorporate opportunities and flexibility for road networks and street designs that better relate to existing and planned land uses and development patterns, while still improving the system-wide mobility. In some contexts and specific development patterns called for in *PlanCheyenne* this may involve increasing the connectivity of public streets while offering a variety of street designs and cross-sections within the area that better support adjacent site designs, buildings, and uses.
- Emphasize the scale and site design of various uses allowed in the existing zoning districts. This can allow greater flexibility and a broader variety of different land uses and building types within zoning districts, but ensure compatibility and effective transitions between different zoning districts. For many districts, specifying a better match between building types and lot standards will improve implementation. Planned and mixed-use districts may also be improved with greater specificity on the scale of uses, range of acceptable uses, and more specific criteria for building and lot design. Some new zoning districts may be necessary, while others – where distinctions are simply based on lot sizes may be consolidated.
- Improve site design standards for the variety of different contexts established in *PlanCheyenne*. The charrette will identify a number of urban design strategies that can improve the relationship between buildings design, lot design, and street design on individual lots, and identify how lots and districts can most effectively transition where the characteristics of buildings and uses change. This exercise will identify proven prototypes in the community as well as investigate new approaches and strategies in relation to the plan goals. Many of these approaches may be appropriate for codification in existing or new zoning districts in the Unified development code.
- Improve flexibility and the ability to administer the code consistent with *PlanCheyenne*. In increasing the range of design solutions available, a greater mix or range of compatible development approaches may be possible. However, specificity in design objectives must be balanced with the ability to implement the best design solution on any individual site, if it furthers to goals, policies and strategies of *PlanCheyenne*. Increased use of Purpose, Intent and Applicability statements, and Design Objectives, can help to achieve both administrative flexibility and consistency in implementing *PlanCheyenne*.

Ideas and approaches for incorporating the themes in the *Implementation Snapshot* report into the development regulations will be the subject of future issue papers (*Implementation Structure Papers*), will be further studied through specific application in the Design Charrette. They will then be further refined through the Initial Draft regulations, and the review process set up for the future phases of the project. Concepts that emerge through the public process will be used to supplement the policy guidance and priority code amendments indicated in the Build portion of *PlanCheyenne*.

APPENDIX

DETAILED COMMENT LOG	
ZONING ORDINANCE	
SECTION	COMMENT
17.04.010 Statement of Purpose	Emphasize plan more in the purpose statements – particularly so the statutory language of “lessen congestion in streets; adequate light and air;” Is considered in terms of the communities plan with respect to those broad and general police powers.
17.04.030 Definitions – Introduction & 17.04.040 Definitions (organization)	Consider grouping all of these in a general “Interpretation” section, and then have a sub-section on “Rules of Construction” with much of the details of section 030; “Interpreting Measurements and Dimensions” (i.e. rather than “define” building height; “Description of Uses” (i.e. rather than define and specific uses that may change over time or need more flexible interpretations called for in the plan; and “Definitions” reserved only for terms of art that need a specific definition, not commonly understood in ordinary usage (can cut down on length of defined terms).
17.04.040 Definitions (generally)	There appear to be some terms that are defined but not used in the regulations – do word search and remove; some definitions may conflict between the 3 documents (zoning, sub-division, and road and street standards) – reconcile this and/or combine into one single interpretation section if UDC structure is preferred.
17.04.040 Definitions (specifics)	<p>Definition of “alley” may prohibit alleys from being the sole or primary vehicle access, which may be appropriate in many neighborhoods and/or housing formats</p> <p>“Accessory living quarters” does not appear to anticipate “accessory dwelling units” which may be appropriate in some districts or associated with some housing formats.</p> <p>“Block” is too broad – particularly if it will be used as a means to regulate street connectivity (i.e. by block size). Including “and other property lines” makes a block include virtually any parcel configuration.</p> <p>“Change of Use” appears more like a regulation than a definition. Generally these types of provisions should go elsewhere in the ordinance as they can be lost in the regulations if located in a definition section.</p> <p>“Church” – to avoid potential RLUIPA issues consider changing this use type to “places of assembly.” This can apply to religious and non-religious facilities that may be good compliments to neighborhoods, and also can more easily allow regulation on the scale of use rather than the use itself (scale impacts compatibility with neighborhoods more than use).</p> <p>“Lot” definitions – some of these may be better of in an “Interpretation of Dimensions” section rather than a strict definition.</p> <p>“Mixed-use” definition could be both too broad and too specific based on circumstances. <i>PlanCheyenne</i> has good policy descriptions of what is desired with this development concept. If uses are grouped into “Categories” of uses, and then contain more specific “descriptions” of use-types within these categories, this term may not need defining. Degrees of desirable mixes can then be established in “Intent and Applicability” statements in each district. (This topic will likely be the subject of an <i>Implementation Structure</i> paper associated with this project.)</p> <p>“Residential” – may consider a wider range of residential building types based on plan goals. The charrette will help further refine viable concepts in this regard. (i.e. “single-family” is more accurately described as a “detached dwelling,” and there may be a need for greater differentiation within the “detached dwelling” building type.)</p> <p>Signs – there are a very large number of definitions. This should be very carefully looked at for simplification. Also, many of the definitions appear to be content-based or content-specific, and this could cause legal concerns.</p> <p>“Spot zone” – consider eliminating this definition. This term really has no legal definition, and defining it in the ordinance invites problems. Further, here are many circumstances where smaller parcels are appropriately zoned differently than what is around it if based on planning goals.</p> <p>“Variance” – don’t list criteria here (regulating in the definition section) – could create conflicts for where Variance criteria are already listed.</p>
Zoning Districts Generally	Start all districts with an “Intent and Applicability” section. These sections should include predominant characteristics of the district, range of uses in relation to the plan, extent that the district should be applied (i.e. area before transitions to other complimentary / supportive districts), what complimentary adjacent districts should exist around it. Basically this section can become a check list for public officials to gauge appropriateness of rezoning proposals based on circumstances, and establish a clear (but flexible) link to <i>PlanCheyenne</i> .
Zoning Districts Generally	Much of the zoning district standards could be converted to tables and data, rather than narrative. This could eliminate many pages and result in better comparisons of options among districts.
17.12.030 Density (AR)	Allows a very wide range of lot sizes (“density”) 5 acres to ½ acre. These sizes do not match the intent of the district
17.12.060 Signs (AR, and throughout all districts)	Signs are highly repetitive – consider consolidating all sign provisions in one section rather than repeating these provisions for each zoning district
17.28.030 Density (RR)	One and one-half acre lots is small considering the intent of this district.
17.36.040 Setbacks (LR-1, and all residential districts generally)	Need to better match lot dimension standards with appropriate residential building types. (see comment with Residential definitions – each different dwelling type will likely have a distinct lot and dimension standard associated with it. Rather than control lot dimensions by zoning district, they would vary by the range of building types allowed within the zoning district. This may better meet the plans goals for mix of housing types.) (This may be the topic of an <i>Implementation Structure</i> paper as part of this project.)
17.36.070 Screening and buffering (LR-1)	This section assumes that buffering and separation by distance is the only way to address compatibility. A more design-oriented approach to this may be appropriate, particularly when transitions may be occurring to important supportive uses on adjacent property.
17.40.030.A.2. Property Area (LR-2, and other town house lot standards in other districts)	The townhouse lot dimensions don’t appear to work very well with most typical townhouse types. (this is a very large lot size for a townhouse)
17.48.040.A. Setbacks	We may want to reconsider the result of this (“a variety of front yard setbacks is encouraged”) this could lead to a very disorganized

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(MR-2)	and incoherent streetscape. As districts get more dense, "variety" may be better achieved by the building types, and building design elements, with the building orientation and streetscape delivering consistency and compatibility among a range of different types.
17.52.050 Height (HR-1)	35-foot building height is likely too small for the building types that should be encouraged in a high density district. 3-stories would be a tight fit within this limit, and you likely want to encourage at least 3 to 4-story building heights. Also, allowing greater flexibility for roof structures and higher first floor heights (elevated first floor plates) make the buildings relate better to the streetscape and adjacent areas when they include proper design details.
17.60.020 Uses (NB)	Uses need to be better defined by scale. There are huge loopholes in this district because of the way uses are defined (i.e. retail could be anything inviting in lots of un-neighborhood-friendly formats). In addition to scale per use, this district should be improved with an overall extent of retail s.f. for the district in its entirety (relation to surrounding housing and neighborhoods) and better site design parameters that make the centers integrate into the neighborhood in a compact, pedestrian oriented format.
17.60.040 Setbacks (NB)	This district should require street front buildings (0' to 10' setback MAXIMUM) (based on above comments) rather than a minimum 25' setback – (the later ensures a more car-oriented format)
17.64 CB - generally	Similar to the two comments on Neighborhood Business, although this district likely needs more accommodations for more larger-scale or car oriented districts (need to coordinate relationship to new big-box standards as well).
17.68 CBD generally	This district appears very wide open with virtually no urban form or urban design standards. No height limits could be a problem as extra-large scale projects on one block could potentially sap development potential in other areas for large periods of time.
17.84 MUR generally & 17.88 MUB generally	This does not do very much to clarify the physical development patterns desired of this district, and does not give clear guidance on the range of uses or targets for mixture of uses desired by this district. Consider taking a more site-specific approach to mixed-use rather than a district approach. For example, make it clear that this district is intended to allow building types that can have a variety of uses within them – residential included. This, as opposed to mixing uses within a broad general area. The latter is better achieved by a smaller scale application of single use districts, with better standards on how to integrate compatible uses from different districts. Otherwise the tendency of the district as written is that it may only be used for very large-scale development projects – and they may not match the intent for mixed-use in <i>PlanCheyenne</i> . (the charrette will address these issues and this may be a topic of an Implementation Structure paper associated with this project.)
17.92.020 Minimum district area (PUD)	The threshold is very low, and likely to result in sites that are abusing the PUD concept simply to get variances from standards that apply to other districts. A larger area is likely necessary to do a truly "planned" development, where due to site conditions and mixing of a range of multiple zoning districts, flexibility in the standards is warranted. Conversely, this district provides very little guidance on the public benefits that are desired in exchange for flexibility in the standards through the PUD process. This results in very little assurances (and perceived high risk) for the development community when electing to use this district. This district and the city's goals with respect to "planned development" will be more closely looked at in the charrette process.
17.96 Airport District, 17.100 Military District, 17.104 AHR (airport hazard) district, 17.105 RUCAO, & 17.106 Transit Facility	These are highly technical districts. May need to get with key persons / experts involved with issues in these districts to see if there are issues with the current standards. Otherwise incorporating them into the new format may be acceptable.
17.112 Development Incentive Overlay	This district contains a lot of policy and goal statements, but very little with respect to standards. This openness may actually make this a less attractive district to the development industry, due to the perceived risk and intensive process that would be necessary to entitle development under the district. This district may be a good candidate for merging with the procedures and products of the charrette/Form-based Code elements of this project. The charrette and form-based regulatory principles can help establish prototype processes, products, regulatory approaches, and public benefits that should result from small or local area specific plans (development plans). These can result in very good assurances for both the public and development industry, better achieving the intent of this district. More specific policies and perhaps some base standards, specifically building upon key elements of <i>PlanCheyenne</i> , should replace the Negotiate process section in 17.112.080
17.116.010 Accessory Buildings / Design and Use Standards Generally	There are lots of varying standards among the districts, this could be cleared up in a table, perhaps even merged with a table on principle bulking and lot standards for all of the districts. Additionally, the setback approach could create problems if any of the structures are detached garages on alley-loaded lots. Typically it is best to have the structure setback at 3' to 5' feet or at least 16'. This presents the potential of vehicle overhang into the alley in the event that a vehicle is parked on the garage approach.
17.116.020.2.a. Child care and assisted living facilities / Parking	Parking should all be addressed in one section for all uses to avoid potential conflicts.
17.116.030.A.1. Home Occupations	The mandatory requirement that all parking is off-street seems to conflict with the intent expressed immediately above in sub-section A. Additional off street parking will negatively impact the neighborhood character. If on-street parking is permitted, that is a much more discreet parking strategy, and if more parking is required than available through these means, the business should not be allowed.
17.116.040.C Lot and Property standards and requirements	The discouragement of alleys for primary access of vehicles should be removed. <i>PlanCheyenne</i> suggests promoting a wide variety of housing types, and a mix of compatible housing types within neighborhoods. In general this means a variety of building types and lot sizes. Typically, any lot below 60' width should only have limited street access (single lane or shared) and any lot below 50' width (small detached homes, townhomes, etc.) should not have front street access and alleys should be the primary and sole access to the lot.
17.116.060 Landscape Nursery	This section seems oddly placed. It may be better incorporated into the Use provisions of the RR or other applicable districts.
17.116.070 Subdivision Coordination	This section seems oddly placed, and may be unnecessary. It has the affect of saying other laws apply, which is the case whether this language is in here or not.
17.116.180 Density	This may be a bad practice. There may be other more effective approaches to achieving the city policies with respect to density.

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Restrictions and minimum property areas	The addition of new zoning districts that more appropriately regulated a wider range of housing choices and greater density. Rezoning to these districts through the standard process is a better approach than this standard-less, negotiated process.
17.116.180 . B.2. Transportation Requirements (Site triangles)	This approach ignores the fact that controlled intersections have different visibility requirements, and thus should be permitted different setbacks based on the context and urban design character of the district (not dictated by the road or the fact that it is a corner). This other approach is represented in the Road, Street and Site Planning Design Standards and conflicts with this section.
17.118 Large Scale Commercial Development Standards	This section is a recent update. It could be simplified and reorganized with this project, and incorporated into the overall code structure better (for example, all necessary definitions should be moved to the general definitions section. The section could also be organized around common sub-sections or topics of site and building regulations that <i>PlanCheyenne</i> suggests should apply to many districts, so that a familiar and consistent approach to site planning and design is followed. In general there is some use of vague language that could result in interpretation problems (i.e. "where possible", "if applicable," "where practicable" "to the extent feasible"). Where these qualifiers are necessary, it should typically be grouped as guidelines rather than standards, so it is clear that it is the performance or result that is what is being regulated, and any specific provisions are an example, but they may be other applicable ways of achieving the result. However, the result may be mandatory if it can be clearly articulated.
17.118.060.B.	Bike parking should be based on a standard, may be possible to set up as a credit against vehicle parking, but should also be based on a proof that bicycle transportation is likely based on uses or officially promoted by the development pattern. Large scale commercial centers are often inherently bike-unfriendly. Bike parking should also be addressed more universally in the parking section.
17.120 Wireless Telecommunications Services	This is a highly technical section. May need to get with key persons / experts involved with issues in this section to see if there are issues with the current standards. Otherwise incorporating them into the new format may be acceptable.
17.124.010 Parking Requirements and Standards - Generally	We will need to look at additional data besides the ITE Guidelines. These are based on trip generation data looking at land uses, peek trips, and mostly in automobile-oriented environments where vehicle use is inherently possible. (See Shoup, <i>Roughly Right or Precisely Wrong</i> , Access, Spring 2002, p. 20). More guided flexibility and specific circumstances where options or requirements to provide less parking than the conventional parking rates may be warranted. (transit, pedestrian-oriented centers, bike accessibility, on-street parking credits, shared parking requirements are all examples of where more specific reductions may be capable of calculations). Further, the parking requirements would be more clearly expressed in a table. In general it may be more appropriate to think of the public benefit sought to be regulated by parking is minimizing the impact (environmental, aesthetic, land consumption) of parking on adjacent property and the public realm, not necessarily guaranteeing that there is not occasionally a parking issue on some sites.
17.124.040.7.	The requirement that mixed uses are required to park cumulatively takes away one of the public policy arguments for mixing uses – reducing the impacts (land area and impervious surface) required for parking and making more efficient use of land. There are many industry rates on mixed use parking standards (ULI for example) that can more specifically calculate potential benefits. These should be considered as a mandatory maximum as well. Although these rate tables are an inexact science, they are more clearly based on detailed study of contexts similar to what is called for in <i>PlanCheyenne</i> , and the general rate table itself is a very inexact science so the fact that shared calculations are estimates should not be permitted to swallow this opportunity to reduce parking.
17.128 Signs	See comments with other zoning districts. Consolidate and simply will be the primary objective of sign revisions. In general, sign allowances based on building frontage length (at required or recommended building placement line) and lot frontage, with flexibility among generally acceptable signs types in the district, may be a better approach for sign standards.
17.136.060 Site Plans / landscaping area requirements	This section seems somewhat complex, but key person interviews will be utilized with key staff administering these sections to see if improvements are necessary. Additionally a more thorough review of species and techniques to insure appropriateness to Cheyenne's dry climate will be part of the specific code review and those interviews.
17.136.060A.	It is a bit unclear what the base landscape requirement is. There appears to be a complex interpretation issue (at least to the applicant) as to what is undevelopable, and thus what the landscape design should be based upon. Further, the multiple references is not user-friendly (particularly if a developer would want to simply hand this part off to a landscape designer). It may be better to base the landscape requirement on a more basic and easily calculated standard (i.e. % of site, % of building footprint, % of total impervious coverage).

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11.000 Statement of Purpose	Organize the general purposes based on statutory purposes, and then more specifically bullet out additional purposes within those categories based on <i>PlanCheyenne</i> (emphasize the Structure elements of the Plan in purposes)
Article II Definition of Terms	See comments on zoning ordinance definitions. Merge these into a single Interpretation section if the UDC code framework is preferred.
20.010(19) Development Director	Verify this position based on re-organization and development organization workshops. Consider adding "or designee" to this definition to give more administrative flexibility when things are delegated to staff-level decisions.
20.010(24) Improvement (public)	Having "tree" or "lawn" in this definition seems curious. Investigate reason for this – it could trigger some weird requirements wherever typical public improvements are referred to generically.
20.010(34) Manufactured Housing	This definition may be too broad – it will include any non-stick built house, and the industry has evolved to the point where this definition may include many dwelling types that would otherwise be thought of as a typical detached house ("single-family") simply because of its construction method.
20.010(46) Plat Types	Consider adding a broader range of Plat types, particularly focusing on some administrative applications. For example – townhomes

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	or "attached dwellings" which will become owner occupied (a dwelling type promoted for neighborhoods in <i>PlanCheyenne</i> requires a plat to be finalized <i>after</i> the building is constructed (to survey the actual location of party walls for legal description). If an administrative process is not clear in the regulations, this could trigger a revised final plat going back through appointed bodies in a cumbersome process. A similar approach may be appropriate for lot line adjustments or other adjustments to accommodate agreed upon housing mixes and dwelling types in a larger subdivision. Further, these may not need "definitions" but could just be rolled into a process section. (66.000 Simple Subdivisions addresses this somewhat, but not in a complete manner considering some of the future applications that may result from projects more purely following <i>PlanCheyenne</i> .)
20.010(50)) Right-of-way	"for any other special use" may make this a very broad definition. For example "right-of-way" is also used later in the definition of street (20.010(58)), but appears to mean a much more narrow use of the term.
20.010(58) Street	The functional class definitions appear to conflict with the Road, Street, and Site Planning Design Standards definition. Also, may need to consider defining these classifications by the overall connectivity of the street within the networks system, and not the vehicle speeds or volumes. With more "complete streets" or context-appropriate designs which are suggested in <i>PlanCheyenne</i> there may be sections of Arterial or Collector streets with low speeds and low volumes.
20.010(58)(e) Street – Service Road	This type of street – service roads paralleling arterials may be inconsistent with many of the <i>PlanCheyenne</i> transportation goals, unless they are designed as "slip streets" as part of multi-way boulevards. This street alternative may be explored as part of the charrette.
20.010(66) Variance	Consider setting up a different process for relief under subdivision standards – particularly if more specific community planning and design standards will be included. A "variance" is technically only required by statute for zoning, and then triggers statutory requirements for "hardship", etc. A subdivision relief process may be able to be a bit more flexible and we may need to be careful to avoid confusion with the statutorily required zoning variance.
30.050 Amendment to Regulations	Reconsider allowing general public to initiate changes. These are laws of general applicability, permitting public to initiate gives them potential authority over laws affecting other parties' property rights. The public's access into this system may be appropriately represented by their ability to meet with staff, recommend to Planning Commission, or lobby their City Council representative and then either of those parties could initiate a change. Currently, the City may be obligated to process any proposed change by any member of the public regardless of the merits of the proposed change. (Note: this is different than property / development related initiatives which instigate a change in the <i>application of the law</i> to their property, as opposed to a change in the general law.)
40.010 Community Facility Fees	Revisit the application of Community facility fees in light of the extensive discussion on fees in the Parks and Recreation Master Plan portion of <i>PlanCheyenne</i> .
50.030 Submission Requirements	These may be better expressed in a checklist format. Additionally, an opportunity to include these in an appendix that can be more easily updated or accessed only by those that specifically deal with applications for the developers may help with organization and user-friendliness.
50.050 Notification Requirements (fees)	Fees may be better referred to rather than in the ordinance. This would allow Council to annually re-assess and adjust fees, possibly in one schedule of fees ordinance, rather than amend all of the development regulations.
55.000 Platting Requirements	These provisions seem disjointed from the submission requirements of 50.030. Merging these sections may provide a more consistent snapshot of the application process in one place.
60.000 Procedures for submissions	These sections seem to have a lot of narrative making them difficult to follow. Staff has a preferred format and graphic appearance for development review procedures which will be incorporated into the revised regulations.
Article VII Subdivision Permits	This can be deleted. It is not necessary with City restructuring (applied only to County)
Article VIII – Subdivision /Development Design Standards	This section is very generic and does not take the opportunity to direct some of the development patterns that need to apply across broad areas (i.e. it takes a more project-specific or "subdivision" approach than a comprehensive planning approach). Topics to develop would include: (1) Transportation Networks (within the framework established in the Transportation Plan Component of <i>Plan Cheyenne</i>) – these will likely go beyond any one subdivision application but will need to be accommodated by those applications; (2) Open Space Systems (parks, trails and natural areas relating across many different developments); (3) Street Design Types (a broader range of types than simply Arterial, Collector, and Local – perhaps as a design overlay on the more conventional functional classes); (4) Blocks and Lots (varying by contexts or possibly varying on the street design types bounding the block or upon which lots front); (5) Utility Systems (service infrastructure for individual lots – water, gas, electric, communications, stormwater); and (6) Community Facilities (community infrastructure (public safety, schools, or other similar facilities that must be incorporated into development with advanced or long-range planning). Additionally, <i>PlanCheyenne</i> suggests a wider range of development patterns integrated together, so many of these standards may vary based on context in light of the Plan (currently the same standard would apply jurisdiction wide)
80.010(c) Site Considerations (arterials)	We will need to be careful with reduction of impacts from arterials. In general it is a bad urban design practice for development to turn its back or be "buffered" from arterials. This conflicts with a number of goals in <i>PlanCheyenne</i> . We should emphasize better design of arterials, better interface of land uses with street designs as priority strategies – and buffer only when all other solutions exhausted.
80.010(d) Lots and Blocks (in the County)	These appear to be the rural cluster options. Need to revisit the need and application of these in light of the City re-organization and coordinate with the cluster options built into some of the zoning ordinance sections. General note: the entire TDR concept should be viewed cautiously when being applied as a growth management concept (rather than preserving an identified valued resource on a specific parcel). There is a WY case on this bringing into question how long "perpetuity" is, when these transfers are made but then future unanticipated events occur bringing into question the reasonableness of restrictions. In the short term, no development may actually preserve land owners rights and options better in some circumstances.
80.010(e) (access points)	This may be both too much and too little depending on the circumstance. A sliding scale of access based on density, area, or other factors may more effectively plan local street networks and get a sufficient amount of connectivity between developments.
80.010(f) (arterial buffers)	Same comment as 80.010(c) above on backing to arterial streets.

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80.030 Streets, Alleys and Easements	See comments on Road, Street, and Site Planning Design standards. Look to better integrate these documents in proposed code framework in Phase 2.
80.070 (a) (b) and (c) Improvements	These sections are confusing – they seem to be repeating similar themes, but then sub-section (a) brings all of the standards into question by specifying “mutually agree” on. Some basic default standards are necessary, and then build in some administrative flexibility based on clear criteria.
Article IX Legal Provisions	Need to re-structure these sections based on city re-organization.

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ROAD, STREET, AND SITE PLANNING DESIGN STANDARDS	
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Section 1.1 Introduction	The purposes state that the standards are based on statutes and ordinances” – it is somewhat confusing what the overall purpose of the document is: - supplement requirements of the ordinance with further guidelines; consolidate existing ordinance provisions in one sections; set standards (ordinance level) with adoption of this document.
Section 1.4	The City may want to be careful about simply deferring to WYDOT standards. Many times – particularly in areas of PlanCheyenne that call for different or pedestrian-oriented development patterns, the WYDOT standards may conflict with these goals. The City should explore standards that balance traffic and land use policy goals most effectively, and which provide multi-modal options. 15-1-506 of the WY statutes gives the Planning Commission review and advisory authority over any public facility covered in its plan.
Chapter 2 Functional classification	May need to consider defining these classifications by the overall connectivity of the street within the networks system, and not the vehicle speeds or volumes. With more “complete streets” or context-appropriate designs which are suggested in <i>PlanCheyenne</i> there may be sections of Arterial or Collector streets with low speeds and low volumes. Consider the possibility of street cross section designs being specified by an “overlay” on the functional class type that allows the design to best match land uses on any particular segment. Greater attention to overall network connectivity can give more flexibility in this regard while still meeting overall mobility goals. For example, frequent connectivity is better for overall mobility goals, but may mean lower speeds and volumes on any one facility allowing streets and streetscapes to better integrate with adjacent land uses.
3.1.D.1 TIS	Consider option that allows City to reject some improvements even though they may solve the traffic issue. The TIA may call for some facilities – which developers may be willing to provide – but may conflict with land use policy, aesthetic, urban design, or overall transportation goals of the plan.
3.1.D.2	<i>PlanCheyenne</i> would suggest emphasizing this point on pedestrian improvements with lower speeds. Also, it is appropriate to expand this to not just local streets as the language currently states.
3.2.1 TIS Form exception	Qualify the exception so that the City reserves the right to require a TIS form when it is part of a larger contiguous parcel under the current or same ownership, or other scenario where related or associated development is expected to occur in the city’s sole judgment.
3.5.A.8.	Need to be careful about keying all improvements to vehicle LOS C. The Plan focuses on pedestrian Level of Service too. Vehicle LOS will prioritize vehicle flow over all other goals, even where it is not a priority
Chapter 4	We need to be very careful of promoting access management policies unilaterally throughout the transportation network. While it may be important on specific priority traffic streets, more connectivity – particularly local street connectivity – than is suggested in this chapter would better match the land use policies of <i>PlanCheyenne</i> . Further, private access (individual drives, shared drives, alleys) may be better managed by street design types (see comments on functional class) – in addition to functional classifications. This can better allow access strategies more appropriate to the land use and lot design patterns for specific blocks.
4.3.1 Direct Access Restricted	On arterials and collectors this should be based on the design cross section as well as the functional class. There will likely be the need for access differentiation requirements based on character of the area, development pattern, degree of connectivity of the surrounding network, adjacent land use, urban design elements of the streetscape. Differentiation based on cross-section type (rather than solely functional class) may be a more effective way of managing access.
Table 4-1	The limits on full access driveway may not work very well in a more refined grid. In those street networks (which would better support the land use policies in <i>PlanCheyenne</i>) the <i>street</i> connections may be more frequent than is even allowed for individual drives in this table. In those instances, more frequent driveways (thought much narrower) and/or mid block shared or alley access, is a better vehicle access strategy to individual lots or the internal of blocks. (Note: this strategy would mainly apply to pedestrian-oriented activity centers in the Plan.)
Table 4-3	Residential driveway widths may be better keyed to lot types (see comments on zoning districts, lot types, and dwelling types). 30’ (two-way) and 12’ (one way) as minimum widths are large – in more compact and pedestrian-oriented centers it is not uncommon to find effective access lanes which are more narrow than this. More narrow access points help with the pedestrian-scale urban design, and more compact land use arrangement in these areas. Another strategy may be to adjust this per street design type (context/development pattern), rather than broad land use categories.
4.6.1.A.1.	Requiring deceleration lane for anything with more than 10 peak hour trips seems very strict. Virtually all uses will require this, and a prevalence of deceleration lanes will negatively impact many of the multi-modal and urban design goals in <i>PlanCheyenne</i> by prioritizing vehicle flow over all other goals.
4.6.2.B.2	12’ minimum lane requirement may be excessive in many contexts. Under AASHTO standards this equates to a 65+ mph design speed, and may be appropriate in only a very limited application throughout the City.
Figure 5-1	The cul-de-sac Radii are very large – this will result in un-necessary impervious surfaces. Alternative and smaller cul-de-sac radii may be necessary (See NAHB, <i>ITE Residential Street Design, 3rd Edition, Walter Kulash</i>). Also, several alternatives for disconnected streets should also be included as options that may produce better neighborhood designs and amenities (i.e.

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	"eyebrows", "closes", etc.)
Table 5-A and Table 5-A-1	Need to recognize opportunity for street, streetscape and urban design differences within the hierarchy classes to better match land uses, development patterns, and different characteristics of areas.
6.4.4	Generally, the only circumstance where sidewalks should abut the street is where on-street parking exists (a buffer for pedestrians). Otherwise, there should be a sufficient landscape buffer. Generally, anything under 5' wide is insufficient for trees and will result in curb or sidewalks being disturbed by tree root and trunk growth at maturity – 7' is ideal the ideal minimum particular if larger shade trees are planted.
6.4.5 Utility Separation	Need to confirm separation distances working with variety of street-cross section designs. There may be an opportunity to link distances to general size classifications of street trees (ornamental, evergreen, small shade, medium shade, large shade) to allow greater flexibility on specific street sections, while still meeting the intents
7.3.3 Alleys	Alley pavement widths (16' residential; 24' commercial) are large for many applications. Alleys are most effective as access strategies in more compact, pedestrian-oriented neighborhoods and centers. Lesser widths provide effective access and better balance pedestrian and vehicle interests in those development patterns, and result in less impervious surface and more compact site development.
7.4 Pedestrian Flows	This section does not provide a lot of specific standards. If pedestrian interests are prioritized in the streetscape and street network planning sections (as well as language in Chapter 8 on pedestrian LOS at site plan level), this section may be eliminated through better re-organization.
Chapter 8	This section provides good guidance for pedestrian interests but follows more of a "guideline" format (i.e. bulleted where other sections are numbered for better reference). Much of this can be rolled into specific default standards for Street network planning, streetscape designs, and individual site planning and pedestrian access.
Chapter 9	This section provides good guidance, but we may need to consider standards for different bike facility types based on the design speed for vehicles on the roadway. This ma better balance different modes within limited ROW, and give a better determination where on-street, shared, or off-street facilities are needed to complete a bicycle network.