

Parks & Recreation Master Plan

Build

Strategies to Implement the Plan





PARKS AND RECREATION MASTER PLAN BUILD

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1. Introduction

Build is the last chapter of the Parks and Recreation Master Plan. This chapter contains the implementation strategies and action plan to implement the vision, goals and policies, and other plan elements described in previous chapters. To effectively implement the Plan, it will be necessary to identify the types of actions required and determine their priority and timing so the agencies are able to allocate resources. The overall chapter is organized by the following headings, each of which is described in the sections that follow. An action item matrix is located near the beginning of each implementation section that lists the actions required to implement the Plan and their relative priority.

Funding Mechanisms

Cheyenne needs additional tools to finance the costs of new growth and development as it occurs in the community, as well tools for financing on-going operations and maintenance of parks and recreation facilities. This plan proposes several new or amended financing mechanisms, such as a cost-based, parkland development fee.

Code Revisions

An important part of carrying out the Plan will focus on making the city code and other development regulations consistent with the intent of this Plan. Shortly after adopting the plan, the city and county will need to make development regulations consistent with the foundations and policies of the Parks and Recreation Master Plan. For example, the Plan recommends the adoption of new tools for the conservation of sensitive resource areas.

Departmental Structure/Programs

The Plan recommends a number of changes to how the Parks and Recreation Department is structured, including creation of a new advisory group and modification of the existing division structure.

Regional and Agency Coordination

Several Plan recommendations will be best achieved through new or amended Intergovernmental Agreements between the city and county and other governmental entities, such as the School District.

State Legislation

Finally, to effectively implement the plan, actions may be necessary over and above existing city and county government authority—to affect the enabling legislation of the state.

Key actions within each of the implementation categories are summarized in a series of tables that follow. It should also be noted that it is intended that much of the plan's implementation will be carried out by the city through day-to-day policy recommendations and decisions—those made by the planning and development staff, Regional Planning Commission, City Council, and others. The Commission and Council will continually make decisions informed by the parks and recreation master plan that affect park and related aspects of development proposals and Plan amendments, as well as priorities for capital project development. The Plan will serve to guide such policy decisions that will occur throughout the life of this Plan.

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2. Funding Mechanisms

This section describes potential funding sources and strategies to improve the community’s ability to finance and implement the recommendations contained in the master plan. Each of the actions is identified in the table below, which also provides an indication of relative priority along with other factors related to implementation. The table is followed by a discussion of each action item.

Action Matrix

Strategy/Action	“Ease” to Accomplish	Type of Action	Responsible Party/ Parties	Priority	Related Principle
Funding Mechanisms					
1. Adopt a parkland dedication requirement for new development.	●	F	City	1	1,5,7
2. Amend Community Facility Fee structure by establishing a dedicated parkland development fee that is based on adopted parkland standards.	●	F	City	1	5,7
3. Utilize future sales tax measure for park development and maintenance.	○	F	City	2	2,4,6,7
4. Develop an IGA with the County that provides for collection of community parkland fees within the Cheyenne Planning Area.	○	R	City/County	2	1,4,5
5. Establish a user fee program that differentiates between City and non-City residents.	●	D	City	3	4,6,7
6. Leverage available funding through grants and other sources.	○	D	City	1	2,5,6

KEY TO SYMBOLS

“Ease”

- = Relatively fast to accomplish (e.g., less than one year), low cost, minimal challenges;
- (half-filled) = Moderate amount of time (6 months to 1 year), cost, and moderate challenges to implement;
- = Takes a long time (e.g., more than one year), higher cost, challenging.

“Type”

- D = Policy Decision
- P = Program
- Z = Code and Zoning Revisions
- R = Regional and Agency Coordination
- F = Funding Mechanisms
- L = State Legislation

“Priority”

- 1 = high - immediately following plan adoption
- 2 = medium - within a year following plan adoption
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1: Adopt a parkland dedication requirement for new development.

Parkland Dedication Requirement

At least in theory, a land dedication requirement is a low cost way of acquiring needed parkland. Instead of creating a need to collect fees and find suitable land for a park site, a dedication requirement has the potential to provide parkland through a negotiated process that sets aside land already owned by the developer. The primary challenge with implementing a land dedication system, however, is the fact that many developments are not large enough to individually generate a need for a standard-size neighborhood park. As a result, smaller parcels are often provided and in some instances, unusable areas are set aside for park uses that are not well suited for this purpose. An effective dedication process must therefore provide for a fee in lieu of provision that enables the City to collect a fee instead of land if suitable parkland cannot be obtained from a particular development proposal.

Considerations

Considerations for determining whether or not to accept a parcel for park use include the following:

- Is the parcel adequately-sized to serve the intended park use?
- Is it centrally-located to serve the population it is intended to serve?
- Does the site have good accessibility, including pedestrian, and visible from existing or planned streets?
- Does the site have physical characteristics capable of supporting park use, e.g. appropriate slopes, no hazards or other limitations, etc?

Calculating a Dedication Requirement

The basis for calculating a dedication requirement should be the adopted neighborhood parkland standard. An example of how the standard would be used to calculate a dedication requirement is provided below:

Neighborhood parkland standard =
2.5 acres/1,000 population
Average household size = 2.5 people
Ratio of one household to standard = 2.5
people/1,000 people = .0025
Parkland need associated with one household =
.0025 x 2.5 acres = .00625 acre per household

Using the factors noted above, a development consisting of 100 residential units would generate a need for .625 acre of parkland. This example underscores the need for a fee in lieu of dedication provision. Acquisition of a series of parks less than an acre in size would result in an expensive parks system from a maintenance and operations standpoint. Additionally, smaller parks generally do not meet the needs of the community, and in this plan would not be classified as lands of community wide significance. Therefore, for a development of the size used in this example, the City should opt to collect a fee in lieu of land dedication and use this fee to acquire a park site in the vicinity of the planned development that would serve this development as well as others in the area.

For illustrative purposes, and assuming a hypothetical land value of \$30,000/acre, the fee in lieu provision would require a development to provide \$18,750 (.00625 x \$30,000) to the City for a 100 unit development, or \$187.50 per unit. This fee in lieu would be collected at the time a final plat was approved. Since the fee is closely tied to land values, it is essential that the fee is based on actual land costs and that these costs are closely monitored and used to update the assessment of fees on an annual basis. Further, it becomes necessary to expend the fees collected in a fairly short time since the longer these fees are held the greater the risk that land values will increase and make acquisition of a park site more difficult.

Community Parks and Trails

For very large-scale developments, it would be possible to also obtain community parkland through a dedication process. However, a development would have to approach 3,000 units in size in order to generate a need for a standard 40-acre community park. For this reason, land dedication is generally not applicable to community park development and this plan recommends that community park development be supported by a parkland development fee that combines land costs and facility development costs. This is described in the next section.

In addition, the dedication requirement will be applied to trail corridors. Although there isn't a recommended standard for trails in the master plan, the intention is that planned developments located adjacent to or that encompass the main trail corridors shown in the master plan will be required to dedicate a trail right-of-way.

In summary, a land dedication requirement should be included among the strategies available to the City. In order to remain effective, the basis for calculating the fee in lieu option will need to be regularly updated in order to assure that current lands costs are reflected.

It is anticipated, however, that the city will place greater reliance on the parkland development fee to provide revenue for both land acquisition and park facility development.

The fee should reflect the adopted level of service standard (e.g. 2.5 acres/1,000 population for neighborhood parks and 5.8 acres/1,000 population for community parks)

2: Amend Community Facility Fee structure by establishing a dedicated parkland development fee that is based on adopted parkland standards.

Community Facility Fee

The City should consider adopting a fee that is based on the actual costs of land acquisition and park facility development for both neighborhood and community parks. The current fee program only includes costs for acquisition and some infrastructure needs, but does not address park development costs. As discussed previously, the fee program and land dedication process should be structured so that the City could waive a portion of the Park Development or Community Facility fee if the land required for a park site was acquired through a dedication process.

Current City Facility Fee Structure

Currently, the City has a community facility fee program that provides for payment of certain fees, including \$500/acre for any development, an additional \$750/acre for non-residential property and an additional \$150.00 per unit for residential developments.

These fees are intended to provide revenue for land acquisition and a variety of infrastructure needs but are inadequate even to meet the needs for land acquisition or infrastructure or for parkland development, though parkland development is not included in the current fee program.

A realistic, cost-based parkland fee system would allow the City to acquire and develop land exactly where it is needed, rather than struggle with small developments to get adequately-sized, undeveloped parcels. It is anticipated that the fee would apply to residential uses, which generate the demand for parks and recreation facilities, and not to commercial uses. In addition, adoption of a realistic parkland development fee system would relieve the pressure on other revenue sources such as sales tax proceeds, and would be consistent with a “pay as you go” philosophy that new development should contribute a fair share of the costs of serving that development.

Population and Level of Service Based Fee

Examples of the calculation method for basing a fee on population and level of service standards are provided below:

Average household size in Cheyenne is approximately 2.5. Parkland share per household is the product of the average household size multiplied by the standard:

- o $2.5 \times (2.5 \div 1,000) = .006$ acre per household for neighborhood parks
- o $2.5 \times (5.8 \div 1,000) = .015$ acre per household for community parks

This responsibility can be translated into an actual acquisition and development cost per residential unit as illustrated below:

Neighborhood Park - $.006 \text{ acre} \times \$105,000/\text{acre}$
development cost = \$630 per household

This calculation is based on a construction cost of approximately \$2.40 per square foot, or \$104,544 per acre, which reflects recent park development costs in the region. If land for the park site was acquired through dedication, \$630 per household would be the total fee amount collected. This fee would replace the current \$150 per unit fee.

However, if land was not acquired through dedication, i.e. the City opts to use the fee in lieu provision; the combined neighborhood park fee would be \$817.50 ($\$630 + \187.50 , as illustrated in the land dedication example).

Community Park - $.015 \text{ acre} \times \$146,324 = \$ 1,895$ per household for park facility development.

This calculation is based on a construction cost of approximately \$3.36 per square foot, which reflects the more intensive facility development included with most community parks as compared to a neighborhood park. As noted, it is anticipated that land for community parks would be obtained through dedication only in rare circumstances. Therefore, the community park fee should include both park development and land acquisition costs. Assuming a land cost of \$30,000/acre results in an additional cost of \$450 ($.015 \times \$30,000$), which brings the total fee to \$2,345.

The actual fee calculation should be based on a community average land value and research into recent park construction costs in the City. The approach for calculating the fees listed above is defensible, and similar to what other communities nationally and in the region have adopted.

For example, a recent study found that the average parks fee for a single family home was \$1,862/unit. This number dropped to \$1,107/unit when California, which has very high land costs, was excluded from the sample. Looking more regionally, the same study found that the average park fee was \$2,234 in Colorado, \$1,633 in Utah, and \$726 in Idaho. All of those fees are for single family units; in most cases, communities charge a larger fee for multi-family units. On a national basis, the average fee charged on multi-family units is approximately 20% lower than the fee assessed on single family units¹.

In terms of specific communities in the region, the cities of Fort Collins and Loveland, Colorado have park fees of \$3,149 and \$3,650 respectively. Boise, Idaho assesses an \$801 fee. In Utah, fees for parks range from \$595 in West Valley City to \$3,990 in Draper. All of these fees are for an average single family unit.

Variations of the Community Facility Fee

It should be noted that many variations of this system could be applied. One that deserves particular consideration is using funding from the optional 1% Facilities Tax to offset a portion of the community park development fee. The theory behind using sales tax funds for this purpose is that much of the community benefits to some degree from development of community parks. For this reason, the City could decide to base the community park development fee on ½ the total development and land cost and derive the other ½ from sales tax proceeds. If this were done, using the example cited above, the community parkland fee would drop to \$1,172. The challenge with such a decision would be further strain on the already strong competition for sales tax proceeds, particularly in light of the community’s desire to develop an indoor recreation center.

In general, it is not advisable to use sales tax proceeds to finance the development of neighborhood parks. These parks serve local needs and it is prudent to finance the development of new neighborhood parks through the proceeds of development fees collected in newly developing areas. An exception to this statement occurs in those instances where development has already occurred and a neighborhood is underserved by neighborhood park facilities. See map 2.2 in the Snapshot chapter for an indication of under-served areas in the community. Parkland development fee collection is not a viable option in already developed areas, leaving the use of sales tax proceeds and the general fund as one of the few remaining options. An additional option is to create a special improvement district with an associated mill levy for the purpose of financing needed improvements, including parks. The Cheyenne downtown development authority is an example of this type of approach.

An issue with this parkland development fee system is that, in order to get in front of the development curve, initial seed money is required to acquire the park sites prior to receiving all the development fees. Approximately 1/4 to 1/3 of the residential development anticipated in an area would need to be in place in order to have enough funds to acquire the needed land for a park.

¹ 2005 National Impact Fee Study, Duncan and Associates

3: Utilize future sales tax measures for park and recreation facility development and maintenance.

Sales Tax Measures

The parkland development fees previously described are intended to serve newly developing areas. In some cases, new parks are needed to serve currently under-served areas or areas that develop prior to implementation of a cost-based, parkland development fee system. It may also be desirable to use sales tax proceeds to supplement parkland fees for the development of community parks. For park development under these circumstances, as well as for special facilities such as a community recreation center or sports complex, it will be necessary to utilize other funding sources. The traditional source of funding for these purposes is a sales tax.

5th Penny Sales Tax

Wyoming counties have the option to impose an additional one percent, or 5th Penny, sales tax approved through public election. The optional sales tax revenue, less administrative costs, is returned to the county of origin. Eighty percent of this tax in Cheyenne is used to fund road improvements and transportation projects. Twenty percent is used to fund other projects including Parks and Recreation projects.

6th Penny Sales Tax

In addition to optional 5th Penny tax, any county, through public election, may impose an additional sales tax of up to one percent on retail sales made within the county. This second optional sales tax is referred to as the specific purpose sales tax or 6th Penny tax. The revenue from the tax is used in specific amounts for specific purposes authorized by the Governing Body. Specific purposes do not include ordinary operations of local government except those operations related to a specific project. During fiscal year 2005, several counties, including Laramie, were imposing this specific purpose sales tax.

From the perspective of parks and recreation projects, potential funding is available through two separate sales tax initiatives, including a one-cent or fifth penny sales tax and an additional one-cent or 6th sixth penny sales tax. Both measures need to be approved by Laramie County voters. The 5th penny sales tax comes up for a vote again in November of 2006 and, if re-authorized, could be used to finance the development of a new set of projects. In the past, a small portion of this revenue, approximately

\$350,000/year or 4-5% of total proceeds to the City, was allocated for park purposes. Similarly, the 6th penny tax expires about 2009 and has been earmarked for a specific set of projects, including South Cheyenne Park, portions of the greenway, and other park related items. This tax could also be presented to the voters again with a new set of projects, including new parks and related projects.

For perspective, total 5th Penny sales tax collection during FY 2005 was \$9,184,551, total 6th penny sales tax collection during FY 2005 was \$5,043,363. Sales tax receipts in Laramie County increased by nearly 6% between FY 2004 and 2005. (Wyoming Sales, Use, and Lodging Tax Revenue Report, 2005)

Other Considerations of Sales Tax Measures

It should be noted that construction of the recreation center is estimated to cost approximately \$33 million. Financing such a facility would require bonding over a multi-year period. According to the recently completed feasibility study on the recreation center, the facility would be largely self-sustaining, generating most of the projected operating costs through use fees.

Another consideration in packaging a set of projects for voter consideration is dedication of a portion of the sales tax to park operations and maintenance costs. Funding measures for operations and maintenance are usually not very popular with voters and therefore stand a better chance of passing when combined with other projects, such as development of a recreation center. One option that should be considered is directing a portion of the proceeds from a sales tax measure for a recreation center or other large project to create an endowment fund to support ongoing maintenance costs. Once created, proceeds from the endowment could be invested and the income from the investment utilized without diminishing the principal.

In this context, it should be noted that the City of Cheyenne spends an average of approximately \$1,967 per year per acre for maintenance of parks and other areas the Parks and Recreation Department is responsible for maintaining. In a recent survey of other communities in the region, including communities in Wyoming, Montana, and Idaho as well as Colorado, the average annual expenditure for maintenance on a per acre basis was found to be \$3,547. Although it is always difficult to make these types of comparisons on an acre for acre basis, it does underscore the challenge the community faces in achieving a higher standard of

maintenance and obtaining the necessary funding to achieve this goal. Outside of traditional budget allocations, and those funds directed from the 5th Penny sales tax to the Parks and Recreation Department, there are not many other practicable options to help fund operations and maintenance for parks and recreation facilities. It will be important for the city to not take on additional maintenance obligations unless they serve a community need. Small pocket parks, greenbelts, and related properties should be maintained by private developers and homeowners associations, where they exist, and not turned over to the city.

In summary, it is essential that the City continue to make use of sales tax proceeds for parks and recreation purposes and put a balanced group of projects before the voters to replace the current 5th penny and 6th penny measures when they expire. Given the limited availability of these funds, difficult decisions will have to be made to balance competing needs among recreation facilities, parks, trails and open space projects.

4: Develop an IGA with the County that provides for collection of community parkland fees within the Cheyenne Planning Area.

Intergovernmental Agreement (IGA)

Laramie County does not provide parks and related facilities for the use of its residents and does not intend to become a provider of these services. Yet many county residents live adjacent to the City of Cheyenne and make use of parks and other facilities that have been developed by the City. This use results in increased costs to the City and creates additional demands for parks, trails and other facilities.

Current Arrangements

Currently, no mechanism exists for offsetting additional costs from increased demand on parks and other facilities. The County collects a Community Facility Fee that can be designated for parks and recreation, but the fee is minimal, \$50 per acre, and is split between many entities, including county roads and fire protection. For this reason, the City and County should enter into an Intergovernmental Agreement that provides for some degree of cost sharing. The agreement could constitute a Recreation District and through that the city and county could establish funding for the district through the current or future Mill Levy.

Structure of an IGA

The agreement would be based on the fact that County residents benefit from the development of city facilities but typically utilize them somewhat less than City residents. Since county residents within the “D Area” are more likely than other county residents to use City of Cheyenne facilities, it is proposed that the IGA would focus on new development with the “D Area”. The agreement could include an increase to the current Community Facilities Fee, or the IGA could be another form of agreement.

Examples of these types of agreements occur in a number of locations, including Larimer County, Colorado, which collects parkland development fees. When the fees are collected within unincorporated areas located within the boundaries of a municipal Urban Growth Area, most of the fee is transferred to the municipality. Larimer County retains 20% of the fee collected within Urban Growth Areas. Similar agreements have been developed in other locations, including Park County, Montana. The Wyoming Joint Powers Act allows agencies to cooperate on these types of issues.

5: Establish a user fee program that differentiates between City and non-City residents.

User Fee Program

For reasons similar to those described above, the City should consider a fee structure that charges a higher use fee for non-City residents. This type of fee program is most applicable to recreation centers and other facilities that charge on a per use basis. However, it could also be applied to enrollments in recreation programs and leagues. Wheat Ridge, Colorado, is but one example of a community that charges higher fees for participation in recreation programs by non-residents. The fee structure in Wheat Ridge charges an annual fee of \$465 for a non-resident to use the community recreation center and other facilities compared to \$350 for a resident. Similarly, the daily drop-in fee is \$6.50 for a non-resident and \$4.50 for a resident. Larimer County, Colorado provides another example of a fee differential – the cost of an annual vehicle pass to the county parks system is \$65 for residents and \$75 for non-residents.

An alternative to charging higher fees for individual residents would be an annual lump sum payment program by the County to cover these costs.

6: Leverage available funding through grants and other sources

Fewer grant programs and other funding sources are available to communities in Wyoming than in many other states. Nevertheless, it's important to optimize use of those programs that do exist and leverage local funding with other sources. Grant and other programs are offered by Federal, State, local and private sources.

Federal Programs

A federal program that provides funding for trails is the Safe, Accountable, Efficient Transportation Equity Act (SAFETEA-LU). The SAFETEA-LU is described further under “Regional and Agency Coordination.”

A second federal program is the Land and Water Conservation Fund. The fund offers grants through states for park and recreation projects. In recent years the LWCF has offered as much as \$700,000 for projects; however, funds are decreasing and available funds for 2006 total only \$240,000.

State Programs

One State Program is the Wyoming State Trails Program. The program has limited funding but is a potential source of additional funding for trails in Cheyenne. In 2005, approximately \$400,000 was awarded through this program, much of it for motorized trail projects, but funds could be utilized for local greenway and non-motorized trail projects.

The second state program is the Wyoming Business Council Business Ready Communities Grant program. Cheyenne has received funding from this program under the Community Enhancement Category. The council provides 2% of it’s funding annually to the community enhancement program, or about \$500,000 a year for two grant cycles. Suitable projects can range from parks to road landscaping or other infrastructure investment.

A third state program that has grant funds available is the Motor Boat Tax Grant. This program funds recreation projects that primarily have to do with water-based recreation uses. In the past the City of Cheyenne has received funding for pool equipment and boat docks. Available funding is usually about \$10,000.

A possible state program for the future is an additional mill levy for recreation. In 2005 the Wyoming State Legislature considered adding an additional mill for recreation to the existing system. Though the additional mill did not pass this year, there is a good possibility that it will pass next year and could be utilized for additional funding.

County Programs

One county program is available for parks and recreation projects. The Laramie County Recreation Board has about \$5,000 available twice a year for various park and recreation projects in Laramie County.

A second program available from the county is the recreation mill levy. The current mill levy is distributed and managed by the Laramie County School District. Grants of up to \$75,000 are available to parks and recreation projects from this funding source.

Private/Non-Profit Programs

Finally, funding is available through private, non-profit organizations such as the Wyoming Community Foundation. The WYCF reviews competitive grant applications three times a year and focuses its grant making around the theme of community building, including arts and culture, civic projects, conservation and natural resources, education, and health and human services. Recently, the foundation awarded \$66,666 to the Wyoming Stock Growers Agricultural Land Trust for conservation purposes. Although the foundation focuses on charitable organizations, recognized as tax-exempt under Section 501(c)(3) of the Internal Revenue Code, they do consider public and governmental agencies as eligible grant participants.

Additional funding is available for parks and recreation from several small sources. The Kiwanis Club Foundation and the Women’s Civic League both offer about \$5,000 in grants per year for appropriate projects. Though not all the projects funded by these groups are parks and recreation related, several projects have been completed in recent years with funding from these groups.

3. Code Revisions

This section reviews a number of potential action items that include code revisions intended to provide greater protection to natural resources and features.

Action Matrix

Strategy/Action	"Ease" to Accomplish	Type of Action	Responsible Party/ Parties	Priority	Related Principle
Code Revisions					
1. Adopt code revisions that limit development in sensitive areas, including floodplains, wetlands, native prairie, ridgelines, view sheds, and steep slopes.	○	Z	City/County	3	3,4
2. Revise zoning for lands identified in the plan as appropriate for continued ranching and agricultural uses to limit inappropriate urban-scale or rural sprawl development. Provide incentives for clustering and discourage large lot subdivision.	◐	Z	City/County	2	3,4
3. Allow for the transfer of development rights from identified natural/cultural resource areas or agricultural lands to designated "receiving" locations that are appropriate for development (within the USB).	○	Z	City/County	3	3,4
4. Modify the city code to allow natural vegetation within open space areas to not be considered as a weed nuisance.	●	Z	City	1	3,4

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This section highlights several potential revisions that would support implementation of an open space plan. However, these potential revisions should be considered in this context of the overall framework of land use policy and code revisions associated with implementation of Plan Cheyenne. For this reason, please refer to the “Build” chapter of Plan Cheyenne for additional information.

1: Adopt code revisions that limit development in sensitive areas, including floodplains, wetlands, native prairie, ridgelines, view sheds, and steep slopes.

The City of Cheyenne has a history of flooding. The most devastating event occurred in 1985 when 12 lives were lost and the community experienced property damages of approximately \$65 million. The need for floodway improvements has been broadly recognized in the community.

Floodplain Regulations

In addition to structural improvements, part of the solution could focus on the implementation of more stringent floodplain regulations that limit building within defined floodplains. Current regulations allow building within the floodplain provided the building is elevated above the base flood event. Enactment of more stringent regulations would result in cost savings to the community while also contributing to the protection of wildlife and other resources that occur along drainage ways.

Complimentary Regulations

Other potential regulatory enhancements would be the adoption of regulations that require an appropriate building setback from major drainage ways, usually 50-100 feet, and a local wetlands protection ordinance that would also require a building setback and provide protection for isolated or non-jurisdictional wetlands that currently receive no protection under federal regulations.

2: Revise zoning for lands identified in the plan as appropriate for continued ranching and agricultural uses to limit inappropriate urban-scale or rural sprawl development. Provide incentives for clustering and discourage large lot subdivision.

Larger Minimum Lot Sizes

Current land use regulations do not provide an incentive for maintaining agricultural uses and conservation of wildlife habitat and other resource values. The City and County should investigate adoption of a program that requires larger minimum lot sizes in agricultural areas, which is currently 5-20 acres depending on the specific agricultural zone designation the property is located within.

Cluster Incentives

In addition to large lot sizes, incentives could be offered to landowners to encourage clustering and other approaches that conserve the site. An example of this type of incentive is the granting of additional building units in exchange for clustering and expedited review. Numerous jurisdictions have enacted regulations that encourage or even require cluster development. Some examples include Sheridan, Sublette, and Johnson Counties in Wyoming as well as numerous other counties throughout the west.

3: Allow for the transfer of development rights from identified natural/cultural resource areas or agricultural lands to designated “receiving” locations that are appropriate for development (within the USB).

4: Modify the city code to allow natural vegetation within open space areas to not be considered a weed nuisance.

TDR Program

A Transfer of Development (TDR) program can be a powerful tool for protection of natural resources and open space. One advantage of a TDR program is lowered costs, since density is transferred rather than having to be purchased with public or private funding. Given the voluntary nature of most programs, TDR programs are usually perceived to be fair by landowners.

Examples

There are numerous communities throughout the nation that have enacted some form of TDR. In the Cheyenne vicinity, this tool has good potential for helping to conserve some of the areas designated in the master plan as Natural/Cultural Resource Districts.

Section 8.60.050 of the city code requires all weeds, “tall grasses”, and other “troublesome” vegetation to be mowed. The Greenway is specifically exempted from this requirement, upon approval by the Chief of Police. The language in this ordinance is too broad and requires a number of revisions. At a minimum, it should be amended to allow for native vegetation to remain in a natural, un-mowed condition within any city open space or other protected lands. This modification to the ordinance would not change any requirements for addressing invasive weed problems.

4. Departmental/Organizational Structure

Actions that relate to departmental organization and structure are presented in this section.

Action Matrix

Strategy/Action	"Ease" to Accomplish	Type of Action	Responsible Party/ Parties	Priority	Related Principle
Departmental/Organizational Structure					
1. Create a Parks and Recreation Advisory Board.	●	D	City	1	2,4,6,7
2. Create a Parks and Recreation Foundation.	○	P	City	2	1,5,6,7
3. Create a Parks, Trails and Open Space Planning Division.	◐	P	City	3	1,2,4,6
4. Evaluate capital improvement programs (CIP) for consistency with PlanCheyenne and the Parks and Recreation Master Plan.	●	P	City/County	2	1,2,4,5,6
5. Evaluate the feasibility of creating a parks and recreation district.	◐	R/F	City	2	1,5,6,7
6. Assign responsibility for street tree maintenance to Forestry Division.	●	D	City	2	6

KEY TO SYMBOLS

"Ease"

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"Type"

- D = Policy Decision
- P = Program
- Z = Code and Zoning Revisions
- R = Regional and Agency Coordination
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"Priority"

- 1 = high - immediately following plan adoption
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- 3 = lower - within five years

1: Create a Parks and Recreation Advisory Board.

Citizen Advisory Board

This group would be selected from a group of citizen applicants interested in serving their community. Members would be appointed by the Mayor with approval by City Council. The role of the group would be to provide recommendations on development and administration of city parks, recreation, and open space programs. As such, it would be advisory in nature and not a policy-making board.

Benefits

Establishing an advisory board could provide numerous benefits, including serving as an on-going forum for the public to comment on issues of concern. In addition to providing diverse opinions and expertise, an advisory board can serve as a powerful advocate for the department's programs and help to build support and visibility for these activities within the community.

2: Create a Parks, Trails and Open Space Foundation.

Non-Profit Foundation

This would be a non-governmental group similar to the "Friends of the Cheyenne Botanic Gardens", an independent non-profit foundation with status as a 501(c)(3) organization. An important role of the group would be fund raising, which private groups are often better suited to conduct than governmental entities, particularly given the tax advantages provided in the Federal tax code. In addition, the group could assist with volunteer efforts and other activities that support the mission of the parks and recreation department.

3: Create a Parks, Trails and Open Space Planning Group

Planning Group

Creating a new group focused on these functions is timely and a proper response to the direction established in the master plan. This group could either be created as a separate division or continue as an element of the Administrative Division.

Need for Division

As described in previous chapters, the need for additional parkland development, particularly that required to serve growth in new development areas, has probably never been greater at any other time in the community's history.

Funding

Planning for the development of these new parks and administration of the revenue that could be generated through a new parkland development fee, will require a major effort. The division would also work closely with Planning Services, developers, and others to coordinate future park development.

Open Space and Trails

In addition, open space and trails is emerging as a community priority and accomplishing the goals defined in the master plan will require additional staff efforts. For example, some of the areas identified as potential conservation sites or open space in the Master Plan can be best protected through development agreements or other conservation arrangements with private landowners.

Open Space

Open space could be protected through negotiated agreements between the City and developers wherein a portion of the parkland development fee otherwise due could be waived in return for placing a conservation easement on lands of community wide significance or otherwise protecting the property. As a matter of principle, it would not be advisable to fully waive parkland development fees in return for open space protection; however, the ordinance could provide for waiving up to 50% of the fees if suitable open space areas were protected.

Partners

Another role of staff in this division would be working with partners, such as the Wyoming Stock Growers Agriculture Land Trust or Nature Conservancy, to develop educational materials explaining the opportunities and benefits of conservation easements, conservation design or clustering, and other tools that allow for the protection of natural/cultural resource areas. Grant writing and other efforts directed toward revenue generation could also be part of the role.

4: Evaluate capital improvement programs (CIP) for consistency with PlanCheyenne and the Parks and Recreation Master Plan

Future

In the future, capital improvement programs should be evaluated for consistency with PlanCheyenne and the Parks and Recreation Master Plan. Requiring this consistency would help to implement the plans and result in more consistent and systematic decision-making. It would also be advisable for the City to adopt a more formal process for developing and evaluation their capital improvement programs.

5: Evaluate the feasibility of creating a parks and recreation district.

Parks and Recreation District

Creation of a parks and recreation district is another strategy for addressing the issues previously discussed with respect to use of city facilities by non-residents. It would also provide an additional source of revenue to fund needed park and recreation facility improvements, such as the recreation center.

Examples

Park and recreation districts have been created throughout the west, including Sheridan County, Wyoming, and are usually funded through a mill levy assessed against property within the district. They are most commonly used in situations where there is either no municipality to provide needed services or where a substantial level of population exists adjacent to but outside of a municipal service area. As with most tax measures, creation of a district would require approval of the voters. The district could be established to either fund general parks and recreation needs or to address a specific community need such as the recreation center.

6: Assign Responsibility for Street Tree maintenance to Forestry Division

ROW Maintenance

As in most other cities, maintenance of right-of-way trees should be assigned to Forestry rather than leaving it the responsibility of individual homeowners. This would require some additional staff resources.

Code Enforcement

In addition, the Forestry division has no authority to enforce tree ordinances. The importance of street trees to the community should be recognized by providing proper legal authority to the division.

5. Regional and Agency Coordination

The final set of actions relate to regional and agency coordination, including the School District as well as non-profit organizations.

Action Matrix

Strategy/Action	"Ease" to Accomplish	Type of Action	Responsible Party/ Parties	Priority	Related Principle
Regional and Agency Coordination					
1. Coordinate with Laramie County in the development of a regional open space and trails system.	●	R	City/County	1	1,4,5
2. Coordinate with WYDOT to facilitate trail connections associated with highway improvements.	●	R	City/County	1	1,4
3. Adopt a formal joint use agreement with the School District.	◐	R	City/LCSD #1	2	1,4,5
4. Work with partners such as the Agriculture Land Trust and Nature Conservancy to develop educational materials explaining the opportunities and benefits of conservation easements, conservation design or clustering, and other tools that allow for the protection of natural/cultural resource areas.	●	P	City/County	2	1,4

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1: Coordinate with Laramie County in the development of a regional open space and trails system.

with the state highway system and the other half used for projects within communities and at other locations not directly related to state highways.

County Coordination

This is an obvious but important effort. Many actions identified in the plan, including trail development, open space protection, and some of the recommended implementation strategies, require close coordination with Laramie County. Partnering with the county for grant requests, such as described below for WYDOT, will also enhance the community’s chances of obtaining funding for trail and other projects identified in the master plan.

2: Coordinate with WYDOT to facilitate trail connections associated with highway improvements.

SAFETEA - LU

The "Safe, Accountable, Efficient Transportation Equity Act— a Legacy for Users" (SAFETEA-LU) authorizes spending for a six-year surface transportation program. It covers fiscal years 2005 through 2009 and replaces the Transportation Equity Act for the 21st Century, or TEA 21.

Relevant Programs

Relevant programs from a trail perspective are noted below:

- **Recreational Trails Program (RTP):** \$370 million over six years (up from \$270 million under TEA-21, a 64% increase). Nearly every state has grant programs used to fund motorized and nonmotorized trails and education programs. In Wyoming, this program is administered by the Department of State Parks and Cultural Resources.
- **Transportation Enhancements (TE):** \$4.79 billion over the next six years (up from \$3.33 billion under TEA-21). Continues as 10 percent set-aside; approximately \$3.5 billion over six years. Approximately 55 percent of enhancements funding in previous years went to bicycle/pedestrian trails and rail-trail conversion projects. In Wyoming, as in other states, Transportation Enhancement Funds are administered by the Department of Transportation. Recently, approximately, \$3 million per year has been available for various projects, including trail development. Approximately half of the available funding has been used for projects

State Funding

In Wyoming, as in other states, these funds are administered by the Wyoming Department of Transportation. Recently, about \$3 million/year has been available for various projects, including trail development. Approximately half of the available funding has been used for projects associated with the State Highway system and the other half used for projects in communities and at other locations not directly related to State Highways.

3: Adopt a formal joint use agreement with the School District.

Joint Use Agreement

Although the City and School District cooperate on a facility by facility basis, a programmatic agreement is needed. As discussed in Chapter 4, future growth is expected to create a need for numerous new park sites in the next two decades. In many cases, the most efficient strategy for acquiring new neighborhood park sites is through a joint use agreement that provides for the co-location of school and park sites. The agreement would address cost sharing, maintenance standards, and conditions of use. In addition, the potential development of a recreation center will trigger a need for coordination between the City and School District on many of the same points mentioned previously, i.e. potential cost sharing agreements and conditions of use.

Mill Levy Coordination

A formal agreement could also result in better coordination between the City and School District on use of the 1 mill recreational facilities levy that is currently in place. In 2004, this levy generated approximately \$550,000 in Laramie County. These funds, which are administered by the school district, can be used for park facility development. Examples of this use include a contribution toward the development of sports fields at Powers Field.

4. Work with partners such as the Wyoming Stock Growers Agriculture Land Trust, to develop educational materials explaining the opportunities and benefits of conservation easements, and other tools that enhance protection of natural/cultural resource areas.

WSGALT

The Wyoming Stock Growers Agricultural Land Trust (WSGALT) is an organization dedicated to protecting Wyoming's ranching and farming heritage. Their goal is to work with landowners and provide land conservation options that financially enhance their operations while also making them better prepared to pass on the property to future generations. As noted previously, they were awarded a grant recently from the Wyoming Community Foundation and raised an additional \$200,000 through private sources.

Land Conservation

Given the existence of several notable ranches in the Cheyenne vicinity, the City should work with organizations such as WSGALT to promote land conservation through outreach efforts and implementation of some of the strategies described in this plan.

Conservation Easements

Last year, legislation was passed in Wyoming that makes it easier for landowners to place conservation easements on their property. The Uniform Conservation Easement Act (S.F. 149) removed a complexity in Wyoming law relative to conservation easements and provided clarity to landowners, land trusts, and the courts, as well as local and state governments, about purposes for which conservation easements may be used, how they are administered, and who may hold them.

6. Other Considerations

Several other issues exist that need to be addressed in order to streamline efficiency and remove confusion regarding certain initiatives related to the Master Plan. Some of these may need specific policies to address while others might simply be addressed from a Department organizational standpoint.

The Department should consider establishing a naming policy, or process for future parks. Establishing such a policy would help to define individual parks and create consistency in application. Lastly, the City and Department should consider returning the Director of Parks and Recreation position to one of a civil servant, as opposed to an appointed position. Allowing this position to operate in a civil servant capacity would remove any political bias that might arise in future park planning efforts.



GENERAL COST ESTIMATIONS

PARKS AND RECREATION MASTER PLAN – BUILD

7

7. General Cost Estimations

The cost for trail and park construction varies widely, depending on the specific elements to be included in each park, the terrain, necessary road crossings and other physical features that require more extensive design solutions. For the purposes of assigning an order of magnitude cost to the master plan, costs have been assumed that are based on with the costs other communities have experienced in

designing and overseeing the construction of similar facilities. They are approximate and are intended to illustrate order of magnitude, not detail. Costs are in 2005 dollars and must be escalated yearly to compensate for inflation. Table 1 totals the cost for parks and trails that have been illustrated as part of the Master Plan.

- Neighborhood Parkland \$ 95,000/acre for design, development and fees
- Community Parkland..... \$110,000/acre for design, development and fees
- 10' Wide Concrete Multi-Purpose Trail..... \$180,000/mile for grading and paving
- Trail Corridor Amenities and Drainage\$50,000/mile for benches, signs and culverts
- Grade-Separated Crossings Costs not included at this time
- Recreation Center \$227/square foot

Table 1: Budgetary Master Plan Costs

	Additional Quantity Needed by 2030	Unit Cost	Extended Cost	Comments
Neighborhood Parkland	145 acres	\$95,000	\$13.78 million	12-18 parks
Community Parkland	176 acres	\$110,000	\$19.36 million	2-3 parks
Primary Multi-Purpose, Off-Street Trail	@ 75 miles	\$230,000	\$17.25 million	Includes 10' trail, amenities and drainage
Recreation Center	1	\$34,000,000	\$34.00 million	119,794 square foot facility w/ indoor and outdoor aquatics components
Total			\$84.39 million	



Appendix A: Plan Conformity Checklists

Purpose

These Plan Conformity Checklists are intended to be used as tools to ensure conformity and consistency of development proposals with respect to parkland dedication and other development related park policies. They address the key land dedication, fee-in-lieu and development concepts and foundations of the Shape and Build sections of the Parks and Recreation Master Plan. Each idea is listed with a simple “yes” checkbox to indicate if a project complies with the foundations of this Plan. If a project does comply with an idea, it should receive a . If it does not comply, the box will remain blank.

Who Should Use It?

Developers, staff, and decision-makers should use these checklists.

- A developer should use these checklists in the early stages of a development proposal as a guide to *Park and Recreation Master Plan* and *PlanCheyenne* policies and when submitting an application for review.
- Staff should use these checklists to review development proposals and to make recommendations to decision-makers.
- Decision-makers can use these checklists to better understand how well a proposed development does or does not comply with the *Parks and Recreation Master Plan* and *PlanCheyenne*.

It is recommended that the community provide incentives for developers who use these checklists. For instance, if a developer uses the checklist and has a development that complies with most all of the foundations and principles of the plan, he or she would receive a “stamp of approval” entitling him or her to an expedited review process.

How are the Checklists Organized?

There are two checklists that address the following:

1. Parkland Dedication and/or Fee-in-Lieu (in *Shape and Build of the Parks and Recreation Master Plan*).
2. Policy/Development Review related to the guiding principles (in *Shape of the Parks and Recreation Master Plan*).



PARKS AND RECREATION MASTER PLAN BUILD

Land Dedication Checklist

Neighborhood parkland standard =
2.5 acres/1,000 population
Average household size =
2.5 people
Ratio of one household to standard =
2.5 people/1,000 people = .0025

PARKLAND RATIO

Parkland need associated with one household =
.0025 x 2.5 acres = .00625 acre per household

A. How many residential units are in the proposed development?

_____ Residential Units

B. How many acres of parkland result from multiplying the residential units by the parkland ratio?

_____ Parkland Acres

EXAMPLE

.00625 x 400 units = 2.5 parkland acres for one development

- If the parkland is less than 2 acres, a fee in lieu is required.
 - If the parkland is less than 2 acres but has special circumstances, answer the questions below.
 - If the park land is greater than 2 acres, answer the questions below.
1. What are the intended uses in the park? _____
 2. Is the potential parkland adequately-sized to serve the intended park use? Yes No
 3. Is the potential parkland centrally-located to serve the population it is intended to serve? Yes No
 4. Does the parkland provide space for previously underserved populations? Is it adequate for that purpose?
 Yes No
 5. Does the site have good accessibility, vehicular and pedestrian, and is the site visible from existing or planned streets? Yes No
 6. Does the site have physical characteristics capable of supporting park use, e.g. appropriate slopes, no hazards or other limitations, etc? Yes No



PARKS AND RECREATION MASTER PLAN BUILD

7. Does the site have special characteristics not suitable for development but suitable for preservation?
 Yes No Please Describe.

- If the parkland does not adequately address the above questions, a fee in lieu of parkland should be provided for this development
- If the parkland does meet the criteria above, the developer can dedicate parkland or pay a fee in lieu. Parkland dedication will need to be reviewed by the Director of Parks and Recreation.

Fee Calculation

Value per Acre of suitable parkland in the project vicinity

\$XX,XXX

Fee Per unit

\$XX,XXX multiply by .00625 = fee per unit

Multiply fee per unit by number of residential units in the development

Per unit fee X Residential units = \$ _____

Total fee in lieu of parkland for development

\$ _____



PARKS AND RECREATION MASTER PLAN BUILD

Policy/ Development Review Checklist

Principle 1

The Proposal:

Shows land provided for a neighborhood park? Yes No

If not, a fee in lieu will be collected. Yes No

Demonstrates physical or verbal coordination with Laramie County and the Laramie County School District?
 Yes No

Principle 2

The Proposal:

Designates an internal trail system connecting to the city wide system? Yes No

Shows protected trail corridors, easements, and/or right of way in place for future trails? Yes No

Provides a link in the looped trail system? Yes No

Demonstrates exploration of options for trails outside of road right of ways if trails are along roads?
 Yes No

Fills a "gap" in the greenway system? Yes No

Demonstrates that all city departments affected by trails have signed off in agreement with the trails plan shown in this development? Yes No

Principle 3

The Proposal:

Shows dedication areas in the development? Yes No

If yes, what qualities do the areas contain that contribute to community value and significance for the City?

Principle 4

The Proposal:

Protects open lands? Yes No

Is within a Natural Cultural Resource Area designated within the Parks and Recreation Master Plan?
 Yes No

If yes, shows how features of the land will be preserved? _____

Protects and enhances drainages? Yes No

Recommends a partnership with the County? Yes No

If Yes, describes an action plan? _____



PARKS AND RECREATION MASTER PLAN BUILD

Principle 5

The Proposal:

Provides land for Parks and Recreation? Yes No

If No, please explain. _____

If Yes, calls for the development to contribute its fair share for parks and recreational facilities based on the projected population in the development? Yes No

Shows an arrangement for a fee-in lieu to be paid prior to approval of this development? Yes No

Shows Parks and Recreation facilities in locations that offer visual and vehicular access from major roadways, accessibility to large numbers of users, and direct trail system and/or pedestrian connections? Yes No

Shows development in an area that has been targeted for public investment? Yes No

Provides a mechanism for maintaining any common areas not dedicated to the city (e.g., HOA)? Yes No

Principle 6

The Proposal:

Includes a management plan describing how to maintain any dedicated areas? Yes No

Principle 7

The Proposal:

Coordinates impact fees for this development with other city impact fees? Yes No

Suggests public/private partnerships an option for funding parks and recreation in this development?
 Yes No

Development Office:

If no, are there other entities or groups that the city or this development should coordinate with to leverage funding for this project? Yes No

Is the development in a location that is suitable for a special district? Yes No