Green River, WY:
Smart Growth Zoning Codes for Small Cities
Report and Suggested Next Steps
Building Blocks for Sustainable Communities Program

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Background
Pursuant to Smart Growth America’s technical assistance award with Green River, this memorandum constitutes the final report summarizing the workshop on Smart Growth Zoning Codes for Small Cities and suggesting possible next steps the City could take.

Need for assistance
Green River completed a major comprehensive plan update in 2012 that addresses key smart growth issues such as downtown and riverfront development, cost of growth and new infrastructure, maintaining community character and encouraging infill and redevelopment, among other issues. To begin the process of bringing the local code into greater alignment with these goals, Smart Growth America provided a two-day technical assistance workshop to address priority code fixes, namely those discussed in the U.S. EPA small city/rural smart growth publication.

Local assets and challenges
Like many small cities, Green River faces issues such as the question of how to pay for infrastructure related to new development; a shortage of affordable housing for significant market segments such as young couples with children, entry-level workers, and seniors; lack of transportation alternatives to the auto; and community health concerns (obesity in Sweetwater County is among the highest in the state).

While the city has some major growth and development challenges, it also has some significant assets that position it to deal effectively with them. Its excellent park and pathway system and attractive neighborhoods have made it a very desirable community, as witnessed by the significant
number of families with children it has attracted. This has resulted in a relatively young population (median age of 32), compared to many communities in Wyoming. Green River is also home to a number of major job-generating companies related to the trona mines, energy development, oilfield services and the railroad. The unemployment rate is below four percent, and its median household income is almost $70,000, which compares favorably with other cities in the state. The population from the 2010 census was 12,515, which indicates very modest growth since 2001 (less than one-half percent annually), but which experience in other communities has shown to be steady and sustainable.

**Capacity and engagement**

Green River has a small but knowledgeable staff that is willing to tackle some of the major growth issues facing Green River in a progressive manner. The city also has a cadre of community minded citizens and commissions and organizations such as the planning and zoning commission, chamber of commerce, local realtors, an urban renewal authority, and other organizations that appear eager to support such an effort and follow up to implement the city’s comprehensive plan.

The public workshop attracted over twenty knowledgeable attendees from the planning commission, board of zoning appeals, local mayoral/council candidates and the real estate community. The working group that participated in the full-day workshop included four members of the planning commission (all of whom are local business people); one member of the Urban Renewal Agency; the acting city administrator; staff from the Planning, Parks and Public Works Departments; representatives of the real estate community and chamber of commerce; and the Sweetwater County planning director.

**Current regulations**

Green River has a long history of progressive planning and land use policies. It has designated and zoned conservation areas all around the community, which has limited sprawl on the ridges and surrounding natural areas. It has an exemplary parks and open space system for a small city, with hundreds of acres of open space and miles of trails, as well as preserved natural areas along the Green River. However, the City zoning code and related development regulations and development policies are basic and outdated in many aspects. They were adopted in the 1970s, and while they have been updated from time-to-time, they have few progressive provisions related to the community’s key development issues noted above. For example, multifamily residential units are not allowed in the downtown except by special permit, and commercial off-street parking requirements are excessive. Additionally, while the City has adopted standards to help protect historic structures and promote quality design along major streets, these regulations are very vague and reportedly difficult to interpret and administer. Moreover, setback, accessory structure and other basic zoning standards are so inflexible that they reportedly stifle renovation and rehabilitation of homes in the city’s older, established neighborhoods. The purpose of this workshop was to identify priority code fixes to address these issues.

**Key issues addressed**

Based on the comprehensive plan, the housing assessment and other documents and City policies, City staff identified the following three key issues to address in the workshop:
Promote infill and redevelopment. The code should encourage infill and compatible mixed-use development, especially downtown and along the riverfront.

Preserve and revitalize existing neighborhoods. Green River has some very attractive older established neighborhoods around the downtown and just south of the river.

Promote orderly development in suitable outlying areas. Like many communities facing a tight municipal budget, Green River is concerned about the cost of development and growth to the city in the longer term, particularly with regard to the cost of infrastructure to serve new housing and commercial projects. The City has fully paid for the cost of extending infrastructure to new developments in the past and has no written policy for recoupment or cost-sharing for the future.

Targeted code amendments discussed
Clarion Associates provided a menu of options for Green River to consider in amending its development codes and policies to address the three key growth and development issues noted above. The options were presented in a framework of removing regulatory barriers to community goals, consideration of incentives to supplement current regulations and identification of regulatory gaps or opportunities that the city might want to explore. The following were the key amendments the working group agreed were worth pursuing:

Promote infill and compatible mixed-use development
Green River’s recently adopted comprehensive plan focuses on encouraging infill and mixed-use development downtown and along the riverfront. This will help the economy and also make use of existing infrastructure. Potential code amendments include:

- Allow upper-floor residential and multifamily units in downtown by right. This process currently requires two public hearings.
- Permit live/work units in all commercial areas, as well as the downtown zone district. Such regulations would allow an artist to live in an apartment above his/her art gallery, for example.
- Permit residential development in B-1 and B-2 zone districts to create more activity, shoppers and provide needed workforce housing.
- Reduce excessive multifamily parking requirements (e.g., from 2.0/unit to 1.5/unit) and commercial off-street parking requirements (e.g., from 1/300 square feet for retail and offices to 1/400). Give credit for adjacent on-street parking.
- Clarify design review district standards. For example, current language like the need to consider “the relationship of the proposal to existing elements within …the area” is too vague. Identify a handful of key design issues such as building orientation to street, percent of windows on front façade, location of parking and building materials, and draft clear, illustrated standards to address these. Design standards in small cities like Laramie and Glenwood Springs, CO, can serve as starting points for these discussions.
- Complete a plan for the riverfront area in cooperation with the urban renewal agency. Next, create a new tailored Riverfront Zone District to promote recreation-oriented and mixed-use development. (The riverfront is now zoned O Open, R-3 and R-2 residential, B-1 commercial, industrial, and Green Belt Conservation.)
- Upgrade the City’s landscaping requirements. Require interior planting of trees/shrubs, protect existing mature trees and consider developing a water-conserving preferred plant
list, like that used in Salt Lake City and many other western communities. Adopt bonding requirements to ensure proper installation. Do not require new landscaping in January, but sooner than two years after project completion.

Preserve and revitalize existing neighborhoods
Implement the comprehensive plan recommendations to retain quality neighborhoods, encourage maintenance and upkeep, and ensure new development is compatible. Potential code amendments include:

- Consider revamping the current home occupation regulations. These regulations are currently very liberal in some aspects and very restrictive in others. For example, the code allows two employees by right and the parking of semi-tractors, but it requires a public hearing for any home occupation. Explore a tiered approach that allows home occupation without a public hearing where no customers or employees are involved but that requires staff review or public hearing and more requirements (e.g., for parking) on home businesses with employees and customers, parking of large vehicles and other external impacts. Review the County’s recently adopted home occupation regulations as part of this discussion.
- Revamp residential setback and open space regulations in R-1, R-2 and R-3 districts that make it difficult to build garages and other accessory structures desired by modern families. This will also help owners who want to renovate and upgrade their homes. However, the City should also discuss allowable size and bulk of garages, especially in older neighborhoods with smaller lots.
- Revamp non-conforming use and structure regulations that are very strict to encourage renovation and improvement of existing homes and businesses. Allow nonconforming structures to be expanded to the extent that it does not increase the degree of nonconforming use. For example, allow an addition to be added to the rear of a house even though the house is nonconforming as to height, so long as the addition does not exceed maximum height or the use of context-based front yard setbacks. Uncouple nonconforming use provisions from nonconforming structure regulations.
- Upgrade the City’s landscaping regulations. Consider requiring protection of mature trees and adopting water-efficient landscaping provisions. Such provisions may relate to the use of drought-tolerant native vegetation, the use of automatic moisture sensors and drip or underground irrigation, or the establishment of a minimum width for irrigated landscaped areas to prevent overspill. Do not allow shrubbery to be substituted for trees in front yards, as is currently permitted. The City could also require residential lots to be landscaped with some minimum number of trees prior to occupancy.
- Require bicycle parking in commercial areas and sidewalks to connect perimeter streets to the main entryways of commercial buildings.
- Adopt simple design standards to improve development quality and appearance in commercial areas. For example, consider limiting the amount of parking between the building and street, or discuss banning blank facades. Do not require deep setbacks.
- Revise the City sign ordinance to require monument signs along gateway streets and limit new billboards (off-premise signs) and electronic signage.
Promote orderly quality development in suitable outlying areas

Most importantly, ensure that the City’s development policies addressing cost-sharing for infrastructure and facilities necessitated by new development require that new projects pay their fair share of associated costs. Potential fixes include:

- Focus and limit the use of planned unit developments (PUDs) in order to build more creative compact single-family and mixed-use developments such as those on smaller lots, narrower roads and with reduced setbacks in return for compensating community benefits. Add minimum size requirements for PUDs, a list of potential compensating community benefits and limits on waivers of certain standards (e.g., open space). Work to educate decision-making bodies on appropriate use of PUDs, namely their use for quality development with community amenities rather than easy variances. Adopt financial guarantees for infrastructure improvements and firm commitment requirements regarding phasing.
- Consider the use of fiscal impact analysis for large subdivisions and commercial projects so that the City understands the true costs of a development in terms of city infrastructure and other public services, like schools.
- Adopt clear, simple design and landscaping standards for multifamily and commercial projects to enhance development quality. For commercial projects, adopt standards related to building materials and pedestrian access and ban blank walls from facing the street.
- Consider changes to the City’s sign ordinance, including requiring monument signage on key entry streets such as Flaming Gorge and Uinta. Adopt controls on electronic signs (e.g., level of illumination, minimum dwell time, etc.), or ban them.
- Upgrade the City’s landscaping regulations per the discussion above. Adopt basic water conservation standards including use of native drought-tolerant plants, limits on the percentage of turf and the use of automatic moisture sensors for automatic irrigation systems.

Priority action items

After discussing the menu of potential code and development policy amendments presented by Clarion Associates, the working group identified the following priority items. Considerations that the working group discussed in setting priorities included costs and potential benefits, ease of implementation and political feasibility, among other ideas.

Short-term and low hanging fruit

- Allow upper-floor residential in the downtown zone district and multifamily residential in B-1 and B-2 commercial zone districts by right without special permit or special hearings.
- Reduce excessive commercial off-street parking requirements.
- Adopt bicycle parking standards for multifamily residential and commercial uses.
- Reduce residential setback and open space requirements in R-1, R-2 and R-3 residential zone districts to encourage modernization and renovation.
- Clarify non-conforming structure standards to allow expansion if the degree of nonconformity is not increased.

Longer-term priorities

The following action items were considered important but more likely to take longer to implement. Work on these items should not be delayed, but started as soon as possible with the expectation
that more community involvement and discussion will be necessary prior to drafting any code amendments.

- Comprehensively revise the City’s landscaping regulations and incorporate water efficiency and conservation standards.
- Adopt simple, staff-administered design standards for multifamily and duplex residential developments. Rewrite and clarify the current standards in the three existing design subdistricts.
- Complete a plan for the riverfront and adopt a mixed-use/recreational use Riverfront Zone District.
- Revamp planned unit development standards and educate officials about their proper scope and usage.
- Rewrite the home occupation standards to adopt a tiered approach based on potential impact.
- Discuss and adopt infrastructure extension and cost-recovery policy.

Implementation actions and strategies
The working group discussed implementation strategy in its final session. The group felt there were a number of items that could be acted on immediately or in the near future to start building momentum for a more comprehensive zoning code rewrite. Based on the list above and notes taken by staff, the group recommended staff draft a short list of “quick fixes” for the Planning and Zoning Commission to consider in November, with a potential recommendation to City Council in January. Most of these items would involve only minor code language rewrite and can probably be handled in-house by staff.

With regard to longer-term priorities, the working group reached consensus that it is unlikely the planning staff can do this in-house in a timely way, given their limited staff and current heavy workload. They found the experience of Sweetwater County, as related by Planning Director Eric Bingham, to be particularly instructive. Mr. Bingham explained that he assigned one staff person full-time for over a year to the county’s code rewrite effort. Additionally, he had an assistant county attorney assigned half-time for a year to the project to ensure its legal validity. Based on this experience, the working group recommended that the City consider hiring a consultant to rewrite the entire code, as it did with the comprehensive plan effort. Rewriting a small city’s code typically costs from $100,000 to $150,000 and takes one to two years to complete, depending largely on the level of public involvement.

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