

## **CHAPTER 13: Implementation**

The preceding chapters have set out policies and plans that form a blueprint for Buffalo's future growth and development. This chapter will focus on several implementation tools that the City should consider in order to put the plan into action. These ideas are in addition to others that have been described throughout the plan; however, the following items can have a very significant impact on the future expansion of Buffalo and on the City's quality of life for its residents.

### **Intergovernmental Cooperation and Coordination**

Communication between Johnson County and City of Buffalo officials is critical if future growth is to be handled in a thoughtful, cost effective manner. The State of Wyoming statutorily allows incorporated areas to comment and participate in subdivision requests within one mile of city limits. Cities and towns are permitted to sign final plats within their one-mile buffer area and can thus conceivably stop subdivision activity by withholding their approvals. The State Statute has been open for interpretation as to how it should be applied by cities and counties, so by far the better approach would be the adoption of a locally approved intergovernmental agreement for how development will be handled within one mile or otherwise designated unincorporated areas.

Intergovernmental agreements typically lay out how development requests will be handled within a geographical area of incorporated and unincorporated land. They stipulate both the process and the responsibilities for all parties, including the review agencies and elected bodies. They also work toward assuring there are compatible land use regulations between the city and county.

As an example, a typical agreement may include the following points:

- Process for reviewing development proposals within the City's delineated growth boundary (set by the Comprehensive Plan) which usually entails the submittal of proposals to the City first so they may advise the County on the proposal's annexation feasibility
- City participates in the County planning process to bring City and County road plans into conformance
- City and County pursue ways to align their development regulations
- Either the City or County can terminate the agreement with 90 days notice

The 1999 Joint Comprehensive Plan Update for Johnson County and the City of Buffalo included a draft growth management agreement and memorandum of understanding in its appendix. As outlined, it included:

- Purpose statement for orderly growth, utilities, and cooperation
- Adoption, amendment, and termination
- Coordination through the two planning commissions and elected bodies

- Implementation for subdivision approvals, changes in land use designations, amendments, city jurisdiction, and county jurisdiction
- Provision of public water and sewer
- Required improvements
- Signatures

A copy of the draft agreement is found in the Appendix. In addition, a second example from a county and town in northern Colorado is in the Appendix.

The benefits of having such an agreement in place are huge. Applicants for subdivisions gain a clear understanding about how their proposal will be reviewed; the city and county planning commissions have direction for the sequence of reviews and plan updates; elected officials are given a process for coordinating their planning documents and land use approvals; and the provision of public water, sewer, and improvements are clearly spelled out. It would be to the public's advantage if the County and Buffalo would adopt an agreement for land development within their own growth boundary. This would greatly assist in the local review of annexations, utility extensions, and subdivision reviews as well as encouraging efficient and cost effective growth patterns.

### **Annexation**

Buffalo has pockets of undeveloped land within the current city limits that may be appropriate for infill development (typically on an existing lot sandwiched between developed lots in a built up neighborhood) or as a planned unit development (requiring a more sizable land area that can be used for a mix of residential units and possible commercial development). However, the City will need to continue to annex land to accommodate the predicted growth it will face in the years ahead.

Annexations should only be allowed following the submittal and approval of an annexation study that explains the likely impact of the proposed annexation upon city services, including existing roads, and an explanation of the proposed land uses for the land to be annexed. The City is not obligated to automatically approve all annexation requests. It is to the City's benefit, though, to stay on top of the need for additional land that can be developed at higher densities than are typically allowed in the unincorporated county.

At the present time, City of Buffalo Code, Chapter 21, Subdivisions, uses the process below for annexation requests:

#### **SEC. 21-12. PETITIONS FOR ANNEXATION, SUBDIVISION, ETC.**

- A) All plats and petitions for annexation, subdivision, and re-dedication of existing subdivisions must be submitted to the City Council and forthwith such City Council shall set a date for a public hearing to consider protests to such petitions and plats and determine the compliance of such petitions and plats with regulations of the City as law requires.

Such hearings shall be mandatory in all cases, regardless as to whether all landowners in the proposed annexation or subdivision have given consent for the same.

*B)* Prior to the date of the protest meeting as provided above, the City shall submit such plats and petitions to the Board of Adjustment of the City; and, in conjunction with the City Attorney, the Board of Adjustment shall prepare a report of its recommendations with regard to zoning, annexation, subdivision, or re-dedication, for the City Council. A copy of the Board of Adjustment's recommendations shall be forwarded to the petitioners for zoning changes, annexation, subdivision or as the case may be, should the petitioners object, they shall do so either in person or in writing, setting forth the nature of their objections, at least five (5) days prior to the protest meeting. The Board of Adjustment shall in its report, designate the various use classification boundaries, as might be designated in accordance with the authority of the Board of Adjustment as conferred by the Code, in regard to the annexation, subdivision, or re-dedication of the property as requested by the petition; the use restrictions and other requirements that might be imposed by the Board of Adjustment shall have full force and effect unless subsequently modified as provided by the Code. (Ord. 909, § 1)

Requirements for annexation can also be delineated in an intergovernmental agreement, as mentioned in the previous section. One option for inclusion in an agreement is to state that if a project is proposed in the City's future growth area, the county will take no action on the proposal without first notifying the City. The City would then have a set amount of time, such as 30 days, to determine whether annexation proceedings should be initiated for the site. Then when approved for annexation, the developer should be responsible for the installation of infrastructure to receive city water and sewer service.

### **Utilities Extensions**

The City has a tremendous opportunity to control the location and density of growth through the provision of its water and sewer lines. Proposals for this service that are outside the current service areas should be considered in association with the Comprehensive Plan. It is also most beneficial for the City to only provide that service if the development is being annexed into Buffalo. If unincorporated areas are allowed to receive city services without the need to annex, it is very likely that islands of unincorporated land will begin to spring up. The City will not receive the tax benefit of that development, however, as it will be in Johnson County.

### **County Subdivision Review**

As noted above, Wyoming State Statute allows Buffalo to review and sign plats for subdivisions within one mile of city limits. This is an important function for the City to perform, because it allows them to have a voice in the proposed layout and density for the

subdivision. It is also a timely way to recommend annexation, provided the proposed subdivision is contiguous to city limits.

Looking into the future, the City may wish to work with Johnson County to develop alternatives to traditional subdivision designs. For example, Lincoln, Nebraska adopted a method that allows county developers to submit subdivisions that include large lot sizes with the stipulation that a certain percent of the subdivision must remain as open space. Once the subdivision is ready for annexation due to the expansion of the city boundaries, then that open space is converted into more dense development that is appropriate for a city. This permits the creation of large tracts for individual houses, plus the development of greater density on smaller lots once annexation occurs. The use of planned unit developments (PUD) would also encourage more innovative design along with a mix of land uses. This tool would be very appropriate for implementation within the one mile area surrounding Buffalo.

At issue is the potential for large lot subdivisions to be approved within the unincorporated area that abuts the city limits. This would essentially block the City from expanding in a reasonable, efficient manner. Depending upon their location, large lot subdivisions of 10 or more acres (and even as small as two acres) per lot may make it difficult if not impossible for cost-effective utility line extension to serve subdivisions that can more practically be served by sewer and water. It is also difficult to further split large subdivision lots unless they were originally designed for future division.

### **Nuisance Conditions**

As was seen in the assessment of Buffalo's problems and needs, Buffalo is regarded as a nice town by its residents. They were also quick to point out that abandoned vehicles, junk piles, weeds, unkempt yards, and dilapidated/collapsing buildings are detrimental to the appearance and reputation of the City. City entrances were noted as being unsightly and not very welcoming to visitors. There was also discussion about how to build personal pride of place.

Enforcement of existing city regulations related to nuisances is important for two reasons: The regulations can help take care of many nuisance conditions, and given that they are part of the City Code, the regulations should be adhered to for the sake of consistency. There is no point in having rules and regulations if they are not uniformly applied. At the present time the City Police Department is responsible for handling nuisances. Given their workload, nuisance enforcement is not likely to be high on their list. Instead, the City should hire an enforcement officer as part of the planning or building departments to make sure that current regulations within the City Code are being followed. If the City Council decides they do not wish to have certain requirements or chooses to strengthen others, amendments can always be made to the City Code. But enforcement and consistency are vital to handling nuisances.

It is also important that the City be the lead in dealing with its own nuisance conditions. Trimming weeds, watering lawns, and cleaning up storage areas on city land will show

the rest of the community that the City Government is committed to enhancing the physical appearance of Buffalo.

### **Zoning Review**

The zoning ordinance is the implementation tool for the Comprehensive Plan as well as the regulatory guide for land use and development. With the approval and adoption of the 2007 Buffalo Comprehensive Plan, the Zoning Ordinance will need revisions to accommodate the recommendations of the Plan. Among the key items will be:

- Adopt design standards for downtown that maintain the historic character of this area
- Adopt sign regulations for the City of Buffalo
- Develop guidelines for Planned Unit Developments (PUD)
- Develop design standards for multi-family buildings and manufactured home subdivisions
- Set aside a percent of units or lots within residential developments that will be dedicated as affordable housing
- Implement the Future Land Use and Transportation Map

To sum up, the Zoning Ordinance should be a working document that fits the community. The existing ordinance is already in need of an update to replace antiquated language, insert new sections addressing signs, variances, and other land use matters, and refine several processes so they are more clearly understood (see Appendix for recommended amendments to the existing Zoning Ordinance). City staff, and Planning and Zoning Commission, and City Council should now take steps to both amend the Zoning Ordinance to incorporate the items above and revise the text to make it suitable to handle the development requirements of today and tomorrow's Buffalo.

### **Implementation Plan**

The Buffalo Comprehensive Plan encompasses the entire community and the surrounding unincorporated land. It is not intended to be a document that is only relevant to City personnel and elected officials: it is designed to serve as a guide for volunteers, organizations, agencies, and interested citizens to use in preserving what is special about Buffalo. The Plan also takes a fresh look at alternatives for future development patterns and presents its recommendations for that potential pattern in the Future Land Use and Transportation map.

Looking first at the implementation of the Future Land Use and Transportation map, these steps should be taken:

1. City staff, the Planning and Zoning Commission, and the City Council should use the map as a guide in their decision-making regarding land use and transportation proposals.
2. Encourage developers to use the map in designing proposed developments. The designations clearly stipulate what the preferred densities are for the City and the surrounding unincorporated area.
3. Either develop a new zoning category or augment an existing one to allow mixed use development
4. Support the adaptive reuse of historic buildings by working with the property owner to help facilitate the restoration.
5. Develop a new zoning district for the Central Business District or increase the area zoned B-1 Business district in the vicinity of Main Street.
6. Consider the need for future developed parks and trails when reviewing development applications.
7. Provide comments on all subdivision proposals that are within one mile of the City limits.

Additional steps are necessary to implement the remaining goals and policies of the Plan which require assistance beyond just the City Planning Department or the City Council. The following are the suggested actions to assist in the implementation of the rest of the Plan:

1. ***Goal: Preservation of the small town/rural character and values of the City of Buffalo.***
  - Meet with Chamber of Commerce and downtown merchants to discuss adoption of downtown design standards.
  - Hire an architect to obtain cost estimates for renovating City Hall's façade.
  - Continue the publication of the community calendar.
2. ***Goal: Cost effective, efficient infrastructure development that meets current and future service needs.***
  - Develop a Capital Improvements Program for major city expenditures, with input from every city department.
  - Assist Johnson County in the siting of a new law enforcement center.
  - Hire a consultant familiar with impact fees to discuss their potential use in Buffalo.
3. ***Goal: Attractive and inviting neighborhoods, commercial districts, and downtown core.***
  - Work with the Chamber of Commerce to appoint a public/private entity that has the authority to acquire downtown land and vacant buildings for redevelopment.
  - Ask the Chamber to consider sponsoring recognition programs for downtown merchants.

- Contact local flower nurseries or gardening clubs to participate in award program for attractively maintained and landscaped residences.
- Sponsor clean up event at City entrances to remove weeds and litter and eliminate nuisances in association with property owners.

**4. Goal: *Diversified economy that contributes to the vitality and character of Buffalo.***

- Contact the Buffalo Bulletin about profiling downtown merchants and the Chamber of Commerce for a ‘shop local’ campaign.
- Ask the Wyoming Main Street program director to come to Buffalo for a presentation before the City Council, Chamber members, and the public.
- Get in touch with local staff from the Wyoming Business Council to discuss training and educational programs for businesses that can be brought to Buffalo.
- Hire a City Web master to keep the site up to date and informative about Buffalo activities.
- Join the Buffalo Chamber of Commerce.

**5. Goal: *A transportation system that provides safe and efficient movement of people, goods, and services.***

- Meet with WyDOT engineers to discuss street and intersection improvements.
- Submit ideas for traffic control to WyDOT.
- Meet with the Fire Department, ambulance service, and law enforcement officers to discuss reduction of residential subdivision streets, followed by discussions with local engineers and developers.
- Develop and maintain a Capital Improvements Program for street improvements.
- Update subdivision regulations to revise public road standards and make other improvements.

**6. Goal: *Sufficient housing supply to meet the needs of all ages and income levels.***

- Meet with the Housing Authority to determine their level of interest in expanding their role and activity.
- Contact State of Wyoming (Wyoming Community Development Authority) for information about housing rehabilitation and make it available on-line and in City Hall; request local presentations by WCDA staff for home owners.
- Prepare a Request for Proposals from developers to construct affordable housing on vacant City-owned lots; accept best proposal and construct.
- Hire a consultant to update and revise the City Zoning Ordinance.
- Support the establishment of a staff position responsible for affordable housing initiatives. Ideally, such a position would be funded by a variety of entities including the city.

7. ***Goal: Land use development standards that promote quality growth that pays for itself.***
  - Hire a consultant to investigate potential of using development impact fees to maintain local fiscal responsibility.
  - Revise Zoning Ordinance and follow the recommendations of the Future Land Use and Transportation map in decision making.
  
8. ***Goal: A high quality physical environment that preserves air and water quality and conserves land, wildlife habitat, and energy resources.***
  - Revise the City Zoning Ordinance to address ridge top development, significant wildlife habitat areas, and land with sensitive development issues.
  - Appoint City personnel to review and comment on regional Environmental Impact Statements.
  - Implement the Buffalo Comprehensive Plan Future Land Use map.
  
9. ***Goal: Recreational opportunities that meet citizens' needs as well as provide open spaces.***
  - Adopt the Trails Plan and map.
  - Hire a consultant to prepare a Parks Master Plan for Buffalo and surrounding Johnson County.
  - Prepare a Capital Improvements Program for park maintenance and equipment.
  - Ask local after school program providers and recreational facilities (including YMCA) to survey pre-teens and teenagers about what recreational facilities they would like to see in Buffalo.