



Local Government Land-Use Planning in Wyoming: Purpose, Process, and Benefits

WYOMING OPEN SPACES INITIATIVE

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Local Government Land-Use Planning in Wyoming: Purpose, Process, and Benefits

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Across the United States, one of the fundamental responsibilities of local governments is planning and the establishment and implementation of planning policies. While planning can apply to many areas of public or private activities—economic development, housing, transportation, and more—it most often relates to land use and how a town or county shapes growth and development.

The goal of this document is to provide an overview of the origins, purpose, process, and benefits of local government land-use planning in Wyoming to empower citizens to become part of the process in their local communities.

WHAT IS PLANNING?

Planning is a deliberative process for setting goals to achieve a desired future condition. Whether it's preparing for a holiday trip, investing for retirement, or developing a sound business strategy, planning is a part of life. Regardless of the situation, planning is forward-looking, seeking to guide future actions in a proactive way.

Planning is as integral to communities as it is to families and businesses. In the United States, local community planning—particularly land-use planning—first arose from the need to protect property, health, safety, and welfare from congestion and overcrowding in the rapidly growing cities of the late 1800s and early 1900s. Over the last century, both population growth and unpredictable land-use modification outside of town boundaries have created new land-use challenges in suburbs and rural landscapes as well. Examples include:

- Lack of affordable housing
- Loss of prime agricultural farmland and open space
- Solid waste management
- Air and water pollution
- Economic change
- Natural resource development
- Increased need to mitigate natural hazards
- Threats to historical and cultural resources

Effective local land-use planning helps cities and counties guide development of the land in an orderly manner, reflecting how a jurisdiction

“Communities plan in order to make informed choices about the future—that is, to create and maintain places where people want to live, work, and conduct business.”
Why Communities Plan—Frederick C. Collignon



Jackson, Wyoming

Failure to properly account for natural hazards such as landslides in site planning can decrease property values and endanger public safety.

Photo: Kit Freedman



Torrington, Wyoming

Preservation of agricultural lands and other working landscapes through local planning supports economic, environmental, and cultural values.

Photo: City of Torrington

wishes to grow while also preserving and enhancing the community's public health, safety, and welfare.

Land-use planning can organize and guide decision making to create prosperous communities. In the absence of planning, however, land-use decisions are still required but are often made haphazardly or by default. Without planning, the impacts of individual land-use decisions are still felt and their costs still impact the community as a whole.

THE LAND-USE PLANNING PROCESS

Land-use planning in Wyoming is a basic function and power of local governments, enabled by state legislation governing the operation of towns, cities, and counties. Like many states in the West, Wyoming does not have a state-level office or program that oversees land-use planning. For the most part, land-use management happens at the local level. However, with significant federal land holdings in Wyoming, state and local land-use planning is also affected by federal land uses and resource planning by agencies like the US Bureau of Land Management and US Forest Service.

In Wyoming, most of what we might call *land-use planning* centers on the policy strategies of zoning and subdivision regulations. **Zoning** refers to the division of a jurisdictional area such as a city or county into districts with differing allowable land-use activities (e.g., residential, commercial, industrial). **Subdivision regulations** guide the legal partitioning of land for sale and development by establishing design standards for specific land parcels.

While zoning and subdivision ordinances are examples of regulations defining what types of development and activities are allowed on certain lands, comprehensive plans (sometimes called master plans) contain the vision for a community and a blueprint for its physical development. Comprehensive plans, which primarily guide land

use, may consider everything from population growth and school building requirements, to waste management and use and conservation of natural resources. Comprehensive plans are usually updated every five or ten years. In Wyoming, development and maintenance of a comprehensive plan is a prerequisite for the implementation of zoning regulations.

Above all, comprehensive planning, along with other types of planning policy guidance at the local level, is a process that attempts to address

three broad questions for a municipality or county: (1) What do we have? (2) What do we want? (3) How will we get it?

The comprehensive planning process begins with a community's decision to develop a plan and commit local resources to see it to completion (Figure 1). This process does not end with the adoption of a planning document, but continues with its implementation, monitoring of the plan's effects, feedback into the process, and eventual revision of the plan. Throughout all stages of

“Throughout all stages of the process ... stakeholders have the opportunity to be involved and to provide input.”

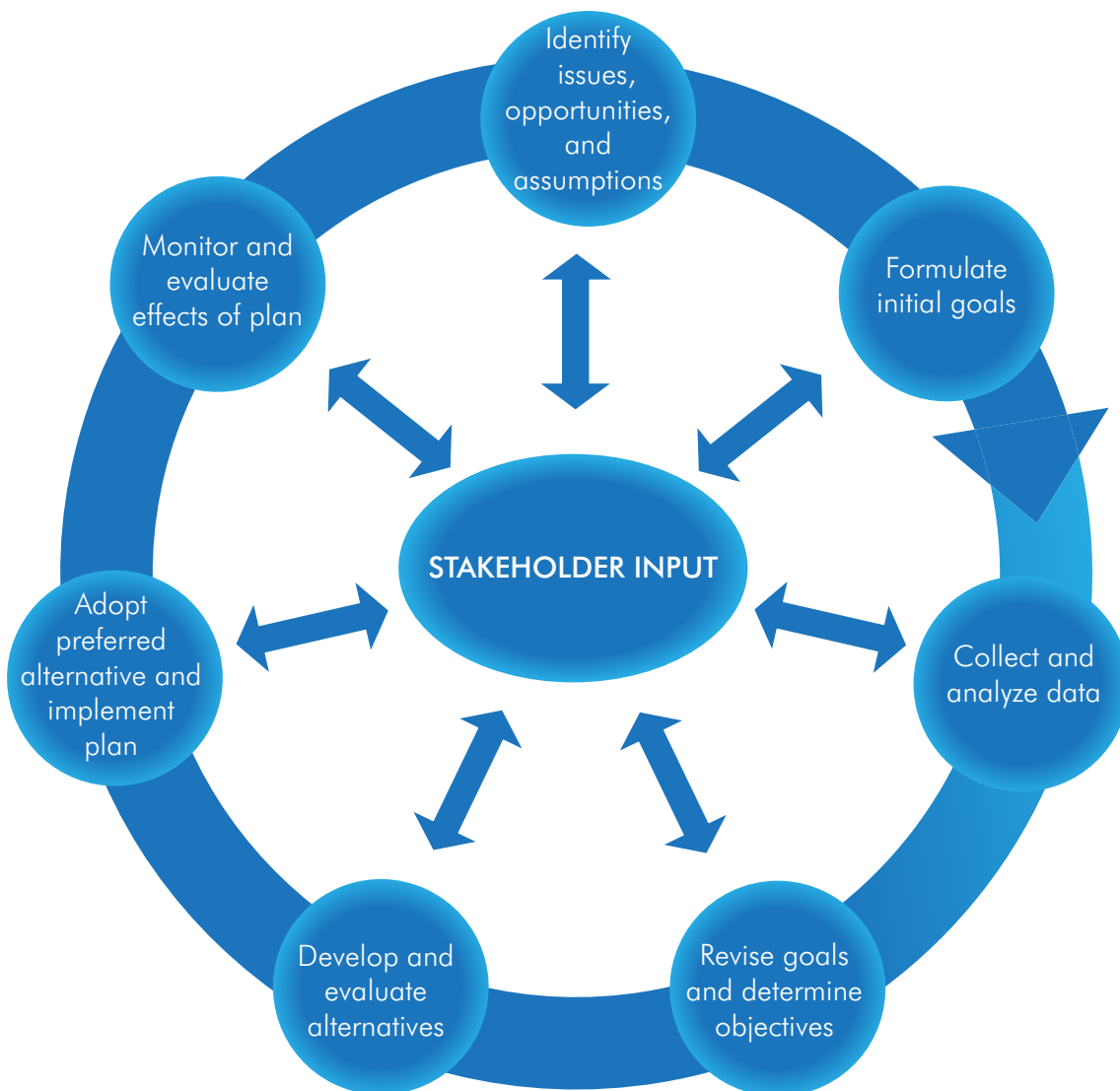


Figure 1. Steps in the comprehensive planning process.

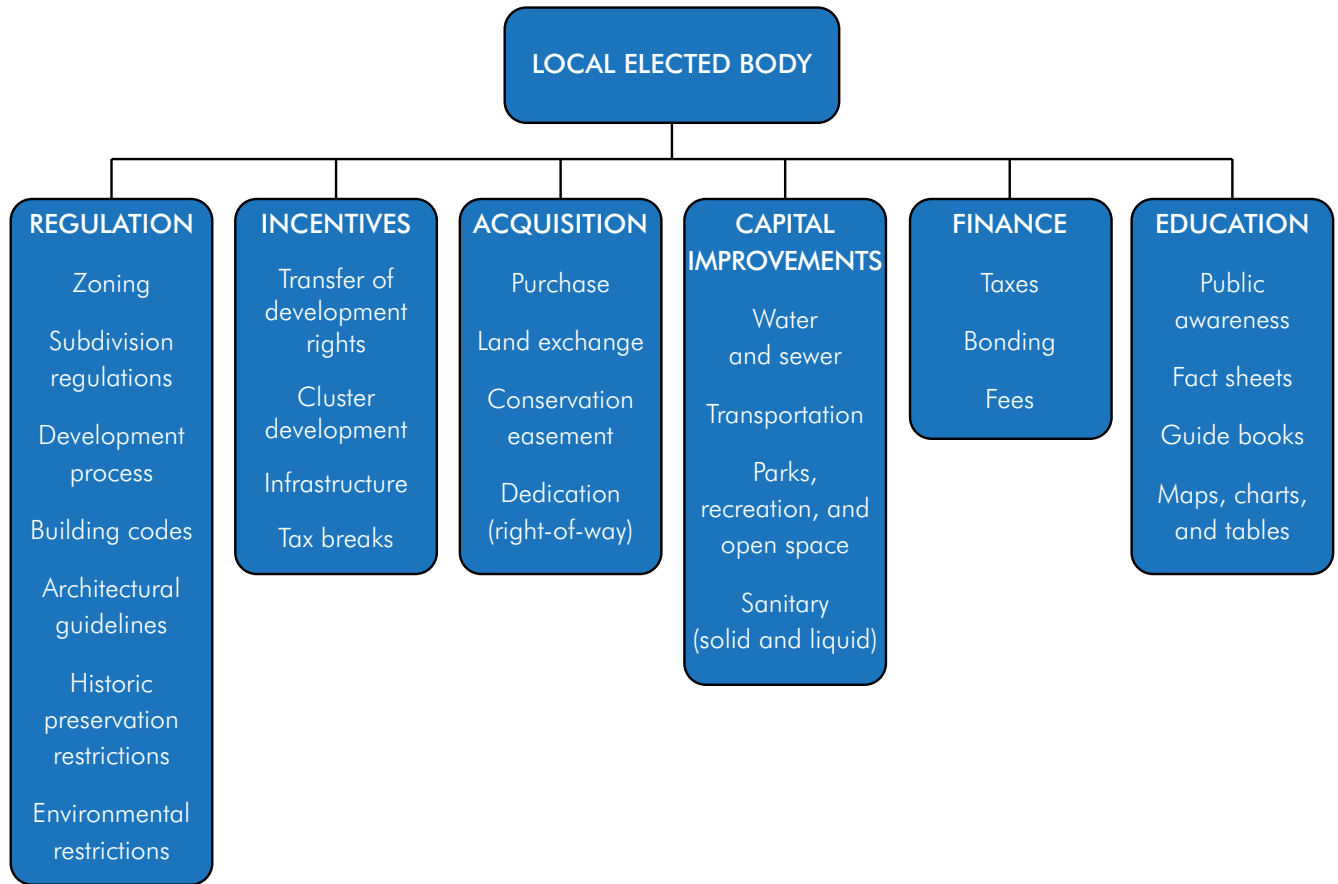


Figure 2. Local government policy options for implementing comprehensive plans.

GOALS, OBJECTIVES, AND POLICIES

Almost all community planning documents, including comprehensive plans, contain a combination of goals, objectives, and policies.

Goals. The general aims of the community, broad-based statements that reflect community desires for the future. Example: Create parks and recreation opportunities for all citizens.

Objectives. More specific sub-steps to achieve a goal, usually providing measurable statements. Example: Site and design neighborhood parks so that no household is more than a ten-minute walk from a park.

Policies. Operational or strategic actions with the purpose of implementation. Policies should identify who is responsible, what the timeframe is, and what resources are required. Example: The city will assess a \$3 per household annual charge to build and maintain neighborhood parks.

the process, civic organizations, private business representatives, non-governmental organizations, individual citizens, and other stakeholders have the opportunity to be involved and to provide input.

A wide range of options is available to elected officials for implementing community planning policies (Figure 2). Some of these, such as zoning and subdivision regulations are regulatory tools, while others are incentive-based (e.g., developer tax breaks), education-oriented, or tied to public financing.

Different groups of people play different roles in the planning process (Figure 3). A common misunderstanding is that development of land-use plans and similar documents is the sole responsibility of professional planners. While it is true that **planning staff** often facilitate the process, collect and analyze data, develop alternatives, and take the lead on implementing a plan, the community and its citizens are integral in creating a plan that represents their goals and visions. A local **planning commission**, made up of citizens appointed by a jurisdiction's elected legislative body, holds hearings and makes recommendations to councils or commissions, which in turn are responsible for overall policy through their approval of plans and ordinances. **Zoning boards**, also made up of local citizens appointed by the jurisdiction's elected legislative

body, hear appeals in cases of dispute regarding policy implementation. **Elected officials** such as a city council or county board of commissioners, ultimately establish policy through the approval of comprehensive plans, the passing of zoning and subdivision ordinances, and the authorization of financing through a capital improvement program, for example.

Citizens, small businesses, civic groups, and other non-governmental organizations all have a role to play in public planning processes. This includes a commitment to engage in the following activities:

- Become educated in the planning process and its potential outcomes and impacts
- Identify issues of importance to the planning process
- Participate in public engagement opportunities
- Identify strengths and weaknesses of the community
- Develop a vision and identify goals for the community
- Comment on alternative plan scenarios and other aspects of the plan throughout the process
- Comment formally at public hearings before the planning commission and elected officials adopt a plan

“Sustaining environmental, economic, and social viability of communities requires planning.”

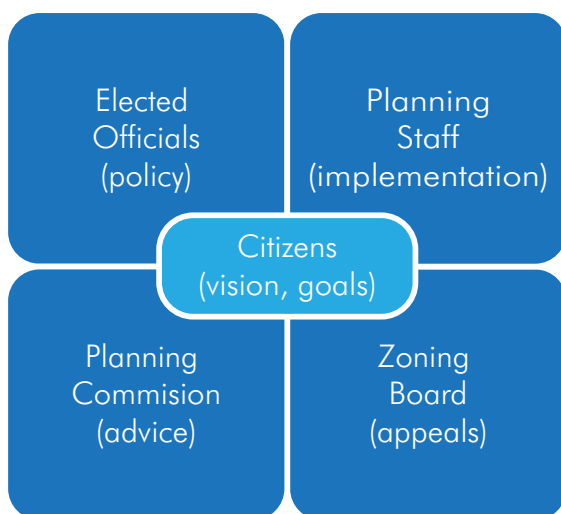


Figure 3. Roles and relationships in the planning process.

This is particularly true in Wyoming, where many smaller jurisdictions lack professional planning staff and are forced to rely on outside expertise if citizen volunteers can't be engaged to help lead the process. Of Wyoming's 23 counties, only 16 have planning staff.

BENEFITS OF LAND-USE PLANNING

Sustaining environmental, economic, and social viability of communities requires planning—the collective and coordinated efforts of many individuals and organizations over time. As noted by planning scholar Tom Daniels, community planning seeks to serve the best interests of a community. It does not attempt to replace market forces of supply, demand,



The Whitewater Park at Expedition Island Park in Green River, Wyoming.
 Photo: McLaughlin Whitewater Design Group

and price, but rather, tries to shape and channel market forces by establishing certain rules for land development and resource conservation. While land-use planning requires forethought and active engagement by all participants, the results can be well worth the effort. Land-use planning can benefit the community as a whole as well as individual residents, businesses, and civic organizations. Examples of these benefits include:

- Helping communities identify and realize their vision and goals for the future through a comprehensive planning process
- Encouraging economic development by providing developers, lending institutions, and businesses with certainty and predictability for sound investment decisions
- Protecting landowners' private property rights
- Increasing the effectiveness of dollars spent for infrastructure in terms of placement and capacity of roads and utilities (e.g., water, sewer)
- Maintaining public safety (e.g., fire protection, police protection)
- Improving citizens' quality of life by addressing issues such as school overcrowding and traffic congestion
- Facilitating well-informed and efficient decision making on allocation of government resources

A number of Wyoming examples illustrate how deliberate community planning can benefit cities and counties.

Economic Development – City of Cheyenne. In 2006, the citizens of Cheyenne, Wyoming, finalized a new comprehensive plan for their community. *PlanCheyenne* won the prestigious Daniel Burnham Award from the American Planning Association and garnered national attention for its innovative approach to community planning by integrating parks and recreation, transportation, and scenario-based land-use planning, urban character, and community design in a joint city/county planning effort. In the years following implementation, the plan helped the city generate significant growth in the technology sector, including the National Center for Atmospheric Research Supercomputing Center and the Microsoft Corporation, as well as other data centers. In 2014, the City of Cheyenne revisited and updated its plan with *PlanCheyenne: Reflections and Progress*.



The NCAR-Wyoming Supercomputing Center in Cheyenne, Wyoming.
 Photo: University of Wyoming



The Whitewater Park at Expedition Island Park in Green River, Wyoming.

Photo: Dustin Giesenhagen

Recreation and Tourism – City of Green River.

Over the last 15 years through its comprehensive planning process, the city of Green River, Wyoming, has invested heavily in its parks and recreational trails system as well as development of a whitewater facility on the Green River at historic Expedition Island. Green River was one of only 118 communities in the United States to receive a national Playful City USA Award in 2010, an award it also won in 2008 and 2009. Green River's commitment to outdoor recreation planning promotes wellness among its citizens and fosters tourism and economic development in the community.



An irrigated field at the McMeans Family Preserves Property on the Tongue River in Sheridan County, Wyoming.

Photo: Sheridan County Land Trust

Conservation – Sheridan County.

In 2010, Sheridan County, Wyoming, adopted a new conservation subdivision design regulation to encourage rural residential development in higher density groups and clusters to reduce the amount of county land being developed

for housing. The goal of the policy is to help maintain the open character and agricultural viability of the county's rural areas, continue the use of lands for farm and ranch activities, conserve riparian areas and other natural resources such as wildlife habitat, and avoid placing residential buildings in floodplains or on steep slopes. As a result of these planning efforts, the Wyoming Planning Association awarded Sheridan County with the Rural Planning Project of the Year award in 2011.



Wind energy development in Wyoming.

Coordinated Energy Development – Carbon County.

Almost 54% of the land in Carbon County, Wyoming, is owned by the federal government. Similar to many of Wyoming's other 22 counties, Carbon County has chosen to be an active partner in federal land management activities, including planning for oil, gas, and wind energy development. Carbon County has accomplished this in part by incorporating goals related to multiple use development opportunities in its county-wide comprehensive land-use plan. In doing so, the county has established a policy tool that can be used to advocate for local government consultation and coordination in federal agency land management decisions.

SUMMARY

There are many characteristics that make up great communities. Typically, they:

- Capitalize on the unique qualities of their location or place
- Have strong and prosperous local economies
- Meet the needs of all residents, with inclusiveness and opportunity for everyone
- Protect the environment, prime agricultural land, and open space
- Safeguard against natural hazards
- Value historical and cultural resources

Communities that plan have the means to cultivate these characteristics through creation

of a vision and commitment to act, ultimately translating that vision into reality.

As Wyoming communities grapple with increasingly complex issues like fluctuating energy economies, aging capital infrastructure, and loss of farmland and open space to residential sprawl, a working knowledge of land-use planning and the planning process can help elected officials, citizens, businesses, and other organizations better understand the relationships between land uses, their interactions with the natural environment, and the impacts of how land is developed and managed.

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Daniels, T.L., J.W. Keller, M.B. Lapping, K. Daniels, and J. Segedy. 2007. *The Small Town Planning Handbook*, 3rd edition. Chicago: APA Planners Press.

ADDITIONAL RESOURCES

J. Barry Cullingworth and Roger Caves, *Planning in the USA: Policies, Issues, and Processes*, 4th edition (New York: Routledge, 2013)—Offers a comprehensive textbook treatment of the scope of urban and regional planning in the United States.

C. Gregory Dale, Benjamin Herman, and Anne McBride, *The Planning Commissioners Guide, New edition* (Chicago: APA Planners Press, 2013)—An accessible resource on the role of planning commissions in the local government planning process.

Christopher J. Duerksen, C. Gregory Dale, and Donald L. Elliot, *The Citizen's Guide to Planning*, 4th edition (Chicago: APA Planners Press, 2009)—A primer written for the non-expert seeking a first introduction to local government planning.

Rocky Mountain Land Use Institute—<http://www.law.du.edu/index.php/rmlui>—Since its inception in 1992, RMLUI has served as a prominent convener and educator of lawyers, planners, policymakers, and other professionals in the environmental, land use, and real estate development fields in the Mountain West. Based at the University of Denver, RMLUI hosts an annual conference each spring, in addition to a wide range of other research and outreach activities.

The Western Planner (Western Planning Resources)—<http://westernplanner.org/>—The Western Planner was established in 1979 and is an affiliation of 13 Western state planning associations. The Western Planner provides information and education about the unique aspects of planning in the West.

Wyoming Planning Association—<http://www.wyopass.org/>—WYOPASS is an organization of professional and layperson planners who are involved in planning activities that affect the physical, economic, and social well-being of Wyoming residents. Established in 1971, the Association was formed for the purposes of advocating planning programs, to preserve the quality of life in Wyoming, to facilitate coordination and cooperation between planners, and to provide continuing education opportunities.

Wyoming Rural Development Council—<http://www.wyomingrural.org/>—As a branch of the Wyoming Business Council, the WRDC's mission is 'to create partnerships that enhance the vitality of rural Wyoming. The WRDC supports the Wyoming Main Street Program promoting downtown development in Wyoming's cities and towns, as well as the Wyoming Community Assessment Program, which assists communities in developing locally conceived and locally driven development strategies.

Wyoming Statutes—<http://www.lexisnexis.com/hottopic/wy statutes/>—Sections with particular relevance to local government planning include Title 15 on Cities & Towns and Title 18 on Counties.



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