

COUNTY LAND USE PLANS IN WYOMING

How Do Wyoming Statutes Define Land Use Plans?

In the Wyoming Land Use Planning Act of 1975 (Wyo. Stat. §9-8-102) “land use planning” is defined as “the process which guides the growth and development of an area and assures the best and wisest use of that area's resources now and in the future.” The Act defines “local land use plan” as “any written statement of land use policies, goals and objectives adopted by local governments. Such plans shall relate to an explanation of the methods for implementation, however, these plans shall not require any provisions for zoning. Any local land use plan may contain maps, graphs, charts, illustrations or any other form of written or visual communication.” The county planning statutes (Wyo. Stat. §18-5-201 to 208) do not include a definition of a plan.

Is There a More Complete Definition of a Land Use Plan?

Our practice in county planning leads us to offer a more detailed description of a county land use plan. At the most basic level, a county land use plan is a plan that uses text and maps to designate the future use of land within the county's jurisdiction and is the foundation of a county's planning and zoning program. Beyond that, land use plans typically have the following features:

1. The county land use plan deals with the physical development of the county (as opposed to economic or social development). To accomplish this, a land use plan designates the kinds, location, and intensity of future land uses. Land uses addressed in a plan can include agriculture, timber production, housing, commerce, industry, recreation, open spaces, public utilities, public facilities, and other land uses.
2. The plan is future oriented and projects the development of the county to a future point in time, such as 10 or 20 years from the present.
3. A land use plan typically contains both textual policies and maps—the text states land use policies and reasoning used at arriving at the decisions in the plan, and often a listing of implementation actions. The maps illustrate in general geographic terms where future development should occur.
4. The land use plan is not a law or regulation but instead is a set of guidelines. Counties may adopt land use regulations (such as zoning and subdivision controls) in order to implement the plan. But the plan itself is not regulatory.

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What Should a County Include in its Land Use Plan?

Counties in Wyoming have a lot of latitude in defining what their land use plans should be. State statutes do not compel the counties to make their plans following a certain formula, which is the case in many states. Wyoming counties can and should have their land use plans address each county's unique concerns. We would recommend that at a minimum, the plan should focus on the physical development of the county. The plan should study future land use needs and recommend a future land use pattern. The plan recommendations should include maps of future land use and text setting forth the county's planning policies and the rationale behind them. The plan should include a list or outline of implementation measures—the actions that will need to be taken to carry out the plan—including recommendations concerning zoning, subdivision controls, and public facilities.