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CROOK COUNTY PLANNING PRIMER

Introduction

This strategic workpaper is designed to inform and support the Steering Committee's decision-making as it progresses with the Land Use Plan Project.

Wyoming State Statutes allow each County to provide guidance for its future land development. The Crook County Land Use Plan is a guidance document. Statutes prohibit it from acting as a regulatory document or measure. The statutes also allow each county to enact land use regulations, such as subdivision regulations, zoning, and floodplain management, as separate matters.

Guidance

Land Use Plan

A way to think about guidance is to imagine Devil's Tower acting as the Land Use Plan. It overlooks and is the ever-standing centerpiece for what the community wants for its future. It highlights the paramount importance of natural resources and their significant role in Crook County. For example, agricultural lands comprise approximately 92% of the total land area in Crook County. Devil's Tower stands as an attraction, drawing more than 400,000 people each year to the county to visit, picnic, walk around its base, and climb it. Devil's Tower is also part of a regional network of tourist attractions like Mt. Rushmore and Jewel Cave. At the regional level, there is an influx of migrants to Crook County, contributing to its population, and many residents of Crook County commute to work in South Dakota. Let's consider Devil's Tower within this framework. We gain a better understanding of the land use plan as a guide, providing direction, and moving toward the community Crook County envisions for the future.

The Crook County Land Use Plan, like the area surrounding Devil's Tower, is composed of various components that work together to make it a vital centerpiece and attractor. There is a Trends and Conditions section that shows and analyzes historical data and information, allowing all to understand Crook County in a broader context. For example, population growth has been slow from 1940 to 2020, at a rate of less than 0.40% per year. This suggests that change occurs gradually over time.

Another essential part of the Land Use Plan is Public Participation. The land use plan is a guidance document that reflects what citizens want to see in the future. To that end, the highly important Steering Committee is to provide guidance and act as a check on the material provided by the consultant. It is to act as the check and cheering squad to advance the Land Use Plan.

Another element of public participation is key stakeholder interviews, which gather information and background about issues and opportunities. The public survey is developed by integrating the concerns of

the steering committee with those of key stakeholder interviews. Questions to the steering committee and key stakeholders are the same to create a consistent focus for the public survey.

Public survey results, along with material on trends and conditions, set the stage for public meetings. The public meetings are to focus on creating direction, or how to get where we want to go as a community.

The community direction is reflected in the goals, policies, and implementation steps outlined in the land use plan. All are to provide guidance and can be changed over time to fit the needs of the community. The community can also choose to disregard the guidance. Guidance is not mandatory to follow. It exists for the benefit of the community, not a required step to undertake.

The goals, policies, and implementation steps typically include a wide range of concerns. It can consist of almost anything from A to Z. Or put another way: how to abate or reduce the effects of new subdivisions on ranch land to zero in on zoning. Concerns such as economic development, tourism development, elder care, and creating attractions to retain young people in Crook County are other examples.

The fact that issues and concerns show up in the land use plan does not mean it is a regulatory document. These types of issues commonly show up because the land use plan provides guidance. It is up to the community to decide on how to treat and manage each concern and stated issue.

Related Guidance Pieces

The following are examples of guidance that Crook County may enact to help implement the land use plan. It acts like a toolbox to help carry out the land use plan. It is not mandatory. It is not a regulation.

➤ **On-Going Public Education**

Crook County may enact ongoing public education about such items as the importance of ongoing cost of maintaining county roads, what land use regulation means to a property owner, as well as other topics. Ongoing public education is practical because it can address issues as they arise, provide factual background about the issue and act as a common denominator for all to understand and act upon.

➤ **On-Going Capital Improvements Program**

An ongoing capital improvements program is aimed at roads, drainage, and other infrastructure, which the County is responsible for. It allows the County to plan for maintenance and improvements.

➤ **Ongoing Citizen Surveys**

An ongoing citizen survey, carried out annually or every two (2) years, can provide useful information to Crook County about the state of affairs in the community. For example, are there

particular trouble spots in the roadway system? How does a person feel about the quality of life? Is there any specific improvements necessary to bring about more jobs?

This type of feedback enables citizens to serve as the eyes and ears for the County, to assist capital improvement programming and identify public education programs that may be important for upcoming issues.

➤ **Capitalize On Existing New Landowner Brochure**

The County has created a New Landowner Brochure. It is a very practical and inclusive document about who to go to for what in Crook County. It covers a wide range of needs and services that landowners may wish to access.

It can be capitalized upon by the addition of a short document about what it means to live in rural Crook County. Laramie County, Wyoming, and several counties in Colorado have a document on their websites that showcases the realities of living a rural lifestyle.

➤ **Intergovernmental Cooperation**

Intergovernmental cooperation is a method that recognizes the entire community and a combined effort to manage issues of common concern.

The census data from 2020 shows approximately 2 out of 3 people living in Crook County are residents within the unincorporated area. This is a trend that started in 1980 when the population was nearly equal between the towns and unincorporated areas.

Regardless of where people may live, whether it be Sundance or any unincorporated area, there are many areas of common interest. For example, the roadway conditions in Crook County, economic development to create more jobs in the County, housing affordability, creating attractors for younger people to live and work in Crook County, the growing population of people 65 or older, and water/sewer expansion are just a few areas of common concern.

Intergovernmental cooperation generally has three related components. These include:

1. **Intergovernmental Council**- An intergovernmental council is made up of appointed elected officials with support provided by staff people. Their role is to foster an ongoing conversation about the issues of the day and how all levels of government can work together for the betterment of everyone. Intergovernmental agreements can be developed to address concerns.
2. **Ongoing Conversation Amongst Governmental Staff People**- Ongoing staff-level conversation can take place between the four municipalities and county staff people. This can be fed to the intergovernmental council. The staff conversation provides a heads-up to elected officials about common issues and ways to address them.

3. Intergovernmental Agreements- An intergovernmental agreement is a document in which two or more local governments band together to address an issue or problems which impacts both. It can be any number of issues. Roads, drainage, water/sewer expansion, economic development, and housing affordability are but a few examples which an intergovernmental agreement can address.

Land Use Plan Updates

An ongoing mechanism to ensure that a land use plan stays current is through an update. It can be as simple or as complex as the county wishes to implement.

For example, the update may cover key areas such as changes in policies or implementation steps, population updates, or new cooperation efforts.

The update may be brief, enough information so it is clear that the new information is related to changing conditions.

A clear advantage to providing an update, aside from staying current, is that it provides a historical basis for why specific actions were taken. It keeps the land use plan clear and easy to understand. It also allows easy viewing of links from an existing land use plan to the next. It creates a continuity of care about where the community is going in the future.

Regulation

Regulations are not part of the Land Use Plan. The land use plan is not a regulatory document; it is to guide. It does not dictate.

Regulation in Crook County is separate from the Land Use Plan. It is its own beehive.

While land use regulation is separate from the land use plan, it may be reflected in the goals and implementation steps of the plan. And again, it is not mandatory to carry out because the land use plan provides guidance. It cannot mandate, as indicated by state statutes.

Counties in Wyoming, under state statutes, may regulate land use. The most typical ways Wyoming counties carry out land use regulations is through subdivision regulations and/or zoning, or both. Crook County has subdivision regulations but does not have zoning standards.

The following gives a short explanation of the most common land use regulations enacted by Wyoming counties.

Subdivision Regulations

Subdivision regulations were first enacted to provide necessary land records for taxation, facilitate the acquisition of a clear title, and to establish specific exemptions. The regulations have evolved from that point to creating minor and major subdivisions, road standards in subdivisions, drainage requirements, traffic study requirements, and impacts on the surrounding areas. Subdivision regulations do not typically regulate the use of land. Subdivision regulations typically provide standards for design, road functionality, drainage, and recordation requirements at the Courthouse.

Floodplain Management

Floodplain management regulations are to protect people and property, provide the basis to enroll in the National Flood Insurance program, avoid liability, and help local government in its response to flood disasters.

Zoning

Zoning regulations enable local government to control how land is used. It typically provides for districts, land use tables for each district, the level of density or minimum lot size, variances from rules, rezoning, site plan requirements, parking, setbacks, and appeals.

Crook County Zoning Issue

At this point, it is unclear whether zoning should move forward in Crook County. There are viewpoints for and against it. Some don't care, while others have strong opinions. There are several clear messages about zoning thus far in Crook County:

- It is unconstitutional
- It can benefit us
- It infringes on our property rights
- It can manage new development
- Bureaucrats often wield excessive power

It is also clear that Crook County grows slowly, and its natural resources are at the heart of the County. Many people have emphasized the importance of maintaining the roads, stating that growth will inevitably occur, and that some are concerned about being overrun with new development.

Crook County can obtain more detailed information about the zoning issue through a public survey, which will have wide accessibility (separate from the citizen survey being issued as part of the land use plan update process). Even with the public survey, whether zoning should move forward could be unclear. However, should that occur, the issue can be managed by a public education program, with a decision to be made in the future. Or the Planning Commissioners and County Commissioners may develop an alternative approach to the issue.

A key takeaway is that the zoning issue deserves respect due to the culture and long-held beliefs and values in Crook County. This issue requires focused attention and care, but zoning is not the intention nor the goal of this land use plan update.