

Crook County, Wyoming

Comprehensive Land Use Plan Update

Request for Proposal for Professional Planning Services



Proposals Due: September 20, 2024

Crook County Comprehensive Land Use Plan Update Request for Proposals

Notice is hereby given that Crook County, Wyoming, is seeking proposals from qualified consultants to provide professional services for the update of its Comprehensive Land Use Plan (Plan). The details of this effort are more fully explained below.

Introduction and Background

Crook County is located in the scenic northeastern corner of Wyoming. Devil's Tower National Monument, Black Hills National Forest, and Keyhole State Park are prime visitor destinations, Sundance is the seat of Crook County and serves the surrounding rural areas with essential goods and services. For more expanded services, county residents travel to Gillette, 60 miles to the west or Spearfish, South Dakota 30 miles to the east. The primary highways in Crook County are Interstate 90, US Highway 14, and Wyoming Highways 24 and 585. The primary economic activity in Crook County is ranching/farming, mining, logging, and small businesses supporting these industries and area residents.

According to the 2020 Census, Crook County's total population is 7,181. The population of the incorporated municipalities in Crook County are:

Hulett - 309
Moorcroft – 946
Pine Haven - 493
Sundance - 1032

In January 2024, four community input sessions were held to gauge what level of public support exists for the adoption of a county zoning ordinance for the first time. A summary of that input is attached to this document (Attachment 1) and contains important information concerning citizens' overall feelings about land use, land use regulation, and the methods of public participation that were used to collect that input. After these meetings, the County Commission made the decision to update their 2014 comprehensive plan, with the potential for creating a zoning ordinance based on the new Plan at an undetermined time in the future.

Crook County's Comprehensive Land Use Plan was last updated in 2014 and may be viewed at:

https://cms2.revize.com/revize/crookscountynew/departments/growth_and_development/docs/2014_Land_Use_Plan_Adopted_by_Resolution_2014_5.pdf

The work effort of the consultant will be under the general direction of the County's Planning Director.

Primary Goals of This Effort

Crook County wishes to accomplish the following with the creation of the Plan:

1. Identify appropriate land uses and locations best suited for new growth and development with an emphasis on growth being focused to where it can be served by public infrastructure.
2. Identify strategies to reduce the impacts of remote/rural development in areas where there are few to no municipal or county services.

Scope of Work

1. Overview

This effort will result in the creation of a Countywide Plan in compliance with Wyoming Statute Chapter 8 section 9-8-301. A public input process is required for this effort. The geography to be evaluated is the entirety of Crook County, Wyoming (Attachment 2, last page of this document) with an emphasis on the 1-mile area immediately adjacent to the incorporated towns as well as unincorporated communities within Crook County.

2. Project Tasks

2.1 Conduct and oversee a public input process

A transparent and open process is desired and must include the following:

- a. In-person citizen input meetings – minimum of 4 at beginning of process in the communities of Beulah, Hulett, Moorcroft, and Sundance.
- b. In-person County Commission and Planning/Zoning Land Use Commission joint meetings:
 - i. initial kick off meeting
 - ii. 1st draft of the Plan
 - iii. final draft of the Plan at time of adoption by County Commission
- c. Online input methods and/or social media page.
- d. Other creative methods and means of obtaining citizen response.

The county has video conferencing capability for any additional update and coordination meetings needed.

2.2 Create a new Plan complete with maps, graphics, and supporting written goals and policies that address the following:

- a. Existing and future land use for rural/remote locations, as well as within 1 mile of city limits. See 2.3 below for information required for the incorporated towns. The level of detail must be one that can be easily interpreted by the

county staff, decision makers, and the public. The Plan should be oriented to a 15-20 year timeline or as otherwise recommended by the consultant.

- b. Infrastructure considerations when within 1 mile of city limits.
- c. Infrastructure considerations for residential subdivisions in rural/remote areas.
- d. Environmental quality including ground water and surface water, air, open space, wildlife corridors.
- e. Rural/Ag preservation policies/strategies.
- f. Impacts resulting from federal, state, recreation/tourism, mining, commercial, and industrial land uses.

2.3 Include the existing incorporated town plans into the County's plan

The plan must include individual chapters or an appendix for the towns of Hulett, Moorcroft, Pine Haven, and Sundance. These chapters will include a brief description of the towns existing plans, annexation policies, infrastructure coordination, zoning maps, and similar regulations or policy, but no new assessment of these communities' land use or other planning and zoning issues are included in this scope of work, per the request of these communities.

2.4 Review themes and messages contained in the following and where appropriate, incorporate into the Plan (see link to County webpage for information)

- a. Comprehensive Plan
- b. Natural Resources Plan
- c. Socio-Economic Supplement
- d. Small wastewater system regulations
- e. Subdivision regulations
- f. Wind energy

Link to documents:

https://www.crookcounty.wy.gov/elected_officials/commissioners/rules_regulations_and_policies_for_crook_county.php

3. Deliverables

The consultant will be responsible for the creation and production of the Plan with engaging written content supported by high-quality graphics, maps, photos, and other methods to communicate the Plan to a non-technical audience. The consultant has the creative freedom to determine the form and layout of the Plan to best achieve this goal. The anticipated list of deliverables are:

- a. Comprehensive land use plan in both hard copy and PDF and Microsoft Word formats.

- b. Maps and data in digital form and file type compatible with County digital mapping systems.
- c. Meeting materials, notes, presentations, and all required information for meeting participants in hard copy, PDF, and Microsoft Word formats.
- d. Participant database with contact information in Microsoft Excel format (consultant will be provided with participant information from the 2024 input sessions in Excel format).
- e. Meeting summary reports in PDF and Microsoft Word formats.
- f. Data, statistical, research and background information gathered during public input in PDF and Microsoft Word formats.

4. Consultant's Responsibilities

- a. Provide all project management services for the Project Tasks in Section 2 and Deliverables in Section 3.
- b. Develop original and relevant planning concepts appropriate for Crook County, Wyoming, with content geared specifically to address the interests expressed by the public and the decision makers.
- c. Organize, prepare, and present all information to be used in the public input sessions.
- d. Ensure the Plan complies with the applicable Wyoming statutes.
- e. Generate citizen interest in participating in the input sessions.
- f. Maintain an open line of communication with Planning Director and provide timely updates and progress reports.
- g. Develop a project schedule and complete key milestones on time.
- h. Coordinate with County staff re: necessary electronic format for information to be integrated into the county's GIS system and/or website and assist as needed to ensure integration.
- i. Keep all meeting records, progress reports, and distribute as needed or requested.
- j. Maintain participant database (participant contact information from 2024 sessions will be provided).
- k. Design and deploy a method to encourage public participation.

5. County Staff Responsibilities

- a. Organize the Land Use Planning and Zoning Commission to act as an advisory committee to provide input to consultant's efforts.
- b. Respond to consultant's request for feedback and guidance.
- c. Assist consultant with meeting space reservations and logistics.
- d. Create and publish public hearing and meeting notices as required by statute.
- e. Provide consultant with electronic data as needed for mapping.
- f. Provide elected and appointed officials with updates on project status.
- g. Review and approve all consultant invoices .

6. Anticipated Project Schedule

The County desires to complete this work within the next year, and according to this schedule below. However, the County also acknowledges that existing workloads may prevent completion in this timeframe. The consultant may propose a different schedule with the understanding that the public input sessions in section 2.1 will not take place during the winter months when weather creates traveling concerns.

- a. Response to this request for proposal due September 20, 2024
- b. Consultant selection first week of October with notice to proceed
- c. Initial public input phase complete by November 22, 2024
- d. Initial Plan Draft Due – spring 2025
- e. Final Plan Adoption – summer-fall 2025

Required Contents of the Written Proposal

To be considered for this work, a written response is required by the deadline described below. A maximum of 10 pages is allowed for items a. through f. below. Items g. and h. and introductory letters, cover and back pages, tables of contents etc., are not included in the 10-page maximum. Responders must address the following:

- a. Demonstrate an understanding of the work to be completed, specifically:
 - i. General contents and topics to be included in the Plan.
 - ii. Methods to be used to invite public participation and suggested flow and format of each type of public input session.
 - iii. Approach to identify a final consensus when the input is not united in opinion.
 - iv. Suggestions for additional topics or issues not mentioned in the scope of work but would be advantageous for the County to complete.
- b. Provide a general explanation of the consulting firms existing work commitments and if this project can be done in the timeline and quality as described.
- c. Provide the names of project team members and their roles in the project
- d. Provide a minimum of three examples of completed plans similar in scope to the needs of Crook County. More than three examples are welcome to be cited.
- e. Provide a 'cost not to exceed' fee proposal which must include all phases of the project from start up to completion of the deliverables, and reimburseable expenses for travel meeting materials and supplies. Within the fee proposal, list the professional services fee separately from the estimate of all reimburseable expenses.
- f. Provide a schedule of key milestones of each task and completion dates.
- g. Provide resumes of the project team members.

- h. Provide letters of reference from previous clients that highlight the consultant's overall knowledge, quality of work, and customer service.

Consultant selection will be based on responses to a-h of the written proposal above.

Deadline for submittal is September 20, 2024 at 5:00 PM MDT. Proposals must be emailed in .pdf format to:

Jayna Watson, AICP, planning consultant for Crook County Wyoming
Watsonjayna@gmail.com

Contact information or questions regarding this proposal may be directed to:

Jayna Watson, AICP
watsonjayna@gmail.com
52 Pearson Drive
Spearfish, SD 57783
605-639-0011

Tim Lyons, Planning Director
Crook County, Wyoming
timl@crookcounty.wy.gov
P.O. Box 825
Sundance, WY 82729
307-283-4548

Attachment 1

Crook County Community Input Session Summary Report February 7, 2024

Prepared by Jayna Watson, AICP
Community Planning and Zoning Consultant

Introduction/Background

Presently, Crook County lacks zoning regulations that enable the review of any type of land use in locations outside of city limits. In the last several years, there has been an increase in rural subdivision activity which has raised the question of how growth is going to impact many aspects of the county. As rural residential populations grow, the need for every-day goods and services follow. Since the County only has subdivision regulations, its discretion over any rural development is limited to the specific criteria of only these regulations. For example, the conversion from a ranch operation to any form of development whether it be a commercial or residential project is currently unregulated. The landowner needs no type of land use approval to pursue it and if no subdivision of property is proposed, the owner may proceed directly to construction of the project. In the context of being surrounded by states with heavy land use regulations, Crook County is an attractive respite for non-local interests to capitalize on land use freedoms but without the accountability of the impacts created by development.

In the fall of 2023, Crook County initiated a review of the steps and actions needed to create zoning administration as a method to manage growth. This effort began with a review of other Wyoming county zoning practices, the issues that are emerging in those locations, and an assessment of the general preferences of the Crook County Commissioners and the Land Use Planning and Zoning Commissioners as it pertains to the creation and administration of a zoning ordinance. Considering that a significant investment of time, money, and public support are required to develop a zoning ordinance, a series of public input meetings were held to gauge public opinion on implementing zoning regulations within Crook County. The following is a summary of the input received.

Meeting Dates

Through social media, website, radio, newspaper, and posted notices, the public was invited to attend and discuss the issues associated with zoning and land use regulation. The meetings were held from 6pm to 7:30pm on:

January 9, 2024 – Greater Hulett Community Center Gymnasium, 401 Sager Avenue - 34 signed in

January 11, 2024 – Moorcroft Town Center Gymnasium, 101 S. Belle Fourche Avenue – 21 signed in

January 15, 2024 – Pine Haven Community Center, 3 Meadows Lane - 11 signed in

January 17, 2024 – Sundance Courthouse Basement Community Room, 309 E. Cleveland Street – 26 signed in

Executive Summary of Public Input

The meetings were facilitated by Jayna Watson, AICP, who explained the purposes of the meeting series and the goals of the County Commission to understand how county citizens viewed the use of zoning as a tool to manage its growth and development. Participants were invited to provide input on a variety of topics ranging from overall comprehensive plan/vision statements to detailed information relevant to zoning regulations and related development issues. The meeting content was the same for all locations.

It is important to note that in summarizing public opinion, all forms of input must be considered when reaching a conclusion. Meeting participants were provided with several opportunities to make comments to specific questions posed to them during the presentation, and participated in a voting sticker method where they could indicate if they agree, don't agree, or are not sure about a specific zoning or land use issue as described on four different posters. This method is not scientific, nor is it a binding vote of any kind. It is simply a way to see what the general preferences of the citizenry are. At the end of each meeting, an open comments segment was held.

Over the four meetings, the topic that received the most discussion was “Do we need zoning?”. People on both sides of this topic voiced their opinion of how land use regulation would affect them, both in a negative and positive sense. The central question posed was whether landowners should have the right to use their property without limits. The response to this question was mixed in Hulett, Moorcroft, and Sundance. In Pine Haven, a somewhat unified response was evident in support of zoning during the voting sticker activity, but in the public comment session, opposition to the use of zoning was also voiced. The participants in Sundance asked if they could do a show of hands for those who favored the use of zoning, and this revealed that many were not in favor of it with a slightly smaller number that indicated they supported zoning. This vote was during the public comment segment at the end of the meeting because several people felt the voting sticker activity did not accurately represent their opinions. The reasons why people do or do not support the use of zoning were consistent in each meeting. Generally, those that do not support zoning stated that an individual's land use rights should not be restricted to accomplish other public purposes such as achieving land use compatibility with the surrounding area. Those that do support the use of zoning are concerned about scenarios where anything is permissible and there is no accountability of impacts to adjoining owners or the public in general. Except for Sundance, the participants in Hulett, Moorcroft, and Pine Haven indicated they cared about what happens on the property next to theirs. The Sundance participants were generally divided for if they are concerned about what takes place on a parcel adjacent to their own. Additional questions on this topic revealed

consistent responses from participants who said they wanted to have input on land use decisions in a public setting and regulations that address development impacts in reasonable fashion (assuming that zoning is implemented). Most participants also agreed that there should be a fee structure in place that addresses the impacts of new development on county infrastructure and services. In summary, the public has mixed opinions about whether the County should proceed with using zoning regulations. The majority of the participants want to be involved and informed of future work to be done concerning zoning and other growth management tools.

Specific Meeting Topics and Comments

Topic 1 - The meeting began by asking participants to respond to this question: “What do we love about this place and want to protect?”. The following is the combined response of all meetings.

1. Clean air/water
2. Rural lifestyle
3. Quietness of the country setting
4. Ag/Ranch history
5. Lack of zoning/land use control – what my neighbor does on his/her land is not my concern and what I do on my land is not their concern
6. Freedom to do what we like
7. US constitutional rights
8. Safety/low crime rate
9. 2nd amendment rights
10. Understand the limits of our infrastructure
11. Recreation
12. Low Taxes
13. Devils Tower
14. Clean communities
15. Affordable cost of living
16. Dark sky – stop light pollution
17. Conservative values
18. Sense of community/neighborliness
19. Open space
20. Wildlife
21. Protect lands from mine impacts to air/water/transportation system
22. Minimal governmental control
23. Individual property rights
24. Protect existing taxpayers from subsidizing costs of new development
25. No city traffic
26. Personal responsibility for our own actions
27. Ability to raise a family in familiar settings

Topic 2 – Comprehensive Plan

Using the comments from the previous step, the elements of a comprehensive plan were discussed noting that state law requires the County to adopt a comprehensive plan that addresses the general preferences for land use in Crook County. The comprehensive plan is not enforceable unless the County also adopts a zoning ordinance and zoning map.

Topic 3 – Zoning

The primary elements of a zoning map and accompanying zoning ordinance were presented. Examples were provided for: 1) what comprises a zoning map, 2) typical zoning ordinance language and terms, 3) administrative procedures of zoning, 4) grandfathered land uses, 5) special approvals such as variances and conditional use permits. Meeting participants were provided with an overview of an opinion gathering activity to be held later in the session based on the question, “do we need zoning?”

Topic 4 – Growth Management

Participants provided comments when asked “what concerns us when we hear the words “growth management”. The responses were divided into ‘concerns’ and ‘benefits’ of growth management since both opinions were noted in this segment of the meetings with all meeting responses indicated below:

Concerns:

1. More government control/less property rights
2. Government control up to the point where nothing is left to develop
3. Creates costly hurdles for property owners to deal with – affects affordability
4. Where is the tipping point between going from rural to urban; we value rural
5. Where do we get the authority to regulate land use
6. Politics of zoning administration
7. Impacts to housing
8. “growth” occurs by market forces, i.e. ‘naturally’
9. “management” is the public interest versus the rights of an individual
10. Wyoming is friendly and welcoming, and this is a shift toward less of that and less freedom
11. County lot size standards in the subdivision code has affected how owners subdivide

Benefits:

1. Controls the conversion from Ag/ranch to other uses that may be incompatible
2. Addresses financial impacts to county resources that resulting from growth
3. Establishes standards for roads and infrastructure to increase public safety and reduce risk
4. Addresses unlimited growth and its impacts
5. Oversight for water resources, wastewater treatment, control over illegal dumping

Topic 5 – Voting Sticker Activity

In order to reach a general consensus on a variety of zoning and land use issues, the participants were asked to indicate their agreement, disagreement, or uncertainty about a list of specific issues that were described on a poster, with a total of 4 posters. Colored stickers were used to indicate opinions. Green = agree, Red = don't agree, Yellow = not sure. The summary below reflects an overall impression of those responses and is not an actual count of each opinion.

Poster Topic/Question – “Do We Need Zoning?”

1. Property owners should have the right to use their property without limits
Hulett - **mixed response between agree, don't agree, and not sure**
Moorcroft – **mixed response between agree and don't agree**
Pine Haven – **don't agree**
Sundance – **mixed response between agree and don't agree**
2. Citizens should have the right to make comments about land use decisions.
Hulett – **agree**
Moorcroft - **agree**
Pine Haven – **agree**
Sundance - **mixed response between agree and don't agree**
3. A reasonable amount of regulation is needed to make sure development does not unreasonably impact others.
Hulett – **agree**
Moorcroft – **agree**
Pine Haven – **agree**
Sundance - **mixed response between agree and don't agree**
4. I care about what happens on the property next to mine
Hulett – **agree**
Moorcroft – **agree**
Pine Haven – **agree**
Sundance - **mixed response between agree and don't agree**

Poster Topic/Question – “What concerns to you have about zoning regulations?”

1. Waiting time for getting a decision made
Hulett – **agree**
Moorcroft - **agree**
Pine Haven – **don't agree**
Sundance – **mixed response between unsure and don't agree**

2. Anti-business perception
 - Hulett – **not sure**
 - Moorcroft – **mixed response between agree and don't agree**
 - Pine Haven - **not sure**
 - Sundance - **mixed response between unsure and don't agree**

3. Inconsistent interpretation of the regulations
 - Hulett - **agree**
 - Moorcroft – **mixed response between agree and don't agree**
 - Pine Haven – **agree**
 - Sundance - **mixed response between agree, don't agree, and unsure**

4. Cost of staff and other resources
 - Hulett – **agree**
 - Moorcroft - **agree**
 - Pine Haven - **agree**
 - Sundance - **mixed response between agree, and don't agree**

Poster Topic/Question – “If the county adopted zoning regulations, how do you feel about the following?”

1. Create separation between incompatible uses
 - Hulett – **agree**
 - Moorcroft – **mixed response between agree, don't agree and not sure**
 - Pine Haven – **agree**
 - Sundance - **mixed response between agree and don't agree**

2. Require a minimum lot size, and similar standards to reduce impacts
 - Hulett – **agree**
 - Moorcroft – **mixed response between agree, don't agree, and not sure**
 - Pine Haven – **agree**
 - Sundance - **agree**

3. Enable a property owner to run a small business from their home
 - Hulett – **agree**
 - Moorcroft – **agree**
 - Comment: Depends on the small business, namely the impact on others
 - Pine Haven – **mixed response between agree and not sure**
 - Comment: Need to have certain limits
 - Sundance – **agree**

4. Allow for more than one home on an individual lot
 - Hulett – **mixed response between agree, don't agree, and not sure**
 - Comment: depends on lot size.
 - Moorcroft - **don't agree**
 - Pine Haven – **mixed response between agree and don't agree**

Sundance - **mixed response between agree, don't agree, and not sure**

Comments:

- a. Question 4 is too vague..3-acre lot, 100-acre lot, two homes, five homes?
- b. Hypothetical questions are hard to give answers to

Poster Topic/Question – “What do you think about the following issues?”

1. Limit the number of remote/rural homes and lots that can be developed without public water or sewer systems

Hulett - **agree**

Moorcroft – **mixed response between agree and don't agree**

Pine Haven – **agree**

Sundance – **mixed response between agree and don't agree**

2. A land developer should upgrade roads in poor condition that serve their development before homes or businesses are built

Hulett - **agree**

Moorcroft – **agree**

Pine Haven – **agree**

Sundance – **agree**

3. Protect agricultural and ranch operations from encroachment of non-agricultural uses

Hulett – **agree**

Moorcroft - **agree**

Pine Haven – **agree**

Sundance – **mixed response between agree and don't agree**

4. Support businesses and land uses related to tourism and visitors

Hulett – **agree**

Moorcroft – **don't agree**

Comments:

- a. Land developers need to maintain subdivisions after they are built.
County doesn't need added expense
- b. County residents should NOT be paying for development needs (i.e. approaches to new driveways)

Pine Haven – **not sure**

Sundance – **don't agree**

Comment – what do you mean by 'support'

General Comments – Meeting Wrap Up

At the conclusion of each meeting, the public was invited to add comments and ask questions. The following is the combined response of all meetings:

1. Citizens are carrying a disproportional share of impacts resulting from new development
2. Update County fee structure to pay for actual costs of review/admin of projects as well as ongoing county services, equipment, resources, etc.
3. More citizen input is needed on this topic
4. What is the timeline and next steps of this project
5. The subdivision code needs to be reviewed and updated to address actual development impacts
6. Cost of zoning administration, how it is funded, what does staffing look like, etc.
7. New development brings in new property tax dollars to fund ongoing county services
8. Freedoms are lost when zoning is implemented
9. Proliferation of septic use will affect ground water quality
10. Need to be proactive to reduce environmental impacts resulting from development
11. Zoning has to include all types of land use and development types, not just residential
12. Impacts to aquifer/water availability needs to be understood
13. Changing the acreage standards for the Crook County subdivision ordinance is causing the concern over lot sizes
14. Cumulative of growth is not being addressed
15. Voting sticker activity was not a good way to measure opinion since some people were placing multiple responses to the questions
16. Is the County prepared for the needed legal resources to defend its zoning regulations
17. Can the citizens vote on whether or not zoning should be adopted
18. Agriculture needs to be represented in this process
19. Need fewer limits on land use, not more limits
20. Governing board limits owners' choices when more rules are applied
21. These regulations will lead to the need for building inspectors; let private industry monitor/address
22. Be cautious about adopting zoning
23. Two participants provided lists of written questions/statement that they read during the comments segment, and these documents also were forwarded to County staff

Conclusion

The opinions expressed in the four meetings were consistent in each session and by the fourth and final meeting in Sundance, the primary themes had been well established. From all forms of input during these sessions, there is mixed opinion for if the County should pursue the creation of a zoning ordinance and administration. At stake are individual property owners that seek freedom to manage and develop their lands as they wish and without regulation, and the immediately adjacent landowners and general public who are affected by the impacts that change brings.

Attachment 2 – Map of Crook County

Crook County, Wyoming

