

SENATE FILE NO. SF0114

Town and county development regulations.

Sponsored by: Senator(s) Anderson, Anselmi-Dalton, Case and
Driskill and Representative(s) Clem,
Lindholm and Olsen

A BILL

for

1 AN ACT relating to counties, cities and towns; modifying
2 authority to impose zoning assessments; specifying
3 applicability; and providing for an effective date.

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5 *Be It Enacted by the Legislature of the State of Wyoming:*

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7 **Section 1.** W.S. 15-1-601 by creating new subsections
8 (e) and (f) and 18-5-201 are amended to read:

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10 **15-1-601. Regulations; scope and purpose; uniformity**
11 **within authorized districts; to follow plan; objectives.**

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13 (e) No regulation, ordinance, resolution, condition
14 of development, comprehensive plan or subdivision plan
15 shall include or require:

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(i) The direct or indirect allocation or dedication of a percentage of existing or newly constructed residential or commercial units for affordable or workforce housing; or

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(ii) Any monetary exaction for the acquisition of land, construction, dedication or rehabilitation of affordable or workforce housing units.

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(f) Nothing in subsection (e) of this section shall limit the authority of the governing body of any city or town to implement an incentive based program designed to increase the construction, dedication or rehabilitation of affordable and workforce housing.

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18-5-201. Authority vested in board of county commissioners; inapplicability of chapter to incorporated cities and towns and mineral resources.

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(a) To promote the public health, safety, morals and general welfare of the county, each board of county commissioners may regulate and restrict the location and

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1 use of buildings and structures and the use, condition of
2 use or occupancy of lands for residence, recreation,
3 agriculture, industry, commerce, public use and other
4 purposes in the unincorporated area of the county. However,
5 nothing in W.S. 18-5-201 through 18-5-208 shall be
6 construed to contravene any zoning authority of any
7 incorporated city or town and no zoning resolution or plan
8 shall prevent any use or occupancy reasonably necessary to
9 the extraction or production of the mineral resources in or
10 under any lands subject thereto. No regulation, ordinance,
11 resolution, condition of development, comprehensive or
12 subdivision plan shall include or require:

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14 (i) The direct or indirect allocation or
15 dedication of a percentage of existing or newly constructed
16 residential or commercial units for affordable or workforce
17 housing; or

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19 (ii) Any monetary exaction for the acquisition
20 of land, construction, dedication or rehabilitation of
21 affordable or workforce housing units.

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