

HOUSE BILL NO. HB0277

Town and county development regulations-2.

Sponsored by: Representative(s) Duncan, Clem, Lindholm and
Olsen and Senator(s) Bebout and Scott

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 of
14 development, comprehensive plan or subdivision plan shall
15 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:

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(A) The acquisition of land for affordable or workforce housing; or

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(B) The construction, dedication or rehabilitation of affordable or workforce housing.

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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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2 (a) To promote the public health, safety, morals and
3 general welfare of the county, each board of county
4 commissioners may regulate and restrict the location and use
5 of buildings and structures and the use, condition of use or
6 occupancy of lands for residence, recreation, agriculture,
7 industry, commerce, public use and other purposes in the
8 unincorporated area of the county. However, nothing in W.S.
9 18-5-201 through 18-5-208 shall be construed to contravene
10 any zoning authority of any incorporated city or town and no
11 zoning resolution or plan shall prevent any use or occupancy
12 reasonably necessary to the extraction or production of the
13 mineral resources in or under any lands subject thereto. No
14 regulation, ordinance, resolution, condition of development,
15 comprehensive plan or subdivision plan shall include or
16 require:

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

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23 (ii) Any monetary exaction for:

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(A) The acquisition of land for affordable or
workforce housing; or

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(B) The construction, dedication or
rehabilitation of affordable or workforce housing.

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(b) Nothing in this section shall limit the authority
of the board of county commissioners to implement an incentive
based program designed to increase the construction,
dedication or rehabilitation of affordable and workforce
housing.

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Section 2. This act shall apply to all existing and
future regulations, ordinances, resolutions and conditions of
development.

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Section 3. This act is effective immediately upon
completion of all acts necessary for a bill to become law as
provided by Article 4, Section 8 of the Wyoming Constitution.

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(END)