



Shaping the Future of the West

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Sonoran Institute ~ *Western Dispatch*

March 2009

Wyoming Legislature Applies Horse Sense to Rural Land Development



Friends,

Loss of rural character, open space, and wildlife habitat. High costs to provide services and infrastructure. With an acute understanding of these and other consequences of unregulated rural subdivisions, the Wyoming Legislature recently passed three significant laws boosting local authority to curb poorly planned developments. With the new laws, county commissioners have more artillery to battle the breakup of large working agricultural landscapes and important wildlife habitat. The laws also protect consumers from misleading land sale advertisements portraying Wyoming real estate as unspoiled wilderness and a "sure thing" investment deal.

These measures were priorities for the Sonoran Institute and our Wyoming representative, Jim Whalen, who testified to the legislature in support of the bills. "The legislation should raise the awareness of potential land buyers about what they are buying to avoid discovering that the beautiful mountainous landscape shown on the developer's website isn't anything like the dry sagebrush prairie they now own," Jim says. "The idea is that developers who are honest with consumers and implement conservation practices will have the best opportunities to increase their profitability with density bonuses and a streamlined process." Jim also believes the laws, which go into effect on July 1, will improve county subdivision regulations when commissioners exercise their new authority. Briefly, the three new laws address:

A Makeover for the Institute - New Website Launched



If you have visited the Institute recently on the web, you may have noticed a big change. The Institute launched a new website earlier this month which features a completely refreshed brand for the organization, including new colors, an updated hummingbird logo and a new tagline, *Shaping the Future of the West*. We had you in mind during the redesign, and focused on making every visitor experience positive and memorable. The new technologies used, especially the navigation features, can get you - with one click - directly into our many active conservation projects across the West. Next time you are on the web, make sure to bookmark www.sonoraninstitute.org. Enjoy.

- **Cluster Subdivision Incentives:** The law authorizes county commissioners to establish, regulate and control a "conservation design process" using cluster development and density bonuses to preserve open space, protect wildlife habitat and critical areas, and enhance and maintain the rural character of the lands contiguous to subdivisions. A cluster subdivision would be required to set aside a minimum of 66 percent in open space for at least 65 years.
- **Covenants and Homeowner Association Requirements:** The law gives county commissioners authority to require rural subdivisions to create an entity binding on subsequent owners of the land in the subdivision that takes responsibility for maintenance of common areas, roads and water supply systems and has the authority to levy annual assessments. The law also requires developers to disclose sub-surface mineral rights on the land to be subdivided.
- **Groundwater Studies:** The law authorizes county commissioners to require developers of "large tract" rural subdivisions to provide a study evaluating the potential availability and quality of groundwater within the proposed subdivision.

Broad-based support for the three bills came from the Sonoran Institute, the Wyoming Stock Growers Association and the Wyoming Association of Realtors.

Email Jim at jwhalen@sonoraninstitute.org for more information on this legislation.



Luther Propst
Executive Director

Building Trust is Back!

Building Trust, the Lincoln Institute of Land Policy-Sonoran Institute Joint Venture's e-news alert, was reactivated this month and will resume a regular quarterly schedule, highlighting research, policy analyses and innovative approaches to state trust land management. Building Trust shares information and tools to assist state trust land managers and engaged stakeholders in meeting their fiduciary duty in the changing West. To get on the distribution list, send an e-mail to trustland@sonoraninstitute.org.

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