

Conflict between rural residential development and agricultural activities is the focus of the planning effort in Big Horn County, Wyoming.



Lovell Chronicle photo

Planning with rural values

By Lee Nellis

This case study of planning in Big Horn County, Wyoming, points out some basic principles to follow in overcoming resistance to planning in rural areas

LOCAL land use planning in rural America is a rocky experience that seldom is successful in terms of plan implementation. Yet the ultimate success of local planning is necessary to a nation that wishes to preserve alternative places and values for living and to assure itself of adequate water, food, and recreational resources.

A case study in Big Horn County, Wyoming, illustrates one such rural planning effort where initial local resistance to planning gave way to support, resulting in successful implementation of a plan. The case study points out reasons for resistance to planning in rural areas and how planning can be designed not to overcome these reasons but to legitimize them.

The Big Horn County setting

Early in 1974 the Wyoming Conservation and Land Use Study Commission ran-

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domly sampled state residents about their attitudes on land use planning (17). Respondents in Big Horn County ranked first (of 23 counties) in labeling planning as unnecessary. These same Big Horn County respondents fell among the top three counties in favoring economic goals over environmental goals and in resisting protective measures for unique natural areas.

Big Horn County covers 3,177 square miles in northwestern Wyoming's Big Horn Basin (5). The current population is 12,000. An annual growth rate of about two percent has prevailed since the early 1970s.

The county's economy is based on agriculture and minerals. The agricultural industry consists of cattle, sheep, and irrigated sugar beets, barley, beans, and hay. The minerals' segment of the local economy includes oil and gas production, bentonite mining and processing, and gypsum mining and wallboard manufacturing.

Lovell (population 2,600), Greybull (2,300), and Basin (1,200) are the principal

towns in the county. Growth in recent years has been in nearby rural areas rather than in the towns. Recreational demands of workers and their families from the rapidly growing coal and uranium mining communities in the Powder River Basin, east of the Big Horn Mountains, have created substantial impacts on mountain and foothill areas of the county.

The county's Board of Commissioners first appointed a county planning commission in the spring of 1973. That commission hired a professional planner in July 1974, chiefly because of the "threat" of federal land use legislation, the availability of federal planning grants, and the county's renewed growth. Two new subdivisions had just been platted in the Shell Valley, east of Greybull.

Wyoming's legislature finished the task of committing Big Horn County to some kind of planning process when it acted to require counties to adopt subdivision regulations by September 1975 and to develop land use plans by January 1978 (18, 19). In July 1975 Big Horn County pooled its resources with Washakie and Hot Springs Counties to fund the necessary professional planning effort. By October 1976 the county implemented the first element of its comprehensive plan.

How did a rural, conservative county proceed with planning that far, that fast, especially in light of the resistance to planning reflected in the 1974 Land Use Commission survey of Wyoming residents?

Reasons for resistance

Two warnings must precede consideration of resistance to planning. First, rural resistance to planning cannot be laid out in a neat, analytic list. It is usually expressed as a general frustration, with slogans borrowed from newscasters, conservative interest groups, or other sources. The resistance also may be tangled and confused with other issues. The list offered here is for use by professionals trying to reach beyond slogans and general frustration to manageable elements of the problem.

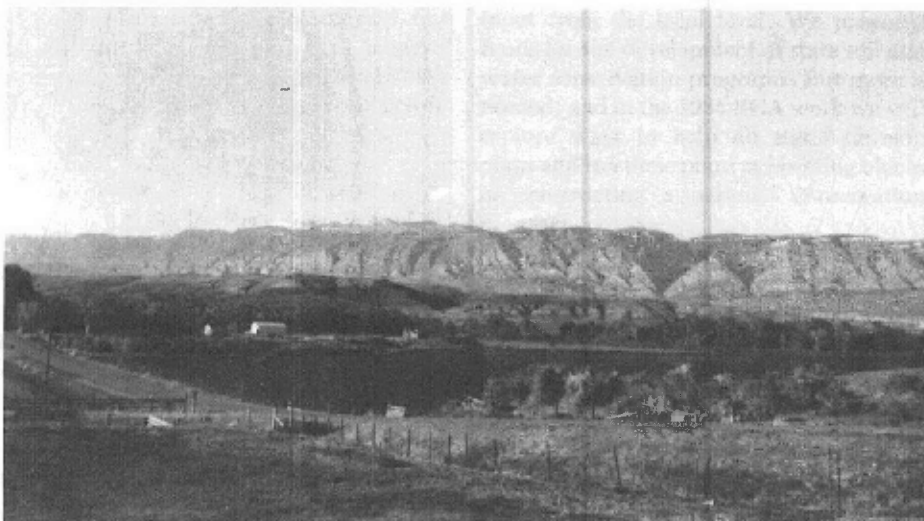
Second, Big Horn County's rural communities are relatively cohesive and stable. They have been subjected to little change compared with rural communities subjected to the impacts of energy development or migration from nearby metropolitan areas. The least cohesive communities within the county were the most difficult to organize for planning action. This may hold true in other locales as well.

Now for the list of reasons for rural resistance to planning. There are four: (a) a strong emphasis on private property rights, coupled with (b) distrust of outside priori-

ties for land use, aggravated by (c) the inappropriateness of traditional urban planning tools and attitudes, all resulting in (d) a feeling that planners have little empathy with rural values and needs.

Property rights. We are all heirs to Thomas Jefferson's sentiment that "...it is not too soon to provide by every possible means that as few as possible shall be without a little portion of land. The small landholders are the most precious part of a state" (8). Any community that implements a land use plan must walk a thin line between the strong American attachment to the rights of property ownership and the community's collective concerns.

Rural landowners in Big Horn County and elsewhere have long recognized some mutual necessities where individual property rights must be subordinated to the community's overall right to sustain itself and all its members. Examples include rotation systems to make the most of limited irrigation water or the control of noxious weeds. But the recognition of limited public concerns about land use is balanced by land's private values. Land is a source of income. Land is a savings account, a hedge against inflation or hard times. Land is a part of family history and pride as well as part of the shared American heritage. Finally, land is living space, a value of tremendous importance to rural Western-



Residential growth in the pastoral Shell Valley triggered the initial decision to undertake planning in Big Horn County.



Contamination of wells in rural areas south of Lovell was an impetus to planning. One outcome of this planning has been the installation of sewage disposal beds.

ers. Resistance to planning that would affect any of these values is both predictable and understandable.

Outside priorities. When John McClaughry (10) accuses "...lawyers and theorists, allied with well-funded action organizations and political leaders..." of using land use controls to impose a new serfdom on rural landowners, he makes it plain that much of the rural apprehension about planning is based on who will be doing the planning. Rural people have reason to worry about decisions based on national or statewide priorities. These basically urban priorities often exploit rural land and people. Federal farm and energy policies consistently exemplify the promotion of short-term production and corporate interests over the long-term interests of rural communities. As Wendell Berry (4) put it, "Generation after generation, those who intended to remain and prosper where they were, have been dispossessed and driven out or subverted and exploited where they were."

Suggestions that the attention of planning agencies might be directed to federal or state, rather than local, levels is consistent with rural people's experience (6). The potential for planning to be an outside imposition must have seemed high to residents of Big Horn County. After all, one reason the county began planning was the threat of federal land use legislation. One reason it continued was mandatory statewide planning legislation that came complete with "goals, policies, and guidelines" for local governments to follow (21). When professional planners arrived, they were largely federally funded. There probably was more than just cause to wonder who the planner's clients would really be, local people or federal and state agencies?

Traditional planning tools. One Big Horn County commissioner liked to say that land was just land to city people. Planners who try to zone 3,000 square miles of countryside are definitely city people. Rural awareness of potentials and limitations of slope, exposure, drainage, and soil type is one reason why so many attempts to use urban planning techniques in rural areas have failed (11). The traditional future land use/zoning map approach to planning tends to ignore landscape features. It also claims a predictive value no one will accord it where the local economy constantly fluctuates in response to distant commodity markets and uncontrollable weather.

In fact, zoning has come under heavy criticism in its native, urban habitat (2,

15). Zoning treats land use on an assumptive basis, assuming that different parcels of land and different land uses can be lumped under a few simple labels, assuming that the impacts of particular uses on particular sites can be predicted years ahead of their actual development and assuming that land use compatibility can be assured through a few mechanical measures, such as lot size and coverage, setbacks, and building heights.

These assumptions may be acceptable in urban neighborhoods. Planning's chief function there has been to maintain the status quo. Growth is shunted off to the next neighborhood or an adjoining suburb, and land is perceived as merely more space to use for buildings. But the extensive discussion of alternatives to zoning that has accompanied the growth management movement suggests that zoning is not a way to deal with change in the city, and rural communities would not be planning if they were not changing. Where land has acknowledged, independent values and where growth is the central planning issue, traditional approaches may be found lacking.

Empathy. A recent text on rural planning notes the urban bias of traditional planning approaches just before launching into a long discussion about the "inadequacies" of local government and the "obsolescence" of rural institutions (9). The lack of empathy or identification with rural needs and values that rural people attribute to planners is a summation of sorts of differences in notions about property rights and in orientations to other levels of government and broader priorities. These differences are widened when inappropriate planning tools are applied and planners treat the rural community as if it were an incipient metropolis, a "micro-city" struggling toward the "cure" of Standard Metropolitan Statistical Area status (13).

Rural areas offer an alternative way of living, where attitudes and institutions are not inadequate or obsolete, but different. Recognition of this difference and of the distinctive roles and functions of both rural and urban communities was fundamental to the regional planning movement of the 1920s. American planning seems to have lost this early understanding and been caught up in the "bigger is better" syndrome of "metropolitanization" (12, 14). But the value of rural communities as an alternative to urban lifestyles has not been lost on the American people, who are, in considerable numbers, moving out of metropolitan areas (3). In fact, the impact these migrants have as they arrive is a prin-

cipal reason that Big Horn County and other rural areas must plan.

Responses to resistance

Big Horn County's planning effort recognized each of the four reasons for resistance to planning and dealt with them, not as obstacles or unfortunate realities, but as positive guidelines as to how the local planning process should and could develop.

Property rights. Rural communities are capable of making collective decisions about land use, at least in a limited way. In Big Horn County the sheriff may need a warrant to enter your property; the Weed and Pest District need only send you a notice; indeed, the district may enter your land, spray it with herbicides, and send you the bill, all without permission. Not paying in protest will result in a lien being attached to your farm.

The ancient maxim *sic utere tuo ut alienum non laedas*, use your property so as not to injure that of another, is recognized in the Wyoming countryside as well as in the city. Coupled with the strong western sentiment that a man is responsible for his own actions, this maxim was found to be a serviceable basis for community decisions on land use in Big Horn County. Where injury or responsibility begins and ends varies among the county's planning units or subareas, but with encouragement from the county planning commission and its staff planner, appointed advisory committees were able to agree on the proper, if limited, bounds for community planning.

Agreement invariably began with an area of long-standing mutual concern—water (1). Possible impacts of land development activity on irrigation systems, agricultural water rights, and groundwater got planning off the ground in Big Horn County. Other traditional concerns, such as soil conservation and public land management, are also strongly reflected in the comprehensive plan. In some parts of the county, planning went beyond traditional, mutual concerns; in other parts it did not; but in all subareas, traditional concerns were the basis for whatever planning was done.

Sic utere tuo and traditional values may not be a satisfying basis for planners who wish to reform society's whole relationship to the land. But in Big Horn County they have been enough to protect irrigated land in the scenic but rapidly developing Shell Valley and to impose restrictions insuring better sewage treatment, harmony with local irrigation systems, and other practical limits on development.

External priorities. The Big Horn County Planning Commission made a concentrated, systematic effort to emphasize and assure local control of the planning effort. The county was divided into subareas based on watershed boundaries as well as historical and social associations. The planning commission rotated its meetings among these areas, and local land use advisory committees were appointed to develop subarea plans that would serve as the basis for the county's comprehensive plan. The advisory committees received professional assistance as they developed planning policies and held local hearings. They found their recommendations generally accepted by the planning commission and, eventually, by the county's elected governing body, the Board of Commissioners.

The entire planning process in Big Horn County was built around the idea of local control. This approach was supplemented by an aggressive staff policy of representing local interests in federal and state decision-making proceedings. As local plans often are a mandated consideration in federal and state decisions, a strong planning program can help promote and protect local values.

Two examples of conflict between local and state or federal land use priorities demonstrate the solid staff orientation to local clients in Big Horn County. Paint Rock Canyon is a relatively wild foothills area that has still not suffered the adverse impacts of rapidly growing recreational activity in the county. The Bureau of Land Management's plans to increase access to the canyon were hotly contested by local ranchers and recreationists. The county's planning staff provided an organizational focus for efforts to change BLM's plans. The staff maintained contact with the state congressional delegation and sympathetic environmental groups and provided technical analysis of BLM plans, along with photocopying, meeting notice, and other simple communication services. These efforts were not entirely successful, but additional access to the canyon has been minimized.

Emblem Bench, one of Big Horn County's most productive farming areas, was the point of contention in a second example of staff orientation to local clients. The proposed widening of a major highway through the Bench raised many questions about the loss of irrigated land, irrigation system disruption, and traffic safety. The planning staff critically analyzed highway department impact statements and helped local farmers organize a landowner's association and find an attorney who specializes in working with rural landowner



Lovell Chronicle photo

Big Horn County's planning commission met in every community in the county on a rotating basis. This meeting of commission members and staff on rural land use problems took place in the Lovell High School gymnasium.

groups. The result: widening of the highway has been delayed until firm answers to local questions can be produced.

Traditional planning tools. The Big Horn County Planning Commission's emphasis on local control of planning made it plain that the comprehensive plan would be built from the people up or not at all. Any proposed plan implementation tool was to be geared to high levels of public involvement. It would also have to be flexible to accommodate the diversity of landscapes and communities within the county, to account for the unpredictability of a rural, resource-based economy, and to allow for the individual attention to special cases valued in small communities. At the same time, local officials understood that flexibility had to operate within the bounds of fairness. State law added one additional constraint—the only plan implementation tool authorized was zoning (20).

Zoning that permitted substantial local public involvement in decisions, that accommodated geographic and social diversity, that recognized the unpredictability of future land use patterns, that allowed for individual special cases, and that was inherently fair proved to be a tall order. The county's staff planner groped his way to a solution in the course of discussions with the planning commission and local land use advisory committees and with a good bit of unconventional thinking.

The plan implementation approach finally devised is known as a "permit system" (10). Its application in Big Horn County began in September 1976 with adoption of

the Shell Valley portion of the county's comprehensive plan. The remainder of the plan was adopted in July 1977.

Big Horn County is zoned, but not in traditional use categories, such as residential or agricultural. The zones are natural, social, and environmental units—the Shell Valley, the Paint Rock subarea embracing two related watersheds, or the West County subarea covering a large, productive farming area. Each zone includes agricultural, residential, and commercial uses in a historically functional mixture. Also, each subarea has unique attitudes about resources, land use, and its own future.

Within each zone a set of adopted, uniform planning policies serves as a checklist for evaluating land use changes and development. There is a one-to-one correspondence between this checklist and policies in the county's comprehensive plan (the permit issued is called a plan compliance permit), eliminating, in theory at least, the legally treacherous gap between zoning and the plan serving as its basis.

Public hearings are required for all but the smallest developments. Large turnouts have been common for controversial projects, but decisions have been guided by policy, not emotional input; and plan amendments reflect learning experiences in which policies were found to be inadequate.

Empathy. The planning process in Big Horn County has been guided by local values and needs. Planners discovered these values through dialogue with county commissioners, planning commissioners, land

use advisory committee members, and county residents. It was a process of mutual learning, like that envisioned by John Friedmann in describing a "transactive" style of planning (7).

The planning commission's role in assuring that the county plan did indeed reflect local values deserves special attention. The Big Horn County Board of Commissioners appointed a strong, well-respected, and articulate commission. The commission was not homogenous, as they tend to be in rural areas, including, as appointments turned over, farmers, farmers also involved in other businesses, a rancher, a schoolteacher, a multi-faceted businessman, a truck-driver, and an artist. Not all commission members have been long-time county residents. Some have been involved in school boards, Farm Bureau, conservation district boards, and other community activities. The commission was clearly set up to provide leadership in getting a plan done, not to debate the appropriateness of planning. Elected commissioners made the decision to plan, gave their appointees the job of preparing a plan, and reserved for themselves the ultimate decision of whether or not a particular plan was appropriate.

The ongoing planning process

The learning process that led to a plan's adoption in Big Horn County has continued. Vague, inadequate, or missing policies have been identified, and several plan amendments have been adopted. Clearly, the experience of administering a comprehensive plan leads local officials and citizens to a more complete understanding of growth and land development issues.

In Big Horn County almost every development review raised unanswered questions: What interest do minerals lessors have in surface subdivisions? Is the proper applicant the landowner or the builder? What is a fair way of evaluating lot sizes? Getting answers to such questions has kept the planning process alive, active, and fairly visible.

Three persistent problems have arisen. The first and most vexing is record-keeping. The informal atmosphere of rural decision-making makes it difficult to keep precise records of findings on which decisions are based. Automatic systems, like more vigorous checklists or even point systems for development review, are currently under consideration as remedies to the record-keeping problem.

The second problem is enforcement. The rural tendency to "work things out" is pronounced in Big Horn County. Violators have been given indefinite grace periods to

attain compliance rather than being prosecuted. This has created a credibility problem that may yet reach major proportions.

Finally, two of the county's subareas (both having poor public participation records) adopted plans that are not capable of dealing with growth pressures being experienced. The planning commission is now working to upgrade these plans and will probably end up defining a bottom line of countywide policy against which subarea plans will be measured.

Basic rural planning principles

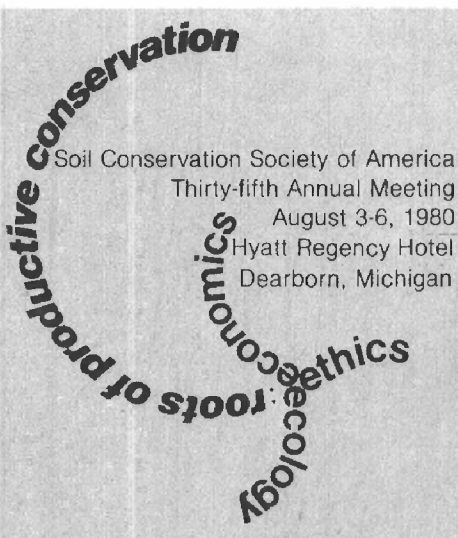
Some basic principles from Big Horn County's successful rural planning efforts serve as both a summary and a conclusion to this case study. The seven principles identified below follow a logical progression that begins with one fundamental assumption: Rural planning will be successful only if it is based firmly in rural values.

1. Be sensitive! Rural institutions and values evolve to fit their time and place. For many people, they represent a positive alternative to urban values. Rural planning should be guided by rural values, not by urban values for rural areas.

2. Try to build planning efforts on traditional areas of mutual concern. Water was the key in Big Horn County.

3. Demonstrate a strong, positive orientation to local clientele. Any appearance of being an instrument of outside priorities will be fatal.

4. Use appropriate planning tools. This gets back to values—sensitivity to the landscape, to differing communities and community values, to the workings of the local economy, and to individual problems. Permit systems, where proposed developments are approved or rejected on the basis of preadopted policy checklists, would seem to be highly appropriate rural planning tools.



5. From the beginning, try to get the local planning board or commission's task clearly defined as providing leadership in planning. A planning commission that ends up being a debating society will not get the job done.

6. Be patient. A sound, participatory plan will make itself better as local officials and citizens learn by administering it. Accept planning as a community learning process.

7. Finally, keep an eye on the details of plan enforcement and record-keeping and on the ultimate quality of local citizen planning efforts.

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