

**TOWN OF MILLS
PETITION FOR ZONE CHANGE**

**or
APPLICATION FOR SPECIAL REVIEW PERMIT**

Pursuant to the Mills Town Code

Town of Mills, Wyoming
704 4th Street (Physical address)
P.O. Box 789 (Mailing address)
Mills, Wyoming 82644

Date: _____

Return by: _____
(Submittal Deadline)

For Meeting on: _____

ZONE CHANGE **SPECIAL REVIEW**

PLEASE PRINT

PRIMARY CONTACT: _____

APPLICANT/PROPERTY OWNER(S) INFORMATION:

Print Owner Name: _____

Owner Mailing Address: _____

City, State, Zip: _____

Owner Phone: _____

Applicant Email: _____

AGENT INFORMATION:

Print Agent Name: _____

Agent Mailing Address: _____

City, State, Zip: _____

Agent Phone: _____

Agent Email: _____

PROPERTY INFORMATION:

Subject property legal description (attach separate page if long legal): _____

Physical address of subject property if available: _____

Size of lot(s) _____ sq. ft/acres.

Current zoning: _____ Current use: _____

Intended use of the property: _____

Zoning within 300 feet: _____ Land use within 300 feet: _____

ATTACHMENTS (REQUIRED):

- **Proof of ownership:** _____ (such as deed, title certification, attorney's title opinion)

SIGNATURE(S):

The following owner's signature signifies that all information on this petition/application is accurate and correct to the best of the owner's knowledge; and that the owner has thoroughly read and understands all petition/application information and requirements. [In addition to the owner's signature(s), if an agent of the owner is also to be notified and/or contacted for all communications relating to this application, please have the agent sign below.]

I (We) the undersigned owner(s) of the property described above do hereby petition/make application to the Town of Mills for:

OWNER Signature _____

OWNER Signature _____

AGENT Signature _____

FEE: \$100.00 (non-refundable)

**TOWN OF MILLS
 PETITION FOR ZONE CHANGE
 VARIANCE
 SPECIAL REVIEW PERMIT**

Date: _____

Page _____ of _____

Subject property owner information (Please Print):

Name: _____ Mailing Address: _____ Phone: _____

Subject property legal description: _____

Total number of owners within 300 feet of the subject property: _____

Does the total number of signatures represent 50% of the Owners of Record? (as shown in the County records): Y N

We, the undersigned owners of the property located within a 300 foot radius of the subject property, favor granting the requested (circle one) variance - zone change - special review permit by the Town of Mills.

	OWNER OF RECORD (PRINTED NAME)	OWNER OF RECORD (SIGNATURE)	ADDRESS	LOT	BLOCK	CFD (if recorded)
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						

We, the undersigned owners of the property located within a 300 foot radius of the subject property, favor granting the requested (circle one) variance - zone change - special review permit by the Town of Mills.

	OWNER OF RECORD (PRINTED NAME)	OWNER OF RECORD (SIGNATURE)	ADDRESS	LOT	BLOCK	CFD (if recorded)
11						
12						
13						
14						
15						
16						
17						
18						
19						
20						
21						
22						
23						
24						
25						
26						
27						
28						

**TOWN OF MILLS
PETITION FOR ZONE CHANGE
SECTION 18.16.040**

GENERAL

The Town Council may, from time to time on its own motion, by petition of any person or persons of interest, or on initial recommendation from the Zoning Board, amend, supplement, or repeal the regulations and provisions of this Ordinance; provided that where property is sought to be rezoned on proposal other than the town Council or Zoning Board, the person proposing the rezoning of property shall have a property interest in the total area of the property.

ZONE CHANGES – PETITION

- A. The owner(s) of interest of property to be rezoned shall submit a petition requesting amendment of the zoning district map to the Town Clerk. The Clerk shall verify that the petition contains the following information:
 - 1. Legal description of the property to be rezoned.
 - 2. Existing and proposed zoning districts applicable to the property.
 - 3. Signatures of the owner(s) of the property to be rezoned.
 - 4. Names, addresses and signatures of a minimum of 50 percent of the owners of record (as shown by County records) of real property within 300 feet of the property to be rezoned.
 - a. The signing of the zone change petition indicates the owner favors the zone change.
 - b. No signature may be withdrawn from a petition.
- B. The Town Planner, after verifying completeness of the petition shall forward the petition to the Zoning Board for review.

HEARING

Upon receipt of a zone change petition from the Town Clerk, the Zoning Board shall, at its next regular meeting, establish a date of public hearing to hear evidence and information on the proposal.

NOTICE OF HEARING

- A. The Zoning Board shall publish notice of the date, time, and place of hearing and summary of the proposed amendment in a newspaper of general circulation within the Town. Such notice shall be published at least 15 days prior to the date of such hearing.
- B. A notice reciting rezoning applied for and directing further inquiry to the Town Clerk, shall be posted at least fifteen days prior to the hearing on the property

proposed for rezoning along the part thereof fronting a public street.

- C. A written notice of the public hearing shall be sent by first class mail at least fifteen days prior to the date of the hearing to owners of property within the area proposed for rezoning and to either an owner or to an occupant of each separately owned property adjacent within 300 feet of the area proposed for rezoning.
- D. Such notice by posting and by mailing is for convenience of the public only, and any omission thereof or defect therein shall in no way impair the validity of the proceedings for the proposed amendment.
- E. Exception — General Revision — When said zoning district map is in any way to be changed or amended incidental to or as a general revision of the Zoning Ordinance, whether such revision be made by repeal of the existing Zoning Ordinance and enactment of a new Zoning Ordinance, or otherwise, said notice in this section by posting and mailing shall not be required.

ZONING BOARD REVIEW

The Zoning Board, after the public hearing thereon, shall make an advisory report to the Town Council, recommending action on the proposal. Any proposed amendment or change initiated by the Council shall be referred to the Zoning Board for review. Any amendment proposed by the Zoning Board shall be made to the Council as a recommendation accompanied by an advisory report.

NATURE OF REVIEW

The Zoning Board reviews each proposed amendment for conformity with the Land Use Plan and the effect of the amendment on the stated intent of this Ordinance and established district.

PROCEDURE BEFORE TOWN COUNCIL

After receiving the advisory report from the Zoning Board, the Town Council shall hold a public hearing before acting on the proposed amendment. Notice of the time, date, and place of the hearing shall be published by the Town Clerk, at least fifteen days prior to the hearing, in a newspaper of general circulation within the Town.

ACTION BY COUNCIL

The Town Council shall, after conducting a public hearing on the zone change petition, approve or deny the zone change.

The zoning district map shall be amended to reflect the decision of the Council. If there is a protest against the change of an amendment of a zoning district boundary signed by twenty percent or more of the area of lots within a distance of 300 feet of the subject property, the amendment shall become effective only upon an affirmative vote of three-fourths of the members of the Town Council.

COSTS

For individual applications for rezoning, the Town Council may establish a fee to be charged for advertising and processing.

ANNEXED TERRITORY

- A. Zoning of land in the process of annexation may be done in accordance with the procedure and notice requirements of this article. The proposed Zoning Ordinance shall not be passed on final reading prior to the date when the Annexation Ordinance is passed on final reading prior to the date when the Annexation Ordinance is passed on final reading, the the Ordinance annexing the property can also zone the property. If the zoning process is commenced prior to the effective date of the Annexation Ordinance, the legal protest area for rezoning shall be determined solely on geographic location, irrespective of whether the land in such legal protest area is within or without or partly within and partly without the limits of the Town of Mills.

- B. Any area annexed shall be brought under the provision of this Ordinance and the map thereunder within ninety days from the effective date of the Annexation Ordinance irrespective of any legal review which may be instituted challenging the annexation. During such ninety day period, or such portion thereof as is required to zone the territory, the Town of Mills shall refuse to issue any building or occupancy permit for any portion or all of the newly annexed area.

**TOWN OF MILLS
APPLICATION FOR SPECIAL REVIEW PERMIT
SECTION 18.16.010**

SPECIAL REVIEW

INTENT

Although each zoning district is primarily intended for a predominant type of use (e.g., dwellings in residential districts), there are a number of uses which may or may not be appropriate in a particular district depending upon all the circumstances of the surround development, traffic capacities of adjacent streets, and potential environmental effects, all may dictate that the circumstances of development should be individually reviewed. It is the intent of this Section to provide review of such uses so that the community is assured that they are compatible with their locations and surrounding land uses and will further the purpose of this Ordinance.

APPLICATION OF SECTION

Special review requirements shall be applicable to all uses designated “S,” “Uses Permitted by Special Review” in the permitted use section of this Ordinance. Mobile Home Courts, as defined herein, are classified as a Special Use and must be granted a Special Use Permit.

APPLICATION FOR SPECIAL USE PERMIT

- A. All applicants for Special Use Permits shall follow the procedures for zone change requests outlined in Section 18.16.040 of this Ordinance (Attached).
- B. The following information must accompany each petition for special use permits outlined in Section 18.16.040:
 - 1. A complete Site Plan showing the major details of the proposed development consisting of the following: location of buildings and structures; off-street parking areas; off-street loading areas; service and refuse areas; means of ingress and egress; major landscaping or screening proposals; signs, and pedestrian areas;
 - 2. A time schedule for development;
 - 3. Such other information as the Zoning Board shall by written rule require; and,
 - 4. Any other information the applicant believes will support his request.
- C. **General Criteria, Conditions, and Modifications**
 - 1. No special review use application shall be approved unless the Town Council finds that the application (A) complies with all requirements imposed by this Article and with all applicable written rules of the Zoning Board; (B) is consistent with the objectives and purposes of this Zoning Ordinance; and (C)

is designed to be compatible with surrounding land uses and the area of its location.

2. In considering an application for a special review use, the Town Council shall consider and may impose modifications or conditions concerning, by way of illustration and not limitation, the following development features, to the extent such modifications or conditions are necessary to insure compliance with the criteria of paragraph 1 of this section.

- a. Size and location of site;
- b. Street and road capacities in the area;
- c. Ingress and egress to adjoining public streets;
- d. Location and amount of off-street parking;
- e. Internal traffic circulation system;
- f. Fencing, screening, and landscaped separations;
- g. Building bulk and location;
- h. Usable open space;
- i. Signs and lighting; and,
- j. Noise, vibration, air pollution, and other environmental influences.

- D. All Site Plans for special review permits, including modifications or conditions, shall be approved by the Town Council. The applicant shall file the Special Review Site Plan with the building official who shall indicate on the zoning district map that a Special Review Permit has been approved for the area included in the Site Plan.
- E. The building official shall issue a certificate for the special use certifying the completion of the Special Review Permit and shall note the issuance of the certificate on an office copy of the district zoning map and on the Site Plan.
- F. After completion, the use of the land and the construction, modification, or alteration of any buildings within the special permit unit will be governed by the approved site plan, kept for reference by the building official.
- G. Except as follows, no changes may be made in the Special Review Permit after its approval.
 1. Minor changes in the location, siting, or character of buildings and structures may be authorized by the building official, if required by engineering or other circumstances not foreseen at the time the final development program was approved. No change authorized by the building official under this section may increase the size of any building or structure by more than ten percent, nor change the location of any building or structure by more than ten feet in any direction; provided, notwithstanding anything in the foregoing, the building official may not permit changes beyond the minimum or maximum requirements set forth in this Ordinance;
 2. All other changes in the special review permit site plan must be made under the procedures that are applicable to the initial approval of a special review permit.

ADDITIONAL REGULATIONS

The Zoning Board shall from time to time, establish additional written specific regulations not inconsistent with the provisions of this Section relating to procedures, and to criteria and relevant development features of any other special review uses.