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# CONSULTANTS

ENGINEERING, SURVEYING & PLANNING  
LANDSCAPE ARCHITECTURE, GIS  
NATURAL RESOURCE SERVICES

April 24, 2023

Delivery via email

Leah Juarez, Mayor  
City of Mills  
704 4<sup>th</sup> St.  
Mills, WY 82

**RE: Proposal for Planning Professional Services  
City of Mills Title 17 – Zoning & Land Use Code Update**

Dear Ms. Juarez,

It has been a pleasure so far working as the Planner for the City of Mills. As more development occurs and the City of Mills continues to grow, the need to review and update the City's Zoning and Land Use Code becomes more apparent. Initial discussions were started in the Fall of 2022 about the update of the Zoning & Land Use Code, and at that time I completed a cursory review of Title 17 and provided a memo outlining major items that should be reviewed and revised.

Since that time, Mills City Staff and the new council members have taken time to review the recommendations and provide direction on how to proceed with the code update. Based on that direction, Y2 offers the following scope of work and price proposal. I've outlined my understanding of how in-depth the City of Mills would like to go with this code update and the work plan for the review, revision and adoption process.

Please let us know if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads 'Megan Nelms'.

Megan Nelms, AICP  
[megan@y2consultants.com](mailto:megan@y2consultants.com)

## CITY OF MILLS TITLE 17 – ZONING CODE

In November of 2022, Megan Nelms (City Planner for Mills) issued a memo outlining key issues within Title 17 that should be addressed immediately. The revisions to Title 17 will fix contradictions within the ordinance itself and clarify processes, making the regulations easier and more user friendly for residents in Mills. That memo is attached to this proposal and summarizes the proposed revisions to be completed.

City Staff has also made the request to rename the zoning districts within the code. Currently, the district names are not in line with zoning ordinances in communities around Mills, like Casper, Evansville and Natrona County. Ms. Nelms has also recommended that the City review the permitted uses within each district, to ensure that all use types are accounted for and that the types of permitted uses in each district are in-line with the 2017 Comprehensive Plan and the vision of future development in the city. In addition to the revisions outlined in the attached memo, all zoning district names will be changed to be more in line with similar ordinances in surrounding communities and uses within each district will be evaluated.

### PLANNING

**Work Plan for Code Update:** This scope will involve reviewing the code, making recommended revisions, formatting, editing and final document production. It is estimated that these tasks will take approximately 80 hours. This time also includes staff reports, public notices and presentation to Council at work sessions and Council Meetings. Ms. Nelms will ensure that all proper legal processes are followed per the applicable State Statute regarding amendment and adoption of rules.

**Deliverables:** Updated Title 17 in PDF format

**Timeline:** The timeline for this work will begin June 1, 2023 with an anticipated completion of September 2023, depending on review schedules and input from City staff and Council on presented revisions.

**Fees:** Lump Sum; \$8,720  
(PLAN:LDRA “LDR Amendment” – Internal Use)

**Public Input & Future Amendments:** This scope of work does not include any public input meetings. A revised scope can be provided to include public presentations of the amendments and solicitation of public comment outside any official public hearings for the adoption of the amended rules. Any future amendments outside the scope of the attached memo to the rules requested by Council will require a new scope of work, which will be provided by Y2 at that time.

**Deliverables:** TBD with new scope of work

**Timeline:** TBD with new scope of work

**Fees:** TBD with new scope of work

## INCLUSIONS/EXCLUSIONS

- Uninterrupted progress and maintaining the proposed timelines require prompt decision-making and expedited response from the Owner/Agent to Y2's requests for reviews, approvals, or instructions. This includes providing all relevant electronic files necessary for Y2 to complete work. Delays which cause interruption or extension of any tasks may result in revised project timelines and may be considered Additional Services.
- Revisions and changes happen during even the most well-planned projects and Y2 will make every effort to include these changes within our fees and estimates. However, changes by the Owner/Architect after work occurs on in-progress or completed drawings may be considered Additional Services. The Owner/Architect will be notified of the additional services prior to the commencement of work.
- All work beyond the details provided in this proposal will be considered Additional Services.
- Fee estimates do not include reimbursable costs, such document printing, postage and shipping.

Fee Estimates and Timelines were generated based on previous experience on projects of similar scope. These estimates and timelines may be revised during the course of the work for a number of unforeseen reasons. The Owner/Agent will be notified of all changes in scope and/or cost estimates prior to commencing work beyond what is described herein.

In order to maintain the proposed project schedule, please give us **Notice to Proceed by May 12, 2023**. We will then provide an electronic executable contract as soon as possible and schedule a meeting with you to begin generating the site plan as described above.

We understand that you have access to many technical professionals. Y2 stands out by virtue of our teamwork and value added through collective knowledge, streamlined communications, and high-quality deliverables. We pride ourselves in providing more than the bare minimum and our Owners return to us as they value the work product we offer.

Thank you for this opportunity, please contact us at your convenience if you have any questions or concerns.

Sincerely,

A handwritten signature in blue ink that reads 'Brenda k Younkin'.

Brenda Younkin, MS  
Y2 Owner/NR Department Lead  
[brenda@y2consultants.com](mailto:brenda@y2consultants.com)

A handwritten signature in blue ink that reads 'Megan Nelms'.

Megan Nelms, AICP  
Senior Planner  
[megan@y2consultants.com](mailto:megan@y2consultants.com)



# CONSULTANTS

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## Memorandum

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**TO:** Mills City Council

**FROM:** Megan Nelms, AICP, City Planner *MN*

**DATE:** November 14, 2022

**SUBJECT:** Land Development Regulation Revisions

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As directed by Mills City Staff, I have started review of the current City of Mills Zoning & Subdivision Regulations (Land Development Regulations or LDRs) for consistency, efficiency, and timeliness. To make recommendations for revisions to the LDRs, I am requesting feedback and direction from Mills City Council. More specifically, I am looking to better understand the history of development regulation issues in the City of Mills, the vision of the Council moving forward and efforts to ensure consistency with the Comprehensive Plan.

The following are a few examples of noteworthy items in the current regulations that are recommended for review and/or revision. I have briefly summarized the issues for discussion prior to any amendments being drafted for consideration.

### ZONING DISTRICTS

- **Discussion:** Is it the intent of the City of Mills to merely rename the current zoning districts? Or are there changes in allowed uses, conditional uses, etc., which need to be added, removed, and/or modified within districts?

### NOTICE

- Certain sections of the code require notice of a development action to be posted on the property, published in the newspaper of record, and sent to surrounding property owners (special reviews, variances, rezonings).
- **Recommendation:** Notice be provided for all development applications that are reviewed by the Planning Commission, especially new subdivision applications, where surrounding property owner notice is currently not required.

### PETITIONS

- Section 17.16.40 of the code requires that anyone applying for rezoning, or a variance, obtain the signatures of at least 50% of the owners of real property within 140' of their property. This

requirement can lead to complicated decision-making processes and debate over “neighbor veto power.”

- The land development regulations have a purpose, and all requests are evaluated based on their compliance with the regulations.
- Notice is provided of a public hearing and surrounding property owners are given the opportunity to make comment on the development proposal.
- The P&Z Board is there to evaluate the request and its compliance with the rules, while also hearing from the public.
- There is currently a mechanism for surrounding landowners to submit an opposition petition and require a super-majority affirmative vote.
- **Recommendation:** Remove the requirement of obtaining the signatures, or “approval” of the surrounding property owners.

## REVIEWS

- **Recommendation:** A review table or chart used to show the review process/procedure for all development applications. The table would summarize the review, approval and notice requirements for each application type and provide an overview of the basic responsibilities of the officials and bodies charged with rule administration and decision making. I have included examples of Review Procedure/Process tables from other regulations.

## SUBDIVISION RULES

- **Recommendation:** Minor Boundary Adjustments be allowed on more than two (2) lots, but must end up with same number, or fewer, lots than what was previously platted.
- **Recommendation:** Revise the requirements and review process language for preliminary/final plats to align with language for Boundary Adjustments.
- **Discussion:** Why can the Minor Boundary Adjustment not be used more than twice in five years? Or is the intent to say not more than twice in five years on the same piece of property?

## SUMMARY

In summary, while the current LDRs are adequate for the City, there are many revisions that could be made to make the regulations more clear, concise, and easier to use for both City Staff and the public. One must also take into consideration the effects piecemeal changes can have on adopted code. Revisions to a certain section may have unintended consequences on other sections of the rules. With that, I would recommend a comprehensive review of the LDRs to include revised zoning districts & use tables, reorganization of the document, new review tables and application processes, updated definitions and overall restructuring of the code to simplify and streamline the regulations.

## 10.10 Approval Authority

- (1) **Purpose.** The purpose of this section is to establish the administrative responsibilities of the Regulations and to identify the basic responsibilities of the officials and bodies charged with its administration. This section describes the responsibility and decision-making authority for each review body (e.g., Applicable Director, Planning Commission, or Board of County Commissioners) on land use actions.
- (2) **Definitions.** As used in this Chapter, the following terms are defined as:
  - (a) “Appeal or Appellate Review” means a hearing, conducted by a single hearing body or officer authorized to conduct such hearings, in which testimony is restricted to information contained in the record.
  - (b) “Applicable Director” means the Director of Public Works, Building Official, Planner/Zoning Administrator, or designee.
  - (c) “Contested Case Hearing” means a hearing, conducted by a governing body or officer authorized to conduct such hearings in which legal rights, duties, or privileges of a party are required by law or the Regulations.
  - (d) “Public Hearing” means an opportunity to provide comment from the public or other agencies.
- (3) **Authority.** There are five Review Processes (1–5) defined by who has the authority to render a decision on the matter. The Review Process for each application is found in the Use District Charts. Please refer to Table 10.10-1 for more information about each Review Process.
  - (a) In general, decisions on applications which are under Review Processes 1–3 are made by the Applicable Director. Review Process 3 applications may be deferred by the Applicable Director to a Review Process 4, and Review Process 4 may be deferred by the Planning Commission to a Review Process 5.
  - (b) Review Process 4 decisions are made by the Planning Commission.
  - (c) Review Process 5 decisions are made by the Board of County Commissioners, following receipt of recommendation from the Planning Commission.

**Table 10.10-1  
Procedural Types and Review Processes**

Action	Administrative			Planning Commission	County Commission
	Process 1	Process 2	Process 3	Process 4	Process 5
Pre-Application Meeting	None	None	Recommended	Recommended	Recommended
Notification Requirement (Section 10.20)	None	None	Required	Required	Required
Public Hearing (Section 10.65)	None	None	None	Required	Required
Contested Case Hearing	None	None	None	Planning Commission	County Commission
Decision-Maker	Applicable Director	Applicable Director	Applicable Director/Planning Commission	Planning Commission	County Commission
Administrative Appeal	County Commission	County Commission	County Commission	County Commission	None
Judicial Appeal	District Court	District Court	District Court	District Court	District Court
	<b>Example</b>	<b>Example</b>	<b>Example</b>	<b>Example</b>	<b>Example</b>
	Accessory Uses (Section 45.65)	Master Sign Plan Review (Section 40.25)	Deviation (Section 10.50)	Conditional Use Permit (Section 10.55)	Zoning or Re-zoning Requests (Section 10.60)
	Zoning Certificate (Section 10.25)	Site Plan Approval (Section 10.35)	Wireless Communication Facility (Section 45.55)	Manufactured Home Park (Section 45.30)	Wind Generation Facilities (Section 32)
	Enforcement Action (Section 10.85)	Home Occupation (Section 45.25)	Group Care Facilities (Section 45.35)	Recreational Vehicle Park (Section 45.45)	
	Buffering Standards Determination (Section 40.30)	Similar Use Determinations (Section 10.40)	Live/Work Facilities & Caretaker Housing (Sections 45.15 and 45.20)	Construction Camps (Section 45.40)	
	Sign Permits (Section 40.25)	Minor Deviation (Section 10.45)	Child Care Establishments (Section 45.60)		

**10.15 Interpretation of Regulations**

- (1) **Rules of Interpretation.** As used in these Regulations, the following shall apply:
  - (a) Abbreviations. The following phrases, personnel, and document titles are shortened in these Regulations:
    - (i) Campbell County = County.
    - (ii) Board of County Commissioners = County Commissioners

Table 5.02-1 Summary Table of Procedures

**R = Review (Responsible for Review and/or Recommendation) H = Hearing (Public Hearing Required)  
D = Decision (Responsible for Final Decision) A = Appeal Authority to Hear/Decide Appeals)**

Procedure	Review and Decision-Making Body			Public Notice Requirement	
	<u>Applicable Director</u>	Planning Commission	Board of County Commissioners	Published	Written
Development Plan Amendment	R	R-H	D-H	X	X
Zoning Resolution Text Amendment	R	R-H	D-H	X	X
Zoning Map Amendment	R	R-H	D-H	X	X
Conditional Use Permit	R	R-H	D-H	X	X
Temporary Use	D	A			
Floodplain Development Permit	D	A			
Zoning Certificate	D	A			
Sign Permit	D	A			
Planned Unit Development	R	R-H	D-H	X	X
Formal Interpretation	D	A			
Administrative Adjustment	D	A			
Variance	R	R-H	D-H	X	X

### 5.03 General Application Procedures: All Applications

#### 5.03.01 Step 1: Pre-application conference

- A. **Purpose.** The purpose of a pre-application conference is to provide an opportunity for an informal evaluation of the applicant's proposal and to familiarize the applicant and the County staff with the applicable provisions of this Resolution, the Development Plan, infrastructure requirements, and any other issues that may affect the applicant's proposal.
- B. **Applicability.**
  1. **Required for new applications.** A pre-application conference may be required prior to the following types of applications. These types of applications may not be accepted until after a pre-application conference is completed, as determined by the Applicable Director. The conference should take place prior to any substantial investment, such as land acquisition for a proposed development, site and engineering design, or the preparation of other data.
    - a. Development Plan Amendment
    - b. Zoning Resolution Amendment