

FREMONT COUNTY
APPLICATION FOR ZONE CHANGE #2
USE DESIGNATION PLAN

(Requires Subsequent Approval of ZC #2 – Final Designation Plan)

1. Project Name: _____

2. Applicant: _____ Address: _____

City: _____ State: _____ Zip Code: _____

Telephone #: _____ Facsimile #: _____

3. Owner: _____ Address: _____

City: _____ State: _____ Zip Code: _____

Telephone #: _____ Facsimile #: _____

4. Consultant: _____ Address: _____

City: _____ State: _____ Zip Code: _____

Telephone #: _____ Facsimile #: _____

Please read prior to completion of this application.

Property owners and other potential applicants are encouraged to meet informally or communicate with Planning and Zoning Department staff to gain familiarity with the application process prior to formal submittal of an application and to continue the communications throughout the application process. For more details on application meetings, see Section 8.3 of the Fremont County Zoning Resolution (FCZR).

The Zone Change #2 classification is for zone changes that change property to multi-family, business or industrial zone districts. (*MDR – Medium Density Residence, HDR – High Density Residence, MHP – Manufactured Home Park (Please see Section 4.10 of the FCZR for other requirements), TTP&CG – Travel Trailer Park & Campground (Please see Section 4.11 of the FCZR for other requirements), NB – Neighborhood Business, RHB – Rural Highway Business, B – Business, A – Airport, IP – Industrial Park, and I – Industrial*).

The zone change classification #2 application process provides two alternatives for applicants. The first alternative allows an applicant to obtain preliminary approval for the zone change through submittal of a Use Designation Plan, followed by submittal and approval of a Final Development Plan. If a Use Designation Plan has been approved, the Final Development Plan application must be submitted within one year of Use Designation Plan approval. If the Final Plan is not submitted within the one year timeframe, the zoning classification will revert back to the original zone classification.

No zone change (ZC) application which has been denied by the Fremont County Board of County Commissioners (Board) within the past three (3) years can be resubmitted unless there is valid new evidence or a substantial change in conditions of the original application.

Any application for ZC that has been submitted after the use requiring the ZC has been established on the property shall be subject to a penalty fee in addition to the set application fee for the ZC. The penalty fee shall be the same amount as the initial application fee for the ZC. In effect a double application fee shall be charged at the time of submittal in such circumstances. As with all land use applications payment of associated fees does not insure approval of the application.

Any application for ZC where the intention is to house more than one (1) primary use on the property or in a single building will require that the property and or building be subdivided.

In the circumstance of a ZC application that will require a Preliminary Plan/Final Plat or Minor Subdivision application the ZC approval will not go into affect without final approval of the subdivision application.

Any application which is not complete or does not include all minimum submittal requirements will not be accepted by the Fremont County Department of Planning and Zoning (Department). Further, any application that is inadequately prepared, or is incomplete, may be subject to postponement (*until an adequate submittal is provided*) of placement on an agenda of the Fremont County Planning Commission (Commission).

The applicant shall provide **one (1) original document and four (4) copies** of the application and all of its attachments (*copies of deeds, contracts, leases etcetera are acceptable*) at the time of application submittal along with the application fee, set as per Resolution of the Board. Submittals shall be made to the Department no later than 3:00 pm on the submittal deadline date.

After an adequate submittal, the Department will review the application and all attachments and prepare a Department Submittal Deficiency and Comment Letter (D & C Letter), which will state the submittal deficiencies which must be addressed by the applicant, Department comments and/or questions about the application and the number of revised application packets that must be supplied to the Department in order to place the application on an agenda of the Commission.

Attachments can be made to this application to provide expanded narrative for any application item including supportive documentation or evidence for provided application item answers. Please indicate at the application item that there is an attachment and label it as an exhibit with the application item number, a period and the number of the attachment for that item (*as an example, the first attached document providing evidence in support of the answer given at application item number 22 would be marked - Exhibit ZC-22.1, the fifth attached document supporting the narrative provided for application item 22 would be marked - Exhibit ZC-22.5*). Exhibit numbers should be placed in the lower right hand area of the exhibit.

An additional full application fee will be charged to the applicant, as per resolution approved by the Board, if all deficiencies as per the initial D & C Letter are not adequately addressed or provided. Each subsequent D & C Letter, based on resubmitted items, will result in another full application fee. All such fees shall be paid along with the deficiency submittal, prior to any further review of the application.

If the application is approved by the Board with contingencies the contingencies shall be provided to the Department within six (6) months of the approval date. If not the approval shall be deemed rescinded and the application expired. Re-submittal of the entire application, including fees, and procedural requirements, including public meetings and notices would be required.

If the application is approved by the Board requiring improvements, all such improvements must be completed at the expense of the applicant prior to recording of the ZC.

The Department, The Commission and/or The Board may require additional information at any time during the application process as may be deemed necessary in order to review the application adequately, to determine if the

application is in compliance with all applicable regulations and make an informed decision with regard to recommendations, approval or disapproval of the application.

For specific regulatory requirements the applicant should refer to the appropriate sections of the Fremont County Zoning Resolution (FCZR). In addition, consideration shall be given to the Fremont County Master Plan (FCMP), as the Department will consider it in the review of ZC applications which could result in the need for additional information from the applicant.

For further reference the Fremont County Zoning Resolution may be viewed on the Internet at <http://www.fremontco.com/planningandzoning/zoningresolution.pdf> and the Fremont County Subdivision Regulations (FCSR) may be viewed on the Internet at <http://www.fremontco.com/planningandzoning/forms/subdivisionregulations.pdf> and the Fremont County Master Plan may be viewed on the Internet at <http://www.fremontco.com/planningandzoning/forms/masterplan.pdf>

5. Five (5) full size and five (5) reduced (8½"x11" or 11"x17") copies of a site plan drawing, drawn to professional standards, to include, at a minimum, the following (*the Department, Commission or Board can require additional information*) (*Note 1: At least one (1) copy shall be of adequate size to use for display at public meetings; Note 2: More than one sheet may be used if it is easier to express the required information, provided they are adequately labeled for identification*):
 - a. Drawing size: Minimum sheet size 18"X24" to a maximum sheet size of 24"X36";
 - b. Drawing scale, unless a different scale is approved by the Department prior to submittal: Minimum scale of 1"=200' to a maximum scale of 1"=50';
 - c. Appropriate title (*Owner or Project Name ZONE CHANGE REQUEST*);
 - d. Appropriate subtitle (_____ *Zone District to* _____ *Zone District*);
 - e. The site plan drawing subtitle shall contain a brief description of the proposed use.
 - f. Boundary drawing of the property with bearings and dimensions which illustrates the legal description of the subject property;
 - g. Legal description of the subject property;
 - h. The total amount of square footage and acreage contained in the subject property;
 - i. Zoning classification for all adjoining lots, parcels, or tracts;
 - j. The drawing shall clearly label or show by identified line symbol the boundary of the property proposed to be rezoned;
 - k. Written and graphic scale;
 - l. A North Arrow;
 - m. A vicinity map locating the property to be rezoned in relation to the surrounding area, streets, major natural features, etcetera;

- n. Provide a table on the drawing to indicate relationship between the proposed construction and existing construction to remain on the property in association with the development requirements of the proposed zone district;
- o. The drawing shall illustrate the size, shape and location of all existing buildings, structures and improvements which will remain on the subject property after development including: *(Note: Typical type drawings and or tables may be used to express the required information if appropriate.)*
 - 1) Each such building, structure and or improvement shall have a label and or note that identifies it and states its existing and/or proposed use.
 - 2) Location dimensions from at least two (2) property lines for each such building, structure and or improvement.
 - 3) Square footage and dimensions of all such buildings and structures.
 - 4) Building height of each building and/or structure.
- p. The drawing shall illustrate the size, shape and location of all proposed buildings, structures and improvements which will be located on the subject property including: *(Note: Typical type drawings and or tables may be used to express the required information if appropriate.)*
 - 1) Each such building, structure and or improvement shall have a label and or note that identifies it and states its proposed use.
 - 2) Location dimensions from at least two (2) property lines for each proposed building and/or structure.
 - 3) Square footage and dimensions of all buildings and structures.
 - 4) Building height of each building and/or structure.
- q. Identify by label or note each internal roadway proposed on the subject property after development including: *(Note: Typical type drawings and or tables may be used to express the required information if appropriate.)*
 - 1) Dimensions from property lines at the beginning and end of the roadway and centerline information for the entire roadway.
 - 2) Width at the beginning of the roadway and at any points along the roadway where the width changes.
 - 3) All access points from the subject property to the public roadway system. Locate each access point by providing dimensions from property lines.
 - 4) All internal traffic circulation patterns by line symbol.
 - 5) The surface type, the width and thickness, of each internal roadway.
- r. Identify by label or note, all pedestrian areas and walkways located outside of buildings and/or structures, on subject property, including: *(Note: Typical type drawings and or tables may be used to express the required information if appropriate.)*
 - 1) Dimensions of all pedestrian areas and walkways.
 - 2) Surface type, width, length and thickness of all pedestrian areas and walkways.
- s. Identify by label or note all off-street parking areas on the subject property including: *(Note: Typical type drawings and or tables may be used to express the required information if appropriate.)*
 - 1) Dimensions of overall size of all off-street parking areas.
 - 2) Proposed surface type for all off-street parking areas. *(See Section 5.3.2 of the FCZR for requirements).*
 - 3) Proposed thickness of the surface materials of the off-street parking areas.
 - 4) Identify by label or note and locate different types of off-street parking spaces. *(Such as full size spaces, compact spaces and spaces for individuals with disabilities). (Map symbols may be used)*
 - 5) Dimension each type of off-street parking space proposed to be used on the subject property. *(A typical drawing for each type of space is acceptable).*
 - 6) A table based on Sections 5.3 and 5.4 of the FCZR specifying the minimum numbers of spaces required for each use category in comparison to the numbers proposed by this application.

- t. Identify by label or note all off-street loading areas proposed to be contained on the subject property (*See Section 5.5 of the FCZR for requirements.*) including: (*Note: Typical type drawings and or tables may be used to express the required information if appropriate.*)
 - 1) Location and size, by dimension, all off-street loading areas.
 - 2) Proposed surface type for all off-street loading areas. (*See Section 5.3.2 of the FCZR for requirements.*)
 - 3) Proposed thickness of the surface materials of the off-street loading areas.
- u. Identify by label or note, the specific type and height (*at maturity for vegetation and an estimated time to reach maturity*) and locate, by dimension, all landscaping to be used within the off-street parking and loading areas. (*See Section 5.3.4 of the FCZR for requirements.*) (*Note: Typical type drawings and or tables may be used to express the required information if appropriate.*)
- v. Identify by label or note, and locate by dimension, the specific type of lighting proposed for off-street parking and loading areas (*See Section 5.3.3 of the FCZR for requirements*) including: (*Note: Typical type drawings and or tables may be used to express the required information if appropriate.*)
 - 1) The heights of light poles and illustrate the lighting coverage area.
 - 2) Proposed lighting shall not direct light onto any public roadways.
 - 3) Lighting shall not be directed toward surrounding properties.
 - 4) Shielding of lighting, or other methods, may be required to mitigate impacts to surrounding properties.
- w. Identify by label or note, and locate by dimension, the specific type of on-site identification signage proposed, including: (*Note: Typical type drawings and or tables may be used to express the required information if appropriate.*)
 - 1) Total square footage of all proposed signs along with the width and length of proposed signs.
 - 2) Total height of proposed signs, including poses and/or pedestals.
 - 3) A statement or note shall be provided to signify whether or not the proposed signs will be illuminated.
 - 4) Illuminated signage shall not direct light onto any public roadways.
 - 5) Illuminated signage shall not direct light onto adjoining properties.
- x. Identify by label or note, locate and dimension all open space areas, if provided.
- y. Identify by label or note all existing easements located on the subject property including:
 - 1) Dimensions from property lines at the beginning and end of the easement and centerline information for the entire easement.
 - 2) Width at the beginning and the end of the easement and at any points along the easement where the width changes.
 - 3) If existing easements are to be vacated or relocated appropriate information shall be provided by label or note.
- z. Identify by label or note all proposed easements to be located on the subject property after the zone change including:
 - 1) Dimensions from property lines at the beginning and end of the easement and centerline information for the entire easement.
 - 2) Width at the beginning and the end of the easement and at any points along the easement where the width changes.
- aa. Identify by label or note and locate and size, by dimension(s) all service and refuse areas.
- bb. Identify and locate all drainageways including FEMA flood areas, by dimensions from property lines;
- cc. Identify and locate, by dimensions, significant natural features of the subject property.
- dd. Identify and locate all drainage facilities, including:
 - 1) Dimension all Drainage facilities.

- 2) All drainage facilities shall be designated as a drainage easement.
 - ee. Designate soil type areas. In a table provide a brief description of the soil characteristics.
 - ff. If the drawing requires the use of symbols or lines that cannot or should not be identified by label, then the drawing shall include a legend in which to identify them.
 - gg. If the drawing requires notes in order to understand different aspects of the property and or proposal, then the drawing shall contain a note section in which each note is identified by a numerical or alpha designation.
 - hh. Date of preparation and date of revision, if necessary.
6. A detailed utility plan showing the location of all utilities (*water, sewer, electric, gas, telephone, cablevision lines, irrigation ditches and lines, horizontal and vertical*), as proposed by the developer shall be attached marked as Exhibit ZC-6.1. The plan shall include the signatures of all the utility companies noting their approval of the plan. An exhibit has been attached.
7. The property owner shall execute a Quit Claim deed with a deed restriction addressing the maintenance of any required drainage facilities, easements, right-of-ways, related structures and/or facilities. (*County will not accept maintenance of these facilities*) Such deed shall be recorded at the time of recording of the zone change. A copy of the deed shall be attached marked as Exhibit ZC-7.1. An exhibit has been attached.
8. Designate soil types and descriptions.
9. A submittal fee of \$ _____ is attached to this application (Check # _____ cash)

By signing this Application, the Applicant, or the agent / representative acting with due authorization on behalf of the Applicant, hereby certifies that all information contained in the application and any attachments to the Application, is true and correct to the best of Applicant's knowledge and belief.

Applicant understands that any required private or public improvements imposed as a contingency for approval of the application may be required as a part of the approval process.

Fremont County hereby advises Applicant that if any material information contained herein is determined to be misleading, inaccurate or false, the Board of Commissioners may take any and all reasonable and appropriate steps to declare actions of the Board regarding the Application to be null and void.

Signing this Application is a declaration by the Applicant to conform to all plans, drawings, and commitments submitted with or contained within this Application, provided that the same is in conformance with the Fremont County Zoning Resolution.

Applicant Printed Name

Signature

Date

Owner Printed Name

Signature

Date