

AN ORDINANCE OF THE TOWN OF PINEDALE, WYOMING CREATING CHAPTER 17.19 OF THE PINEDALE MUNICIPAL CODE RELATING TO THE REQUIREMENT OF SITE PLANS.

NOW, THEREFORE BE IT HEREBY ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PINEDALE, WYOMING, THAT CHAPTER 17.19 OF THE PINEDALE MUNICIPAL CODE IS HEREBY CREATED TO READ AS FOLLOWS.

SITE PLANS

Sections:

- 17.19.010 Actions and uses requiring approval
- 17.19.020 Submission of application; contents
- 17.19.030 Referral of application to Planning and Zoning Commission
- 17.19.040 Council Action
- 17.19.050 Standards for approval; expiration of approval

17.19.10 Actions and uses requiring approval. Approval of a site plan must be acquired from the Town Council before a building permit or certificate of occupancy is issued whenever it is proposed or intended that:

- A. A residential use is changed to a nonresidential use or partly residential and partly nonresidential.
- B. An existing nonresidential use is changed as to use or size and the change involves costs in excess of \$20,000 and in all cases where a changed use requires a change in parking standards.
- C. Any new nonresidential project regardless of change in size.
- D. Unimproved realty is developed for any use other than a single-family or a two unit multiple family dwelling.

17.19.020 Submission of application; contents.

A. An application for site plan approval by the Town Council shall be submitted to the Town Engineer and/or Planning /Zoning Administrator. Before any such application shall be forwarded on for action, it shall be examined first by the Town Engineer and/or Planning /Zoning Administrator and, unless endorsed by such official(s) as complete, the application shall not be considered filed. The date of such endorsement shall be considered the filing date of the application.

B. Seven (7) sets of the site plan drawing(s) shall be submitted and shall include the following information prepared and signed by a Wyoming licensed professional engineer or surveyor:

- 1. A map of the applicant's entire concerned property, at a scale of not more than 20 feet to the inch, and a color rendering of the proposed structure.
- 2. An area map of the applicant's property, to scale, showing all properties, subdivisions, streets and easements within 250 feet of the applicant's concerned property.

3. A topographic and boundary survey map of the property at two-foot contour intervals, unless otherwise specified by the Town Council, showing the existing and proposed regraded surface of the land and the location of natural features such as streams. Topographic and boundary information survey shall indicate all easements, covenants and restrictions, all drainage, roadway, driveways, entrances, existing features outside of the subject property survey by a distance of 75 feet. The Town Engineer may require additional distance depending on his/her discretion.

4. A detailed site plan prepared by a Wyoming licensed design professional showing location map 5"x5" at 1"=2000' scale and vicinity map 5"x5" at 1"=400' showing the applicant's entire property and adjacent properties and streets, existing conditions and proposed physical changes, proposed use of all buildings and structures, any proposed division of buildings into units of separate occupancy, existing topography and proposed grade elevations, the location for the placement of any construction trailer and any screening of same, location of all parking and truck loading areas, along with access and egress drives thereto, front rear and side elevations of all buildings, location of outdoor storage, if any, location and type of recreation facilities, if any, location of all existing or proposed site improvements, including drains, culverts, retaining walls and fences, description of method of water supply and sewage disposal and location of such facilities, landscaping, where required, location and design of lighting facilities, and the location, size and type of all proposed signs. In addition, the application shall be accompanied by a stormwater pollution prevention plan consistent with the requirements of Wyoming Department of Environmental Quality. The SWPPP shall meet the performance and design criteria and standards of the WYDEQ.

5. Site Plan submissions shall provide the following information either as individual drawings in a set to properly convey the necessary information listed below or one or two drawings, depending upon the complexity and size of the subject action. Subdivision Plat (if subject property being subdivided), zoning compliance plan indicating all parking, setback, area requirements and tabular compliance table(see application checklist), grading plan and erosion control plan, utilities plan indicating water, sewer, drainage plan, landscaping plan, lighting plan indicating isocandle contours of proposed lighting, details of all proposed site improvements in all above aforementioned drawings and specifications pertaining to all proposed work either bound and provided separately

6. A detailed computation of total lot area, of building floor area for each type of proposed use, building coverage, roads and parking.

7. For industrial or business uses, specific uses proposed, number of employees for which buildings are designed, type of power to be used for any manufacturing processes, type of wastes or by-products to be produced by any manufacturing process and proposed method of disposal of such wastes or by-products.

8. A drainage plan for maintaining all runoff water on site prepared by a professional engineer licensed in the State of Wyoming. Said plan shall indicate all calculations, computations and analysis as well as a written narrative on the existing and proposed conditions and their relationship to the existing and proposed flows. A finalized drainage solution shall be designed and shown as part of the plan

9. Exterior lighting plan to comply with applicable ordinances. Hours of lighting may be limited by the Town Council in acting on any site plan.

10. Landscaping, screening and buffer plan to comply with applicable ordinances.

11. Any additional information as the Town Engineer and/or Planning /Zoning Administrator may deem reasonably necessary in order to evaluate on the application. Upon request of the applicant, the Town Engineer and/or Planning /Zoning Administrator may waive submission of all or part of the above-described information or material if the Town Engineer and/or Planning/Zoning Administrator find(s) that such matter is not necessary to evaluate the application.

12. Pre-submission conference. Prior to the submission of a site development plan application, an applicant may request that a conference be held. The conference shall include the Town Engineer and/or Planning/Zoning Administrator, the applicant and such other persons as may be deemed appropriate by the Town Engineer and/or Planning/Zoning Administrator. The purpose of such conference shall be to give both the town and the applicant an opportunity to gain a better perspective on the ramifications of the proposal. This conference does not constitute a formal submission of an application.

17.19.030 Referral of application to Planning and Zoning Commission. Each application involving site plan approval, together with the required information described above, shall be referred to the Planning and Zoning Commission by the Town Engineer and/or Planning and Zoning Administrator for review upon the application being deemed filed. The Planning and Zoning Commission shall hold a public hearing on the site plan application within thirty days after the date that a complete application is referred to it. The public hearing shall be advertised at least once in a newspaper of general circulation in the Town at least three days before such hearing, and a notice of the hearing shall be mailed to the applicant at least ten days before such hearing. The Planning and Zoning Commission shall make its recommendation to the Town Council at the end of the public meeting. Notwithstanding the above, the time within which the Planning and Zoning Commission must render its decision may be extended by mutual consent of the applicant and the Planning and Zoning Commission.

17.19.040. Council Action. The Town Council shall consider the site plan application at its next regularly scheduled meeting after the meeting of the Planning and Zoning Commission for consideration thereof. At that meeting, the site plan application shall be approved, disapproved with reasons for such disapproval given, referred back to staff or the Planning and Zoning Commission for further review or tabled. If referred back to staff or the Planning and Zoning Commission or tabled, the site plan application shall be reconsidered again by the Town Council no later than forty-five (45) days after such action is taken. At the meeting for reconsideration, the site plan application shall either be approved or disapproved with reasons for such disapproval given. Notwithstanding the above, the time within which the Town Council must render its decision may be extended by mutual consent of the applicant and the Town Council.

17.19.050. Standards for approval; expiration of approval.

A. General standards. The proposed use and construction of buildings and other structures, including outside storage areas, site development and landscaping and off-street parking and loading and all other proposed uses, shall conform to all of the requirements of this chapter and all other ordinances of the Town, including but not limited to zoning and subdivision ordinances. In considering any proposed site plan, the Planning and Zoning Commission and the Town Council shall take into consideration the requirements of the Town Master Plan and the

Official Map. The Planning and Zoning Commission and the Town Council may also consider the proposed location of main and accessory buildings on the site and their relation to one another, traffic circulation within the site, height and bulk of buildings, provision of off-street parking space, provision of buffer areas and other open spaces on the site and display of signs, so that any development will adequately handle pedestrian and vehicular traffic within the site in relation to the street system adjoining and will harmoniously and satisfactorily fit in with contiguous land and buildings and adjacent neighborhoods. In addition, the Planning and Zoning Commission and the Town Council may consider the factors of architectural design as it relates to the character of the site and the community, existing and proposed landscaping plans, drainage, road alignment, sewage and waste disposal, air and water pollution and other environmental, aesthetic and engineering aspects of such site plan. The Planning and Zoning Commission or the Town Council may require the review of such factors by authorities appointed by the Town and at the cost of the applicant or developer, and the Planning and Zoning Commission may advise or the Town Council may require additional requirements based upon this review.

B. Access. Provision shall be made for vehicular access to the concerned property in such a manner as to avoid undue hazards to traffic and undue traffic congestion on any public street.

C. Neighborhood. The site plan shall be of a character so as to harmonize with the neighborhood, to accomplish a transition in character between areas of unlike character, to protect property values and to preserve and enhance the appearance of the community.

D. Expiration.

1. Site plan approval shall expire after one year if no work is done on the project and after two years if the project is commenced within said one year period but not completed.

2. The Town Council may, upon a finding that the applicant is proceeding with the project with due diligence and has offered a reasonable explanation of its inability to commence and/or complete the project, grant one or more six-month extensions of the site plan approval subject to such conditions as the Town Council determines are appropriate. The granting of extensions under this section shall not require a public hearing. Any final site plan approval granted by the Town Council shall lapse, should a request for a building permit not be made by the applicant or successors in interest of the applicant within one year of the date of the Town Council's final site development plan approval. It shall be authorized, upon application by the applicant or successors in interest of the applicant, to vary the effect of the one-year lapsing provision for good cause shown. All such applications shall be referred, in writing, by the Planning and Zoning Commission for its review and recommendations, based upon the following factors: the extent to which the applicant or the applicant's successors in interest have contributed, are committed to contribute or propose to contribute financially to the public water, sewer, drainage or other infrastructure improvements of the Town of Pinedale, to the benefit of the public at large; the extent to which reapplication for the renewed site development plan approval would constitute an undue and unnecessary burden upon the public boards, officers and employees of the Town of Pinedale; and the extent to which the applicant or the applicant's successors in interest possess the means and abilities to follow through with development of the approved final site plan within a reasonable time.

PASSED ON FIRST READING ON __November 24__, 2008.

PASSED ON SECOND READING ON _____, 2008.

PASSED, APPROVED AND ADOPTED ON THIRD READING ON _____, 2008.

ATTEST:

TOWN OF PINEDALE, WYOMING:

BY: _____
STEPHEN B. SMITH, MAYOR

TOWN CLERK

ATTESTATION BY TOWN CLERK

STATE OF WYOMING)
COUNTY OF SUBLETTE) ss.
TOWN OF PINEDALE)

I hereby certify that the foregoing Ordinance No. _____ was duly published in the _____, a newspaper of general circulation published in the Town of Pinedale, Wyoming, on the _____ day of _____, 2008. I further certify that the foregoing Ordinance was duly recorded on Page _____ of Book _____ of Ordinances of the Town of Pinedale, Wyoming.

Town Clerk