

ORDINANCE NO. 2019- 16

AN ORDINANCE AMENDING ARTICLE 13-9 OF THE ZONE DISTRICT REGULATIONS OF THE ORDINANCES OF THE CITY OF ROCK SPRINGS, WYOMING, ENTITLED "ADMINISTRATIVE PROCEDURES".

WHEREAS, after notice given in the manner and for the time required by law, the Planning and Zoning Commission of the City of Rock Springs held a public hearing on the 11th day of September, 2019, on proposed amendments to Article 13-9 of the Ordinances of the City of Rock Springs, and;

WHEREAS, the Planning and Zoning Commission of the City of Rock Springs, Wyoming, voted to recommend approval of amendments to Article 13-9 of the Ordinances of the City of Rock Springs as outlined below; and,

WHEREAS, notice of hearing before the Governing Body of the City of Rock Springs, Wyoming, has been given as required by law, and the Governing Body has determined that said amendments should be adopted.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ROCK SPRINGS, STATE OF WYOMING:

Section 1. That Section 13-906 D. of the Ordinances of the City of Rock Springs be amended as follows:

13-906 D. Preliminary Development Plan

(1) Submittal Requirements.

(2) Planning Commission Review and Hearing.

a. Notice of Hearing.

The Commission shall hold a public hearing on the Preliminary Development Plan. A notice of the time, date, place, and purpose of the hearing shall be published in the official newspaper of the City of Rock Springs at least fifteen (15) days prior to the date of the hearing.

A similar notice shall be mailed at least ten (10) days before the day of the hearing to each owner of property situated wholly or partly within two hundred (200) feet of the property to which the P.U.D. relates. The Zoning Administrator shall be responsible for placing and mailing such notices. For purposes of giving mailed notice, the Zoning Administrator shall require the applicant to furnish the names and addresses of all property owners within two hundred (200) feet of the property. The Zoning Administrator shall make a copy of the notice and a list of the owners and addresses to which the notice was sent as a part of the record of the proceedings. Failure of individual property owners to receive notice shall not invalidate the proceedings.

In addition, within ten (10) days of the first hearing a sign indicating proposed planned unit development shall be posted by the developer on the affected property, however, failure of a sign to be posted or remain posted may not invalidate the proceedings.

b. Review.

In considering applications for P.U.D. Approval, the Commission shall consider the following: interrelationship with the plan elements to conditions both on and off the

property; conformance to the City's Comprehensive Plan; the impact of the plan on the existing and anticipated traffic and parking conditions; the adequacy of the plan with respect to land use; pedestrian and vehicular ingress and egress; building location and height; landscaping; lighting; provisions for utilities; site drainage; open space; loading and unloading areas; grading; signage; screening; setbacks; and other related matters.

(2) Platting Requirements.

~~—All applicants for a Planned Unit Development permit shall be required to file with Sweetwater County a plat of said Planned Unit Development complying with all of the requirements of the Subdivision Ordinance of the City, except to the extent that the Council may give specific permission to the effect that specific portions of the Subdivision Ordinance need not be complied with. Such required plats shall contain on their face a cross-reference to the Final Development Plan.~~

The Commission shall consider oral or written statements from the applicant, the public, City staff, or its own members. It may question the applicant and approve, disapprove, or table the Preliminary Development Plan. The application may not be tabled for more than two (2) regular meetings of the Commission.

If the Commission shall determine by motion that the proposed Preliminary Development Plan will not be detrimental to the health, safety, or welfare of the community nor will cause traffic congestion or seriously depreciate surrounding property values and at the same time is in harmony with the purposes and intent of this Ordinance, the plan for the area, and the Comprehensive Plan, the Commission may recommend granting Preliminary Development Plan Approval along with necessary conditions and safeguards. The Commission shall notify the City Council in writing of its recommendation.

(3) City Council Review and Hearing.

Section 2. That Section 13-906 E. of the Ordinances of the City of Rock Springs be amended as follows:

Section 13-906.E. Final Development Plan.

(1) Approval.

(2) Platting Requirements.

All applicants for a Planned Unit Development permit shall be required to file with Sweetwater County a plat of said Planned Unit Development complying with all of the requirements of the Subdivision Ordinance of the City, except to the extent that the Council may give specific permission to the effect that specific portions of the Subdivision Ordinance need not be complied with. Such required plats shall contain on their face a cross-reference to the Final Development Plan.

Section 3. That Section 13-906 G. of the Ordinances of the City of Rock Springs be amended as follows:

(1) Minor Changes.

(2) Major Changes.

Major changes, such as alterations in structural types, in the shapes and arrangements of lots and blocks, in the allocation of open space or other land uses which increase density and/or intensity of the project, and all other changes which significantly affect the overall design of the project shall be referred to the Planning and Zoning Commission for report and recommendation to the Council after which the City Council shall hold a public hearing and shall either approve or deny the changes in the Final Detailed Development Plan. If such changes are authorized, the developer shall submit a revised plan showing the authorized changes. Requirements of Section 13-906.D.3. shall apply to requests for Major Changes. Applications for a Major Change shall be made on forms supplied by the Zoning Administrator and shall be accompanied by the required fee and exhibits as required by the Zoning Administrator.

PASSED AND APPROVED this ____ day of _____, 2019.

President of the Council

Mayor

Attest:

City Clerk

1st Reading: _____

2nd Reading: _____

3rd Reading: _____