

ORDINANCE NO. 568

AN ORDINANCE AMENDING 18.16.015 SITE PLAN REQUIREMENTS APPROVAL CRITERIA OF THE TOWN OF MILLS MUNICIPAL CODE PERTAINING TO THE LENGTH OF TIME AN APPROVED SITE PLAN IS VALID.

WHEREAS, the Town of Mills wished to provide the Planning and Zoning and the Town Council with updated and accurate applications prior to final approval; and,

WHEREAS, the Town wishes to minimize the number of site plan applications that are approved yet never constructed; and,

WHEREAS, the Town wishes to provide an administrative permitting process that is best suited to protect the health, safety and welfare of its citizens.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF MILLS, WYOMING:

SECTION 1:

That Section 18.16.015 is hereby amended as follows:

18.16.015 SITE PLAN REQUIREMENTS APPROVAL CRITERIA

***SITE PLAN REQUIREMENTS
APPROVAL CRITERIA***

A. The staff, Zoning Board and Town Council shall approve site plans that meet the standards found in this chapter and the following criteria:

B. Is compatible with the goals and policies of the Town of Mills land use plans.

C. Promotes the efficient use of land by sound arrangement of buildings, safe and functional points of access, well planned parking circulation, and adequate sidewalks and pathways for pedestrians.

D. Provides for usable open space within multi-family complexes, such as bicycle paths, playground areas, courtyards, areas for active recreation, swimming pools, landscaping, outdoor seating or picnic areas, and similar open space.

E. Preserves and utilizes existing landscape features and amenities where possible, and blends such features with the new structures and other improvements.

DEFINITION

The site plan is a plot plan of the entire area to be developed. It shows the location and

size of buildings, the area of the land under consideration, street names and widths, parking area size, and all other items required on the site plan checklist. A site plan is required for all Planned Unit Developments; new multifamily residential buildings consisting of 8 or more dwelling units; new public, commercial, or industrial buildings; new churches; exterior additions to existing public, commercial, and industrial buildings, and exterior additions to existing churches. Off-street parking lots (new or being added to) also require site plan approval.

PROCEDURES

A. Individuals are required to meet with the town planner or his designee at least seven days prior to submitting an application for review, in order to discuss their proposals and the site plan application. A landscaping plan must be submitted to and approved by the Town of Mills prior to issuance of any building permits.

B. Following the applicant-staff meeting, a complete site plan application can be submitted to the town planner. The application shall consist of:

1. An original and two copies of the site plan application form;
2. Ten copies of a site plan containing all information required on the checklist;
3. For sites that are 10,000 square feet or more: A drainage plan providing for surface drainage and the effect the surface drainage will have on the area under consideration and adjoining areas, and proving compliance with the Town's urban Storm Water Management Plan.
4. For developments generating 75 or more vehicle trips per peak hour period: A traffic study prepared by a registered professional engineer shall be provided to the Town of Mills. Trip generation data shall be calculated using the trip generation guide (Institute of Transportation Engineers, most recent edition). If the data is not available, applicant shall provide an estimation which may either be accepted or rejected by the town planner.
5. Natural hazards shall be identified and what action shall be taken to alleviate the problems.
6. Buffering measures for the areas between all multifamily, townhouse and condominium dwellings adjacent to single-family dwellings, and for all PUD, commercial, industrial, and multifamily developments.

C. The procedure for submittal, approval or denial, and appeal for PUD site plans is set forth in the Town of Mills Code and applicable State Statutes.

D. Site plan applications for new or exterior additions to buildings, churches, and offstreet parking lots up to 5,000 square feet in building/parking lot area may be approved by the town planner or designee. The one exception involves commercial buildings, which will be reviewed by the Town Zoning Board and Town Council as

outline in "E" below. The application shall be reviewed for completeness within three working days of receipt. If not complete, the town planner shall notify the applicant and list the items needed to complete the application. After the application is complete, the town planner or designee shall approve, approve with contingencies, or deny the application within five working days and notify the applicant of the decision. If the application has been approved either with or without contingencies, the applicant shall sign the agreement and may obtain a building permit from the Town of Mills. If the application has been denied, the applicant shall not be issued a building permit. Decisions may be appealed in writing to the Town Council within ten calendar days of the decision. Denials that are not timely appealed shall become final.

E. Site plan applications for commercial buildings of any size and for all new or exterior additions to buildings, churches, and off-street parking lots over 5,000 square feet in building/parking lot area, and multifamily developments over 8 units, must be approved by the Town Zoning Board and Town Council. Applications must be submitted to the Town Clerk by 5:00 p.m. at least 15 days before the Town Zoning Board meeting at which the application is to be discussed.

1. The town planner or designee shall review the application for compliance with the site plan application requirements within three working days of submittal. If not complete, the application will be returned to the applicant within three days. Written notification shall include the reasons for the determination and shall list the items needed to complete the site plan, the drainage study, and/or the traffic study. If it is complete, the application shall be accepted and the date of acceptance written on all copies.

2. Incomplete applications shall not be placed on the Board agenda until it is resubmitted in complete and accurate form.

3. The town planner shall notify the applicant in writing at least five calendar days prior to the Zoning Board meeting at which the application will be considered. A meeting will also be scheduled between the applicant and the town planner to discuss the staff's comments to the Board. Section 18.16 6

4. The application will be considered by the Zoning Board at its meeting, and the town planner will provide review comments to the Board. The applicant will be given the opportunity to discuss the site plan, and other comments regarding the site plan may also be made.

5. The Board shall take one of the following actions, approve, approve with conditions, deny, or table the application.

6. If the site plan is approved (with or without conditions), the applicant must sign a site plan agreement stating terms of approval and his/her willingness to comply with those terms. If the application is tabled, it shall be considered at the next regularly scheduled Board meeting and a decision to approve, approve with conditions, or deny shall be

made. Appeal of decisions may be made in writing to the Town Council within ten calendar days of the decision.

7. The Town Council may consider the appeal at the next regularly scheduled Council meeting that is held after receipt of the written appeal within 15 business days of the Council meeting at which the appeal was heard. The Council shall make a final determination upon the appeal. (Ord. 514, 2005)

8. Approval of a Final Site Plan shall be valid for 180-days. If no building permits have been acquired within that time, the site plan must be returned to the Planning and Zoning Board as well as the Town Council, for re-approval. If the site plan expires the proposed development will be subject to the regulations in effect at the time the new site plan is approved.

9. Every permit issued shall expire unless the work on the site, authorized by such permit, is commenced within 180 days after its issuance, and the construction or work is being processed to a reasonable completion or if the work authorized on the site by such a permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, one extension of time, for a period not more than 180 days. The extension shall be requested in writing and justifiable cause demonstrated. Such a written request must be received 1 month prior to the next calendar Planning and Zoning Board meeting.

10. If a building permit expires and no further extensions are permitted the site plan must be returned to the Planning and Zoning Board as well as the Town Council, for re-approval. If the permits or site plan expires the proposed development will be subject to the regulations in effect at the time the new site plan is approved.

This ordinance shall be in full force and effect from and after passage on three readings and publication.

PASSED on 1st reading the 8 day of Dec, 2010.

PASSED on 2nd reading the 5 day of Jan, 2011.

PASSED, APPROVED, AND ADOPTED on 3rd and final reading the 9 day of Feb, 2011.

APPROVED AS TO FORM:



ATTEST:

Raeann Weber
Raeann Weber
Town Clerk

TOWN OF MILLS, WYOMING
A Municipal Corporation

Tanise M Lavering
Tanise M Lavering
Mayor