

ENROLLED ORDINANCE NO. 17-026

AN ORDINANCE AMENDING TITLE 17 “ZONING”, TO ESTABLISH CHAPTER 17.46 “PUD-COMBINED (COMMERCIAL, INDUSTRIAL, RESIDENTIAL) PLANNED UNIT DEVELOPMENT”, OF THE RIVERTON MUNICIPAL CODE, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH, AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF RIVERTON, FREMONT COUNTY, WYOMING:

Section 1. Chapter 17.46, PUD-COMBINED (Commercial, Industrial, Residential) PLANNED UNIT DEVELOPMENT, is hereby established to read as follows:

17.46.010 - Purpose.

- A. The purpose of the Planned Unit Development District is to provide the means and the guidelines through which tracts of land are developed through an overall Master Land Use Plan that integrates the land uses and site considerations for the land as a unit, rather than the traditional standard treatment of land uses in other zone districts. It is intended to reflect maximum design freedom to make the best use of topography and land features and to permit the developer an opportunity to more fully utilize the physical characteristics of the site, and to encourage mixed-use developments, including uses such as residential, office, commercial, and industrial; and to encourage higher quality development than possible under traditional standard zoning regulations. Through the Planned Unit Development zoning process, it is the intent that property will be developed with a unified design providing continuity between the various elements. It is further intended to achieve economics in land development, maintenance, street systems, and utility and drainage networks while providing usable, open spaces, and planned vehicle and pedestrian circulation for the inhabitants.
- B. Except as otherwise restricted, the Planned Unit Development may be proposed as a substitute for any existing zone and may be initiated by the owner as defined in this title and under the procedures of Chapter 17.46. The planned unit development may be used for residential, office, commercial, industrial, or agricultural purposes or any combination thereof.

17.46.020 - Findings for project approval.

The council, followed by consideration and recommendation from the planning commission, shall approve a PUD if the PUD is found to satisfy standards of this title, including the following:

- A. A zoning designation map with a Master Conceptual Site Plan.
- B. Be compatible with the goals and policies of the city master plan and other applicable adopted plans and policies;
- C. Be compatible with the area surrounding the project site and place no greater demand on existing city facilities and services than can be furnished by the city;
- D. Promote the efficient use of land by means of more economical arrangement of buildings, circulation systems, land uses, densities, and utilities;
- E. Provide for usable and suitably located open space such as, but not limited to, bicycle paths, playground areas, courtyards, tennis courts, swimming pools, planned gardens, outdoor seating areas, outdoor picnic areas, and similar open space;
- F. Demonstrate flexibility and quality in design to permit diversification in the location, type, and uses of structures;

- G. Combine and coordinate architectural styles, building forms, and building relationships within the development and in concert with adjacent and surrounding land and development;
- H. Minimize impact on adjacent zoning districts by limiting building heights, providing screening and/or other buffers;
- I. Preserve and utilize where possible, existing landscape features and amenities and encourage the harmonious combination of such features with structures and other improvements;
- J. Be designed and developed as a whole under the control of one owner, partnership, corporation, or agency;
- K. Consist of such a mixture of uses, density, or characteristic or creative design;
- L. Constitute a buffer zone between existing land uses and existing zones;
- M. Consist of a land area of a minimum of twenty acres in size; a smaller land area may be permitted with written approval by the planning commission.

17.46.030 - Permitted uses.

Except as otherwise permitted or restricted, all uses permitted in the R-1, R-2, R-2A, R-4, C-O, C-1, C-H, C-P, I-1, and AG districts are permitted in a PUD under this title

17.46.040 - Size of the PUD site.

A PUD may be utilized for a tract of land greater than Twenty (20) acres in size.

17.46.050 - Minimum standards.

- A. Minimum lot area, width, and yard requirements of other districts do not apply in the PUD.
- B. All subdivision design and construction requirements shall meet the requirements of Title 16 of the Riverton Municipal Code. Alternative design and construction requirements may be authorized by the city council during the PUD site plan approval or amendment process. Alternative design and construction requirements must be submitted to the Community Development Department prior to council review and must meet general acceptable good engineering practices.

17.46.060 - Open space.

A minimum of the following total land areas shall be retained as usable open space:

- A. Residential uses, twenty percent of the total land area;
- B. Commercial, ten percent of the total land area;
- C. Industrial, ten percent of the total land area.

17.46.070 - Dimensions and bulk standards and type of construction.

The type of proposed construction shall be described in the PUD application, providing that:

- A. If the spacing between main buildings is not equivalent to the spacing which would be required between buildings similarly developed under this title on separate parcels, other design features shall provide light, ventilation, and other characteristics equivalent to that which would have been obtained from the spacing standards.
- B. Buildings, off-street parking and loading facilities, open space, landscaping, and screening shall provide protection outside the boundary lines of the development comparable to that otherwise required of similar development in other existing districts.
- C. The maximum building height shall not exceed four stories or fifty feet for residential uses, or eight stories or seventy-five feet for commercial, office, and industrial uses, except that a greater

height may be approved if surrounding open space within the PUD, building setbacks, and other design features are used to avoid any adverse impact due to the greater height. *Architectural feature(s) may exceed height limit with City approval through the Board of Adjustment.*

17.46.080 - Density.

If the PUD is used as a separate zoning district, the number of units will be determined as provided in the PUD, with the PUD differing uses to be based upon the Riverton City code that most closely reflects the property use.

17.46.090 - Procedure.

Before a tract of land may be considered for Planned Unit Development, the developer(s) shall:

- A. Meet with the Community Development Director or his/her designee to discuss the proposal prior to submission of any application;
- B. Submit, prior to the development of an existing or proposed PUD within the city limits, the following to the Community Development Director:
 1. A site plan application per requirements of City of Riverton;
 2. A written statement which shall contain, as a minimum, the following information:
 - a. An explanation of the objectives to be achieved by the planned unit development,
 - b. A list of the abutting owners of record and their addresses from available records,
 - c. A statement of architectural theme and building type, distinguishing the uses of single-family dwellings, multifamily dwellings, townhouses, condominiums, and commercial, office, and industrial structures,
 - d. A program describing the uses and activities to be permitted within each area, including the following:
 - i. The types, sizes, and mixture of dwelling units
 - ii. The acreage or square footage of each use, including nonresidential parking, roadways, easements, rights-of-way, and recreational areas
 - iii. The number of off-street parking spaces
 - iv. Any other applicable restrictions such as building setbacks, height limits, access, grades, or widths of roads
 - v. The overall density for the entire planned unit development, as well as the maximum density for each land use, excluding rights-of-way and easements
 - vi. The proportion of land to be left in a natural condition as major open space or preserved areas, stated in terms of acreage or square footage, if any, as well as the ratio of open space in areas to be developed, stated on a square foot per unit basis
 - vii. A written statement by a registered, professional engineer(s), which shall describe the following:
 - (A) The proposed method and arrangement for connecting to the municipal water system, and the projected usage and needs
 - (B) The proposed method and arrangement for connecting to the municipal sewer system, and the projected usage and needs
 - (C) The soil, geological, and ground water conditions of the site; the manner in which storm drainage will be handled
 - (D) Preliminary drainage plan/design.

(E) Traffic impact study.

viii. If the PUD is to be developed in stages, a description of each stage and an estimated date of completion for each stage. Any change or alteration in the design of the PUD or completion, will require the owner to submit an amended plan in compliance with the most current rules and regulations adopted by the city and approved pursuant to Section 17.47.110;

- C. For a PUD established at the time of annexation, the owner shall provide a land use plan supported by the estimated water consumption;
- D. Subdivision Regulations. If the planned unit development is to be subdivided, the subdivision regulations of the city shall apply. If said regulations are precluded in any manner, through the use of townhouse or condominiums, appropriate platting shall be required and approved by the planning commission and city council;
- E. All information hereinabove required shall be submitted to the Community Development Director. All submissions shall include:
 - 1. All applicable data required by the subdivision regulations of the city,
 - 2. All information required by City of Riverton for site plan application.

17.46.110 - Approvals for site and development plans for PUD's.

- A. Upon submission of the required information the matter shall be referred to the Planning Commission and City Council in accordance with RMC 17.04.050.
- B. If the application is approved, the owner(s) may proceed with the development and shall obtain the required building permits from the community development department.
- C. In the event Council shall need additional information, the PUD may be considered at a later date.
- D. A denial of the proposal shall be considered final with regard to the proposed plan as submitted.

17.46.120 - Fees and advertisement.

- A. Upon submission of a zone change application and/or PUD application, the applicant shall pay a fee established by the council, for the cost of advertising, the public hearing, and the review of the application.
- B. If both the zone change and the PUD application are submitted concurrently, the applicant shall pay a fee established by council.

17.46.130 – Amendments and Changes to PUD's.

- A. Zoning amendments to PUD's or any part of PUD's shall be processed in accordance with the provisions of Section 17.04.050 of the Riverton Municipal Code in effect as of the Effective Date.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. This ordinance shall take effect from its adoption and publication as required by law and the ordinances of the City of Riverton.

PASSED ON FIRST READING	<u>October 17, 2017</u>
PASSED ON SECOND READING	<u>November 7, 2017</u>
PASSED ON THIRD READING	<u>November 14, 2017</u>

PASSED, ADOPTED AND APPROVED this 14th day of November, 2017.

CITY OF RIVERTON

By: _____
John L. Baker, Mayor

ATTEST:

Kristin S. Watson
City Clerk/Human Resource Director

ATTESTATION

I, Kristin Watson, Clerk of the City of Riverton, attest that Ordinance No. 17-026 was passed, adopted, and approved by the Governing Body of the City of Riverton on the 14th day of November, 2017. I further certify that the above proclamation ran at least once in the Riverton Ranger, a newspaper of general circulation within Riverton, Wyoming, the effective date of publication, and therefore the effective date of enactment being *November 21, 2017*.

Kristin S. Watson
City Clerk/Human Resource Director