



**PLANNING AND ZONING COMMISSION
MEETING AGENDA**

August 12, 2020

7:00 p.m., Rock Springs City Council Chambers

ROLL CALL

APPROVAL OF MINUTES

1. Review and approval of the July 15, 2020 Planning & Zoning Commission Meeting Minutes.

ACCEPTANCE OF STAFF REPORTS AND CORRESPONDENCE

1. Review and acceptance of all staff reports and correspondence into the record.

PUBLIC HEARINGS

1. Consideration of Language Amendments to the Rock Springs Zoning Ordinance, Section 13-815.H. (Setback and Height Encroachments, Limitations and Exceptions), filed by the City of Rock Springs. (Project PZ-20-00215 Staff Representative: Laura Leigh, City Planner)

UNFINISHED BUSINESS

1. None

NEW BUSINESS

1. Request for Conditional Use Permit approval for an oversized detached garage to be located at 1818 Emigrant Drive, filed by William Yedinak. (Project PZ-20-00225, Staff Representative: Laura Leigh, City Planner)

NOTIFICATION OF MINOR SITE PLANS AND STAFF APPROVED CONDITIONAL USE PERMITS

1. 7/20/2020 – PZ-20-00212 – 1965 Blairtown Road – Wireless Communication Eligible Facility Request, filed by Powder River Development Services representing Verizon Wireless.
2. 7/21/2020 – PZ-20-00210 – Sketch Plat Review – Subdivision X, proposed 8 lot residential subdivision located between College Estates Subdivision and Foothill Blvd., filed by Rob DeBernardi.

PETITIONS AND COMMUNICATIONS

1. Written petitions and communications.
 - a. City Council Updates – See attached
2. Petitions and communications from the floor.

ADJOURNMENT

**PLANNING AND ZONING
COMMISSION MINUTES
July 15, 2020
Wednesday, 7:00 p.m.
City Hall, Rock Springs, Wyoming**

Commissioners Present:	Dan Kennedy Ken Fortuna	Kevin Hardesty Emily Lopez
Commissioners via phone:	Vice Chair Sue Lozier Gary Collins	Justin Lemon Blake Manus
Commissioners Absent:	Chairman Matt Jackman	
Staff Present:	Laura Leigh, City Planner Cathy Greene, Senior Administrative Planning Technician	

CALL TO ORDER

Laura Leigh, City Planner called the meeting to order at 7:00 p.m.

NOMINATION OF TEMPORARY CHAIR

Ms. Leigh stated we needed to nominate and appoint a temporary chair for tonight's meeting.

Commissioner Lopez: made a motion to nominate Dan Kennedy as Chair.

Commissioner Fortuna: second.

Vote: All in favor.

ROLL CALL

After roll call it was determined that a quorum was present to proceed.

APPROVAL OF MINUTES

Chairman Kennedy asked the Commission for any corrections or additions to the Minutes from the June 10, 2020, Planning and Zoning Commission Meeting.

With no corrections or additions, Chairman Kennedy asked for a motion to accept the Minutes as presented.

Commissioner Fortuna: Motion to approve the Minutes as presented.

Commissioner Hardesty: Second.

Vote: All in favor. Motion carried unanimously.

ACCEPTANCE OF STAFF REPORTS AND CORRESPONDENCE

Chairman Kennedy asked for a motion to accept all correspondence and Staff Reports into the record.

Commissioner Fortuna: Motion to accept all correspondence and Staff Reports into the record.

Commissioner Lopez: Second.

Vote: All in favor. Motion carried unanimously.

CHANGES TO THE AGENDA

There were none.

UNFINISHED BUSINESS

There were none.

PUBLIC HEARINGS

1. **Consideration of Language Amendments to the Rock Springs Zoning Ordinance, Section 13-819 (Dining Decks), filed by the City of Rock Springs. (Staff Representative: Laura Leigh, City Planner)**

Staff Report

Ms. Leigh presented the Staff Report dated July 15, 2020, to the Commission. The public hearing was advertised and we have received no comments.

Commissioner Questions for Staff

Commissioner Kennedy asked what happens to the existing decks from the time this is repealed; Ms. Leigh stated that the repeal and the adoption of the new language will happen simultaneously at City Council.

Commissioner Lozier asked if there were any changes to the ordinance; Ms. Leigh stated the only thing she was aware was the language will be simplified regarding the site plan review and clarifying the definitions of bar/restaurant language.

Ms. Leigh said she will forward a copy of the proposed new ordinance to everyone once she receives it.

Chairman Kennedy asked for a motion.

Commission Vote

Commissioner Fortuna: Motion to approve with staff recommendations.

Commissioner Collins: Second.

Vote: All in favor. Motion carried unanimously.

NEW BUSINESS

- 1) Request for Conditional Use Permit approval for an oversized garage to be located at 313 I Street, filed by Jose Gonzalez. (Project PZ-20-00179, Staff Representative: Laura Leigh, City Planner)**

Staff Report

Ms. Leigh presented the Staff Report dated July 15, 2020, to the Commission.

Commissioner Questions for Staff

Commissioner Fortuna asked how staff felt about it; Ms. Leigh stated it was still a large garage and she did review her recommendations from the staff report.

Commissioner Collins asked what happens if someone else moves in in the future; Ms. Leigh stated there are procedures for home occupations that would still need to be met.

Commissioner Lopez commented about the size of the garage, the character of the neighborhood and the improvements being made are good.

Ms. Leigh explained the history and the size approvals in the past of garage sizes.

Chairman Kennedy discussed how it's been moving this way over time, with 3 car attached garages and larger detached garages.

Commissioner Lemon agrees houses and garages are getting bigger and how many oversized garage requests we see now.

Commissioner Fortuna asked Ms. Leigh if she would feel more comfortable with 1920 SF instead of 2000 SF; Ms. Leigh stated either way she just brought it up for information.

Commissioner Lopez it's better to see a garage than a parking area for all sorts of stuff.

Commissioner Lozier agreed with Emily's statement.

Commission Vote

Commissioner Lopez: Motion to approve with staff recommendations.

Commissioner Hardesty: Second.

Vote: All in favor. Motion carried unanimously.

**NOTIFICATION OF MINOR SITE PLANS /
STAFF APPROVED CONDITIONAL USE PERMITS**

1) 6/26/2020 – PZ-20-00167 – 231 Sheep Creek Drive – Conditional Use Permit, Staff Level – Special Purpose Fence (six foot fence within corner yard) - filed by Chase Erickson.

PETITIONS AND COMMUNICATIONS

1) Written petitions and communications.

a. Update on City Council Actions

Garnet Addition was approved, Ms. Leigh will include it on the report next month.

2) Petitions and communications from the floor.

Cathy Greene asked for Commissioners to please turn their microphones on and off during the meeting to assist with the recordings.

ADJOURNMENT

With no further business, the meeting was adjourned at 7:30 p.m.

These minutes approved by the Rock Springs Planning and Zoning Commission by vote this

_____ day of _____ 2020.

Laura Leigh, Secretary, Planning & Zoning Commission



**PLANNING & ZONING COMMISSION
STAFF REPORT
August 12, 2020
7:00 p.m., Rock Springs City Hall**

REPORT SUMMARY			
Agenda Item:	Public Hearing #1	Project Number:	PZ-20-00215
Project Name:	Setback Encroachments – Zoning Ordinance Amendment		
Project Location:	All Zoning Districts within the City of Rock Springs		
Project Description:	Petition filed by the City of Rock Springs to update the zoning ordinance to add allowable setback encroachments for cantilevered overhangs and underground structures.		
Applicant:	Laura Leigh, City Planner City of Rock Springs 212 D Street Rock Springs, WY 82901	Property Owner:	N/A
Engineer:	N/A		
Public Notification:	Adjacent Property Letters Mailed: N/A Public Hearing Notice: 7/25/2020		
References:	Chapter 13 - Zoning Ordinance - §13-815.H. Setback and Height Encroachments, Limitations and Exceptions.		
Exhibits:	A Chapter 13 - Zoning Ordinance - §13-815.H. Setback and Height Encroachments, Limitations and Exceptions. B Public Hearing Notice		

ANALYSIS:

To keep our zoning ordinance updated with current trends in development and the needs of the community, staff is requesting consideration for two additional allowable encroachments. Allowable encroachments are the limited items that are allowed to extend a certain distance into the required setback. The allowable encroachments are found in Section 13-815.H. of the Rock Springs Zoning Ordinance (see **Exhibit A**).

Cantilevered Projections:

First, we have seen a trend in residential construction with cantilevered projections. Cantilevered projections are design elements of the structure that project portions of the walls out from the foundation. Typically, these are found along the front or the rear of the home due to the layout of the floor systems.

This creates a problem because setbacks have been traditionally measured and verified from the foundation of the structure. Therefore, when reviewing a site plan, unless shown, we are not aware of the cantilevered projections until the structure is built on the foundation.

Staff is proposing an allowable encroachment of twenty-four (24) inches into all required setbacks for cantilevered overhangs not requiring ground or bracket supports. The proposed language also states that the cantilevered projections cannot be any closer than five (5) feet to the neighboring property line (for the instances where they may occur on an interior side setback). Additionally, the proposed language places a stipulation that the cantilevered projections, in aggregate, cannot exceed more than 30% of the length of the building wall in which they occupy. In my research, this number ranges from 20% to 30%.

The proposed language amendment is as follows:

Section 13-815.H.(1) – add paragraph (c) to read:

(c) In Any Yards, the following may project no more than twenty-four (24) inches into the required setback:

Cantilevered overhangs, not requiring ground or bracket supports, provided that they are no closer than five (5) feet to the neighboring property line and do not occupy, in aggregate, more than 30% of the length of the building wall in which they occupy.

Underground Structures:

Another trend that I have seen in newer construction is the placement of underground concrete gun safes/cold storage areas. As of now, they have been located under the footprint of the house (such as under the front entryway steps). I have, however, received a call recently inquiring about adding one under an existing concrete area that is next to the house. Currently, our ordinance does not address underground structures at all.

I began researching this and have found that the communities that have language for underground structures allow them to encroach anywhere on the lot, with no setback requirements. I would not recommend this.

I would like to propose allowing these with a minimum setback of three (3) feet to interior side property line and a minimum setback of ten (10) feet to the rear property line. I would not recommend allowing these to encroach into the front or corner side setback due to the high potential for utility service lines. Additionally, and no portion of the structure may project into any recorded easement.

The proposed language amendment is as follows:

Section 13-815.H.(3) – add paragraph (g) to read:

(g) In Interior Side Yards, underground structures (including but not limited to vaults, gun safes, shelters, cold storage, and wine cellars) are permitted with a minimum setback of three (3) feet from the property line, and no portion of the structure shall project into any recorded easement.

Section 13-815.H.(3) – add paragraph (h) to read:

(h) In Rear Yards, underground structures (including but not limited to vaults, gun safes, shelters, and wine cellars) are permitted with a minimum setback of ten (10) feet from the property line, and no portion of the structure shall project into any recorded easement.

PUBLIC NOTIFICATION:

A Public Hearing Notice was duly published in the Rock Springs *Rocket Miner* on July 25, 2020 (**Exhibit B**). At the time of this report, staff had not received any public comments on the proposed amendment. Staff will advise the Commission of any comments received.

STAFF RECOMMENDATION:

I would actually like the Commission to consider tabling the final discussion until the September 9, 2020 meeting. While reviewing and developing the language for the cantilevers and the underground structures, it became clear to me that the entire Section 13-815.H. regarding setback encroachments, needs attention. At the August P&Z Meeting, I will provide a review of the issues. Some of the necessary changes will also need to be addressed in other areas of the Ordinance, such as the Definition section. Postponing the final discussion and recommendation to September will allow me to continue to work on the encroachment section as a whole. I would not recommend moving forward the new language until the rest of the section is cleaned up as well. We can still use the August public hearing, since it was already advertised, to gather feedback on the amendments pertaining to cantilevers and underground structures.

EXHIBIT A

§13-815.H. Setback and Height Encroachments, Limitations and Exceptions (Current Ordinance)

proof of recordation with the County Clerk. (Ord. No. 89-20, 9-19-89).

H. Setback and Height Encroachments, Limitations and Exceptions

The following shall be considered as permitted encroachments on setback and height requirements except as hereinafter provided:

(1) In Any Yards

(a) In Any Yards The Following Are Permitted With No Required Setback From Property Lines:

Posts, driveways and parking areas, sidewalks and steps on grade, flag poles, ornamental features, signs, fire escapes, fences, yard lights and nameplate signs in residential districts, trees, shrubs, plants, flood lights or loading areas or authorized illuminated signs.

(b) In Any Yards The Following Are Permitted With A Minimum Setback Of Three (3) Feet From Property Lines:

Eaves, gutters, awnings.

(2) In Front Yards:

(a) In Front Yards The Following May Project No More Than Ten (10) Feet Into The Required Front Yard Setback:

Uncovered porches or decks not to extend above the height of the ground floor of the principal structure.

(3) In Side and Rear Yards:

(a) In Interior Side and Rear Yards, The Following Are Permitted With No Required Setback From Property Lines:

Recreational equipment and picnic tables, apparatus needed for the operation of active and passive solar energy systems.

(b) In Interior Side Yards And Rear Yards The Following Are Permitted With A Minimum Setback of Three (3) Feet From Property Lines:

Accessory utility or storage structures, detached garages.

(c) In Side Yards, Chimneys May Project Two Feet Provided The Width Of Any Side Yard Is Not Reduced To Less Than Four Feet.

(d) In Interior Side Yards And Rear Yards The Following Are Permitted With A Minimum Setback of Five Feet From Property Lines:

Balconies or uncovered decks above grade.

(e) In Interior Side Yards, attached or detached carports are permitted with a minimum setback of three (3) feet from the property line, with roof height not to exceed height of the house and designed to drain away from the adjacent property.

(f) In Corner Side Yards, attached carports are permitted only by Conditional Use Permit approval, with roof height not to exceed the height of the house, and designed to drain away from the adjacent property.

(4) In Rear Yards The Following Are Permitted With A Minimum Setback Of Three Feet From Property Lines:

Accessory utility or storage structures, detached garages.

(5) Height: Height limitations shall not apply to barns, silos, and other structures on ranches; to church spires, belfries, cupolas and domes; monuments; chimneys and smokestacks; flag poles; public and private utility facilities; transmission towers of commercial and private radio broadcasting stations; television antennae; parapet walls extending no more than four (4) feet above the limiting height of the building except as hereinafter provided; and solar energy collectors and equipment used for the mounting or operation of such collectors. (Ord. No. 87-28, 12-1-87; Ord. No. 92-17, 7-7-92).

I. Off-Street Parking Requirements.

(1) General Provisions.

(a) Floor Area. The term "floor area," for the purpose of calculating the number of off-street parking spaces required, shall be determined on the basis of the exterior area dimensions of the building, structure or use times the number of floors, minus ten (10) percent, except as may hereinafter be provided or modified.

(b) Non-Conforming Structures. Should a non-conforming structure or use be damaged or destroyed, it may be re-established except that in doing so, any off-street parking or loading space which existed before shall be retained and expanded as necessary to comply with standards herein and subject to the

EXHIBIT B

PUBLIC HEARING NOTICE

PUBLIC HEARING NOTICE

TAKE NOTICE that the Rock Springs Planning and Zoning Commission will hold a public hearing in the Rock Springs City Hall Council Chambers at 7:00 p.m., August 12, 2020, where all interested parties will have the opportunity to appear and be heard regarding the following:

An application submitted by the City of Rock Springs Planning and Zoning Department, to consider amending Chapter 13 (Zoning) of the Ordinances of the City of Rock Springs to allow setback encroachments for cantilevers and underground structures (such as safes, wine cellars, cold storage, etc.). The following sections are proposed for amendment:

Section 13-601 Definitions
Section 13-815(H) Setback and Height Encroachments, Limitation and Exceptions

For further information regarding the amendment, to obtain a copy of the proposed amendment, or to submit written comments regarding the amendment, please contact the City Planner's Office at the Rock Springs City Hall, 212 D Street, Rock Springs, Wyoming. You may also reach the City Planner by calling 307-352-1540 or via email at laura_leigh@rswy.net.

Dated this 23rd day of July 2020.

(s) Laura Leigh, City Planner, Secretary to the Planning & Zoning Commission

Bill to: City of Rock Springs
Publish: 7/25/2020



**PLANNING & ZONING COMMISSION
STAFF REPORT
August 12, 2020
7:00 p.m., Rock Springs City Hall**

REPORT SUMMARY			
Agenda Item:	New Business #1	Project Number:	PZ-20-00200
Project Name:	Yedinak - Oversized Detached Garage		
Project Address:	1818 Emigrant Drive		
Property Legal Description:	Lot 4, Commanche Hills, Phase 2		
Project Description:	Consideration of a Conditional Use Permit Application to allow for the construction of a detached garage exceeding 1,200 square feet.		
Applicant:	William Yedinak 1818 Emigrant Drive Rock Springs, WY 82901	Property Owner:	William G. Yedinak Trust Glenna R. Yedinak Family Trust 1818 Emigrant Drive Rock Springs, WY 82901
Engineer:	N/A	Surveyor:	Kent Felderman JFC Engineers & Surveyors 1682 Sunset Drive Rock Springs, WY 82901
Public Notification:	Adjacent Property Letters Mailed 7/23/2020; Public Hearing Notice – Not Required for Conditional Use Permits		
Current Master Plan Land Use Designation:	LDR (Low Density Residential)	Proposed Master Plan Land Use Designation:	N/A
Current Zoning District	R-1 (Low Density Residential)	Proposed Zoning District	N/A
References:	<ul style="list-style-type: none"> • Rock Springs Zoning Ordinance §13-801 Residential Zoning Districts • Rock Springs Zoning Ordinance §13-815.E. Accessory Buildings, Uses and Equipment • Rock Springs Zoning Ordinance §13-905 Procedure for Conditional Use Permit Approval 		
Exhibits:	<ul style="list-style-type: none"> A. Application B. Site Plan C. Utility Review Comment Forms D. Adjacent Property Owner Letter 		

REQUEST:

The applicant, William Yedinak, is requesting Conditional Use Permit approval for the construction of a 1,500 square foot detached accessory garage (30' x 50') to be located at 1818 Emigrant Drive, Rock Springs, Wyoming. The applicant is requesting Conditional Use Permit to be granted by the Planning & Zoning Commission to allow the size of the accessory structure to exceed 1,200 square feet. The application is included as **Exhibit A**.

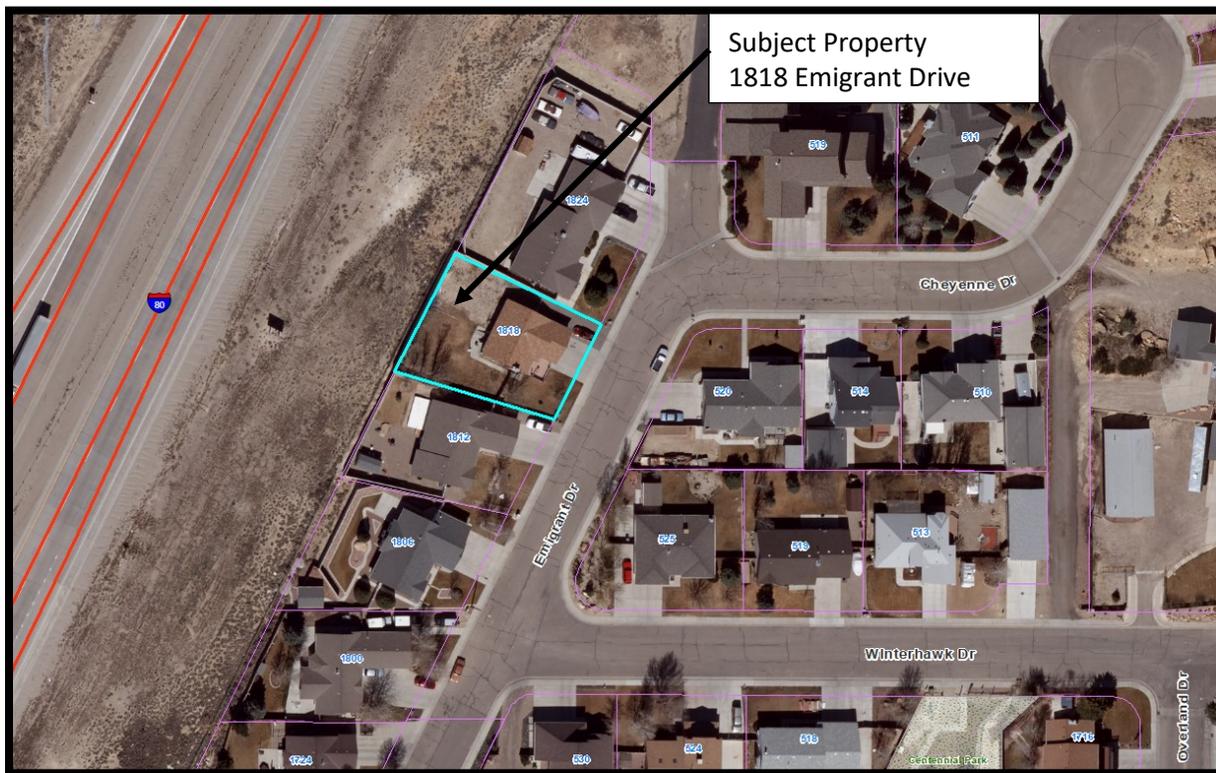


Figure 1: Location Map

PROPERTY LOCATION AND DESCRIPTION:

As shown in **Figure 1**, the property is an interior lot located between Emigrant Drive and Interstate 80. The principal structure, a 1,750 square foot residential structure, is already located on the property.

The subject property is legally described as Lot 4 of the Commanche Hills, Phase 2 Subdivision. The subject property has a lot width of 75 feet at the front property and 94.54 feet at the rear property line. The property has an average lot depth 118.945 feet. Total lot area is 10,004 square feet. There are no utility easements shown on the subdivision plat for this property.

ANALYSIS OF PETITION:

In accordance with §13-815.E(4) of the Rock Springs Zoning Ordinance, “No residential accessory building or garage shall exceed 1,200 square feet of floor area unless granted a Conditional Use Permit” by the Rock Springs Planning and Zoning Commission. The proposed 30' x 50' structure exceeds the maximum allowable square footage by 300 square feet. The site plan is included in **Exhibit B**.

Detached accessory structures have a required setback of 3 feet from side and rear property lines and a required 6 foot separation requirement between the principal structure and the accessory structure. The

required 3' side and rear yard setback is measured from eaves, gutters, and awnings. As shown on the Site Plan (**Exhibit B**), the foundation of the structure will have a minimum side and rear setback of five (5) feet. Additionally, the structure will be separated from the principal structure by 14.5'. The deck is uncovered and therefore does not count toward the required separation distance.

As noted above, the property has a total lot area of 10,004 square feet. Therefore, the property has an allowable lot coverage of 5,002 square feet. Based on the measurements provided on the site plan, the proposed lot coverage will be approximately 3,250 square feet, which is significantly less than the allowable 50% lot coverage.

As noted on the application, the proposed structure is a steel structure with 12' walls and a 4:12 pitch roof, for a total height of 19 feet. The applicant was advised that the height of the garage cannot exceed the height of the house.

UTILITY REVIEW:

Due to the size of the proposed structure, the site plan was forwarded to the Utility Review Committee for comment. Written comments are due back from the Utility Review Committee by Tuesday, July 14, 2020. The Utility Review Comment forms can be found in **Exhibit C**. The Rock Springs Engineering Department provided the following comment:

1. Drainage shall not affect adjacent properties.
2. Structures shall not be placed on any existing easements.

PUBLIC NOTIFICATION:

Adjacent Property Owner Notice letters were mailed to property owners located within 200 feet of the boundaries of the subject property on July 23, 2020. Refer to **Exhibit D**. Adjacent property owners were advised if they had comments regarding this request, that written comments may be submitted up to 4:00 p.m. on Wednesday, August 12, 2020 and all comments that are received prior to the scheduled meeting will be presented to the Planning and Zoning Commission.

Staff will advise the Commission of any comments received after the date of this report.

PROCEDURE:

Conditional Use Permits are reviewed in accordance with §13-905. The Planning and Zoning Commission grants the final determination of the Conditional Use Permit. They are not forwarded to the City Council for review. As noted in §13-905.D., the Commission "shall consider the effect of the proposed use upon the health, safety, and general welfare of occupants of surrounding lands, existing and anticipated traffic conditions including parking facilities on adjacent streets and land, and the effect of the proposed use on the Comprehensive Plan. The Commission may grant the application by motion, imposing such conditions and safeguards as it deems necessary, or it may deny the application."

Staff will provide a formal recommendation after public comment at the Planning & Zoning Commission Meeting. At a minimum, staff recommends the following conditions of approval be attached:

1. The use of the garage shall be limited to typical residential uses (i.e. storage of personal vehicles). Any Home Occupations within the garage shall comply with the City's Home Occupations Requirements.
2. Height of the garage shall not exceed the height of the principal structure.

3. Construction shall conform to the following standard comments for new accessory structure construction:
 - a. Verify property lines and utility locations prior to construction.
 - b. Construction shall conform to the approved site plan. Any modifications will require submission of a revised site plan.
 - c. In accordance with the Zoning Ordinance, driveways leading to the detached garage shall be paved with asphalt, concrete or asphaltic concrete up to the fence line separating the front yard from the back yard, or, in the case where no fence will be present, to the front building line of the house. The driveway shall be installed prior to the final inspection.
 - d. Drainage shall not impact adjacent properties and appropriate erosion control measures shall be utilized.
 - e. No portion of the proposed structure shall be located within a recorded easement.
 - f. A surveyor's certificate is to be provided attesting that an inspection of the property pins and setbacks conform to the approved site plan prior to footing inspection (measured from the footing forms).
 - g. Planning approval does not constitute building permit approval. Contact the City of Rock Springs Building Department to obtain a building permit for the garage.

EXHIBIT A

APPLICATION



2020 CITY OF ROCK SPRINGS CONDITIONAL USE PERMIT APPLICATION

Planning & Zoning Division 212 D Street Rock Springs WY 82901 307.352.1540 (phone) 307.352.1545 (fax)

City Use Only:

Date Received July 1, 2020 File Number: PZ-20-00200 Payment Information: Amount Received: \$0 Received by: COJ Date Certified as Complete Application: By:

A. PROPERTY ADDRESS: 1818 Emigrant Dr. R.S. WY. 82901

(NOTE: IF THE PROPERTY DOES NOT HAVE AN EXISTING ASSIGNED ADDRESS, LEGAL DOCUMENTATION OF THE LOCATION MUST BE SUBMITTED - i.e. Property Tax ID Number, Legal Description, etc.)

B. CONTACT INFORMATION:

NOTE: The City of Rock Springs will only send correspondence to the names and mailing addresses provided on this application. Attach a separate sheet if necessary.

Petitioner Information: Petitioner Name: William Yedinak Company Name: Street Address: City: State: Zip Code: Email Address: Phone Number: Fax Number:

Property Owner Information: Name: William Yedinak Company Name: Street Address: 1818 Emigrant Dr City: Rock Springs State: WY Zip Code: 82901 Email Address: wgyedinak@msn.com Phone Number: 307-362-5392 Fax Number:

Engineer / Architect Information: Name: Kent Felderman Company Name: JFC Street Address: 1682 Sunset Drive City: Rock Springs State: WY Zip Code: 82901 Email Address: Phone Number: 307-362-7519 Fax Number: 307-362-7569

C. CONDITIONAL USE PERMIT(S) REQUESTED (check all that apply):

**C.U.P. Requiring
Planning and Zoning Commission Approval**

**C.U.P. Requiring
Staff Level Approval**

- | | |
|---|--|
| <input type="checkbox"/> Adjusted Front Setback | <input type="checkbox"/> Accessory Structure Exceeding Height of Primary Structure |
| <input type="checkbox"/> Bed and Breakfast Inn | <input type="checkbox"/> Special Purpose Fence |
| <input type="checkbox"/> Corner Side Yard Attached Carport | <input type="checkbox"/> Unpaved Parking Area (Industrial) |
| <input checked="" type="checkbox"/> Detached Garage Exceeding 1,200sf | <input type="checkbox"/> Land Reclamation, Mining, & Soil Processing |
| <input type="checkbox"/> Gas Pumps & Fueling Stations | <input type="checkbox"/> Garage Exceeding Three (3) Doors |
| <input type="checkbox"/> Lot Coverage Exceeding 50% | <input type="checkbox"/> Driveway Access Exceeding 65% Street Frontage |
| <input type="checkbox"/> Off-Site Parking | |
| <input type="checkbox"/> Unpaved Parking Area (B-2 Zoning District) | |
| <input type="checkbox"/> Use of Explosives | |
| <input type="checkbox"/> Other, please specify: _____ | |

D. PLEASE ANSWER THE FOLLOWING ON THE SPACES PROVIDED:

1. Provide a detailed description of the intended Conditional Use, including proposed use, length of use (permanent or temporary), hours of operation, etc.

Detached 30'x50' Garage / Steel Structure w/12' walls

2. Describe all structures located on this property, including existing and proposed structures. **A site plan shall accompany this application.** Please refer to the enclosed Site Plan Checklist.

Existing single family home

E. SUBMITTAL REQUIREMENTS:

The following items are required for submitting a complete Conditional Use Permit / Site Plan Application and must be submitted in accordance with the submittal deadlines listed in Section G of this application. Applications submitted after the submittal deadlines as listed will be postponed until the following month. An incomplete application will not be reviewed and will be returned to the petitioner.

- Filing Fee - \$60.00
- 2 – Full-size Site Plan drawings drawn to scale (folded)
- 1 - 11x17 Site Plan drawing drawn to scale (if full-size drawing is larger than 11x17)
- 1 – PDF scanned at full-size of Site Plan drawing (submitted electronically to city_planner@rswy.net)
- Building Elevations / Architectural Drawings (drawn to scale)

F. SITE PLAN CHECKLIST

The following items shall be shown on your site plan (check them off as you consider each one):

- Project Address
- Location map
- Names and mailing addresses of developer / owner and engineer / architect
- Boundary line of property with all dimensions
- Adjacent streets and street rights-of-way
- Gross square footage of existing and proposed structures, including number of floors
- All paved and unpaved surfaces
- Parking facilities (including handicap parking) – including dimension of parking stalls, drive aisle widths, etc.
- Buildings and structures (existing and proposed), including setbacks from property lines for all structures
- Easements (access, utility, drainage, pedestrian, etc.)
- Utilities
- Landscaping
- Exterior signs
- Trash enclosures
- Surface water drainage arrows
- Location of Floodplain and/or Floodway on property, if applicable (separate Floodplain Development Permit Application also required)

G. APPROVAL PROCESS AND SUBMITTAL DEADLINES

CONDITIONAL USE PERMITS - STAFF LEVEL APPROVALS

Application submittal...	will be considered complete per Section E of this application.
Within 5 working days after application submittal...	Planning staff will notify all neighboring properties located within 200 feet of request.
At least 6 calendar days after application submittal...	a Utility Review meeting may be scheduled, dependent upon the type of application submitted.
No sooner than 10 calendar days after neighbor notification...	a Permit Determination shall be made. Permit Determination shall include such conditions as are deemed necessary to protect the health, safety and welfare of the community and surrounding neighborhood.
Within 10 working days of Permit Determination...	the decision of the Zoning Administrator may be appealed to the Planning & Zoning Commission via written request. Appeals to the Planning & Zoning Commission will following the Planning and Zoning Commission review process listed below.

CONDITIONAL USES REQUIRING PLANNING & ZONING COMMISSION REVIEW

NOTE: Applications that are not RECEIVED by **Noon** on the Application Deadline will be postponed until the following month's meeting. If a deadline falls near a City holiday, please contact the Planning Department to verify the days City Hall will be closed to ensure that your application is submitted on time.

The Rock Springs Planning & Zoning Commission reserves the right to table an application. The meeting dates provided below are for reference only and are subject to change.

	January P&Z Meeting	February P&Z Meeting	March P&Z Meeting	April P&Z Meeting	May P&Z Meeting	June P&Z Meeting	July P&Z Meeting	August P&Z Meeting	September P&Z Meeting	October P&Z Meeting	November P&Z Meeting	December P&Z Meeting
Application Deadline	12/23/2019	1/27/2020	2/24/2020	3/23/2020	4/27/2020	5/22/2020*	6/22/2020	7/27/2020	8/24/2020	9/28/2020	10/26/2020	11/23/2020
Utility Review Committee Meeting (if required)	Utility Review Meetings are held at least 6 days after application submittal. Utility Review Meetings are generally held on Tuesday afternoons and are scheduled in the order in which applications are submitted. A memo will only be sent to the parties listed on the application. The petitioner or an assigned representative is required to attend the meeting.											
Adjacent Owner Notice	Property Owner Notices will be prepared by the City of Rock Springs and mailed to property owners within 200' of the effected property a minimum of ten (10) days prior to the Planning and Zoning Commission Public Hearing.											
P&Z Meeting**	1/8/2020	2/12/2020	3/11/2020	4/8/2020	5/13/2020	6/10/2020	7/8/2020	8/12/2020	9/9/2020	10/14/2020	11/11/2020 * Date TBD	12/9/2020

*Dates may be changed due to Holiday/City Hall Closures.

**It is necessary that the applicant or assigned representative attend the Planning & Zoning Commission meeting. Failure to attend may result in your application being tabled or denied.

H. SIGNATURE(S) REQUIRED:

I acknowledge that I have read and understand this application and the pertinent regulations. I further certify that the information provided with this application is true and correct, and false or inaccurate information used by an applicant to secure compliance with the Zoning Ordinance shall be reason to deny or revoke any application or permit. I understand that it is the responsibility of the applicant and/or property owner to secure any and all required Local, Federal and State Permits (i.e. DEQ permits, County Permits, etc.) and I agree to contact those agencies accordingly.

Signature of Applicant William Yehonak Date 7-1-2020

Signature of Owner William Yehonak Date 7-1-2020

Signature of Engineer/Architect (if applicable) _____ Date _____

EXHIBIT B

SITE PLAN

SCALE: 1" = 15'
LOT 4, COMANCHE HILLS PHASE 2

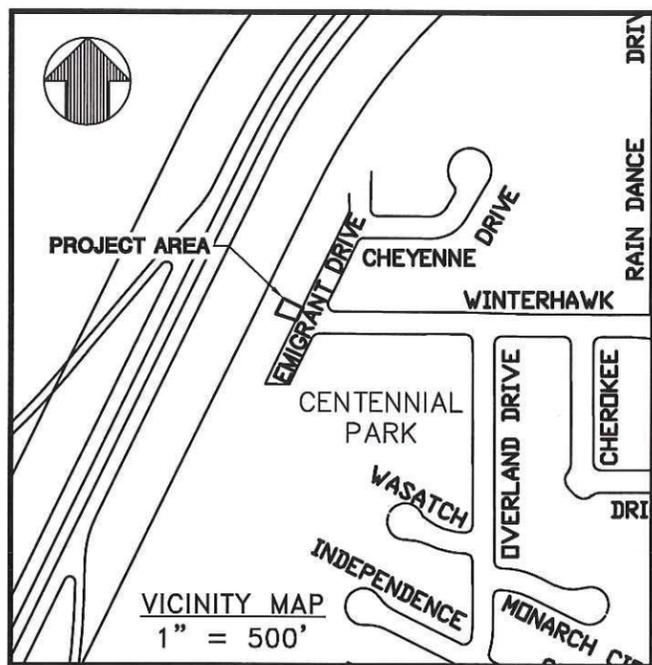


True Property Corner
(Position Unsetable)

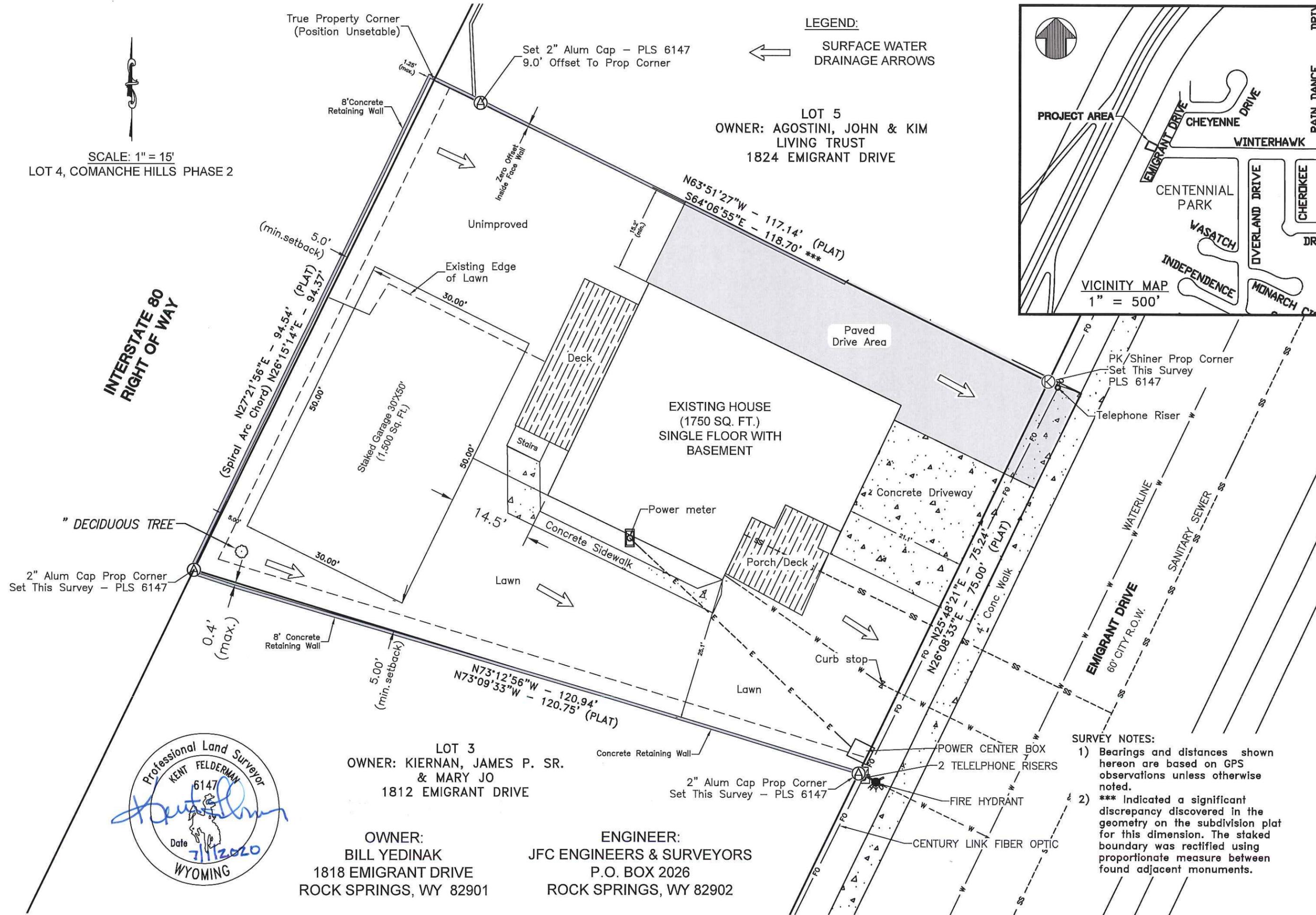
Set 2" Alum Cap - PLS 6147
9.0' Offset To Prop Corner

LEGEND:
SURFACE WATER DRAINAGE ARROWS

LOT 5
OWNER: AGOSTINI, JOHN & KIM
LIVING TRUST
1824 EMIGRANT DRIVE



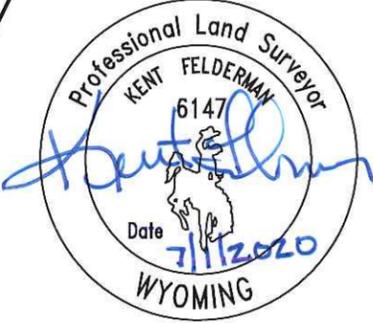
JFC ENGINEERS & SURVEYORS
PO BOX 2026
ROCK SPRINGS, WY 82902
PHONE (307) 362-7519
FAX (307) 362-7559
http://www.jfc-survey.com



INTERSTATE 80
RIGHT OF WAY

"DECIDUOUS TREE"

2" Alum Cap Prop Corner
Set This Survey - PLS 6147



LOT 3
OWNER: KIERNAN, JAMES P. SR.
& MARY JO
1812 EMIGRANT DRIVE

OWNER:
BILL YEDINAK
1818 EMIGRANT DRIVE
ROCK SPRINGS, WY 82901

ENGINEER:
JFC ENGINEERS & SURVEYORS
P.O. BOX 2026
ROCK SPRINGS, WY 82902

2" Alum Cap Prop Corner
Set This Survey - PLS 6147

- SURVEY NOTES:**
- 1) Bearings and distances shown hereon are based on GPS observations unless otherwise noted.
 - 2) *** Indicated a significant discrepancy discovered in the geometry on the subdivision plat for this dimension. The staked boundary was rectified using proportionate measure between found adjacent monuments.

PROJECT TITLE:
SITE PLAN
1818 EMIGRANT DRIVE - WILLIAM & GLENN YEDINAK
LOT 4, COMANCHE HILLS PHASE 2 SUBDIVISION
ROCK SPRINGS, WYOMING
Copyright © by JFC. Reproduction or other use of this drawing is prohibited unless authorized by JFC.

DRAWING TITLE:
SITE PLAN AS DESCRIBED

DRAWN BY:
JEK

CHECKED BY:
KEF

SCALE:
1" = 15'

DATE:
7/1/20

PROJECT NO:
10416-20S

SHEET NO:
1 OF 1

EXHIBIT C

UTILITY REVIEW COMMENT FORMS



UTILITY REVIEW - COMMENT SHEET

To:	Utility Review Committee
From:	Cathy Greene for Laura Leigh
Date:	July 8, 2020
Project #:	PZ-20-00200
Project Name:	Oversized Garage
Address/Location:	1818 Emigrant Drive
Description:	Applicant is requesting a CUP to construct a 1,500 SF detached garage.



There will be no meeting for this item, therefore, please provide detailed comments below. Please submit your Comment Sheet by 5:00 p.m. on Tuesday, July 14, 2020. Thank you!

I Meghan Jackson (name) have reviewed the plans on behalf of Engineering Dept. (Dept./Organization) for the above-referenced project.

Email: meghan_jackson@rswy.net Phone #: 307-352-1540

Please check as applicable:

- No issues - plans approved as submitted.
- Revisions required to the Site Plan/Plat/Drawing (attach separate sheet if necessary):

Other Comments/Issues (attach separate sheet if necessary):

1. Drainage shall not affect adjacent properties.
2. Structures shall not be placed on any existing easements.

Please provide me with a copy of the Revised Plans for review.

Signature of Reviewer

7/14/2020 Date



Department of Public Services/Planning

212 'D' Street, Rock Springs, WY 82901

Tel: 307-352-1540 Fax: 307-352-1545

Laura Leigh, City Planner

Email: laura_leigh@rswy.net

UTILITY REVIEW - COMMENT SHEET

To:	Utility Review Committee
From:	Cathy Greene for Laura Leigh
Date:	July 8, 2020
Project #:	PZ-20-00200
Project Name:	Oversized Garage
Address/Location:	1818 Emigrant Drive
Description:	Applicant is requesting a CUP to construct a 1,500 SF detached garage.



There will be no meeting for this item, therefore, please provide detailed comments below. Please submit your Comment Sheet by 5:00 p.m. on Tuesday, July 14, 2020. Thank you!

I Kyle Graham (name) have reviewed the plans on behalf of Rocky Mountain Power (Dept./Organization) for the above-referenced project.

Email: kyle.graham@rockymountainpower.net Phone #: 307.352.5207

Please check as applicable:

- No issues - plans approved as submitted.
- Revisions required to the Site Plan/Plat/Drawing (attach separate sheet if necessary):

Other Comments/Issues (attach separate sheet if necessary):

Please provide me with a copy of the Revised Plans for review.

Signature of Reviewer

7-9-20 Date



Department of Public Services/Planning

212 'D' Street, Rock Springs, WY 82901

Tel: 307-352-1540 Fax: 307-352-1545

Laura Leigh, City Planner

Email: laura_leigh@rswy.net

UTILITY REVIEW - COMMENT SHEET

To:	Utility Review Committee
From:	Cathy Greene for Laura Leigh
Date:	July 8, 2020
Project #:	PZ-20-00200
Project Name:	Oversized Garage
Address/Location:	1818 Emigrant Drive
Description:	Applicant is requesting a CUP to construct a 1,500 SF detached garage.



There will be no meeting for this item, therefore, please provide detailed comments below. Please submit your Comment Sheet by 5:00 p.m. on Tuesday, July 14, 2020. Thank you!

I Justin Stewart (name) have reviewed the plans on behalf of WRF (Dept./Organization) for the above-referenced project.

Email: Justin_Stewart@rswy.net Phone #: 307-352-1466

Please check as applicable:

- No issues - plans approved as submitted.
- Revisions required to the Site Plan/Plat/Drawing (attach separate sheet if necessary):

Other Comments/Issues (attach separate sheet if necessary):

Please provide me with a copy of the Revised Plans for review.

Justin B. Stewart
Signature of Reviewer

7/14/20
Date



BRS, Inc.

1130 Major Ave.
Riverton, WY 82501
E-Mail: brs@brsengineering.com
307-857-3079 Fax: 307-857-3080

**City of Rock Springs, Wyoming
Utility Review
Wyoming Abandoned Mine Lands**

To: Utility Review Committee
From: Ryan Reed, BRS Inc., P.E.
Date: 7/14/2020
Project #: PZ-20-00200
Project Address: 1818 Emigrant Drive

I, Ryan Reed, have reviewed the Project location(s) in relation to potential for abandoned mine subsidence and determined:

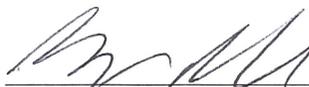
- Property is undermined by abandoned mine workings at an approximate depth of 1,550 feet
- Property is adjacent to abandoned mine workings at an approximate depth of _____
- Property is not impacted by any known abandoned mine workings.

Based upon potential for abandoned mine subsidence:

- It is Recommended that Remediation efforts be made at the Project location(s).
- It is Recommended that Exploratory Drilling be completed at the Project location(s).
- No Remediation Action is Recommended at this time.

Other Comments/Issues:

Rock Springs #1 Coal Seam, Rock Springs No. 1 Mine



Signature

7/14/20
Date

NOTES:
PROPERTY LINES AND MAP ARE SHOWN FOR CONCEPTUAL PURPOSES ONLY AND SHOULD NOT BE USED FOR OTHER PURPOSES. LINES OBTAINED FROM THE COUNTY. NO SURVEY HAS BEEN DONE TO VERIFY ACCURACY. MINE MAPS MAY VARY SUBSTANTIALLY OR ARE INCOMPLETE FROM ACTUAL UNDERGROUND WORKINGS AND CANNOT BE USED FOR THE TOTAL EXTENTS OF ALL WORKINGS.



LEGEND

PROPERTY BOUNDARY 
KNOWN HISTORIC UNDERGROUND MINE MAPPING 

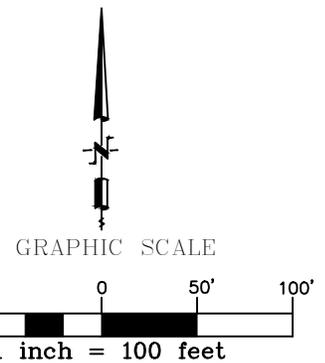


EXHIBIT D

ADJACENT PROPERTY OWNER LETTER

July 23, 2020

Dear Property Owner and/or Interested Party:

This letter is to inform you that property owner, William Yedinak, has applied to the City of Rock Springs for the following Conditional Use Permit relative to the construction of a 30' x 50' detached accessory structure for property located at **1818 Emigrant Drive**, Rock Springs, Wyoming. Records show that this property is adjacent to or near property you own (see location map below). The following summarizes the Conditional Use Permit request:

- 1) The applicant is requesting Conditional Use Permit approval for the construction of a 1,500 square foot detached accessory building (see enclosed site plan). In accordance with §13-815.E.(4) of the Rock Springs Zoning Ordinance, "No residential accessory building or garage shall exceed 1,200 square feet of floor area unless granted a Conditional Use Permit" by the Rock Springs Planning and Zoning Commission.

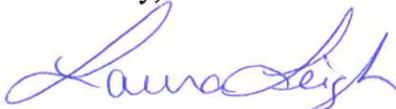
The Rock Springs Planning and Zoning Commission will consider the application for the above request at a public meeting held on **Wednesday, August 12, 2020, at 7:00 p.m.** in the Rock Springs City Hall Council Chambers, 212 'D' Street, Rock Springs, Wyoming. Interested persons or parties are encouraged to attend the meeting or submit written comments.

Please address all written comments to the Rock Springs Planning and Zoning Commission. Comments may be mailed or delivered to: City of Rock Springs, Attn: Planning & Zoning, 212 D Street, Rock Springs, WY 82901. Comments may also be emailed to the Rock Springs City Planner at laura_leigh@rswy.net.

All written comments (mailed, delivered or emailed) must be received by 4:00 p.m. on Wednesday, August 12, 2020.

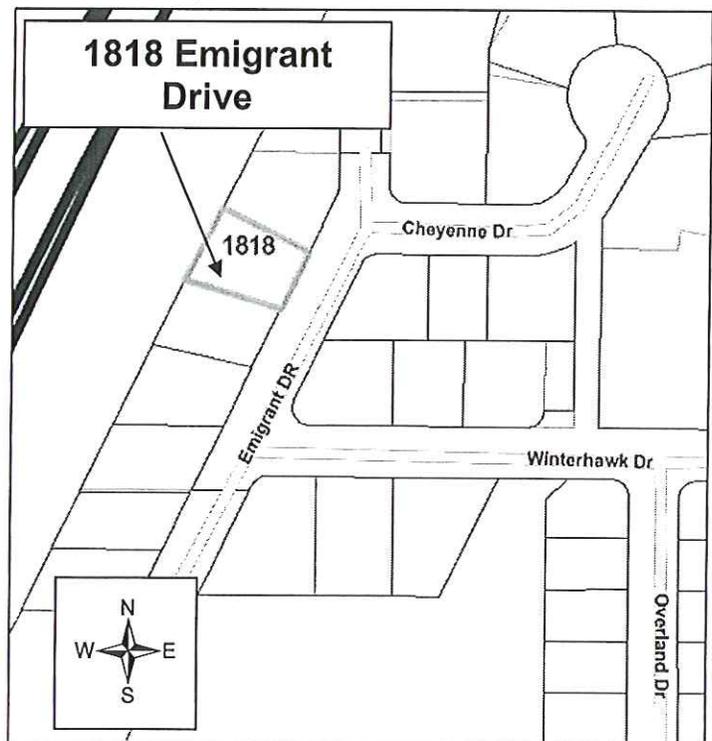
If you have any questions regarding this information, please contact the Planning and Zoning Office at (307) 352-1540.

Sincerely,

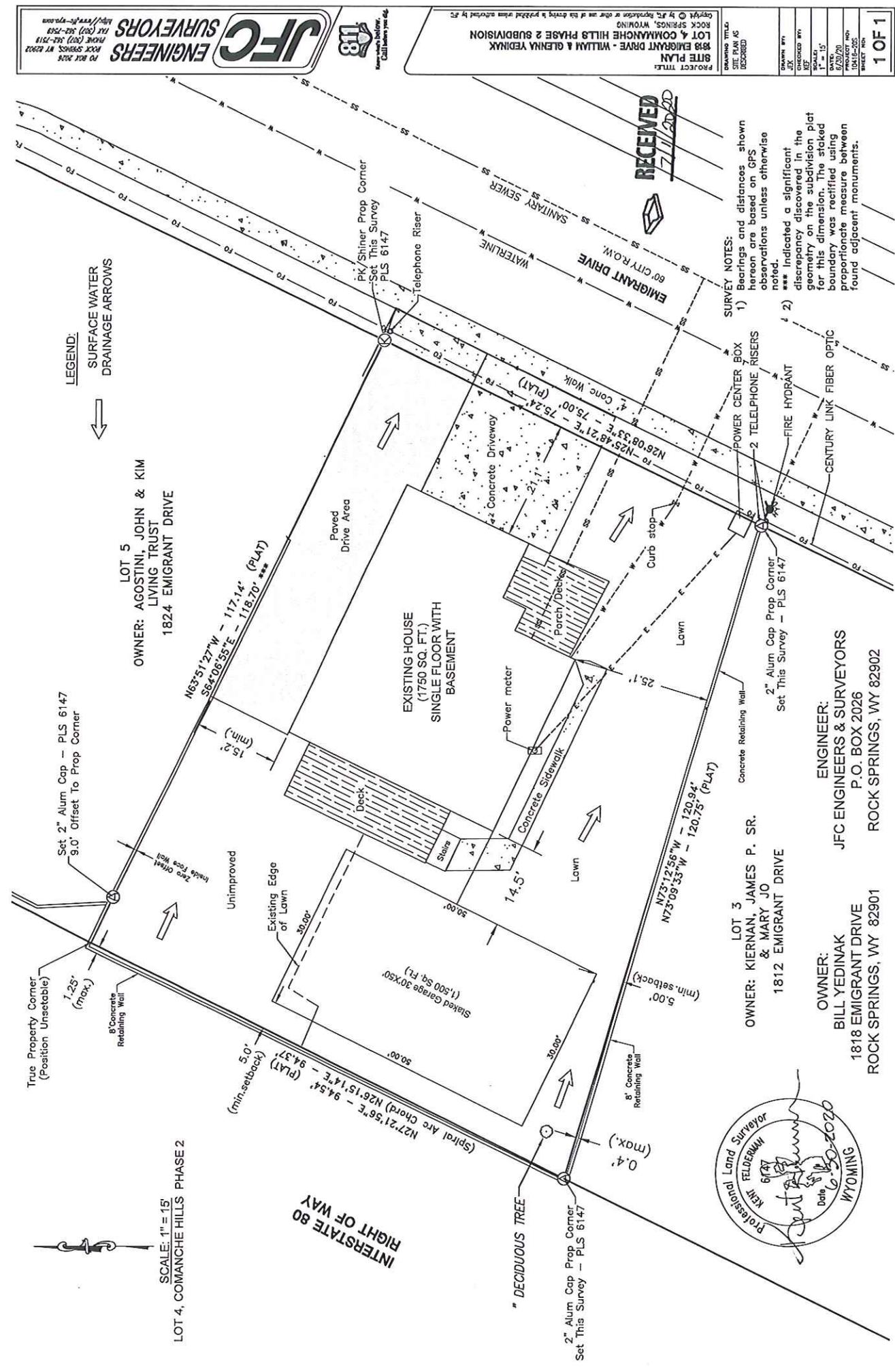


Laura Leigh, AICP
City Planner

Enc.



Reduced Copy
Not to scale shown



Professional Land Surveyor
KEY FELDERMAN
6147
Date: 6-30-2020
WYOMING

SURVEY NOTES:
1) Bearings and distances shown hereon are based on GPS observations unless otherwise noted.
2) *** Indicated a significant discrepancy discovered in the geometry on the subdivision plat for this dimension. The staked boundary was rectified using proportionate measure between found adjacent monuments.

AGOSTINI JOHN & KIM LIVING TRUST
1824 EMIGRANT DR
ROCK SPRINGS, WY 82901-4537

BYARS NADINE F
PO BOX 399
ROCK SPRINGS, WY 82902-0399

EDWARDS CHARLES L & ANNA L
TRUST
514 CHEYENNE DR
ROCK SPRINGS, WY 82901-4204

FOSTER GEORGE & KATHY LIVING
TRUST
520 CHEYENNE DR
ROCK SPRINGS, WY 82901-4204

FRULLO PETER A & TINA D
519 CHEYENNE DR
ROCK SPRINGS, WY 82901-4203

ICE BRADLEY & ANNETTE
519 WINTERHAWK DR
ROCK SPRINGS, WY 82901-4596

KIERNAN JAMES P SR & MARY JO
1812 EMIGRANT DR
ROCK SPRINGS, WY 82901-4537

LEWIS ARNOLD N & JERALDEAN H
511 CHEYENNE DR
ROCK SPRINGS, WY 82901-4203

LISKA FAMILY LIVING TRUST LISKA
GEORGE E & MARY ANNE
525 WINTERHAWK DR
ROCK SPRINGS, WY 82901-4596

PEZELY ROBERT J JR
530 WINTERHAWK DR
ROCK SPRINGS, WY 82901-4595

TAUCHER MARLENE C LIVING TRUST
TAUCHER MARLENE C FAMILY TRUST
1806 EMIGRANT DR
ROCK SPRINGS, WY 82901-4537

WAMSLEY JAMES & ALISA
524 WINTERHAWK DR
ROCK SPRINGS, WY 82901-4595

YEDINAK WILLIAM G TRUST GLENNA
R YEDINAK FAMILY TRUST
1818 EMIGRANT DR
ROCK SPRINGS, WY 82901-4537

CITY OF ROCK SPRINGS
212 D STREET
ROCK SPRINGS, WY 82901



Department of Public Services

212 D Street, Rock Springs, WY 82901
Tel: [307] 352-1540 • FAX [307] 352-1545

www.rswy.net

August 6, 2020

Planning & Zoning Commission
City of Rock Springs
212 D Street
Rock Springs, WY 82901

Re: City Council Action Report

Dear Honorable Commissioners:

Please find a City Council Action Report for the following City Council meeting(s):

Date of Council Meeting	P&Z Item	Council Action
<i>July 7, 2020</i>	<i>Resolution 2020-06: A Resolution approving and accepting the Final Plat and request for Subdivision Variances for the Garnet Addition minor subdivision.</i>	<i>Approved</i>
<i>July 21, 2020</i>	<i>Ordinance 2020-07: An Ordinance amending Article 13-8 to relocate the Dining Deck requirements to Chapter 6, Streets, Alleys and Sidewalks <u>and</u> Ordinance 2020-08: An Ordinance providing for the placement of the Dining Deck requirements in Chapter 6, Street, Alleys and Sidewalks (See attached Ordinance 2020-08).</i>	<i>1st Reading</i>
<i>August 4, 2020</i>	<i>Ordinance 2020-07: An Ordinance amending Article 13-8 to relocate the Dining Deck requirements to Chapter 6, Streets, Alleys and Sidewalks <u>and</u> Ordinance 2020-08: An Ordinance providing for the placement of the Dining Deck requirements in Chapter 6, Street, Alleys and Sidewalks.</i>	<i>2nd Reading</i>
<i>August 4, 2020</i>	<i>Resolution 2020-120: A Resolution approving and accepting the Final Plat of the College Estates Subdivision</i>	<i>Approved</i>

Sincerely,

Laura Leigh, AICP
City Planner

MMS
7/15/20

ORDINANCE NO. 2020- 08

AN ORDINANCE PROVIDING FOR THE PLACEMENT OF OUTDOOR DINING DECKS WITHIN CERTAIN DESIGNATED AREAS OF THE CITY.

WHEREAS, on or about the 15th of July, 2020 the Rock Springs Planning and Zoning Commission voted to recommend the repeal of Article 13, Section 13-819 entitled "Dining Decks"; and,

WHEREAS, the Planning and Zoning Commission has recommended placement of an ordinance providing for outdoor dining decks in Chapter VI of the ordinances of the City of Rock Springs entitled "Streets, Alleys and Sidewalks"; and,

WHEREAS, the Governing Body of the City of Rock Springs wishes to expand the use of dining decks to include establishments that serve food and/or alcoholic and non-alcoholic beverages; and,

WHEREAS, the Governing Body of the City of Rock Springs has said Dining Deck ordinance before it, and has given it careful review and consideration.

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

Section 1. That Section 6-120 of the Ordinances of the City of Rock Springs, entitled "Dining Decks," is hereby created within Chapter VI of the ordinances of the City of Rock Springs entitled, "Streets, Alleys and Sidewalks", and shall read as follows:

A. Purpose
The purpose of this section is to establish requirements and guidelines for licensed business establishments that serve food and/or alcoholic and non-alcoholic beverages in the B-3 Zoning District that wish to add dining decks as an accessory use to their existing restaurant.

B. Definitions
B-3 Zoning District: Those lands designed as a B-3 Central Business District Zone as outlined in Chapter XIII of the Rock Springs City Ordinance, and as shown on the official "Zone Map of Rock Springs".

Dining Deck: means a platform(s) operated by an existing bar, restaurant or other establishment which sells food, beverages or alcoholic beverages for immediate consumption by patrons, located on the abutting parking spaces in front of the establishment, and subject to the provisions established herein.

C. General Provisions
(1) Size and Location:
a. The dining deck area shall be limited to the linear street frontage of the

- establishment.
 - b. The dining deck shall only be accessed from the sidewalk.
 - c. The encroachment of the proposed decks into the street shall not exceed 9 feet from the face of the curb.
 - d. The dining deck shall be situated in a manner to provide safe vehicle movement for the adjacent street parking spaces.
 - e. The encroachment of the proposed deck(s) into the sidewalk shall be minimized to provide a minimum of 6 feet clearance between the deck and the building.
 - f. The dining deck shall not be more than 4 feet above the sidewalk level.
- (2) **Material and Design:**
- a. Street dining decks may be built of wood platforms and shall have a solid base.
 - b. The design of the base shall complement the style of the building.
 - c. The dining deck shall have a perimeter railing, barrier, or similar structure which shall provide protection and enclosure for the dining deck. The railing or barrier shall be determined by the City on a case by case basis.
- (3) **Drainage:**
- a. Design of the dining deck and its skirting shall not interfere with existing drainage and shall allow storm water to run adjacent to the curb unobstructed.
 - b. A drainage plan must be provided and stamped by a Wyoming Licensed Professional Engineer.
- (4) **Utilities:**
- a. Location of all utilities shall be shown on the Site Plan.
 - b. Dining decks shall not be placed on top of manholes, water valves, or storm drains.
 - c. Access to utilities including fire hydrants shall not be hindered by the dining deck.
- (5) **Street: Bonding** shall be included under the Lease Agreement for potential damage to the public infrastructure (pavement, sidewalk, curb/gutter, etc)
- (6) **Umbrellas:** Umbrellas are allowed but are prohibited from extending beyond the dining area.
- (7) **Duration:** Dining decks are permitted from May 1st and shall terminate on October 30th, each year, and must be completely removed by November 7.
- (8) **Licensing:** The applicant shall adhere to applicable City and State licensing ordinances including alcoholic beverage permits.
- (9) **Alcoholic Beverages:** All alcoholic beverages to be served on the dining deck shall be prepared within the establishment and shall only be served to patrons seated at tables on the dining deck.
- (10) **Food Service:** all food to be served on the dining deck shall be prepared by the establishment.
- (11) **Maintenance:** the maintenance of the dining deck shall be the responsibility of the establishment including but not limited to, surface treatment and cleaning, litter control, sweeping, and snow and ice

removal. The sidewalk and public property shall be kept neat and clean at all times and free from any substance that may cause damage to the sidewalk or public property or cause pedestrian injury.

- (12) Storage: All equipment and other associated materials must be removed and stored on private property during the off season.

D. Application

(1) An application for Dining Deck approval shall be submitted to the Department of Engineering/Operation and Public Service.

(2) The following shall accompany the Dining Deck application to verify compliance with the General Requirements listed under Section C:

a. A detailed site plan, drawn to scale, and prepared and stamped by a Wyoming Licensed Professional Engineer or Surveyor. At a minimum, the following shall be shown on the site plan and construction drawings:

- i. Linear street frontage of the establishment applying for the Dining Deck;
- ii. Size of the dining deck;
- iii. Extent of the dining deck's encroachment past the face of the curb;
- iv. Clearance between the dining deck and the building;
- v. Access to the dining deck;
- vi. Adjacent parking spaces on each side of the dining deck; and,
- vii. Location of all utilities, including but not limited to manholes, water valves, storm drains, and fire hydrants.

b. Construction drawings, drawn to scale. At a minimum, the following shall be outlined on the construction drawings:

- i. Sidewalk height and the height of dining deck above the sidewalk level;
- ii. Construction materials of the dining deck; and,
- iii. Details of the perimeter railing, barrier, or similar structure that provides protection and enclosure for the dining deck;

c. A Drainage Plan stamped by a Wyoming Licensed Engineer.

d. Bond to cover potential damage to the public infrastructure.

e. Due to City Street Right-of-Way involved, a Lease Agreement with the City of Rock Springs shall also accompany the application.

E. Review and Approval

(1) After receipt of the Dining Deck application, the Department of Engineering/Operations and Public Services shall forward copies to the Utility Review Committee for their review and shall request that comments be returned within 7 days. Members of the Utility Review Committee who do not return comments within 7 days will be considered to be in support of the application. A Utility Review Meeting may be held.

(2) Following such review and the completion of any imposed conditions necessary to gain approval, the Dining Deck Application, along with the

Lease Agreement, will be forwarded to the City Council for Final Approval.

- (3) Dining Deck Application approval shall be valid for one (1) year.
- (4) The applicant is responsible to obtain all necessary permits prior to construction.

PASSED AND APPROVED this _____ of _____, 2020.

President of the Council

Mayor

Attest:

City Clerk

1st Reading _____

2nd Reading _____

3rd Reading _____