

# AGENDA

## Laramie Planning Commission

Monday, March, 27, 2023 at 4:30 PM

City Council Chambers, City Hall

406 Ivinson Avenue, Laramie, WY

*The Planning Commission meetings are open to the public. Requests from person with disabilities must be made to the Planning Division 24 hours in advance of the meeting.*

NOTE: All Planning Commission meetings will be held both in person, with an option for citizens to participate over Zoom at the link or phone numbers below.

Join Zoom Meeting

<https://zoom.us/j/713514851?pwd=aGhXNkNQeXZOTnRrUFRXTjhxYjZ3QT09>

Meeting ID: 713 514 851 Password: 648198

One tap mobile

+13462487799,,713514851# US (Houston)

+16699009128,,713514851# US (San Jose)

Dial by your location

+1 346 248 7799 US (Houston)

+1 669 900 9128 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 312 626 6799 US (Chicago)

+1 646 558 8656 US (New York)

+1 301 715 8592 US (Germantown)

Meeting ID: 713 514 851

Find your local number: <https://us02web.zoom.us/j/713514851>

- 1. Call To Order/Roll Call**
- 2. Approval Of Agenda And Minutes**
  - 2.A. Changes And Approval Of Agenda**
  - 2.B. Planning Commission Meeting Minutes**
    - 2.B.i. LPC Minutes 02.27.2023**

Documents:

[LPC Minutes 2-27-23.Pdf](#)

3. **Citizen Comments - Non-Agenda Related Topics – No Action Can Be Taken**
4. **Planning Commission And Staff Reports And Comments**
  - 4.A. **Open Meetings Act/Board Of Appeals Training**
5. **Disclosures – Ex-Parte Communications; Potential Conflicts Of Interest**
6. **Current Planning Projects**
  - 6.A. **Old Business:**
  - 6.B. **New Business:**
    - 6.B.i. **TA-23-01 Amendment To LMC Chapter 15.06, Procedures**

<b>FILE:</b>	<b>TA-23-01 Amendment to LMC Chapter 15.06, Procedures</b>
<b>REQUEST:</b>	Text amendments to LMC Chapter 15.06
<b>APPLICANT:</b>	City of Laramie
<b>PURPOSE:</b>	Amendments to Chapters 15.06 to correct an error from TA-15-06 process and Enrolled Ordinance 1689.
<b>PREPARED BY:</b>	Philipp Gabathuler, AICP, Principal Planner

Documents:

[TA-23-01 PC Staff Report\\_03\\_27\\_2023.Pdf](#)  
[TA-15-06 6-22-2015 PC Staff Report.pdf](#)  
[Original Ordinance 1926 Housekeeping 1926 Final.pdf](#)  
[TA-23-01 Ord Xxxx 1st Reading\\_.Pdf](#)

## 7. Long Range Planning Projects

### 7.A. Casper Aquifer Protection Draft Plan Work Session

View Current Draft: <https://www.cityoflaramie.org/DocumentCenter/View/24706/Casper-Aquifer-Protection-Plan-V50>

8. **Variances (Sitting As Board Of Adjustment)**  
(Swearing in of witnesses)
9. **Adjourn**

**MINUTES  
CITY OF LARAMIE, WYOMING  
LARAMIE PLANNING COMMISSION  
FEBRUARY 27, 2023**

**1. CALL TO ORDER**

Meeting was called to order by Chair Moody at 4:31 p.m.

Members present: Sharon Buccino (arrived at 4:34 pm), Chris Dixon, Sylvie Prasilik, Jake Schneider, and Chris Moody. One vacant seat.

Members absent: Tom Mattimore.

Council Liaison: Sharon Cumbie (present)

Staff Present: Derek Teini, Planning Manager; Philip Gabathuler, Principal Planner; Joseph Shahidi, Associate Planner; Todd Feezer, Assistant City Manager; and Ryan Shoefelt, Deputy City Clerk.

**2. APPROVAL OF AGENDA AND MINUTES**

**2.A. Changes and Approval of Agenda**

MOTION BY SCHNEIDER, seconded by Prasilik, that the Agenda was approved as written.

MOTION CARRIED by voice vote.

**2.B. Planning Commission Meeting Minutes**

**2.B.i. LPC Minutes 2.13.23**

MOTION BY PRASILIK, seconded by Dixon, to approve the minutes from February 13, 2023.

MOTION CARRIED by voice vote.

**3. CITIZEN COMMENTS - Non-Agenda Related Topics - No Action Can Be Taken**

None.

**4. PLANNING COMMISSION AND STAFF REPORTS AND COMMENTS**

Teini- Possibly no meeting on March 13<sup>th</sup>.

Commissioner Buccino arrived at 4:34 pm.

Teini- Update on CAPP Plan and Growth Plan.

**5. DISCLOSURES - Ex-parte communications; potential conflicts of interest**

None.

**6. CURRENT PLANNING PROJECTS**

**6.A. OLD BUSINESS:** No items.

**6.B. NEW BUSINESS:** No items.

**MINUTES  
CITY OF LARAMIE, WYOMING  
LARAMIE PLANNING COMMISSION  
FEBRUARY 27, 2023**

**7. LONG RANGE PLANNING PROJECTS**

No items.

MOTION BY MOODY, seconded by Schneider, to adjourn as Planning Commission and reconvene as Board of Adjustment.

MOTION CARRIED by voice vote.

Planning Commission adjourned at 4:37 pm.  
Board of Adjustment convened at 4:37 pm.

**8. VARIANCES (sitting as Board of Adjustment)**

**8.A. VAR-22-06: 233 S. Lincoln St. Carport in Setback**

MOTION BY SCHNEIDER, seconded by Dixon, to deny the requested variance from Laramie Municipal Code 15.14.040.C.10.b, for a carport in the R2M Zone that does not meet the required setback on this property, that would allow the applicant to keep the constructed, unpermitted carport on the property located at 233 S. Lincoln St., zoned R2M, based on findings of fact and conclusions of law.

Public Comment: None.

Roll call showed Aye: Buccino, Dixon, Prasilik, and Schneider. Nay: Moody. Absent: Mattimore. One vacant seat. MOTION CARRIED.

**9. ADJOURN**

MOTION BY SCHNEIDER, seconded by Dixon, to adjourn the meeting.

MOTION CARRIED by voice vote.

Meeting adjourned at 5:09 p.m.

APPROVED:

---

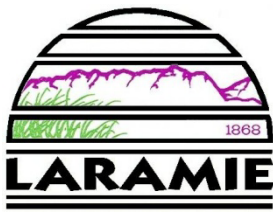
Chris Moody, Planning Commission Chair

Date

---

Derek Teini, Planning Manager

Date



# City of Laramie

Planning Division  
P.O. Box C  
Laramie, WY 82073

Telephone: (307) 721-5207

Fax: (307) 721-5248

---

## LARAMIE PLANNING COMMISSION MARCH 27, 2023 STAFF REPORT

---

**FILE:** TA-23-01 Amendment to LMC Chapter 15.06, Procedures

**REQUEST:** Text amendments to LMC Chapter 15.06

**APPLICANT:** City of Laramie

**PURPOSE:** Amendments to Chapters 15.06 to correct an error from TA-15-06 process and Enrolled Ordinance 1689.

**PREPARED BY:** Philipp Gabathuler, AICP, Principal Planner

---

### RECOMMENDED MOTION:

Move to recommend that the City Council **approve** amendments to Title 15 (Unified Development Code) of the Laramie Municipal Code for the purposes of re-instating language that was removed in error from previous Text Amendment Process (TA-15-06) and Enrolled Ordinance 1689 as shown in the staff report and as recommended by staff.

### APPLICABLE CODE SECTION(S):

Text Amendments must be reviewed by the Planning Commission and City Council. Planning Commission action is forwarded to the City Council as a recommendation.

- Laramie Municipal Code Title 15, Unified Development Code
- Wyoming State Statutes Title 15 Cities and Towns, Article 5 Planning
- Wyoming State Statutes Title 15 Cities and Towns, Article 6 Zoning
- Laramie Comprehensive Plan

### BACKGROUND:

The below amendments will resolve an error that was found in a previous Text Amendment Process (TA-15-06) and Enrolled Ordinance 1689. The process outlined in TA-15-06 clearly showed that only LMC 15.06.060.X.3.A and 15.06.060.X.3.B were to be deleted. However, the motion brought before Planning Commission on June 22, 2015 and City Council on October 6, 2015 in Ordinance 1926 stated that LMC 15.06.060.X.3 be *deleted in its entirety*. Deleting 15.06.060.X.3 in its entirety would have deleted the entire Procedures section (A, B,

C, D, and E) of the Comprehensive Plan Amendments section, which was clearly not the intent from the Planning Commission Staff Report for TA-15-06 which is attached. The result was that LMC 15.06.060.X was reduced to only sections 1 and 2 (highlighted in blue below). The sections from LMC 15.06.060.X that are stricken through in red is what the TA-15-06 process intended to delete. The text highlighted in green is what needs to be reinstated into LMC 15.06.060.X through this process, TA-23-01.

### **15.06.060.X. Comprehensive Plan Amendments**

#### **1. Purpose**

The purpose of this section is to provide standards and requirements for amending the text and/or maps of the Laramie Comprehensive Plan. The amendment process is established in order to provide flexibility in response to changing circumstances, to accommodate potential change where such change meets the intent of the plan, to reflect changes in public policy, and to advance the general welfare of the city as permitted by W.S. §15-1-503.

#### **2. Applicability**

An application for a comprehensive plan amendment may be initiated by the city council, planning commission, department or requested by an owner of land in the city or within the city's extraterritorial planning area. The planning commission shall adopt and certify to the city council an amendment to the comprehensive plan only in accordance with the requirements of this section.

#### ~~3. Review Cycles~~

~~Amendments to the comprehensive plan shall be reviewed by the planning commission and the city council bi-annually.~~

#### ~~a. Summer Review Cycle~~

~~Applications received for amendments to the plan received by May 31 of the calendar year will be considered by planning commission at their first regularly scheduled meeting of July. If the amendment involves a territory outside the city, action shall be taken with the concurrence of the Albany County Board of County Commissioners and the county planning and zoning commission.~~

~~b. Winter Review Cycle~~

~~Applications received for amendments to the plan received by November 31 of the calendar year will be considered by planning commission at its first regularly scheduled meeting of January. If the amendment involves a territory outside the city, action shall be taken with the concurrence of the Albany County Board of County Commissioners and the county planning and zoning commission.~~

**4. Procedures**

**a. Step 1: Pre-Application Meeting**

Not applicable.

**b. Step 2: Application Submission, Contents, and Fees**

Applicable pursuant to subsection 15.06.030.B.

**c. Step 3: Staff Review, Referral, and Staff Recommendation**

Applicable pursuant to subsection 15.06.030.C.

**d. Step 4: Public Notice Requirements**

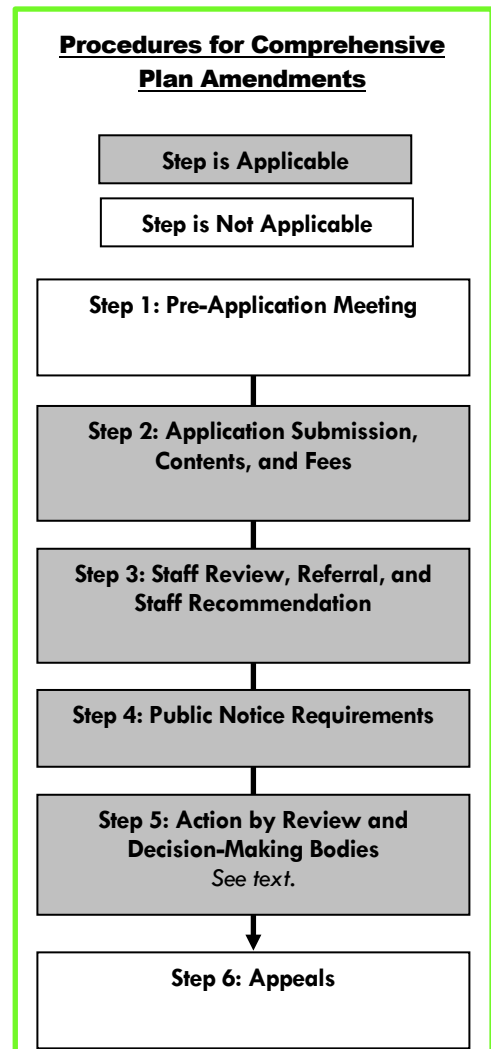
Applicable. Published notice required pursuant to subsection 15.06.030.D. Written notice shall be required for future land use plan map amendments.

**e. Step 5: Action by Review and Decision-Making Bodies**

Applicable. The following review procedures shall apply:

**(i) Review of Amendments Involving Property Entirely Within City Limits**

In addition to the procedures set forth below, the process is outlined in Figure 15.06-4.

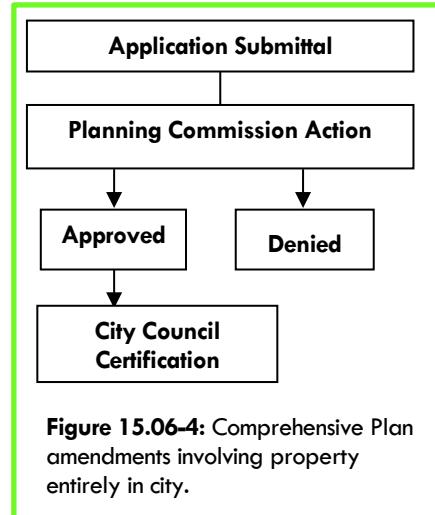


**(1) Planning Commission Public Hearing**

The planning commission shall hold a public hearing and shall approve, approve with revisions, postpone, or deny the application. Approval or approval with modifications of the request shall be by adoption of a resolution.

**(2) City Council Certification**

The city council shall certify the action of the planning commission by resolution within 60 calendar days of planning commission action. The city council may remand the resolution to the planning commission for additional review and study. If remanded to the planning commission, the planning commission shall prepare a new resolution within 30 calendar days of city council action to remand. Failure of the planning commission to act on an item remanded to the planning commission shall deem the original resolution reaffirmed. The city council may postpone action pursuant to subsection 15.06.030.E.



**(3) Approval Criteria**

The planning commission shall not approve and the city council shall not certify such approval for any comprehensive plan amendment unless the application meets one or more the following criteria:

- (a) The proposed amendment is based on a change in projections or assumptions from those on which the comprehensive plan is based;
- (b) The proposed amendment is based on identification of new issues, needs, or opportunities that are not adequately addressed in the comprehensive plan;
- (c) The proposed amendment is based on a change in the policies, objectives, principles, or standards governing the physical development of the city;
- (d) The proposed amendment may result in unique development opportunities that will offer substantial benefits to the city; or
- (e) The proposed amendment is based on an identification of errors or omissions in the comprehensive plan.

**(ii) Review of Amendments Involving Property Not Entirely Within City Limits**



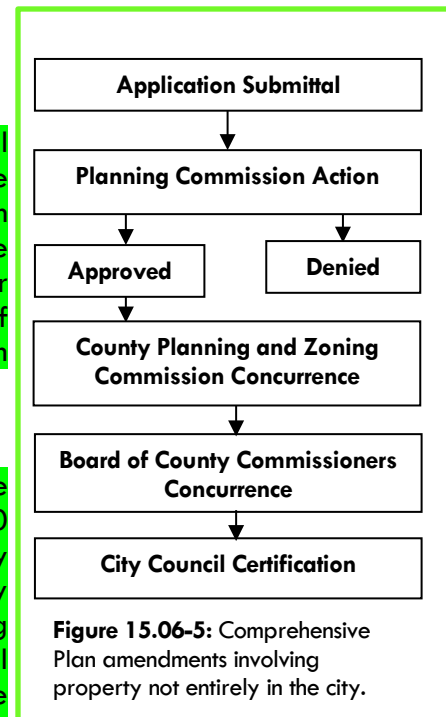
In addition to the procedures set forth below, the process is outlined in Figure 15.06-5.

**(1) Planning Commission Public Hearing**

The planning commission shall hold a public hearing and make shall approve, approve with revisions, postpone, or deny the application. Approval or approval with modifications of the request shall be by adoption of a resolution.

**(2) City Council Certification**

The city council, with concurrence of the county and within 60 calendar days of county concurrence, shall either certify the action of the city planning commission by resolution, or shall remand the resolution to the Planning commission. The city council may remand the resolution to the planning commission for additional review and study. If remanded to the planning commission, the planning commission shall prepare a new resolution within 30 calendar days of city council action to remand. If the new planning commission resolution differs from the first, the county shall review the amendment for concurrence subject to the review procedures outlined in this subsection. Failure of the planning commission to act on an item remanded to the planning commission shall deem the original resolution reaffirmed. The city council may postpone action pursuant to subsection 15.06.030.E.



**(3) County Action**

The county shall issue statement of concurrence for the proposed amendment within 60 calendar days of city planning commission action. The board of county commissioners may issue a statement of concurrence, a statement of concurrence with modifications to the resolution, or a statement of no concurrence. Modifications to the resolution shall be reconsidered by the city planning commission, affirmed or modified, and incorporated within the resolution. Should the city planning commission fail to adopt the county's resolution modifications, the proposed amendment fails. The planning commission shall not ask for the county's concurrence more than two times on a specific request.

**(4) Approval Criteria**

The planning commission shall not approve and the city council shall not certify any comprehensive plan amendment unless the application meets one or more of the following criteria:

- (a) The proposed amendment is based on a change in projections or assumptions from those on which the comprehensive plan is based;
- (b) The proposed amendment is based on identification of new issues, needs, or opportunities that are not adequately addressed in the comprehensive plan;
- (c) The proposed amendment is based on a change in the policies, objectives, principles, or standards governing the physical development of the city;
- (d) The proposed amendment may result in unique development opportunities that will offer substantial benefits to the city; or
- (e) The proposed amendment is based on an identification of errors or omissions in the comprehensive plan.

**f. Step 6: Appeals**

Not Applicable.

**STAFF RECOMMENDATION:**

Move to recommend that the City Council **approve** amendments to Title 15 (Unified Development Code) of the Laramie Municipal Code for the purposes of correcting an error in a previous Text Amendment Process (TA-15-06) and Enrolled Ordinance 1689 by re-instating the language deleted as shown in the staff report and as recommended by staff.

**ATTACHMENTS:**

1. Planning Commission Staff Report for TA-15-06
2. Enrolled Ordinance 1689
3. Draft Ordinance xxx (TBD)



# City of Laramie

Community Development Department  
P.O. Box C  
Laramie, WY 82073

Planning: (307) 721-5207  
Code Administration: (307) 721-5271  
Fax: (307) 721-5248  
Engineering: (307) 721-5250  
Fax: (307) 721-5216  
TTD: (307) 721-5207

---

## LARAMIE PLANNING COMMISSION JUNE 22, 2015 STAFF REPORT

---

**FILE:** TA-15-06 Amendments to LMC Chapters 15.06, Procedures and 15.14, Development Standards

**REQUEST:** Text amendments to LMC Chapters 15.06 and 15.14

**APPLICANT:** City of Laramie

**PURPOSE:** Amendments to Chapters 15.06 and 15.14 for the purposes of amending the Comprehensive Plan Amendment Process and clarifying provisions within Chapter 15.14.

**PREPARED BY:** Charles W. Bloom, AICP, Senior Planner

---

### RECOMMENDED MOTION:

Move to recommend that the City Council **approve** amendments to Title 15 (Unified Development Code) of the Laramie Municipal Code for the purposes of amending the Comprehensive Plan Amendment process and clarifying provisions within Chapter 15.14 as recommended by staff.

### APPLICABLE CODE SECTION(S):

Text Amendments must be reviewed by the Planning Commission and City Council. Planning Commission action is forwarded to the City Council as a recommendation.

- Laramie Municipal Code Title 15, Unified Development Code
- Wyoming State Statutes Title 15 Cities and Towns, Article 5 Planning
- Wyoming State Statutes Title 15 Cities and Towns, Article 6 Zoning
- Laramie Comprehensive Plan

### BACKGROUND:

The below amendments are considered general housekeeping issues meant to resolve sections of code that are essentially not applicable or have working issues that have caused confusion. This housekeeping amendment package is brief and only consists of two items

which should keep the process from becoming too complicated. Each proposed amendment is summarized in the “Discussion” section below.

## **DISCUSSION:**

### Comprehensive Plan Amendment Review Cycle:

The Unified Development Code (UDC) does not specifically spell out specific submittal dates for most applications. However the UDC did spell define specific review cycles for Comprehensive Plan amendments. The UDC spells out the following review cycles:

#### **“15.060.060.X.3 Review Cycles**

Amendments to the comprehensive plan shall be reviewed by the planning commission and the city council bi-annually.

##### **a. Summer Review Cycle**

Applications received for amendments to the plan received by May 31 of the calendar year will be considered by planning commission at their first regularly scheduled meeting of July. If the amendment involves a territory outside the city, action shall be taken with the concurrence of the Albany County Board of County Commissioners and the county planning and zoning commission.

##### **b. Winter Review Cycle**

Applications received for amendments to the plan received by November 31 of the calendar year will be considered by planning commission at its first regularly scheduled meeting of January. If the amendment involves a territory outside the city, action shall be taken with the concurrence of the Albany County Board of County Commissioners and the county planning and zoning commission.”

These were established to essentially prevent constant applications for Comprehensive Plan changes from being applied throughout the year. The specific review dates are troublesome and have proven themselves to be unreasonable to follow –especially the November 31 deadline date, which does not exist. Typically Comprehensive Plan Amendments come in the form of Land Use Plan Amendments that are filed concurrently with an Annexation, Rezoning or Preliminary Plat. Typically at the applicant’s request staff has chosen to run Land Use Plan Amendments more or less concurrently with their related application(s), prior to the established “Review Cycle” date. In the event staff were to enforce this letter of the law, most projects would see considerate delays and could be stalled for upwards of six months.

Staff recommends this entire section “Review Cycles” section be deleted so staff can defer the review schedule to the Planning Commission adopted Calendar (which is attached) to reflect actual practice and to promote a more development friendly community.

Landscape Terminal Islands and Divider Strip Clarity:

LMC 15.14.050.G.7 presently reads as follows:

**“15.14.050.G.7.** The developer shall be required to utilize landscaped terminal islands at the end of each parking row. Divider strips between parking rows to help disperse the required landscaping throughout the entire parking lot.”

The second sentence is an incomplete sentence that needs correction. Staff has proposed a change to complete the sentence and to ensure that the provision could not be interpreted to require all parking lots to have divider strips between each parking row. The proposed additional language is as follows:

**“15.14.050.G.7:** The developer shall be required to utilize landscaped terminal islands at the end of each parking row. Divider strips between parking rows **may also be used** to help disperse the required landscaping throughout the entire parking lot.”

Staff believes the two above-mentioned housekeeping amendments are appropriate at this time. In upcoming months staff plans on bringing forward additional amendments to the landscaping requirements for detailed discussion.

**STAFF RECOMMENDATION:**

Move to recommend that the City Council **approve** amendments to Title 15 (Unified Development Code) of the Laramie Municipal Code for the purposes of amending the Comprehensive Plan Amendment Process and clarifying provisions within Chapter 15.14 as follows:

1. That LMC 15.06.060.X. 3 be deleted in its entirety and the remainder of the section be renumbered accordingly; and
2. That LMC 15.14.050.G.7 be amended to read as follows: “The developer shall be required to utilize landscaped terminal islands at the end of each parking row. Divider strips between parking rows **may also be used** to help disperse the required landscaping throughout the entire parking lot.”

ORIGINAL ORDINANCE NO.: 1926  
ENROLLED ORDINANCE NO.: \_\_\_\_\_

INTRODUCED BY: Shumway

AN ORDINANCE AMENDING TITLE 15 OF LARAMIE MUNICIPAL CODE FOR THE PURPOSES OF AMENDING THE COMPREHENSIVE PLAN AMENDMENT REVIEW CYCLES AND CORRECTING A TYPOGRAPHICAL ERROR IN LMC SUBSECTION 15.14.050.G.7.

WHEREAS, on August 21, 2007, the City Council adopted the Laramie Comprehensive Plan which lists as one of its recommendations to create a unified development code that would combine the zoning and subdivision ordinances in into a single, unified document consisting of multiple parts or sections, including administrative procedures, zoning, subdivision regulations and improvement standards;

WHEREAS, on June 22, 2009 the Laramie Planning Commission affirmatively voted to recommend to the Laramie City Council adoption of the Unified Development Code subject to modifications;

WHEREAS, on March 2, 2010, the City Council adopted the Unified Development Code with an effective date of July 1, 2010;

WHEREAS, 15.02.050 of the Laramie Municipal Code (LMC) calls for the Unified Development Code to be amended from time to time so as to become or remain consistent with the Comprehensive Plan, and should be regularly reviewed, evaluated and amended, if necessary, based on private and city economic conditions, vision for the community, changing planning and zoning principles, frequent difficulty in implementing or enforcing any specific standard(s), or changes in the state, federal or case law;

WHEREAS, on June 22, 2015, the Laramie Planning Commission affirmatively voted to recommend to the Laramie City Council adoption of amendments to the Unified Development Code as shown in this ordinance; and

WHEREAS, the Laramie City Council held a public hearing on September 8, 2015 to take and consider public comments;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LARAMIE:

**Section 1.** That LMC 15.06.060.X.3 be **deleted** in its entirety;

**Section 2.** That LMC 15.14.050.G.7 is **amended** as to read as follows: “The developer shall be required to utilize landscaped terminal islands at the end of each parking row. Divider strips between parking rows may also be used to help disperse the required landscaping throughout the entire parking lot.”;

**Section 3.** That if any section, subsection, sentence, clause, phrase, graphic, or portion of this ordinance is for any reason held invalid or deemed unconstitutional by any court of competent

jurisdiction, such portion shall be deemed a separate distinct and independent provision and such holding shall be deemed a separate and distinct and independent provision and such holding shall not affect the validity of the remaining provisions of this ordinance; and

**Section 4.** That this ordinance shall become effective after its passage, approval and its publication.

Passed and approved this 6<sup>th</sup> day of October, 2015.

\_\_\_\_\_(signed version on file)\_\_\_\_\_  
David A. Paulekas, Mayor and President of the  
City Council

Attest: \_\_\_\_\_(signed version on file)\_\_\_\_\_  
City Clerk

First Reading: August 4, 2015  
Public Hearing: September 8, 2015  
Second Reading: September 15, 2015  
Third Reading and Final Action: October 6, 2015

Duly published in the Laramie Boomerang this \_\_\_\_\_ day of \_\_\_\_\_, 2015.



ORIGINAL ORDINANCE NO.: \_\_\_\_\_ INTRODUCED BY:  
ENROLLED ORDINANCE NO.: \_\_\_\_\_

AN ORDINANCE AMENDING TITLE 15 OF LARAMIE MUNICIPAL CODE FOR THE PURPOSES OF AMENDING THE COMPREHENSIVE PLAN AMENDMENT REVIEW PROCEDURE.

WHEREAS, on August 21, 2007, the City Council adopted the Laramie Comprehensive Plan which lists as one of its recommendations to create a unified development code that would combine the zoning and subdivision ordinances in into a single, unified document consisting of multiple parts or sections, including administrative procedures, zoning, subdivision regulations and improvement standards;

WHEREAS, on June 22, 2009 the Laramie Planning Commission affirmatively voted to recommend to the Laramie City Council adoption of the Unified Development Code subject to modifications;

WHEREAS, on March 2, 2010, the City Council adopted the Unified Development Code with an effective date of July 1, 2010;

WHEREAS, 15.02.050 of the Laramie Municipal Code (LMC) calls for the Unified Development Code to be amended from time to time so as to become or remain consistent with the Comprehensive Plan, and should be regularly reviewed, evaluated and amended, if necessary, based on private and city economic conditions, vision for the community, changing planning and zoning principles, frequent difficulty in implementing or enforcing any specific standard(s), or changes in the state, federal or case law;

WHEREAS, on March 27, 2023, the Laramie Planning Commission affirmatively voted to recommend to the Laramie City Council adoption of amendments to the Unified Development Code as shown in this ordinance; and

WHEREAS, the Laramie City Council held a public hearing on May 2, 2023 to take and consider public comments;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LARAMIE:

**Section 1.** That LMC 15.06.060.X.3 is **amended** to read as follows;

### **15.06.060.X. Comprehensive Plan Amendments**

#### **1. Purpose**

The purpose of this section is to provide standards and requirements for amending the text and/or maps of the Laramie Comprehensive Plan. The amendment process is established in order to provide flexibility in response to changing circumstances, to accommodate potential change where such change meets the intent of the plan, to

reflect changes in public policy, and to advance the general welfare of the city as permitted by W.S. §15-1-503.

**2. Applicability**

An application for a comprehensive plan amendment may be initiated by the city council, planning commission, department or requested by an owner of land in the city or within the city’s extraterritorial planning area. The planning commission shall adopt and certify to the city council an amendment to the comprehensive plan only in accordance with the requirements of this section.

**3. Procedures**

**a. Step 1: Pre-Application Meeting**

Not applicable.

**b. Step 2: Application Submission, Contents, and Fees**

Applicable pursuant to subsection 15.06.030.B.

**c. Step 3: Staff Review, Referral, and Staff Recommendation**

Applicable pursuant to subsection 15.06.030.C.

**d. Step 4: Public Notice Requirements**

Applicable. Published notice required pursuant to subsection 15.06.030.D. Written notice shall be required for future land use plan map amendments.

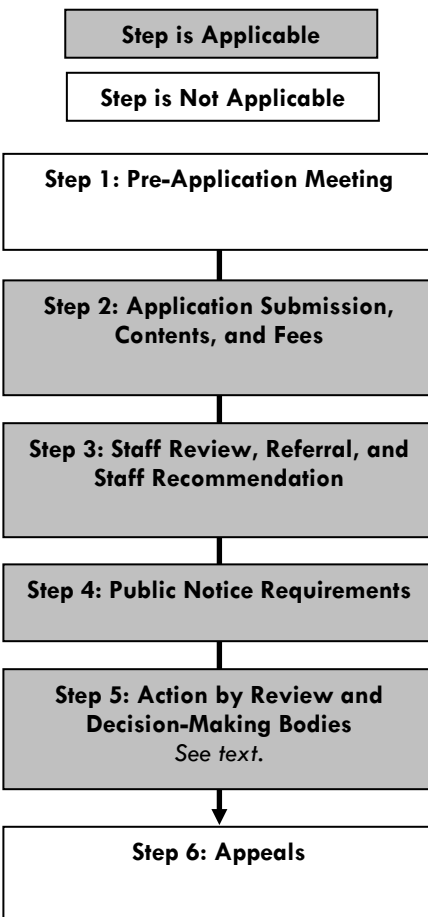
**e. Step 5: Action by Review and Decision-Making Bodies**

Applicable. The following review procedures shall apply:

**(i) Review of Amendments Involving Property Entirely Within City Limits**

In addition to the procedures set forth below, the process is outlined in Figure 15.06-4.

**Procedures for Comprehensive Plan Amendments**



(1) **Planning Commission Public Hearing**  
**The planning commission shall hold a public hearing and shall approve, approve with revisions, postpone, or deny the application. Approval or approval with modifications of the request shall be by adoption of a resolution.**

(2) **City Council Certification**  
**The city council shall certify the action of the planning commission by resolution within 60 calendar days of planning commission action. The city council may remand the resolution to the planning commission for additional review and study. If remanded to the planning commission, the planning commission shall prepare a new resolution within 30 calendar days of city council action to remand. Failure of the planning commission to act on an item remanded to the planning commission shall deem the original resolution reaffirmed. The city council may postpone action pursuant to subsection 15.06.030.E.**

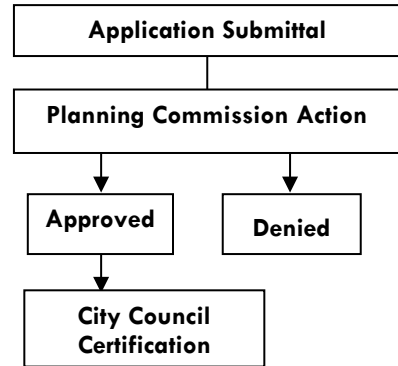


Figure 15.06-4: Comprehensive Plan amendments involving property entirely in city.

(3) **Approval Criteria**

**The planning commission shall not approve and the city council shall not certify such approval for any comprehensive plan amendment unless the application meets one or more the following criteria:**

- (a) **The proposed amendment is based on a change in projections or assumptions from those on which the comprehensive plan is based;**
- (b) **The proposed amendment is based on identification of new issues, needs, or opportunities that are not adequately addressed in the comprehensive plan;**
- (c) **The proposed amendment is based on a change in the policies, objectives, principles, or standards governing the physical development of the city;**
- (d) **The proposed amendment may result in unique development opportunities that will offer substantial benefits to the city; or**
- (e) **The proposed amendment is based on an identification of errors or omissions in the comprehensive plan.**

(ii) **Review of Amendments Involving Property Not Entirely Within City Limits**

**In addition to the procedures set forth below, the process is outlined in Figure 15.06-5.**

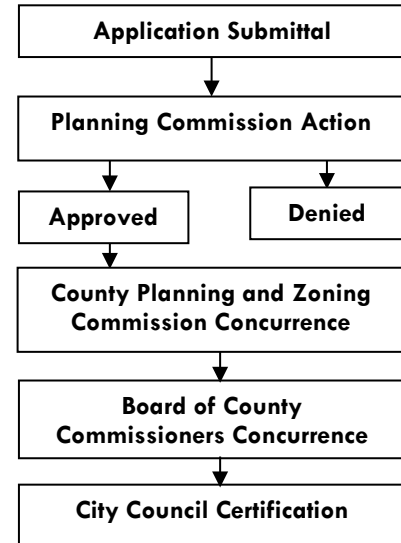
(1) **Planning Commission Public Hearing**

**The planning commission shall hold a public hearing and make shall approve, approve with revisions, postpone, or deny the application. Approval or approval with modifications of the request shall be by adoption of a resolution.**

(2) **City Council Certification**

**The city council, with concurrence of the county and within 60 calendar days of county concurrence, shall either certify the action of the**

**city planning commission by resolution, or shall remand the resolution to the Planning commission. The city council may remand the resolution to the planning commission for additional review and study. If remanded to the planning commission, the planning commission shall prepare a new resolution within 30 calendar days of city council action to remand. If the new planning commission resolution differs from the first, the county shall review the amendment for concurrence subject to the review procedures outlined in this subsection. Failure of the planning commission to act on an item remanded to the planning commission shall deem the original resolution reaffirmed. The city council may postpone action pursuant to subsection 15.06.030.E.**



**Figure 15.06-5:** Comprehensive Plan amendments involving property not entirely in the city.

(3) County Action

The county shall issue statement of concurrence for the proposed amendment within 60 calendar days of city planning commission action. The board of county commissioners may issue a statement of concurrence, a statement of concurrence with modifications to the resolution, or a statement of no concurrence. Modifications to the resolution shall be reconsidered by the city planning commission, affirmed or modified, and incorporated within the resolution. Should the city planning commission fail to adopt the county's resolution modifications, the proposed amendment fails. The planning commission shall not ask for the county's concurrence more than two times on a specific request.

(4) Approval Criteria

The planning commission shall not approve and the city council shall not certify any comprehensive plan amendment unless the application meets one or more of the following criteria:

(a) The proposed amendment is based on a change in projections or assumptions from those on which the comprehensive plan is based;

(b) The proposed amendment is based on identification of new issues, needs, or opportunities that are not adequately addressed in the comprehensive plan;

(c) The proposed amendment is based on a change in the policies, objectives, principles, or standards governing the physical development of the city;

(d) The proposed amendment may result in unique development opportunities that will offer substantial benefits to the city; or

(e) The proposed amendment is based on an identification of errors or omissions in the comprehensive plan.

f. Step 6: Appeals

Not Applicable.

**Section 3.** That if any section, subsection, sentence, clause, phrase, graphic, or portion of this ordinance is for any reason held invalid or deemed unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate distinct and independent provision and such holding shall be deemed a separate and distinct and independent provision and such holding shall not affect the validity of the remaining provisions of this ordinance; and

**Section 4.** That this ordinance shall become effective after its passage, approval and its publication.

Passed and approved this 16<sup>th</sup> day of May, 2023.

\_\_\_\_\_  
Brian Harrington, Mayor and President of the  
City Council

Attest: \_\_\_\_\_  
City Clerk

First Reading: April 18, 2023  
Public Hearing: May 2, 2023  
Second Reading: May 2, 2023  
Third Reading and Final Action: May 16, 2023

Duly published in the *Laramie Boomerang* this \_\_\_\_\_ day of \_\_\_\_\_, 2023.