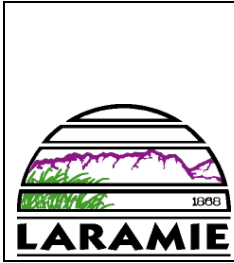


CITY OF LARAMIE COUNCIL REGULAR MEETING March 15, 2022



Agenda Item: Orig. Ordinance - 1st Reading

Title: Original Ordinance No. 2043 amending various sections of Title 15.10 of Laramie Municipal Code regarding permitting Family Child Care Centers and Type 2 Child Care Homes.

Recommended Council MOTION:

Move to approve Original Ordinance No. 2043, amending Table 15.10-1: Table of Allowed Uses and Chapter 15.10.020.D.5: Additional Standards for Specific Accessory Uses and Structures of Laramie Municipal Code, as recommended by the Planning Commission, on first reading, in accordance with findings of fact and conclusions of law.

Administrative or Policy Goal:

Under Section 15.04.050.A the City Manager’s Office shall have the authority to review and make recommendations to the appropriate decision-making authority for Text Amendments. Under Section 15.06.060.A states the purpose of a text amendment is for the purpose not to relieve particular hardships nor to confer special privileges or rights on any person, but rather to make adjustments to the text of this code that are necessary in light of changed conditions, changes in the comprehensive plan, public policy, or that are necessary to advance the general welfare of the city. As well, under Section 15.02.050 states that this code 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.

Background:

There have been a total of 46 CUPs for Type 2 and Family Day Care Centers in the past 10 years. Of those CUPs, 7 warranted unsupportive comments during the public input phase. In all 7 cases, the issues brought forward were addressed by staff and ultimately all 46 CUPs were approved. Table 1 shows the details associated with all 46 CUPs dating back to 2011.

TABLE 1. HISTORY OF DAY CARE CUPS

| Date | Number | Type | Public Comment? | Zone |
|-----------|-----------|--------|-----------------------------------|------|
| 1/24/2022 | CUP-21-11 | Family | None | R3 |
| 8/23/2021 | CUP-21-08 | 2 | Yes, 2 supportive, 2 unsupportive | R2 |
| 7/26/2021 | CUP-21-06 | Family | Yes, 1 supportive comment | R3 |
| 4/12/2021 | CUP-21-02 | 2 | None | R3 |

| Date | Number | Type | Public Comment? | Zone |
|------------|-----------|--------|--|------|
| 9/23/2019 | CUP-21-01 | 2 | None | R3 |
| 9/23/2019 | CUP-19-07 | Family | None | R3 |
| 8/12/2019 | CUP-19-06 | 2 | None | R2 |
| 3/11/2019 | CUP-19-02 | 2 | Yes, 1 supportive comment | R3 |
| 1/14/2019 | CUP-18-08 | 2 | None | R2 |
| 8/13/2018 | CUP-17-06 | 2 | Yes, 1 supportive comment | LR |
| 10/23/2017 | CUP-17-06 | 2 | None | R1 |
| 11/14/2016 | CUP-16-16 | 2 | None | R2 |
| 10/24/2016 | CUP-16-14 | 2 | None | R2 |
| 10/24/2016 | CUP-16-15 | 2 | None | R1 |
| 9/26/2016 | CUP-16-11 | 2 | None | R3 |
| 9/12/2016 | CUP-16-10 | 2 | Yes, 1 comment (unopposed) | R2M |
| 7/25/2016 | CUP-16-08 | Family | None | R2 |
| 5/23/2016 | CUP-16-05 | 2 | None | R3 |
| 5/23/2016 | CUP-16-06 | 2 | Yes, 1 unsupportive comment | R2 |
| 2/8/2016 | CUP-16-01 | 2 | None | R2 |
| 1/11/2016 | CUP-15-09 | 2 | None | LR |
| 7/13/2015 | CUP-15-07 | 2 | Yes, 1 supportive comment | R3 |
| 6/8/2015 | CUP-15-02 | 2 | None | R1 |
| 6/8/2015 | CUP-15-04 | 2 | None | R3 |
| 6/8/2015 | CUP-15-06 | 2 | Yes, 1 comment about noise that was addressed by staff | R1 |
| 3/9/2015 | CUP-15-01 | 2 | None | R1 |
| 6/23/2014 | CUP-14-05 | Family | Yes, 1 unsupportive petition signed by 8 residents | R1 |
| 1/13/2014 | CUP-13-14 | Family | Yes, 1 neutral comment, 1 opposed | R2 |
| 1/13/2014 | CUP-13-17 | 2 | None | R3 |
| 12/9/2013 | CUP-13-15 | 2 | Yes, 1 opposed | R1 |
| 8/26/2013 | CUP-13-11 | 2 | None | R1 |

| Date | Number | Type | Public Comment? | Zone |
|------------|-----------|--------|--|------|
| 4/22/2013 | CUP-13-03 | Family | None | R3 |
| 4/22/2013 | CUP-13-04 | 2 | None | R3 |
| 4/22/2013 | CUP-13-04 | 2 | None | R3 |
| 12/10/2012 | CUP-12-13 | Family | None | R1 |
| 11/26/2012 | CUP-12-12 | 2 | None | R3 |
| 7/9/2012 | CUP-12-04 | Family | Yes, 1 neutral comment seeking info | R3 |
| 6/11/2012 | CUP-12-01 | 2 | None | R2 |
| 2/13/2012 | CUP-11-12 | 2 | None | R3 |
| 1/23/2012 | CUP-11-11 | 2 | None | R3 |
| 10/24/2011 | CUP-11-09 | Family | Yes, 2 supportive letters | R2M |
| 9/26/2011 | CUP-11-06 | 2 | Yes, "several" concerned about traffic | R1 |
| 7/25/2011 | CUP-11-05 | 2 | None | R1 |
| 5/23/2011 | CUP-11-02 | 2 | None | R3 |
| 5/23/2011 | CUP-11-03 | 2 | None | R1 |
| 3/14/2011 | CUP-11-01 | Family | None | R1 |

- Planning staff believes that eliminating a costly and time-consuming public and departmental/outside agency notification process associated with obtaining a conditional use permit for a non-contentious use would result in more effective and efficient use of City resources.
- Fire inspections carried out by the Laramie Fire Department are required and will continue to be required for all Type 2 Child Care Homes or Family Child Care Centers
- Sanitation inspections carried out by the Wyoming Department of Family Services are required and will continue to be required for all Type 2 Child Care Homes or Family Child Care Centers.
- Home inspections carried out by the Wyoming Department of Family Services are required and will continue to be required for all Type 2 Child Care Homes or Family Child Care Centers. (Checklist of WDFS home inspection attached)

The proposed text updates are being proposed to:

1. Streamline the process for citizens to start a Type 2 Child Care Home or Family Child Care Center—essentially day cares that care for 15 or less children—in a residentially zoned area (RR, LR, R1, R2, R2M, R3). Currently, these uses require applicants to file a Conditional Use Permit.
2. Eliminate a costly and time-consuming public notification process that is rarely contentious that would result in more effective and efficient use of City resources.
3. Work in tandem with existing Wyoming Department of Family Services and Laramie Fire Marshall regulations and guidelines for Child Care facilities.

PROPOSED CHANGES

The changes to Table 15.10-1 will make Family Child Care Centers and Type 2 Child Care Homes permitted uses in all Residential zones (AG, RR, LR, R1, R2, R2M, and R3).

Planning Commission Recommendation:

Planning Commission recommended approval of TA-22-01 at the February 28, 2022 meeting with a vote of Aye: 5. Nay: 0. Absent: 2.

Legal/Statutory Authority:

- 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
- Thrive Laramie Economic Development Plan

Responsible Staff:

Derek Teini, Planning Manager,
721-5245
Philipp Gabathuler, Principal Planner,
721-5232

Future dates are subject to change

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|--------------------------------------|----------------|
| Advertised | |
| Public Hearing (PH) Held | |
| PH Advertised | |
| Introduction/1 st Reading | March 15, 2022 |
| 2 nd Reading | April 5, 2022 |
| 3 rd Reading | April 19, 2022 |

Attachments:

- Proposed Ordinance 2043
- Planning Commission Staff Report (February 28, 2022)