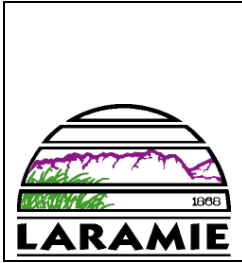


CITY OF LARAMIE COUNCIL REGULAR MEETING April 19, 2022



Agenda Item: Orig. Ordinance 2043 - 3rd 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 third and final reading, in accordance with findings of fact and conclusions of law, and authorize the Mayor and Clerk to sign the ordinance.

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.

COUNCIL DISCUSSION

At the City Council meeting held on April 5, 2022; council members expressed interest in striking the provision in the ordinance change that would require Family Day Care Centers and Type II Day Cares to operate between the hours of Monday through Friday from 5AM-8PM. The motion was made to strike the provision and the new proposed ordinance does not include the hours of operation requirement.

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

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)