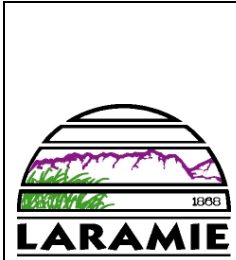


CITY OF LARAMIE COUNCIL REGULAR MEETING February 24, 2021



Agenda Item: Orig. Ordinance - 2nd Reading

Title: Original Ordinance No. 2023 amending various sections of Title 15.08 of Laramie Municipal Code regarding Downtown Commercial Zoning District regulations.

Recommended Council MOTION:

Move to **approve** Original Ordinance No. 2023 as recommended by the Planning Commission, on second 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.

Council Update:

At Council's August 4th, 2020 Regular Meeting, the Council split Ord. 2016 into two separate sections; one section included Sections 5, 7 and 8 which related to standards associated with Patio design, Protruding signage size and prohibition of temporary banners, and the second section including sections 1, 2, 3, 4, 6, 9, 10, and 11 of Ord. 2016, which included all the remaining items included with the original ordinance. A motion to postpone the second section of the code amendments to the Council's February 2nd, 2021 meeting was passed with a vote of 5 Aye and 4 Nay.

The reason for this division was to separate the more contentious design standards from the design standards that everybody could agree on. Generally, the standards that were approved would have no affect on existing businesses and the others that were postponed were perceived as affecting property values or possibly putting burdens on property owners.

Since this split, City staff in coordination with Laramie Main Street conducted additional public engagement efforts at the request of Council in order to inform downtown building and business owners of these changes. Engagement included flyers being passed out (see attached FAQ sheet), open house zoom meetings (January 13 at 8am and 5:30pm, and January 20 at 8am and 5:30pm),

open office hours and the previous engagement where staff sent letters to all downtown building owners.

The FAQ sheet was dropped in mailboxes, taped to doors and emailed to business and building owners who stated that they did not receive them. After the sheets had been passed out, staff received one email (attached to this packet), regarding the stucco amendment and what constituted a historical building. After some time had gone by, staff received many emails from a member of the public with concerns about all recommended changes and one email from a member of the downtown community with concerns around the residential parking amendment.

At the zoom meetings listed above, in total, the meetings were attended by 8 members of the public and multiple Main Street Board and Staff members. The public raised concerns about the alteration of existing properties, the affect of their property values, the non-historic character of these design standards, having residential units within the downtown area, parking, the building height of 80 feet, lack of public engagement, lack of quantitative studies for the changes and overall destruction of the downtown character. Staff continued to be available for meetings with the public after these efforts were made, but no other members of the public approached staff with questions or concerns. Staff will continue to be available through all three readings of this ordinance.

Unfortunately, due to a timing concern from Main Street, as presented in their attached letter and concerns from a portion of the public about the impact of some of these changes to existing buildings during this economic downturn, staff is recommending that the amendments around transparency and building materials be removed (Removed February 10th) and that the 80% lot build out be changed to only affect new construction (Not amended). Staff believes these changes are appropriate and should be considered, but it also understands that it's a busy and difficult time for small business owners due to COVID. Staff believes that all of these amendments together creates a sustainable and beneficial model for the growth of downtown and that it's better to be prepared now, rather than after development starts or needs to start in the downtown area. Taking into consideration Main Street's stance and some of the public's concern, sample language has been provided for the recommended amendments to the ordinance:

Motion to change the 80% lot coverage to affect only existing buildings:

“Move to approve an amendment to Section XX of the Original Ordinance No. 2023 to read as all new construction shall have a minimum footprint of 80 percent of the lot square footage. A patio may constitute 20 percent of the required footprint. All stories above the ground floor shall have a minimum 60 percent of the lot footprint.”

At Council's special meeting on February 10, council amended the ordinance and removed all sections that dealt with building materials and transparency, leaving sections 4, 6, 7 and 8. Staff hopes to bring these amendments back in the future, in partnership with main Street.

All other items are recommended by staff to remain in the ordinance and be considered for approval.

Background:

The present amendment is initiated by the City of Laramie as part of the continual effort to keep the Unified Development Code (UDC) accurate, correct concerns, and remove potential avenues of confusion. All prior revisions to LMC Chapter 15 (Unified Development Code) can be found online at www.cityoflarmie.org/UDC.

The proposed text updates will encourage development within the DC District and put less restrictive practices on developers, while also ensuring a more vibrant downtown by ensuring higher quality design and use of land. Laramie Downtown is many times the first place that visitors encounter and staff believes that this text amendment will contribute to a sustainable growth in the DC District, and surrounding areas as our downtown grows and implement best planning practices for downtowns.

The amendments and updates within this UDC Text Amendment have been gathered through efforts of City Staff and Laramie Main Street throughout the past few years. These amendments and additions were also prompted through project experience, new business models, enquiries from the public, challenges identified by Community Partners in their code audit and staff's constant effort to improve Laramie's UDC as development continues to evolve.

Proposed Text Amendments:

- Update maximum and minimum building height
- Creation of a building footprint requirement
- Update residential parking standards for the DC district

Planning Commission Recommendation:

Planning Commission recommended approval of TA-20-01 at the June 22, 2020 meeting with a vote of Aye: 4. Nay: 0. Absent: 3.

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

Responsible Staff:

Todd Feezer, Assistant City Manager,
721-5304

Matthew Cox, Associate Planner,
721-5344

Future dates are subject to change

Advertised	
Public Hearing (PH) Held	February 16, 2021
PH Advertised	
Introduction/1 st Reading	February 10, 2021
2 nd Reading	February 16, 2021
3 rd Reading	March 2, 2021

Attachments:

- Proposed Ordinance No. 2016
- Planning Commission Staff Report (June 22, 2020)
- Laramie Main Street Support Letter

- Public Engagement FAQ sheet
- National Main street Support letter
- Cascadia Support Letter
- Public emails (2)