

ORIGINAL ORDINANCE NO.: 1961
ENROLLED ORDINANCE NO.: 1728

INTRODUCED BY: HENRY

AN ORDINANCE AMENDING TITLE 15 OF LARAMIE MUNICIPAL CODE FOR THE PURPOSES OF CORRECTING TYPOGRAPHICAL ERRORS, INCORRECT CROSS REFERENCES AND REVIEW AUTHORITIES; THE DEVELOPMENT DEFINITION, LIGHTING STANDARDS, BICYCLE PARKING REQUIREMENTS, THE DEFINITION OF BUILDING, OUTDOOR STORAGE YARD SCREENING, TRASH ENCLOSURE STANDARDS, FRANCHISE INSTALLATION UTILITY STANDARDS; AND REMOVING REFERENCES TO THE COMMUNITY DEVELOPMENT DEPARTMENT AND DIRECTOR.

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, typographical errors consisting of incorrect cross-references have been found in LMC Title 15 and need correction;

WHEREAS, staff has identified other sections of Title 15 in need of clarification;

WHEREAS, the Community Development Department and the Department review authority has been dissolved and the Planning Division has been incorporated as a separate division within the City Manager's Office and needs to be reflected in Title 15;

WHEREAS, on February 13, 2017, 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 March 21, 2017 to take and consider public comments;

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

Section 1. That LMC 15.14.170.C.3. is **amended** to read as follows: “Maintenance Any new trees used to replace significant trees shall be maintained in accordance with LMC 15.14.050.C.7. For purposes of this subsection, the cited Landscaping and Screening maintenance subsection shall be deemed applicable to single-family properties.

Section 2. That LMC 15.14.170.C.2 is amended to read as follows: “Enforcement. The department shall notify all development applicants reminding them of the significant tree replacement requirements at the time of pre-application or application, whichever occurs first.

Section 3. That LMC Figure 15.08-10 shown in LMC 15.14.170.D be **renamed** to “Figure 15.14.170-1”;

Section 4. That LMC 15.04.020.A.10 is **deleted** in its entirety and the remainder of the subsection is renumbered accordingly;

Section 5. That LMC 15.04.020.A.13 is **created** to read as follows: “Major Temporary Use Permits”;

Section 6. That LMC 15.04.080 is **deleted** in its entirety;

Section 7. That City Council column of the Conditional Use Permits / 15.06.060.E row of Table 15.06-1 shown in LMC 15.06.020 is **amended** as to read as follows: “ ” [blank];

Section 8. That City Council column of the Comprehensive Plan Amendment / 15.06.060.X row of Table 15.06-1 shown in LMC 15.06.020 is **amended** as to read as follows: “ ” [blank];

Section 9. That Planning Commission column of the Comprehensive Plan Amendment / 15.06.060.X row of Table 15.06-1 shown in LMC 15.06.020 is **amended** as to read as follows: “D”;

Section 10. That LMC 15.08.030.E.2.c.vii be amended to read as follows: “**Facades and Articulation.** Each multi-family residential principal structure shall meet the standards of subsections (2) and (3) below. Each non-residential principal structure or mixed-use principal structure (i.e. containing both residential and non-residential uses) shall meet at least two of the three standards in subsections (1) through (3) below, with the choice of those standards to be at the option of the owner:

Section 11. That LMC 15.08.040.A.3.g amended to read as follows: ““Development” means the preliminary and final platting of land, construction, reconstruction, conversion, structural alteration, relocation, enlargement of any structure, or project requiring site plan review; any mine, excavation, landfill; and/or any change in use, or alteration or extension of the use of land; excluded from this definition are additions to single family residences that do not increase the amount of wastewater effluent, above the capacity of the permitted small wastewater system (effluent amount determined by number of bedrooms), residential accessory buildings, construction of a single-family home on an existing lot that will be attached to a municipal or centralized sewer collection line, or construction that does not require a building permit, or construction that requires a building permit which is wholly interior, involves no use change and is not a pre-existing non-conforming use. (Ord. 1671 § 21, 2014, Ord. 1596 § 28, 2011)”

Section 12. That LMC 15.08.050.C is amended to read as follows: “15.08.050.C Exceptions. This section does not apply to lawfully constructed buildings, structures, and uses of land in existence on the effective date of the ordinance codified in this section. The nonconforming provisions of chapter 15.22, Nonconformities, shall apply except as noted hereafter in this section.

Section 13. That LMC 15.14.110.B.3 is amended to read as follows: “**Total Light Output.** Total light output of any development project that requires Site Plan Review (excluding streetlights for public rights-of-ways and single-family, and/or two-family development projects), shall not exceed 40,000 lumens per acre, averaged over the entire project. A photometric study shall be submitted as part of the site plan review application. The photometric study shall show that no more than 0.2 footcandles are observed at a property line on an adjacent property. For those property lines that abut right-of-way, no more than 0.0 footcandles shall be observed 20 feet beyond the property line. Exceptions may be granted by the City for lighting of a shared driveway, common access way or pedestrian connection. (Ord. 1671, § 21, 2014; Ord. 1596 § 44, 2011; Ord. 1625 § 19, 2012).

Section 14. That LMC 15.14.030.D.3 shall be amended to read as follows:

“Outdoor Storage

Outdoor storage is a permitted accessory use in the I1 and I2 zone districts without restriction. In the B2, C2, LM, and IP zone districts, outdoor storage is permitted through the site plan review process and subject to compliance with the following requirements (Ord. 1671 § 21, 2014):

- a. Except for outdoor storage associated with industrial or agricultural uses, each outdoor storage area shall be incorporated into the overall site design of the primary structure on the site and shall be located at the rear of the primary structure.
- b. Each outdoor storage area shall be screened from view from all property lines and adjacent rights-of-way at the property line, by an opaque fence or wall between six and eight feet in height. Fences and walls shall meet the development standards of LMC 15.14.100, Fences and Walls, however, the fence may exceed eight feet in height

where the difference in grade between the right-of-way and the outdoor storage area makes a taller fence necessary to effectively screen the area. Materials may shall not be stored higher than the height of the primary structure unless stored in accordance with subsection 15.14.030.D.3.g.

- c. A landscaped earthen berm may be used instead of or in combination with a required fence or wall.
- d. If the outdoor storage area is covered, then the covering shall include at least one of the predominant exposed roofing colors on the primary structure.
- e. No materials may be stored in areas intended for vehicular or pedestrian circulation or required parking.
- f. No storage of any items may occur within the front setback area or within the one-half of the each side setback nearest the street.
- g. Rooftop outdoor storage is permitted at the discretion of the department when the storage can be completely screened from view from all elevations.”

Section 15. That within the entirety of LMC Tile 15 references to “Director” and “Community Development Director” in the context of Community Development Director shall be changed to “City Manager or his or her designee”;

Section 16. That within the entirety of LMC Tile 15 references to “department” shall be changed to “City Manager’s Office”;

Section 17. That LMC Table 15.060-1 be amended to delete the column “City Manager” and the review authority, “R”, for “Major Temporary Use Permits / 15.06.060.G” be shown in the City Manager’s Office column;

Section 18. That LMC 15.28.030.A.76 be amended to read as follows: “City Manager. “City manager” means the manager for the city of Laramie, Wyoming or the manager’s designated representative. The city manager may designate others as a representative. (Ord. 1322 § 2 (part), 2000).

Section 19. That LMC 15.28.030.A.111 be deleted in its entirety and the remainder of the subsection be renumbered accordingly;

Section 20. That LMC 15.28.030.A.117 be deleted in its entirety and the remainder of the subsection be renumbered accordingly;

Section 21. That LMC 15.28.030.A.56 shall be amended to read as follows: ““Building” means any permanent structure built for the shelter or enclosure of persons, animals, chattels or property of any kind and not including advertising signboards or fences. A building is considered a single building if the building includes one and/or a combination of the following elements as determined by staff; communication with each other through structural connections

such as foundations or walls, major architectural elements, protected hallways or common areas that provide circulation and square footage within the building or other significant elements as determined by staff. (Ord. 194 § 12.2(6), 1964).”

Section 22. That this ordinance shall become effective after its passage, approval and its publication.

Passed and approved this 18th day of April, 2017.

Andi Summerville, Mayor and President of the
City Council

Attest:

Angie Johnson
City Clerk

First Reading: March 7, 2107

Public Hearing: March 21, 2017

Second Reading: March 21, 2017

Third Reading and Final Action: April 18, 2017

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