AGENDA
CITY OF LARAMIE, WYOMING
CITY COUNCIL MEETING
CITY HALL
OCTOBER 18, 2016 6:30 pm

City Council Meetings are open to the public. Requests for accommodations from persons with disabilities must be made to the City Manager's Office 24 hours in advance of a meeting.

Please be advised no additional agenda item will be introduced at a Regular City Council meeting after the hour of 9:30 p.m., unless the majority of the City Council members present vote to extend the meeting.

1. AGENDA

2. Pledge of Allegiance

3. Roll Call

4. PRE-MEETING ITEMS

4.A. PROCLAMATIONS & PRESENTATIONS

4.B. PUBLIC HEARING

4.B.i. PUBLIC HEARING. Original Ordinance No. 1956, rezoning approximately 18,000 sq. ft. of land located at 2159 Snowy Range Road, generally located on the northwest corner of Colorado Avenue and Snowy Range Road in Laramie, from B2 (Business) District to B2 (Business) District with ROB (Residential Overlay for Business) District.

Documents:

PH cover 10-18.pdf
Legal Ad CC Public Meeting 10-18-2016.pdf

4.C. ANNOUNCEMENTS

5. Disclosures by City Council Members

6. Consideration of Changes in Agenda and Setting the Agenda

A. MOTION BY ___, seconded by ___, that the following changes to the Agenda be approved:

B. MOTION BY ___, seconded by ___, that the Agenda be set as submitted or changed.

7. Approval of Consent Agenda

Items listed on the Consent Agenda are considered to be routine and will be enacted by one motion in the form listed below. There will be

no separate discussion of these items unless a Councilor or citizen so requests, in which case the item will be removed from the Consent Agenda and will be considered on the Regular Agenda.

MOTION BY ____, seconded by _____, that the Consent Agenda be approved and that each specific action on the Consent Agenda be approved as indicated.

8. CONSENT AGENDA

8.A. MINUTES: City Council Meetings

Action:
that Council approve the Minutes of the City Council Regular Meeting of October 4, 2016, and the Public Hearing of October 4, 2016 and have them placed on file for public inspection.
[Johnson, CC]

Documents:

Minutes 10.04.2016Min.pdf
Public Hearing 10.04.16 Ord 1955.pdf

8.B. CEMETERY DEEDS: For October 1-15, 2016

Action:
that the Cemetery Deeds for October 1-15, 2016 be accepted, and the Mayor and City Clerk be authorized to sign and have them recorded in the Office of the County Clerk. **[Feezer, P&R]**

8.C. ORDINANCE: Original Ordinance No. 1955, Redesignating the Name of Ivinson Street (Redesignating as Ivinson Avenue)

Third and Final Reading. (Introduced by Shumway)
Action:
to approve Original Ordinance No. 1955 redesignating Ivinson Street as Ivinson Avenue on third and final reading, based on findings of fact and conclusions of law and authorize the Mayor and Clerk to sign the Ordinance.
[Derragon, ACM]

Documents:

Cover Sheet.pdf
Original Ordinance No. 1955.pdf
Planning Commission Packet.pdf

8.D. SCHEDULE MEETING(S)

Action:
that the Council schedule the following meeting(s):
1. November 1, 2016, 6:30 pm, Public Hearing: Restaurant Liquor License Application, DNP Investments, LLC
2. November 8, 2016, 6:00 pm, Work Session: Snowy Range Road Pedestrian/Bicycle Corridor Study
3. November 8, 2016, 6:00 pm, Work Session: WAM Financial Recommendations and Feedback (Date Change)

4. **November 22, 2016, 6:00 pm, Work Session:** City-Initiated Towing #3
5. **November 22, 2016, 6:00 pm, Work Session:** Liquor Laws & Local Authority
6. **December 13, 2016, 6:00 pm, Work Session:** Restaurant and Pool Inspection Program Future

9. **REGULAR AGENDA**

10. **Original Ordinance No. 1956, rezoning approximately 18,000 sq. ft. of land located at 2159 Snowy Range Road, generally located on the northwest corner of Colorado Avenue and Snowy Range Road in Laramie, from B2 (Business) District to B2 (Business) District with ROB (Residential Overlay for Business) District.**
Second Reading. (Introduced by Schuster)
[Derragon, ACM]

Documents:

CC Cover Sheet 2nd reading 10-18-2016.pdf
Ordinance 2nd Reading.pdf
Z-16-04 PC Staff Report.pdf

11. **Original Ordinance No. 1966, amending Section 5.09.355(c) of the Laramie Municipal Code Catering Permits for Special Events.**
Introduction and First Reading
[Johnson, CC]

Documents:

Cover Sheet Ord 1966, catering permit limits.pdf
Ord 1966 Catering Permit limitation.pdf

12. **Consideration of Memorandum of Understanding Between the Wyoming Department of Agriculture, Consumer Health Service Division, and the City of Laramie**
[Jordan, CM]

Documents:

CoverSheetMOUWYDeptofAg.pdf
MOUDeptofAg-Laramie.pdf

13. **Original Ordinance No. 1949, amending Title 15 of Laramie Municipal Code for the purpose of amending the Landscaping Requirements**
Third and Final Reading. (Introduced by Pearce)
[Derragon, ACM]

Documents:

1.Cover Sheet.pdf
2.Original Ordinance No. 1949.pdf
3.Exhibit 1.pdf
4.Arborist and Parks, Trees and Recreation Advisory Board Comments.pdf
5.Memo to Council.pdf
6.Planning Commission Staff Report.pdf

14. Consideration of future Council work session topics

Documents:

Future Work Session Topics 10-18-2016.pdf
Upcoming Meetings 10-18-2016.pdf

15. Public Comments on Non-Agenda Items by sign-in requests

(Members of the public may address the City Council on items not on the printed Agenda. Please observe the time limit of five (5) minutes.)

16. Adjournment

CITY OF LARAMIE COUNCIL REGULAR MEETING October 18, 2016

	Agenda Item: Orig. Ordinance – Public Hearing **Title:** Original Ordinance No. 1956, rezoning approximately 18,000 sq. ft. of land located at 2159 Snowy Range Road, generally located on the northwest corner of Colorado Avenue and Snowy Range Road in Laramie, from B2 (Business) District to B2 (Business) District with ROB (Residential Overlay for Business) District.

Recommended Council MOTION:

Public Hearing; no action can be taken.

Administrative or Policy Goal:

The Comprehensive Plan's Future Land Use (FLU) Map (Map 3.2) designates this area as AUC (Auto-Urban Commercial). Rezoning of the area to include ROB (Residential Overlay for Business Districts is in conformance with the Comprehensive Plan as it does not change the base zoning of B2 and allows a historically permitted use to once again be permitted.

Background:

This zoning would establish ROB (Residential Overlay for Business Districts) for an area approximately 18,000 sq. ft. size located at 2159 Snowy Range Road, generally located on the northwest corner of Colorado Avenue and Snowy Range Road in Laramie. The area proposed for rezoning represents 1 lot zoned B2 (Business) District, which is developed with a single-family house currently being used as a residential dwelling.

The Laramie Planning Commission unanimously recommended the Council approve the Zoning Amendment at their September 12, 2016 meeting (6 yes, 0 no, 1 absent).

The Laramie City Council voted to approve the Zoning Amendment on First Reading at their October 4, 2016 meeting (8 yes, 0 no, 1 absent).

The September 12, 2016 Planning Commission staff report is included. No changes have been made to the report subsequent to the Planning Commission action.

Legal/Statutory Authority:

- Laramie Municipal Code. Chapter 15 Unified Development Code
- Wyoming State Statutes Title 15 Article 1 Section 502
- Wyoming State Statutes Title 15 Cities and Towns, Article 5 Planning
- Wyoming State Statutes Title 15 Cities and Towns, Article 6 Zoning
- All regulations found within the Laramie Municipal Code (including the Unified Development Code) were approved and adopted through Ordinance by the City Council. It is the professional obligation and responsibility of staff to follow and enforce adopted codes

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BUDGET FISCAL INFORMATION:

REVENUE

Source	Amount	Type
Fees/Charges for Service	$0.00	No fee for ROB. Resolution 2014-81
Grant		
Loan		
Other		
Total	$0.00	

Responsible Staff:

David Derragon, Assistant City Manager:
307-721-5304

Eric Conner, Associate Planner:
307-721-5344

Work Session	
Advertised	
Public Hearing (PH) Held	10/18/2016
PH Advertised	10/1/2016
Introduction/1st Reading	10/4/2016
2nd Reading	10/18/2016
3rd Reading	11/1/2016

Attachments: Zoning Ordinance
Planning Commission Staff Report dated September 12, 2016

_____ City Manager _____ City Attorney _____ Planning

CITY OF LARAMIE NOTICE OF PUBLIC MEETING(S)

The City Council will hold the following public hearings at 6:30 p.m. on October 18, 2016 in the City Council Chambers, Laramie City Hall, 406 Ivinson Avenue, Laramie, WY, to take public comments following:

-Z-16-04: Submitted by Chad Wagner, requesting the establishment of the ROB (Residential Overlay for Business) zoning at a property located at 2159 Snowy Range Road.

All applications, plans and specifications relative to these matter(s) are available for review at the City of Laramie Planning Office, at 405 Grand Avenue, Laramie, WY. Anyone wishing to be heard should be present or may be represented by his or her agent at the meeting. Written comments may be mailed to: City Council c/o City of Laramie Planning Office, P.O. Box C, Laramie, WY 82073. For questions or information, contact City Planning, at the address above, by telephone at 307-721-5207 or by email at planning@cityoflaramie.org.

Publish: October 1, 2016

BILL TO: City of Laramie Clerk, Attn: Angie Johnson, P.O. Box C, Laramie, WY 82073

AFFIDAVIT REQUIRED; PLEASE SEND TO ABOVE

1. AGENDA

Regular Meeting of the City Council was called to order by Mayor Paulekas at 6:30 p.m.

2. Roll Call

Roll call showed present: Hanson, Henry, Shumway, Shuster, Summerville, Vitale, Weaver, Pearce, and Paulekas. Absent: None.

Staff present: David Derragon, Assistant City Manager; Angie Johnson, City Clerk; Bob Southard, City Attorney; Todd Feezer, Parks & Recreation Director; and Dale Stalder, Police Chief.

3. Pledge of Allegiance

Mayor Paulekas led the Pledge of Allegiance.

4. PRE-MEETING ITEMS

4.A. PROCLAMATIONS & PRESENTATIONS

4.A.i. PROCLAMATION: Community Planning Month

4.A.ii. PROCLAMATION: Domestic Violence Awareness Month

4.B. PUBLIC HEARING: Original Ordinance No. 1955, Redesignating the Name of Ivinson Street (Redesignating as Ivinson Avenue).

4.C. ANNOUNCEMENTS: None

5. Disclosures by City Council Members

None.

6. Consideration of Changes in Agenda and Setting the Agenda

A. MOTION BY PEARCE, seconded by Summerville, that the following changes to the Agenda be approved: Cancel October 11, 2016 Work Session.

MOTION CARRIED by voice vote.

B. MOTION BY PEARCE, seconded by Shumway, that the Agenda be set as submitted or changed.

MOTION CARRIED by voice vote.

7. Approval of Consent Agenda

Items listed on the Consent Agenda are considered to be routine and will be enacted by one motion in the form listed below. There will be no separate discussion of these items unless a Councilor or citizen so requests, in which case the item will be removed from the Consent Agenda and will be considered on the Regular Agenda.

MOTION BY PEARCE, seconded by Summerville, that the Consent Agenda be approved and that each specific action on the Consent Agenda be approved as indicated.

Roll call showed Aye: Hanson, Henry, Shumway, Shuster, Summerville, Vitale, Weaver, Pearce, and Paulekas. Nay: None. Absent: None. MOTION CARRIED.

8. CONSENT AGENDA

8.A. MINUTES: City Council Meetings
Action:
that Council approve the Minutes of the City Council Regular Meeting of September 20, 2016, the Public Hearings of September 20 & 27, 2016, the Special Meeting of September 27, 2016 and have them placed on file for public inspection.

8.B. Cemetery Deeds: For September 16-30, 2016
Action:
that the Cemetery Deeds for September 16-30, 2016 be accepted, and the Mayor and City Clerk be authorized to sign and have them recorded in the Office of the County Clerk.

8.C. VOUCHERS: September 2016
Action:
that the following Resolution be adopted: BE IT RESOLVED: that all vouchers approved by the Finance Committee be allowed, warrants drawn on proper City funds in payment thereof, and the vouchers be placed on file in the Treasurer's Office subject to public inspection; and that Council authorize payment for the month-end payroll, light and gas charges, telephone charges, Pioneer Canal-Lake Hattie Irrigation District lease, employee travel, other employee reimbursements, pay advances, refunds for City services, recording fees, postage, lease purchase and bond payments, self-funded employee health insurance claims, miscellaneous insurance claims, Council-approved bid items, outside attorney fees, other consulting fees, before normal City Council approval on the first Tuesday of October. These expenditures are to be paid subject to audit by the City of Laramie Finance Department.

8. D. MINUTES: of the September 14, 2016 Parks, Tree & Recreation Advisory Board.
Action:
that Council accept the minutes of the Parks, Tree & Recreation Advisory Board from September 14, 2016, and have them placed on file for public inspection.
1) to approve the minutes from the July 20, 2016 regular meeting of the Parks, Tree and Recreation Advisory Board. (Approved)

2) to approve resolution 2016- authorizing co-sponsorship the Friends of Community Recreation 2016 Skateboard Competition to be held on September 24, 2016 at the LaBonte Skate Park. (Approved - forward to City Council for Consideration)

3) to approve placement of a memorial boulder and plaque in remembrance of Kim Campbell at the base of the stairs on the east side of the foot bridge. (Approved)

4) introduction of new board member Nick Carlson to fulfill the position vacated by Jacque Stonum, term expires December 2018. (No Action)

5) election of Board Chair and Vice Chair for remainder of 2016 - Foianini Chair/Favret Vice-Chair. (Approved)

6) presentation of the concept for the development of a full pipe addition to the LaBonte Skate Park (Approved - forward to City Council for Consideration)

7) discussion regarding Original Ordinance No. 1949 amending Title 15 of Laramie Municipal Code for the purpose of amending the Landscaping Requirements. (Discussed – Comments to Planning)

8) consideration of Memorandum of Understanding between Albany County School District Number One and City of Laramie outlining the use, care and expenses related to community use of the "original" Deti Stadium. (Approved – forward to City Council for Consideration)

9) to discuss an Administrative Policy and Procedure for Naming/Renaming City of Laramie, Parks & Recreation Department Parks and/or Facilities and forward to City Council for acknowledgement. (Approved – forward to City Council for Consideration)

8.E. GRANT: Grant award from the Wyoming Office of Homeland Security
Action:

to accept a grant award from the Wyoming Office of Homeland Security for Law Enforcement Terrorism Prevention Activities (LETPA) in the amount of $45,000.00 (CFDA #97.067) and authorize the City Manager and Chief of Police to sign the grant award between the Laramie Police Department and Wyoming Office of Homeland Security.

8.F. SCHEDULE MEETING(S)
Action:

that the Cuoncil schedule the following meeting(s):

1. **October 18, 2016, 6:30 pm, Public Hearing:** Original Ordinance No. 1956
2. **October 11, 2016, 6:00 pm, Work Session:** CANCELLED

9. <u>REGULAR AGENDA</u>

10. Temporary Relocation of Albany County Liquor License Cavalryman Steakhouse into City Limits.

MOTION BY VITALE, seconded by Henry, that Council approve the alcohol catering application for Cavalryman Steakhouse, Albany County Liquor License, to locate their license within city limits at Corbett Lobby on the University of Wyoming campus on October 8, 2016 from 11:30 am to 1:30 pm for a homecoming tailgate party.

Roll call showed Aye: Hanson, Henry, Shumway, Shuster, Summerville, Vitale, Weaver, Pearce, and Paulekas. Nay: None. Absent: None. MOTION CARRIED.

11. Memorandum Of Understanding between the City of Laramie and the Laramie Town & Gown Association

MOTION BY WEAVER, seconded by Pearce, that Council approve the memorandum of understanding between the City and the University of Wyoming, Laramie County Community College, Wyoming Technical Institute, Albany County, and the Prevention Management Organization, for the purposes stated in the MOU, and to appoint a Councilmember as a liaison to the Laramie Town & Gown Association for the remainder of the 2016 calendar year, and thereafter include appointment of a Councilmember when those appointments are made by Council, and authorize the Mayor and Clerk to sign the MOU.

Roll call showed Aye: Hanson, Henry, Shumway, Shuster, Summerville, Vitale, Weaver, Pearce, and Paulekas. Nay: None. Absent: None. MOTION CARRIED.

12. Resolution 2016-72, supporting the development of a full pipe addition at the LaBonte Skate Park.

MOTION BY WEAVER, seconded by Pearce, that council approve Resolution 2016-72 supporting the development of a full pipe addition at the LaBonte Skate Park and authorize the Mayor and Clerk to sign.

Roll call showed Aye: Hanson, Henry, Shumway, Shuster, Summerville, Weaver, Pearce, and Paulekas. Nay: Vitale. Absent: None. MOTION CARRIED.

13. Original Ordinance No. 1954, amending Title 15 of Laramie Municipal Code for the purposes of allowing "Automobile Service Stations (Minor Repairs Included)" and "Vehicle/equipment sales and rentals (Other Than Motor Vehicles)" as a Conditional Uses in the DC District Third and Final Reading. (Introduced by Vitale)

MOTION BY VITALE, seconded by Pearce, that Council approve Original Ordinance No. 1954 amending LMC 15.10.000.E, to allow "Automobile Service stations (Minor repairs included)" and "Vehicle/equipment sales and rentals (other than motor vehicles) as Conditional Uses in the DC Zone District on third and final reading, based on findings of fact and conclusions of law and authorize the Mayor and Clerk to sign the ordinance.

MOTION BY SUMMERVILLE, seconded by Pearce, that Council postpone approval until November 15, 2016. Amended to a Special Meeting on October 27, 2016.

Roll call showed Aye: Hanson, Henry, Shumway, Summerville, Pearce, and Paulekas. Nay: Shuster, Vitale, and Weaver. Absent: None. MOTION CARRIED.

Council Recessed 8:16 p.m.

Council Reconvened 8:29 p.m.

14. Original Ordinance No. 1955, Redesignating the Name of Ivinson Street (Redesignating as Ivinson Avenue) Second Reading. (Introduced by Shumway)

MOTION BY SHUMWAY, seconded by Henry, that Council approve Original Ordinance No. 1955 redesignating Ivinson Street as Ivinson Avenue on second reading, based on findings of fact and conclusions of law and note a public hearing was held on October 4, 2016.

Roll call showed Aye: Hanson, Henry, Shumway, Shuster, Summerville, Vitale, Weaver, Pearce, and Paulekas. Nay: None. Absent: None. MOTION CARRIED.

15. Original Ordinance No. 1956, rezoning approximately 18,000 sq. ft. of land located at 2159 Snowy Range Road, generally located on the northwest corner of Colorado Avenue and Snowy Range Road in Laramie, from B2 (Business) District to B2 (Business) District with ROB (Residential Overlay for Business) District. Introduction and First Reading.

MOTION BY SHUSTER, seconded by Summerville, that Council approve Original Ordinance No. 1956 on first reading, rezoning approximately 18,000 sq. ft. of land located at 2159 Snowy Range Road, generally located on the northwest corner of Colorado Avenue and Snowy Range Road in Laramie, from B2 (Business) District to B2 (Business) District with ROB (Residential Overlay for Business) District, based on findings of fact and conclusions of law; set a public hearing for October 18, 2016.

Roll call showed Aye: Hanson, Henry, Shumway, Shuster, Summerville, Vitale, Weaver, Pearce, and Paulekas. Nay: None. Absent: None. MOTION CARRIED.

16. Consideration of future Council work session topics

1) Paulekas: Liquor Law & Local Authority plus resolution from WAM regarding changes state-wide.

2) Summerville: Meet with Legislature sometime between late November or early December.

3) Pearce: Update on Mosquito Control.

17. Public Comments on Non-Agenda Items by sign-in requests

18. Adjournment

MOTION BY HANSON, seconded by Pearce, that Council adjourn.

MOTION CARRIED by voice vote.

Council adjourned at 8:49 p.m.

Respectfully submitted,

Angie Johnson

City Clerk

LARAMIE CITY COUNCIL
PUBLIC HEARING
ORIGINAL ORDINANCE NO. 1955, REDESIGNATING THE NAME OF IVINSON STREET
(REDESIGNATING AS IVINSON AVENUE)
OCTOBER 4, 2016

Public Hearing was called to order by Mayor Paulekas at 6:38 p.m.

City Council present: Klaus Hanson, Vicki Henry, Joe Shumway, Bryan Shuster, Andi Summerville, Joe Vitale, Paul Weaver, Jayne Pearce, and Dave Paulekas. Absent: None.

The City Clerk read the notice:

The City Council will hold the following public hearings at 6:30 p.m. on October 4, 2016 in the City Council Chambers, Laramie City Hall, 406 Ivinson Avenue, Laramie, WY, to take public comments following: -An Ordinance renaming the entirety of Ivinson Street to Ivinson Avenue. Anyone wishing to be heard should be present or may be represented by his or her agent at the meeting.

Mayor Paulekas asked if there were any comments.

Kim Viner in support. Christie Anderson in support. Lori Kirk in support.

Public Hearing was closed at 6:41 p.m.

Respectfully submitted

Angie Johnson
City Clerk

CITY OF LARAMIE COUNCIL REGULAR MEETING October 18, 2016

	Agenda Item: Original Ordinance - 3rd Reading **Title: Original Ordinance No. 1955, Redesignating the Name of Ivinson Street (Redesignating as Ivinson Avenue).**

Recommended Council MOTION:

Move to **approve** Original Ordinance No. 1955 redesignating Ivinson Street as Ivinson Avenue on third and final reading, based on findings of fact and conclusions of law and authorize the Mayor and Clerk to sign the Ordinance.

Administrative or Policy Goal:

Rename Ivinson Street to Ivinson Avenue to restore the historic name of the thoroughfare.

Background:

Kim Viner, Historian for the Laramie Plains Museum, has made a request to rename Ivinson Street to Ivinson Avenue. On August 9, 2016 Mr. Viner submitted to the City a petition to the City signed by a majority of the property owners adjacent to Ivinson Street requesting the name be changed to Ivinson Avenue meeting the requirements of LMC Chapter 2.38. Presently the City recognizes the street as Ivinson Street.

In recent decades street signs were changed stating a name of Ivinson Street. Mr. Viner and staff could not find an information in City or County records indicating that it had been to Ivinson Street. Over the last year Mr. Viner has been working with staff in trying to determine when and how Ivinson Street became labeled as Ivinson Street. It has been concluded that the street name was accidentally changed and this Ordinance is required to rename it.

On September 20, 2016, the City Council approved this ordinance (8 yes, 0 no, 1 absent). At the October 4, 2016 Public Hearing three people spoke in support of the resdesignation. On October 4, 2016, the City Council approved this ordinance (9 yes, 0 no).

The Planning Commission heard this item on September 12, 2016. The Planning Commission recommend that the City Council approve the Amendment to the zoning map reflecting the name Ivinson Avenue (6 yes, 0 no, 1 absent).

The Planning Commission staff report is included. No changes have been made.

Legal/Statutory Authority:

- Laramie Municipal Code: Chapter 2.38 (Street Naming Committee)
- Wyoming State Statutes: Title 15, Chapter 4, Article 3: Property, Financial Affairs, Contracts, Streets, Subdivisions and Utilities

BUDGET/FISCAL INFORMATION:

BUDGET/FISCAL INFORMATION:

REVENUE

Source	Amount	Type
Fees/Charges for Service	$0.00	
Grants for Projects		
Loans on Project		
Other		
Total	$0.00	

Responsible Staff:

David Derragon, Assistant City Manager, 721-5304

Charles W. Bloom, AICP, Principal Planner, 721-5232

Future dates are subject to change

Work Session	
Advertised	
Public Hearing Held	October 4, 2016
Pub. Hearing Advertised	August 27, 2016
Introduction/1st Reading	September 20, 2016
2nd Reading	October 4, 2016
3rd Reading	October 18, 2016

Attachments:

Proposed Ordinance No. 1955
September 12, 2016 Planning Commission Staff Report

ORIGINAL ORDINANCE NO.: 1955 INTRODUCED BY: Shumway
ENROLLED ORDINANCE NO.:

AN ORDINANCE REDESIGNATING THE NAME OF IVINSON STREET (REDESIGNATING AS IVINSON AVENUE).

WHEREAS, 41 of 77 (53.2%) property owners abutting and adjacent to the street in question have timely filed a petition with the City of Laramie, Wyoming, requesting that one (1) previously dedicated right-of-way, known and designated as Ivinson Street (full), be redesignated as Ivinson Avenue, which rights-of-way are more fully described in Sections 2 of this Ordinance;

WHEREAS, said petitioners (Albany County; Andersen, Matthew A & Chamois L; Anderson, Edwin A; Christie D; Arsenio Lemus Holdings, LLC, a WY LLC; Barnes, Timothy J; Buckhorn Enterprises, Inc; City Of Laramie; Cossitt, Gordon A & Brenda R; Cupps, Charles Mark; Episcopal Diocese Of Wyoming; The First Nat Bank Of Laramie; Foust, Peter; Frausto Enterprises Inc; Gonzales, Don & Nora E; Hanson, Janell Rev Liv Trust; Heineke LLC, a WY LLC; Klages, Ricki L; Laramie Plains Museum Assoc; Laramie Plains Properties Ltd Partnership; Ludwig Photo Enterprises, a Partnership; MEC Corporation; Romero, Casandra 2009 Rev Trust; Schutterle, John E Liv Trust; St Matthew Cathedral; Timchula, Judith A; University Of Wyoming; Voigt, Karen; and Williamson, Amy K Trust) constitutes a majority of the owners of real property abutting said right-of-way;

WHEREAS, this right-of-way has been platted, and has permanent residents and structures at this time;

WHEREAS, the City Clerk, in compliance with Laramie Municipal Code § 2.38.050.B, gave notice of a public hearing concerning this Petition at least fifteen (15) days in advance by publishing the required notice in the *Laramie Boomerang* on August 27, 2016; and

WHEREAS, a public hearing was held by the City Council on October 4, 2016.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LARAMIE, WYOMING:

Section 1. That pursuant to the petition of the majority of owner(s) of property abutting the dedicated right-of-way known and designated as Ivinson Street (full) as described in Section 2, and pursuant to the authority of Laramie Municipal Code § 2.38.040 through Code § 2.38.070, the City Council finds that the redesignation of the following dedicated right-of-way name will not abridge or destroy any of the rights and privileges of other proprietors in said plat, and further finds that the redesignations are in the best interest of the City of Laramie, Wyoming (City).

Section 2. That the following described dedicated right-of-way is hereby designated with a different name, by abandoning the name "Ivinson Street" and designating same as "Ivinson Avenue."

ALL OF IVINSON STREET AS SHOWN AND DESIGNATED WITHIN THE BOUNDARIES OF THE FINAL PLAT FOR HENRY D. HODGEMAN'S ADDITION AND ORIGINAL TOWN OF LARAMIE PLAT.

Section 3. That the Clerk of Albany County, Wyoming, in whose office the aforesaid plats are recorded, shall cause the redesignated rights-of-way to be indicated in plain legible letters and symbols across the parts of each plat so modified, by striking through the words "Ivinson Street" in it stead, and adding the words "Ivinson Avenue" and shall also make a reference on the same to the volume and page number on which the ordinance redesignating the right-of-way is recorded.

Section 4. That the City Clerk shall cause written notification of such redesignations to be given to the owners of real property abutting the streets as such owners appear on the assessment records of the county assessor, to the United States Post Office, and to such other persons, agencies and offices who may have a direct interest in the redesignation.

Section 5. That this ordinance shall become effective after its passage, approval, publication, and recordation.

Passed and approved this _____ day of _____, 2016.

_____
David A. Paulekas, Mayor and President of the City Council

Attest:_____
Angie Johnson
City Clerk

First Reading: September 20, 2016
Second Reading: October 4, 2016
Public Hearing: October 4, 2016
Third Reading and Final Action: October ~~16~~18, 2016

Duly published in the *Laramie Boomerang* this _____day of _____, 2016.

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

Telephone: (307) 721-5207
Fax: (307) 721-5248

MEMORANDUM

Date: **September 12, 2016**

To: **Planning Commission**

From: **Charles Bloom, AICP, Principal Planner**

Subject: **Renaming of Ivinson Street to Ivinson Avenue**

Recommended Motion:

Move to recommend that the City Council **approve** the request to rename Ivinson Street to Ivinson Avenue.

Background:

Kim Viner, Historian for the Laramie Plains Museum, has made a request to rename Ivinson Street to Ivinson Avenue. On August 9, 2016 Mr. Viner submitted to the City a petition to the City signed by a majority of the property owners adjacent to Ivinson Street requesting the name be changed to Ivinson Avenue meeting the requirements of LMC Chapter 2.38. Presently the City recognizes the street as Ivinson Street.

History:

According to Kim Viner, discussion began on renaming Thornburgh Street to Ivinson Avenue in 1921. These finally gathered traction in 1928 when A. C. Jones, Vice President of First Interstate Bank, began to gather signatures to rename the Street to Ivinson Avenue According to Viner, on January 21, 1928 an Ordinance was signed officially changing the street name to Ivinson Avenue shortly before Edward Ivinson passed away.

In recent decade street signs were changed stating a name of Ivinson Street. Mr. Viner and staff could not find an information in City or County records indicating that it had been to Ivinson Street. Over the last year Mr. Viner has been working with staff in trying to determine when and how Ivinson Street became labeled as Ivinson Street.

How did it Change?

The short answer is “on accident.” Laramie Municipal Code § 12.12.010 “Street names” states that the streets of the city shall be designated and known by the names shown on the "zoning district map of the city of Laramie." Staff has narrowed down the date to the mid-1980s when the City Engineering Department was responsible for maintain the Official Zoning Map of the City. During that time the street was accidentally labeled as Ivinson Street on the map that was prepared in AutoCAD. Since the zoning map officially designates street names, the street has since been legally named Ivinson Street.

Cost:

Public Works Staff estimate that renaming of the street back to its correct name Ivinson Avenue will cost the City approximately $2,500 in materials and labor. This includes the cost to manufacture new signs and staff time to install the new signage.

Findings of Fact and Conclusions of Law:

Findings of Fact:

- A majority of property owners abutting the street have signed the petition

Conclusions of Law:

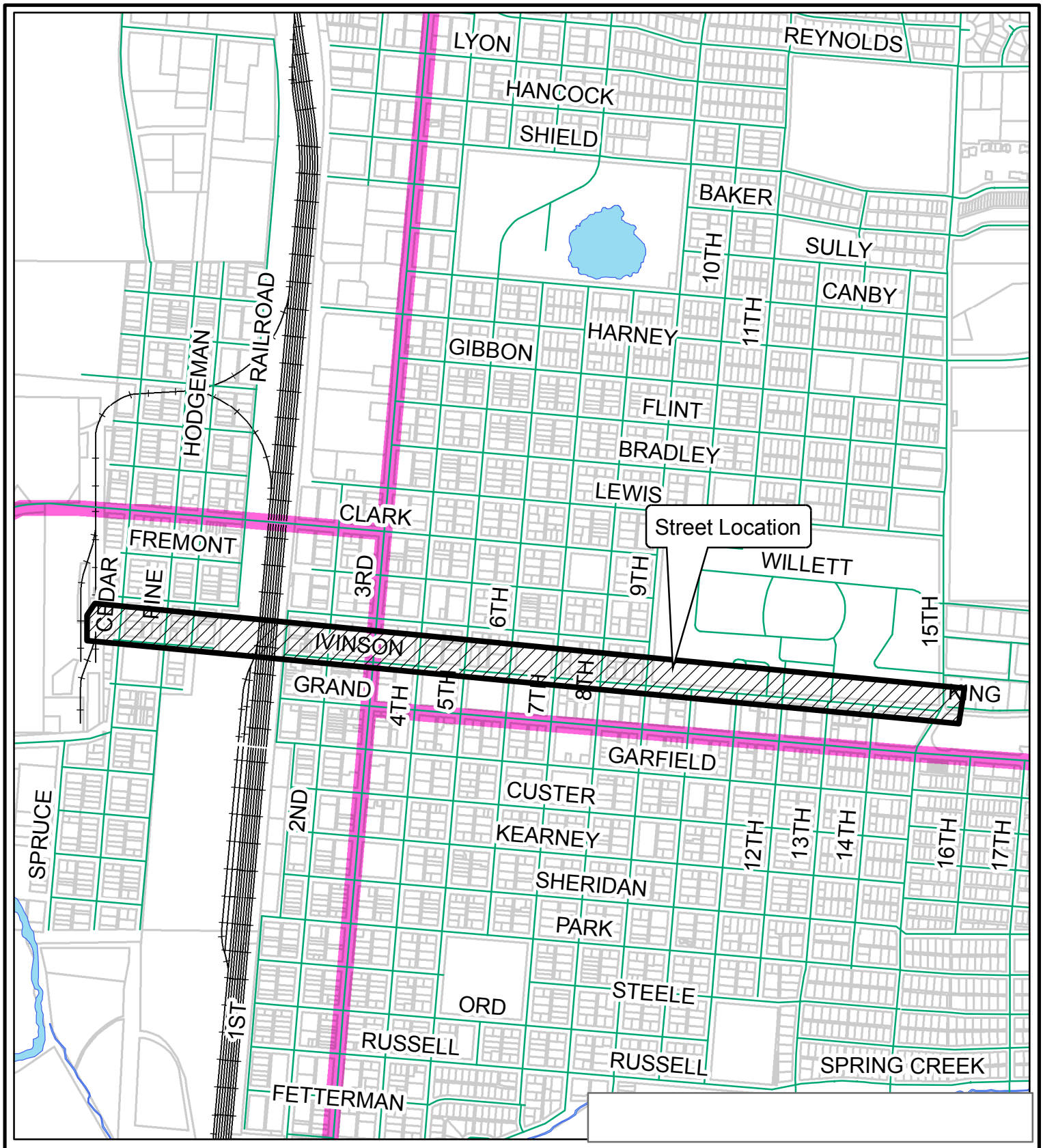
- The applicant is proceeding in accordance with the requirements of LMC 2.38.
- The redesignation of the following dedicated rights-of-way names will not abridge or destroy any of the rights and privileges of other proprietors in said plat,
- The redesignation is in the best interest of the City of Laramie, Wyoming.

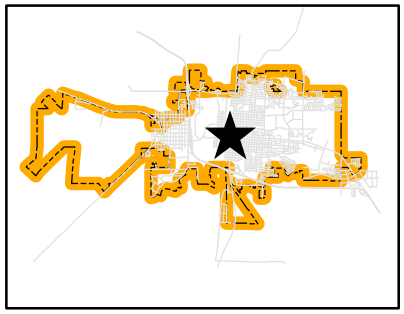
Staff Recommendation:

Staff recommends that the Planning Commission **approve** the request to rename Ivinson Street to Ivinson Avenue.

Attachments:

1. Vicinity Map
2. Request Letter and Supporting Information





Redesignation to Ivinson Avenue

N

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IVINSON STREET OR IVINSON AVENUE?

Over the next two years the city of Laramie will reconstruct part of the street that runs through the heart of historical Laramie. It passes Laramie's oldest banking establishment, St. Matthew's Cathedral, city hall, the county courthouse, the Laramie Plains Museum and the University of Wyoming. The question arises, is it Ivinson Street or Ivinson Avenue?

After Grenville Dodge, chief civil engineer of the Union Pacific Railroad, laid out the city in July 1867, the streets in the town were given very simple names. Streets running north and south were numbered and streets running east and west were given letters for names. From Center Street they were South A, North A etc.

No changes were made until the University of Wyoming came along in 1886. Center Street was renamed University Avenue. In 1889 the remaining east-west streets were given the names that they bear today, with one exception.

That exception is the street that was renamed in 1889 from South A to Thornburgh Street (often misspelled Thornburg). It had been named for Major Thomas Thornburgh who was a unit commander at Fort Steele and was killed in a skirmish with the Ute tribe in 1879 in Colorado.

As early as 1921 it was suggested that the street be renamed to honor Laramie banker and philanthropist, Edward Ivinson. Ivinson had given money to the county to build a modern hospital, deeded his mansion to the Episcopal Church for use as a girls boarding school and donated the money to finish St Matthew's Cathedral.

Opposition arose from an unlikely source, Ivinson's neighbor Melville C. Brown. Brown lived on Thornburgh Street, opposite the Ivinson Mansion block. He was a longtime friend of the Ivinson family but was reported by the Laramie Republican newspaper as being opposed to the change. Brown stated that "General Thornburg" deserved the honor because of his long history in the state. Notably, Brown got Thornburgh's name, rank and importance to Wyoming wrong.

More likely Brown opposed the move because for nearly a decade he tried to get Ivinson to enter into a real estate deal that Brown felt would make him a lot of money. Ivinson did not sell, rather he gave the property to the local orphanage.

The 1921 attempt did not bear fruit, but in 1928, A. C. Jones, vice president of the First National Bank, tried again. Jones collected signatures from everyone who lived on the street and supported the change to Ivinson Avenue. He presented them to the city council. Local history says the only person who would not sign was M. C. Brown.

Despite Brown's opposition, Mayor Stephen Downey signed a city ordinance on 21 January, 1928 changing the name of the street to Ivinson Avenue. Ivinson died 10 weeks later.

But today the street signs read "Ivinson Street." How did the change come about? It seems that no one really knows. Maps produced by the Wyoming Highway Department (1977) the Laramie City Engineer (1982), and the University of Wyoming Architect (1983) all clearly label the street "Ivinson Avenue." Additionally, a photo taken of the corner of Second and Ivinson in 1982 shows a street sign titled "Ivinson Ave."

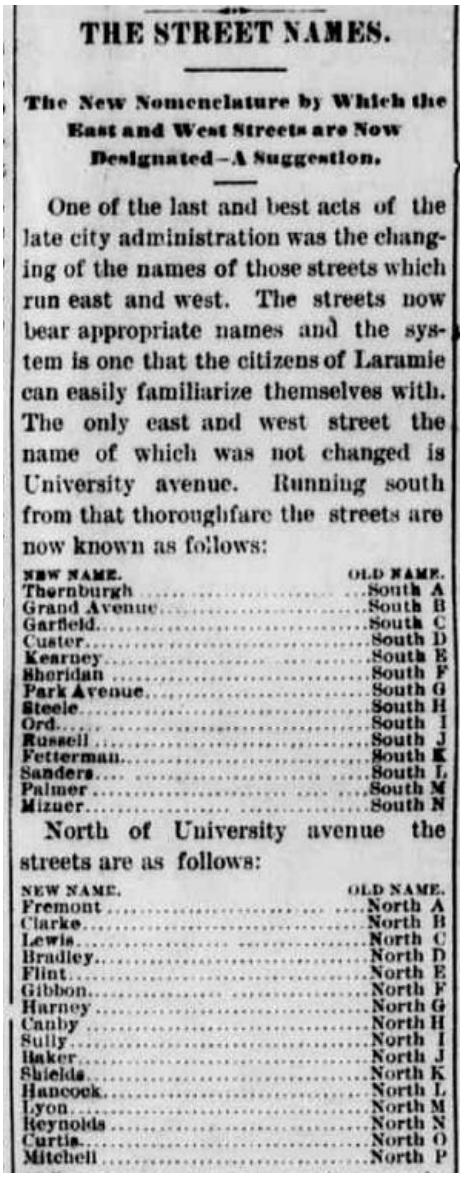
There are no city records showing that a name change to Ivinson Street was mandated by the city council. Consultations with the city planner yielded no existing records explaining the change. So we are left with the question unanswered. However, available evidence indicates that the name of the street should be Ivinson Avenue not Ivinson Street. Perhaps the reconstruction project would be a good time to change it back.

the frame pla
2ND ST
UNION AVE

Paula:

Here is the follow-up pertaining to our discussion about Ivinson Avenue (or Street). Current city street signs show Ivinson Street. The story of why they should show Ivinson Avenue follows (some of this is taken from an article I wrote for the *Boomerang* which was published last month).

When the city was originally platted, the east-west streets were not given names; they were designated by letters. The middle street of the town was Center (some maps spelled it Centre) and south of there was South A, north was North A etc. Center was changed to University Avenue shortly after the U.W. was founded in 1886. On February 19, 1889, the editors at the *Boomerang* stated that the original 1868 east – west street names of A, B, C etc. and the north – south numbered streets were not becoming of a modern metropolis in the late 1800's. So, on that day the paper suggested an update was necessary.



THE STREET NAMES.

The New Nomenclature by Which the East and West Streets are Now Designated—A Suggestion.

One of the last and best acts of the late city administration was the changing of the names of those streets which run east and west. The streets now bear appropriate names and the system is one that the citizens of Laramie can easily familiarize themselves with. The only east and west street the name of which was not changed is University avenue. Running south from that thoroughfare the streets are now known as follows:

NEW NAME.	OLD NAME.
Thornburgh	South A
Grand Avenue	South B
Garfield	South C
Custer	South D
Kearney	South E
Sheridan	South F
Park Avenue	South G
Steele	South H
Ord	South I
Russell	South J
Fetterman	South K
Sanders	South L
Palmer	South M
Mizuer	South N

North of University avenue the streets are as follows:

NEW NAME.	OLD NAME.
Fremont	North A
Clarke	North B
Lewis	North C
Bradley	North D
Flint	North E
Gibbon	North F
Harney	North G
Canby	North H
Sully	North I
Baker	North J
Shields	North K
Hancock	North L
Lyon	North M
Reynolds	North N
Curtis	North O
Mitchell	North P

The paper proposed that the streets should be renamed for early settlers or well-known locations. Names such as Trabing, Hutton, Holliday and Fillmore and famous sites such as Yellowstone were initially suggested.

Within a week, however, the *Boomerang* published another article that offered a different suggestion. This one came from local businessman W.H. Root. He suggested to the paper that the streets be named after "well known military officers who have served in this vicinity." The *Boomerang's* suggestion, with Root's modification, took hold and soon the Laramie city council appointed a three person committee to study the proposal.

On March 15, 1889, they reported to the council a list of names that should be considered and the recommendation that the numbered streets not be changed. For the east – west streets they chose mostly military officers and some pioneers. Over the next week, the list was changed. The proposed Bonneville Street was changed to Grand Avenue and proposed Bridger Street was changed to Sheridan Street. On 21 March the *Boomerang* listed the names for all the streets that were to be voted upon by the city council.

The list was adopted by city ordinance on May 8, 1889, and the formal list published by the paper on May 14 (shown left). The paper praised the actions of the council noting it was one of the last acts of the outgoing administration following the election of new council members on April 2, 1889 (who took office in June).

There was confusion over the changes. In early June, new mayor Augustus Trabing asked at a council meeting if the change had been approved. He said that several local residents where not sure of the name of the street in front of their houses. Councilman Hicks assured the mayor that the changes were official and

lamented that people would know that if they simply read the paper. To rectify the situation, H. D. Beemer was hired to paint street signs that were placed where the newly named streets intersected Second Street.

The new street names north of University to Mitchell have remained the same as they were adopted in 1889. Two changes happened south of University. Mizner Street was never built and the name not used. Thornburgh would eventually be renamed.

Thornburgh was used for several years after 1889. An 1894 map online at the state archives shows the route as "Thornburgh St" in original typeset (not added later). That verified the 1889 change from South A. [1]

Thornburgh was an interesting selection. He was an Army officer who had been commander of Fort Steele and was killed in a skirmish with Ute Indians in Colorado in 1879. Oddly, he had nothing really to do with Laramie and he was buried in Omaha, Nebraska, and was reburied in Arlington National Cemetery at a later date! Why the citizens of Laramie decided to name a street after him was strange.

The street (often misspelled Thornburg in the papers) retained the name until 1928. Just after the New Year, A.C. Jones, the vice president of the First National Bank and a longtime friend of Edward Ivinson, circulated a petition asking citizens of Thornburgh Street to support his call to the city council to rename the thoroughfare "Ivinson Avenue." Local newspapers reported on 4 January 1928 that out of 40 property owners on the street only three or four did not sign the petition (legend has it that prominent resident Melville C Brown would not sign – he lived across the street from the Ivinson mansion). The paper also reported that the city council voted five to zero on the 3rd to direct the city attorney to draft an ordinance to change the name of Thornburgh Street to Ivinson Avenue.

On the 18th, papers reported that the city council passed the ordinance renaming the street Ivinson Avenue. Mayor Downey was out of the city on that day but signed the ordinance on 21 January 1928. The paper put it this way:

> Mayor S.C. Downey, who returned last night from Denver, today signed the ordinance, passed unanimously by the city council Tuesday, in his absence, changing in the name of Thornburg (sic) street (sic) to Ivinson avenue (sic)…..The ordinance changing the name of the street to Ivinson avenue (sic) is in honor of Edward Ivinson the oldest citizen of Laramie and its first banker. For a long time he was president of the First National Bank.

So, as of that date the official name was Ivinson Avenue.

Because street signs show "Ivinson Street" and the evidence seemed to indicate "Ivinson Avenue," I called the Albany County Geographical Information Systems team and asked them what they used to denote the street. They replied (and their online maps state), Ivinson Avenue.[2] Then I called the city manager's office and asked what they called the street (mentioning that there may be a discrepancy). They directed me to the city street department. They had access to an 1885 map done up by the (then) city engineer (also online at the state archives), that showed BOTH "S A" and Ivinson St. for the same street but in different fonts. This obviously meant that someone had gone back and added "Ivinson St" to the original map. So that was not much help, but may explain where the confusion originated.

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[1] It can be seen at http://wyoarchives.state.wy.us/Archives/Maps.aspx as can the 1884 map and 1940 map referenced below.

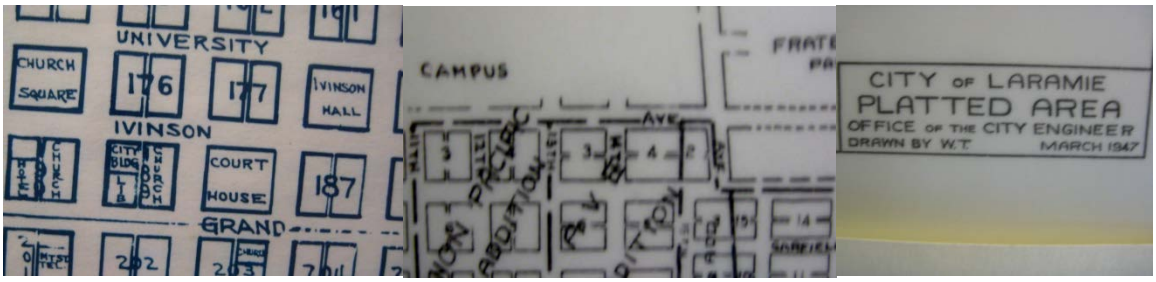
[2] Their maps can be seen at http://www.co.albany.wy.us/gis.aspx

They then directed me to the City Planner's office. I talked to both the planners in the office on that day and subsequently exchanged several emails with Mr. Bloom. I recapped the whole story. They checked all the older street maps that they had and could not tell me why someone put up "Ivinson Street" street signs. We all agreed that it would cost a bunch of money to change them and that it was unlikely that it would ever be done. Finally, I wondered aloud if someone had just made a mistake and they agreed that was a possibility.

Mr. Bloom queried Harold Colby (former street division manager) and he recalled that at one point in the 70's the businesses on the western end of Ivinson asked that it be changed from "Street to Avenue" to make it more appealing. I believe Mr. Colby may have the story correct but the order reversed as the city definitely changed it to Avenue in 1928.

Here are images which show that the city still called it Ivinson Ave through 1985:

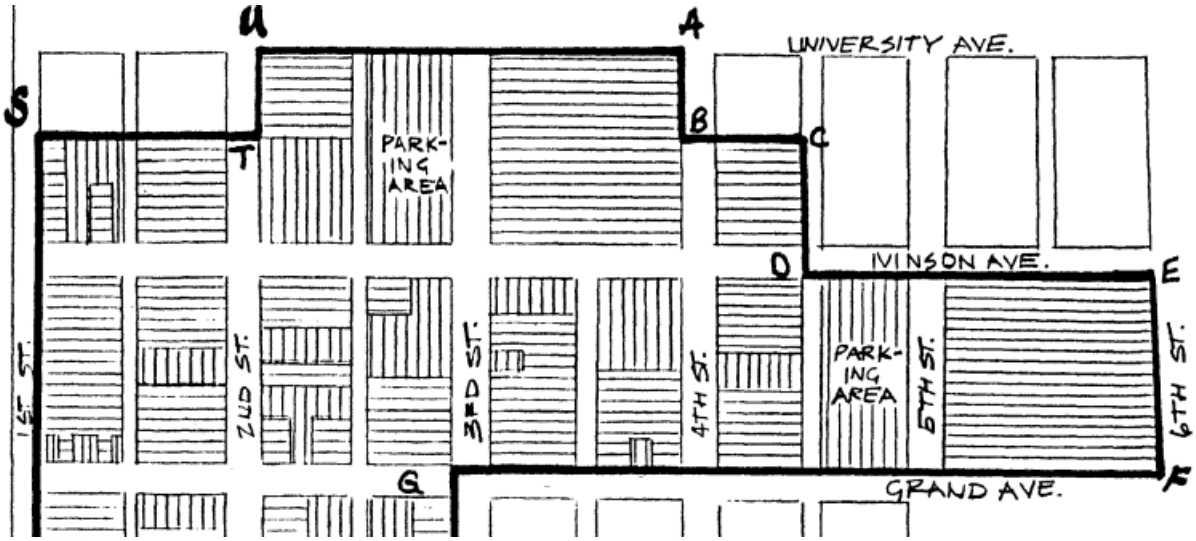
These three images are from the official city map of 1947 showing it as Ivinson Ave. I could not place the entire avenue in a readable form in one image. So the two on the left are separate portions of the same map. One can clearly see though that Ivinson was "Ave" as it ran past the U.W. Campus.



The image below was included for the 1988 submission for the Laramie Historic Downtown Distirct. This photo was taken in 1985. So, here is another clue that the name was never officially changed to Ivinson Street. Of note, is that the submission called it either Aveune or Street in different parts of the document.

Finally a couple of other facts: the U.S. Postal Service calls the lane in question, "Ivinson Street." On the other hand, the letters stamped into the concrete of the curb and gutter along the street say "AVE" not street. I am not sure when those were installed, but I do know that the ones by our house (corner 12th and Steele) were done before 1954. Additionally, a hand drawn map of downtown Laramie

by “Cash” Carroll done in 1949 (he was a property appraiser and real estate agent) and held in the Laramie Plains Museum’s collection lists it as Ivenson (sic) Avenue. Finally, the National Register of Historic Places 1988 submission (approved 11/10/88) for the Laramie Downtown Historic District also has a map that shows the street as “Ivinson Ave.”



Taken in aggregate, I am very confident that the street in question should still be officially Ivinson Avenue.

Kim Viner

307-761-0797

CITY OF LARAMIE COUNCIL REGULAR MEETING October 18, 2016

	Agenda Item: Orig. Ordinance – 2nd Reading **Title:** Original Ordinance No. 1956, rezoning approximately 18,000 sq. ft. of land located at 2159 Snowy Range Road, generally located on the northwest corner of Colorado Avenue and Snowy Range Road in Laramie, from B2 (Business) District to B2 (Business) District with ROB (Residential Overlay for Business) District.

Recommended Council MOTION:

Move to approve Original Ordinance No. 1956 on first reading, rezoning approximately 18,000 sq. ft. of land located at 2159 Snowy Range Road, generally located on the northwest corner of Colorado Avenue and Snowy Range Road in Laramie, from B2 (Business) District to B2 (Business) District with ROB (Residential Overlay for Business) District, based on findings of fact and conclusions of law; noting a public hearing was held on October 18, 2016.

Administrative or Policy Goal:

The Comprehensive Plan's Future Land Use (FLU) Map (Map 3.2) designates this area as AUC (Auto-Urban Commercial). Rezoning of the area to include ROB (Residential Overlay for Business Districts is in conformance with the Comprehensive Plan as it does not change the base zoning of B2 and allows a historically permitted use to once again be permitted.

Background:

This zoning would establish ROB (Residential Overlay for Business Districts) for an area approximately 18,000 sq. ft. size located at 2159 Snowy Range Road, generally located on the northwest corner of Colorado Avenue and Snowy Range Road in Laramie. The area proposed for rezoning represents 1 lot zoned B2 (Business) District, which is developed with a single-family house currently being used as a residential dwelling.

The Laramie Planning Commission unanimously recommended the Council approve the Zoning Amendment at their September 12, 2016 meeting (6 yes, 0 no, 1 absent).

The Laramie City Council voted to approve the Zoning Amendment on First Reading at their October 4, 2016 meeting (8 yes, 0 no, 1 absent).

The September 12, 2016 Planning Commission staff report is included. No changes have been made to the report subsequent to the Planning Commission action.

Legal/Statutory Authority:

- Laramie Municipal Code. Chapter 15 Unified Development Code
- Wyoming State Statutes Title 15 Article 1 Section 502
- Wyoming State Statutes Title 15 Cities and Towns, Article 5 Planning
- Wyoming State Statutes Title 15 Cities and Towns, Article 6 Zoning
- All regulations found within the Laramie Municipal Code (including the Unified Development Code) were approved and adopted through Ordinance by the City Council. It is the professional obligation and responsibility of staff to follow and enforce adopted codes

BUDGET FISCAL INFORMATION:

REVENUE

Source	Amount	Type
Fees/Charges for Service	$0.00	No fee for ROB. Resolution 2014-81
Grant		
Loan		
Other		
Total	$0.00	

Responsible Staff:

David Derragon, Assistant City Manager:
307-721-5304

Eric Conner, Associate Planner:
307-721-5344

Work Session	
Advertised	
Public Hearing (PH) Held	10/18/2016
PH Advertised	10/1/2016
Introduction/1st Reading	10/4/2016
2nd Reading	10/18/2016
3rd Reading	11/1/2016

Attachments: Zoning Ordinance
Planning Commission Staff Report dated September 12, 2016

City Manager City Attorney Planning

ORIGINAL ORDINANCE NO.: 1956 INTRODUCED BY: Schuster
ENROLLED ORDINANCE NO.:

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF LARAMIE, WYOMING, BY REZONING APPROXIMATELY 18,000 SQ. FT. OF LAND LOCATED AT 2159 SNOWY RANGE ROAD, GENERALLY LOCATED ON THE NORTHWEST CORNER OF COLORADO AVENUE AND SNOWY RANGE ROAD IN LARAMIE FROM B2 (BUSINESS) DISTRICT TO B2 (BUSINESS) DISTRICT WITH ROB (RESIDENTIAL OVERLAY FOR BUSINESS DISTRICTS).

WHEREAS, on August 9, 2016, Chad Wagner (applicant) filed with the City an application to rezone approximately 18,000 sq. ft. of property located at 2159 Snowy Range Road, generally located on the northwest corner of Colorado Avenue and Snowy Range Road in Laramie from B2 (Business) District to B2 (Business) District with ROB (Residential Overlay for Business Districts); based on findings of fact and conclusions of law; and

WHEREAS, on September 12, 2016 City staff presented the rezoning application to the Planning Commission with a recommendation of approval for the City Council for the proposed amendment; and

WHEREAS, on September 12, 2016 the City Planning Commission reviewed the rezoning application and by majority vote of its members entertained a motion to recommend approval of rezoning the subject property; and

WHEREAS, notice of a public hearing in compliance with Wyo. Stat. §15-1-602 shall be published in the Laramie Boomerang on October 1, 2016;

WHEREAS, a public hearing ~~will be~~ **was held** on October 18, 2016 which notice ~~shall be~~ **was** given at least fifteen (15) ~~business~~ days prior to the public hearing in compliance with Wyo. Stat. § 15-1-602.

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

Section 1. That the foregoing recitals are incorporated in and made a part of this Ordinance by this reference.

Section 2. That the Zoning District Map of City is hereby amended by rezoning the subject property from B2 District to B2 District with ROB, which is described as follows:

W LAR B 90 L 4 TR IN 131’6” X 136’

Section 3. That the foregoing described property contains .41 acres more or less, together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and all improvements thereon.

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

Passed and approved this ____ day of _____, 2016.

_____
David A. Paulekas, Mayor and President of the City Council

Attest: _____
Angie Johnson
City Clerk

First Reading: October 4, 2016
Public Hearing: October 18, 2016
Second Reading: October 18, 2016
Third Reading and Final Action: November 1, 2016

Duly published in the *Laramie Boomerang* this _____day of _____, 2016.

City of Laramie

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

Telephone: (307) 721-5207
Fax: (307)721-5248

LARAMIE PLANNING COMMISSION
SEPTEMBER 12, 2016
STAFF REPORT

FILE:	**Z-16-04: 2159 Snowy Range Road**
REQUEST:	Establishment of ROB (Residential Overlay for Business Districts) for an area zoned B2 (Business) District and measuring approximately 18,000 sq. ft. in size.
LOCATION:	2159 Snowy Range Road is located on the northwest corner of Snowy Range Road and Colorado Avenue.
APPLICANT(S)/AGENT:	Chad Wagner
OWNER:	John & Constance Wallace
PURPOSE:	Establishment of ROB (Residential Overlay for Business Districts) to recognize the existing residential use as a single-family home
CURRENT ZONING:	B2 (Business)
PREPARED BY:	Eric Conner, Associate Planner

RECOMMENDED MOTION:

Move to recommend **approval** to the City Council to establish ROB (Residential Overlay for Business Districts) and to retain B2 (Business) Zoning for 2159 Snowy Range Road which encompasses an area approximately 18,000 sq. ft. in size, based on findings of fact and conclusions of law.

APPLICABLE CITY CODE SECTION(S):

Laramie Comprehensive Plan
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

BACKGROUND:

This zoning would establish ROB (Residential Overlay for Business Districts) for an area of B2 (Business) zoned property approximately 18,000 sq. ft. in size, which is located at the northwest corner of the intersection of Snowy Range Road and Colorado Avenue in west Laramie. The area proposed for rezoning represents 1 parcel with an existing single-family home that is being used residentially. The applicant wishes to re-zone the property to recognize the residential use which

would allow for a new residential addition to be constructed. In order to do so, the parcel needs to be zoned to allow for residential uses. Permitted uses in the B2 district do not include single-family residential uses. However, in recognition that residential and business uses can be compatible in specific locations and under specific criteria, an overlay district to allow this coexistence in B1, B2, C2, and DC districts may be established. The ROB was created with this vision in mind and staff believes this overlay is applicable in this case.

APPLICABILITY TO THE COMPREHENSIVE PLAN:

Future Land Use:

	Future Land Use Designation (Map 3.2)	**Zoning**	**Land Use**
Subject Property	(AUC) Auto Urban Commercial	B2 (Business)	Single-family home
North	(AUC/AUR) Auto Urban Commercial/ Auto Urban Residential	B2 (Business)	Single-family homes
South	(AUR) Auto Urban Residential	B2 (Business)	Snowy Range Road/Commercial
East	(AUC) Auto Urban Commercial	B2 (Business)	TNT Motorsports
West	(AUC) Auto Urban Commercial	B2 (Business)	McKim's Upholstery

Zoning districts associated with Auto-Urban Commercial designations are NB (Neighborhood Business), B1 (Limited Business) and C2 (Limited Commercial). The property is currently zoned B2 (Business), which technically is not aligned with the Future Land Use Plan designation. However, staff has concluded in numerous previous cases that the exclusion of the B2 zone district as a compatible zone is an error in the Comprehensive Plan and should be included. This correction is being recommended in the forth coming Comprehensive Plan updates.

Staff agrees with the Comprehensive Plan's designation of this area being Auto-Urban Commercial. Adding the ROB overlay accommodates the existing land use but does not change the underlying zoning district. Snowy Range Road is a major commercial corridor in Laramie and should remain zoned B2.

LAND USE AND ZONING:

This zoning request does not change the current designation of B2 (Business) District, but includes an overlay district (Residential Overlay for Business Districts). The ROB district applies R3 (Multi-Family Residential) standards to the property. There are currently five ROB overlay districts in west Laramie; four of those are located in the B2 zoning strip along Snowy Range Road. The subject property is also located in the Snowy Range B2 zoning strip. Although not legally necessary, for clarity, staff recommends the motion specify that B2 zoning is to be retained underlying the ROB overlay.

There are several properties zoned B2 along Snowy Range Road in west Laramie that are developed with commercial uses and residential uses. The farther north from Snowy Range Road, the more prominent residential uses are.

PUBLIC COMMENTS:

Public notice was mailed to properties within 300 feet of this property on August 25, 2016. A legal advertisement was published in the Laramie Boomerang on Saturday, August 27, 2015. To date, staff has received no public comment.

FINDINGS OF FACT AND CONCLUSIONS OF LAW:

Findings of Fact:

- The request complies with the applicable zoning requirements of Laramie Municipal Code, Title 15.
- Establishing B2 (Business) District zoning with ROB (Residential Overlay for Business Districts) for the property is consistent with the Future Land Use Map (Map 3.2) and related goals and policies of the Comprehensive Plan (2007).

Conclusions of Law:

- The amendment to the zoning map is being processed pursuant to Wyoming State Statutes Title 15 Cities and Towns, Article 6 Zoning.
- Establishing B2 (Business) District zoning with ROB (Residential Overlay for Business Districts) for the property is consistent with the Comprehensive Plan's Future Land Use (FLU) Map (Map 3.2).

ALTERNATIVES:

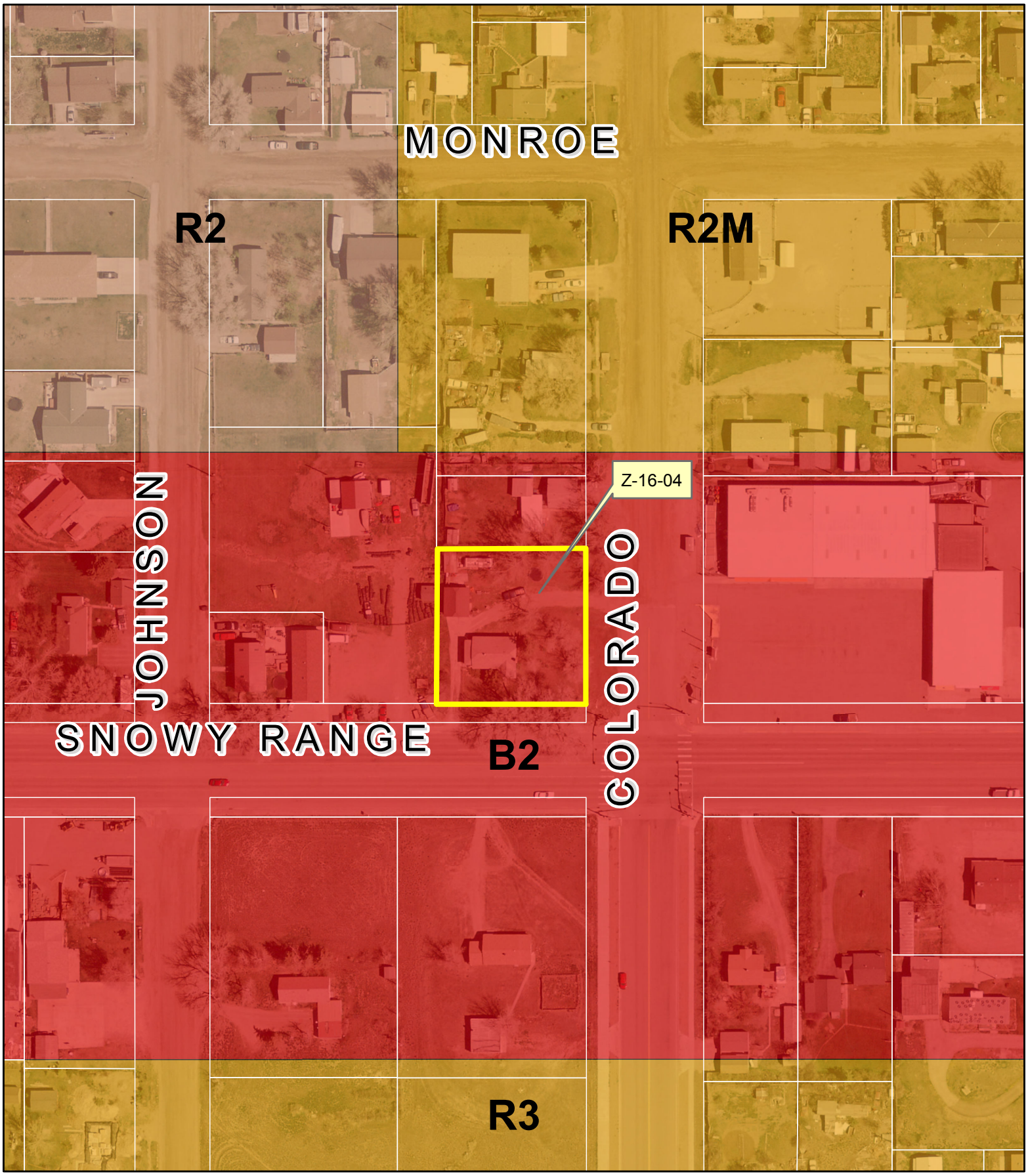
1. Approve the rezoning as recommended by staff, based on findings of fact and conclusion of law. **(Staff's recommendation)**
2. Approve the rezoning with other modifications, based on findings of fact and conclusion of law.
3. Deny the rezoning based on findings of denial. Since staff recommends approval, the Planning Commission must conclude that the rezoning does not meet all of the findings. As part of the motion, findings for denial must be stated.
4. Postpone the rezoning until issues identified during the meeting can be resolved with the applicant.

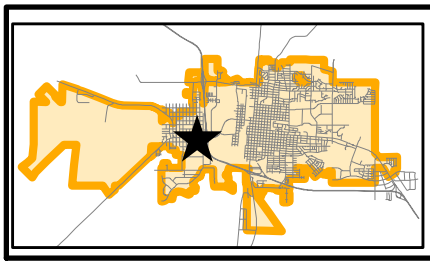
STAFF RECOMMENDATION:

Staff recommends **approval** of the request to establish ROB (Residential Overlay for Business Districts) and to retain B2 (Business) Zoning for 2159 Snowy Range Road which encompasses an area approximately 18,000 sq. ft. in size, based on findings of fact and conclusions of law.

ATTACHMENTS

1. Vicinity Map (1 page)
2. Applicant Cover Letter (1 page)
3. Site Plan (1 page)





Z-16-04
ROB Overlay Zoning

0 40 80 160 240 320 Feet

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N

Chad R Wagner

522 S Johnson

Apt A

Laramie, WY 82070

City of Laramie

Planning Division

406 Ivinson Street

Laramie, WY 82070

August 8, 2016

To whom it may concern:

This letter is in regards to the rezoning application for Property located at 2159 Snowy Range Rd. Laramie, WY 82070.

I Chad R Wagner am writing in request of zone change of property 2159 Snowy Range Rd, From B2 zoning to B2/ROB. I am requesting this change as I am very interested in purchasing the property for my family, and making it a home. We are very attracted to the house and its beautiful surroundings; the large trees and corner lot. This house would be perfect as it is close to our children's school and near family.

As we moved further into the purchase of the property at 2159 Snowy Range Rd we were informed that the current B2 zoning would not allow us to add on to the home itself in a sufficient manor; the addition we are proposing would be a 450 sq. ft. addition to allow for a 3 bedroom two bath home. Unfortunately the property needs numerous updates and is too small for my family to live in. By changing the zoning from B2 to B2/ROB, I would be able to make this house beautiful and large enough for my family; a place my children can call home.

I ask that you consider my request with the knowledge that this can be a home to meet our family's needs.

Thank you,

Chad Wagner

Chad R Wagner

RECEIVED
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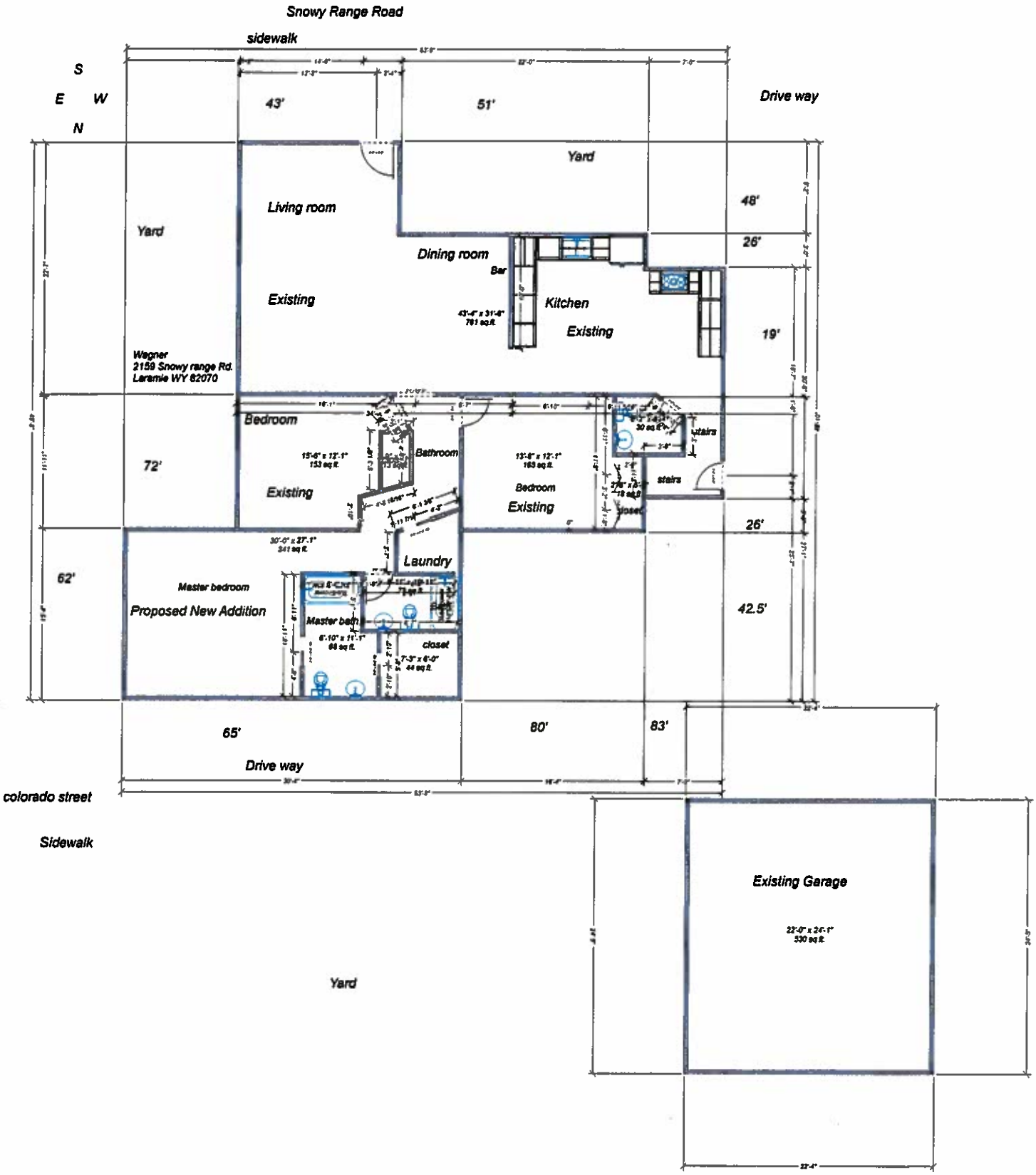
BY: .....



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BY:

CITY OF LARAMIE COUNCIL REGULAR MEETING October 18, 2016

Agenda Item: Orig. Ordinance - 1st Reading

Title: Original Ordinance No. 1966, amending Section 5.09.355(C) of the Laramie Municipal Code Catering Permits for Special Events.

Recommended Council MOTION:

Move to approve Original Ordinance No. 1966, amending Section 5.09.355(C) of the Laramie Municipal Code Catering Permits for Special Events on First Reading.

Administrative or Policy Goal:

Align Laramie Municipal Code with State Statute.

Background:

W.S. 12-4-502(c) states: "The permits authorized by this section shall be issued for one (1) twenty-four (24) hour period, subject to the schedule of operating hours provided by W.S. 12-5-101. No person or organization shall receive more than a total of twelve (12) malt beverage and thirty-six (36) catering permits for sales at the same premises in any one (1) year, except that this limitation shall not be applicable to malt beverage permits issued for sales at any fair, rodeo, pari-mutuel event or other similar public event conducted by a public entity upon public premises, or to catering permits for events at the facilities of the University of Wyoming in Laramie, including the Marian H. Rochelle Gateway Center."

However, LMC 5.09.355(C) currently states: "No person or organization shall receive more than a total of twenty-four catering permits for special events for sales at the same premise in any one calendar year." It is the desire of staff to amend Laramie Municipal Code to match State Statute. This change will allow Retail and Resort Liquor License holders with the City of Laramie to obtain more Alcohol Catering Special Event Permits at a single location within a calendar year. The change will also remove the limit completely from all University of Wyoming facilities.

Legal/Statutory Authority:

LMC

BUDGET/FISCAL INFORMATION: n/a

Responsible Staff:

Angie Johnson, City Clerk

Future dates are subject to change

Introduction/1st Reading	10/18/2016
2nd Reading	11/1/2016
3rd Reading	11/15/2016

ORIGINAL ORDINANCE NO. INTRODUCED BY:
ENROLLED ORDINANCE NO.

AN ORDINANCE TO AMEND SECTION 5.09.355(C) OF THE LARAMIE MUNICIPAL CODE CATERING PERMITS FOR SPECIAL EVENTS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LARAMIE, WYOMING that:

Section 1. 5.09.355(C) *Catering permits for special events*, shall be amended to read as follows:

5.09.355 *****

C. ~~No person or organization shall receive more than a total of twenty-four catering permits for special events for sales at the same premise in any one calendar year.~~ No person or organization shall receive more than a total of thirty-six (36) catering permits for sales at the same premise in any one (1) year, except that this limitation shall not be applicable to catering permits for events at the facilities of the University of Wyoming, including the Marian H. Rochelle Gateway Center.

Section 2. This ordinance shall become effective after passage and approval.

PASSED AND APPROVED THIS ___ DAY OF _____, 2016.

_____
David A. Paulekas, Mayor and President
of the City Council of the City of
Laramie, Wyoming

ATTEST:

_____
Angie Johnson
City Clerk

First Reading
Second Reading
Third Reading

Duly published in the Laramie Daily Boomerang this _____ day of _____, 2016.

CITY OF LARAMIE COUNCIL REGULAR MEETING October 18, 2016

LARAMIE 1868	**Agenda Item: Memorandum of Understanding** **Title: Consideration of Memorandum of Understanding Between the Wyoming Department of Agriculture, Consumer Health Service Division, and the City of Laramie**

Council MOTION:

Move to Approve the Memorandum of Understanding Between the Wyoming Department of Agriculture, Consumer Health Service Division, and the City of Laramie, and Authorize the Mayor and Clerk to Sign.

Background:

Approval of the MOU is a housekeeping matter, maintaining the City's delegated regulatory authority for inspection and licensing for pools, spas, and point-of-sale food operations. No direct funding support is received from the State under the MOU, but the City is allowed to retain a portion of the licensing fee amounting to $9,200 per year; funds are applied to the cost of the program which ranges between $65,000 -$100,000 annually.

With adoption of the FY16-18 Biennial Budget, Council approved continuation of the MOU for the first year of the biennium (through June 30, 2017) only. Regulatory authority for the inspection services would revert back to the Wyoming Department of Health July 1, 2017. During budget work sessions, Council requested a follow-up work session to further discuss the future of the pool and restaurant inspection program; that work session is scheduled for December 13th.

Legal/Statutory Authority: Wyoming Statutes §35-7-110 & 35-28-101

BUDGET/FISCAL INFORMATION:

REVENUE SOURCE

Fees/Charges for Service	$9,200.00	Revenue - from State Licensing Fee
Grant		
Loan		
Other		
Total	**$9,200.00**	

BUDGET EXPENSE:

		Amount	Notes/Fund Description
Project Cost		$82,500.00	Average Annual Cost of Program
Loans on Project			
Grants for Project			
Other/Outside Projects			
City's Amount		$82,500.00	
Contingency	5%	$0.00	
Total Amount		$82,500.00	

_____ City Manager _____ City Attorney _____ Community Development

MEMORANDUM OF UNDERSTANDING BETWEEN
WYOMING DEPARTMENT OF AGRICULTURE,
CONSUMER HEALTH SERVICES DIVISION
AND
CITY OF LARAMIE

1. **Parties.** The parties to this Memorandum of Understanding (MOU) are the Wyoming Department of Agriculture, Consumer Health Services Division (CHS), whose address is: 2219 Carey Avenue, Cheyenne, Wyoming 82002, and City of Laramie, whose address is: P.O. Box C, Laramie, Wyoming 82073.

2. **Purpose.** The purpose of this MOU is to describe and clarify the principal responsibilities and actions of the parties in the administration and enforcement of the following: "Wyoming Food, Drug and Cosmetic Safety Act, Wyo. Stat. § 35-7-109, *et seq.*, the Wyoming Food Safety Rule, the Wyoming Swimming Pool and Spa Health and Safety Act, Wyo. Stat. § 35-28-101, *et seq.*, and the Wyoming Regulations for Swimming Pools, Spas, and Similar Installations which have been properly adopted by local boards of health and the local health department in the City of Laramie. The parties understand and agree that each party possesses a unique set of personnel, equipment, access, experience, expertise, and similar resources, and that the intent of the MOU is to define the best use of those resources to protect, improve and maintain food and pool safety for the citizens and visitors of Wyoming.

3. **Term of MOU.** This MOU is a revision of and supersedes the MOU, effective April 30, 2012, between the Wyoming Department of Agriculture, Consumer Health Services Division, and City of Laramie. This MOU shall commence upon the day and date last signed and executed by the duly authorized representatives of the parties to this MOU and shall remain in full force and effect until June 30, 2021. This MOU may be terminated, without cause, by either party upon thirty (30) days written notice, which notice shall be delivered by hand or by certified mail.

4. **Payment.** CHS shall collect all revenues derived from the license fees and shall allocate and distribute those revenues as specified in Wyo. Stat. § 35-7-124(c)(ii) and Wyo. Stat. § 35-28-108(c)(ii).

5. **Responsibilities of CHS.**

   A. Where administration and enforcement of the rules defined in Section 2 above is shared with City of Laramie, CHS shall retain primary authority for administration and enforcement of those sections pertaining to: meat and poultry slaughtering and processing; food manufacturing and processing where more than fifty percent (50%) of sales are wholesale; food transportation; and food labeling.

   B. CHS shall retain the sole responsibility for issuing licenses to establishment types specified in Wyo. Stat. § 35-7-124 and Wyo. Stat. § 35-28-108.

C. By the fifteenth (15th) day of each month, CHS shall generate a summary report and send it to City of Laramie detailing license revenue collection and distribution.

6. **Responsibilities of City of Laramie.**

A. "Regulatory Authority" as referenced in the Wyoming Food Safety Rule, Wyoming Statute 35-7-110 (a) (xxvii), the Wyoming Regulations for Swimming Pools, Spas, and Similar Installations, and Wyoming Statute 35-28-101 (a) (ix) shall mean the City of Laramie.

(i) The City of Laramie is the designated agent of the director of the Wyoming Department of Agriculture, when holding license revocation hearings as detailed in 6(B) below.

B. Unless otherwise delineated by this MOU, City of Laramie shall retain primary authority for the administration and enforcement of the Wyoming Food Safety Rule and Wyoming Regulations for Swimming Pools, Spas, and Similar Installations, which include but is not limited to: inspections, denial of license applications, cease and desist orders, embargos, summary license suspensions and license revocation hearings.

(i) Hearings to revoke a license are to be held before the City of Laramie.

C. The City of Laramie shall retain primary regulatory authority for all swimming pools, spas, retail and consumer point-of-sale operations, including, but not limited to: restaurants; grocery stores; supermarkets; convenience stores; consumer markets; temporary food establishments; mobile food establishments; bed & breakfast; food warehouses; food distributors; food manufacturers where less than fifty percent (50%) of sales are wholesale; and ranch recreation facilities.

D. The City of Laramie shall conduct inspections based on hazard rating analysis of licensed establishments. Inspection types shall include:

(i) Construction/Site Evaluation Inspection – Inspections of new construction, renovation, new equipment, or menu/process changes.

(ii) Pre-licensing Inspection – Inspections of all new establishments and establishments having a change of operator, shall be conducted before the new or changed operator opens the establishment to the public.

(iii) Routine Inspection – A periodic, full evaluation of the operational practices of each licensed establishment. This inspection may be routinely scheduled,

or may be performed in conjunction with follow-up of a complaint or investigation of a food or waterborne illness. An inspection form shall be signed by the inspector and the establishment operator.

(iv) Complaint Investigation – An investigation of a licensed establishment where a complaint, other than a food or waterborne outbreak has been filed. In no case shall more than thirty (30) days elapse without investigation of the complaint.

(v) Follow-up Inspection – Where a pre-licensing inspection, routine inspection, or a complaint investigation indicated critical corrections are required. After receiving notification that the license holder has corrected a critical item violation or HACCP plan deviation, or at the end of the specified period of time, the regulatory authority shall verify correction of the violation, document the information on an inspection report, and enter the report in the regulatory authority's records.

(vi) Food or Waterborne Outbreak Investigation – When information indicating a possible food or waterborne outbreak is received, an investigation shall be conducted to: a) determine the cause; and b) prevent further transmission. An investigation shall commence within one (1) working day, unless the complaint fails to meet the definition of an outbreak.

E. Pre-licensing, emergency complaint, and food or waterborne illness inspections shall take priority over routine and follow-up inspections.

F. When a licensee fails to comply with the Wyoming Food Safety Rule or Wyoming Regulations for Swimming Pools, Spas, and Similar Installations, the City of Laramie shall schedule an administrative meeting with the licensee to set forth the steps licensee must take to come into compliance.

7. Joint Responsibilities of CHS and City of Laramie.

A. The parties recognize that there shall arise from time to time a need for mutual assistance between CHS and the City of Laramie.

B. The parties understand and agree that such mutual assistance is critical to the smooth and efficient administration of the food and pool safety programs.

C. Each party to this MOU, upon the request of the other party, agrees to provide assistance to the other party in the form of: consultation; information sharing, complaint investigations; and site inspections.

D. The parties recognize and agree that, from time to time licensed establishment operators will request a variance from the Wyoming Food Safety Rule and/or the Wyoming Regulations for Swimming Pools, Spas & Similar Installations.

E. Variance requests either directly or indirectly under the administration of CHS shall be considered and decided by a panel of experts chosen from local health departments and CHS.

F. The City of Laramie licensees requesting a variance from the Wyoming Food Safety Rule or Wyoming Regulations for Swimming Pools, Spas & Similar Installations shall provide a written variance request to CHS to include:

(i) A statement of the proposed variance of the Rule requirement citing relevant Rule Section numbers;

(ii) The name and address of the person requesting the variance;

(iii) Establishment name, address, and license number that the variance request will apply to;

(iv) An analysis of the rationale for how potential human health hazards will be addressed and how Rule sections will be alternatively addressed by the proposal; and

(v) A HACCP plan if required, including information relevant to the variance requested.

G. The parties agree that, variance requests decided by the panel in 7(E) above and granted by CHS, shall be added to the licensee's file and enforced by the City of Laramie.

H. The parties agree to cooperate with each other in the variance process and to keep each other informed of the status of variance requests.

8. General Provisions.

A. Amendments. Either party may request changes in this MOU. Any changes, modifications, revisions, or amendments to this MOU which are mutually agreed upon by the parties to this MOU shall be incorporated by written instrument, executed and signed by all parties to this MOU.

B. **Applicable Law.** The construction, interpretation, and enforcement of this MOU shall be governed by the laws of the State of Wyoming. The courts of the State of Wyoming shall have jurisdiction over any action arising out of this MOU and over the parties, and the venue shall be the First Judicial District, Laramie County, Wyoming.

C. **Entirety of Agreement.** This MOU, consisting of six (6) pages, represent(s) the entire and integrated agreement between the parties and supersede(s) all prior negotiations, representations and agreements, whether written or oral.

E. **Prior Approval.** This MOU shall not be binding upon either party unless this MOU has been reduced to writing before performance begins as described under the terms of this MOU, and unless this MOU is approved as to form by the Attorney General or his representative.

F. **Severability.** Should any portion of this MOU be judicially determined to be illegal or unenforceable, the remainder of the MOU shall continue in full force and effect, and the parties may renegotiate the terms affected by the severance.

G. **Sovereign Immunity.** The State of Wyoming and CHS do not waive their sovereign immunity, and City of Laramie does not waive its governmental immunity by entering into this MOU. Each fully retains all immunities and defenses available to them as sovereigns or governmental entities pursuant to Wyo. § 1-39-101, *et seq.*, and all other applicable law with respect to any action based on or occurring as a result of this MOU.

H. **Third Party Beneficiary Rights.** The parties do not intend to create in any other individual or entity the status of third party beneficiary, and this MOU shall not be construed so as to create such status. The rights, duties, and obligations contained in this MOU shall operate only between the parties to this MOU and shall inure solely to the benefit of the parties to this MOU. The provisions of this MOU are intended only to assist the parties in determining and performing their obligations under this MOU.

THE REMAINDER OF THIS PAGE WAS INTENTIONALLY LEFT BLANK.

9. **Signatures.** The parties to this MOU, through their duly authorized representatives, have executed this MOU on the dates set out below, and certify that they have read, understood, and agreed to the terms and conditions of this MOU as set forth herein.

The effective date of this MOU is the date of the signature last affixed to this page.

DEPARTMENT OF AGRICULTURE

_____ _____
Doug Miyamoto, Director Date

_____ _____
Stacia Berry, Interim Manager, Consumer Health Services Date

CITY OF LARAMIE

_____ _____
Dave Paulekas, Mayor Date

_____ _____
Attest: Angie Johnson, City Clerk Date

ATTORNEY GENERAL'S OFFICE: APPROVAL AS TO FORM

Susan G. O'Brien 153711 June 17, 2016
Susan G. O'Brien, Senior Assistant Attorney General Date

9. **Signatures.** The parties to this MOU, through their duly authorized representatives, have executed this MOU on the dates set out below, and certify that they have read, understood, and agreed to the terms and conditions of this MOU as set forth herein.

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DEPARTMENT OF AGRICULTURE

_____ _____
Doug Miyamoto, Director Date

_____ _____
Stacia Berry, Interim Manager, Consumer Health Services Date

CITY OF LARAMIE

_____ _____
Dave Paulekas, Mayor Date

_____ _____
Attest: Angie Johnson, City Clerk Date

ATTORNEY GENERAL'S OFFICE: APPROVAL AS TO FORM

Susan G. O'Brien 15371 June 17, 2016
Susan G. O'Brien, Senior Assistant Attorney General Date

CITY OF LARAMIE COUNCIL REGULAR MEETING October 18, 2016

LARAMIE 1868	**Agenda Item: Original Ordinance - 3rd Reading** **Title: Original Ordinance No. 1949, amending Title 15 of Laramie Municipal Code for the purpose of amending the Landscaping Requirements**

Recommended Council MOTION:

Move to **approve** Original Ordinance No. 1949 on third and final reading amending LMC 15.14.050, Landscaping and Screening Standards, based on findings of fact and conclusions of law and authorize the Mayor and Clerk to sign the Ordinance.

Move to **amend** Attachment A of Original Ordinance No. 1949 by substituting Exhibit 1 to reflect changes recommended by the City Arborist.

Administrative or Policy Goal:

"… 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. All city or citizen initiated amendments must be adequately vetted through the public hearing processes identified in the code." (Sec. 15.02.050, LMC)

October 18, 2016 Update:

At the September 6, 2016 City Council Meeting the Council postponed this Ordnance to October 18, 2016 (5 yes, 3 no, 1 absent) to "refer (the Ordinance) to the Parks, Tree, and Recreation Board, the City Arborist, and the Beautification Committee for comments." Attached are comments from the Parks, Trees and Recreation Advisory Board and City Arborist. The Beautification Committee was unable to provide comments to staff for inclusion in the Council packet in a timely manner.

Staff has reviewed comments from the City Arborist and has recommend those changes be included. Those changes are minor in scale and generally address a typo, increasing bufferyard width by approximately 2 feet to benefit future tress canopies, and decrease the minimum height for evergreen trees from 4 to 3 feet. Those changes are included in Exhibit 1. The City Arborist's comments are attached.

<u>Public Art and Landscaping Table Amendments:</u>

Also included in Exhibit 1 are proposed changes regarding unit point awards for incorporation of art in a project. This was discussed at the September 6, 2016 Council meeting but were never acted on. The amendment would establish predictable point values for certain public art elements and would also increase the point allocation for areas landscaped with sod. Additional clarification is also provided in the table indicating that living ground cover is required to be

irrigated via the new footnote [1] being included. Footnote [2] designates that approval in accordance with the Public Art Plan is required

Sliding Scale:

At previous Council meetings there was discussion regarding the sliding scale. Staff was asked to prepare a motion for use in the event a Council member wished to remove the sliding scale. That motion is below:

To delete the site perimeter landscaping sliding scale the following motion is appropriate:

1. Move to delete LMC 15.14.050.F.3.b as shown in Attachment A of Original Ordinance No. 1949 in its entirety.

At the August 15, 2016 City Council meeting the Council approved this Ordinance (4 yes, 3 no, 2 absent). At the meeting several Council members expressed concern with the sliding scale and point allowances for public art. Since the meeting, Council members and members of the CDLC have asked that staff look into additional points for greenscape to encourage the use of grass instead of rock mulch.

At the June 21, 2016 City Council meeting the Council delayed second reading of this Ordinance to August 2, 2016 (8 yes, 0 no, 1 absent) and requested staff provide more information and schedule several site visits to allow Council members to see real life examples of the proposed changes. Please see the attached memorandum detailing sites visited. Note: Second reading of the Ordinance occurred on August 15, 2016 due to the fact that this item was not introduced at the August 2, 2016 meeting due to expiration of meeting time.

Previous Correspondence / 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.

Staff frequently receives complaints regarding our landscaping requirements- specifically that they are perceived as too burdensome and too costly for development to install and maintain. Staff analyzed the existing landscaping requirements and propose several amendments to address problems that frequently arise.

Notable changes are as follows:

- A reduction in the overall required landscaping from 20% of a development area (excluding building(s) or use footprint) to 15% of a lot or parcel area (excluding building(s) or use footprint). This effectively reduces landscaping you would see internal to the site and along the perimeter. (LMC 15.14.050.C.1)
- Addition of a Xeriscape/Water Conserving Landscaping option to allow for a low water use landscaping option in nonresidential development applications. (LMC 15.14.050.C.4)

- A reduction in the amount of required "living landscaping materials from 75% to 65% of the ground cover. This will result in less living landscape such as grass, bushes and shrubs and more hardscape such as rock, bark and decorative pavers. (LMC 15.14.050.C.5)
- Modification to the size requirements of plantings to reflect industry standards (LMC 15.14.050.D.2)
- Change the way perimeter lengths are calculated for required landscape units to exclude measurement for driveways and pedestrian connections. This results in less required planting and landscape units along a property line with a driveway or pedestrian connection. (LMC.15.14.050.F.3.a – page 8)
- Reduction in Site Perimeter landscaping units required based on development project size. The larger the development, the less landscape units required. (LMC.15.14.050.F.3.b – page 9)
- Reduction in bufferyard requirements, L2, L3 and L4 bufferyard widths and reduction in required landscape units for all bufferyards. (LMC Tables 15.14.050 2 and 3 – pages 9 and 10)

The above mentioned changes will ultimately have a reduction in the amount of required landscaping within and on the perimeter of development sites. The reduction in landscaping requirements and introduction of a Commercial xeriscape option will also result in lower irrigation costs for development.

The Planning Commission heard this item on June 13, 2016. Citizen comments were made at the meeting expressing concern that the sliding scale site perimeter landscaping requirements were unfair since they only benefitted larger developments. Additionally, a comment was received requesting that development targeting low income housing should be granted flexibility to have reduced landscaping standards.

At the meeting a motion to remove the sliding scale perimeter landscaping requirements for larger developments (proposed LMC 15.14.050.F3.b on page 9 of the Ordinance) failed due to a tie vote (3-3) vote. Ultimately, the Planning Commission recommend that the City Council approve the text amendment as recommended by staff (5 yes, 1 no, 1 absent).

The Planning Commission staff report is included. The attachment, the proposed Ordinance, has been removed because it is attached separately. Otherwise, no changes have been made.

Legal/Statutory Authority:

- Laramie Municipal Code: Title 15 (Unified Development Code)
- Wyoming State Statutes: Title 15, Chapter 4, Article 3: Property, Financial Affairs, Contracts, Streets, Subdivisions and Utilities

BUDGET/FISCAL INFORMATION:

REVENUE

Source	Amount	Type
Fees/Charges for Service	$0.00	Application Fee
Grants for Projects		
Loans on Project		
Total	$0.00	

Responsible Staff:

David Derragon, Assistant City Manager, 721-5304
Charles W. Bloom, AICP, Principal Planner, 721-5232

Future dates are subject to change

Work Session	
Advertised	
Public Hearing Held	July 5, 2016
Pub. Hearing Advertised	June 18, 2016
Introduction/1st Reading	June 21, 2016
2nd Reading	August 15, 2016
3rd Reading	October 18, 2016

Attachments:

1. Proposed Ordinance
2. Exhibit 1
3. City Arborist and Parks Trees and Recreation Advisory Committee comments
4. August 16, 2016 Memorandum
5. June 13, 2016 Planning Commission Staff Report

ORIGINAL ORDINANCE NO.: 1949 INTRODUCED BY: Pearce
ENROLLED ORDINANCE NO.: _____

AN ORDINANCE AMENDING TITLE 15 OF LARAMIE MUNICIPAL CODE FOR THE PURPOSE OF AMENDING THE LANDSCAPING REQUIREMENTS

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 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 13, 2016 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;

WHEREAS, the Laramie City Council ~~shall hold~~ **HELD** a public hearing on July 5, 2016 to take and consider public comments;

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

Section 1. That LMC 15.14.050.A-F be **amended** as shown in Attachment A which is attached hereto and incorporated herein;

Section 2. 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

<u>Section 3</u>. That this ordinance shall become effective after its passage, approval and its publication.

Passed and approved this _____ day of _____, 2016.

_____
David A. Paulekas, Mayor and President of the City Council

Attest:_____
Angie Johnson
City Clerk

First Reading: June 21, 2016
Public Hearing: July 5, 2016
Second Reading: August 15, 2016
Third Reading and Final Action: August September 6, 2016

Duly published in the *<u>Laramie Boomerang</u>* this _____day of _____, 2016

15.14.050.A. Purpose

The purpose of this chapter is to provide landscaping standards which: enhance and promote an improved image for the Laramie area; ensure that landscaping is an integral part of the site design and development process. This chapter's purpose also includes protecting the public health, safety and welfare by: improving parking lot traffic safety by guiding the circulation of cars and people and lowering traffic speeds; minimizing noise, air, water and visual pollution; increasing screening and buffering between incompatible land uses; reducing the amount of reflected glare and heat absorbed in and around developments; breaking up large expanses of parking lots; preserving residential neighborhoods by lessening the impacts of potentially incompatible uses; and providing screening from the wind.

15.14.050.B. Applicability

1. General Applicability

The provisions of this section are applicable to the following development types:

	Single Family, Two Family and Multifamily Developments (Less than four dwelling units)	Multifamily (four or more dwelling units) and Mixed Use	Commercial, Institutional and Industrial
Landscape Area (15.14.050.C)		✓	✓
Landscape Material (15.14.050.D)		✓	✓
Residential Front-Yard Landscaping (15.14.050.E)	✓		
Site Perimeter Landscaping (15.14.050.F)		✓	✓
Off-Street Parking Lot (15.14.050.G)		✓	✓
Screening (15.14.050.H)		✓	✓
Off-Street Utility Dumpster, Recycling, Trash Handling and Recycling Facilities (15.14.050.I)		✓	✓

(Ord. 1596 § 50, 2011)

2. Alternative Equivalent Compliance – Landscaping and Screening Applicability

Alternative Equivalent Compliance provisions in subsection 15.06.060.K shall be available to satisfy landscaping standard requirements, provided that in addition to the requirements and criteria of subsection 15.06.060.K, the following specific procedures are followed:

a. Any and all plans and documents submitted shall be approved by a professional specialist with demonstrable expertise in landscaping, such as a landscape architect or landscape contractor. Such approval shall be in written form and shall state that the specialist has reviewed and approved the specific plans and documents presented.

b. In order to grant a request for alternative equivalent compliance, the decision-making entity shall find, in addition to the criteria in subsection 15.06.060.K.6, that the following criteria are met:

(i) The proposed alternative landscape design will conserve water and/or reduce long-term maintenance costs; and

(ii) The proposed alternative landscape design is compatible with the character and ambiance of vegetation and environmental design traditional to Wyoming and interior Western communities.

15.14.050.C. General Provisions for Multifamily (Four or more Dwelling Units), Commercial, Institutional and Industrial Uses

1. Landscaping Area Requirements

As identified in subsection 15.14.050.B, Applicability, most development sites, excluding single family, two family and multifamily developments (less than four dwelling units), shall be required to be landscaped pursuant to this subsection. A minimum of ~~20~~ 15 percent of the lot or parcel area, excluding the building(s) or use footprint, shall be landscaped in accordance with the requirements of this chapter (Equation: Landscaped area = .15~~20~~ × (lot area - primary building and use footprint)). For the purposes of this section, use footprint shall include any outdoor storage or display areas. At least 50 percent of the required landscape area shall be placed so that it abuts the adjoining public street rights-of-way, excluding alleys.

2. Landscaping Treatments Not Counted

No area required to be landscaped shall include any artificial trees, plants, or turf, impervious surfacing, or any carpeting designed as a visual substitute for lawn or other groundcover. Areas devoted to pasture, farm crops or undeveloped areas of a lot or parcel shall not be considered landscaped for the purpose of fulfilling any landscape requirements.

3. Water-Conserving Landscaping

Low-water, drought-tolerant plants shall be used for all new landscaping. Plant materials shall be selected from the plant list maintained by the city. The city plant list may be found in the Administrative Manual. Materials not on the list may be approved if it is determined that they are equally suitable for local soil conditions and climate and would provide the same level of visual benefits and have the desired growth habits.

4. Xeriscape/Water Conserving Landscaping Option

Xeriscaping improves aesthetic appearance and mitigates water usage. A xeriscape option is set forth as an alternative to conventional landscaping requirements. A Xeriscape plan shall include the following:

a. Low-water, drought-tolerant plant materials shall make up 85% of all plant materials used and shall be selected from the Recommended Trees and Shrubs for Laramie, Wyoming list maintained by the city. Alternative plant materials may be approved if it is determined through Alternative Equivalent Compliance (LMC 15.06.060.K) that the alternative plan satisfactorily meets the intent of this chapter, that proposed plantings are equally suitable for local soil conditions and climate, would provide the same level of visual benefits and have the same desired growth habits.

b. Shall be prepared and signed/sealed by a licensed Landscape Architect.

c. All required landscaped areas shall contain a minimum of 45% living organic landscape material and no more than 25% planted turf grass.

~~4.~~5. Cover in Landscaped Areas

All required landscaped areas shall contain:

a. ~~a~~ A minimum of ~~75~~ 65 percent living organic landscaping material, with a maximum of ~~25~~ 35 percent nonliving landscaping materials.

b. All required landscaping, living and non-living, shall be calculated cumulative for the whole site, unless landscaped in accordance with section 4 above.~~.~~

c. At a minimum, 25% of the required living landscaping shall be planted adjacent to each street frontage associated with the site. ~~The use of a mix of coniferous and deciduous trees is encouraged. Where low water use and drought-tolerant landscaping is proposed, the department may reduce the percentage of required organic landscape material. No more than 50 percent of the landscaped area shall be planted in turf grass.~~

~~5.~~6. Irrigation Systems for Landscaped Areas

All required landscaping and landscape areas shall include a permanently installed irrigation system unless the department determines that the planting and maintenance plan is not dependent on a permanent system. Such alternative determination shall be specifically approved by the department. Applicable irrigation plans shall be submitted with the site plan as required by subsection 15.06.060.O (Ord. 1671 § 21, 2014).

~~6.~~7. Maintenance

The responsibility for the maintenance of landscaping shall lie with the property owner, his/her successor and/or their agents. All landscaping elements shall be permanently maintained in good growing condition and, whenever necessary, replaced with new plant materials to ensure continued compliance with these standards. All required landscaped areas shall be kept free of weeds, debris, and litter. In addition, all walls and fences shall be maintained in good condition, and when necessary, be repaired or replaced. Any required landscape material, including any tree, grass or shrubs, that dies shall be replaced by ~~July~~ October 31 of each year. All required landscaping shall be cleared of all unplanned vegetation including weeds at least once each year prior to ~~July~~ October 31.

~~7.~~8. Landscaping Plan Preparation

For all multifamily (four or more units), commercial, institutional and industrial uses requiring Site Plan review and approval, a professional horticulturist, nurseryman, or design professional shall be consulted to determine the proper time to move and install all plant materials, so that stress to the plants will be minimized. All nursery stock shall generally conform to the ANSI standard for nursery stock.

~~8.~~9. Installation and Final Inspection

The planting of the required landscaping may be delayed for a period up to twelve (12) months after issuance of the temporary certificate of occupancy. Unless all such landscaping is installed, inspected and approved prior to issuance of the temporary certificate of occupancy, a financial security for one hundred twenty five (125) percent of the landscaping materials and labor costs shall be required to be posted by the developer to ensure the placement of the required landscaping. All landscaping for multifamily, commercial, institutional and industrial uses requiring Site Plan review and approval shall be installed, inspected and approved by the department prior to certificate of occupancy issuance, per Chapter 15.18 (Improvements) and other applicable section of this Title.

~~9.~~10. Sight-Obscuring Fence

Chain linkByzantine Antimachia Castle or wire fencing shall be prohibited where a sight-obscuring fence is required in a bufferyard or landscaped area. {Byzantine Antimachia Castle15.14.100, Fences and Walls.

~~10.~~11. **Utilities**

All utilities within the exterior property lines of the site shall be installed underground. Freestanding utility boxes shall be integrated into the landscaping as much as possible and screened from view pursuant to 15.14.050.H Screening Standards.

~~11.~~12. **Location of Landscaping and Measurement**

All landscaping shall be located so that it does not interfere with utilities, easements, street lighting, or fire hydrants. The placement and design of the landscaping shall be generally at the discretion of the developer, but shall be approved by the department. ~~which may require design changes as reasonably necessary to meet the standards established in this code or in keeping with the Laramie comprehensive plan.~~ The landscape area width is measured from the property line inward~~.~~, unless alternatively approved pursuant to LMC 15.14.050.F.2.d.~~specifically provided elsewhere in this Chapter and approved by the department.~~

~~12.~~13. **Retention / Detention Ponds**

Retention and Detention ponds shall be landscaped and approved by the applicable decision making body. Landscaping shall ensure aesthetic appearance and screening of the facility, provide suitable grass mixes or plantings (ground cover) within the pond, provide suitable ground cover outside the pond as needed to ensure long-term stability of the structure, and shall prevent invasive plant species from growing with the retention / detention pond. Native species of shrubs and trees indigenous to Laramie shall be preferred over exotic plant species. ~~Drought-tolerant plant species shall be preferred over species requiring irrigation for survival in all landscaping areas.~~

15.14.050.D. Landscaping Material Standards

1. Plants to Conform

Plants shall conform to the measurements specified in the plant schedule submitted with the landscaping plan. ~~(see plan requirements in the Laramie Administrative Manual).~~

2. Size of Required Landscape Materials

Required landscaping materials shall comply with the following minimum size standards at the time of planting, with caliper measurements taken ~~12~~ 6 inches above grade.

~~**a.** Minimum height for deciduous trees shall be eight feet.~~

~~**b.**~~**a.** Minimum size for deciduous trees shall be a 1 ½ inch caliper.

~~**c.**~~**b.** Minimum size for evergreen trees shall be ~~five~~ four feet in height.

~~**d.**~~**c.** Minimum size for shrubs shall be 1 gallon or #1 container for low and medium shrubs and 5 gallon or #5 container for tall shrubs.

~~e.~~**d.** Minimum sizes may be reduced at the discretion of the department where a developer proposes a reasonable alternative planting size and/or more landscaping or plantings than are required. ~~Generally, street frontage landscaping should not be reduced in size in commercial, institutional, or industrial developments.~~

3. Trees

A mixture of canopy and ornamental trees shall be permitted. Generally, street frontage trees shall be canopy trees unless impractical and other tree types are approved by the department.

15.14.050.E. Residential Front Yard Landscaping

1. Applicability

The front-yard areas between the building and back of curb within all new developments containing three or fewer dwelling units on lots or parcels less than 16,000 square feet in size shall be landscaped pursuant to this subsection. The landscaping shall be located within the entirety of the front yard between the front plane of the building or front fence(s), whichever is greater, and the roadway. For the purposes of calculating landscape area, driveways and sidewalks shall not be included (Ord. 1596 § 46, 2011).

2. Landscape Plan

A landscape plan shall be submitted with an application for a building permit and become part of the building permit. The landscape plan shall be approved prior to installation of the landscaping. Any modifications to the approved plan shall be reviewed and approved by the department. The plan shall include a calculation of landscaped areas and a list of proposed plant species. An underground irrigation system is recommended.

3. Installation and Final Inspection

The landscaping shall be completed by the developer, builder or property owner and inspected by the department prior to the issuance of a certificate of occupancy. The planting of the required landscaping may be delayed for up to 12 months past the certificate of occupancy. Failure to install the required landscaping within twelve months of issuance of a certificate of occupancy may result in a citation and fine issued by the city.

4. Gardenscape Option

a. The required landscaping shall consist of at least 75% living ground cover. Up to 50% of the living ground cover area may be used for flower or garden beds, shrubbery planters or other similar accent features. At least two trees shall be planted in the front yard area. Trees may be a combination of evergreen and/or deciduous. At planting time evergreen trees shall be at least ~~five~~ four feet tall. Deciduous trees shall be at least 1.5 inches caliper at breast height. Tree wells of 5-foot diameter or less may be excluded from calculating the 75% living groundcover requirement. It is recommended that tree wells and other exposed planter areas be covered with organic

material such as bark or mulch.

b. In order to reduce dust and soil erosion, any remaining area not covered by living groundcover shall be covered by materials such as bark, decorative rock or mulch.

5. Xeriscape Option

As an alternative to the gardenscape option identified above, xeriscape landscaping is permissible and shall be in compliance with the city's xeriscape guidelines. The design may include a mix of decorative rock, mulch, plants, and native grasses. A maximum of 50% of the front yard area may be without plants, but shall be covered with materials such as decorative rock, bark, or mulch. Plants species used shall be of appropriate variety to tolerate low watering and high altitude climate.

6. Modifications After Initial Installation

Landscaping may be modified by the property owner after initial installation without approval by the department, provided that the front-yard area remains landscaped, meets the purpose of this chapter and does not violate the provisions of Laramie municipal code chapter 8.28.

15.14.050.F. Site Perimeter Landscaping

1. Applicability

Site perimeter landscaping shall be provided along the perimeter property line of all multifamily (four or more dwelling units), commercial, institutional and industrial development sites except for approved points of pedestrian or vehicle access, in accordance with Table 15.14.050-2 (see Figure 15.14.050-1). Site perimeter landscaping ~~is not~~ shall not be defined as parking lot perimeter landscaping, which is provided for in subsection 15.14.050.G.

Figure 15.14.050-1: Site perimeter landscaping is required on site perimeter of any commercial, institutional, industrial or multifamily development exceeding three dwelling units.

2. Exceptions

a. Site perimeter requirements for ~~lots and parcels~~development in the DC (Downtown Commercial) District shall be required pursuant to subsection 15.08.030.E.2.c, Development Standards.

~~**a.**~~**b.** Site perimeter requirements for ~~lots and parcels~~development in the TO (Technology and Office) District shall be required pursuant to subsection 15.08.030.L.2.d, Landscaping and Screening.

~~**b.**~~**c.** Site perimeter requirements may be reduced up to 100 percent for projects on lots and parcels allowing setbacks less than the required site perimeter yard width through the Alternative Equivalent Compliance requirements of subsection 15.06.060.K. Reductions shall only apply to lots and parcels where ~~the primary~~ any given building setback is less than the specific required perimeter landscaping width as shown in Table 15.14.050.A. Reductions shall only apply to specific required site perimeter areas between the property line and proposed principal building. ~~A zero side setback requirement shall not be construed to allow a reduced rear yard setback.~~

~~**c.**~~**d.** ~~As part of alternative equivalent compliance review, t~~The city may consider landscaping in the adjacent public right-of-way as a substitution for some or all of the required onsite street frontage landscaping, where in the ~~opinion~~ judgment of the department the proposed public right-of-way landscaping meets the intent of this chapter. Any property owner requesting to landscape the public right-of-way as an alternative shall be required to maintain the landscaping into perpetuity unless the landscaped area is accepted for maintenance by the city. Such acceptance shall be reviewed and approved pursuant to LMC 15.06.060.K, Alternative Equivalent Compliance. In addition to substituting for street frontage landscaping, public right-of-way landscaping may be substituted for other required landscaping if approved by the department. This may include the landscaping of public right-of-way or public lands within the city on a separate unrelated site in some cases where in the ~~opinion~~ judgment of the department the public landscaping proposed will have significantly greater community benefit.

3. Specifications for Site Perimeter Landscaping

a. In any area where site perimeter landscaping is required according to Table 15.14.050-2, the planting requirements in Table 15.14.050-3 shall apply. The amount of landscaping required in Table 15.14.050-3 shall be measured per linear foot of property line or street frontage. Access driveways and ~~walkways~~pedestrian connections shall ~~not~~ be subtracted from the linear frontage in calculations of the amount of landscaping required. ~~If there are driveways along the frontage or property line, required landscaping shall be condensed into the remaining site perimeter landscaping area.~~

b. In any area where site perimeter landscaping is required according to Table 15.14.050-2, the planting requirements in Table 15.14.050-3 shall apply. The amount of required landscaping units required in Table 15.14.050-3 shall be reduced on each perimeter length as follows:

(i) 15% reduction in required units for sites 2-5 acres in size.

(ii) 20% reduction in required units for sites 5-10 acres in size.

(iii) 25% reduction in required units for sites 10 acres in size or greater

TABLE 15.14.050-2: APPLICABILITY OF SITE PERIMETER LANDSCAPING

District of Proposed Development	Required Level of Site Perimeter Landscaping (Level 1, 2 or 3) Adjacent to the Following Zoning Districts or Streets:								
	AG, RR, O	LR, R1, R2, R2M	R3	NB, B1, B2	DC, C2	LM, IP, I1, AV AE	I2	Freeway	Collector, Arterial, Expressway
AG, RR, O	N/A	L1~~2~~	L1~~2~~	L3	L4	L2~~3~~	L4	L4	L2
LR, R1, R2, R2M	L1~~2~~	L1	L1	L2~~1~~	L2	L3	L4	L4	L2
R3	L3	L2	L1	L1	L1~~2~~	L3	L4	L3~~4~~	L2
NB, B1, B2	L3	L2~~3~~	L2~~3~~	L1	L1	L2~~3~~	L3~~4~~	L2~~4~~	L2
DC, C2	L3	L3	L2~~3~~	L2~~3~~	L1	L2	L3~~4~~	L2~~4~~	L2
LM, IP, I1, AV, AE	L3	L3	L3	L2~~3~~	L2	L1	L1~~2~~	L2~~4~~	L2
I2	L4	L4	L4	L3~~4~~	L3~~4~~	L2	L1~~2~~	L2~~4~~	L2
Non-residential use in R zone	L3	L2	L1~~2~~	L1~~2~~	L1~~2~~	L2~~3~~	L3~~4~~	L2~~4~~	L2

TABLE 15.14.050-3: SPECIFICATIONS FOR SITE PERIMETER LANDSCAPING				
Requirement	**L1 Edge Treatment**	**L2 Buffer**	**L3 Separation**	**L4 Screening [2]**
Planting Area Width (minimum average) [1]	3 ft	~~8~~ 5 ft	~~15~~ 10 ft	~~30~~ 20 ft~~.~~
Planting Area Width (minimum at any point) [1]	3 ft	~~8~~ 5 ft	~~12~~ 8 ft	~~20~~ 15 ft
Total Landscape Units[4] Required per linear foot of property line or street frontage	~~0.30~~0.20 units per linear foot	~~0.40~~0.30 units per linear foot	~~0.6~~0.40 units per linear foot	~~1.0~~ 0.65 units per linear foot
Minimum number of landscape units that shall be trees	none	25% of the total required units,	35% of the total required units,	40% of the total required units,
Minimum number of landscape units that shall be evergreen trees	none	none	20% of the total required units,	30% of the total required units,
Minimum number of landscape units that shall be shrubs	20% of the total required units, either hedge or fence	5% of the total required units,	10% of the total required units,	10% of the total required units,

Additional Standards:
[1] Minimum width of planting area shall be measured as the width of the planting beds between the back of edge curbing. Where there will be vehicle overhang along any curb edge, add two feet to the required minimum width.
[2] Existing natural vegetation in any required L4 Screening perimeter landscaping area shall not be disturbed, provided that, if that vegetation does not meet the standards for L4 Screening, screening landscaping shall be planted. Existing vegetation cannot be disturbed to achieve the screening standard through supplemental plantings. If disturbed, it shall be restored.
[3] Landscape units are identified in Table 15.14.050-4 Landscape Units Awarded. (Ord. 1625 § 26, 2012; Ord. 1622, § 4, 2012; Ord. 1596 § 51, 2011).

4. Landscape Units Awarded

To provide for flexibility, allow design creativity, encourage use of larger trees, and retention of natural vegetation, the required amount of planting material for site enhancement, site perimeter, parking lot or tree retention landscaping shall be based on a "landscape units" point system. The number of units awarded to each landscaping element shall be as follows:

TABLE 15.14.050-4: LANDSCAPE UNITS AWARDED

Landscape Material	Landscape Units Awarded	
	Newly Installed	Existing Retained [1]
Landmark or Signature Tree	n/a	16.0
Evergreen Tree, >10 ft high	~~8~~10.0	14.0
Evergreen Tree, >8 – 10 ft high	8.0	11.0
Evergreen Tree, 6 – 8 ft high	6.0	9.0
Deciduous Tree, > 8" caliper	n/a	14.0
Deciduous Tree, >4 – 8" caliper	n/a	11.0
Deciduous Tree, >2.5 – 4" caliper	7.0	7.0
Deciduous Tree, 1.5" – 2.5" caliper or multi-stem	4.0	4.0
Shrubs, 36" high	1.0	1.2
Shrubs, 24" high	0.8	0.9
Shrubs, 18" high	0.5	0.6
Perennials/ground cover	1 per 400 sq ft	
Annual flower bed	1 per 400 sq ft	
Lawn Grass	1 per 800 sq ft	
Flower Basket Support	0.2 per basket	
Earthen Berm, minimum 18" high	0.05 per linear foot	
Hardscape Material	**Units Awarded**	
Decorative (Ornamental) Fence	0.2 per linear foot	
Screening (Opaque) Fence (6 ft high or greater)	0.4 per linear foot	
Shredded bark or 3"+ rock mulch such as river rock	1.0 per 500 sq ft	
Ornamental pavers/Decorative Concrete	1.0 per 250 sq ft	
Landscape Boulders, 3' or greater in height	1.0 per boulder	
Seating	0.4 per linear foot	
Landscape lighting, sculpture, art, water feature, and/or sheltering structure/landmark	As determined by department	
Retained Existing Vegetation Mass [1]	**Bonus Landscaping Units Awarded**	
300+ square feet with a minimum of 3 deciduous trees (4" caliper or greater), 3 evergreen trees (minimum six feet high) or any combination thereof	15%	
500+ square feet with a minimum of 5 deciduous trees (4" caliper or greater), 5 evergreen trees (minimum six feet high) or any combination thereof	20%	
800+ square feet with a minimum of 8 deciduous trees (4" caliper or greater), 8 evergreen trees (minimum six feet high) or any combination thereof	25%	

[1] Points may only be applied in the buffer area along the same lot line or street frontage where the vegetation is found.

15.14.050.A. Purpose

The purpose of this chapter is to provide landscaping standards which: enhance and promote an improved image for the Laramie area; ensure that landscaping is an integral part of the site design and development process. This chapter's purpose also includes protecting the public health, safety and welfare by: improving parking lot traffic safety by guiding the circulation of cars and people and lowering traffic speeds; minimizing noise, air, water and visual pollution; increasing screening and buffering between incompatible land uses; reducing the amount of reflected glare and heat absorbed in and around developments; breaking up large expanses of parking lots; preserving residential neighborhoods by lessening the impacts of potentially incompatible uses; and providing screening from the wind.

15.14.050.B. Applicability

1. General Applicability

The provisions of this section are applicable to the following development types:

	Single Family, Two Family and Multifamily Developments (Less than four dwelling units)	Multifamily (four or more dwelling units) and Mixed Use	Commercial, Institutional and Industrial
Landscape Area (15.14.050.C)		✓	✓
Landscape Material (15.14.050.D)		✓	✓
Residential Front-Yard Landscaping (15.14.050.E)	✓		
Site Perimeter Landscaping (15.14.050.F)		✓	✓
Off-Street Parking Lot (15.14.050.G)		✓	✓
Screening (15.14.050.H)		✓	✓
Off-Street Utility Dumpster, Recycling, Trash Handling and Recycling Facilities (15.14.050.I)		✓	✓

(Ord. 1596 § 50, 2011)

2. Alternative Equivalent Compliance – Landscaping and Screening Applicability

Alternative Equivalent Compliance provisions in subsection 15.06.060.K shall be available to satisfy landscaping standard requirements, provided that in addition to the requirements and criteria of subsection 15.06.060.K, the following specific procedures are followed:

a. Any and all plans and documents submitted shall be approved by a professional specialist with demonstrable expertise in landscaping, such as a landscape architect or landscape contractor. Such approval shall be in written form and shall state that the specialist has reviewed and approved the specific plans and documents presented.

b. In order to grant a request for alternative equivalent compliance, the decision-making entity shall find, in addition to the criteria in subsection 15.06.060.K.6, that the following criteria are met:

(i) The proposed alternative landscape design will conserve water and/or reduce long-term maintenance costs; and

(ii) The proposed alternative landscape design is compatible with the character and ambiance of vegetation and environmental design traditional to Wyoming and interior Western communities.

15.14.050.C. General Provisions for Multifamily (Four or more Dwelling Units), Commercial, Institutional and Industrial Uses

1. Landscaping Area Requirements

As identified in subsection 15.14.050.B, Applicability, most development sites, excluding single family, two family and multifamily developments (less than four dwelling units), shall be required to be landscaped pursuant to this subsection. A minimum of ~~20~~ 15 percent of the lot or parcel area, excluding the building(s) or use footprint, shall be landscaped in accordance with the requirements of this chapter (Equation: Landscaped area = .15~~20~~ × (lot area - primary building and use footprint)). For the purposes of this section, use footprint shall include any outdoor storage or display areas. At least 50 percent of the required landscape area shall be placed so that it abuts the adjoining public street rights-of-way, excluding alleys.

2. Landscaping Treatments Not Counted

No area required to be landscaped shall include any artificial trees, plants, or turf, impervious surfacing, or any carpeting designed as a visual substitute for lawn or other groundcover. Areas devoted to pasture, farm crops or undeveloped areas of a lot or parcel shall not be considered landscaped for the purpose of fulfilling any landscape requirements.

3. **Water-Conserving Landscaping**

Low-water, drought-tolerant plants shall be used for all new landscaping. Plant materials shall be selected from the plant list maintained by the city. The city plant list may be found in the Administrative Manual. Materials not on the list may be approved if it is determined that they are equally suitable for local soil conditions and climate and would provide the same level of visual benefits and have the desired growth habits.

4. Xeriscape/Water Conserving Landscaping Option

Xeriscaping improves aesthetic appearance and mitigates water usage. A xeriscape option is set forth as an alternative to conventional landscaping requirements. A Xeriscape plan shall include the following:

a. Low-water, drought-tolerant plant materials shall make up 85% of all plant materials used and shall be selected from the Recommended Trees and Shrubs for Laramie, Wyoming list maintained by the city. Alternative plant materials may be approved if it is determined through Alternative Equivalent Compliance (LMC 15.06.060.K) that the alternative plan satisfactorily meets the intent of this chapter, that proposed plantings are equally suitable for local soil conditions and climate, would provide the same level of visual benefits and have the same desired growth habits.

b. Shall be prepared and signed/sealed by a licensed Landscape Architect.

c. All required landscaped areas shall contain a minimum of 45% living organic landscape material and no more than 25% planted turf grass.

~~4.~~5. Cover in Landscaped Areas

All required landscaped areas shall contain:

a. ~~a~~ A minimum of ~~75~~ 65 percent living organic landscaping material, with a maximum of ~~25~~ 35 percent nonliving landscaping materials.

b. All required landscaping, living and non-living, shall be calculated cumulative for the whole site, unless landscaped in accordance with section 4 above.~~.~~

c. At a minimum, 25% of the required living landscaping shall be planted adjacent to each street frontage associated with the site. ~~The use of a mix of coniferous and deciduous trees is encouraged. Where low water use and drought-tolerant landscaping is proposed, the department may reduce the percentage of required organic landscape material. No more than 50 percent of the landscaped area shall be planted in turf grass.~~

~~5.~~6. Irrigation Systems for Landscaped Areas

All required landscaping and landscape areas shall include a permanently installed irrigation system unless the department determines that the planting and maintenance plan is not dependent on a permanent system. Such alternative determination shall be specifically approved by the department. Applicable irrigation plans shall be submitted with the site plan as required by subsection 15.06.060.O (Ord. 1671 § 21, 2014).

~~6.~~7. Maintenance

The responsibility for the maintenance of landscaping shall lie with the property owner, his/her successor and/or their agents. All landscaping elements shall be permanently maintained in good growing condition and, whenever necessary, replaced with new plant materials to ensure continued compliance with these standards. All required landscaped areas shall be kept free of weeds, debris, and litter. In addition, all walls and fences shall be maintained in good condition, and when necessary, be repaired or replaced. Any required landscape material, including any tree, grass or shrubs, that dies shall be replaced by ~~July 1~~September 30 of each year. All required landscaping shall be cleared of all unplanned vegetation including weeds at least once each year prior to ~~July 1~~ September 30.

~~7.~~8. Landscaping Plan Preparation

For all multifamily (four or more units), commercial, institutional and industrial uses requiring Site Plan review and approval, a professional horticulturist, nurseryman, or design professional shall be consulted to determine the proper time to move and install all plant materials, so that stress to the plants will be minimized. All nursery stock shall generally conform to the ANSI standard for nursery stock.

~~8.~~9. Installation and Final Inspection

The planting of the required landscaping may be delayed for a period up to twelve (12) months after issuance of the temporary certificate of occupancy. Unless all such landscaping is installed, inspected and approved prior to issuance of the temporary certificate of occupancy, a financial security for one hundred twenty five (125) percent of the landscaping materials and labor costs shall be required to be posted by the developer to ensure the placement of the required landscaping. All landscaping for multifamily, commercial, institutional and industrial uses requiring Site Plan review and approval shall be installed, inspected and approved by the department prior to certificate of occupancy issuance, per Chapter 15.18 (Improvements) and other applicable section of this Title.

~~9.~~10. Sight-Obscuring Fence

Chain link or wire fencing shall be prohibited where a sight-obscuring fence is required in a bufferyard or landscaped area. (15.14.100, Fences and Walls.)

~~10.~~11. Utilities

All utilities within the exterior property lines of the site shall be installed underground. Freestanding utility boxes shall be integrated into the landscaping as much as possible and screened from view pursuant to 15.14.050.H Screening Standards.

~~11.~~12. Location of Landscaping and Measurement

All landscaping shall be located so that it does not interfere with utilities, easements, street lighting, or fire hydrants. The placement and design of the landscaping shall be generally at the discretion of the developer, but shall be approved by the department. ~~which may require design changes as reasonably necessary to meet the standards established in this code or in keeping with the Laramie comprehensive plan.~~ The landscape area width is measured from the property line inward~~.~~, unless alternatively approved pursuant to LMC 15.14.050.F.2.d.~~specifically provided elsewhere in this Chapter and approved by the department.~~

~~12.~~13. Retention / Detention Ponds

Retention and Detention ponds shall be landscaped and approved by the applicable decision making body. Landscaping shall ensure aesthetic appearance and screening of the facility, provide suitable grass mixes or plantings (ground cover) within the pond, provide suitable ground cover outside the pond as needed to ensure long-term stability of the structure, and shall prevent invasive plant species from growing with the retention / detention pond. Native species of shrubs and trees indigenous to ~~Laramie~~ the region shall be preferred over exotic plant species. ~~Drought-tolerant plant species shall be preferred over species requiring irrigation for survival in all landscaping areas.~~

15.14.050.D. Landscaping Material Standards

1. Plants to Conform

Plants shall conform to the measurements specified in the plant schedule submitted with the landscaping plan. ~~(see plan requirements in the Laramie Administrative Manual).~~

2. Size of Required Landscape Materials

Required landscaping materials shall comply with the following minimum size standards at the time of planting, with caliper measurements taken ~~12~~ 6 inches above grade.

~~a. Minimum height for deciduous trees shall be eight feet.~~

~~b.~~a. Minimum size for deciduous trees shall be a 1 ½ inch caliper.

~~c.~~b. Minimum size for evergreen trees shall be ~~five four~~three feet in height.

~~d.~~c. Minimum size for shrubs shall be 1 gallon or #1 container for low and medium shrubs and 5 gallon or #5 container for tall shrubs.

~~e.~~**d.** Minimum sizes may be reduced at the discretion of the department where a developer proposes a reasonable alternative planting size and/or more landscaping or plantings than are required. ~~Generally, street frontage landscaping should not be reduced in size in commercial, institutional, or industrial developments.~~

3. Trees

A mixture of canopy and ornamental trees shall be permitted. Generally, street frontage trees shall be canopy trees unless impractical and other tree types are approved by the department.

15.14.050.E. Residential Front Yard Landscaping

1. Applicability

The front-yard areas between the building and back of curb within all new developments containing three or fewer dwelling units on lots or parcels less than 16,000 square feet in size shall be landscaped pursuant to this subsection. The landscaping shall be located within the entirety of the front yard between the front plane of the building or front fence(s), whichever is greater, and the roadway. For the purposes of calculating landscape area, driveways and sidewalks shall not be included (Ord. 1596 § 46, 2011).

2. Landscape Plan

A landscape plan shall be submitted with an application for a building permit and become part of the building permit. The landscape plan shall be approved prior to installation of the landscaping. Any modifications to the approved plan shall be reviewed and approved by the department. The plan shall include a calculation of landscaped areas and a list of proposed plant species. An underground irrigation system is recommended.

3. Installation and Final Inspection

The landscaping shall be completed by the developer, builder or property owner and inspected by the department prior to the issuance of a certificate of occupancy. The planting of the required landscaping may be delayed for up to 12 months past the certificate of occupancy. Failure to install the required landscaping within twelve months of issuance of a certificate of occupancy may result in a citation and fine issued by the city.

4. Gardenscape Option

a. The required landscaping shall consist of at least 75% living ground cover. Up to 50% of the living ground cover area may be used for flower or garden beds, shrubbery planters or other similar accent features. At least two trees shall be planted in the front yard area. Trees may be a combination of evergreen and/or deciduous. At planting time evergreen trees shall be at least ~~five four~~three feet tall. Deciduous trees shall be at least 1.5 inches caliper~~ at breast height~~. Tree wells of 5-foot diameter or less may be excluded from calculating the 75% living groundcover requirement. It is recommended that tree wells and other exposed planter areas be covered with organic

material such as bark or mulch.

b. In order to reduce dust and soil erosion, any remaining area not covered by living groundcover shall be covered by materials such as bark, decorative rock or mulch.

5. Xeriscape Option

As an alternative to the gardenscape option identified above, xeriscape landscaping is permissible and shall be in compliance with the city's xeriscape guidelines. The design may include a mix of decorative rock, mulch, plants, and native grasses. A maximum of 50% of the front yard area may be without plants, but shall be covered with materials such as decorative rock, bark, or mulch. Plants species used shall be of appropriate variety to tolerate low watering and high altitude climate.

6. Modifications After Initial Installation

Landscaping may be modified by the property owner after initial installation without approval by the department, provided that the front-yard area remains landscaped, meets the purpose of this chapter and does not violate the provisions of Laramie municipal code chapter 8.28.

15.14.050.F. Site Perimeter Landscaping

1. Applicability

Site perimeter landscaping shall be provided along the perimeter property line of all multifamily (four or more dwelling units), commercial, institutional and industrial development sites except for approved points of pedestrian or vehicle access, in accordance with Table 15.14.050-2 (see Figure 15.14.050-1). Site perimeter landscaping ~~is not~~ shall not be defined as parking lot perimeter landscaping, which is provided for in subsection 15.14.050.G.

Figure 15.14.050-1: Site perimeter landscaping is required on site perimeter of any commercial, institutional, industrial or multifamily development exceeding three dwelling units.

2. Exceptions

a. Site perimeter requirements for ~~lots and parcels~~development in the DC (Downtown Commercial) District shall be required pursuant to subsection 15.08.030.E.2.c, Development Standards.

~~a.~~b. Site perimeter requirements for ~~lots and parcels~~development in the TO (Technology and Office) District shall be required pursuant to subsection 15.08.030.L.2.d, Landscaping and Screening.

~~b.~~c. Site perimeter requirements may be reduced up to 100 percent for projects on lots and parcels allowing setbacks less than the required site perimeter yard width through the Alternative Equivalent Compliance requirements of subsection 15.06.060.K. Reductions shall only apply to lots and parcels where ~~the primary~~ any given building setback is less than the specific required perimeter landscaping width as shown in Table 15.14.050.A. Reductions shall only apply to specific required site perimeter areas between the property line and proposed principal building. ~~A zero side setback requirement shall not be construed to allow a reduced rear yard setback.~~

~~c.~~d. ~~As part of alternative equivalent compliance review, t~~The city may consider landscaping in the adjacent public right-of-way as a substitution for some or all of the required onsite street frontage landscaping, where in the ~~opinion~~ judgment of the department the proposed public right-of-way landscaping meets the intent of this chapter. Any property owner requesting to landscape the public right-of-way as an alternative shall be required to maintain the landscaping into perpetuity unless the landscaped area is accepted for maintenance by the city. Such acceptance shall be reviewed and approved pursuant to LMC 15.06.060.K, Alternative Equivalent Compliance. In addition to substituting for street frontage landscaping, public right-of-way landscaping may be substituted for other required landscaping if approved by the department. This may include the landscaping of public right-of-way or public lands within the city on a separate unrelated site in some cases where in the ~~opinion~~ judgment of the department the public landscaping proposed will have significantly greater community benefit.

3. Specifications for Site Perimeter Landscaping

a. In any area where site perimeter landscaping is required according to Table 15.14.050-2, the planting requirements in Table 15.14.050-3 shall apply. The amount of landscaping required in Table 15.14.050-3 shall be measured per linear foot of property line or street frontage. Access driveways and ~~walkways~~pedestrian connections shall ~~not~~ be subtracted from the linear frontage in calculations of the amount of landscaping required. ~~If there are driveways along the frontage or property line, required landscaping shall be condensed into the remaining site perimeter landscaping area.~~

b. In any area where site perimeter landscaping is required according to Table 15.14.050-2, the planting requirements in Table 15.14.050-3 shall apply. The amount of required landscaping units required in Table 15.14.050-3 shall be reduced on each perimeter length as follows:

(i) 15% reduction in required units for sites 2-5 acres in size.

(ii) 20% reduction in required units for sites 5-10 acres in size.

(iii) 25% reduction in required units for sites 10 acres in size or greater

TABLE 15.14.050-2: APPLICABILITY OF SITE PERIMETER LANDSCAPING

District of Proposed Development	Required Level of Site Perimeter Landscaping (Level 1, 2 or 3) Adjacent to the Following Zoning Districts or Streets:								
	AG, RR, O	LR, R1, R2, R2M	R3	NB, B1, B2	DC, C2	LM, IP, I1, AV AE	I2	Freeway	Collector, Arterial, Expressway
AG, RR, O	N/A	L1~~2~~	L1~~2~~	L3	L4	L2~~3~~	L4	L4	L2
LR, R1, R2, R2M	L1~~2~~	L1	L1	L2~~1~~	L2	L3	L4	L4	L2
R3	L3	L2	L1	L1	L1~~2~~	L3	L4	L3~~4~~	L2
NB, B1, B2	L3	L2~~3~~	L2~~3~~	L1	L1	L2~~3~~	L3~~4~~	L2~~4~~	L2
DC, C2	L3	L3	L2~~3~~	L2~~3~~	L1	L2	L3~~4~~	L2~~4~~	L2
LM, IP, I1, AV, AE	L3	L3	L3	L2~~3~~	L2	L1	L1~~2~~	L2~~4~~	L2
I2	L4	L4	L4	L3~~4~~	L3~~4~~	L2	L1~~2~~	L2~~4~~	L2
Non-residential use in R zone	L3	L2	L1~~2~~	L1~~2~~	L1~~2~~	L2~~3~~	L3~~4~~	L2~~4~~	L2

TABLE 15.14.050-3: SPECIFICATIONS FOR SITE PERIMETER LANDSCAPING				
Requirement	**L1 Edge Treatment**	**L2 Buffer**	**L3 Separation**	**L4 Screening [2]**
Planting Area Width (minimum average) [1]	3 ft	~~8~~ ~~5~~ 6ft	~~15~~ ~~10~~ 12ft	~~30~~ 20 ft~~.~~
Planting Area Width (minimum at any point) [1]	3 ft	~~8~~ ~~5~~6 ft	~~12~~ ~~8~~10 ft	~~20~~ 15 ft
Total Landscape Units[4] Required per linear foot of property line or street frontage	~~0.30~~0.20 units per linear foot	~~0.40~~0.30 units per linear foot	~~0.60~~0.40 units per linear foot	~~1.0~~ 0.65 units per linear foot
Minimum number of landscape units that shall be trees	none	25% of the total required units,	35% of the total required units,	40% of the total required units,
Minimum number of landscape units that shall be evergreen trees	none	none	20% of the total required units,	30% of the total required units,
Minimum number of landscape units that shall be shrubs	20% of the total required units, either hedge or fence	5% of the total required units,	10% of the total required units,	10% of the total required units,

Additional Standards:
[1] Minimum width of planting area shall be measured as the width of the planting beds between the back of edge curbing. Where there will be vehicle overhang along any curb edge, add two feet to the required minimum width.
[2] Existing natural vegetation in any required L4 Screening perimeter landscaping area shall not be disturbed, provided that, if that vegetation does not meet the standards for L4 Screening, screening landscaping shall be planted. Existing vegetation cannot be disturbed to achieve the screening standard through supplemental plantings. If disturbed, it shall be restored.
[3] Landscape units are identified in Table 15.14.050-4 Landscape Units Awarded. (Ord. 1625 § 26, 2012; Ord. 1622, § 4, 2012; Ord. 1596 § 51, 2011).

4. Landscape Units Awarded

To provide for flexibility, allow design creativity, encourage use of larger trees, and retention of natural vegetation, the required amount of planting material for site enhancement, site perimeter, parking lot or tree retention landscaping shall be based on a "landscape units" point system. The number of units awarded to each landscaping element shall be as follows:

TABLE 15.14.050-4: LANDSCAPE UNITS AWARDED

Landscape Material	Landscape Units Awarded	
	Newly Installed	Existing Retained [1]
Landmark or Signature Tree	n/a	16.0
Evergreen Tree, >10 ft high	~~8~~10.0	14.0
Evergreen Tree, >8 – 10 ft high	8.0	11.0
Evergreen Tree, 6 – 8 ft high	6.0	9.0
Deciduous Tree, > 8" caliper	n/a	14.0
Deciduous Tree, >4 – 8" caliper	n/a	11.0
Deciduous Tree, >2.5 – 4" caliper	7.0	7.0
Deciduous Tree, 1.5" – 2.5" caliper or multi-stem	4.0	4.0
Shrubs, 36" high	1.0	1.2
Shrubs, 24" high	0.8	0.9
Shrubs, 18" high	0.5	0.6
Perennials/ground cover [1]	1 per 400 sq ft	
Annual flower bed [1]	1 per 400 sq ft	
Lawn Grass [1]	1 per ~~800~~ 200 sq ft	
Flower Basket Support	0.2 per basket	
Earthen Berm, minimum 18" high	0.05 per linear foot	
Hardscape Material	**Units Awarded**	
Decorative (Ornamental) Fence	0.2 per linear foot	
Screening (Opaque) Fence (6 ft high or greater)	0.4 per linear foot	
Shredded bark or 3"+ rock mulch such as river rock	1.0 per 500 sq ft	
Ornamental pavers/Decorative Concrete	1.0 per 250 sq ft	
Landscape Boulders, 3' or greater in height	1.0 per boulder	
Seating	0.4 per linear foot	
Landscape lighting~~, sculpture, art, water feature, and/or sheltering structure/landmark~~	As determined by department	
Sculpture -2' to 3' tall [2]	1.0 per foot height	
Sculpture -greater than 3' and up to 6' tall [2]	2.0 per foot height	
Sculpture -greater than 6' tall [2]	3.0 per foot height	
Mural [2]	0.25 pts per sq ft	
Water feature [2]	0.25 points per square foot fountain area	
Sheltering structure / Gazeebo	0.50 points per square foot covered area	
Other art [2]	As determined by department	
Retained Existing Vegetation Mass [1]	**Bonus Landscaping Units Awarded**	
300+ square feet with a minimum of 3 deciduous trees (4" caliper or greater), 3 evergreen trees (minimum six feet high) or any combination thereof	15%	

TABLE 15.14.050-4: LANDSCAPE UNITS AWARDED		
Landscape Material	**Landscape Units Awarded**	
	Newly Installed	**Existing Retained [1]**
500+ square feet with a minimum of 5 deciduous trees (4" caliper or greater), 5 evergreen trees (minimum six feet high) or any combination thereof		20%
800+ square feet with a minimum of 8 deciduous trees (4" caliper or greater), 8 evergreen trees (minimum six feet high) or any combination thereof		25%
[1] Landscaped area shall be irrigated.		
[2] Shall require review and approval in accordance with the Laramie Public Art Plan.		
[~~1~~3] Points may only be applied in the buffer area along the same lot line or street frontage where the vegetation is found.		

15.14.050.A. Purpose

The purpose of this chapter is to provide landscaping standards which: enhance and promote an improved image for the Laramie area; ensure that landscaping is an integral part of the site design and development process. This chapter's purpose also includes protecting the public health, safety and welfare by: improving parking lot traffic safety by guiding the circulation of cars and people and lowering traffic speeds; minimizing noise, air, water and visual pollution; increasing screening and buffering between incompatible land uses; reducing the amount of reflected glare and heat absorbed in and around developments; breaking up large expanses of parking lots; preserving residential neighborhoods by lessening the impacts of potentially incompatible uses; and providing screening from the wind.

15.14.050.B. Applicability

1. General Applicability

The provisions of this section are applicable to the following development types:

	Single Family, Two Family and Multifamily Developments (Less than four dwelling units)	Multifamily (four or more dwelling units) and Mixed Use	Commercial, Institutional and Industrial
Landscape Area (15.14.050.C)		✓	✓
Landscape Material (15.14.050.D)		✓	✓
Residential Front-Yard Landscaping (15.14.050.E)	✓		
Site Perimeter Landscaping (15.14.050.F)		✓	✓
Off-Street Parking Lot (15.14.050.G)		✓	✓
Screening (15.14.050.H)		✓	✓
Off-Street Utility Dumpster, Recycling, Trash Handling and Recycling Facilities (15.14.050.I)		✓	✓

(Ord. 1596 § 50, 2011)

Arborist Comments

Summary of Comments on 4.Arborist and Parks, Trees Advisory Board Comments.pdf

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Author: cbloom Subject: Typewritten Text Date: 10/11/2016 9:16:37 AM

Arborist Comments

2. Alternative Equivalent Compliance – Landscaping and Screening Applicability

Alternative Equivalent Compliance provisions in subsection 15.06.060.K shall be available to satisfy landscaping standard requirements, provided that in addition to the requirements and criteria of subsection 15.06.060.K, the following specific procedures are followed:

a. Any and all plans and documents submitted shall be approved by a professional specialist with demonstrable expertise in landscaping, such as a landscape architect or landscape contractor. Such approval shall be in written form and shall state that the specialist has reviewed and approved the specific plans and documents presented.

b. In order to grant a request for alternative equivalent compliance, the decision-making entity shall find, in addition to the criteria in subsection 15.06.060.K.6, that the following criteria are met:

(i) The proposed alternative landscape design will conserve water and/or reduce long-term maintenance costs; and

(ii) The proposed alternative landscape design is compatible with the character and ambiance of vegetation and environmental design traditional to Wyoming and interior Western communities.

15.14.050.C. General Provisions for Multifamily (Four or more Dwelling Units), Commercial, Institutional and Industrial Uses

1. Landscaping Area Requirements

As identified in subsection 15.14.050.B, Applicability, most development sites, excluding single family, two family and multifamily developments (less than four dwelling units), shall be required to be landscaped pursuant to this subsection. A minimum of ~~20~~ 15 percent of the lot or parcel area, excluding the building(s) or use footprint, shall be landscaped in accordance with the requirements of this chapter (Equation: Landscaped area = .15~~20~~ × (lot area - primary building and use footprint)). For the purposes of this section, use footprint shall include any outdoor storage or display areas. At least 50 percent of the required landscape area shall be placed so that it abuts the adjoining public street rights-of-way, excluding alleys.

2. Landscaping Treatments Not Counted

No area required to be landscaped shall include any artificial trees, plants, or turf, impervious surfacing, or any carpeting designed as a visual substitute for lawn or other groundcover. Areas devoted to pasture, farm crops or undeveloped areas of a lot or parcel shall not be considered landscaped for the purpose of fulfilling any landscape requirements.

Arborist Comments

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Author: cbloom Subject: Typewritten Text Date: 10/11/2016 9:16:44 AM

Arborist Comments

3. Water-Conserving Landscaping

Low-water, drought-tolerant plants shall be used for all new landscaping. Plant materials shall be selected from the plant list maintained by the city. The city plant list may be found in the Administrative Manual. Materials not on the list may be approved if it is determined that they are equally suitable for local soil conditions and climate and would provide the same level of visual benefits and have the desired growth habits.

4. Xeriscape/Water Conserving Landscaping Option

Xeriscaping improves aesthetic appearance and mitigates water usage. A xeriscape option is set forth as an alternative to conventional landscaping requirements. A Xeriscape plan shall include the following:

a. Low-water, drought-tolerant plant materials shall make up 85% of all plant materials used and shall be selected from the Recommended Trees and Shrubs for Laramie, Wyoming list maintained by the city. Alternative plant materials may be approved if it is determined through Alternative Equivalent Compliance (LMC 15.06.060.K) that the alternative plan satisfactorily meets the intent of this chapter, that proposed plantings are equally suitable for local soil conditions and climate, would provide the same level of visual benefits and have the same desired growth habits.

b. Shall be prepared and signed/sealed by a licensed Landscape Architect.

c. All required landscaped areas shall contain a minimum of 45% living organic landscape material and no more than 25% planted turf grass.

~~4.~~5. Cover in Landscaped Areas

All required landscaped areas shall contain:

a. ~~a.~~ A minimum of ~~75~~ 65 percent living organic landscaping material, with a maximum of ~~25~~ 35 percent nonliving landscaping materials.

b. All required landscaping, living and non-living, shall be calculated cumulative for the whole site, unless landscaped in accordance with section 4 above.~~.~~

c. At a minimum, 25% of the required living landscaping shall be planted adjacent to each street frontage associated with the site. ~~The use of a mix of coniferous and deciduous trees is encouraged. Where low water use and drought tolerant landscaping is proposed, the department may reduce the percentage of required organic landscape material. No more than 50 percent of the landscaped area shall be planted in turf grass.~~

Arborist Comments

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Author: roverstreet Subject: Sticky Note Date: 9/20/2016 9:42:15 AM
How is 65% defined? Is it the coverage on the ground as seen from above based on expected mature crown development of the plant?

Author: roverstreet Subject: Highlight Date: 9/20/2016 10:15:54 AM

Author: cbloom Subject: Typewritten Text Date: 10/11/2016 9:16:53 AM

Arborist Comments

~~5.~~6. Irrigation Systems for Landscaped Areas

All required landscaping and landscape areas shall include a permanently installed irrigation system unless the department determines that the planting and maintenance plan is not dependent on a permanent system. Such alternative determination shall be specifically approved by the department. Applicable irrigation plans shall be submitted with the site plan as required by subsection 15.06.060.O (Ord. 1671 § 21, 2014).

~~6.~~7. Maintenance

The responsibility for the maintenance of landscaping shall lie with the property owner, his/her successor and/or their agents. All landscaping elements shall be permanently maintained in good growing condition and, whenever necessary, replaced with new plant materials to ensure continued compliance with these standards. All required landscaped areas shall be kept free of weeds, debris, and litter. In addition, all walls and fences shall be maintained in good condition, and when necessary, be repaired or replaced. Any required landscape material, including any tree, grass or shrubs, that dies shall be replaced by ~~July~~ October 31 of each year. All required landscaping shall be cleared of all unplanned vegetation including weeds at least once each year prior to ~~July~~ October 31.

~~7.~~8. Landscaping Plan Preparation

For all multifamily (four or more units), commercial, institutional and industrial uses requiring Site Plan review and approval, a professional horticulturist, nurseryman, or design professional shall be consulted to determine the proper time to move and install all plant materials, so that stress to the plants will be minimized. All nursery stock shall generally conform to the ANSI standard for nursery stock.

~~8.~~9. Installation and Final Inspection

The planting of the required landscaping may be delayed for a period up to twelve (12) months after issuance of the temporary certificate of occupancy. Unless all such landscaping is installed, inspected and approved prior to issuance of the temporary certificate of occupancy, a financial security for one hundred twenty five (125) percent of the landscaping materials and labor costs shall be required to be posted by the developer to ensure the placement of the required landscaping. All landscaping for multifamily, commercial, institutional and industrial uses requiring Site Plan review and approval shall be installed, inspected and approved by the department prior to certificate of occupancy issuance, per Chapter 15.18 (Improvements) and other applicable section of this Title.

~~9.~~10. Sight-Obscuring Fence

Chain linkByzantine Antimachia Castle or wire fencing shall be prohibited where a sight-obscuring fence is required in a bufferyard or landscaped area. ~~(~~Byzantine Antimachia Castle15.14.100, Fences and Walls.

Arborist Comments

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Author: roverstreet Subject: Highlight Date: 9/20/2016 10:16:09 AM

Author: roverstreet Subject: Sticky Note Date: 9/20/2016 9:43:04 AM
Change July 31 to September 30

Author: roverstreet Subject: Highlight Date: 9/20/2016 10:16:06 AM

Author: roverstreet Subject: Sticky Note Date: 9/20/2016 9:43:28 AM
What is this?

Author: roverstreet Subject: Highlight Date: 9/20/2016 10:16:15 AM

Author: roverstreet Subject: Highlight Date: 9/20/2016 10:16:19 AM

Author: cbloom Subject: Typewritten Text Date: 10/11/2016 9:17:01 AM

Arborist Comments

Author: cbloom Subject: Typewritten Text Date: 10/11/2016 9:16:57 AM

~~10.~~11. **Utilities**

All utilities within the exterior property lines of the site shall be installed underground. Freestanding utility boxes shall be integrated into the landscaping as much as possible and screened from view pursuant to 15.14.050.H Screening Standards.

~~11.~~12. **Location of Landscaping and Measurement**

All landscaping shall be located so that it does not interfere with utilities, easements, street lighting, or fire hydrants. The placement and design of the landscaping shall be generally at the discretion of the developer, but shall be approved by the department. ~~which may require design changes as reasonably necessary to meet the standards established in this code or in keeping with the Laramie comprehensive plan.~~ The landscape area width is measured from the property line inward~~.~~, unless alternatively approved pursuant to LMC 15.14.050.F.2.d.~~specifically provided elsewhere in this Chapter and approved by the department.~~

~~12.~~13. **Retention / Detention Ponds**

Retention and Detention ponds shall be landscaped and approved by the applicable decision making body. Landscaping shall ensure aesthetic appearance and screening of the facility, provide suitable grass mixes or plantings (ground cover) within the pond, provide suitable ground cover outside the pond as needed to ensure long-term stability of the structure, and shall prevent invasive plant species from growing with the retention / detention pond. Native species of shrubs and trees indigenous to Laramie shall be preferred over exotic plant species. ~~Drought tolerant plant species shall be preferred over species requiring irrigation for survival in all landscaping areas.~~

15.14.050.D. Landscaping Material Standards

1. Plants to Conform

Plants shall conform to the measurements specified in the plant schedule submitted with the landscaping plan. ~~(see plan requirements in the Laramie Administrative Manual).~~

2. Size of Required Landscape Materials

Required landscaping materials shall comply with the following minimum size standards at the time of planting, with caliper measurements taken ~~12~~ 6 inches above grade.

~~a. Minimum height for deciduous trees shall be eight feet.~~

~~b.~~a. Minimum size for deciduous trees shall be a 1 ½ inch caliper.

~~c.~~b. Minimum size for evergreen trees shall be ~~five~~ four feet in height.

~~d.~~c. Minimum size for shrubs shall be 1 gallon or #1 container for low and medium shrubs and 5 gallon or #5 container for tall shrubs.

Arborist Comments

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Author: roverstreet Subject: Sticky Note Date: 9/27/2016 6:59:56 AM
Change Laramie to "the region". Cottonwood and willow, and only growing only along the river, are probably the only trees indigenous to Laramie.

Author: roverstreet Subject: Highlight Date: 9/20/2016 9:45:13 AM

Author: roverstreet Subject: Highlight Date: 9/20/2016 10:16:40 AM

Author: roverstreet Subject: Sticky Note Date: 9/20/2016 10:16:50 AM
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Author: cbloom Subject: Typewritten Text Date: 10/11/2016 9:17:11 AM

Arborist Comments

Author: cbloom Subject: Typewritten Text Date: 10/11/2016 9:17:07 AM

~~c.~~d. Minimum sizes may be reduced at the discretion of the department where a developer proposes a reasonable alternative planting size and/or more landscaping or plantings than are required. ~~Generally, street frontage landscaping should not be reduced in size in commercial, institutional, or industrial developments.~~

3. Trees

A mixture of canopy and ornamental trees shall be permitted. Generally, street frontage trees shall be canopy trees unless impractical and other tree types are approved by the department.

15.14.050.E. Residential Front Yard Landscaping

1. Applicability

The front-yard areas between the building and back of curb within all new developments containing three or fewer dwelling units on lots or parcels less than 16,000 square feet in size shall be landscaped pursuant to this subsection. The landscaping shall be located within the entirety of the front yard between the front plane of the building or front fence(s), whichever is greater, and the roadway. For the purposes of calculating landscape area, driveways and sidewalks shall not be included (Ord. 1596 § 46, 2011).

2. Landscape Plan

A landscape plan shall be submitted with an application for a building permit and become part of the building permit. The landscape plan shall be approved prior to installation of the landscaping. Any modifications to the approved plan shall be reviewed and approved by the department. The plan shall include a calculation of landscaped areas and a list of proposed plant species. An underground irrigation system is recommended.

3. Installation and Final Inspection

The landscaping shall be completed by the developer, builder or property owner and inspected by the department prior to the issuance of a certificate of occupancy. The planting of the required landscaping may be delayed for up to 12 months past the certificate of occupancy. Failure to install the required landscaping within twelve months of issuance of a certificate of occupancy may result in a citation and fine issued by the city.

4. Gardenscape Option

a. The required landscaping shall consist of at least 75% living ground cover. Up to 50% of the living ground cover area may be used for flower or garden beds, shrubbery planters or other similar accent features. At least two trees shall be planted in the front yard area. Trees may be a combination of evergreen and/or deciduous. At planting time evergreen trees shall be at least ~~five~~ four feet tall. Deciduous trees shall be at least 1.5 inches caliper ~~at breast height~~. Tree wells of 5-foot diameter or less may be excluded from calculating the 75% living groundcover requirement. It is recommended that tree wells and other exposed planter areas be covered with organic

Page: 6

Author: roverstreet Subject: Sticky Note Date: 9/20/2016 9:47:24 AM
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Author: roverstreet Subject: Cross-Out Date: 9/20/2016 10:17:32 AM

Author: roverstreet Subject: Highlight Date: 9/20/2016 9:45:56 AM

Author: roverstreet Subject: Sticky Note Date: 9/27/2016 7:01:41 AM
(caliper is the term used for the measurement of the trunk diameter at six inches above the ground).

Author: cbloom Subject: Typewritten Text Date: 10/11/2016 9:17:20 AM

Arborist Comments

Author: cbloom Subject: Typewritten Text Date: 10/11/2016 9:17:14 AM

Arborist Comments

material such as bark or mulch.

b. In order to reduce dust and soil erosion, any remaining area not covered by living groundcover shall be covered by materials such as bark, decorative rock or mulch.

5. Xeriscape Option

As an alternative to the gardenscape option identified above, xeriscape landscaping is permissible and shall be in compliance with the city's xeriscape guidelines. The design may include a mix of decorative rock, mulch, plants, and native grasses. A maximum of 50% of the front yard area may be without plants, but shall be covered with materials such as decorative rock, bark, or mulch. Plants species used shall be of appropriate variety to tolerate low watering and high altitude climate.

6. Modifications After Initial Installation

Landscaping may be modified by the property owner after initial installation without approval by the department, provided that the front-yard area remains landscaped, meets the purpose of this chapter and does not violate the provisions of Laramie municipal code chapter 8.28.

15.14.050.F. Site Perimeter Landscaping

1. Applicability

Site perimeter landscaping shall be provided along the perimeter property line of all multifamily (four or more dwelling units), commercial, institutional and industrial development sites except for approved points of pedestrian or vehicle access, in accordance with Table 15.14.050-2 (see Figure 15.14.050-1). Site perimeter landscaping ~~is not~~ shall not be defined as parking lot perimeter landscaping, which is provided for in subsection 15.14.050.G.

Figure 15.14.050-1: Site perimeter landscaping is required on site perimeter of any commercial, institutional, industrial or multifamily development exceeding three dwelling units.

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Author: cbloom Subject: Typewritten Text Date: 10/11/2016 9:17:24 AM

Author: cbloom Subject: Typewritten Text Date: 10/11/2016 9:17:29 AM

Arborist Comments

Arborist Comments

2. Exceptions

a. Site perimeter requirements for ~~lots and parcels~~development in the DC (Downtown Commercial) District shall be required pursuant to subsection 15.08.030.E.2.c, Development Standards.

~~a.~~b. Site perimeter requirements for ~~lots and parcels~~development in the TO (Technology and Office) District shall be required pursuant to subsection 15.08.030.L.2.d, Landscaping and Screening.

~~b.~~c. Site perimeter requirements may be reduced up to 100 percent for projects on lots and parcels allowing setbacks less than the required site perimeter yard width through the Alternative Equivalent Compliance requirements of subsection 15.06.060.K. Reductions shall only apply to lots and parcels where ~~the primary~~ any given building setback is less than the specific required perimeter landscaping width as shown in Table 15.14.050.A. Reductions shall only apply to specific required site perimeter areas between the property line and proposed principal building. ~~A zero side setback requirement shall not be construed to allow a reduced rear yard setback.~~

~~c.~~d. ~~As part of alternative equivalent compliance review, t~~The city may consider landscaping in the adjacent public right-of-way as a substitution for some or all of the required onsite street frontage landscaping, where in the ~~opinion~~ judgment of the department the proposed public right-of-way landscaping meets the intent of this chapter. Any property owner requesting to landscape the public right-of-way as an alternative shall be required to maintain the landscaping into perpetuity unless the landscaped area is accepted for maintenance by the city. Such acceptance shall be reviewed and approved pursuant to LMC 15.06.060.K, Alternative Equivalent Compliance. In addition to substituting for street frontage landscaping, public right-of-way landscaping may be substituted for other required landscaping if approved by the department. This may include the landscaping of public right-of-way or public lands within the city on a separate unrelated site in some cases where in the ~~opinion~~ judgment of the department the public landscaping proposed will have significantly greater community benefit.

Arborist Comments

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Author: cbloom Subject: Typewritten Text Date: 10/11/2016 9:17:32 AM

Author: cbloom Subject: Typewritten Text Date: 10/11/2016 9:17:35 AM

Arborist Comments

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Author: cbloom Subject: Typewritten Text Date: 10/11/2016 9:17:44 AM

Arborist Comments

Author: cbloom Subject: Typewritten Text Date: 10/11/2016 9:17:39 AM

3. Specifications for Site Perimeter Landscaping

a. In any area where site perimeter landscaping is required according to Table 15.14.050-2, the planting requirements in Table 15.14.050-3 shall apply. The amount of landscaping required in Table 15.14.050-3 shall be measured per linear foot of property line or street frontage. Access driveways and ~~walkways~~pedestrian connections shall ~~not~~ be subtracted from the linear frontage in calculations of the amount of landscaping required. ~~If there are driveways along the frontage or property line, required landscaping shall be condensed into the remaining site perimeter landscaping area.~~

b. In any area where site perimeter landscaping is required according to Table 15.14.050-2, the planting requirements in Table 15.14.050-3 shall apply. The amount of required landscaping units required in Table 15.14.050-3 shall be reduced on each perimeter length as follows:

(i) 15% reduction in required units for sites 2-5 acres in size.

(ii) 20% reduction in required units for sites 5-10 acres in size.

(iii) 25% reduction in required units for sites 10 acres in size or greater

TABLE 15.14.050-2: APPLICABILITY OF SITE PERIMETER LANDSCAPING

District of Proposed Development	Required Level of Site Perimeter Landscaping (Level 1, 2 or 3) Adjacent to the Following Zoning Districts or Streets:								
	AG, RR, O	LR, R1, R2, R2M	R3	NB, B1, B2	DC, C2	LM, IP, I1, AV AE	I2	Freeway	Collector, Arterial, Expressway
AG, RR, O	N/A	L1~~2~~	L1~~2~~	L3	L4	L2~~3~~	L4	L4	L2
LR, R1, R2, R2M	L1~~2~~	L1	L1	L2~~1~~	L2	L3	L4	L4	L2
R3	L3	L2	L1	L1	L1~~2~~	L3	L4	L3~~4~~	L2
NB, B1, B2	L3	L2~~3~~	L2~~3~~	L1	L1	L2~~3~~	L3~~4~~	L2~~4~~	L2
DC, C2	L3	L3	L2~~3~~	L2~~3~~	L1	L2	L3~~4~~	L2~~4~~	L2
LM, IP, I1, AV, AE	L3	L3	L3	L2~~3~~	L2	L1	L1~~2~~	L2~~4~~	L2
I2	L4	L4	L4	L3~~4~~	L3~~4~~	L2	L1~~2~~	L2~~4~~	L2
Non-residential use in R zone	L3	L2	L1~~2~~	L1~~2~~	L1~~2~~	L2~~3~~	L3~~4~~	L2~~4~~	L2

Arborist Comments

TABLE 15.14.050-3: SPECIFICATIONS FOR SITE PERIMETER LANDSCAPING

Requirement	L1 Edge Treatment	L2 Buffer	L3 Separation	L4 Screening [2]
Planting Area Width (minimum average) [1]	3 ft	~~8~~ 5 ft	~~15~~ 10 ft	~~30~~ 20 ft.
Planting Area Width (minimum at any point) [1]	3 ft	~~8~~ 5 ft	~~12~~ 8 ft	~~20~~ 15 ft
Total Landscape Units[4] Required per linear foot of property line or street frontage	~~0.30~~0.20 units per linear foot	~~0.40~~0.30 units per linear foot	~~0.6~~0.40 units per linear foot	~~1.0~~ 0.65 units per linear foot
Minimum number of landscape units that shall be trees	none	25% of the total required units,	35% of the total required units,	40% of the total required units,
Minimum number of landscape units that shall be evergreen trees	none	none	20% of the total required units,	30% of the total required units,
Minimum number of landscape units that shall be shrubs	20% of the total required units, either hedge or fence	5% of the total required units,	10% of the total required units,	10% of the total required units,

Additional Standards:

[1] Minimum width of planting area shall be measured as the width of the planting beds between the back of edge curbing. Where there will be vehicle overhang along any curb edge, add two feet to the required minimum width.

[2] Existing natural vegetation in any required L4 Screening perimeter landscaping area shall not be disturbed, provided that, if that vegetation does not meet the standards for L4 Screening, screening landscaping shall be planted. Existing vegetation cannot be disturbed to achieve the screening standard through supplemental plantings. If disturbed, it shall be restored.

[3] Landscape units are identified in Table 15.14.050-4 Landscape Units Awarded. (Ord. 1625 § 26, 2012; Ord. 1622, § 4, 2012; Ord. 1596 § 51, 2011).

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Author: roverstreet Subject: Sticky Note Date: 9/20/2016 10:51:57 AM
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Author: roverstreet Subject: Sticky Note Date: 9/20/2016 10:50:28 AM
6

Author: roverstreet Subject: Highlight Date: 9/20/2016 10:50:17 AM

Author: roverstreet Subject: Highlight Date: 9/20/2016 10:50:35 AM

Author: roverstreet Subject: Sticky Note Date: 9/20/2016 10:51:24 AM
10

Author: roverstreet Subject: Sticky Note Date: 9/20/2016 10:51:07 AM
6

Author: roverstreet Subject: Highlight Date: 9/20/2016 10:50:58 AM

Author: roverstreet Subject: Highlight Date: 9/20/2016 10:51:17 AM

Author: roverstreet Subject: Sticky Note Date: 9/27/2016 7:10:25 AM
Evergreen trees shall not be planted along a city street and/or public sidewalk to avoid visibility obstructions and encroaching growth, which will interfere with safe use by motorists, cyclists, and pedestrians.

Author: roverstreet Subject: Highlight Date: 9/20/2016 10:19:59 AM

Author: cbloom Subject: Typewritten Text Date: 10/11/2016 9:17:46 AM

Author: cbloom Subject: Typewritten Text Date: 10/11/2016 9:17:49 AM

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4. Landscape Units Awarded

To provide for flexibility, allow design creativity, ~~encourage use of larger trees,~~ and retention of natural vegetation, the required amount of planting material for site enhancement, site perimeter, parking lot or tree retention landscaping shall be based on a "landscape units" point system. The number of units awarded to each landscaping element shall be as follows:

TABLE 15.14.050-4: LANDSCAPE UNITS AWARDED

Landscape Material	Landscape Units Awarded	
	Newly Installed	Existing Retained [1]
Landmark or Signature Tree	n/a	16.0
Evergreen Tree, >10 ft high	810.0	14.0
Evergreen Tree, >8 – 10 ft high	8.0	11.0
Evergreen Tree, 6 – 8 ft high	6.0	9.0
Deciduous Tree, > 8" caliper	n/a	14.0
Deciduous Tree, >4 – 8" caliper	n/a	11.0
Deciduous Tree, >2.5 – 4" caliper	7.0	7.0
Deciduous Tree, 1.5" – 2.5" caliper or multi-stem	4.0	4.0
Shrubs, 36" high	1.0	1.2
Shrubs, 24" high	0.8	0.9
Shrubs, 18" high	0.5	0.6
Perennials/ground cover	1 per 400 sq ft	
Annual flower bed	1 per 400 sq ft	
Lawn Grass	1 per 800 sq ft	
Flower Basket Support	0.2 per basket	
Earthen Berm, minimum 18" high	0.05 per linear foot	
Hardscape Material	**Units Awarded**	
Decorative (Ornamental) Fence	0.2 per linear foot	
Screening (Opaque) Fence (6 ft high or greater)	0.4 per linear foot	
Shredded bark or 3"+ rock mulch such as river rock	1.0 per 500 sq ft	
Ornamental pavers/Decorative Concrete	1.0 per 250 sq ft	
Landscape Boulders, 3' or greater in height	1.0 per boulder	
Seating	0.4 per linear foot	
Landscape lighting, sculpture, art, water feature, and/or sheltering structure/landmark	As determined by department	

Retained Existing Vegetation Mass [1]	Bonus Landscaping Units Awarded
300+ square feet with a minimum of 3 deciduous trees (4" caliper or greater), 3 evergreen trees (minimum six feet high) or any combination thereof	15%
500+ square feet with a minimum of 5 deciduous trees (4" caliper or greater), 5 evergreen trees (minimum six feet high) or any combination thereof	20%
800+ square feet with a minimum of 8 deciduous trees (4" caliper or greater), 8 evergreen trees (minimum six feet high) or any combination thereof	25%

[1] Points may only be applied in the buffer area along the same lot line or street frontage where the vegetation is found.

Arborist Comments

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Author: roverstreet Subject: Inserted Text Date: 9/20/2016 9:58:40 AM
Reestablishment time for larger trees is long and the cost to purchase and plant the trees is high. A 3 inch caliper tree should be the largest tree that can be planted as a B&B (Balled and Burlapped). Otherwise, for every caliper inch of tree above 3 inches the diameter of the root ball shall be the same in feet (4-inch caliper trunk equals a 4-foot diameter rootball at the ground surface.)

Author: roverstreet Subject: Sticky Note Date: 9/27/2016 7:04:32 AM
Evergreen trees shall not be planted where right-of-way visibility will be obscured at anytime during the life of the tree. Evergreen trees should not be planted with the expectation of pruning off the lower limbs as the tree matures except to allow lawn maintenance under the outer edge of the lower branches. Evergreen trees should be planted so the expected mature lower crown width does not interfere with right-of-way use and visibility.

Author: roverstreet Subject: Highlight Date: 9/20/2016 10:22:30 AM

Author: roverstreet Subject: Highlight Date: 9/20/2016 10:22:32 AM

Author: roverstreet Subject: Highlight Date: 9/20/2016 10:22:33 AM

Author: cbloom Subject: Typewritten Text Date: 10/11/2016 9:17:55 AM

Arborist Comments

Author: cbloom Subject: Typewritten Text Date: 10/11/2016 9:17:52 AM

Author: cbloom Subject: Typewritten Text Date: 10/11/2016 9:17:51 AM

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Author: cbloom Subject: Typewritten Text Date: 10/11/2016 9:18:01 AM

Arborist Comments

Author: cbloom Subject: Typewritten Text Date: 10/11/2016 9:17:58 AM

TABLE 15.14.050-4: LANDSCAPE UNITS AWARDED

Landscape Material	Landscape Units Awarded	
	Newly Installed	Existing Retained [~~1~~3]
Landmark or Signature Tree	n/a	16.0
Evergreen Tree, >10 ft high	~~8~~10.0	14.0
Evergreen Tree, >8 – 10 ft high	8.0	11.0
Evergreen Tree, 6 – 8 ft high	6.0	9.0
Deciduous Tree, > 8" caliper	n/a	14.0
Deciduous Tree, >4 – 8" caliper	n/a	11.0
Deciduous Tree, >2.5 – 4" caliper	7.0	7.0
Deciduous Tree, 1.5" – 2.5" caliper or multi-stem	4.0	4.0
Shrubs, 36" high	1.0	1.2
Shrubs, 24" high	0.8	0.9
Shrubs, 18" high	0.5	0.6
Perennials/living ground cover [1]	1 per 400 sq ft	
Annual flower bed [1]	1 per 400 sq ft	
Lawn Grass [1]	1 per ~~800~~ 200 sq ft	
Flower Basket Support	0.2 per basket	
Earthen Berm, minimum 18" high	0.05 per linear foot	
Hardscape Material	**Units Awarded**	
Decorative (Ornamental) Fence	0.2 per linear foot	
Screening (Opaque) Fence (6 ft high or greater)	0.4 per linear foot	
Shredded bark or 3"+ rock mulch such as river rock	1.0 per 500 sq ft	
Ornamental pavers/Decorative Concrete	1.0 per 250 sq ft	
Landscape Boulders, 3' or greater in height	1.0 per boulder	
Seating	0.4 per linear foot	
Landscape lighting~~, sculpture, art, water feature, and/or sheltering structure/landmark~~	As determined by department	
Sculpture -2' to 3' tall [2]	1.0 per foot height	
Sculpture -greater than 3' and up to 6' tall [2]	2.0 per foot height	
Sculpture -greater than 6' tall [2]	3.0 per foot height	
Mural [2]	0.25 pts per sq ft	
Water feature [2]	0.25 points per square foot covered area	
Sheltering structure / Gazeebo	0.50 points per square foot fountain area	
Other art [2]	As determined by department	

Retained Existing Vegetation Mass [1]	Bonus Landscaping Units Awarded
300+ square feet with a minimum of 3 deciduous trees (4" caliper or greater), 3 evergreen trees (minimum six feet high) or any combination thereof	15%
500+ square feet with a minimum of 5 deciduous trees (4" caliper or greater), 5 evergreen trees (minimum six feet high) or any combination thereof	20%
800+ square feet with a minimum of 8 deciduous trees (4" caliper or greater), 8 evergreen trees (minimum six feet high) or any combination thereof	25%

[1] Landscaped area shall be irrigated.

[2] Shall require review and approval in accordance with the Laramie Public Art Plan.

[~~1~~3] Points may only be applied in the buffer area along the same lot line or street frontage where the vegetation is found.

Arborist Comments

CITY OF LARAMIE
PARKS & RECREATION DEPARTMENT
P.O. Box C
Laramie, WY 82073

Parks Division: (307) 721-5264
Fax (307) 721-5256
Recreation Division: (307) 721-5269
Fax: (307) 721-5284
Facilities Mgmt Division: (307) 721-3585

September 26, 2016

Charles W. Bloom, AICP, Principal Planner
City of Laramie, Community Development Department, Planning Division
PO Box C, Laramie, Wyoming 82073

Mr. Bloom,

Thank you for allowing the Parks, Tree & Recreation Advisory Board the ability to review the proposed amendments related to landscaping for Original Ordinance 1949, Title 15. The Board was presented the information on September 14, 2016 at their regularly scheduled meeting at that meeting the Board directed staff to receive, review, and compile questions and comments pertaining to Original Ordinance No. 1949 amending Title 15 of Laramie Municipal Code for the purpose of amending the Landscaping Requirements and forward onto City Council for consideration by September 25, 2016.

Attached you will find the comments submitted by board members related to this item. Comments have been placed in the order they where received.

Board Member #1 Comments:

The example of the mural on the movie theater is worth a discussion, in itself I don't believe that a mural should replace the required landscaping of a parking lot. Also, I would like to see a comparison of commercial versus residential requirements. And finally, I wouldn't want to substitute cement and rocks for greenery.

Board Member #2 Comments:

The only major thing I can tell from my review is the addition of the Xeriscape, which I'm fine with. Other than that, reducing the requirements by 5-10%, in my mind at least, doesn't really seem to be that significant of a change from the current Ordinance. I don't know if it is just changing it to change it at this point or if it really does carry some importance for developers.

Board Member #3 Comments:

As a general comment, I am not in favor of decreasing requirements for landscaping and other amenities. Laramie's climate is such that any and all vegetation is welcome, barring thistles and some of the weeds. Developers and businesses want to do things as cheaply as possible, witness the horror that the medical group put up smack in front of the Hampton Inn! That should not be allowed, especially right up against the street on Laramie's main entranceway. People will always look for a cheap, easy way to meet a requirement, and the appearance of much of Laramie is witness to that tendency--metal buildings with 6 rocks and a strip with tired shrubs surrounding an expanse of gravel or asphalt. WYDOT did not help when they cut down all the cottonwoods along 3rd Street. We set good planning requirements and then constantly grant variances, which defeats the purpose. If, as indicated in the memo, landscaping in Laramie

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typically consumes no more than 2% of a $3,000,000 project, saving another $30,000 should not be the make or break of the whole thing.

Section 15.14.050.C, Item 2
At the end of the 3rd line from the top, "farm crops or undeveloped areas...shall not be considered landscaped..." I believe we should be encouraging vegetable gardens anywhere we can, if a business or school or other group wants to make, say 25% of their unbuilt ground into a vegetable garden and cultivates it and grows vegetables, which are then either sold or donated to the groups in the area which support locally grown produce, that should count as landscaping. There is nothing offensive about a neat, well cared for garden plot, and it might prove an incentive for employees to care more about the business; or it could be offered to the Feeding Laramie Valley group for their volunteers to tend. Further, in use of native plants can give an undeveloped look, but for example, a patch of blue flax or a mixture of wildflowers would provide color, variety and a point of interest.

Same Section, Item 5 (was 4)
I do not agree with reducing the requirements for living organic landscaping material. We have plenty of rocks outside of town. Large boulders are very expensive anyway. Also, I do not understand why the specifications about trees and water use has been stricken, particularly the limit of 50% of the area being planted in turf grass. Vast expanses of mowed grass are just as boring as expanses of sagebrush, in fact much more so.

Same Section, Item 7 (was 6)
Last sentence: "... shall be cleared of all unplanned vegetation...prior to October 31." Why October? The weeds will grow in the spring so it is proposed to allow them to flourish, to the detriment of the whole area, until October when they are dead and have re-seeded so there will be twice as many as last year? The July 1 date should be retained.

Same Section, Item 10 (was 9)
Byzantine Antimachia Castle?

Same Section, Item 12 (was 11)
"The placement and design...approved by the department..." That sentence makes no sense if the rest of it, "...which may require design changes..." is there. If you remove that, the item becomes a requirement that the department approve the placement and design as presented. If the intent is to give parameters for any changes the department makes, then the ordinance should state them.

Same Section, Item 13 (was 12), Last sentence is removed.
Why on earth not prefer drought tolerant plant species? We put in a xeriscape option, water is a factor in this area and everywhere else the ordinance talks about reducing the need for extensive water use. This makes no sense at all. If the pond fills, it is unlikely the water will be there long enough (remember, Laramie=wind+sun) to kill more than a few individual plants.

Section 15.14.050.E, Item 4. Second sentence.
"Up to 50% of the living ground cover..." As we said in the meeting, this is not a good idea. Also unenforceable: who is going to go check out all the front yards in Laramie?? Leave out that sentence. Further down, "1.5 inches caliper at breast height". Conflicting statements it should be rephrased.

Section 15.14.050.F, item d (was e)
"...required to maintain the landscaping into perpetuity unless..." Really? Even after the person has passed? This seems to be unenforceable. Perhaps substitute maintain except in case of sale or incapacity, and state what measures the owner or new owner would have to take and what the city should and could do to ensure care (other than just lump it and add it to their roster of areas to maintain. I am not advocating this action however, as written, it's seems that is what would happen).

This page contains no comments

CITY OF LARAMIE
PARKS & RECREATION DEPARTMENT
P.O. Box C
Laramie, WY 82073

Parks Division: (307) 721-5264
Fax (307) 721-5256
Recreation Division: (307) 721-5269
Fax: (307) 721-5284
Facilities Mgmt Division: (307) 721-3585

Table 15.14.050-2 and 050-3
I do not understand enough of the terms to comment, but I am opposed to reducing the requirements for larger areas. I also have a quarrel with requiring a landowner to replace a 60-year-old or 100-year-old cottonwood 2 feet in diameter with an entire grove of very small trees. Yes, I know the idea is to provide the same amount of plant material, but let's use a little sense here: one plants a 1.5 caliper sapling and in 20 years it is a much larger tree. If when you planted it to replace that majestic, but dead, tree, you also planted 12 more saplings, unless you have about 4 acres, you are going to be in trouble when they all grow to be, say, 8" in diameter, and ultimately you'd have to move 11 of them or cut them down, which seems unreasonable. Why not require the large old tree to be replaced with a sapling which would eventually grow to that size, and also some shrubs and other features to help out in the meantime? Short of spending $10,000 and to have a 20-foot tree planted on the spot which I could not image would be popular with any property owner.

Board Member #4 Comments:

I think for the greater part it is a good idea for 3 reasons: 1) uses less water. 2) reasonable development cost. 3) maybe more maintainable. On the note of 3 there are some places that do next to zero upkeep of their landscaping (Subway in West Laramie) and some that do. I know someone mentioned "native" trees, and I agree limiting to cottonwoods is boring and also they get rather large. I know Randy is a great tree expert but I'd like to put in my 2 bits about encouraging bee trees. These don't work so well in the middle of parking lots but they do work planted as landscaping, I am thinking specifically of Linden, chokecherry or crabapple types of trees. I don't know if there is a way to incentivize those types of plantings.

Once again, thanks for allowing the Parks, Tree & Recreation Advisory Board the opportunity to submit comments related to this item.

Sincerely,

Todd Feezer, Director
City of Laramie, Parks & Recreation Department.

This page contains no comments

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

Telephone: (307) 721-5207
Fax: (307) 721-5248

MEMORANDUM

Date: **August 15, 2016**

To: **City Council**

From: **Charles Bloom, AICP, Principal Planner**

Subject: **Proposed Landscaping Changes**

General Information:

How is Perimeter Landscaping Calculated?

Landscaping is calculated by assigning a unit value based calculated based on street frontages. Special provisions exist for parking areas adjacent to residential zone districts / uses or streets. Table 15.14.050-3 shows how these "edge" treatments are calculated. Table 15.14.050-4 provides a "menu" of plantings/materials that can be used to satisfy required units.

Tour of Representative Sites

Staff's guided tour on Thursday July 28th toured several sites that that demonstrate compliance with the City's landscaping standards. This included: Laramie High School (1710 Boulder Drive) and Laramie Church of Christ (720 Regency Drive) and Regal Fox Theater (520 20th Street). Incorporated in the high school's approval was a 10% reduction that was approved through the Minor Administrative Modification process.

In evaluating existing landscaping and potential reductions, staff has essentially made a "best educated guess" as to what a developer would utilize to minimize costs. For example, if the proposed changes allowed for a reduction in units that are required for trees, staff has assumed that trees will be removed. If removal of trees results in additional units being required, staff has assumed that the developer will make up any required units by using shrubs/bushes due to their lower cost.

Evaluation of Select Sites:

Staff has chosen to compare elements of several existing sites to help citizens and Councilors better understand what is presently required, what is actually planted on the ground, what landscaping would entail under the proposed changes, and what landscaping would entail provided that the "sliding scale" provision was removed. In the analysis it indicates that certain bufferyards may be able to be reduced in based on lesser unit requirements. In this case staff has used trees as the chosen reduction from the bufferyard although reductions could come from other elements found in Table 15.14.050-3. Below is a summary of those site elements.
Regal Fox Theater Bufferyard (1900 Block of Rainbow Street)

The Regal Fox Theater has been included to demonstrate a newly planted bufferyard conforming to City bufferyard standards. The Wallace Theater Group recently completed landscaping improvements in conjunction with a significant addition to the existing building. Since the theater's addition was greater than 20% of the building's previous footprint full compliance with the Unified Development Code's development standards was required. Through the Alternative Equivalent Compliance process alternative design was incorporated in reducing landscaping in the north, east and west bufferyards. This alternative resulted in additional landscaping in the south bufferyard, installation of the mural and installation of new movie themed bicycle racks which will be located near the entrance to the theater.

For the purposes of this memo, staff will be reviewing only the 8'-wide Rainbow Street bufferyard. This bufferyard is composed of approximately 16 deciduous trees, 22 shrubs/grasses, 2,543 sq. ft. of river rock mulch, 60 sq. ft. of ornamental pavers and 27 boulders.

- *Current Code*- This L3 bufferyard generally meets the present landscaping requirements. It exceeds the required tree plantings by 2 trees and its width is deficient by 4'.
- *Proposed Amendment*- As proposed the bufferyard width is acceptable and trees would be reduced by 10 and bushes / shrubs could be increased by 2.
- *Proposed Amendment without Sliding Scale*- This site would not be eligible for the sliding scale since it is less than 2 acres.
- *Other Note*- The groundcover provided here would generally satisfy the proposed reduction in L4 standards if an additional 7' of bufferyard width was provided.

<u>Reynolds Crossing (15th and Reynolds)</u>

The Reynolds Crossing Development, which consists of Snowy's Convenience Store, UniWyo FCU, Peak Wellness, Acre Company and a variety of professional offices; was constructed at the southeast corner of 15th and Reynolds Streets in the early 2000s. Enrolled Ordinance No. 1323 created a new zoning district, the Neighborhood Business (NB) District which had increased landscaping standards to ensure businesses located within the development would be compatible with neighboring uses. Ultimately, the landscaping requirements of the NB District were considered the basis to today's landscaping requirements found in the Unified Development Code. Development pads still exist within the complex and new development has occurred as recently as 2014.

For the purposes of this memo, staff has evaluated the entirety of the site which is surrounded by residential uses on 3 sides and an institutional use (old high school) on the west. This project features mature landscaping that has been established for over a decade and landscaping elements that are found in today's plans. This site is approximately 13 acres in size and qualifies for the proposed 25% reduction in perimeter landscaping. Only included in the calculations are landscaped areas.

Reynolds Street Bufferyard
This bufferyard is composed of approximately 12 deciduous trees, 28 shrubs/grasses, 1,932 sq. ft. of grass and 3,860 sq. ft. of river rock mulch.

- *Current Code*- This L3 bufferyard is deficient based on current requirements. The developer would have to make up approximately 146 units to satisfy the unit requirements. Approximately 22 more trees (one additional tree per 19') could be used to satisfy the deficiency. Alternative other materials would be needed.
- *Proposed Amendment*- As proposed the bufferyard width is acceptable and approximately 55 units would not be required. This could result in a reduction of 5-6 trees, approximately 18 shrubs or any other combination of landscape units per Table 15.14.050-3.
- *Proposed Amendment without Sliding Scale*- Without the sliding scale, the landscaping would be deficient by approximately 70 units which could be satisfied by the planting of approximately 7 trees or any other combination of landscape units per Table 15.14.050-3.

19th Street Bufferyard

This bufferyard is composed of approximately 16 deciduous trees, 8 pine trees, 55 shrubs/grasses, 11,040 sq. ft. of grass and 1,520 sq. ft. of river rock mulch.

- *Current Code*- This L3 bufferyard is deficient based on current requirements. The developer would have to make up approximately 185 units to satisfy the unit requirements. Approximately 28 more trees (one additional tree per 28') could be used to satisfy the deficiency. Alternative other materials would be needed.
- *Proposed Amendment*- As proposed the bufferyard width is acceptable and approximately 159 units would not be required. This could result in a reduction of 5-6 trees, approximately 18 shrubs or any other combination of landscape units per Table 15.14.050-3.
- *Proposed Amendment without Sliding Scale*- Without the sliding scale, the landscaping would be deficient by approximately 47 units. Approximately 7 trees or any other combination of landscape units per Table 15.14.050-3 could satisfy this deficiency.

Shield Street Bufferyard

This bufferyard is composed of approximately 16 deciduous trees, 5 pine trees, 36 shrubs/grasses, 3,510 sq. ft. of grass and 2,430 sq. ft. of river rock mulch.

- *Current Code*- This L3 bufferyard is deficient based on current requirements. The developer would have to make up approximately 31 units to satisfy the unit requirements. With 2.5" caliper deciduous trees satisfying 7 units and 6-8' pines satisfying 6 units; approximately 5 more trees would be necessary or any other combination of landscape units per Table 15.14.050-3. Alternative other materials would be needed.
- *Proposed Amendment*- As proposed the bufferyard width is acceptable an approximately 104 units would not be required. This would result in a reduction of 13-15 trees, approximately 46 shrubs or any other combination of landscape units per Table 15.14.050-3.
- Without the sliding scale, the landscaping would exceed the requirements by 23 units.

15th Street Bufferyard

This bufferyard is composed of approximately 7 deciduous trees, 3 pine trees, 23 shrubs and 9,675 sq. ft. of grass.

- *Current Code*- This L3 bufferyard is deficient based on current requirements. The developer would have to make up approximately 31 units to satisfy the unit requirements. Approximately 5 additional trees or any other combination of landscape units per Table 15.14.050-3 could be used to satisfy the deficiency trees.
- *Proposed Amendment*- As proposed the bufferyard width is acceptable and approximately 75 units would not be required. This could result in a reduction of 9 trees, approximately 20 shrubs or any other combination of landscape units per Table 15.14.050-3.
- *Proposed Amendment without Sliding Scale*- Without the sliding scale, the landscaping would exceed the requirements by 11 units.

Development Cost

At the June 21st meeting it was stated that past leadership once had indicated that allocating 2% of a project cost to landscaping was viewed as an acceptable standard Staff has evaluated this percent-requirement and has not found any specific nationally set recommendations for overall percent landscaping. Although not specifically identified as a national standard, the percentage of a development cost to landscaping is a relative percentage that can change over time due to ever changing development costs. Ultimately the percentage breakdown is based on costs, and judging by existing landscape requirements fall between 1 and 3% for Laramie.

Costs associated with development can vary from community to community due to numerous factors including supply and demand and availability of skilled workers to complete projects. In Laramie developers have indicated development costs are significantly higher than surrounding communities such as Ft. Collins and Cheyenne due to limited supply, materials and increased costs to mobilize crews.

Staff has put together the table below which highlights total project costs (as provided on the building permit) with known landscaping quantities (either through financial security or applicant statement). Staff notes that the higher percentage value for the Regal / Fox Theater is due to the fact that their addition triggered full site compliance.

Development	**Total Cost**	**Landscaping Cost**	**Percent of Overall Cost**
Laramie High School	$87,000,000	$1,100,000	1.26%
Regal / Fox Theater Addition	$1,130,000	$35,000	2.69%
Laramie Church of Christ	$1,940,450	$57,000	2.94%
UL Building	$3,417,040	$35,884	1.05%
Tungsten	$2,935,924	$66,589	2.27%

Overall, landscaping cost vary from project to project. Staff cannot necessarily pinpoint an ideal percentage of landscaping as part of an overall project cost because project valuation can value immensely based on the level of technical elements in a building. Construction costs for a high school have a higher level cost per square foot as compared to that of an office building.

Summary

In summary staff believes that changes to the landscaping requirements are warranted. Staff is cognizant of the introduction of a sliding scale does introduce a perceived inequality by treating larger developments differently than smaller developments. If the Council desires to remove the sliding scale elements from the proposed changes a simple amendment deleting proposed LMC subsection LMC 15.14.050.F.3.b.

Staff reminds the Council that all developments are eligible for Minor Administrative Modifications which can administratively grant up to a 20% reduction in required landscape units provided the requested deviation is necessary to address some practical difficulty or some unusual aspect of the site of the proposed development not shared by landowners in general; or accommodate an

alternative or innovative design practice that achieves to the same or better degree the objective of the existing standard to be modified.

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

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

LARAMIE PLANNING COMMISSION
JUNE 13, 2016
STAFF REPORT

FILE:	**TA-16-05 Amending LMC 15.14.050, Landscaping and Screening Standards**
REQUEST:	An amendment to LMC Sections 15.14.050 Landscaping and Screening Standards
APPLICANT:	City of Laramie
PURPOSE:	To reduce specific landscaping standards associated with development
PREPARED BY:	Charles W. Bloom, AICP, Principal Planner

RECOMMENDED MOTION:

Move to recommend that the City Council **approve** amendments to LMC 15.14.050 (Landscaping and Screening Standards) for the purposes of reducing landscaping requirements associated with development 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 AND SUMMARY:

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.

Beginning in early 2015 City staff began what has been dubbed the “Laramie Economic Initiative” (LEI) with the intent to address perceptions that elements of Laramie Municipal Code’s Unified Development Code (Title 15) were prohibiting development due to development costs. In response, City staff has been working on three components of the

LEI. Component 1 involved modifications to the fee schedule which was presented to the Planning Commission on May 9, 2016 and at the drafting of this staff report, is set for City Council consideration on June 7, 2016. Components 2 and 3 involved modifications to the "Landscaping and Screening" standards (LMC 15.14.050 and "Parking and Off-Street Loading" standards (LMC 15.14.040). This amendment focuses on Component 2, "Landscaping and Screening Standards".

The proposed amendments have been presented to the Laramie Chamber Business Alliance's Community Development Liaison Committee (CDLC) for review. The CDLC has indicated support of the reduction in landscaping requirements.

Proposed Landscaping Revisions:

Staff frequently receives complaints regarding our landscaping requirements. Specifically that they are perceived as too burdensome and too costly for development to install and maintain. Staff analyzed the existing landscaping requirements and propose several amendments to address problems that frequently arise.

Notable changes are as follows:

- A reduction in the overall required landscaping from 20% of a development area (excluding building(s) or use footprint) to 15% of a lot or parcel area (excluding building(s) or use footprint). This effectively reduces landscaping you would see internal to the site and along the perimeter. (LMC 15.14.050.C.1)
- Addition of a Xeriscape/Water Conserving Landscaping option to allow for a low water use landscaping option in nonresidential development applications. (LMC 15.14.050.C.4)
- A reduction in the amount of required "living landscaping materials from 75% to 65% of the ground cover. This will result in less living landscape such as grass, bushes and shrubs and more hardscape such as rock, bark and decorative pavers. (LMC 15.14.050.C.5)
- Modification to the size requirements of plantings to reflect industry standards (LMC 15.14.050.D.2)
- Change the way perimeter lengths are calculated for required landscape units to exclude measurement for driveways and pedestrian connections. This results in less required planting and landscape units along a property line with a driveway or pedestrian connection. (LMC.15.14.050.F.3.a – page 8)
- Reduction in Site Perimeter landscaping units required based on development project size. The larger the development, the less landscape units required. (LMC.15.14.050.F.3.b – page 9)
- Reduction in bufferyard requirements, L2, L3 and L4 bufferyard widths and reduction in required landscape units for all bufferyards. (LMC Tables 15.14.050 2 and 3 – pages 9 and 10)

The above mentioned changes will ultimately have a reduction in the amount of required landscaping within and on the perimeter of development sites. The reduction in landscaping requirements and introduction of a Commercial xeriscape option will also result in lower irrigation costs for development.

Note: The attached Ordinance only shows subsection of the LMC 15.14.050, Landscaping and Screening Standards that are proposed for modification (subsections A-F). LMC 15.14.050 subsections G-I are not included because they remain unchanged.

PUBLIC COMMENTS:

This amendment was legally advertised in the Laramie Boomerang on May 28, 2016. Staff has received no comments regarding this proposed amendment to Laramie Municipal Code.

FINDINGS OF FACT:

The amendment is found to be in accordance with substantive and procedural requirements and necessities in City of Laramie code and best planning practice.

CONCLUSIONS OF LAW:

The amendment is proceeding in accordance with applicable law, including LMC Title 15.

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission recommend that the City Council **approve** amendments to LMC 15.14.050 (Landscaping and Screening Standards) for the purposes of reducing landscaping requirements associated with development as shown in Attachment A.

ATTACHMENTS:

1. ~~Attachment A - Proposed Ordinance~~ (See Ordinance)

FUTURE CITY COUNCIL WORK SESSIONS 10/18/2016

~~Requested by Council Formal Action:~~
City Curb & Gutter Policy (Paulekas)
Review of Inter-Agency City/County Agreements (Hanson)
Review of funding allocation for Child Care providers (Paulekas)
Open 311 (Summerville)
Turner Tract Plan Update (Summerville)
ACTA (Albany County Transportation Authority)/MPO (Summerville)
Tech Hire Grant Program (Summerville)
*Liquor Laws & Local Authority (Paulekas)
*City Initiated Towing #3

~~Requested by Staff:~~
Downtown Design Guidelines Revisions (CD)
*Restaurant and Pool Inspection Program Future (Jordan)
Storm Water Program and Funding (Jaap/Jordan)
*Snowy Range Road Pedestrian/Bicycle Corridor Study (Feezer)
North-Side Tank Project (Smith)
Wastewater Master Plan (Smith)

* Scheduled, not held.

<u>UPCOMING COUNCIL MEETINGS</u> October 18, 2016

All meetings at City Hall, 406 Ivinson Street, unless noted.

October 18, 2016

6:00 p.m. – Pre-Council
6:30 p.m. – Public Hearing: Original Ordinance No. 1956, rezone at 2159 Snowy Range Rd
6:30 p.m. – Regular Meeting

October 25, 2016

6:00 p.m. – Work Session: Public Comments
6:00 p.m. – Work Session: ISO Rating Review
6:00 p.m. – Work Session: City Council Updates/Council Comments
6:00 p.m. – Work Session: Agenda Review
6:00 p.m. – Work Session: Public Comments

October 27, 2016

6:00 p.m. – Special Meeting: Original Ordinance No. 1954, amending Title 15

November 1, 2016

6:00 p.m. – Pre-Council
6:30 p.m. – Regular Meeting

November 8, 2016 (ELECTION DAY)

6:00 p.m. – Work Session: Public Comments
6:00 p.m. – Work Session: Snowy Range Road Pedestrian/Bicycle Corridor Study *(tentative)*
6:00 p.m. – Work Session: WAM Financial Recommendations and Feedback *(tentative date change)*
6:00 p.m. – Work Session: City Council Updates/Council Comments
6:00 p.m. – Work Session: Agenda Review
6:00 p.m. – Work Session: Public Comments

November 15, 2016

6:00 p.m. – Pre-Council
6:30 p.m. – Regular Meeting

November 16-19, 2016 NLC

November 22, 2016

6:00 p.m. – Work Session: Public Comments
6:00 p.m. – Work Session: City-Initiated Towing #3 *(tentative)*
6:00 p.m. – Work Session: Liquor Laws & Local Authority *(tentative)*
6:00 p.m. – Work Session: City Council Updates/Council Comments
6:00 p.m. – Work Session: Agenda Review
6:00 p.m. – Work Session: Public Comments

December 6, 2016

6:00 p.m. – Pre-Council
6:30 p.m. – Regular Meeting

December 13, 2016

6:00 p.m. – Work Session: Public Comments
6:00 p.m. – Work Session: Restaurant and Pool Inspection Program Future *(tentative)*
6:00 p.m. – Work Session: City Council Updates/Council Comments
6:00 p.m. – Work Session: Agenda Review

<u>UPCOMING COUNCIL MEETINGS</u> **October 18, 2016**

All meetings at City Hall, 406 Ivinson Street, unless noted.

6:00 p.m. – Work Session: Public Comments

December 20, 2016

6:00 p.m. – Pre-Council
6:30 p.m. – Regular Meeting

January 3, 2017

6:00 p.m. – Pre-Council
6:30 p.m. – Regular Meeting

January 6-7, 2017

Council Retreat *(tentative)*

January 10, 2017

6:00 p.m. – Work Session: Public Comments
6:00 p.m. – Work Session: City Council Updates/Council Comments
6:00 p.m. – Work Session: Agenda Review
6:00 p.m. – Work Session: Public Comments

January 11-13, 2017

WAM Winter Workshop (Cheyenne, WY)

January 17, 2017

6:00 p.m. – Pre-Council
6:30 p.m. – Regular Meeting

January 24, 2017

6:00 p.m. – Work Session: Public Comments
6:00 p.m. – Work Session: City Council Updates/Council Comments
6:00 p.m. – Work Session: Agenda Review
6:00 p.m. – Work Session: Public Comments