

ORIGINAL ORDINANCE NO.: 1949
ENROLLED ORDINANCE NO.: _____

INTRODUCED BY: Pearce

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

Section 3. 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 *Laramie Boomerang* 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 = ~~.1520~~ .1520 × (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 link [Byzantine Antimachia Castle](#) or wire fencing shall be prohibited where a sight-obscuring fence is required in a bufferyard or landscaped area. [\(Byzantine Antimachia Castle 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 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,~~†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 +	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	0-300.20 units per linear foot	0-400.30 units per linear foot	0-60.40 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	8.0	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.