

ORIGINAL ORDINANCE NO.: 1823

INTRODUCED BY: Paulekas

ENROLLED ORDINANCE NO.: 1600

AN ORDINANCE AMENDING TITLE 15 OF LARAMIE MUNICIPAL CODE PROVIDING FOR REDUCED SETBACKS FOR ROOF-MOUNTED WIRELESS COMMUNICATIONS TOWERS AND ANTENNAS, PROVIDED THAT SUCH TOWERS AND ANTENNAS ARE CAMOUFLAGED.

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 into a single, unified document consisting of multiple parts or sections, including administrative procedures, zoning, subdivision regulations and improvement standards; and

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; and

WHEREAS, on March 2, 2010, the City Council adopted the unified development code with an effective date of July 1, 2010; and

WHEREAS, 15.02.050 of the Laramie Municipal Code (LMC) calls for the unified development code to be amended from time to time so as to become or remain consistent with the Comprehensive Plan, and should be regularly reviewed, evaluated and amended, if necessary, based on private and city economic conditions, vision for the community, changing planning and zoning principles, frequent difficulty in implementing or enforcing any specific standard(s), or changes in the state, federal or case law; and

WHEREAS, on February 28, 2011, the Laramie Planning Commission held a public hearing, took comments, and after due deliberation recommended approval of the amendment to City Council; and

WHEREAS, the Laramie City Council shall hold a public hearing on March 29, 2011 to take and consider public comments;

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

Section 1. That LMC 15.02.060.D.2.a is amended to read as follows:

b. Building-Mounted Towers and Antennas

Any building-mounted tower or antenna shall be subject to the following provisions:

- (i) Building mounted towers or antennas within twenty (20) feet from the nearest roof's edge shall be camouflaged to minimize contrast from ground-level view as telecommunications devices or facilities, and shall include, but not be limited to,

architecturally screened roof-mounted antennas, building-mounted antennas painted to match the existing structure or skyline behind the antenna, antennas integrated into architectural elements such as church spires or window walls, and antenna structures designed to resemble light poles or flag poles.

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 19th day of July, 2011.

Scott Mullner, Mayor and President of the
City Council

Attest:

Sue Morris-Jones, MMC
City Clerk

Duly published in the *Laramie Boomerang* this 29th day of July, 2011.

First Reading: March 22, 2011

Public Hearing: March 29, 2011

Second Reading: July 5, 2011

Third Reading and Final Action: July 19, 2011