

ORIGINAL ORDINANCE NO.: 1850

INTRODUCED BY: Paulekas

ENROLLED ORDINANCE NO.: 1625

AN ORDINANCE AMENDING TITLE 15 OF LARAMIE MUNICIPAL CODE.

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 4, 2012 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 held a public hearing on July 10 2012 to take and consider public comments;

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

Section 1. That LMC 15.060.060.D.2.b.(i) is amended to read as follows: "The application shall state with particularity the relief sought and shall specify the facts or circumstances that are alleged to show that the application meets the approval criteria in Step 6 5, below.";

Section 2. That references to "Minor Temporary Use Permits" in Table 15.06-1 are deleted and the row is renamed to read as follows: "Major Temporary Use Permit.";

Section 3. That LMC 15.06.060.F is amended to read as follows: "Major Temporary Use Permits";

Section 4. That LMC 15.06.060.F.2 is amended as follows: “Applicability. No use that is classified as a major temporary use in section 15.10.030 shall be placed or established on private property without first receiving a temporary use permit pursuant to the procedures set forth in this subsection.”;

Section 5. That LMC 15.06.060.F.3 is deleted in its entirety and subsequent sections shall be renumbered accordingly;

Section 6. That LMC 15.06.060.F.4 is amended to read as follows: “Procedures”;

Section 7. That LMC 15.06.060.G is amended to read as follows “Refer to chapter 15.20, Floodplain Management for Floodplain variance procedures and standards.”;

Section 8. That LMC 15.06.060.H is amended to read as follows “Refer to chapter 15.20, Floodplain Management for floodplain development permit procedures and standards.”;

Section 9. That LMC 15.08.040.D.2e is amended to read as follows: “The provisions of this section apply to all property and lots located completely or partially within 200 feet of the exterior edge of the gateway corridor right-of-way boundary, along with the entirety of any lots that have frontage along or take primary or secondary access from the gateway corridor. Developments that meet any of these criteria are required to apply the Gateway development standards to the entire project regardless of the location of some of the property outside of the Gateway boundaries. These standards shall not apply to Single Family, Two and Three Unit Residential Development(s).”;

Section 10. That LMC 15.10.030.B is amended to read as follows: “The following temporary uses are allowed provided they comply with the general standards of subsection 15.10.030.E below. Temporary uses are categorized as major or minor subject to the procedures set forth in subsection 15.08.030.B, below. Minor Temporary Uses shall be considered as a permitted accessory use subject to the limitations of subsection 15.10.030.E. Questions about the definition of an event as a special event may be determined by the department in the same manner as provided for in subsection 15.10.000.C, Classification of New and Unlisted Uses.

1. Minor Temporary Uses

The following uses shall be classified as minor temporary uses:

- a. Temporary seasonal and holiday sales (e.g., bazaars, tree lots, wreath sales)
- b. Temporary real estate sales office (including Model Homes)
- c. Contractor's office/temporary construction uses
- d. Off-site auto sales
- e. Temporary Travel trailer assembly not to exceed 5 days.
- f. Farmer's market held on private property
- g. Temporary sales (parking lot, vacant lot, roadside)
- h. Seasonal outdoor garden nursery
- i. Retail encroachment into required parking
- j. Fruit/vegetable stands

- k. Storage/shipping containers
 - l. Auctions
 - m. Roadside stand
- 2. Major Temporary Uses**

The following uses shall be classified as major temporary uses:

- a. Temporary special events held on private property
- b. Circuses, festivals, carnivals, and fairs held on private property
- c. Temporary lodging facilities
- d. Temporary campground”;

Section 11. That LMC 15.10.030.F is deleted in its entirety and subsequent section be renumbered accordingly;

Section 12. That LMC 15.12.010.B.1.d.(viii) is amended to read as follows: “Bay windows that are not more than eight feet in width (where the projection breaks the plane of the wall) may project no more than two feet into any required setback, so long as there is an five-foot radius offset to any opposing bay window on the adjacent lot. Notwithstanding any other provisions of this Code, bay windows shall not be included in determining lot coverage.”;

Section 13. That LMC 15.14.030.A.c.(iv) is amended to read as follows: “Users of solar collectors that existed prior to the effective date of the ordinance codified in this section shall apply for permit(s) within five years after the effective date. Failure to apply for and receive such permit(s) shall require that the collectors be removed. The priority date for these solar rights shall be the first date the solar collector was beneficially used, which shall be determined by the department.”;

Section 14. That LMC 15.14.060.E.5 is amended to read as follows: “On all corner lots or parcels of land on which a front setback is required, no obstruction that will obscure the view of road users shall be placed within the triangular area formed by the adjoining street right of way lines (property lines) and a line connecting them at points twenty-five (25) feet from the intersection of said street right of way lines (property lines). Landscaping (excluding trees) and fencing shall be permitted within said triangular area provided the landscaping and fencing does not exceed three (3) feet above the ground level of the adjacent street. Trees may be placed within said triangular area provided that limbs are trimmed to at least eight (8) feet above the ground level of the adjacent street, so as not to significantly obstruct the view of road users approaching the intersection.”;

Section 15. That LMC Figure 15.14.050-6 shall be renumbered to read as Figure 15.14.060-6;

Section 16. That LMC 15.28.030.A.78 is amended to read as follows: ““Clear vision area” means a triangular area on the corner of lots measured at a distance of twenty-five (25) feet measured along adjoining street right of way lines (property lines), and connecting those points.”;

Section 17. That LMC 15.14.100.D.2 is amended to read as follows: “Except as necessary to ensure public safety during approved-construction activities on the site-, and except as modified in subsection 15.14.100.D.5.c, the use of chain link fencing shall be subject to the following limitations:

- a. The use of uncoated or galvanized chain link fencing shall be prohibited in the NB, B1, B2 and C2 and DC Zone Districts and Gateway Overlay District where visible from a public right-of-way.
- b. Unless otherwise approved in conjunction with a conditional use permit, the use of vinyl coated chain link fences shall be allowed in the LM, C2, B2, and B1 zoning districts, provided it is restricted to the interior side yard and the rear yard areas of a development site.
- c. Chain link fencing shall be permitted in the RR, LR, R1, R2, R2M, R3 zoning districts.
- d. The use of chain link fencing shall be allowed in the I2, I1, and IP Zoning Districts, except as prohibited in subsection 15.14.100.D.2.a above.
- e. Preschools, Elementary Schools, Middle schools, High Schools, parks, cemeteries, sporting complexes and fields shall be exempted from the restrictions set forth in subsections 15.14.100.D.2.a through 15.14.100.D.2.c and 15.14.100.D.5.c, provided all chain link fences are at least five (5) feet from adjacent rights-of-way.”;

Section 18. That LMC 15.14.050.H.1.d is amended to read as follows: “Service areas not enclosed by a wall or fence shall be concealed by screening materials at least eight feet in height measured from the grade of the loading area. Such screening shall be provided by using one or more of the following methods; however, off-street loading spaces located adjacent to residentially zoned property shall use the method in subsection (iii) below. In addition, walls or fences used to screen a loading area that face a collector, minor and major arterial roads and interstates are required to follow the higher design standards found in 15.14.100.D.5.a through 15.14.100.D.5.c.”;

Section 19. That LMC 15.14.050.I.2.b is amended to read as follows: “A wall, solid fence, evergreen hedge, berm, or any combination thereof shall be provided to obscure these facilities. Obscuring architectural material(s) shall be consistent with those architectural materials found on site or the primary structure.”;

Section 20. That LMC 15.14.110.B.3 is amended to read as follows: “Total light output of any development project that requires Design Review (excluding streetlights for public rights-of-ways and single-family, and/or two-family development projects), shall not exceed 40,000 lumens per acre, averaged over the entire project. A photometric study shall be submitted as part of the design review plan application. The photometric study shall show that no more than 0.2 footcandles are observed at the property line.”;

Section 21. That LMC 15.14.110.B.5 is amended to read as follows: “Luminaries shall not

exceed a height of 24 feet above finished grade. Lighting associated with recreational facilities shall not be required to comply with standards for lighting height.”;

Section 22. That LMC 15.18.010.A.7 is amended to read as follows: “Dead Ends. The use of dead-end streets is discouraged pursuant to subsection 15.14.060.E.2.d Transportation, mobility, and Connectivity. Where dead-end streets are permitted, they shall be designed according to the standards established in said subsection 15.14.060.E.2.d.”;

Section 23. That LMC 15.22.000.G is amended to read as follows: “ 1. Any existing non-conforming parking lot containing ten or more parking spaces that is being reconstructed is subject to subsection 15.06.060.O (Design Review). For purposes of this subsection, the term “reconstruction” shall include removal of asphalt and/or base or replacement of drainage facilities that necessitate removal of asphalt and/or base; provided, however, that minor repairs or maintenance as specified in subsection 15.22.000.F shall not in and of themselves be deemed reconstruction so long as not more than 25% of the existing pavement surface area is removed to remedy the unsafe condition. In addition, reconstruction or repairs involving the removal of more than 25% of the existing pavement surface area within a non-conforming parking lot shall be subject to the following:

- a. For reconstruction projects involving the removal and replacement of between 25% and 50% of the existing pavement area within a non-conforming parking lot, perimeter parking lot landscaping shall be required along any portion of the parking lot which fronts onto an adjacent street R.O.W. in accordance with the requirements set forth in Section 15.14.050G.2 (Landscaping and Screening Standards).
- b. For reconstruction projects involving the removal and replacement of more than 50% but less than 75% of the existing pavement area within a non-conforming parking lot, perimeter parking lot landscaping shall be required along all sides of the parking lot in accordance with the requirements set forth in Section 15.14.050.G.2 (Landscaping and Screening Standards). In addition, compliance with the stacking, striping and dimensional requirements for parking spaces set forth in Section 15.14.040 (Parking and Off-Street Loading) shall also be required.
- c. Reconstruction of an existing non-conforming parking lot involving the removal and replacement of more than 75% of the existing pavement area shall require compliance with the stacking, striping and dimensional requirements for parking spaces set forth in Section 15.14.040 (Parking and Off-Street Loading) and the perimeter and internal landscaping requirements as specified in subsection 15.14.050.G.
- d. In the event compliance with this section results in the loss of up to 20% of the number of existing or required spaces to serve a particular use or business as set forth in Table 15.14.040-3, relief may be sought under the Minor Administrative Modification procedures as set forth in subsection 15.06.060.j.2.b.(i) .

2. An existing non-conforming parking lot shall be permitted to undergo refurbishment and shall not be required to comply with Sections 15.14.040 (Parking and Off-Street Loading) and 15.14.050 (Landscaping and Screening Standards). For purposes of this subsection, "refurbishment" shall be defined as any of the following:

- a. Resurfacing over existing pavement, i.e., resurfacing that does not involve removal of pavement to the base layer;
- b. Sealing or resealing existing pavement;
- c. Restriping that does not change the number of parking spaces, ingress/egress locations or geometry, or interior vehicular circulation pattern.;

Section 24. That LMC 15.28.030.A.127 is created to read as follows: "Duplex. A two-family dwelling consisting of two attached single-family dwelling units arranged side by side and separated by a common wall." and subsequent subsections be renumbered accordingly;

Section 25. That LMC 15.28.030.A.358 is amended to read as follows: "Townhouse Structure. "Townhouse structure" means a building or structure containing three or more townhouses dwellings.";

Section 26. That LMC Table 15.14.050-3 is amended to read as shown in Attachment A, which is attached hereto and incorporated herein;

Section 27. That LMC 15.14.080.B.1 is amended to read as follows: "The design standards in this subsection apply to all new detached and attached one-and two-family dwellings and townhouses, and accessory buildings.";

Section 28. That LMC 15.14.080.C.5 is amended to read as follows: "All construction shall be of durable high-quality materials. If vinyl exterior siding is used, it shall have a manufacturer's warranty of a minimum of 15 years. Refer to Table 15.14.080-1 regarding the use of metal siding, smooth-faced CMU block or tilt-up panels. This subsection shall not prohibit the use of metal siding designed to look like clapboard siding, metal trim, soffits, fascia, gutters, corners, standing seam roofing or specific architectural elements or features.";

Section 29. That Table 15.14.080-1, as shown in Attachment B, which is attached hereto and incorporated within, be inserted in LMC 15.14.080.C ;

Section 30. That LMC 15.14.080.D.2.c is amended to read as follows: "All construction shall be of durable high-quality materials. If vinyl exterior siding is used, it shall have a manufacturer's warranty of a minimum of 15 years. Refer to Table 15.14.080-2 regarding the use of metal siding, smooth-faced CMU block or tilt-up panels. This subsection shall not prohibit the use of metal siding designed to look like clapboard siding , metal trim, soffits, fascia, gutters, corners, and standing seam roofing or specific architectural elements or features.";

Section 31. That Table 15.14.080-2, as shown in Attachment C, which is attached hereto and

incorporated within, be inserted in LMC 15.14.080.D.2 ;

Section 32. That the title of LMC 15.14.090 is amended to read as follows: “Commercial Industrial and Institutional Design Standards.”;

Section 33. That LMC 15.14.090.A is amended to read as follows: “
“The commercial industrial and institutional design standards are intended to protect and preserve the quality and character of the built environment in the city. More specifically, the purposes of this section are to:

1. Encourage high quality development as a strategy for investing in the city’s future;
2. Emphasize the city’s unique community character;
3. Maintain and enhance the quality of life for the city’s citizens;
4. Shape the city’s appearance, aesthetic quality, and spatial form;
5. Reinforce the civic pride of citizens through appropriate development;
6. Increase awareness of aesthetic, social, and economic values;
7. Protect and enhance property values;
8. Minimize negative impacts of development on the natural environment;
9. Provide property owners, developers, architects, builders, business owners, and others with a clear and equitable set of parameters for developing land;
10. Encourage a pedestrian– and bicyclist–friendly environment;
11. Enhance the city’s sense of place and contribute to the sustainability and lasting value of the city;
12. Shape development in a manner that is most beneficial to the citizens in the city;
13. Ensure greater public safety, convenience, and accessibility through the physical design and location of land-use activities;
14. Promote both the sustainability of the structure and the overall community; and
15. Ensure compatibility of non-residential uses developed in residential zone districts.”;

Section 34. That LMC 15.14.090.B.1 is amended to read as follows: “The design standards in this subsection apply to all new commercial, mixed-use, institutional and industrial structures, except those located in the Downtown Commercial district.”;

Section 35. That LMC 15.14.090.D.1.a is amended to read as follows: "All primary exterior building materials on principal buildings shall be durable, economically maintained, and of a high quality that will retain its appearance over time, including but not limited to, brick, sandstone, natural or synthetic stone, and tinted/textured concrete masonry units. Refer to Table 15.14.090-1 regarding the use of metal siding, smooth-faced CMU block or tilt-up panels. This section shall not prohibit the use of metal siding designed to look like clapboard siding, metal trim, soffits, fascia, gutters, corners, and standing seam roofing or specific architectural elements or features.";

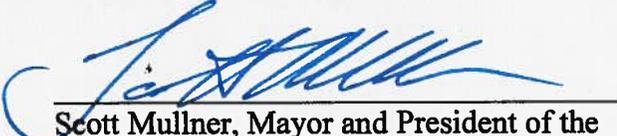
Section 36. That Table 15.14.090-1, as shown in Attachment D, which is attached hereto and incorporated within, be inserted in LMC 15.14.090.D.1;

Section 37. That LMC 15.28.030.A.156 is amended to read as follows: "Floodlight" means a broad beam, strong artificial light typically used to light playing fields, yards, buildings, driveways and theater stages and sometimes used for security purposes with motion detection sensors.";

Section 38. 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 39. That this ordinance shall become effective after its passage, approval and its publication.

Passed and approved this 04th day of September, 2012.



Scott Mullner, Mayor and President of the
City Council

Attest:



Sue Morris-Jones, MMC
City Clerk

Duly published in the *Laramie Boomerang* this 27th day of September, 2012.

First Reading: July 31, 2012

Public Hearing: July 10, 2012

Second Reading: August 28, 2012

Third Reading and Final Action: September 04, 2012

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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]	3ft	8 ft	15 ft	30 ft.
Planting Area Width (minimum at any point) [1]	3ft	8 ft	12 ft	20 ft
Total Landscape Units[4] Required per linear foot of property line or street frontage	0.30 units per linear foot	0.40 units per linear foot	0.6 units per linear foot	1.0 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:				
<p>[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.</p> <p>[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.</p> <p>[3] Landscape units are identified in Table 15.14.050-4 Landscape Units Awarded.</p>				

Attachment A

Table 15.14.080-1: Metal Siding, Smooth-faced CMU Block and Tilt-up Panel Matrix, Single-Family

Use Type	Zone District	Percent Allowed, Principal Buildings				Percent Allowed, Accessory Buildings		
		Primary Building Façade	Façade facing Arterial or Collector Street	Façade facing Local Street	Façade not facing right-of-way	Front Yard	Side Yard	Rear Yard
Residential-Single-family (3 or less units)	RR, LR, R1, R2, R2M, R3	0	0	0	0	0	100	100

Attachment B

Table 15.14.080-2: Metal Siding, Smooth-faced CMU Block and Tilt-up Panel Matrix, Multi-Family

Use Type	Zone District	Percent Allowed, Principal Buildings				Percent Allowed, Accessory Buildings		
		Primary Building Façade	Façade facing Arterial or Collector Street	Façade facing Local Street	Façade not facing right-of-way	Front Yard	Side Yard	Rear Yard
Residential-Multi-family (4 or more units)	RR, LR, R1, R2, R2M, R3	0	0	0	0	0	50	50

Attachment C

Table 15.14.090-1: Metal Siding, Smooth-faced CMU Block, and Tilt-up Panel Matrix, Commercial, Industrial and Institutional

Use Type	Zone District	Percent Allowed, Principal Buildings			
		Primary Building Façade	Façade facing Arterial or Collector Street	Façade facing Local Street	Façade not facing right-of-way
Agricultural	AG	100	100	100	100
Institutional/ Non-Residential Use	RR, LR, R1, R2, R2M, R3	0	0	50	50
Commercial	NB	0	0	0	0
	B1	0	0	50	50
	B2	0	0	50	100
	DC	0	0	0	0
	C2	0	0	50	100
Technology / Industrial	LM	100	100	100	100
	IP	0	50	100	100
	I1	100	100	100	100
	I2	100	100	100	100
	O	25	25	25	25
Aviation	AV	100	100	100	100
	AE	0	50	100	100

Attachment D