

ORIGINAL ORDINANCE NO.: 2060
ENROLLED ORDINANCE NO.: _____

INTRODUCED BY:

AN ORDINANCE AMENDING TITLE 15 OF LARAMIE MUNICIPAL CODE FOR THE PURPOSES OF AMENDING THE COMPREHENSIVE PLAN AMENDMENT REVIEW PROCEDURE.

WHEREAS, on August 21, 2007, the City Council adopted the Laramie Comprehensive Plan which lists as one of its recommendations to create a unified development code that would combine the zoning and subdivision ordinances in into a single, unified document consisting of multiple parts or sections, including administrative procedures, zoning, subdivision regulations and improvement standards;

WHEREAS, on June 22, 2009 the Laramie Planning Commission affirmatively voted to recommend to the Laramie City Council adoption of the Unified Development Code subject to modifications;

WHEREAS, on March 2, 2010, the City Council adopted the Unified Development Code with an effective date of July 1, 2010;

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

WHEREAS, on March 27, 2023, the Laramie Planning Commission affirmatively voted to recommend to the Laramie City Council adoption of amendments to the Unified Development Code as shown in this ordinance; and

WHEREAS, the Laramie City Council will hold a public hearing on May 2, 2023 to take and consider public comments;

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

Section 1. That LMC 15.06.060.X.3 is **amended** to read as follows;

15.06.060.X. Comprehensive Plan Amendments

1. Purpose

The purpose of this section is to provide standards and requirements for amending the text and/or maps of the Laramie Comprehensive Plan. The amendment process is established in order to provide flexibility in response to changing circumstances, to accommodate potential change where such change meets the intent of the plan, to

reflect changes in public policy, and to advance the general welfare of the city as permitted by W.S. §15-1-503.

2. Applicability

An application for a comprehensive plan amendment may be initiated by the city council, planning commission, department or requested by an owner of land in the city or within the city’s extraterritorial planning area. The planning commission shall adopt and certify to the city council an amendment to the comprehensive plan only in accordance with the requirements of this section.

3. Procedures

a. Step 1: Pre-Application Meeting

Not applicable.

b. Step 2: Application Submission, Contents, and Fees

Applicable pursuant to subsection 15.06.030.B.

c. Step 3: Staff Review, Referral, and Staff Recommendation

Applicable pursuant to subsection 15.06.030.C.

d. Step 4: Public Notice Requirements

Applicable. Published notice required pursuant to subsection 15.06.030.D. Written notice shall be required for future land use plan map amendments.

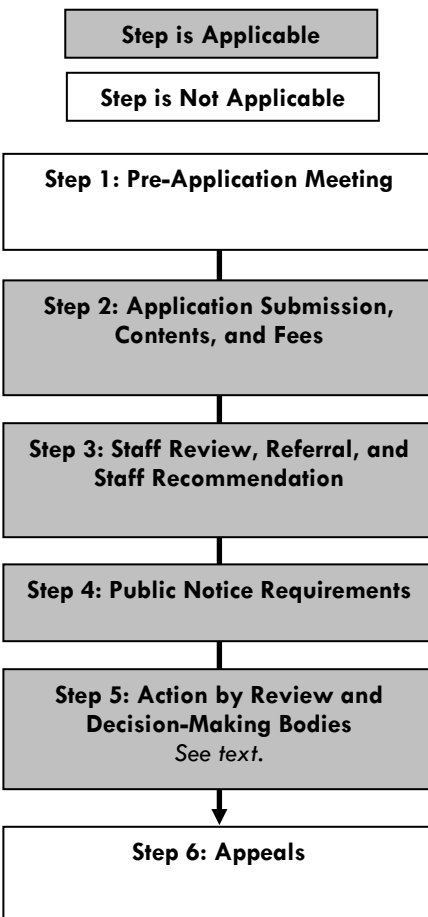
e. Step 5: Action by Review and Decision-Making Bodies

Applicable. The following review procedures shall apply:

(i) Review of Amendments Involving Property Entirely Within City Limits

In addition to the procedures set forth below, the process is outlined in Figure 15.06-4.

Procedures for Comprehensive Plan Amendments



(1) **Planning Commission Public Hearing**
The planning commission shall hold a public hearing and shall approve, approve with revisions, postpone, or deny the application. Approval or approval with modifications of the request shall be by adoption of a resolution.

(2) **City Council Certification**
The city council shall certify the action of the planning commission by resolution within 60 calendar days of planning commission action. The city council may remand the resolution to the planning commission for additional review and study. If remanded to the planning commission, the planning commission shall prepare a new resolution within 30 calendar days of city council action to remand. Failure of the planning commission to act on an item remanded to the planning commission shall deem the original resolution reaffirmed. The city council may postpone action pursuant to subsection 15.06.030.E.

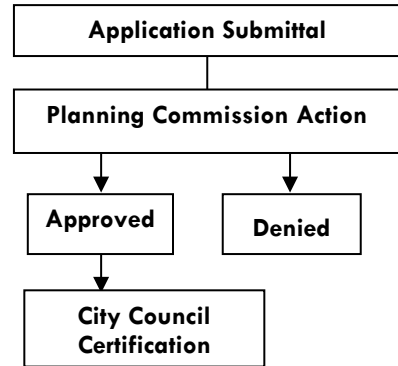


Figure 15.06-4: Comprehensive Plan amendments involving property entirely in city.

(3) **Approval Criteria**

The planning commission shall not approve and the city council shall not certify such approval for any comprehensive plan amendment unless the application meets one or more the following criteria:

- (a) **The proposed amendment is based on a change in projections or assumptions from those on which the comprehensive plan is based;**
- (b) **The proposed amendment is based on identification of new issues, needs, or opportunities that are not adequately addressed in the comprehensive plan;**
- (c) **The proposed amendment is based on a change in the policies, objectives, principles, or standards governing the physical development of the city;**
- (d) **The proposed amendment may result in unique development opportunities that will offer substantial benefits to the city; or**
- (e) **The proposed amendment is based on an identification of errors or omissions in the comprehensive plan.**

(ii) **Review of Amendments Involving Property Not Entirely Within City Limits**

In addition to the procedures set forth below, the process is outlined in Figure 15.06-5.

(1) **Planning Commission Public Hearing**

The planning commission shall hold a public hearing and make shall approve, approve with revisions, postpone, or deny the application. Approval or approval with modifications of the request shall be by adoption of a resolution.

(2) **City Council Certification**

The city council, with concurrence of the county and within 60 calendar days of county concurrence, shall either certify the action of the

city planning commission by resolution, or shall remand the resolution to the Planning commission. The city council may remand the resolution to the planning commission for additional review and study. If remanded to the planning commission, the planning commission shall prepare a new resolution within 30 calendar days of city council action to remand. If the new planning commission resolution differs from the first, the county shall review the amendment for concurrence subject to the review procedures outlined in this subsection. Failure of the planning commission to act on an item remanded to the planning commission shall deem the original resolution reaffirmed. The city council may postpone action pursuant to subsection 15.06.030.E.

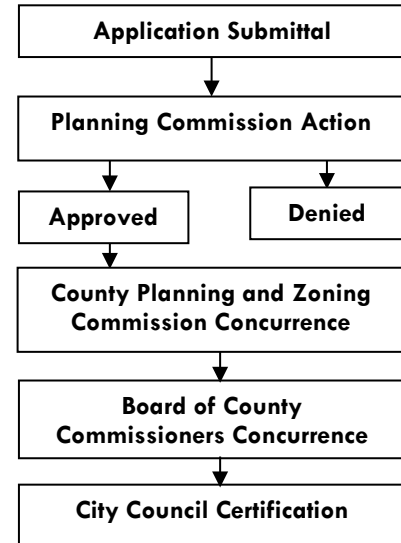


Figure 15.06-5: Comprehensive Plan amendments involving property not entirely in the city.

(3) County Action

The county shall issue statement of concurrence for the proposed amendment within 60 calendar days of city planning commission action. The board of county commissioners may issue a statement of concurrence, a statement of concurrence with modifications to the resolution, or a statement of no concurrence. Modifications to the resolution shall be reconsidered by the city planning commission, affirmed or modified, and incorporated within the resolution. Should the city planning commission fail to adopt the county's resolution modifications, the proposed amendment fails. The planning commission shall not ask for the county's concurrence more than two times on a specific request.

(4) Approval Criteria

The planning commission shall not approve and the city council shall not certify any comprehensive plan amendment unless the application meets one or more of the following criteria:

- (a) The proposed amendment is based on a change in projections or assumptions from those on which the comprehensive plan is based;
- (b) The proposed amendment is based on identification of new issues, needs, or opportunities that are not adequately addressed in the comprehensive plan;
- (c) The proposed amendment is based on a change in the policies, objectives, principles, or standards governing the physical development of the city;
- (d) The proposed amendment may result in unique development opportunities that will offer substantial benefits to the city; or
- (e) The proposed amendment is based on an identification of errors or omissions in the comprehensive plan.

f. Step 6: Appeals

Not Applicable.

Section 3. 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 4. That this ordinance shall become effective after its passage, approval and its publication.

Passed and approved this 16th day of May, 2023.

Brian Harrington, Mayor and President of the
City Council

Attest: _____
City Clerk

First Reading: April 18, 2023
Public Hearing: May 2, 2023
Second Reading: May 2, 2023
Third Reading and Final Action: May 16, 2023

Duly published in the *Laramie Boomerang* this _____ day of _____, 2023.