

ORIGINAL ORDINANCE NO.: 1960
ENROLLED ORDINANCE NO.: 1727

INTRODUCED BY: SHUSTER

AN ORDINANCE AMENDING TITLE 15 OF LARAMIE MUNICIPAL CODE FOR THE PURPOSES OF AMENDING CHAPTER 15.14 AND TABLE 15.14.050-2.

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 October 6, 2016, Jack Skinner, representing the Laramie Regional Airport submitted a Code Text Amendment application recommending revisions to 15.08.050.A.5.h (Landscaping) and Table 15.14.050-2 (Applicability of Site Perimeter Landscaping) to create a landscaping exception for properties zoned AV (Aviation);

WHEREAS, on November 28, 2016 the Laramie Planning Commission affirmatively voted to recommend to the Laramie City Council approval of amendments to the Unified Development Code as shown in this ordinance;

WHEREAS, the Laramie City Council held a public hearing on January 17, 2017 to take and consider public comments;


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

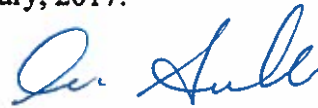
Section 1. That LMC subsection 15.08.040.B.3.b be amended as shown on Attachment A:

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 7th day of February, 2017.

OF THE CITY OF LARAMIE
Attest: 
Angie Johnson
City Clerk



Andi Summerville, Mayor and President of the
City Council

First Reading: December 20, 2016

Public Hearing: January 17, 2017

Second Reading: January 17, 2017

Third Reading and Final Action: February 7, 2017

Duly published in the Laramie Boomerang this 14th day of February, 2017.

Attachment A:**Table 15.14.050-2**

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	L2	L2	L3	L4	L3	L4	L4	L2
LR, R1, R2, R2M	L2	L1	L1	L1	L2	L3	L4	L4	L2
R3	L3	L2	L1	L1	L2	L3	L4	L4	L2
NB, B1, B2	L3	L3	L3	L1	L1	L3	L4	L4	L2
DC, C2	L3	L3	L3	L3	L1	L2	L4	L4	L2
LM, IP, I1, AV, AE	L3	L3	L3	L3	L2	L1	L2	L4	L2
AV	N/A*	N/A*	N/A*	N/A*	N/A*	N/A*	N/A*	N/A*	N/A*
I2	L4	L4	L4	L4	L4	L2	L2	L4	L2
Non-residential use in R zone	L3	L2	L2	L2	L2	L3	L4	L4	L2

* Refer to Exceptions section 15.08.050.A.5.h.1.d

15.08.050.A.5.h**h. Landscaping**

The provisions of section 15.14.050 shall apply.

1. Exceptions

- a. Site perimeter requirements for lots and parcels in the DC District shall be required pursuant to subsection 15.08.030.E.2.c, Development Standards.
- b. 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 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. 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 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. 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 of the department the public landscaping proposed will have significantly greater community benefit.
- d. **For all uses located within the AV zoning district, landscaping requirements shall follow the requirements outlined below. No perimeter landscaping is required that would be subject to 15.14.050.F – Site Perimeter Landscaping, and Table 15.14.050-2: Applicability of Site Perimeter Landscaping.**
 - (i) **Ten (10) landscaping units shall be required for each 1,000 square feet of development area, including the building, parking or any other area necessary for the operation of the development proposed and as depicted in the Site Plan Application.**
 - (ii) **All units shall be awarded based upon Table 15.14.050-4: Landscaped Units Awarded, and all other standards set forth in 15.14.050, Landscaping and Screening Standards shall be required.**
 - (iii) **All required landscaping shall be planted on the proposed property, or on property owned by the same individual or individuals as the AV Zoned property and shall be within the AV or AE Zoning District.**