

ORIGINAL ORDINANCE NO: 1997
ENROLLED ORDINANCE NO: 1764

INTRODUCED BY: SHUSTER

AN ORDINANCE AMENDING CHAPTER 15.10.030.E AND 15.28.100.A.310 OF THE LARAMIE MUNICIPAL CODE TO ALLOW FOR USE OF SHIPPING CONTAINERS WITHIN THE CITY, SEPARATE FROM THE TEMPORARY USE 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 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 April 22, 2018, the Laramie Planning Commission affirmatively voted to recommend to the Laramie City Council adoption of amendments to the Laramie Municipal Code as shown in this ordinance; and

WHEREAS, the Laramie City Council held a public hearing on June 4, 2019 to take and consider public comments;

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

Section 1. That LMC 15.28.100.A.310 is **created** and **inserted** to read as follows: “Shipping Container. “Shipping Container” shall mean a unit originally used or designed to store goods or other merchandise during shipping or hauling by a vehicle, including but not limited to rail cars of any kind, truck trailers, or multi-modal shipping containers or similar structures such as look-alike shipping container buildings or metal buildings marketed as “containers” or “portable storage units”. And the remainder of the subsection is renumbered accordingly; and

Section 2. That LMC 15.10.030.E is created to read as follows
“Shipping Containers

1. Applicability

Shipping container placement on any property shall comply with the provisions of this subsection. Look-alike shipping container buildings or metal buildings marketed as “containers” or “portable storage units” shall be regulated as shipping containers to which this section shall apply.

2. Exceptions

- a. Portable moving containers/moving pods placed on private property in accordance with LMC 15.10.040 (Minor Temporary Uses) shall not be regulated by this chapter.
- b. Shipping containers shall be permitted on construction sites provided there is an active building permit and placement is ancillary to a project on site. Such shipping containers shall be removed within 30-days of completion of work associated with the building permit.

3. Occupation

Shipping containers shall not be used as dwellings, sleeping quarters or for occupancy for any period of time unless established per the requirements of this section and all other requirements of Chapter 15, including Chapter 15.24: Buildings and Construction.

4. District Specific Standards

a. RR, LR, R1, R2, R2M, R3, NB, O and DC Districts.

- (i) Shipping containers are prohibited.
- (ii) **Exception**

Up to 1 (one) shipping container, per property, may be approved in conjunction with a non-residential use provided the shipping container is approved in conjunction with an application for Site Plan Review; subordinate to the principal use; is not located within any required setback, bufferyard, fire lane or landscape area; parking or loading area; is screened from all public and private rights-of-way and adjacent uses by a sight-obscuring fence, landscaping or other means approved by the City.

b. B1, B2, C2, LM and TO Districts

- (i) Up to 3 (three) shipping containers, per property are permitted provided they are approved in conjunction with application for Site Plan Review.
- (ii) Shipping containers shall be subordinate to the principal use; not located within any required setback, bufferyard, fire lane or landscape area, parking or loading area; screened from all public and private rights-of-way and adjacent uses by a sight-obscuring fence, landscaping or other means approved by the City; and located on a paved surface.
- (iii) Placement of a shipping container for permanent or semi-permanent use exceeding 6-months shall require a building permit, shall have an engineered foundation and shall meet all other applicable codes for placement on the property.
- (iv) Shipping containers shall not be allowed on non-residential zoned property on which the primary use is a nonconforming use.
- (v) Shipping containers shall not be allowed on property where a principal use has not been established.


c. IP, I1, I2, AG, AV and AE Districts

- (i) Shipping containers shall be for the use of the business or accessory to the principal use of property.

- (ii) Shipping containers shall not be allowed on Industrial, Aviation or Airport Enterprise zoned property on which the primary use is a nonconforming use.
- (iii) Shipping containers shall not be allowed on property where a principal use has not been established.
- (iv) Shipping containers shall not be placed within any required setback, bufferyard, fire lane or landscape area; or parking or loading area.
- (v) Containers Allowed Outside Approved Storage Yards
 - (1) Up to 5 (five) shipping containers per property shall be permitted provided they are approved in conjunction with application for Site Plan Review.
 - (2) Placement of a shipping container(s) for permanent or semi-permanent use exceeding 6-months shall require a building permit, shall have an engineered foundation, and shall meet all other applicable codes for placement on the property.
- (vi) Containers Allowed Within Approved Storage Yards
 - (1) More than 5 (five) containers may be permitted on a property provided the shipping containers are located within an approved storage yard. Storage yards shall be either the primary or accessory use on the property, shall have been approved through the Site Plan Review process and shall meet the screening and buffering standards of LMC Chapter 15.14.”; and

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

Passed and approved this 18 day of June, 2019.



 Joe Shumway, Mayor and President of the
 City Council

Attest: 

 Nancy Bartholomew
 City Clerk

First Reading: May 7, 2019
 Public Hearing: June 4, 2019
 Second Reading: June 4, 2019
 Third Reading and Final Action: June 18, 2019

Duly published in the Laramie Boomerang this 22 day of June, 2019.