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CHAPTER 15.04: REVIEW AUTHORITIES

15.04.010 PURPOSE AND ORGANIZATION OF THIS CHAPTER

This chapter describes the powers of review bodies for all applications for land use and development activity in Laramie.

15.04.020 CITY COUNCIL

The city council shall have the review and decision-making responsibilities listed in this section, to be carried out in accordance with the terms of this code. All other duties and council procedures shall be pursuant to Chapter 2.04 of the municipal code.

15.04.020.A Decision Making Authority

The city council shall have the authority to review and make a final decision on the following:

1. Text Amendments
2. Rezoning
3. Planned Unit Development (PUD) [Preliminary and Final]
4. Annexations
5. Additions by Plat
6. Subdivisions, Major [Preliminary and Final]
7. Replats, Major
8. Vacations, Subdivisions
9. Vacations, Public Ways
10. Comprehensive Plan Amendments
11. Temporary Use Permits, Major

15.04.020.B Appeals

The city council shall hear and decide on appeals as follows:

1. Solar Access Permits
2. Temporary Use Permits, Minor

15.04.020.C Adoption and Fee Schedule

The city council shall adopt and amend from time-to-time a fee schedule setting forth an assessment of fees to defray the cost of processing land development applications under Chapter 15.06, Review Procedures.

15.04.030 PLANNING COMMISSION

15.04.030.A Generally

There is created a planning commission for the city which shall be comprised of seven (7) members, five (5) of whom shall be qualified electors of the city, and two (2) of whom may be a qualified elector of the city, or may be a resident of Albany County residing within five (5) miles of the city limits. All members shall serve without compensation. (Ord. 1561 § 1, Ord., 1522 § 2, Prior code § 2-33).

15.04.030.B Appointment – Term

The members of the planning commission shall be appointed by the city council for a term of three years. (Ord. 861 § 6, 1986: Ord. 752 § 1, 1983: prior code § 2-34).

15.04.030.C Duties

1. In addition to the review and decision-making authority set forth below, the planning commission shall advise the city council in urban planning, land use studies, urban renewal plans, and other types of planning studies and in connection therewith shall perform technical services.
2. The planning commission shall serve as the city of Laramie zoning commission. The duties shall be those set forth in Wyoming Statutes Title 15, Chapter 1, Article 6, including:
 - a. Providing recommendations to the city council on zoning district boundaries;
 - b. Providing recommendations to the city council on appropriate regulations for zoning districts;
 - c. Holding public hearings before making its recommendation and submitting its report to the city council.
3. The planning commission shall serve as the city of board of adjustment. The duties shall be those set forth by Wyoming State Statutes Title 15, Chapter 1, and Section 15.04.040 of this code.
4. The planning commission shall also serve as the nuisance board. The duties shall be those as set forth by Laramie municipal code Chapter 8.32.
5. The planning commission shall also serve as the solar board of review. The duties shall be those as set forth by Wyoming State Statutes Title 15 and this Title (Ord, 1522 § 3, Prior code § 2-35).

15.04.030.D Organization – Time of Meetings

The members of the planning commission shall elect from their number a president, shall create their own rules of procedure, and shall designate their own times and places of meeting; except, that the mayor or the city council may request their convening in extraordinary session at any time. (Ord, 1522 § 4, Prior code § 2-36).

15.04.030.E Removal of Members – Filling Vacancies

The city council may, by majority vote, remove any member of the planning commission whenever it appears that such removal would be in the best interests of the city, as determined by the city council, and shall fill vacancies created by the resignation, death, or removal of any member. (Ord. 752 § 2, 1983; prior code § 2-37).

15.04.030.F Review and Decision-making Authority

The planning commission shall have the review and decision-making responsibilities listed in this subsection, to be carried out in accordance with the terms of this code.

1. Review Authority

The planning commission shall have the authority to review and make recommendations to the appropriate decision-making authority for the following:

- a. Text Amendments
- b. Rezoning
- c. Planned Unit Development (PUD) [Preliminary and Final]
- d. Annexations
- e. Additions by Plat
- f. Subdivisions, Major [Preliminary and Final]
- g. Replats, Major
- h. Vacations, Subdivisions
- i. Vacations, Public Ways
- j. Comprehensive Plan Amendments

2. Decision Making Authority

The planning commission shall have the authority to make the final decision on the following:

- a. Conditional Use Permits
- b. Solar Access Permits

15.04.030.G Appeal

The planning commission shall hear and decide on appeals as follows:

1. Subdivisions, Minor
2. Replats, Administrative
3. Minor Administrative Modifications
4. Design Review
5. Other land divisions and lot consolidations
6. Condominium
7. Grading Permits
8. Similar Use Determinations

15.04.040 BOARD OF ADJUSTMENT

15.04.040.A In General

The planning commission shall serve as the board of adjustment. Appointments and terms of members to the board of adjustment shall coincide with the appointments and terms of the planning commission. (Ord. 1522 § 5, Ord. 858 § 1, 1986: Ord. 194 § 9.1 (part), 1964).

15.04.040.B Meetings

Meetings of the board shall be held at the call of the chairman, and at such other times as the board may determine. The chairman, or in his absence, the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings of the board shall be open to the public except that the board may hold executive sessions as provided in Section 16-4-405, W.S. 1977. The board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if the member was absent, or failed to vote. The board shall keep records of its deliberations and other official actions, all of which shall be filed with the department and shall be a public record. (Ord. 858 § 2, 1986: Ord. 194 § 9.1 (part), 1964).

15.04.040.C Review and Decision Making Authority

The board of adjustment shall have the review and decision-making responsibilities listed in this subsection, to be carried out in accordance with the terms of this code.

1. Decision-Making Authority

The board of adjustment shall have the authority to make the final decision on the following:

- a. Variances

15.04.040.D Appeals

1. The board of adjustment shall hear and decide on appeals as follows:
 - a. Sign Permits
2. Appeals from any order of abatement issued to a property owner, lessee, or occupant pursuant to Section 15.14.100, Fences and Walls, provided, that no adjustment of the provisions of Section 15.14.100 shall be granted by the board unless it finds:
 - a. That the abatement of the violation shall constitute an unnecessary removal of or destruction of trees or hedges, or
 - b. That there exists a reasonable alternative to the abatement which will render the abatement unnecessary and which provides a safe line of sight at the intersection; and
 - c. Relative to subsection 15.14.100.B it finds:

That the allowable heights therein stated should be adjusted to allow for the effect of a surface slope or other physical characteristic of the lot which would render the application of those provisions of said section unreasonable.

15.04.040.E Voting Required – Reversals

1. In exercising the above-mentioned powers such board may, in conformity with the provisions of this code, reverse or affirm wholly or partly, or may modify the order, requirement, decision, or determination, as necessary.
2. The concurring vote of five members of the board of adjustment shall be necessary to reverse any order, requirement, decision, or determination of any administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass any ordinance or to effect any variation in such ordinance.

15.04.050 COMMUNITY DEVELOPMENT DEPARTMENT

The Community Development Department (“department”) shall have the review and decision-making responsibilities listed in this section, to be carried out in accordance with the terms of this code.

15.04.050.A Review Authority

The department shall have the authority to review and make recommendations to the appropriate decision-making authority for the following:

1. Text Amendments
2. Rezoning
3. Planned Unit Development (PUD) [Preliminary and Final]
4. Variances
5. Conditional Use Permits
6. Annexations

7. Additions by Plat
8. Replats (Major)
9. Subdivisions, Major [Preliminary and Final]
10. Vacations, Subdivisions
11. Vacations, Public Ways
12. Comprehensive Plan Amendments
13. Solar Access Permits

15.04.050.B Decision-Making Authority

The department shall have the authority to make a final decision on the following:

1. Sign Permits
2. Minor Administrative Modifications
3. Design Review
4. Subdivisions, Minor
5. Other land divisions and lot consolidations
6. Condominium
7. Replats, Administrative
8. Grading Permits
9. Similar Use Determinations

15.04.060 BUILDING OFFICIAL

The building official shall have the review and decision-making responsibilities listed in this section, to be carried out in accordance with the terms of this code.

15.04.060.A Decision-Making Authority

The building official shall have the authority to review and make a final decision on the following:

1. Building Permits
2. Electrical Permits
3. Plumbing Permits
4. Mechanical Permits

15.04.070 SOLAR BOARD OF REVIEW

The planning commission shall act as the solar board of review until such time as the city council determines that it is logical and feasible to form a solar board of review. See Section 15.04.020 of this chapter for a description of the planning commission's authorities.

15.04.080 CITY MANAGER

The city manager shall have the review and decision-making responsibilities listed in this section, to be carried out in accordance with the terms of this code. All other duties and procedures shall be pursuant to applicable sections of the municipal code.

15.04.080.A Review Authority

The city manager shall have the authority to review and make recommendations to the appropriate decision-making authority for the following:

1. Temporary Use Permits, Major

15.04.080.B Decision Making Authority

The city manager shall have the authority to review and make a final decision on the following:

1. Temporary Use Permits, Minor

The city manager may defer a decision to the city council.