

**AN ORDINANCE AMENDING TITLE 17 OF THE LAUREL MUNICIPAL CODE TO
ADD CHAPTER 17.25 ENTITLED DOWNTOWN OVERLAY DISTRICT TO THE
CITY'S ZONING REGULATIONS.**

WHEREAS, the City Council desires to keep the Laurel Municipal Code current by modifying and updating chapters, sections and subsections to address situations and problems within the City and to remain in accordance with Montana law; and

WHEREAS, City Staff modified the existing ordinance to comply with changing conditions within the City's planning jurisdiction; and

WHEREAS, City Staff prepared, reviewed, and approved the following Chapter 17.25 for inclusion into the existing Title 17 as noted herein and hereby recommends the same to the City Council for their full approval.

IT IS HEREBY ORDAINED by the City Council for the City of Laurel, Montana, that Title 17 is hereby amended, modified and adopted as follows:

Chapter 17.25

Downtown Overlay District

Sections:

- 17.25.010 Intent
- 17.25.020 District Boundaries
- 17.25.030 Application and Approval Process
- 17.25.040 Nonconformance
- 17.25.050 Definitions
- 17.25.060 Building Design Requirements
- 17.25.070 Site Design Requirements
- 17.25.080 Landscape Requirements
- 17.25.090 Signage

17.25.010 Intent

The City of Laurel hereinafter (“City”), in collaboration with the Laurel Urban Renewal Agency, prepared the following set of regulations to preserve and protect the unique nature of the Downtown core of the City of Laurel. These regulations are intended to promote, preserve, and enhance the character of the built environment while encouraging a cohesive identity.

In addition to building construction, further elements include, but are not limited to parking and pedestrian connectivity requirements, landscaping, and signage.

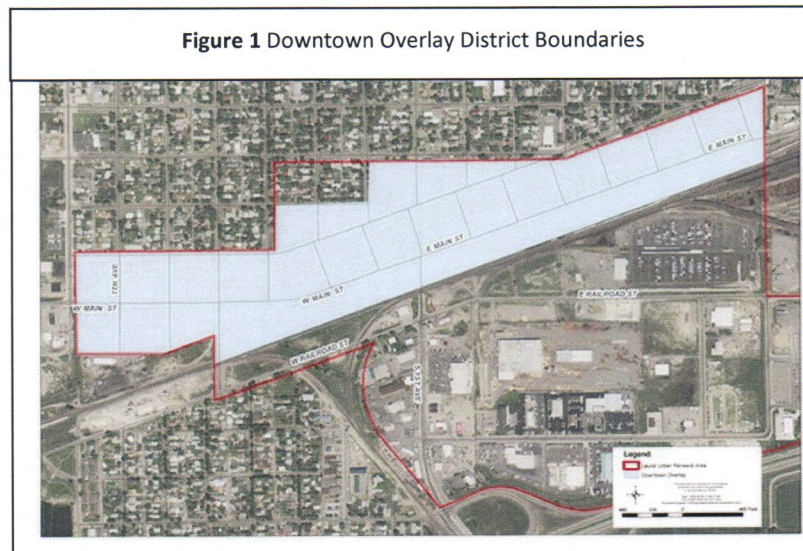
This District’s requirements are in addition to the existing zoning ordinances found in Title 17 of the Laurel Municipal Code (LMC). Single-family and two-family residential uses in the District are exempt from the provisions herein.

The intent of this section is to:

- A. Promote a physical landscape to make the District an attractive place to live and work;
- B. Encourage creativity in design and quality site planning;
- C. Promote development patterns in coordination with the goals and objectives of the City’s Growth Management Plan;
- D. Provide consistency to land uses and design that will protect the investment of property owners in the District.

17.25.020 District Boundaries

The boundaries of the District are identified in Figure 1.



17.25.030 Application and Approval Process

- A. All building permit applications shall be submitted to the City's Building Official. All permit applications must be submitted and signed by the property owner or the authorized agent of the property owner. An approved building permit is required prior to any construction activity.
- B. Each building permit application must include, but not be limited to, the following information:
 - 1. The name and address of the property owner;
 - 2. The name and address of the applicant;
 - 3. The legal description of the parcel;
 - 4. A map drawn to scale showing the dimensions, acreage, location of the parcel, north arrow, streets and adjacent land uses;
 - 5. A complete site plan drawn to a scale of no less than 1"=40' showing the dimensions and height of the structure;
 - 6. A Complete elevation drawings drawn to the scale 1"=40' including the dimensions and height of the structure;
 - 7. If applicable, signage plan specifications, location and ground lighting pattern; and
 - 8. Payment of application review fee.
- C. Within fifteen working days following the submittal of a complete application, the Planning Director, designee, or the Public Works Department (in the case of signs) shall issue approval for development or a denial of the application, unless the applicant consents in writing to an extension of the review period. Should the application be denied, the applicant shall be notified in writing specifying the reasons for the denial. (Ordinance O02- 31, 2002)

17.25.040 Nonconformance

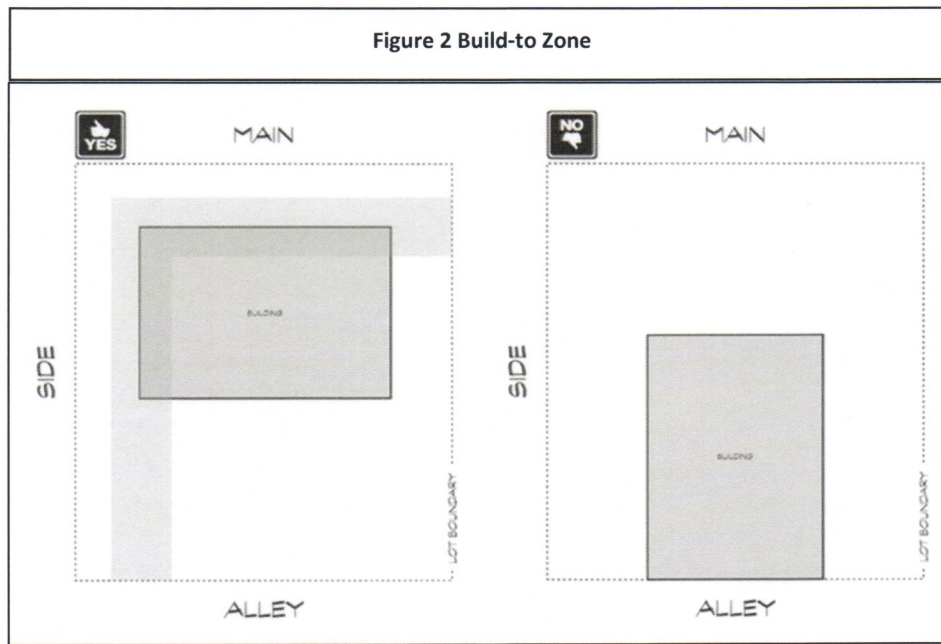
- A. Any lawful characteristic of the properties existing prior to the effective date of the ordinance that would not be a permitted characteristic under these regulations is declared to constitute a nonconforming characteristic.
- B. Nonconforming structures shall not be enlarged, extended, reconstructed, or structurally altered in an amount greater than fifty percent of its assessed valuation, unless the characteristics of the building are changed to comply with the appropriate regulations.
- C. If any nonconforming structure is damaged by an event including, but not limited to, fire, flood, explosion, wind, or war, in an amount equal to or greater than fifty percent of its assessed valuation, reconstruction must comply with the appropriate regulations. In addition, repair and maintenance may be carried out each year in an amount not to exceed twenty-five percent of the assessed valuation of the structure for that year.

D. A nonconforming structure may continue pursuant to these regulations, but it shall not be changed in any way except to conform to the regulations herein.

17.25.050 Definitions

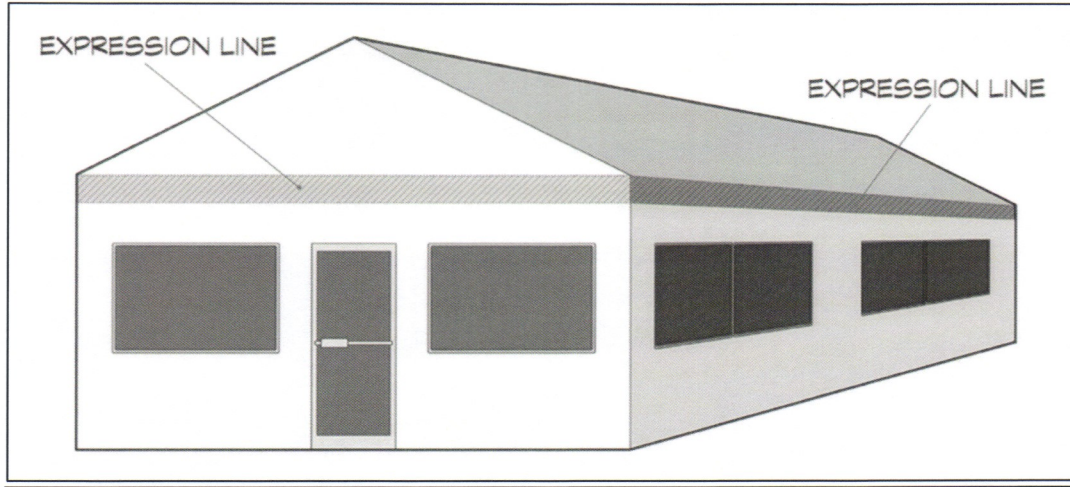
All terms shall have the same meanings as defined elsewhere in the city zoning ordinance or city signage regulations. For purposes of this title, certain words and terms used herein are defined in this chapter.

- A. **Architectural Design Elements** means an architectural feature consisting of a decorative, three (3) dimensional element, horizontal or vertical, protruding or indented at least two (2) inches from the exterior façade of a building typically utilized to provide additional aesthetic relief to a façade.
- B. **Build-to Zone** means an area of a lot designated for placement of a building façade along a street, located parallel to a front property line or a front and side property line in the case of a corner lot. The Build-to Zone defines an area in which the locations of building fronts can vary within a specified range. See Figure 2.

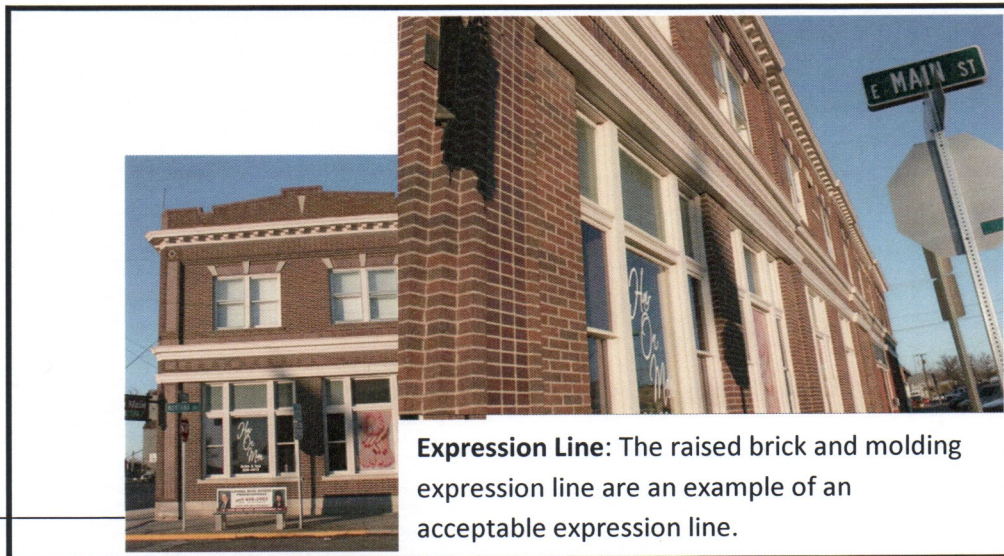


- C. **Expression Line** means an architectural feature consisting of a decorative, three (3) dimensional, linear element, horizontal or vertical, protruding or indented at least two (2) inches from the exterior façade of a building typically utilized to delineate the top or bottom of floors or stories of a building or provide additional aesthetic relief to a façade. See Figure 3.

Figure 3 Expression Line

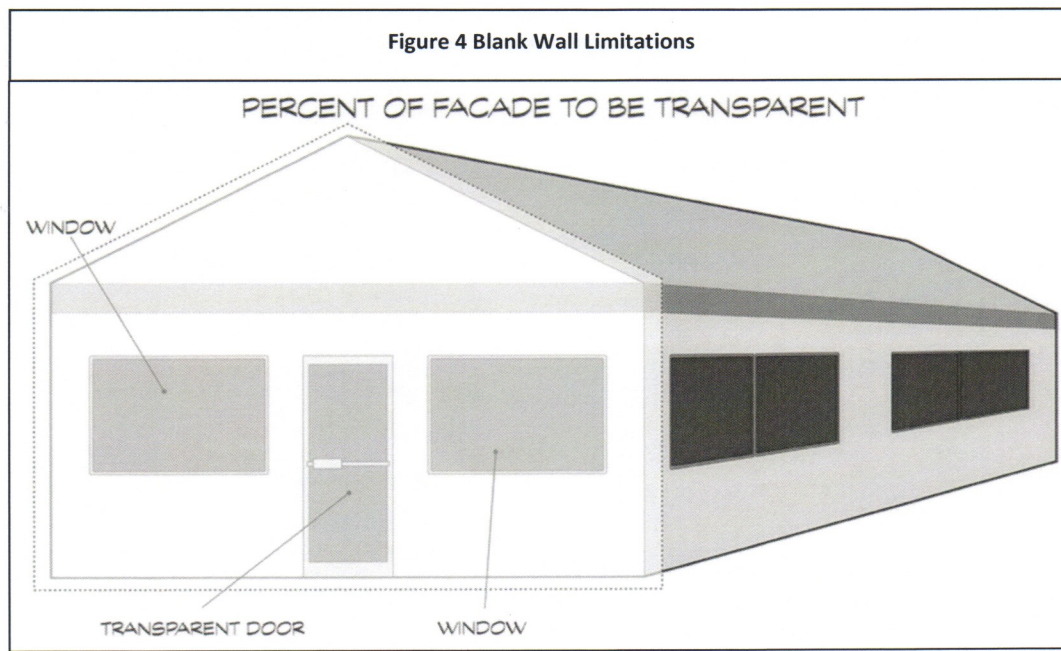


- D. **Façade** means the exterior face of a building, including but not limited to the wall, windows, windowsills, doorways, and design elements such as expression lines.
- E. **Front Façade** means any building face adjacent to the street. In the case of a corner lot, the front façade is the face that the building is addressed.
- F. **Lot Line, Front** means the boundary abutting a right-of-way, other than an alley, from which the required setback or Build-to Zone is measured. The front lot line shall be to the street to which the building is addressed.
- G. **Lot Line, Side** means the boundary line adjacent to the front lot line and may or may not abut a right-of-way depending on lot location from which the required setback or build-to zone is measured.



17.25.060 Building Design Requirements

- A. Exterior materials shall be sufficiently durable to ensure stability, maintainability, and long life. The use of natural and natural looking materials indigenous to the area signifying permanence, such as stone, stucco and masonry are encouraged.
1. Buildings shall be finished with one or more of the following materials. Brick, fluted block, colored textured block, glass, stucco, or stone. Exposed seam metal buildings are prohibited unless covered with an acceptable finishing material.
 2. All front façades and sides adjacent to streets shall have a minimum of twenty-five (25) percent masonry composed of natural materials such as stone, brick, brick veneer, or cast stone.
 3. Exterior cladding materials shall be of colors that compliment neighboring structures.
- B. Roof top mechanical equipment shall be screened from view with parapet walls, articulated roof designs or other architectural components.
- C. Expression lines are required on the front façade of all buildings.
- D. Blank Walls on front facades or façades adjacent to street are not permitted. The amount of windowless or non-transparent area allowed on a front façade is measured per façade. No rectangular area greater than fifty (50) percent of a front façade may be windowless. All other façades are encouraged to have transparent elements. See Figure 4.



- E. All front facades shall have a minimum of one (1) entry door.

- A. When a building does not have 100 percent lot coverage a Build-to Zone of at least five (5) feet is required at the front lot line or a side adjacent to street. Exceptions to this include properties in the district that are zoned Light Industrial, Heavy Industrial, and Highway Commercial.
- B. If off-street parking is proposed it shall be located at the rear of the building. See figure 5. Shared parking is encouraged when property owners have a written agreement. This agreement is not subject to approval by the City but should be presented if it is applicable to meeting off-street parking requirements. See Figure 6.
- C. Landscape islands are required at the terminal ends of all parking rows.
- D. If a property is located in this District and the Entry Way Zoning District, parking and landscape requirements of the Downtown Overlay District shall apply.

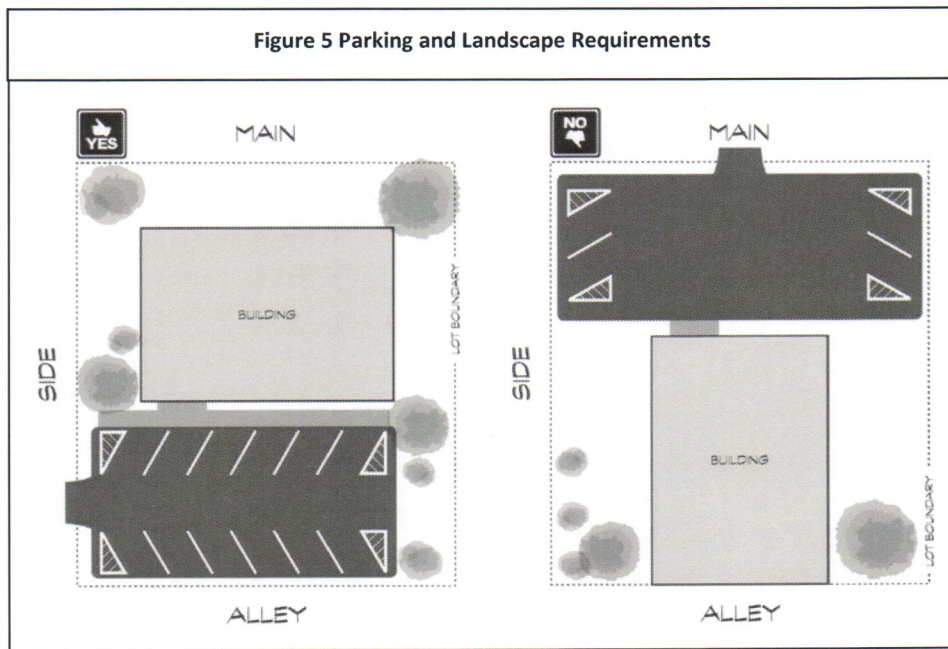
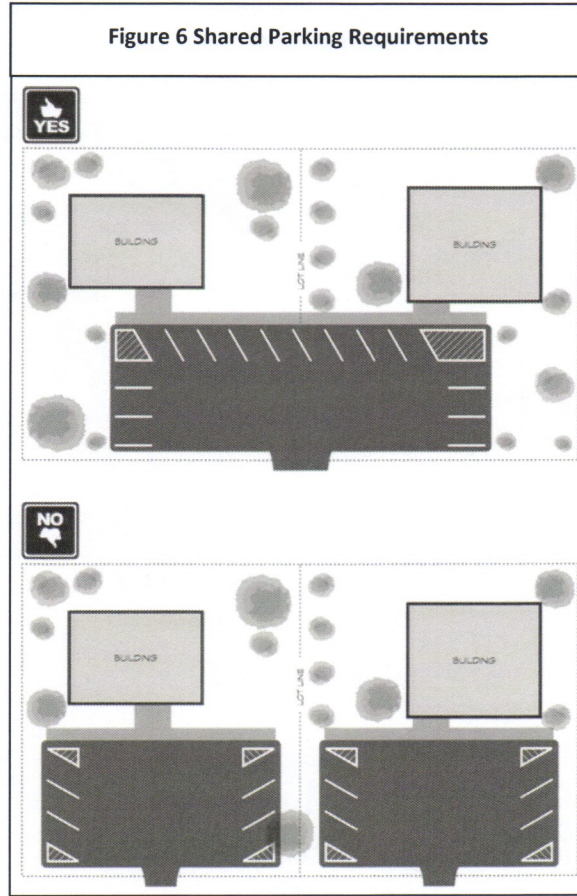


Figure 6 Shared Parking Requirements



17.25.080 Landscape Requirements

Landscaping in the form of trees, shrubs and groundcover serve several purposes: The softening of harsh building forms and paved areas, the absorption of groundwater, the reflection of seasonal color change, the provision of sound barriers, and urban wildlife habitat. If a property is located in this District and the Entryway Zoning District, parking and landscape requirements of the Downtown Overlay District shall apply.

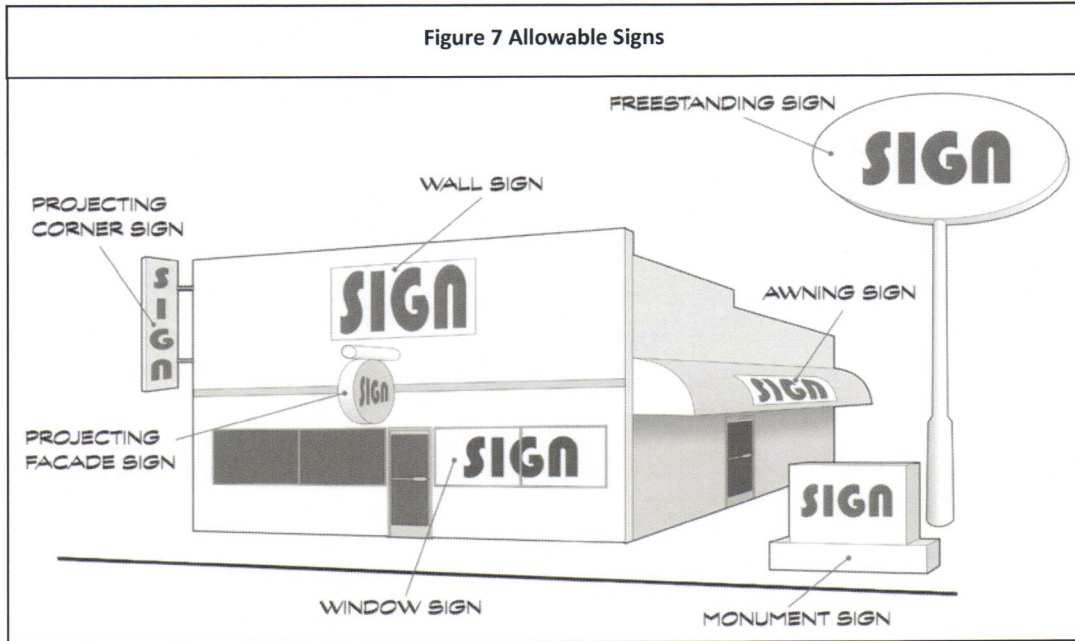
- A. Any site development where the building and parking area does not occupy 100 percent of the parcel, the remaining property must be landscaped.
- B. Landscaping should be of an indigenous species or species that are acclimated to the City's climate.
- C. Landscaping shall include a mix of plants, shrubs, sod and trees. A minimum of 50 percent of the trees shall be at least 2.5 inch in caliper size.
- D. Landscaping shall not interfere with clear vision requirements.

17.25.090 Signage Requirements

Laurel Municipal Code 15.40 governs signage within the City of Laurel. Exceptions to LMC 15.40 occur only when a property is located in a special zoning district. If a property is located in

this District and the Entryway Zoning District, signage requirements of the Entryway Zoning District shall apply.

- A. Allowable sign types include wall signs, window signs, awning signs, corner projecting signs, and projecting signs. See Figure 7.



- B. Illumination is encouraged to be internal. When external illumination is used, it must be focused only upon the sign face and must have cut off shields to prevent light spillage.
- C. Any projecting or corner projecting sign shall not extend above the roofline of the attached building.
- D. Any wall sign shall not exceed 30 percent of the area of any building façade.
- E. Electronic message boards are not permitted in this District.



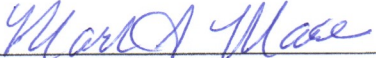
This Ordinance shall become effective thirty (30) days after final passage by the City Council and approved by the Mayor.

Introduced and passed on first reading at a regular meeting of the City Council on March 3, 2015, by Council Member Stokes.

PASSED and ADOPTED by the Laurel City Council on second reading this 17th day of March, 2015, upon motion of Council Member Nelson.

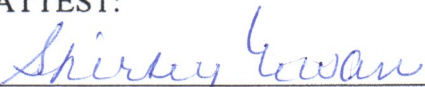
APPROVED BY THE MAYOR this 17th day of March, 2015.

CITY OF LAUREL



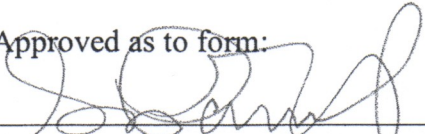
Mark A. Mace, Mayor

ATTEST:



Shirley Ewan, Clerk/Treasurer

Approved as to form:



Sam S. Painter, Civil City Attorney