

**ORDINANCE NO. O15-04**

**ORDINANCE CREATING THE SE 4<sup>TH</sup> STREET OVERLAY DISTRICT  
AND TO CODIFY THE ORDINANCE AS  
CHAPTER 17.27 OF THE LAUREL MUNICIPAL CODE.**

WHEREAS, the City and the Laurel Urban Renewal Agency (LURA) drafted regulations for the SE 4<sup>th</sup> Street Overlay District in accordance with the goals and objectives of LURA; and

WHEREAS, the City Council has determined that adopting the suggested regulations is in the best interest of the City of Laurel and its citizens.

IT IS HEREBY ORDAINED by the City Council for the City of Laurel, Montana, that Chapter 17.27 is hereby codified as follows:

**Chapter 17.27**

**SE 4<sup>TH</sup> STREET OVERLAY DISTRICT**

Sections:

17.27.010 Intent

17.27.020 District Boundaries

17.27.030 Application and Approval Process

17.27.040 Nonconformance

17.27.050 Definitions

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Figure 3 Landscape Buffer Requirements

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**17.27.010 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 SE 4<sup>th</sup> Street corridor 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.

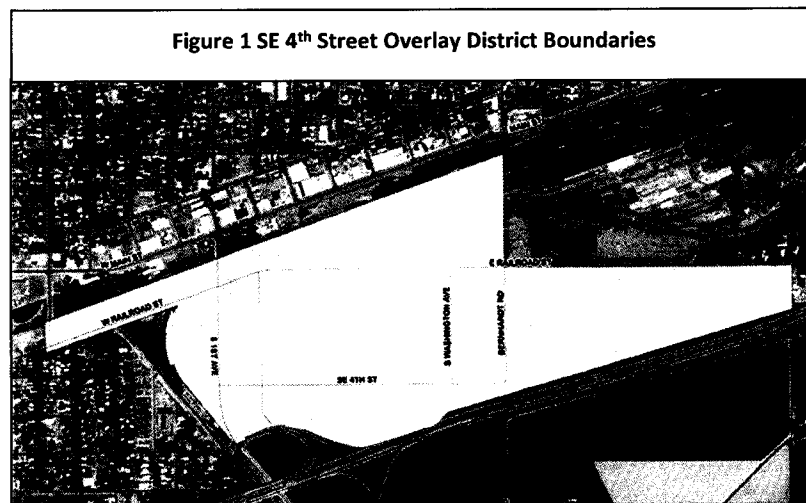
This District’s requirements are in addition to the existing zoning ordinances found in Title 17 of the Laurel Municipal Code (LMC). Single-family and two-family residential uses in the District are exempt from the provisions herein.

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.

**17.27.020 District Boundaries**

The boundaries of the District are identified in Figure 1.



### **17.27.030 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 drawing 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)

### **17.27.040 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.

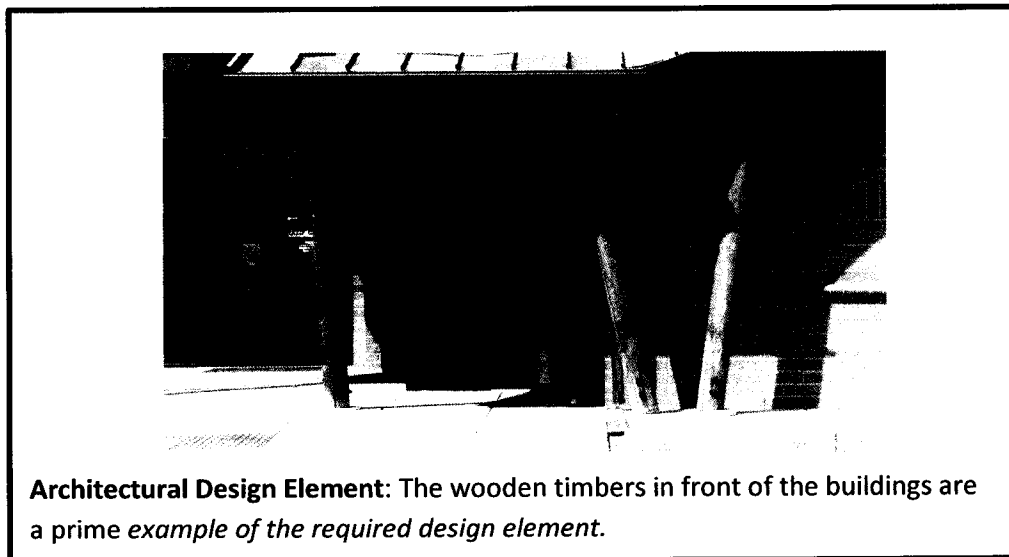
### **17.27.050 Definitions**

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. 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.
- C. 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.
- D. 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.
- E. 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.

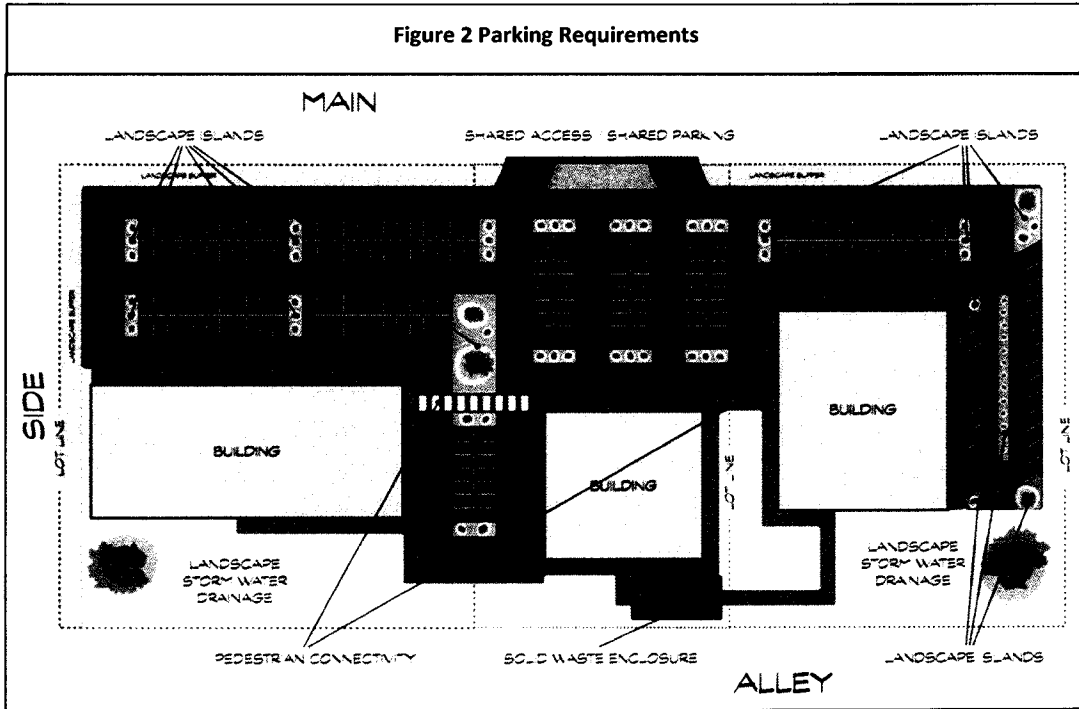
**17.27.060 Building Design Requirements**

- A. Exterior materials shall be sufficiently durable to ensure stability, maintainability, and long life. The materials to achieve a rustic western appearance are required. Buildings shall be finished with a minimum 40 percent half log and/or rock accents on the front façade.
- B. Structures not located along SE 4<sup>th</sup> street are excluded from the 40 percent threshold.
- C. Architectural Design Elements are required on the front façade. Permitted design element materials include any finish of wood, wood timbers or wooden logs.

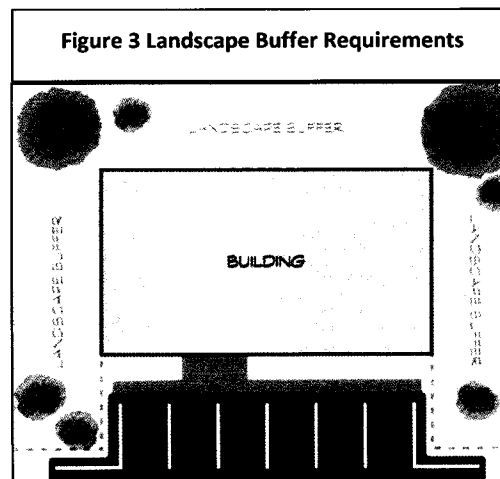


**17.27.070 Site Design Requirements**

- A. Inter-site circulation is required to provide for orderly and appropriate vehicular traffic between adjacent properties. This will also limit the number of necessary approaches on busy roadways.
- B. Parking exceeding the minimum requirement is discouraged.
- C. Landscape islands are required at the terminal ends of all parking rows.
- D. Pedestrian connectivity from parking areas to buildings shall be provided by interior sidewalks or designated, striped pedestrian crossings.
- E. Shared parking is encouraged when property owners have a written agreement as to the terms of the shared parking. The written 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 2.



- F. Landscaping must be an integral part of the site design. A landscape buffer is required as part of any site development. The buffer shall be designed to provide both screening and aesthetic effect. See Figure 3.

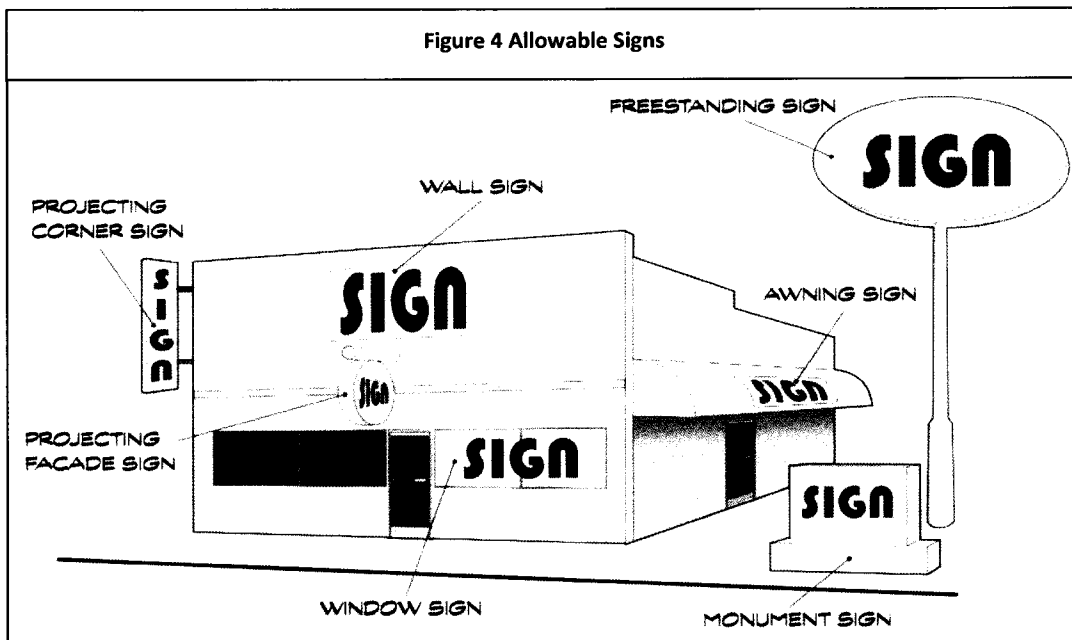


- G. Landscaping should be of an indigenous species or one that is acclimated to the City's climate.
- H. Landscaping shall include a mix of plants, shrubs, sod and trees. A minimum of 50 percent of the trees shall be at least 2.5 inch in caliper size.
- I. Landscaping shall not interfere with clear vision requirements.
- J. If a property is located in this District and the Entryway Zoning District, parking and landscape requirements of the Entryway Zoning District shall apply.

**17.27.080 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 April 21, 2015, by Council Member Stokes.

PASSED and ADOPTED by the Laurel City Council on this 5th day of May, 2015, upon motion of Council Member Nelson.

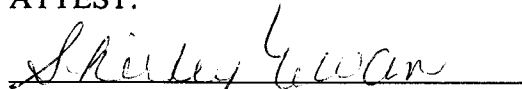
APPROVED BY THE MAYOR this 5th day of May, 2015.

CITY OF LAUREL



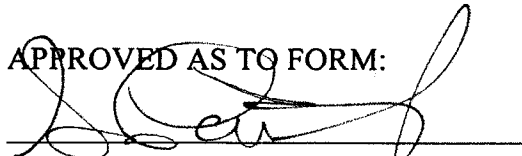
Mark A. Mace, Mayor

ATTEST:



Shirley Ewan, Clerk/Treasurer

APPROVED AS TO FORM:



Sam S. Painter, Civil City Attorney