

#### AGENDA CITY OF LAUREL CITY/COUNTY PLANNING BOARD WEDNESDAY, JANUARY 20, 2021 5:35 PM CITY COUNCIL CHAMBERS

**Public Input:** Citizens may address the committee regarding any item of business that is not on the agenda. The duration for an individual speaking under Public Input is limited to three minutes. While all comments are welcome, the committee will not take action on any item not on the agenda.

1. Roll Call

#### **General Items**

2. Approve Meeting Minutes: December 16, 2020

#### **New Business**

#### **Old Business**

3. Conditional Land Use: Soda Station Kiosk

#### **Other Items**

4. Upcoming Projects

#### **Announcements**

- 5. Adjourn
- 6. Next Meeting: February 17, 2021

The City makes reasonable accommodations for any known disability that may interfere with a person's ability to participate in this meeting. Persons needing accommodation must notify the City Clerk's Office to make needed arrangements. To make your request known, please call 406-628-7431, Ext. 2, or write to City Clerk, PO Box 10, Laurel, MT 59044, or present your request at City Hall, 115 West First Street, Laurel, Montana.

**DATES TO REMEMBER** 

#### File Attachments for Item:

2. Approve Meeting Minutes: December 16, 2020

# MINUTES CITY OF LAUREL CITY/COUNTY PLANNING BOARD WEDNESDAY, DECEMBER 16, 2020 5:35 PM

#### ONLINE - JOIN WITH:

#### HTTPS://US02WEB.ZOOM.US/J/89615296211?PWD=RJLEEKM4DXRRS1Y3 EUFTUJLLY2R0UT09

**Public Input:** Citizens may address the committee regarding any item of business that is not on the agenda. The duration for an individual speaking under Public Input is limited to three minutes. While all comments are welcome, the committee will not take action on any item not on the agenda.

#### 1. Roll Call

The Chair called the meeting to order at 5:38pm.

Dan Koch Kon Klasna Ron Benner Gavin Williams Judy Goldsby Nick Altonaga (City of Laurel)

#### **General Items**

2. Approve Meeting Minutes: October 21, 2020

The Chair moved the Minutes to the front of the agenda. (previously 3<sup>rd</sup> on the agenda)

Members reviewed the Minutes from October 21, 2020.

Jon Motioned to accept the minutes as written Ron Seconded.

Motion Carried.

3. Public Hearing: Conditional Land Use Permit - Soda Station

Nick read through the staff report, presenting the situation and staff findings. The Applicant was not present at the public hearing.

Planning Board Members discussed the Conditional Land Use Permit.

#### Ron Benner:

Traffic flow doesn't make much sense due to the location of the kiosk. Which side of the barrier is it on? This could be a big traffic problem due to pedestrian traffic. May create a hazard due to the direction of traffic.

There is a barrier between Dominos and Ricci's so there could be an issue.

Members discussed how a more central location on the rear lot would allow for easier turn-around and flow.

Members raised concerns regarding the lack of water/wastewater services. It is an unfair business advantage due to lack of full taxes paid to the city. Kiosks do not have the same costs as brick-and-mortar stores and businesses.

Biggest concern is traffic. Can't see a way to get the traffic to work.

Gavin Williams: Do not think it is our job to be traffic police.

Jon Klasna: Can we put a time limit on the length of use of a kiosk?

We can place conditions on the Conditional Land Use permit. This can include some of our concerns including:

- Applicant must utilize city waste hauling services.
- Applicant must create an agreement with nearby property for bathroom services.

Jon: Possibly set the kiosk off a lane width from the alleyway and create a turn-around area.

Dan Koch: The applicant is using everyone else's accesses to get to the stand.

Nick: We could set a time limit for the use, possibly one year.

Ron: Anticipate that there definitely will be walk ups to the stand.

Jon: Are they going to build it on site, or have it be pre-fabricated?

Ron: Suggests we postpone a recommendation to City council until the Applicant can attend the meeting and answer some questions.

Members discussed the property owners nearby.

The Chair closed the public hearing.

Ron Motioned to table the item until such time that the applicant can attend to answer additional questions.

Dan Seconded.

Jon, Dan, Ron, Judy voted in favor.

Gavin voted in opposition.

Motion Carried.

#### **New Business**

4. Sign Review - Fiesta Mexicana

Nick presented the item.

Jon was concerned about the location of the sign.

Gavin made a motion to approve the Sign Replacement for Fiesta Mexicana Ron Seconded.

Motion Carried.

#### 5. Chevrolet Sign Replacement

Nick Presented the Chevrolet Sign relocation. Provided background history. Judy provided additional background from her time on the Board. Nick suggested that the Electronic Message sign be shut down until such time that a variance can be applied for.

Gavin: Could we find another way to shut down the sign? We don't need the kind of optics that businesses are going out of businesses. Would like to give a softer answer, possibly develop a timeframe.

Members discussed the relocation and the possibility of a variance being applied for.

Gavin Motioned to approve the sign relocation with the condition that Chevrolet will apply for a variance for the current Electronic Message Board sign within 6 months and accept the ruling or shut the electronic message board sign down.

Jon Seconded.

Motion Carried.

#### **Old Business**

6. Goldberg Sporting Estates Subdivision

Nick provided an update on the Goldberg Sporting Estates Subdivision, including background for Gavin who was not present at the public hearing in October. Nick suggested a motion to deny Goldberg Sporting Estates Subdivision as presented due to a denial of variances by City Council.

Members discussed the situation and how it can move forward positively. Nick provided information on the Subdivision regulations and timelines for review.

Ron Motioned to have the Planner and City Staff communicate to the developer that the current design is ineligible, and a resubmittal of an updated subdivision design is required.

Dan Seconded.

Motion Carried.

#### **Other Items**

7. Upcoming Projects Discussion

Nick provided a brief update on projects that are under discussion.

#### **Announcements**

8. Next Meeting: January 20, 2020

#### 9. Adjourn

Ron Motioned to adjourn. Dan Seconded. Motion Carried.

Meeting adjourned at 7:14pm.

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**DATES TO REMEMBER** 

#### File Attachments for Item:

3. Conditional Land Use: Soda Station Kiosk



### LAUREL CITY-COUNTY PLANNING DEPARTMENT

#### **STAFF REPORT**

TO: Laurel City-County Planning Board / Zoning Commission

FROM: Nicholas Altonaga, Planning Director

RE: Conditional Use Permit – Soda Station – 714 1st Ave

DATE: December 12, 2020

#### **DESCRIPTION OF REQUEST**

A Conditional Land Use application was submitted by Ann Pugmire on behalf of Soda Station to construct and operate a beverage kiosk on the rear portion of the property at 714 1<sup>st</sup> Avenue. An approval of a conditional land use is required to build and operate a beverage kiosk because this use is not described or defined within the zoning district it resides in.

Owner: FIRST AVENUE CENTER LLC

Legal Description: RICCI MINOR SUB, S09, T02 S, R24 E, Lot 2, (13)

Address: 714 N. 1<sup>st</sup> Avenue

Parcel Size: 45,000 sqft.

Existing Land Use: Dominos Pizza, rear of parcel is vacant

Proposed Land Use: Non-Alcoholic Beverage Stand/Kiosk (Soda and pop)

Existing Zoning: Community Commercial (CC), Community Entryway Zoning District (CEZD)

#### **BACKGROUND AND PROCEDURAL HISTORY**

- Planning Director spoke with the applicant in November of 2020 to discuss the requirements of the application and the process.
- An application was provided to the Planning Department on November 13, 2020
- The Applicant provided additional information to the Planning Department on December 6, 2020.
- A public hearing for the Conditional Land Use is scheduled for the December 16, 2020 Planning Board meeting.
- A public hearing for the Conditional Land Use is scheduled for the January 12, 2020 City Council meeting agenda.
- The public hearing requirements of 1762.030 have been met.

#### **STAFF FINDINGS:**

The applicant is requesting approval of a conditional land use to construct and operate a beverage kiosk on the rear portion of 714 N. 1<sup>st</sup> Ave in Laurel. This use is not specifically delineated or defined within Chapter 17 of the Laurel Municipal Code. As such, a Conditional Land Use application is required. The following findings have been noted by the Planning Department after reviewing the Conditional Land Use application and supplementary documents.

- The location of the proposed beverage kiosk is zoned as Community Commercial (CC)
- The Purpose of Community Commercial zoning is primarily to "accommodate community retail, service and office facilities offering a greater variety than would normally be found in a neighborhood or convenience retail development."
- The Applicant has contacted the neighboring property owner to discuss driveway access for site traffic flow.
- The Applicant has received approval for two parking spaces, with more allocated if necessary.
- The applicant has provided a concept site plan and photos of the proposed kiosk.
- The concept plan and proposed stand pictures do not appear as if they will negatively impact the surrounding neighborhood by changing community character, lighting, or noise.
- The only mention of kiosks in the Laurel Municipal Zoning Code is within the Off-Street Parking Code.

#### PLANNING BOARD AND GOVERNING BODY REVIEW CRITERIA:

"17.62.020 – Requirements" contains the review criteria for the Zoning Commission to discuss and recommend actions on conditional land uses. The text of this subchapter is included below.

No structure or land use may be used for any purpose other than those allowed within a zoning district as specified in the zoning ordinance unless either a variance has been granted (under Chapter 17.60 or 17.64 of this code) or a conditional land use permit therefor has been provided. The zoning commission may recommend and the city can require any information that will allow the decision makers to comprehensively evaluate and decide on applications for conditional uses brought before them. The zoning commission may recommend and the city can require, after consideration of the application for conditional use, those conditions under which such land use may be allowed to include but not be necessarily limited to the following:

- A. Adequate ingress and egress with concern for vehicular and pedestrian safety and convenience, traffic flow and control, and emergency access as reviewed and approved by the city public works director;
- B. Adequate off-street parking and loading with attention to vehicular and pedestrian safety and traffic flow;

- C. Conditions that control, specify, or plan for the generation of odors, noise, hours of operation, signage, or impact on the neighborhood of natural systems;
- D. Adequate landscaping, screening, mitigation of impact on adjacent property and buffering; and
- E. Compatibility with adjacent and neighborhood land uses and Laurel's GMP.

#### STAFF SUGGESTED CONDITIONS:

The Planning Director recommends the approval of the Conditional Land Use application to operate a non-alcoholic beverage kiosk on 714 N. 1<sup>st</sup> Ave. The Planning Director suggests the Planning Board/Zoning Commission and City Council consider adopting the following conditions of approval.

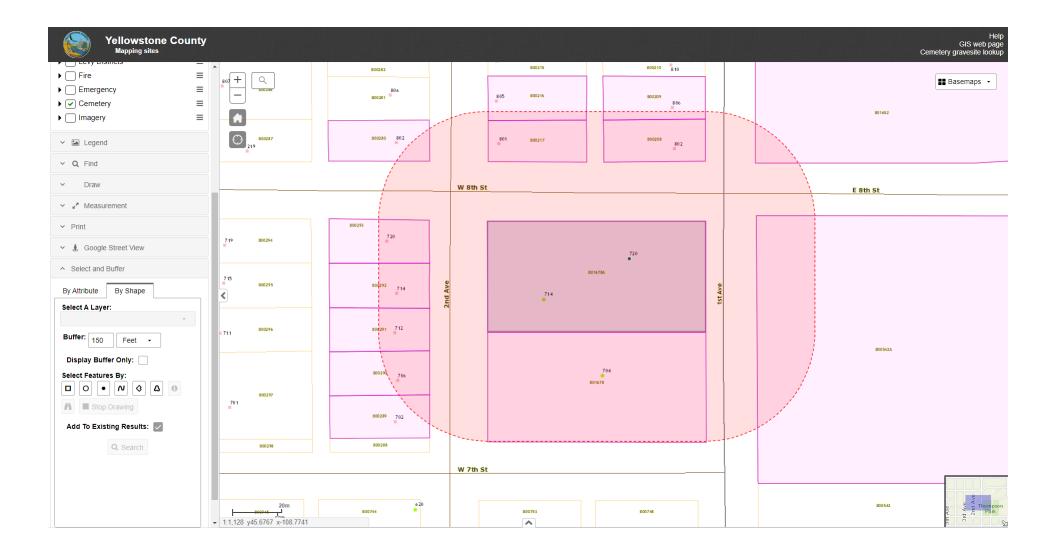
- 1. No land uses shall be established on site that are not specifically included in this approval.
- 2. Any land use not specifically included in this approval shall be considered a violation of the City of Laurel zoning ordinance.
- 3. New construction regarding the approved conditional use shall apply for building permits when applicable.
- 4. The approved land use shall comply with the zoning requirements of the district or districts the property falls within.
- 5. The approved land use shall comply to the City of Laurel Sign Code
- 6. The approved land use shall comply with the City of Laurel off-street parking requirements
- 7. The Applicant shall apply for all necessary permits and licenses prior to operating the beverage stand.

#### **ATTACHMENTS:**

- 1. Conditional Land Use Application
- 2. Map of 714 N. 1<sup>st</sup> Ave with 150ft buffer
- 3. List of property Owners within 150ft of 714 N. 1st Ave
- 4. Public Hearing Notice
- 5. Soda Station Kiosk Concept Site Plan
- 6. Soda Station Kiosk Concept Images
- 7. LMC 17.20 Commercial Industrial use Regulations
- 8. LMC 17.26 Community Entryway Zoning District
- 9. LMC 17.62 Conditional Land Uses
- 10. Additional Comments/Information provided by the Applicant.

## CITY OF LAUREL, MONTANA CONDITIONAL USE APPLICATION

| Date received:   |  |
|--|--|
| Twelve copies of this form, along with the appropriate of Secretary on the first day of the month prior to the month Zoning Commission. The Planning Board Secretary shall one copy to the Planning Director, and forward the remarkable Commission. The Planning Board Secretary shall public newspaper at least 15 days prior to the Zoning Commission considered; adjacent property owners of record within Into the Interior of the Zoning Commission. The application of the Zoning Commission application of the Zoning Commission are considered. | h in which the application shall be heard by the all note the time of receipt, keep one copy, send inder to the members of the Zoning sh notice of a public hearing in the local ion meeting at which the application will be 50 feet of the application property shall also be cant or the authorized agent must attend the |
| <ol> <li>Name of Land Owner 1st AVU CENTURY LA</li> <li>Address: 720 1st AVE</li> <li>Phone #: 406 070 7236</li> <li>Legal Description of Property asking for Condition RICCI MINOR SUB, 509, T025, F</li> </ol>   | 40   |
| <ol> <li>Address of property or general location: 120 15</li> <li>Map Showing Property Location with Circle Dra</li> <li>List of Property Owners of Record within the 150 and Recorder's Office first (4<sup>th</sup> floor of County Office second (14<sup>th</sup> floor of Wells Fargo Bank But</li> <li>Existing Zoning: 600 WWWWWW.</li> <li>Specific Land being Requested: 57 COYNER</li> </ol>  | wn within 150' thereof:  O' Perimeters. (Obtained from the County Clerk ourthouse) and the Department of Revenue wilding in downtown Billings).  |
| 10. Reason for Request: 10 DUT AU +EMPLY  11. Scaled Drawing of the property showing the prop  fences, driveways, etc.: 4th that picture   | osed use and improvements, adjacent land use,  |
| 13 Review fee paid and date paid:  | •  |
| After the public hearing for the conditional use, the Zonia to the City Council no longer than 30 working days. The conduct a second public hearing before the Council, cons Commission, and make its decision.  | City Council shall publish notice of and   |
| Scheduled before Planning Board:Sch  | eduled before City Council:  |





#### Soda Station – List of Property Owners within 150ft of 714 N. 1st Ave

| Owner Name                 | Tax Code | Legal Description   | Address         |
|----------------------------|----------|---|-----------------|
| CITY OF LAUREL             | B00542A  | S09, T02 S, R24 E, PARK IN NE4                                | E 8TH ST        |
|                            |          | MORRIS SUBD 1ST FILING, S09, T02 S, R24 E, BLOCK 7, Lot 12 -  | 203-208-210-300 |
| SCHOOL DISTRICT #7         | B01652   | 22, & LTS 11-20 BL*   | E MARYLAND LN   |
|                            |          | FIRST AVE SUBD, S09, T02 S, R24 E, BLOCK 7, Lot 2, & N37.5 FT |                 |
| FLOHR, CHAD &              | B00289   | LT 1  | 702 2ND AVE     |
| SCHREINER, ALICE E &       | B00290   | FIRST AVE SUBD, S09, T02 S, R24 E, BLOCK 7, Lot 3 - 4         | 706 2ND AVE     |
| WRIGG, HELEN A & CARLIN K  | B00291   | FIRST AVE SUBD, S09, T02 S, R24 E, BLOCK 7, Lot 5 - 6         | 712 2ND AVE     |
| KING, ROBERT J & BERNICE   | B00292   | FIRST AVE SUBD, S09, T02 S, R24 E, BLOCK 7, Lot 7 - 8         | 714 2ND AVE     |
| REIBER, DOUGLAS            | B00293   | FIRST AVE SUBD, S09, T02 S, R24 E, BLOCK 7, Lot 9 - 10        | 720 2ND AVE     |
| LAUREL OPPORTUNITIES LLC   | B01678   | RICCI MINOR SUB, S09, T02 S, R24 E, Lot 1, (13)               | 704 1ST AVE     |
| FIRST AVENUE CENTER LLC    | B01678A  | RICCI MINOR SUB, S09, T02 S, R24 E, Lot 2, (13)               | 714 1ST AVE     |
| WILLIS, DONNA M            | B00280   | FIRST AVE SUBD, S09, T02 S, R24 E, BLOCK 6, Lot 1 - 2         | 802 2ND AVE     |
| ZIMMERMAN, JOE JR & ALETTA | B00208   | FIRST AVE SUBD, S09, T02 S, R24 E, BLOCK 1, Lot 1 - 2         | 802 1ST AVE     |
| SIEGEL, NANCY J            | B00209   | FIRST AVE SUBD, S09, T02 S, R24 E, BLOCK 1, Lot 3 - 4         | 806 1ST AVE     |
| LAVELY, STEVEN R           | B00216   | FIRST AVE SUBD, S09, T02 S, R24 E, BLOCK 1, Lot 17 - 18       | 805 2ND AVE     |
| BARRETT, JASON H & PAMELA  |          |   |                 |
| LEE                        | B00217   | FIRST AVE SUBD, S09, T02 S, R24 E, BLOCK 1, Lot 19 - 20       | 801 2ND AVE     |

#### **PUBLIC HEARING NOTICE**

The Laurel City-County Planning Board and Zoning Commission will conduct a public hearing on a conditional land use application submitted by Annie Pugmire on behalf of Soda Station to operate a soda stand at 720 1<sup>st</sup> Avenue. This property is zoned Community Commercial (CC) and is within the Community Entryway Zoning district (CEZD). The Zoning Commission hearing is scheduled for **5:35PM on Wednesday**, **December 16, 2020 Via Zoom Meeting**. The meeting log-in details will be available on the meeting agenda. Additionally, the City Council has scheduled a public hearing and consideration of approval for the conditional use that is scheduled for **6:30 P.M. on Tuesday, January 12, 2021 Via Zoom Meeting**.

A Conditional Land Use Application is required to operate a soda stand at 720 1st Avenue because that type of use and structure is not described in Chapter 17.20 – Commercial – Industrial Use Regulations. The conditional land use permitting process is intended to provide a detailed and comprehensive review of the proposed use and ensure that the interest of the public, the community, and surrounding neighborhood are protected. Conditional uses that are granted by the city are site specific and run with the land. Land use changes not specifically included in the approval of the conditional use are a violation of the city zoning ordinance.

Public comment is encouraged and can be provided at the public hearings on December 16<sup>th</sup> and January 12<sup>th</sup>. Public comment can also be made via email to the Planning Director, or via letter to the Planning Department office at 115 West 1<sup>st</sup> Street Laurel, MT 59044. A copy of the conditional use application and supporting documentation is available for review upon request at the Planning Department office. Questions regarding this public hearing may be directed to the Planning Director at 628-4796 ext. 5, or via email at <a href="mailto:cityplanner@laurel.mt.gov">cityplanner@laurel.mt.gov</a>.







STM AVE · Traffic Flow DOMINOS CHIRO STATION STATION

Table 17.20.010 designates the special review (SR) and allowed (A) uses as governed by commercial — industrial use regulations.

|   |    |    |    |     |    |          |    | •  | No. |  |  |  |  |
|---|----|----|----|-----|----|----------|----|----|-----|--|--|--|--|
|   | AG | RP | NC | CBD | CC | НС       | LI | НІ | Р   |  |  |  |  |
| Accessory buildings or uses incidental and customary to a permitted     | Α  | Α  | Α  | Α   | Α  | Α        | Α  | Α  | Α   |  |  |  |  |
| residential use and located on the same parcel as the permitted         |    |    |    |     |    |          |    |    |     |  |  |  |  |
| residential use   |    |    |    |     |    |          |    |    |     |  |  |  |  |
| Airports  | Α  |    |    |     |    |          |    |    | Α   |  |  |  |  |
| Alcoholic beverages manufacturing and bottling (except below):          |    |    |    |     |    |          | Α  | Α  |     |  |  |  |  |
| 1,500 to 5,000 31-gallon barrels per year                               |    |    |    | SR  | SR | SR       | Α  | Α  |     |  |  |  |  |
| Less than 1,500 gallon barrels per year                                 |    |    |    | Α   | Α  | Α        | Α  | Α  |     |  |  |  |  |
| Ambulance service   |    |    | Α  | Α   | Α  | Α        | Α  | Α  |     |  |  |  |  |
| Antique store   |    |    |    | Α   | Α  | Α        | Α  |    |     |  |  |  |  |
| Appliance - (household) sales and service                               |    |    | Α  | Α   | Α  | Α        | Α  |    |     |  |  |  |  |
| Assembly halls and stadium  |    |    |    |     | SR | SR       | SR |    | SR  |  |  |  |  |
| Assembly of machines and appliances from previously prepared parts      |    |    |    |     | SR | SR       | SR |    | SR  |  |  |  |  |
| Auction house, excluding livestock                                      |    |    |    | SR  | SR | Α        | Α  | Α  |     |  |  |  |  |
| Auction, livestock  | SR |    |    |     |    |          |    |    |     |  |  |  |  |
| Automobile sales (new and used)   |    |    |    | Α   | Α  | Α        | Α  |    |     |  |  |  |  |
| Automobile - commercial parking enterprise                              |    |    |    | Α   | Α  | Α        | Α  | Α  |     |  |  |  |  |
| Automobile and truck repair garage                                      |    |    |    | Α   | Α  | Α        | Α  | Α  |     |  |  |  |  |
| Automobile service station  |    |    | Α  | Α   | Α  | Α        | Α  | Α  |     |  |  |  |  |
| Automobile wrecking yard  |    |    |    |     |    |          |    | SR |     |  |  |  |  |
| Bakery products manufacturing   |    |    |    |     | SR | Α        | Α  | Α  |     |  |  |  |  |
| Bakery shops and confectioneries  |    |    | Α  | Α   | Α  | Α        | Α  |    |     |  |  |  |  |
| Banks, savings and loan, commercial credit unions                       |    |    | Α  | Α   | Α  | Α        | Α  |    |     |  |  |  |  |
| Barber and beauty shops   |    |    | Α  | Α   | Α  | Α        | Α  |    |     |  |  |  |  |
| Bed and breakfast inns  | Α  |    | Α  |     | Α  | Α        |    |    |     |  |  |  |  |
| Bicycle sales and repair  |    |    | Α  | Α   | Α  | Α        | Α  |    |     |  |  |  |  |
| Blueprinting and photostating   |    |    | Α  | Α   | Α  | Α        | Α  |    |     |  |  |  |  |
| Boarding and lodging houses   | Α  |    | Α  |     | Α  | Α        |    |    |     |  |  |  |  |
| Boat building and repair  |    |    |    |     |    | Α        | Α  | Α  |     |  |  |  |  |
| Boat sales new and used   |    |    |    |     | Α  | Α        | Α  | Α  |     |  |  |  |  |
| Boiler works (manufacturing servicing)                                  |    |    |    |     |    |          |    | Α  |     |  |  |  |  |
| Boiler works (repair and servicing)                                     |    |    |    |     |    |          | Α  | Α  |     |  |  |  |  |
| Book and stationery store   |    |    | Α  | Α   | Α  | Α        | Α  |    |     |  |  |  |  |
| Bottling works  |    |    |    |     |    |          | Α  | Α  |     |  |  |  |  |
| Bowling alleys  |    |    |    | Α   | Α  | Α        | Α  |    |     |  |  |  |  |
| Brick, tile or terra cotta manufacture                                  |    |    |    |     |    |          |    | Α  |     |  |  |  |  |
| Bus passenger terminal buildings local and cross country                |    |    |    | Α   | Α  | Α        | Α  |    |     |  |  |  |  |
| Bus repair and storage terminals  |    |    |    |     |    | Α        | Α  | Α  |     |  |  |  |  |
| Camera supply stores  |    |    | Α  | Α   | Α  | Α        | Α  |    |     |  |  |  |  |
| Camps, public   |    |    |    |     | SR | Α        |    |    | Α   |  |  |  |  |
| Car washing and waxing  |    |    |    |     | Α  | Α        | Α  |    |     |  |  |  |  |
| Car wash - coin operated  |    |    | Α  | Α   | Α  | Α        | Α  |    |     |  |  |  |  |
| Cement, lime and plastic manufacture                                    |    |    |    |     |    |          |    | Α  |     |  |  |  |  |
| Ceramics shop   |    | SR | Α  | Α   | Α  | Α        | Α  |    |     |  |  |  |  |
| Chemical and allied products manufacture                                |    |    |    |     |    |          |    | Α  |     |  |  |  |  |
| Child care facilities   | Α  |    | Α  |     | Α  | Α        |    |    |     |  |  |  |  |
| Churches and other places of worship including parish houses and Sunday | Α  | SR | Α  | Α   | Α  | Α        | Α  | Α  |     |  |  |  |  |
| school building   |    |    |    |     |    |          |    |    |     |  |  |  |  |
| Clinic, animal  | Α  |    | Α  | Α   | Α  | Α        | Α  |    |     |  |  |  |  |
| Clinics, medical and dental   |    | SR | Α  | Α   | Α  | Α        | Α  |    |     |  |  |  |  |
| Clothing and apparel stores   |    |    | Α  | Α   | Α  | Α        | Α  |    |     |  |  |  |  |
| Coal or coke yard   |    |    |    |     |    |          |    | Α  |     |  |  |  |  |
| Cold storage  |    |    |    |     | Α  | Α        | Α  |    |     |  |  |  |  |
| Colleges or universities  |    |    | Α  | Α   | Α  | Α        |    |    | Α   |  |  |  |  |
| Commercial recreation areas   |    |    | SR | Α   | Α  | <u> </u> |    |    | A   |  |  |  |  |

Table 17.20.010 designates the special review (SR) and allowed (A) uses as governed by commercial — industrial use regulations.

|  | AG | RP | NC | CBD | CC | HC | LI | HI | Р  |  |  |  |
|--|----|----|----|-----|----|----|----|----|----|--|--|--|
| Commercial food products, storage and packaging                |    |    |    |     |    | SR | Α  | Α  |    |  |  |  |
| Communication towers (commercial)                              | Α  | Α  | Α  | Α   | Α  | Α  | Α  | Α  | SR |  |  |  |
| Concrete mixing plants and manufacturing of concrete products  |    |    |    |     |    |    | Α  | Α  |    |  |  |  |
| Construction contractors:                                      |    |    |    |     |    |    |    |    |    |  |  |  |
| Office   |    |    | Α  | Α   | Α  | Α  | Α  | Α  |    |  |  |  |
| Open storage of construction materials or equipment            |    |    |    |     |    | SR | Α  | Α  |    |  |  |  |
| Community residential facilities:                              |    |    |    |     |    |    |    |    |    |  |  |  |
| Adult foster family care home                                  | Α  |    | Α  |     | Α  | Α  |    |    |    |  |  |  |
| Community group home   | Α  |    | Α  |     | Α  | Α  |    |    |    |  |  |  |
| Halfway house  | Α  |    | Α  |     | Α  | Α  |    |    |    |  |  |  |
| Youth foster home  | Α  |    | Α  |     | Α  | Α  |    |    |    |  |  |  |
| Youth group home   | Α  |    | Α  |     | Α  | Α  |    |    |    |  |  |  |
| Nursing, homes, convalescent homes, orphanages, and charitable | Α  |    | Α  |     | Α  | Α  |    |    |    |  |  |  |
| institutions   |    |    |    |     |    |    |    |    |    |  |  |  |
| Crematorium  |    |    |    |     |    | SR | Α  | Α  | SR |  |  |  |
| Creameries, dairy products manufacturing                       |    |    |    |     |    |    | Α  | Α  |    |  |  |  |
| Creosote manufacturing or treatment plants                     |    |    |    |     |    |    |    | Α  |    |  |  |  |
| Department stores  |    |    |    | Α   | Α  | Α  | Α  |    |    |  |  |  |
| Drug stores  |    |    | Α  | Α   | Α  | Α  | Α  |    |    |  |  |  |
| Dry kiln   |    |    |    |     |    |    |    | Α  |    |  |  |  |
| Dwellings: single-family Manufactured home                     | А  | Α  | Α  | Α   | Α  |    |    |    |    |  |  |  |
| Class A, Class B, Class C                                      |    |    |    |     |    |    |    |    |    |  |  |  |
| two family   |    |    | Α  | Α   | Α  |    |    |    |    |  |  |  |
| multiple family  |    |    | Α  | Α   | Α  |    |    |    |    |  |  |  |
| row housing  |    |    | SR | SR  | SR |    |    |    |    |  |  |  |
| Eating and drinking establishments:                            |    |    |    |     |    |    |    |    |    |  |  |  |
| Cocktail lounge, restaurants, bars and taverns                 |    |    |    | SR  | SR | SR | SR |    |    |  |  |  |
| Restaurants (without the sale of alcoholic beverages)          |    |    |    | Α   | Α  | Α  | Α  |    |    |  |  |  |
| Drive-in restaurants   |    |    |    |     | SR | SR | SR |    |    |  |  |  |
| Extractive industries - excavations of sand and gravel         |    | SR |    |     |    |    | SR |    |    |  |  |  |
| Farm implements, sales and service                             |    |    |    |     |    | Α  | Α  | Α  |    |  |  |  |
| Fat rendering or production of fats and oils                   |    |    |    |     |    |    |    | SR |    |  |  |  |
| Feedlots – livestock   | Α  |    |    |     |    |    |    | SR |    |  |  |  |
| Feed and seed processing and cleaning for retail purposes      |    |    |    |     |    |    |    |    |    |  |  |  |
| Feed and seed - farm and garden retail sales                   |    |    |    |     | Α  | Α  | Α  |    |    |  |  |  |
| Fertilizer manufacturing                                       |    |    |    |     |    |    |    | SR |    |  |  |  |
| Fertilizer wholesale sales                                     |    |    |    |     |    | SR | SR | Α  |    |  |  |  |
| Fertilizer - retail sales                                      |    |    |    |     | Α  | Α  | Α  |    |    |  |  |  |
| Florist, wholesale sales                                       | SR |    |    |     | Α  | Α  | Α  |    |    |  |  |  |
| Florist, retail sales  |    |    | Α  | Α   | Α  | Α  | Α  |    |    |  |  |  |
| Flour mills  |    |    |    |     |    |    | SR | SR |    |  |  |  |
| Food products manufacturing, storage and processing            |    |    |    |     |    | SR | SR | Α  |    |  |  |  |
| Food stores (retail only)                                      |    |    |    | Α   | Α  | Α  | Α  |    |    |  |  |  |
| Food stores (retail only) - 3000 sq. ft.                       |    |    | Α  | Α   | Α  | Α  | Α  |    |    |  |  |  |
| Foundry  |    |    |    |     |    |    |    | Α  |    |  |  |  |
| Frozen food lockers  |    |    |    |     | Α  | Α  | Α  |    |    |  |  |  |
| Fuel oil, gasoline and petroleum products bulk storage or sale |    |    |    |     |    | Α  | Α  | Α  |    |  |  |  |
| Furnace repair and cleaning                                    |    |    |    |     | Α  | Α  | Α  | Α  |    |  |  |  |
| Furniture and home furnishings, retail sales                   |    |    | Α  | Α   | Α  | Α  | Α  |    |    |  |  |  |
| Furriers, retail sales and storage                             |    |    | Α  | Α   | Α  | Α  | Α  |    |    |  |  |  |
| Gambling establishments  |    |    |    | Α   | Α  | Α  | Α  |    |    |  |  |  |
| Garbage, offal and animal reduction or processing              |    |    | ļ  |     |    |    | SR |    |    |  |  |  |
| Garbage and waste incineration                                 |    |    |    |     |    |    |    | SR |    |  |  |  |
| Gas storage  |    |    |    |     |    |    |    | SR |    |  |  |  |

Table 17.20.010 designates the special review (SR) and allowed (A) uses as governed by commercial — industrial use regulations.

|  |    |    |    |     |    |          |  | •  | ALI AL STORY |
|--|----|----|----|-----|----|----------|--|----|--------------|
|  | AG | RP | NC | CBD | СС | нс       | LI   | НІ | Р            |
| Gases or liquified petroleum gases in approved portable metal containers |    |    |    |     |    | Α        | Α  | Α  |              |
| for storage or sale  |    |    |    |     |    |          |  |    |              |
| Grain elevators  | Α  |    |    |     |    | SR       | SR   | Α  |              |
| Greenhouses  | Α  |    |    |     | Α  | Α        | Α  | Α  |              |
| Hardware, appliance and electrical supplies, retail sales                |    |    |    | Α   | Α  | Α        | Α  |    |              |
| Hatcheries   | Α  |    |    |     |    |          | SR   | SR |              |
| Heliports  |    |    |    | SR  |    | SR       | SR   | SR | SR           |
| Hobby and toy stores   |    |    | Α  | Α   | Α  | Α        | Α  |    |              |
| Hospitals (for the care of human patients)                               |    |    | Α  | Α   | Α  | Α        |  | Α  |              |
| Hospital, animal   |    | Α  |    | SR  | SR | Α        | Α  | Α  |              |
| Hotels   |    |    |    | Α   | Α  | Α        |  |    |              |
| Industrial chemical manufacture except highly corrosive, flammable or    |    |    |    |     |    |          |  | SR |              |
| toxic materials  |    |    |    |     |    |          |  |    |              |
| Irrigation equipment sales and service                                   |    |    |    |     | Α  | Α        | Α  | Α  |              |
| Jails and penal institutes   |    |    |    |     |    |          |  |    | Α            |
| Janitor service  |    |    |    | Α   | Α  | Α        | Α  |    |              |
| Jewelry and watch sales  |    |    | Α  | Α   | Α  | Α        | Α  |    |              |
| Kennels – commercial   | Α  |    |    |     | SR | Α        | Α  |    |              |
| Laboratories for research and testing                                    |    |    |    |     |    | SR       | Α  | Α  |              |
| Landfills - reclamation or sanitary                                      |    |    |    |     |    |          |  |    | Α            |
| Laundries, steam and dry-cleaning plants                                 |    |    |    |     |    |          | Α  | Α  |              |
| Laundries, steam pressing, dry-cleaning and dyeing establishments in     |    |    | Α  | Α   | Α  | Α        | Α  |    |              |
| conjunction with a retail service counter under 2500 sq. ft. in size     |    |    |    |     |    |          |  |    |              |
| Laundries, pick up stations  |    |    | Α  | Α   | Α  | Α        | Α  |    |              |
| Laundries, self-service coin operated                                    |    |    | Α  | Α   | Α  | Α        | Α  |    |              |
| Libraries, museums, and art galleries                                    |    |    | Α  | Α   | Α  | Α        | Α  |    | Α            |
| Lock and gunsmiths   |    |    | Α  | Α   | Α  | Α        | Α  |    |              |
| Lodges, clubs, fraternal and social organizations provided that any such |    |    |    | Α   | Α  | Α        |  |    |              |
| club establishment shall not be conducted primarily for gain             |    |    |    |     |    |          |  |    |              |
| Lumber yards, building materials, storage and sales                      |    |    |    |     |    | Α        | Α  | Α  |              |
| Machine shops  |    |    |    |     |    | SR       | Α  | Α  |              |
| Manufacturing - light manufacturing not otherwise mentioned in which     |    |    |    |     |    | SR       | Α  | Α  |              |
| no excessive fumes, odors, smoke, noise or dust is created               |    |    |    |     |    |          |  |    |              |
| Heavy manufacturing not otherwise mentioned or blending or mixing        |    |    |    |     |    | SR       | SR   |    |              |
| plants   |    |    |    |     |    |          |  |    |              |
| Meat processing - excluding slaughter plants                             |    |    |    |     |    | SR       | Α  |    |              |
| Meat processing, packing and slaughter                                   |    |    |    |     |    |          |  | SR |              |
| Medical marijuana cultivation facility or cultivation facility           |    |    |    |     |    |          | Α  | Α  |              |
| Medical marijuana dispensary or dispensary                               |    |    |    |     |    |          | Α  |    |              |
| Metal fabrication  |    |    |    |     |    | SR       | SR   | Α  |              |
| Motorcycle sales and repair  |    |    |    | Α   | Α  | Α        | Α  |    |              |
| Mortuary   |    |    | Α  | Α   | Α  | Α        | Α  |    |              |
| Motels and motor courts  |    |    |    | Α   | Α  | Α        |  |    |              |
| Music stores   |    |    | Α  | Α   | Α  | Α        | Α  |    |              |
| Office building, professional government and private office buildings in | SR | SR | Α  | Α   | Α  | Α        | Α  | Α  | SR           |
| which no activity is carried on catering to retail trade and no stock of |    |    |    |     |    |          |  |    |              |
| goods is maintained for sale   |    |    |    |     |    |          |  |    |              |
| Office equipment, supplies and service                                   |    |    | Α  | Α   | Α  | Α        | Α  |    |              |
| Optician and optical supplies and sales                                  |    |    | Α  | Α   | Α  | Α        | Α  |    |              |
| Oxygen manufacturing and/or storage                                      |    |    |    |     |    |          |  | Α  |              |
| Paint and body shops   |    |    |    | Α   | Α  | Α        | Α  | A  |              |
| Paint and retail sales   |    | 1  | Α  | A   | A  | Α        | Α  | Ė  |              |
| Parking, public  |    | SR | A  | A   | Α  | Α        | Α  | Α  | Α            |
| · O/ p · · · · · ·   | 1  |    |    |     |    | <u> </u> | <del>                                     </del> |    | Ħ            |

Table 17.20.010 designates the special review (SR) and allowed (A) uses as governed by commercial — industrial use regulations.

|  | AG | RP | NC | CBD | СС | нс | LI | н  | Р  |
|--|----|----|----|-----|----|----|----|----|----|
| Parks, playgrounds, playfields and golf courses, community center        | Α  | SR |    |     |    |    |    |    | Α  |
| buildings - operated by public agency, neighborhood or homeowner's       |    |    |    |     |    |    |    |    |    |
| association  |    |    |    |     |    |    |    |    |    |
| Pawn shops   |    |    |    | Α   | Α  | Α  | Α  |    |    |
| Pet shops  |    |    | Α  | Α   | Α  | Α  | Α  |    |    |
| Photographic studios   |    | SR | Α  | Α   | Α  | Α  | Α  |    |    |
| Planing or saw mills   |    |    |    |     |    |    |    | Α  |    |
| Post-secondary school  | Α  | Α  | Α  | Α   | Α  | Α  |    |    | Α  |
| Prefabricated building materials assembly and manufactures               |    |    |    |     |    | SR | Α  | Α  |    |
| Preschool  | Α  | SR | SR | SR  |    |    |    |    |    |
| Printing, publishing, reproduction and lithography                       |    |    |    | Α   | Α  | Α  | Α  | Α  |    |
| Processing of previously slaughtered meats, including cutting, wrapping, |    |    |    |     | Α  | Α  | Α  | Α  |    |
| and freezing by freezer and locker provisioners                          |    |    |    |     |    |    |    |    |    |
| Public utilities service installations                                   | SR | SR | SR | Α   | Α  | Α  | Α  | Α  | SR |
| Public utilities storage yard  |    |    |    |     |    | Α  | Α  | Α  | SR |
| Radio and TV broadcasting stations                                       |    |    |    | Α   | Α  | Α  | Α  | Α  |    |
| Radio and TV tower   |    |    |    |     |    | Α  | Α  | Α  | SR |
| Railroad yard  |    |    |    |     |    |    | Α  | Α  |    |
| Real estate office   |    |    | Α  | Α   | Α  | Α  | Α  |    |    |
| Rental service store and yard  |    |    |    |     | Α  | Α  | Α  |    |    |
| Repair and servicing of industrial equipment and machinery               |    |    |    |     |    | Α  | Α  | Α  |    |
| School, commercial   |    |    | Α  | Α   | Α  | Α  |    |    | Α  |
| Scrap yards - storage and processing                                     |    |    |    |     |    |    |    | Α  |    |
| Secondhand stores and/or antique store                                   |    |    |    | Α   | Α  | Α  | Α  |    |    |
| Sheet metal shops and processing   |    |    |    |     |    |    | Α  | Α  |    |
| Shoe repair  |    |    |    | Α   | Α  | Α  | Α  | Α  |    |
| Sign manufacturing, painting and maintenance                             |    |    |    |     |    | Α  | Α  | Α  |    |
| Sign   |    |    |    |     |    |    |    |    |    |
| Billboards   | SR |    |    |     |    | SR | SR | SR |    |
| On premises  | Α  | SR | Α  | Α   | Α  | Α  | Α  | Α  |    |
| Off premises   | SR |    |    | SR  | SR | SR | SR | SR |    |
| Slaughterhouse   | SR |    |    |     |    |    |    | SR |    |
| Sporting goods sales   |    |    |    | Α   | Α  | Α  | Α  |    |    |
| Storage, compartmentalized storage for commercial rent                   |    |    |    |     |    |    | SR | SR |    |
| Storage and warehouse and yards  |    |    |    |     |    |    | SR | Α  |    |
| Stone cutting, monuments manufacturing and sales                         |    |    |    |     |    |    | SR | Α  |    |
| Sugar and sugar beet refining  |    |    |    |     |    |    |    | SR |    |
| Swimming pools or beaches, public  |    |    |    |     |    |    |    |    | Α  |
| Taxi stands  |    |    |    | Α   | Α  | Α  | Α  |    |    |
| Theaters, cinema, opera houses   |    |    |    | Α   | Α  | Α  |    |    |    |
| Drive-in theaters  |    |    |    |     |    | SR |    |    |    |
| Tire recapping and retreading  |    |    |    |     |    | Α  | Α  | Α  |    |
| Trailer and recreational vehicle sales area                              |    |    |    |     | Α  | Α  | Α  |    |    |
| Travel trailer park (transient)  |    |    |    |     |    | SR |    |    |    |
| Truck terminals, repair shops, hauling and storage yards                 |    |    |    |     |    | Α  | Α  | Α  |    |
| Water and sewage treatment plant   | Α  |    |    |     |    |    |    |    | Α  |
| Wholesale and jobbing establishments                                     |    |    |    |     |    | SR | Α  | Α  |    |
| Woodworking shops, millwork  |    |    |    |     |    | SR | Α  | Α  |    |
| Zoo, arboretum   | SR |    |    |     |    |    |    |    | Α  |

(Ord. No. O09-01, 3-17-09; Ord. No. O09-07, 7-7-09; Ord. No. O11-01, 2-15-2011; Ord. No. O-14-03, 8-5-2014)

#### Chapter 17.62 - CONDITIONAL LAND USES

17.62.010 - Purpose.

The purpose of conditional land uses is to provide for specific uses, other than those already allowed in each zoning district, which may be compatible uses in the district under certain safeguards or conditions. The conditional land use permitting process is intended to provide a detailed and comprehensive review of such proposed, compatible developments and to insure the interest of the public, the community, and the larger neighborhood area are protected. Conditional uses, once granted by the city, are sight specific and run with the land. Land use changes not specifically included in the approval of a conditional use are a violation of the city zoning ordinance.

(Ord. 03-4 (part), 2003)

17.62.020 - Requirements.

No structure or land use may be used for any purpose other than those allowed within a zoning district as specified in the zoning ordinance unless either a variance has been granted (under Chapter 17.60 or 17.64 of this code) or a conditional land use permit therefor has been provided. The zoning commission may recommend and the city can require any information that will allow the decision makers to comprehensively evaluate and decide on applications for conditional uses brought before them. The zoning commission may recommend and the city can require, after consideration of the application for conditional use, those conditions under which such land use may be allowed to include but not be necessarily limited to the following:

- A. Adequate ingress and egress with concern for vehicular and pedestrian safety and convenience, traffic flow and control, and emergency access as reviewed and approved by the city public works director;
- B. Adequate off-street parking and loading with attention to vehicular and pedestrian safety and traffic flow;
- C. Conditions that control, specify, or plan for the generation of odors, noise, hours of operation, signage, or impact on the neighborhood of natural systems;
- D. Adequate landscaping, screening, mitigation of impact on adjacent property and buffering; and
- E. Compatibility with adjacent and neighborhood land uses and Laurel's GMP.

(Ord. 03-4 (part), 2003)

17.62.030 - Application process.

Twelve copies of the conditional use application form and required review fee shall be submitted to the planning board secretary thirty working days prior to the regularly scheduled zoning commission/planning board meeting at which the application will be considered. The planning board secretary shall note the time of receipt, keep one copy, send one copy to the city planner, and forward the remainder to the members of the zoning commission.

A. The zoning commission shall publish notice of public hearing in the local newspaper at least fifteen days prior to the zoning commission meeting at which the application will be considered; adjacent property owners of record within one hundred fifty feet of the application property shall also be notified by mail by the zoning commission. The applicant or

the authorized agent must attend the public hearings before both the zoning commission and the city council.

- B. The conditional use application shall include twelve copies of:
  - 1. Conditional use application form;
  - 2. Legal description of the property;
  - 3. Address or general location of property;
  - 4. Existing zoning;
  - 5. Specific land use being requested;
  - 6. Reason for request;
  - 7. Scaled drawings of the subject property, proposed use, existing buildings and improvements, adjacent land use, fences, etc.;
  - 8. Other information as may be needed by the zoning commission;
  - 9. Name, address and telephone number of owner of record;
  - 10. Name, address and telephone number of agent of owner of record;
  - 11. List of current property owners adjacent to and within one hundred fifty feet of the parcel for which a conditional use permit is sought;
  - 12. Review fee.
- C. After the public hearing for the conditional use, the zoning commission shall delay its recommendation to city council no longer than thirty working days. The city council shall publish notice of and conduct a second public hearing before the council, consider the recommendation of the zoning commission and make its decision.

(Ord. 03-4 (part), 2003)

#### Chapter 17.26 - COMMUNITY ENTRYWAY ZONING DISTRICT

#### Sections:

17.26.010 - Intent.

The purpose of the Laurel Entryway Zoning District is to regulate outdoor advertising, outdoor advertising signs, and outdoor signs of all types, to provide fair and comprehensive regulations that will foster a good visual environment for Laurel, enhancing the area in which we live, and creating an aesthetic and enjoyable appearance for our visitors and our residents.

The natural landscape in the Yellowstone Valley is a major influence on the form and character of Laurel. Residents appreciate being able to see the Beartooth Range, the river's corridor of trees, and the large expanse of sky. The intent of the Community Entryway Zoning District (EZD) is to promote attractive, high quality development and to provide an appealing image of the city of Laurel to the traveling public and the people of the community and region. Further, it is the intent of this district to maintain a sensitivity toward existing development while preserving scenic vistas and the pastoral ambience and protecting environmentally sensitive areas. Creativity in meeting these requirements is encouraged with the overall intent of all development representing the image and economy of the Laurel area—and not just a reflection of the same commercial buildings, signage, and parking lots that are seen alongside the interstate across the nation.

Projects in the vicinity of large natural areas/corridors shall be designed to compliment the visual context of the natural area. Techniques include architectural design, site design, use of native landscaping, and choices of colors and building materials shall be utilized in such manner that scenic views across or through the site are protected and man-made facilities are screened from off-site observers and blend with the natural visual character of the area.

This overlay district provides requirements that are in addition to the existing, underlying zoning districts in the jurisdictional area of the city of Laurel and are in addition to the signage standards of the city of Laurel Municipal Sign Code. Except for signage applications, residential uses in the Entryway Zoning District are exempt from the provisions herein.

The intent of this section is to:

- A. Promote a physical landscape that will assist in making Laurel an attractive place to live and work and be inviting to new industries;
- B. Encourage creativity in design and quality in site planning and development;
- C. Reduce the level of adverse impacts from the transportation system on adjoining lands;
- D. Promote development patterns in harmony with the goals and objectives of Laurel's Growth Management Plan;
- H. Promote compatible land use transitions with a sensitivity toward existing residential uses.

Non-commercial/industrial uses falling within the EZD are exempt from the requirements of the EZD except as such requirements pertain to signage.

(Ord. 02-31, 2002)

17.26.030 - Location of district.

The Community Entryway Zoning District (EZD) shall extend three hundred feet on either side of Interstate 90 right-of way as it extends through the Laurel Zoning Jurisdiction Area, an area that extends outside the city municipal limits one mile. Specifically, along the interstate the EZD shall extend as described from the east limit of the extra-territorial zoning boundary west to the limit of the west extra-territorial boundary. The district shall also include that area three hundred feet on either side of the north extra-territorial boundary on Buffalo Trail Road south through Laurel on First Avenue to where First Avenue turns into US Highway 212-310

(Ord. 02-31, 2002)

(Ord. No. O15-03, 5-5-2015)

17.26.040 - Application and approval process.

- A. All plans and applications for development shall be submitted to the city-county planning board. All applications involving signs shall be submitted to the public works department which shall provide a copy thereof to the planning board. All applications must be submitted and signed by the property owner, lessee, the contract purchaser, or the authorized agent of the property owner. Approval is required prior to any construction activity.
- B. Each application shall 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 locations of all structures, streets, paving, parking, landscaping, signage, waterways or other significant features of the development;
  - 6. Complete elevation drawings drawn to scale including the dimensions and height of the structure;
  - 7. Signage Plan specifications, location, and ground lighting pattern (applications for signs only—see Section 17.26.050); and
  - 8. Application review fee.
- C. Within fifteen working days following the submittal of a complete application, the planning director, other city designee, or the public works department (in the case of signs) shall issue approval for development or sign 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.

(Ord. 02-31, 2002)

17.26.050 - Definitions.

All terms shall have the same meanings as defined elsewhere in the city zoning ordinance or city signage regulations. The standard dictionary meaning shall be applied to terms not otherwise defined.

(Ord. 02-31, 2002)

#### 17.26.052 - Development standards.

#### A. Signage.

- 1. Review Consideration. Signage in the EZD needs to recognize the relationship between adjacent land uses and the natural features of the location such as existing views and proximity to residences. Although signs perform a function in providing information concerning services, products, and business, a profusion of signs produces a cumulative effect that cancels out individual effectiveness and detracts from the appearance of the community as a whole. All signage shall be reviewed with the following considerations and criteria:
  - a. Use of subdued, low-key colors;
  - b. Location, size, and height that do not obstruct views of the community, the river corridor, traditional open spaces, or the mountains;
  - c. Sign is built of permanent, durable materials;
  - d. Size and location avoids or minimizes the sense of clutter with nearby signs;
  - e. The sign is professionally prepared and finished on both sides;
  - f. The location and placement of the sign will not endanger motorists or pedestrians and does not interfere with the clear vision triangle at street, railroad, or street driveway intersections;
  - The sign will not cover or blanket any prominent view of a structure or façade of historical or architectural significance;
  - h. The sign will not obstruct views of users of adjacent buildings to side yards, yards or to nearby open space;
  - The sign will not negatively impact the visual quality of a public open space such as a recreation facilities, square, plaza, court yard and the like;
  - j. The sign cannot be seen from the Yellowstone River or any city, county or state park or—if it can be seen—it must be located one thousand feet from the boundaries of such spaces.
- 2. Only one sign is allowed per parcel of record and there shall be at least one thousand feet between signs.
- 3. A construction permit is required whenever the sign copy is changed and any alterations to the sign are made.
- 4. Signs shall be limited to one hundred sixty square feet in copy area.
- 5. Non-conforming signs are required to be brought into compliance with this section within six years from the date of adoption of this ordinance or upon the earliest occurrence of the following events.
  - a. The sign is relocated or replaced;

- b. The structure or size of the sign is altered in any way;
- The sign suffers more than fifty percent appraised damage or deterioration or the sign is taken out of service for any reason, such as being knocked down by weather or other means;
- d. If any non-conforming sign is abandoned or voluntarily discontinued for a period of one hundred eighty days, any subsequent use must be in conformity with this ordinance. An abandoned sign is a sign which no longer identifies or advertises a bona fide business, lessor, service, owner, product, or activity, and/or for which no legal owner can be found. An abandoned sign is to be removed by the owner within fifteen days of notice from the public works department.
- 6. No portable signs as described in the city signage ordinance are allowed in the EZD.
- 7. Transit Bus Benches. Transit bus benches, with or without advertising, may be placed within the city right-of-way upon application and approval of the ADA coordinator, the transit administrator and in consultation with the public work director. All benches must comply with any applicable city, state, and or/federal standards or regulations. The city may approve a bench provider, with or without advertising, pursuant to its procurement policy, as amended.
- 8. Lighting. All sign lighting must incorporate cut-off shields to direct light downward. Luminaries shall not be visible from adjacent streets or properties. A sign's lighting will not cause hazardous or unsafe driving conditions for motorists and will not glare, reflect, or spill onto adjacent business or residential areas.

#### B. Building Design Standards.

- 1. All buildings shall be completed on all sides with one of the following finishing material: brick, fluted block, colored textured block, glass, stucco, architectural concealed fastener metal panels, exterior insulation and finishing systems (i.e., Dryvit, etc.), stone or wood. Exposed seam metal buildings shall be prohibited unless covered with an acceptable finishing material.
- 2. Roofs shall be finished with a material that is architecturally compatible in color and design with the construction of the building. Metal roofs, fascia, and mansards shall be limited to the following: standing seam, metal shakes or shingles and architectural metal treatments. All mechanical equipment placed on top of any roof shall be screened by a parapet or other similar architectural apparatus being at least the height of the mechanical equipment. Pitched roofs are encouraged whenever possible.
- 3. Long, flat facades that front on the interstate highway, First Avenue North or First Avenue South having more than one hundred lineal feet are prohibited. Buildings over one hundred feet in length shall incorporate one of the following: recesses, off-sets, angular forms, landscaping features or other architectural features such as bell towers, clock towers, to provide a visually interesting shape. The break in the facade shall be minimum of eight feet in length. A single uninterrupted length of a facade shall not exceed one hundred lineal feet. It is encouraged that each offset area contains landscaping or other similar amenities which will complement the offset area.

#### C. Additional Provisions for Commercial Uses.

1. Storage of Merchandise. Any permitted storage of merchandise outside an approved building shall be within an area enclosed with a sight obscuring fence at least six feet in height that is architecturally compatible in color and design with the building. However, promotional

displays, vehicle sales lots and plant materials may be displayed outside of an approved building or enclosed area so long as they are placed appurtenant to a building wherein the business displays the bulk of its goods for sale. In addition, retail nurseries shall be exempt from the enclosure of plant materials, and displayed merchandise shall not include any used equipment. Bufferyards or required landscaping shall not be used for the displaying of merchandise.

- 2. Site Lighting. All outdoor lighting shall be designed, located and mounted at heights no greater than eighteen feet above grade for non-cutoff lights and thirty-five feet above grade for cutoff lights. All outdoor lighting shall be designed and located such that the maximum illumination measured in foot-candles at the property line shall not exceed three-tenths foot-candle for non-cutoff lights and three foot-candles for cutoff lights.
- 3. Storage of Junk. No person shall store junk, partially or completely dismantled vehicles, or salvaged materials in any commercial zone outside a building. In the case of automobile repair shops, such materials must be enclosed within a building or an area having a sight-obscuring fence at least six feet in height.
- 4. Solid Waste Area. All solid waste storage facilities shall be located within an area enclosed with a sight-obscuring fence or wall that is architecturally compatible in color and design with the building.

#### D. Cell Towers.

No wireless communication facilities are allowed in the entryway zone.

(Ord. 02-31, 2002)

(Ord. No. O11-07, 6-7-2011; Ord. No. O16-02, 2-2-2016)

17.26.054 - Landscaping standards.

Landscaping in the form of trees, shrubs, and groundcover serve several purposes: The softening of harsh building forms and paved areas, the absorption of ground water, the reflection of seasonal color change, the provision of sound barriers (such as around utility substations or industrial yards), and urban wildlife habitat.

A. Landscaping Definitions.

Canopy Tree. A species of tree which normally bears crown foliage no lower than six feet above ground level upon maturity. Minimum size of canopy trees shall be two and one half inches in caliper.

Evergreen Tree or Shrub. A tree or shrub of a species which normally retains leaves / needles throughout the year. Minimum size of evergreen trees shall be five feet in height.

#### B. Landscaping.

1. Bufferyard Requirements. All commercial/Industrial land uses are required to place a bufferyard (landscaping strip) adjacent to and along the length of I-90, First Avenue North, or First Avenue South on which the use fronts. Such landscaping buffer shall extend from the edge of the public right-of-way. Placement and landscaping design shall be at the discretion of the developer, and the required trees and shrubs may be clustered to enhance the view of the

property from the public right-of-way as long as such uses conform with Section 17.26.052(C) of this code. A local design professional or local nursery must be consulted for assistance with the development of the landscape design. The use of native, drought-tolerant plant material is strongly encouraged. Evergreen trees are encouraged for bufferyards, and canopy trees are encouraged for parking areas. The planting of trees should be done in such a manner as to provide maximum solar efficiency throughout the site.

- a. The developer shall have the option of one of the following three bufferyards. Bufferyard depth is measured from the property line adjacent to the public right-of-way inward. Any buffer area which overlaps another buffer area shall be subtracted from the total to avoid double counting. The number of trees and shrubs required is per one hundred feet of frontage:
- (1) Twenty-five foot wide bufferyard: five Canopy or evergreen trees, ten Shrubs
- (2) Twenty foot wide bufferyard: ten Canopy or evergreen trees, fifteen Shrubs
- (3) Fifteen foot wide bufferyard: fifteen Canopy or evergreen trees, twenty Shrubs
  - b. The following criteria shall also apply to the bufferyards.
    - i. The landscape strip may be contoured. Berming shall be one foot of rise to four feet of run with a minimum of three feet in height. Depressions shall be no lower than the existing grade of the site.
    - ii. All landscaped areas shall contain ground cover such as sod, shrubs, flowerbeds, or organic materials. No more than ten percent of the landscaped area shall contain rock, bark chips, stepping stones, or similar material.
    - iii. All landscaped areas shall be sub-irrigated, maintained, and kept free of weeds, debris, and litter. Failure to do so constitutes a zoning violation. Existing mature trees and shrubs should be preserved and will be credited toward landscaping requirements.
    - iv. Depth of bufferyard shall depend on density of vegetation.
    - v. All new utility lines shall be placed underground.
    - vi. New tree plantings shall not be constructed so as to grow into existing overhead utility lines.
- C. Off-Street Parking Lot Landscaping.

Landscaping shall be provided within all parking areas as follows:

Parking lots containing more than ten spaces shall contain internal areas of landscaping totaling at least ten percent of the parking area. Each planting area shall contain at least three hundred square feet and at least one major tree and groundcover with irrigation. There must be a clearly designated pedestrian route from the parking lot to the street or main entrance.

- 1. A minimum of twenty square feet of landscaped area shall be provided for each parking space on parking lots containing more than ten spaces.
- 2. Two canopy and/or evergreen trees and five shrubs shall be required for every ten parking spaces or component thereof over ten parking spaces.

- 3. All landscaped areas shall contain ground cover such as sod, shrubs, flowerbeds or organic materials. No more than twenty-five percent of the landscaped area shall contain rock, bark chips, stepping stones or similar material.
- 4. The minimum width and/or length of any parking lot landscaped area shall be five feet.
- 5. Internal parking lot landscaping provided shall be proportionately dispersed, at the developer's discretion, in order to define aisles and limit unbroken rows of parking. The maximum horizontal or vertical unbroken length shall be limited to one hundred feet. Landscaped areas provided shall be in a scale proportionate to parking lot.
- 6. Any development that has parking abutting a required bufferyard, may extend the width of parking landscaping plant material. The minimum bufferyard width and that bufferyard a minimum of five feet and include the additional required landscaping material is required in addition to the parking landscaping.
- 7. Protection of Landscaped Areas. Landscaped areas within parking lots or the along perimeter of the property must be protected from vehicular traffic through the use of continuous concrete curbs, extruded asphalt or other approved permanent barriers.
- 8. All new utility lines shall be placed underground.
- D. Commercial Uses Abutting Residential Uses.

All commercial uses abutting residential uses shall install a bufferyard. The bufferyard shall be ten feet wide and shall contain ten evergreen and/or canopy trees and ten shrubs per one hundred lineal feet. A solid fence or wall that is architecturally compatible in color and design with the building shall be required on the property line. The fence height shall be a minimum of six feet. Chain link or other wire fencing material is prohibited.

E. Fractions in the Calculation of Number of Trees and Shrubs.

In the calculation of trees and shrubs for bufferyards or parking landscaping, all fractions shall be rounded to the nearest, highest whole number.

(Ord. 02-31, 2002)

From: Soda Station
To: Laurel City Planner
Subject: Re: Soda Station

**Date:** Sunday, December 6, 2020 8:24:47 PM

#### Ok Nick!

Here is some information on the questions you had brought up;

- 1. Enter the property off on 2nd Ave, and exit the property onto 1st ave. Property owner has given us permission to enter and exit at those points/
- 2. At this time there will be minimal parking due to the kiosk nature, however the Landlord has given us permission to 2 parking spaces, and more if needed.
- 3. Currently our hours of operation are 7:30a-8:00pm during weekdays, 7:30a-9:00p on weekends and we are closed on Sundays. We haven't had any complaints are issues with our current business and residential neighbors as it relates to noise, odors and hours of operation. Our kiosk will rely on city utilities so odor will not be an issue in Laurel. We are mindful that we are next to residential so we will let our staff know to respect that.
- 4. We will keep the our area well maintained.
- 5. Soda Station has been well loved by our residential community at our current location. It provides a fun environment for the kids! We love that we provide jobs to the community!
- 6. We love all the events the City of Laurel hosts and hope to contribute in all of those events.

I hope this answers some questions without being long-winded. Please contact us if you need further information.

Annie and Cassie Soda Station