Approved as to form only:
D. White
Date: 7/21/2014

ORDINANCE NO. 4039

ENTITLED: "AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE CHEYENNE UNIFIED DEVELOPMENT CODE (UDC) AS INITIATED FROM THE 2014 ANNUAL REVIEW, TO INCREASE POINT VALUES FOR LARGER EVERGREEN TREES, DECIDUOUS TREES, AND SHRUB PLANTINGS, AND REDUCE POINT VALUES FOR LARGE EXPANSES OF TURF GRASS FOR ALL SITES THROUGHOUT THE CITY REQUIRING LANDSCAPE IMPROVEMENTS."

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CHEYENNE, WYOMING:

Section 1. That on December 5, 2011, the Cheyenne Planning Commission unanimously recommended approval of the "Cheyenne Unified Development Code".

Section 2. That on January 23, 2012, the Governing Body of the City of Cheyenne unanimously approved the Unified Development Code (Ordinance No. 3943) with an effective date of April 30, 2012.

Section 3. That on February 18, 2014, the City of Cheyenne Planning Commission held a public hearing pursuant to UDC Section 1.1.7 to consider the amendments that are the subject of this ordinance.

Section 4. That on July 21, 2014, the City of Cheyenne Planning Commission recommended approval of the amendments that are the subject of this ordinance.

Section 5. That UDC Article 6, Section 6.3.4, Table 6-8 is hereby amended as follows:

TABLE 6-8: TREE POINTS		
Tree types	**Size or Quantity**	**Point Value**
Existing mature tree approved by City Forestry.	1	1.5 - 3
New 1.5 inch caliper deciduous tree (single trunk or clump) with a mature height of 30' or greater and a mature canopy of 30' or greater.	**1**	**1.5**
New 1.5 inch caliper ornamental tree with a mature height less than 30' and a mature canopy less than 30'.	**1**	**1**
New 6 foot evergreen tree with a mature height of 30' or greater and mature spread of 20' or greater.	**1**	**1.5**
New 4 foot evergreen tree with a mature height less than 30' and a mature spread less than 20' or greater.	**1**	**1**
~~Existing clump of 2 to 3 mature trees approved by City Forestry~~	~~1 clump of 2 – 3 trees~~	~~1.25~~
~~New 1.5 inch caliper deciduous tree requiring les than 1 inch of supplemental watering per week during hot, dry periods.~~	~~1~~	~~1.25~~
~~New 1.5 inch caliper deciduous tree with a mature height of 30' or greater and a canopy greater than 30' in diameter~~	~~1~~	~~1.25~~
~~New 4 foot high evergreen tree requiring less than 1 inch of supplemental watering per week during hot, dry periods.~~	~~1~~	~~1.25~~
~~New clump of 2 to 3 trees requiring less than 1 inch of supplemental watering per week during hot, dry periods.~~	~~1 clump of 2 – 3 trees~~	~~1.25~~
~~New 1.5 inch caliper deciduous tree.~~	~~1~~	~~1~~
~~New 1.5 inch caliper ornamental tree.~~	~~1~~	~~1~~
~~New 4 foot high evergreen tree.~~	~~1~~	~~1.25~~
~~New clump of 2 to 3 trees.~~	~~1 clump of 2 – 3 trees~~	~~1~~

Section 6. That UDC Article 6, Section 6.3.4, Table 6-9 is hereby amended as follows:

TABLE 6-9: GROUND COVER AND NON-TREE LANDSCAPE FEATURE POINTS		
Landscape Feature	**Size or Quantity**	**Point Value**
Shrubs		
~~Existing or new evergreen or deciduous shrubs requiring less than 1 inch of supplemental watering per week during hot, dry periods. Minimum size = 5 gallon container.~~	~~10~~	~~1~~
~~Existing or new evergreen or deciduous shrubs. Minimum size = 5 gallon container.~~	~~10~~	~~.75~~
Existing or new evergreen or deciduous shrubs.	**1**	**.25**
Ground Covers		
~~Kentucky bluegrass or similar grass requiring 1 inch or more of supplemental watering per week during hot, dry periods.~~	~~500 sq. ft.~~	~~.5~~
Kentucky bluegrasses, fescues or similar sod forming grasses requiring ½ inch or more of supplemental watering per week during hot, dry periods.	**500 sq. ft.**	**.25**
~~Existing or new Fescues or similar grass requiring less than 1 inch of supplemental watering per week during hot, dry periods.~~	~~500 sq. ft.~~	~~.75~~

~~Existing or new Buffalo grass, Blue Grama or similar grass requiring 1.2 inch or less of supplemental watering per week during hot, dry periods.~~	~~500 sq. ft.~~	~~1.25~~
~~Native short-grass Prairie used to blend developed land with surrounding open spaces as described in Section 6.3.7.f.2.~~	~~50 sq. ft.~~	~~1.5~~
Seeded, native, short-grass prairie species or mixes requiring less than ½ inch or less of supplemental watering per week during hot, dry periods.	**500 sq. ft.**	**.75**
Ornamental grass or perennials. ~~requiring less than 1 inch of supplemental watering per week during hot, dry periods. Minimum size = 2 ¼ inch container. Less than 15 percent exposed mulch 2 to 3 years after planting.~~	**100 sq. ft**	**1**
~~Other ornamental grass or perennials. Minimum size = 2 ¼ inch container. Less than 15 percent exposed mulch 2 to 3 years after planting.~~	~~100 sq. ft.~~	~~.5~~

Section 7. That UDC Article 6, Section 6.3.5, Table 6-11 is hereby amended as follows:

TABLE 6-11: DESIGN OF BUFFERS

	Level 1	Level 2	Level 3
Intent and Use	Intended to provide a visual break and soft transitions between different sites, and to blend different site more seamlessly.	Intended to provide **a** visual break and minimize potential visual impacts on adjacent sites.	Intended to separate potentially incompatible sites and uses and to minimize any visual, physical, or noise impacts on adjacent sites.
Landscape Width	10'	15'	25'
Plant Materials	• 1 deciduous **shade** or ~~coniferous~~ **6' evergreen** tree for each 50 linear feet of buffer or 2 ornamental trees for each 50 linear feet of buffer; plus • 1 shrub for each 10 linear feet of buffer	• 2 deciduous **shade** or ~~coniferous~~ **6' evergreen** trees for each 50 linear feet of buffer or 1 deciduous **shade** or ~~coniferous~~ **6' evergreen** tree and 2 ornamental trees for each 50 linear feet of buffer; plus • 3 shrubs for every 10 linear feet of buffer	• 3 deciduous **shade** or ~~coniferous~~ **6' evergreen** trees for each 50 linear feet of buffer or 2 deciduous **shade** or ~~coniferous~~ **6' evergreen** trees and 2 ornamental trees for each 50 linear feet of buffer; plus • 3 shrubs for every 10 linear feet of buffer
Screen	n/a	n/a	• A ~~6'~~ **six-foot**-high solid fence with required plant material located to the outside; or • 1 **6'** evergreen tree for every 10 linear feet of buffer.
Ground Cover	All remaining areas of the buffer shall be planted with ground cover meeting any of the standards in Table 6-9		

Section 8. That UDC Article 6, Section 6.3.7, Table 6-12 is hereby amended as follows:

TABLE 6-12: LANDSCAPE SIZE SPECIFICATION

Plant Type	Minimum Size Specification
Deciduous shade trees	1.5" caliper measured 6" above ground
Deciduous ornamental trees	1.5" caliper measured 6" above ground
Evergreen trees	4' or **6'** high measured from the ground to the midpoint between the uppermost whorl and the tip of the leader
Evergreen and deciduous shrubs	five-gallon container
Ornamental grass or perennials ~~Ground covers and vines~~	2.25" container

Section 9. Sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable. If any section, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional, such unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases.

Section 10. That this Ordinance shall be in full force and effect upon its approval and publication.

FIRST READING: July 28, 2014

SECOND READING: August 11, 2014

THIRD AND FINAL READING: August 25, 2014

RICHARD L. KAYSEN, MAYOR

(SEAL)
ATTEST:

Carol Intlekofer
CAROL INTLEKOFER, CITY CLERK

publish date: Wyoming Tribune-Eagle
August 30, 2014