

**ORDINANCE NO. 1006**

**AN ORDINANCE ESTABLISHING THE OVERLAY ZONING DISTRICT OF THE PIONEER CEMETERY HISTORICAL DISTRICT FOR THE PIONEER CEMETERY SUBDIVISION TO RECOGNIZE THE SIGNIFICANCE OF THE CHILD’S ROUTE OF THE EMIGRANT TRAIL CROSSING AND THE PIONEER CEMETERY AND SUPPORTING THE PRESERVATION OF BOTH SITES**

**WHEREAS**, the route followed by the Oregon Trail, California Trail, and Mormon Trail as they crossed the State of Wyoming is collectively referred to as the Emigrant Trail; and

**WHEREAS**, prior to 1850 travel on the north side of the North Platte River was thought to be impassable beyond Fort Laramie, forcing the wagon trains to undertake two dangerous crossings of the river; and

**WHEREAS**, in 1850 a new and safer route was successfully discovered on the north side of the river, designated as the Child’s Route, which became the primary route west, and which passes through the City of Douglas and west to Fort Fetterman; and

**WHEREAS**, this is also the point where the Bozeman Trail turned north to the Montana gold fields; and

**WHEREAS**, these facts document the significance of the trail’s wagon ruts bisecting the City-owned parcel already containing the Pioneer Cemetery, an important historic site, circa 1886, and

**WHEREAS**, these two sites together denote an important and fragile monument to our pioneer past which is rapidly and irretrievably being destroyed by development; and

**WHEREAS**, the National Historic Trail Interpretive Center designates the location as an accessible site where this history may be witnessed and enjoyed by the general public, both local and tourist; and where modest interpretive efforts will “facilitate logical and emotional connections with participants, present accurate interpretations of the site, and project ethics that instill a sense of investment” in our collective heritage, and

**WHEREAS**, those efforts will be a positive benefit to the community economically and culturally,

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DOUGLAS, WYOMING**, to preserve this element of our Western history and experience for the good of this and future generations, that

**Section 1. Section 16.4.4.7.E. of the Douglas Municipal Code is hereby created to read as follows:**

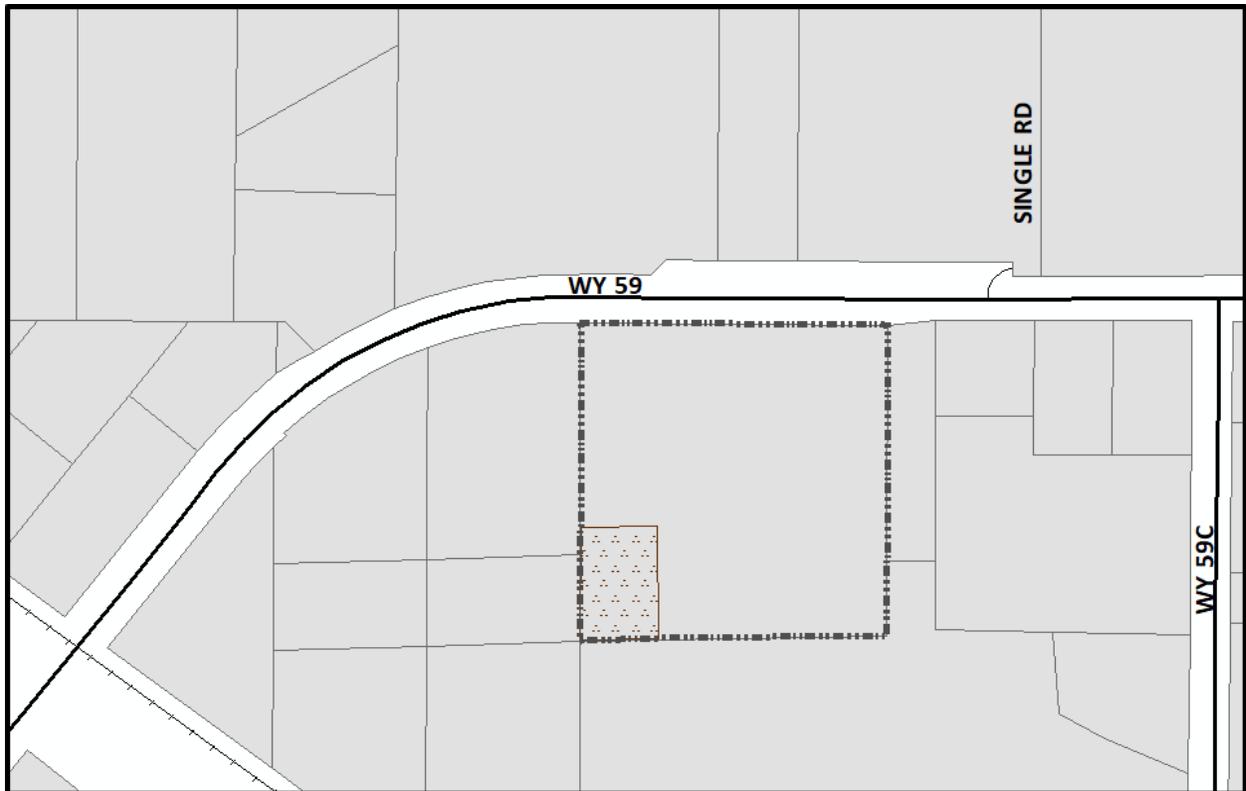
**16.4.4.7(E) – O-LPC, Local Pioneer Cemetery Historic Overlay District**

i. General

The Pioneer Cemetery Historic District is an overlay district encompassing the Pioneer Cemetery Subdivision. The overlay district is established to acknowledge and preserve the character of the area as elemental in its role as a transportation corridor in bringing the early settlers west on the Child’s Route of the Emigrant Trail, as denoted by the existing deep wagon ruts still bisecting this parcel 170 years later; and for the part it played as the location for the first graveyard for the town of Douglas and its predecessor, the community of Antelope. The Pioneer Cemetery located on “Poverty Flats”, an undisturbed patch of prairie that was originally within the boundaries of the Fort Fetterman Military Reservation, served both communities from 1886 to 1902; and is still the burial site of many of the earliest pioneers who labored to create enterprises and homes on this wind-swept grassland.

ii. District Boundaries

The overlay district boundaries are the designated boundaries of the Pioneer Cemetery Subdivision and inclusive of all property within those boundaries. The Pioneer Cemetery Historic Overlay District boundaries are shown below in Figure 4.4-5



iii. Regulations Designated

Within the overlay district all proposed development shall serve as enhancements or interpretations to the recognized historic sites. Mowing shall be confined to within the boundaries of the Pioneer Cemetery and any designated parking areas or walking paths, as preserving the natural surroundings is an integral part of the district’s historic experience. All construction, interpretive signage, or other development shall be subject to review by the Douglas Historic Preservation Commission, as the City’s designated body to identify, designate, propose, and advise on all preservation matters on behalf of the City as enacted by its endorsement and agreement to participate in the State’s Certified Local Government program. Particular attention shall be paid to efforts in protecting the district from negative impacts from surrounding development.

iv. Actions by the Historic Preservation Commission and Review

The Commission shall make written recommendations and findings on all proposed development or construction to the Community Development Director in a timely manner. The Community Development Director shall approve all recommendations which are in keeping with the nature of the district and the existing zoning regulations.

**Section 2.** The Official Zoning District Map of the City is hereby amended by establishing the overlay zoning district of the Pioneer Cemetery Historic District, within a GRN – Green Space Zoning District.

**Section 3.** Douglas Municipal Code Sections 1.04.050, 1.04.060, and 2.08.060, by reference, are incorporated herein and made a part of.

**PASSED AND APPROVED ON FIRST READING** this 14th day of December, 2020.

**PASSED AND APPROVED ON SECOND READING** this 11<sup>th</sup> day of January, 2021.

**PASSED, APPROVED, AND ADOPTED ON THIRD AND FINAL READING** this 25<sup>th</sup> day of January, 2021

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René Kemper, Mayor

**Attest:**

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Chaz Schumacher, City Clerk

**Published:**

**ATTESTATION**

I, Chaz Schumacher, the Clerk of the City of Douglas, Wyoming, do hereby attest and state that the above ordinance was published/posted in the manner required by law and that all procedures required by Wyoming State law were complied with.

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Chaz Schumacher, City Clerk