

GENERAL PROVISIONS

ARTICLE 1.1 ADMINISTRATION

Section 1-101. Title

This ordinance shall be known, cited and referred to as the Land Use and Development Code of the Town of Alpine, Wyoming, or the Alpine Land Use and Development Code.

Section 1-102. Intent

The procedures, regulations, and development standards contained within the Land Use and Development Code have been established to protect and promote the public health, safety, and welfare of the people of Alpine, Wyoming and to accomplish the following objectives:

- Facilitate implementation of the Alpine Municipal Master Plan which serves to guide and manage the future growth of the community;
- Enhance the aesthetic quality of the community and sustain its physical, social, and economic vitality;
- Maintain and enhance property values;
- Sustain a diversified economic base that promotes investment and employment opportunities for the residents of Alpine;
- Conserve natural resources;
- Safeguard the public welfare through the regulation of the design, construction, and use of structures, and the implementation of the International Building Code; and,
- Promote the development of a safe and efficient circulation system within the community.

Section 1-103. Organization of the Land Use and Development Code

The Land Use and Development Code is a compilation of the rules and regulations governing land use and development within the Town of Alpine. The Development Code establishes procedures for the application, review and approval of proposed land uses, the administration of zoning, as well as the review, inspection and approval of authorized site development and building construction.

This ordinance is organized by parts which identify a general subject area, e.g., zoning regulations. Each part in the ordinance comprises a series of articles that represent various sub-topics, e.g., zoning district regulations. Each article is further broken down into a number of sections, e.g., single family residential district.

The Land Use and Development Code includes development standards for parking lots, signs, fencing, landscaping, vehicular parking, and other site and facility development features. Performance standards, e.g., hours of operation, which specify the conditions under which an activity shall operate, are also included for some types of land uses in the zoning regulations (Part 2).

Some of the words, phrases, and terms used in the Land Use and Development Code have specific meanings that are defined within a definitions article found in each part of the Code. When used within the Land Use and Development Code, the word “shall” or “will” requires mandatory action. The words “may” and “should” are discretionary.

Section 1-104. Planning and Zoning Commission

(a) Creation of the Alpine Planning and Zoning Commission:

- (1) A Planning and Zoning Commission will be created by the Alpine Town Council pursuant to the requirements outlined in W.S. 15-1-604 and W.S. 15-1-605.
- (2) The Planning and Zoning Commission shall consist of four (4) residents of the Town of Alpine, as well as one (1) resident of the unincorporated area of Lincoln County. **If the out of Town position cannot be filled within sixty (60) days of the opening an in Town person may fill the opening until the end of that calendar year. If the out of Town position still cannot be filled the appointed person may remain for an additional calendar year.**
- (3) Appointments shall be for a period of three (3) years and will be staggered. In the first year that appointments are made, one commissioner shall be appointed for a one (1) year period, two commissioners for a two (2) year period, and two commissioners for a three (3) year period. After the first year, the replacing commissioner for the initial one year term will be appointed for three years. After the second year, the replacing commissioners for the initial two-year term will be appointed for three years. In this manner, one or two commissioners will be eligible for appointment each year.

Example:

Appointments in 2009

Appointments A and B: one-year term – January 2009 through December 2009

Appointment C: two-year terms – January 2009 through December 2010

Appointments D and E: three-year terms – January 2009 through December 2011

Appointments in 2010

Appointments A and B: three year term – January 2010 through December 2012

Appointments in 2011

Appointments B and C: three year terms – January 2011 through December 2013

Appointments in 2012

Appointments D and E: three-year terms – January 2012 through December 2014

- (4) A Chair and Vice Chair of the Planning and Zoning Commission will be selected by the Commission to serve for a period of one year, or until their successors have been selected.
- (5) The Planning and Zoning Commission may appoint a Secretary to the Commission.
- (6) Upon its receipt of written allegations of wrong doing or improper conduct and the holding of a public hearing, the Town Council may remove any member of the Planning and Zoning Commission for reasonable cause such as lack of meeting attendance wrong doing, or improper conduct.
- (7) The Planning and Zoning Commission shall meet twice a month, or as needed, at times and places which may be determined by resolution of the Commission. Special meetings may be called at any time by the Chair, or, in his absence, by the Vice Chair.
- (8) A simple majority of the Planning and Zoning Commission shall constitute a quorum for the transaction of business.
- (9) The Commission may adopt rules of procedure for conducting its business. Copies of all rules or regulations adopted by the Commission shall be forwarded to the Town Council, who will also adopt the rules and regulations. The Commission shall then transmit

all adopted rules and regulations to the Zoning Administrator who will make them readily accessible to the general public.

(b) Scope of Responsibility:

The Planning and Zoning Commission will have the following responsibilities:

- (1) Evaluate requests for proposed amendments to the Alpine community land use plan; planned unit development projects; and proposed zone changes.
- (2) Hear concerns of the general public concerning any proposed land action.
- (3) Make recommendations to the Alpine Town Council regarding proposed amendments to the Alpine Land Use and Development Code, ~~community land use plan~~, planned unit development projects, and zone changes.
- (4) Initiate amendments to the Alpine community land use plan and make recommendations to the Alpine Town Council.
- (5) Recommend revisions to the Alpine Zoning Ordinance to the Alpine Town Council.
- (6) Provide guidance and direct the activities of the Zoning Administrator and Building Official.
- (7) Periodically update the municipal master plan, seek insight from the community, and recommend the revised master plan for adoption by the Alpine Town Council.
- (8) Regulate and enforce compliance with the adopted Alpine Land Use and Development Code.

Section 1-105. Board of Adjustment

(a) Creation of Alpine Board of Adjustment:

- (1) The Mayor of Alpine, with consent of the Alpine Town Council, will appoint the five members of the Alpine Planning and Zoning Commission as the Alpine Board of Adjustment, in accordance with the requirements outlined in W.S. 15-1-605.
- (2) The Alpine Town Council may remove any member from the Alpine Board of Adjustment for reasonable cause, e.g., lack of attendance, wrong doing or misconduct, and following a public hearing, concerning the removal under consideration. Vacancies shall be filled for the unexpired portion of a term.
- (3) The Alpine Board of Adjustment shall select one (1) of their members as chair and one (1) as vice chair. Both the chairman and vice chair will serve one (1) year, or until their successors have been selected. The Alpine Board of Adjustment may appoint a Secretary to the Board.
- (4) The Alpine Board of Adjustment will meet once a month, or as needed, at times and places which will be determined by resolution of the Board of Adjustment. Special meetings may be called at any time by the Chair, or, in his absence, by the vice chair.
- (5) A simple majority of the Board of Adjustment shall constitute a quorum for the transaction of business.
- (6) The Alpine Board of Adjustment shall adopt rules of procedure for conducting its business, which are consistent with Part 4, Appeals and Enforcement, of the Alpine Land Use and Development Code. Copies of all rules or regulations adopted by the board, as well as minutes of its proceedings, shall be maintained by the Board of Adjustment and be available to the public for their review.

(b) Authority and Scope of Responsibility:

The Alpine Board of Adjustment will have the following powers and jurisdiction:

- (1) Hear and make decisions concerning appeals of orders, decisions, determinations, and interpretations made by the Zoning Administrator or Building Official.
- (2) Hear and decide appeals where it is alleged that there is an error of law in any order, requirement, decision, or determination made by the Zoning Administrator and/or Building Official in their enforcement of the Alpine Land Use and Development Code.
- (3) Interpret the provisions of this ordinance in a manner that promotes the recommendations and policies of the adopted Alpine Municipal Master Plan.
- (4) Permit the reconstruction of a nonconforming building upon a property, which has been damaged by casualty, act of God, or public enemy, when the Board of Adjustment finds some compelling public necessity requiring continuance of a non-conforming use.
- (5) Authorize an increase in the land area occupied by a legal, existing, nonconforming use on an existing zone lot, or the floor area occupied by a legal, nonconforming use in an existing structure, subject to terms and conditions that are established by the Board of Adjustment.
- (6) Authorize variances when an ~~applicant~~ ~~appellant~~ can demonstrate that the strict application of any **one** of the **following** requirements of the Alpine Land Use and Development Code would:
 - (a) Be contrary to the public interest;
 - (b) Result in unnecessary hardship; and
 - (c) Deprive an applicant or resident of the reasonable use of his or her land or structure.
- (7) Subject to the limitations established in Part 4, Appeals and Enforcement, of the Alpine Land Use and Development Code, the Alpine Board of Adjustment, by majority vote, may reverse, affirm or modify the order, requirement, decision or determination which is appealed. To that end, the Board of Adjustment shall have all of the powers of the Zoning Administrator and Building Official, and may attach stipulations to any decision.

Section 1-106. Zoning Administrator

(a) Designation of Alpine Zoning Administrator:

- (1) A Zoning Administrator will be designated by the Mayor of the Town of Alpine with consent of the Alpine Town Council from within the current employee staffing.
- (2) The Zoning Administrator will report to the chair of the Alpine Planning and Zoning Commission.
- (3) If a Zoning Administrator is not appointed the Planning & Zoning Commission will act as such.

(b) Scope of Responsibility:

The Zoning Administrator will have the following responsibilities which may be amended by the Planning & Zoning Commission and then ratified by the Town Council.:

- (1) Evaluate requests and make recommendations for proposed amendments to the Alpine community land use plan, planned unit development projects, proposed zone changes, variances, and building permits.

- (2) Hear concerns of the general public concerning any proposed land action and present to Alpine Planning & Zoning Commission for determination.
- (3) Evaluate and make recommendations concerning any properties in the Town of Alpine where a potential violation of the Alpine Zoning Ordinance is suspected or known to be present to the Alpine Planning & Zoning Commission.
- (4) Provide information to the Board of Adjustment concerning any order, requirement, decision, or determination that is made by the Alpine Planning and Zoning Commission, the Zoning Administrator, or the Building Official.
- (5) Prepare and propose desirable changes to the Alpine Land Use and Development Code which may be necessary to improve the management of land use development within the community. All such changes shall be subject to the amendment procedures outlined in Article 1.2, Land Use Approval Process, of this ordinance.
- (6) Maintain a community land use database and regularly update Alpine Zoning map.
- (7) Complete any land use studies which may be necessary to monitor future compliance and effectiveness of the Alpine Land Use and Development Code.
- (8) Maintain records and files for all land use and building permit applications.

Section 1-107. Building Official

- (a) Appointment of Building Official:
 - (1) A Building Official will be appointed by the Mayor of the Town of Alpine with consent of the Alpine Town Council.
 - (2) The Building Official will report to the Planning & Zoning Commission.
- (b) Scope of Responsibility:
The Building Official will have the following responsibilities:
 - (1) Review building permit applications and related documentation.
 - (2) Inspect any properties in the Town of Alpine where any new construction, building renovations, or alterations are being made.
 - (3) Inspect any properties in the Town of Alpine where a potential violation of the Alpine Zoning Ordinance is suspected or known to be present.
 - (4) Coordinate inspection findings with applicants, developers, construction contractors, and other appropriate parties.
 - (5) Provide information to the Board of Adjustment concerning any order, requirement, decision, or determination that is made by the Building Official.

Section 1-108. Legal Rulings

Any legal rulings that may be made against one or more specific provisions within the Alpine Land Use and Development Code will not negate the applicability, requirements, and enforceability of other ordinance provisions that are not affected by such rulings.

Section 1-109. Severability

If any section, subsection, or clause of the Alpine Land Use and Development Code shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining chapters, sections, subsections, and clauses shall not be affected.

PART 2 - PROCEDURES

ARTICLE 2.1 GENERAL PROVISIONS

Section 2-101. Purpose

Part 2 of the Alpine Land Use and Development Code outlines the procedures for filing and processing applications for the development of lands in the Town of Alpine. These procedures are intended to establish a consistent and transparent process for the evaluation and approval of applications for land subdivisions, land use plan amendments, planned unit development projects, zone changes, variances, as well as building and sign permits.

The process of reviewing private and public land use proposals is the method used by the Town of Alpine to:

- (a) Ensure the public health, safety, and welfare of Town residents; and
- (b) Evaluate the consistency of proposed land uses with the community land use plan contained in the Town of Alpine Municipal Master Plan.

ARTICLE 2.2 GENERAL DEVELOPMENT REVIEW AND APPROVAL PROCESS

Section 2-201. General Requirements

- (a) No development or construction activity is permitted until all applicable development approvals are issued by the Town of Alpine in accordance with Part 2 of the Alpine Land Use and Development Code.
- (b) Development approvals are required for all development projects to ensure compliance with codes and standards adopted by the Town of Alpine, as well as consistency with the Town of Alpine Municipal Master Plan.
- (c) General land use application requirements are summarized in Table 2-1 and described more fully in later sections of Part 2.
- (d) Decisions by the Alpine Planning and Zoning Commission, Alpine Board of Adjustments, and Alpine Town Council concerning applications for land use plan map amendments, planned unit developments, zone changes, variances, subdivisions, buildings and signs will be transmitted to applicants in writing. Approvals may contain specific stipulations or conditions which modify the original application. Denials of any application will be accompanied with documentation of the rationale used by the **Alpine Planning and Zoning Commission, Alpine Board of Adjustments, and/or the Alpine Town Council** to make its determination.
- (e) Any ~~authorized~~ construction activity will be subject to inspections by the Town of Alpine Building Official, or its designated representative, **until the Certificate of Occupancy or Certificate of Completion has been issued.**
- (f) All completed land use permit applications, must contain documented approval of the landowner(s) of the subject property
- (i) Upon inspection and final approval of all construction that is authorized via municipal building permits, the Town of Alpine will issue a Certificate of Occupancy to the owner(s).
- (f) No new building will be used or occupied until a Certificate of Occupancy has been issued by the Town of Alpine.

| TABLE 2-1 LAND USE DEVELOPMENT APPLICATION REQUIREMENTS TOWN OF ALPINE | | | | | |
|---|--|--------------------------------|---------------------------------------|--|--------------------------------------|
| <i>Land Use Permit</i> | <i>Information Accompanying Application Form</i> | <i>Public Hearing</i> | <i>Notice Prior to Public Hearing</i> | <i>Decision Process</i> | <i>Appeals</i> |
| Land Use Plan Amendment | Rationale for plan amendment; proposed changes in land use plan map designations | Planning and Zoning Commission | 30 days | Planning and Zoning Commission makes recommendation to Town Council for final action | District Court as outlined in Part 5 |
| Planned Unit Development | Conceptual site plan of proposed land use development; proposed changes in zoning designations; legal property description; authorization of landowner | Planning and Zoning Commission | 30 days | Planning and Zoning Commission makes recommendation to Town Council for final action | District Court as outlined in Part 5 |
| Zone Change | Conceptual site plan of proposed land use development; proposed changes in zoning designations; legal property description; authorization of landowner | Planning and Zoning Commission | 30 days | Planning and Zoning Commission makes recommendation to Town Council for final action | District Court as outlined in Part 5 |
| Variance | Plot plan, description and rationale for deviation from ordinance | Board of Adjustment | 30 days | Board of Adjustment makes final decision. | Town Council |
| Subdivision Approval | Generally include master plan report, preliminary plat, and final plat drawings. But, variable requirements for simple, minor and major subdivisions. | Planning and Zoning Commission | 30 days | Planning and Zoning Commission makes recommendation to Town Council for final action | District Court as outlined in Part 5 |

- (g) The Alpine Town Clerk shall not issue a business license to any business being conducted in any building or temporary structure (constructed or placed after the effective date of the ordinance) that does not comply with any provision of the Alpine Land Use and Development Code.

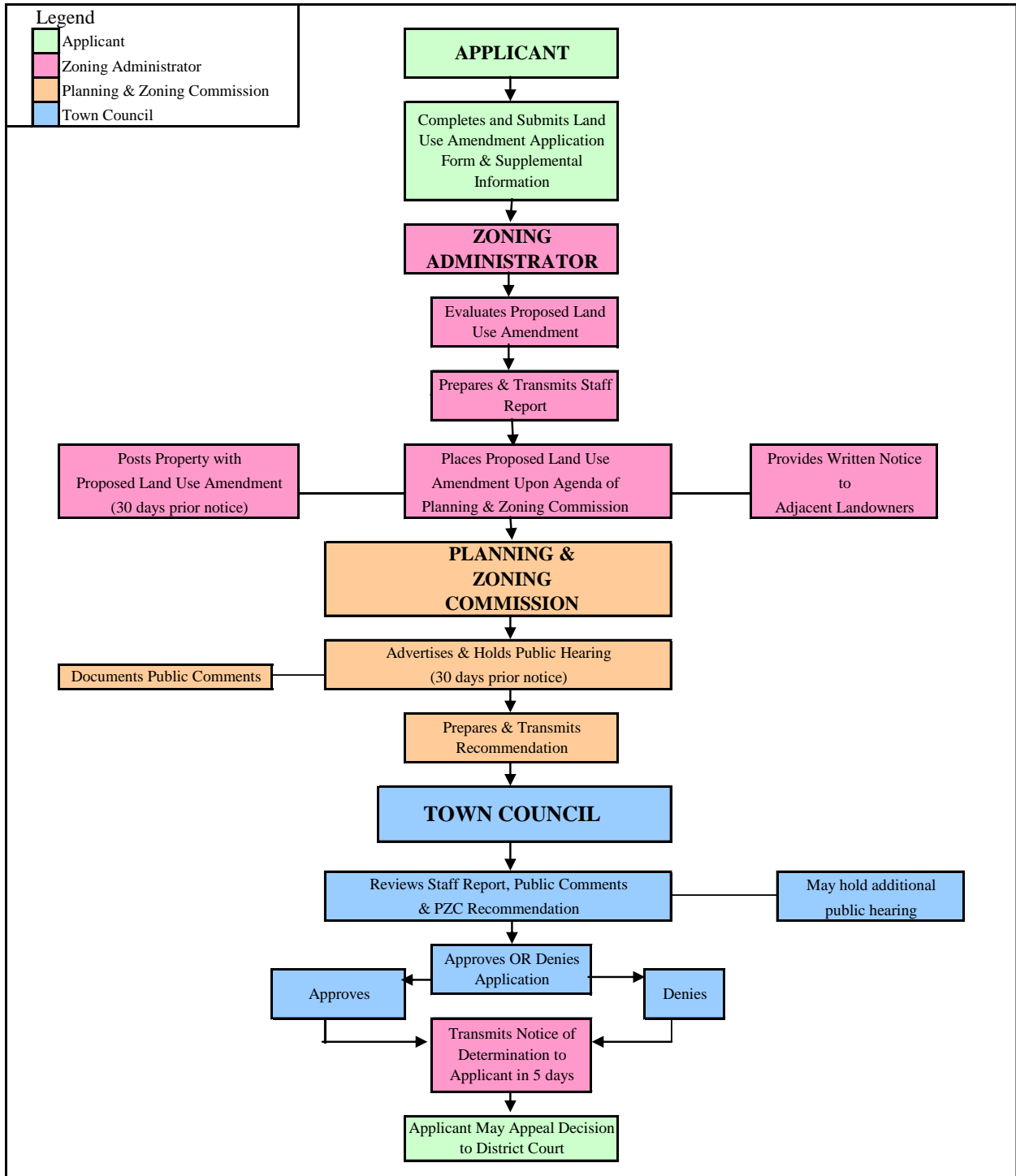
Section 2-202. General Evaluation Criteria

- (a) The development review process will generally involve the Town of Alpine’s consideration and evaluation of, at least, the following issues:
- (1) Consistency of proposed land uses with the community land use plan map contained in the Alpine Municipal Master Plan.
 - (2) Consistency of proposed land uses to permitted uses, minimum lot sizes, densities, and accessory uses outlined in the Alpine Zoning Ordinance (Part 3) and related Alpine Zoning Map.

- (3) Potential project stipulations or conditions for a land use plan map amendment, zone change, variance or subdivision that may be required to ensure the compatibility of the project with adjacent land uses and protect the health, safety and welfare of the general public.
- (4) Long-term operation and maintenance of subdivisions, multi-use residential complexes, community facilities, public facilities, and on-site amenities.
- (5) Conformance of proposed buildings and structures to required building setbacks, building heights, and signage limitations outlined in the Alpine Land Use and Development Code.
- (6) Conformance of proposed buildings and structures to building code requirements adopted by the Town of Alpine and outlined in Part 4 of the Alpine Land Use and Development Code.
- (7) Conformance of proposed land uses to vehicular parking requirements outlined in Parts 3 and 4 of the Alpine Land Use and Development Code.
- (8) Connection of primary structures to municipal water and sewer systems.
- (9) Conformance of proposed site development to onsite drainage, snow storage and landscaping requirements outlined in Part 4 of the Alpine Land Use and Development Code.

Section 2-203. Land Use Plan Amendment Process

- (a) A proposed amendment to the adopted community land use plan map contained within the Alpine Municipal Master Plan may be initiated by the Alpine Planning and Zoning Commission, Alpine Town Council, or other residents of the Town of Alpine, (Figure 2-1).
- (b) Applicants must complete a land use amendment form that will request, at least, the following information:
 - (1) Name, address, telephone number, e-mail address, and fax number of the applicant.
 - (2) Proposed changes in land use plan map designations.
 - (3) Rationale for the proposed land use amendment.
 - (4) A scaled illustration depicting the location of the proposed land use amendment.
- (c) The Zoning Administrator, or his or her authorized representative, will evaluate the merits, disadvantages, and potential impacts of the proposed land use amendment upon community residents, municipal infrastructure, community land use relationships, and the economy of Alpine. Subsequently, the Zoning Administrator will prepare and transmit a documented staff report containing these analyses and related recommendations to the Alpine Planning and Zoning Commission.
- (d) The Zoning Administrator will, as soon as practical, place the proposed land use amendment upon the agenda of the Alpine Planning and Zoning Commission.
- (e) Before any decision is reached by the Alpine Planning and Zoning Commission:



Town of Alpine
Land Use & Development Code

Land Use Plan
Amendment Process

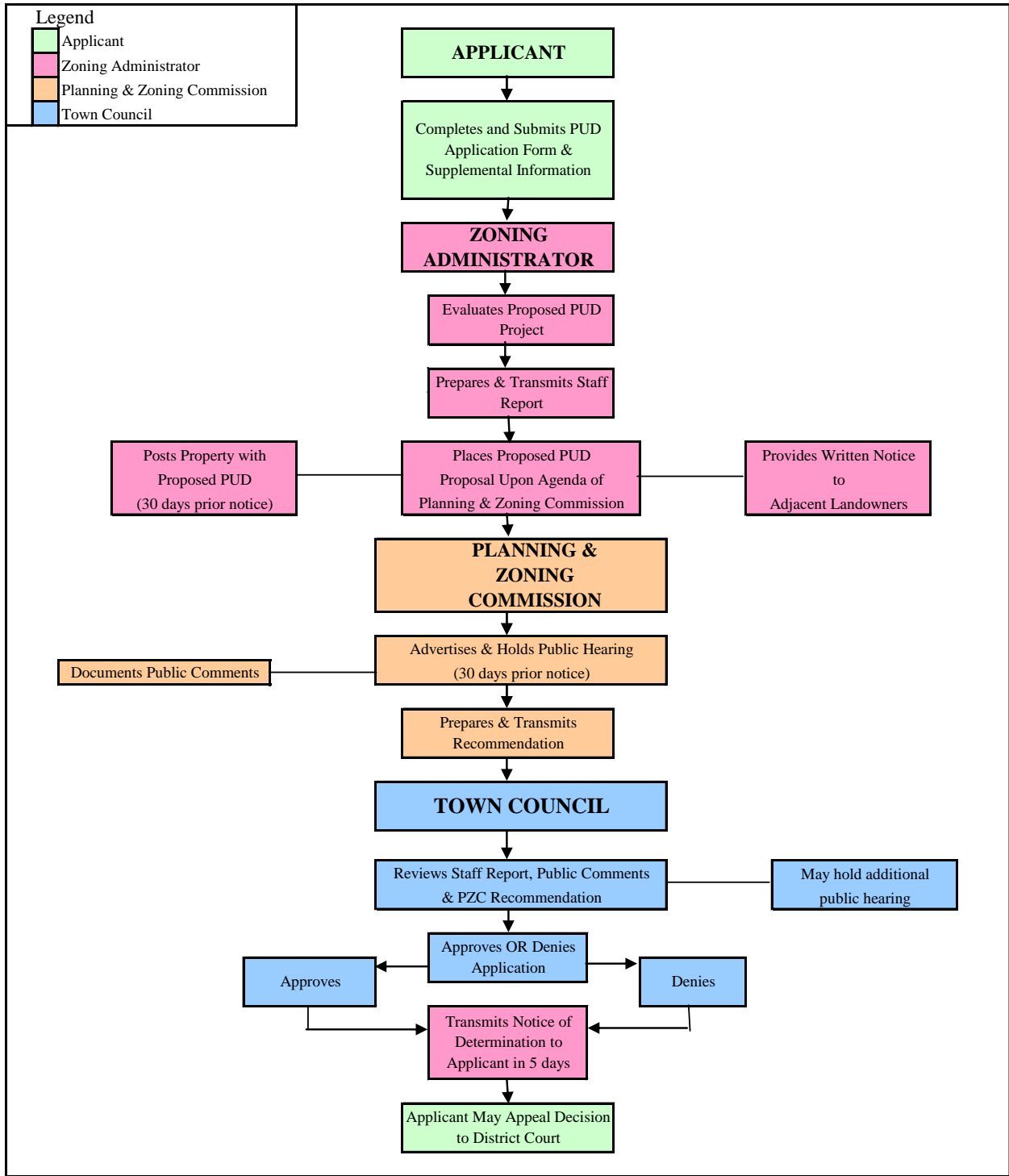
Prepared by: Pedersen Planning Consultants
P.O. Box 66, Encampment, WY, 82325 Tel: 307-327-5434
Website: www.pedersenplanning.com

Figure 2-1

- (1) The Zoning Administrator will post a copy of the proposed land use amendment upon the property where the zone change is requested. This public notice will be made, at least, thirty (30) days before the proposed land use amendment is considered publicly by the Alpine Planning and Zoning Commission.
 - (2) The Zoning Administrator will provide written notice to all owners of property within 500 feet of the property or properties under consideration for a land use amendment. The written notice will also include the date, time and place when the proposed land use amendment will be considered by the Alpine Planning and Zoning Commission.
 - (3) The Alpine Planning and Zoning Commission will hold one public hearing at a public facility within the Town of Alpine. Town residents and the general public will receive at least thirty (30) days notice of the public hearing. Public notice will be advertised in one (1) newspaper of general circulation throughout Lincoln County. Public comments received during the meeting will be documented for subsequent reference during the land use plan amendment process.
- (f) Upon consideration of a staff report from the Zoning Administrator and public comment, the Alpine Planning and Zoning Commission will make a written recommendation to the Alpine Town Council. The recommendation will state the rationale for its decision.
 - (g) The Town Council will review the staff report from the Zoning Administrator, public comments, and the recommendation of the Alpine Planning and Zoning Commission. In the course of its review, the Town Council may hold an additional public hearing to provide an expanded opportunity for public comment.
 - (h) The Town Council will approve, approve with conditions, or deny the proposed land use amendment by ordinance. In the event that further information is required by the Town Council to complete its evaluation, the Town Council may table the proposed land use amendment until desired information is obtained and reviewed by the Town Council.
 - (i) The Zoning Administrator will issue a written notice of determination to the applicant within five (5) business days of the decision of the Town Council. The notice will indicate the decision made and, when appropriate, stipulations that may accompany the approval of a specific application.
 - (j) Any appeal of the decisions by the Alpine Town Council may be reviewed by the District Court pursuant to Rule 12 of the Wyoming Rules of Appellate Procedure.

Section 2-204. Planned Unit Development Process

- (a) The purpose of the planned unit development process (Figure 2-2) is to:
 - (1) Permit and encourage the development of a combination of land uses that would not be possible via the permitted uses authorized within each zoning district where there is a demonstrable benefit to the Town.
 - (2) Permit and encourage the creative design of new residential areas that may vary from residential subdivisions of standard lot sizes and standard street systems; and
 - (3) Permit the creative design of new buildings associated with residential, commercial, industrial, community facility and public facility land uses; open space areas; bicycle and pedestrian access; vehicular access and parking; and landscaping which may vary, in part, from the development and building standards outlined in Parts 2 and 3 of the Alpine Land Use and Development Code.



Town of Alpine
Land Use & Development Code

Planned Unit
Development Process

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Figure 2-2

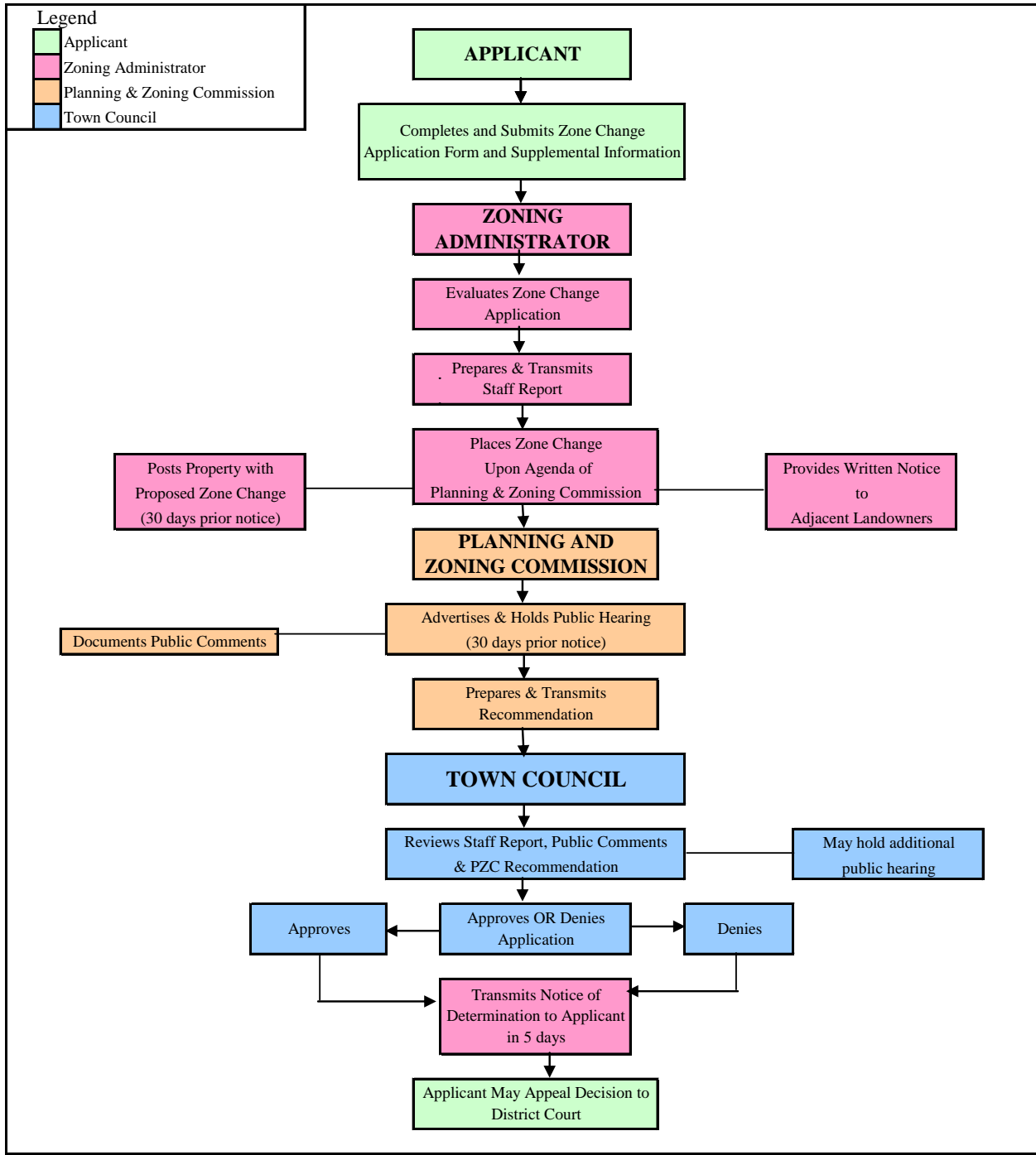
- (b) Owners and/or prospective developers of one or more lots or parcels, which comprise more than one (1) acre of land area, may make application for a planned unit development in any single family residential, multi-unit residential, mixed residential and commercial, or general commercial zoning district. Owners may gain somewhat greater flexibility in site design and development in exchange for a more detailed site, building plan review, development stipulations, and impact fees.
- (c) Applicants must complete a planned unit development application form that will request at least the following information:
 - (1) Name, address, telephone number, e-mail address, and fax number of the applicant.
 - (2) When the applicant is not the landowner, the applicant will furnish a written letter from the landowner, which authorizes the application and endorses the proposed project.
 - (3) Name, address, e-mail address (if available) and telephone number of the person or company responsible for preparation of the conceptual site plan, which supports the application.
 - (4) Legal description and total land area of the lands incorporated into the proposed planned unit development.
 - (5) Impact fees will be assessed at time of application. Before final approval impact fees must be paid.
- (d) Applicants will also provide the following additional information, which will supplement a completed application form.
 - (1) Location map of project site and properties immediately adjacent to the proposed planned unit development.
 - (2) A scaled illustration of the existing properties within the proposed planned unit development site. This illustration will locate all existing utility systems, easements, roads and streets, drainage areas and facilities, existing zoning, existing buildings, and topography.
 - (3) A conceptual site plan of the proposed land use development concept.
 - (4) A schedule for the proposed development project.
 - (6) A project narrative describing proposed land uses, proposed site design and construction criteria, as well as any proposed covenants and restrictions of record.
 - (7) A description of the benefits that will be provided to the Town.
- (e) The Zoning Administrator, or his or her authorized representative, will make a careful plan review of the proposed development project. The Zoning Administrator, or his or her authorized representative, will evaluate the merits, disadvantages, and potential impacts of the proposed project upon adjoining land uses, municipal infrastructure, vehicular and pedestrian access, drainage and snow storage, public health and safety, and community land use relationships. Subsequently, the Zoning Administrator will prepare and transmit a documented staff report containing these analyses and related recommendations to the Alpine Planning and Zoning Commission.
- (f) The Zoning Administrator will, as soon as practical, place the proposed planned unit development application on the agenda of the Alpine Planning and Zoning Commission.
- (g) Before any decision is reached by the Alpine Planning and Zoning Commission:
 - (1) The Zoning Administrator will post a copy of the proposed planned unit development application upon the property where the planned unit development is requested. This public

notice will be made, at least, thirty (30) days before the planned unit development application is considered publicly by the Alpine Planning and Zoning Commission.

- 2) The Zoning Administrator will provide written notice to all owners of property within 500 feet of the property or properties under consideration for a planned unit development. The written notice will also include the date, time and place when the proposed planned unit development will be considered by the Alpine Planning and Zoning Commission.
- (3) The Alpine Planning and Zoning Commission will hold one public hearing at a public facility within the Town of Alpine. Town residents and the general public will receive at least thirty (30) days notice of the public hearing. Public notice will be advertised in one (1) newspaper of general circulation throughout Lincoln County. Public comments received during the meeting will be documented for subsequent reference during the zone change process.
- (h) Upon consideration of a staff report from the Zoning Administrator and public comment, the Alpine Planning and Zoning Commission will make a written recommendation to the Alpine Town Council. The recommendation will state the rationale for its decision. When necessary, the recommendation from the Alpine Planning and Zoning Commission may include project stipulations that may be imposed to mitigate potential impacts upon neighboring properties and the general community.
- (i) The Town Council will review the staff report from the Zoning Administrator, public comments, and the recommendation of the Alpine Planning and Zoning Commission. In the course of its review, the Town Council may hold an additional public hearing to provide an expanded opportunity for public comment.
- (j) The Town Council will approve, approve with conditions, or deny the proposed planned unit development project by ordinance. In the event that further information is required by the Town Council to complete its evaluation, the Town Council may table its consideration of the proposed planned unit development project until desired information is obtained and reviewed by the Town Council.
- (k) The Zoning Administrator will issue a written notice of determination to the applicant within five (5) business days of the decision of the Town Council. The notice will indicate the decision made and, when appropriate, stipulations that may accompany the approval of a specific application.
- (l) No statement of covenants and restrictions shall be filed at the Lincoln County Courthouse until the Alpine Town Council first approves the planned unit development by Ordinance.
- (m) Any appeal of the decisions by the Alpine Town Council may be reviewed by the district court pursuant to Rule 12 of the Wyoming Rules of Appellate Procedure.

Section 2-205. Zone Change Process

- (a) The purpose of the zone change process (Figure 2-3) is to provide landowners and/or prospective developers with the potential opportunity to modify zoning district boundaries depicted on the Alpine Zoning map. This process is required for those landowners and/or prospective developers who wish to establish land uses on one (1) or more lots or land parcels that are inconsistent with the permitted land uses authorized under existing zoning.
- (b) Owners and/or prospective developers of any lots or parcels may make application for a zone change in any zoning district.



Town of Alpine Land Use & Development Code Zone Change Process

Prepared by: Pedersen Planning Consultants
 P.O. Box 66, Encampment, WY, 82325 Tel: 307-327-5434
 Website: www.pedersenplanning.com Figure 2-3

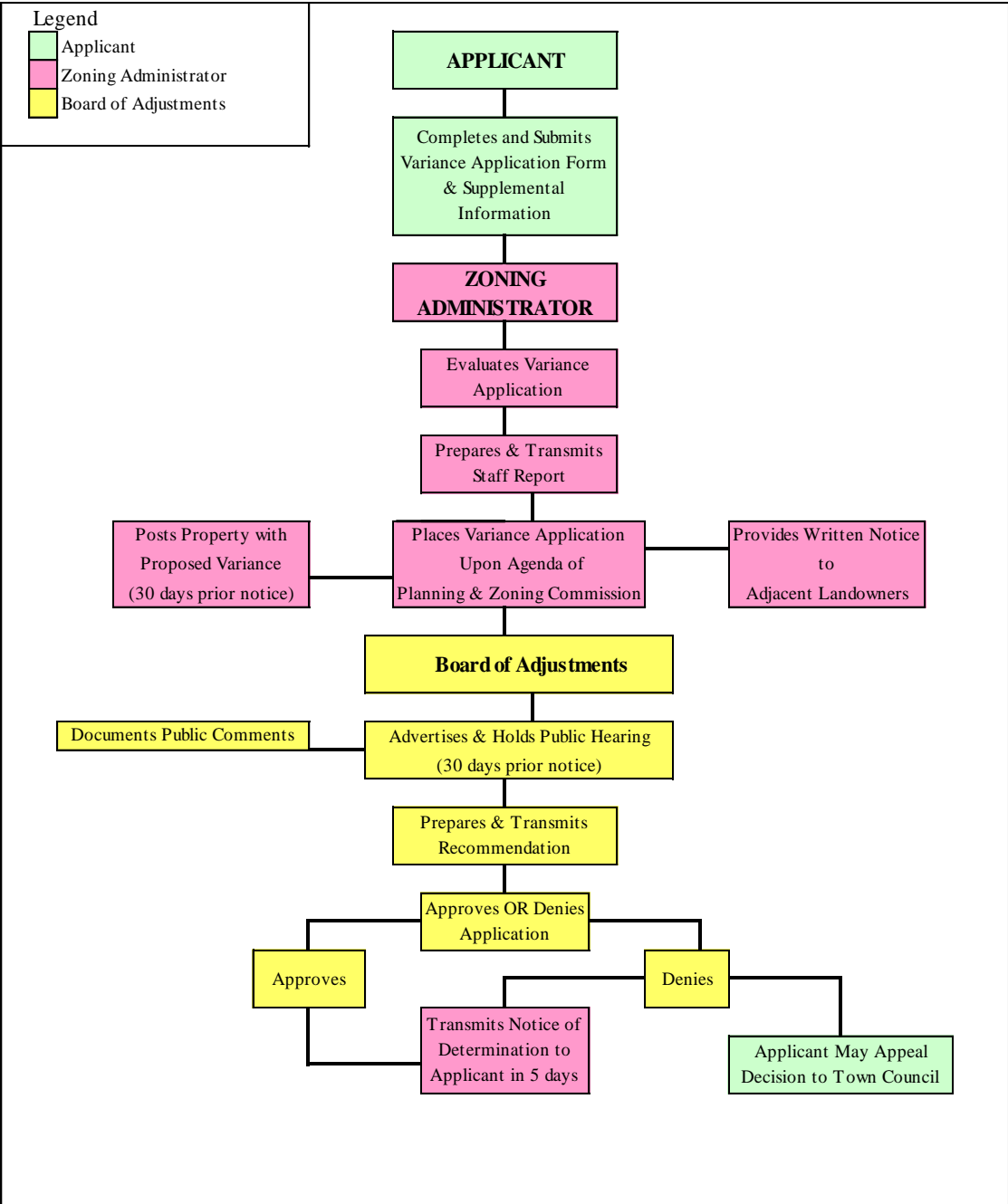
- (a) Applicants must complete a zone change application form that will request at least the following information:
 - (1) Name, address, telephone number, e-mail address, and fax number of the applicant.
 - (2) When the applicant is not the landowner, the applicant will furnish a written notarized letter from the landowner which authorizes the application and endorses the proposed zone change.
 - (3) Name, address, and telephone number of the person or company responsible for preparation of the conceptual site plan supporting the application.
 - (4) Legal description and total land area of the lands proposed for a zone change.
- (b) Applicants will also provide the following additional information, which will supplement a completed application form.
 - (1) Location map of the lots or land parcels being considered for a zone change.
 - (2) A conceptual site plan of the proposed land use development concept.
 - (3) A development schedule for proposed land use.
 - (4) A description of how the zone change will impact the surrounding area.
- (e) The Zoning Administrator, or his or her authorized representative, will make a careful plan review of the proposed zone change and related land use development proposal. The Zoning Administrator, or his or her authorized representative, will evaluate the merits, disadvantages, and potential impacts of the proposed zone change upon adjoining land uses, municipal infrastructure, public health and safety, and community land use relationships. Subsequently, the Zoning Administrator will prepare and transmit a documented staff report containing these analyses and related recommendations to the Alpine Planning and Zoning Commission.
- (f) The Zoning Administrator will, as soon as practical, place the proposed zone change application on the agenda of the Alpine Planning and Zoning Commission.
- (g) Before any decision is reached by the Alpine Planning and Zoning Commission:
 - (1) The Zoning Administrator will post a copy of the proposed zone change upon the property where the zone change is requested. This public notice will be made, at least, thirty (30) days before the zone change is considered publicly by the Alpine Planning and Zoning Commission.
 - (2) The Zoning Administrator will provide written notice to all owners of property within 500 feet of the property or properties under consideration for a proposed zone change. The written notice will also include the date, time and place when the proposed zone change will be considered by the Alpine Planning and Zoning Commission.
 - (3) The Alpine Planning and Zoning Commission will hold one public hearing at a public facility within the Town of Alpine. Town residents and the general public will receive at least thirty (30) days notice of the public hearing. Public notice will be advertised in one (1) newspaper of general circulation throughout Lincoln County. Public comments received during the meeting will be documented for subsequent reference during the zone change process.
- (h) Upon consideration of a staff report from the Zoning Administrator and public comment, the Alpine Planning and Zoning Commission will make a written recommendation to the Alpine Town Council. The recommendation will state the rationale for its decision. When necessary, the recommendation

from the Alpine Planning and Zoning Commission may include project stipulations or conditions that may be imposed to mitigate potential impacts upon neighboring properties and the general community.

- (i) The Town Council will review the staff report from the Zoning Administrator, public comments, and the recommendation of the Alpine Planning and Zoning Commission. In the course of its review, the Town Council may hold an additional public hearing to provide an expanded opportunity for public comment.
- (j) The Town Council will approve, approve with conditions, or deny the proposed zone change by resolution. In the event that further information is required by the Town Council to complete its evaluation, the Town Council may table the proposed zone change until desired information is obtained and reviewed by the Town Council.
- (k) The Zoning Administrator will issue a written notice of determination to the applicant within five (5) business days of the decision of the Town Council. The notice will indicate the decision made and, when appropriate, stipulations that may accompany the approval of a specific application.
- (l) Any appeal of the decisions by the Alpine Town Council may be reviewed by the district court pursuant to Rule 12 of the Wyoming Rules of Appellate Procedure.

Section 2-206. Variance Process

- (a) The purpose of the variance process (Figure 2-4) is to modify the strict application of the requirements of the Alpine Zoning Ordinance. A variance can be granted by the Alpine Board of Adjustments where it can be shown that unusual site or building characteristics, extraordinary circumstances, or other relevant factors, prevent a landowner from using a lot or land parcel for purposes permitted in the zoning district where the property is located.
- (b) Each authorized variance will apply to a specific use or structure, and will continue in perpetuity regardless of future changes in land ownership.
- (c) Owners and/or prospective developers of any lots or parcels may make application for a variance in any zoning district.
- (d) Applicants must complete a variance application form that will request at least the following information:
 - (1) Name, address, telephone number, e-mail address, and fax number of the applicant.
 - (2) When the applicant is not the landowner, the applicant will furnish a written, notarized letter from the landowner, which authorizes the application and endorses the proposed variance.
 - (3) Legal description and total land area of the land and/or the total floor area of the building(s) where the proposed variance would be located.
- (e) Applicants will also provide the following additional information, which will supplement a completed application form.
 - (1) Location map of the lots or land parcels being considered for a variance.
 - (2) A plot plan of the site and buildings where the proposed variance would occur.



Town of Alpine
Land Use & Development Code

Variance Process

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Figure 2-4

- (3) The limitations in the dimensions of the lot and/or buildings under consideration that prevent the applicant from developing or pursuing the type of land uses permitted in the zoning district where the property is located.
- (f) The Zoning Administrator, or his or her authorized representative, will make a review of the proposed variance in the context of the three considerations outlined in Section 1-205 (j). This evaluation and a related recommendation will be documented and transmitted to the Alpine Board of Adjustments.
- (g) The Zoning Administrator will, as soon as practical, place the proposed variance on the agenda of the Alpine Board of Adjustments.
- (h) Before any decision is reached by the Alpine Board of Adjustments:
 - (1) The Zoning Administrator will post a copy of the proposed variance upon the property where the variance is requested. This public notice will be made, at least, thirty (30) days before the proposed variance is considered publicly by the Alpine Board of Adjustments.
 - (2) The Zoning Administrator will provide written notice to all owners of property within 500 feet of the property or properties under consideration for a variance. The written notice will also include the date, time and place when the proposed variance will be considered by the Alpine Board of Adjustments.
 - (3) The Alpine Board of Adjustments will hold one public hearing at a public facility within the Town of Alpine. Town residents and the general public will receive at least thirty (30) days notice of the public hearing. Public notice will be advertised in one (1) newspaper of general circulation throughout Lincoln County. Public comments received during the meeting will be documented for subsequent reference during the variance process.
- (i) Upon consideration of a staff report from the Zoning Administrator and public comments made during a scheduled public hearing concerning the proposed variance, the Alpine Board of Adjustments will make its decision concerning the variance request. Any affirmative decision may contain specific stipulations which may modify the specific variance request.
- (j) In determining whether to approve, approve with conditions, or deny a variance application, the Alpine Board of Adjustments will use and address the following considerations. No variance shall be authorized unless the Alpine Board of Adjustments determines that it is pursuant to §15-1-608 of the Wyoming State Statutes, no adjustment in the strict application of any provision of an ordinance may be granted unless:
 - (1) There are special circumstances or conditions, fully described in the board's findings, which are peculiar to the land or building for which the adjustment is sought and do not apply generally to land or buildings in the neighborhood, and have not resulted from any act of the applicant subsequent to the adoption of the ordinance;
 - (2) The special circumstances or conditions have not resulted from any act of the applicant that was intended to circumvent the Land Use and Development Code.
 - (3) For reasons fully set forth in the board's findings, the circumstances or conditions are such that the strict application of the provisions of the ordinance would deprive the applicant of the reasonable use of the land or building, the granting of the adjustment is necessary for the reasonable use thereof and the adjustment as granted is the minimum adjustment that will accomplish this purpose; and
 - (4) The granting of the adjustment is in harmony with the general purposes and intent of the ordinance and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

- (k) A notice of determination of the Alpine Board of Adjustments will be prepared by the Zoning Administrator and transmitted to the applicant within five (5) business days of the decision of the Board of Adjustments. The notice of determination will state the rationale for approval or disapproval for the proposed variance, and outline any required stipulations to any approved variance application.
- (l) Any appeal of the decisions by the Alpine Board of Adjustments will be made to the Alpine Town Council.

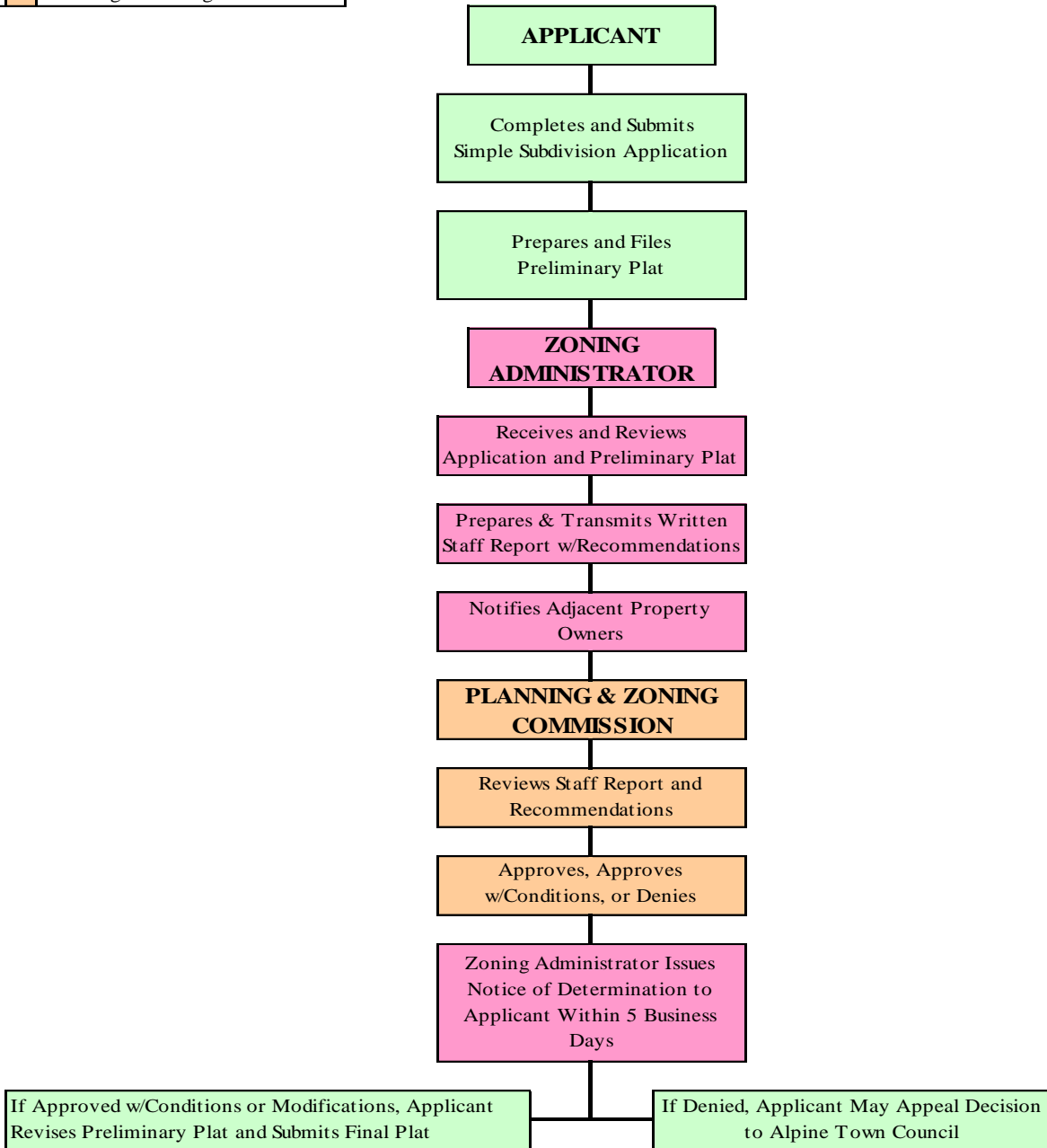
Section 2-207. Subdivision Process

- (a) The intent of the subdivision review and approval process is to encourage the development of attractive neighborhoods, commercial areas, and public spaces that will represent healthy and safe places to live and work.
- (b) The Town of Alpine shall establish separate review and approval processes for simple, minor and major lands subdivisions (Figures 2-5, 2-6 and 2-7).
- (c) Simple subdivision requirements shall apply to subdivisions that:
 - (1) create only one additional lot or parcel; or,
 - (2) consolidate one or more lots; or,
 - (3) change a boundary line between two adjoining lots or parcels; or,
 - (4) change a subdivision plat to correct errors in legal descriptions or monument locations; and,
 - (5) require no change in zoning.
- (d) Minor subdivision requirement shall apply to subdivision that:
 - (1) create two to five lots or parcels;
 - (2) may or may not conform to existing zoning; and,
 - (4) will not require the construction of new municipal streets, the extension of municipal water and wastewater systems, or the development of other public improvements.
- (e) Major subdivision requirements shall apply to subdivisions that:
 - (1) create six or more lots or parcels;
 - (2) may or may not conform to existing zoning; and,
 - (3) will require the construction of new municipal streets, the extension of municipal water and wastewater systems, or the development of other public improvements; and,
 - (4) generate significant impacts upon existing public improvements and facilities.

Legend

- Applicant (Landowner)
- Zoning Administrator
- Planning & Zoning Commission

Refer to Section 2-207 and 2-207.1 of the Alpine Land Use and Development Code for specific procedures.

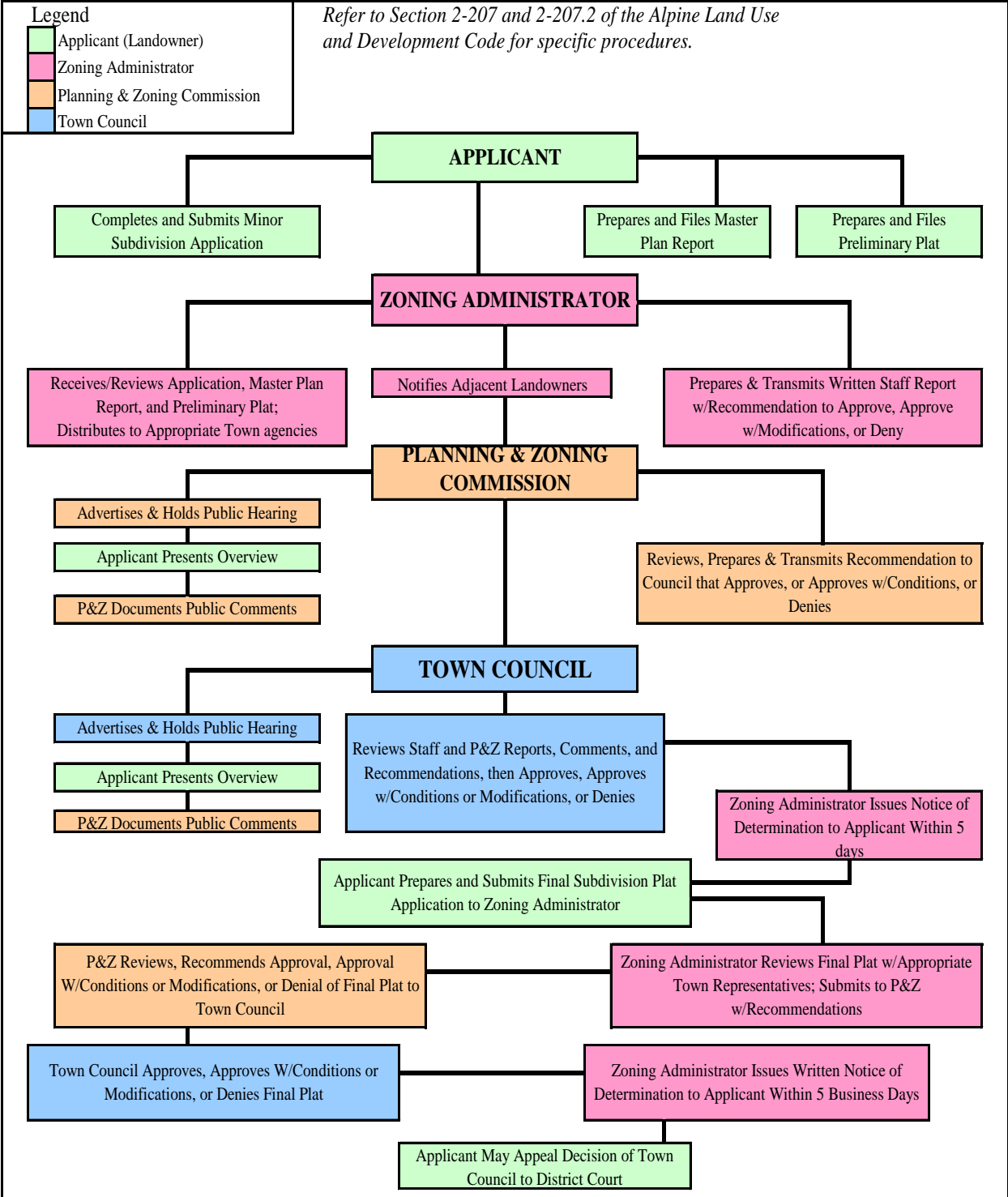


**Town of Alpine
Land Use & Development Code**

**Simple Subdivision
Review Process**

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Figure 2-5

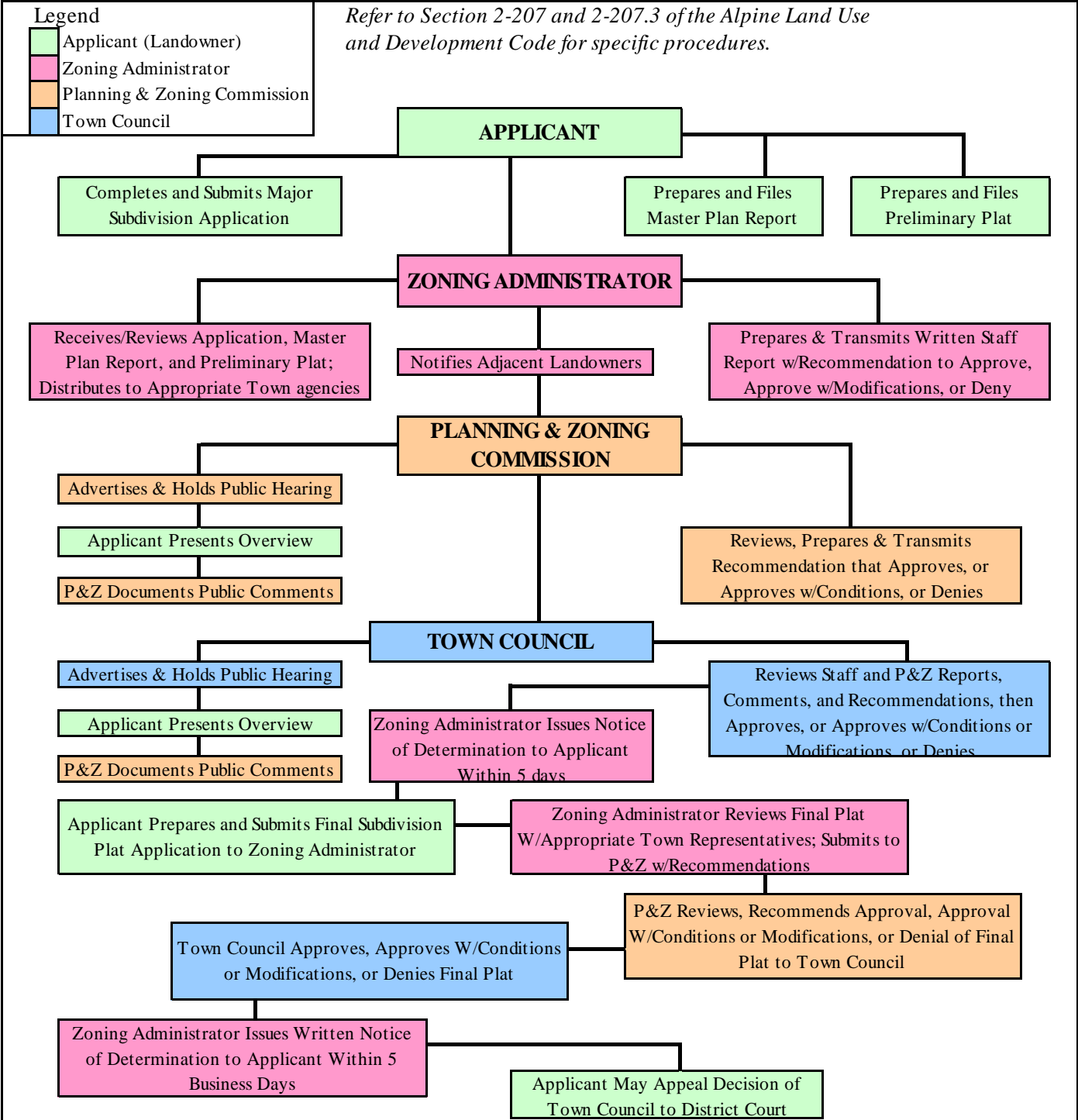


**Town of Alpine
Land Use & Development Code**

**Minor Subdivision
Review Process**

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Figure 2-6



Town of Alpine
Land Use & Development Code

Major Subdivision
Review Process

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Figure 2-7

Section 2-207.1 Simple Subdivision Review and Approval Process (Figure 2-5)

- (a) The landowner and/or his designated representative shall meet with the Zoning Administrator in a pre-application conference. The intent of this conference is to gain a mutual understanding of:
 - (1) the scope of the proposed project and the applicant's specific development objectives;
 - (2) the applicant's anticipated project schedule;
 - (3) approvals required by the Town of Alpine before any development can occur;
 - (4) the documents, plans, drawings, fees, and other materials that will be needed to process a complete subdivision application; and,
 - (5) potential issues associated with the subdivision.
- (b) Applicant shall complete and file a simple subdivision application form, and related filing fees, to the Zoning Administrator. The simple subdivision application shall include, at least, the name and address of the owner(s) and applicant, a legal description of the property to be subdivided, and a copy of the deed and easements pertaining to the property. The owner(s) of the property, or his legal representative, shall authorize the subdivision application via his or her signature on the application.
- (c) Applicant shall prepare and file a preliminary plat with the Zoning Administrator that contains, at least, the following information:
 - (1) Proposed name of subdivision, the size of property to be subdivided (in acres), and the size of the lot or parcel being created;
 - (2) Name and address of the subdivision applicant, professional engineer or professional land surveyor registered in the State of Wyoming who prepared the plat, and owners of subject property;
 - (3) Location and boundaries of the subdivision that are tied to two (2) legal survey monuments;
 - (4) Date of drawing preparation and all subsequent revisions, as well as a scale (not less than one inch = 200 feet) and north arrow;
 - (5) Boundary lines of subdivision, the location and dimensions of all existing streets, alleys, trails, paths, easements, watercourses and irrigation ditches, and structures on and within 200 feet of the subdivision;
 - (6) Location of existing water distribution and wastewater collection lines on and within 200 feet of the subdivision;
 - (7) Two-foot contours where ground slopes are less than ten percent and five-foot contours where ground slopes exceed 10 percent.
- (d) The Zoning Administrator shall review the application and preliminary plat for completeness and conformance to the procedural requirements outlined in Part 2 of the Alpine Land Use and Development Code, as well as the plat's consistency with subdivision development standards and design criteria outlined in Part 3 of the Alpine Land Use and Development Code. Based upon this review, the Zoning Administrator shall provide a written staff report to the Alpine Planning and Zoning Commission that confirms the completeness of the subdivision application, the receipt of required filing fees, and no requirements for a change in zoning. If necessary, this report may also recommend possible modifications to the plat, or provide rationale for denial of the subdivision application.
- (e) The Zoning Administrator shall notify, in writing, all landowners of properties that are located within 500 feet of the proposed simple subdivision.

- (f) The Alpine Planning and Zoning Commission shall review and discuss the recommendations of the Zoning Administrator. No public hearing will be required. Subsequently, the Alpine Planning and Zoning Commission shall approve, approve with conditions or modifications, or deny the proposed subdivision.
- (g) The Zoning Administrator shall issue a written notice of determination to the applicant within five (5) business days of the decision of the Alpine Planning and Zoning Commission. The notice will indicate the decision made and, when appropriate, conditions that may accompany the approval of a specific application, or reasons why the application was denied.
- (h) If approved by the Alpine Planning and Zoning Commission, the preliminary plat of the simple subdivision shall be deemed and accepted as a final plat. If approved with modifications, the preliminary plat shall be revised and filed by the applicant as a final plat with the Zoning Administrator.
- (i) Any appeal of the decisions by the Alpine Planning and Zoning Commission shall be made to the Alpine Town Council.
- (j) If the approved final plat is not recorded within one (1) year from the date of plat approval, or upon expiration of any time extension that may have been granted by the Planning & Zoning Commission the approval of such plat shall expire. Should the applicant thereafter desire to record the final plat, a new application for a new simple subdivision shall be required.

Section 2-207.2 Minor Subdivision Review and Approval Process (Figure 2-6)

- (a) The landowner and/or his designated representative shall meet with the Zoning Administrator in a pre-application conference. The intent of this conference is to gain a mutual understanding of:
 - (1) the scope of the proposed project and the applicant's specific development objectives;
 - (2) the applicant's anticipated project schedule;
 - (3) approvals required by the Town of Alpine before any development can occur;
 - (4) the documents, plans, drawings, fees, and other materials that will be needed to process a complete subdivision application; and,
 - (5) potential issues associated with the subdivision.
- (b) Applicant shall complete and file a minor subdivision application form, and related filing fees, with the Zoning Administrator. The minor subdivision application form shall include, at least, the name and address of the owner(s) and applicant, a legal description of the property to be subdivided, a copy of the deed and easements pertaining to the property, existing zoning designations associated with the property, and the intended use of the subdivision. The owner(s) of the property, or his legal representative, shall authorize the subdivision application via his or her signature on the application.
- (c) Applicant shall complete and file three hardcopies and one digital copy of a master plan report for the proposed subdivision with the Zoning Administrator. The master plan will address what municipal services the subdivision intends to use, as well as the potential impact of the proposed subdivision upon the Town of Alpine and the community. The master plan, which will contain a combination of technical narrative, statistical tables, and illustrations, will address, at least, the following issues:
 - (1) The purpose of the subdivision and proposed land uses.
 - (2) A development schedule for proposed land uses.
 - (3) The number of lots being created and, if applicable, the zoning designations requested for each lot.
 - (4) Planned water system, as well as anticipated average day and maximum day water demand.

- (5) Planned wastewater system, as well as anticipated average daily flows.
 - (6) Planned points of access to municipal roads, Lincoln County roads, and U.S. Highway 89, as well as anticipated average and peak day traffic volumes
 - (7) Planned storm water management plan and anticipated storm water flows for 10-year storm event.
 - (8) Planned snow storage areas.
 - (9) Planned easements and facilities to accommodate access to, or the extension of, the Town of Alpine's planned community trail system.
 - (10) Landscape Plan.
- (d) Applicant shall prepare and file three hardcopies and one digital copy of a preliminary plat with the Zoning Administrator that contains, at least, the following information:
- (1) Proposed name of subdivision, the size of property to be subdivided (in acres), and the size of the lots or parcels being created;
 - (2) Name and address of the subdivision applicant, professional engineer or professional land surveyor registered in the State of Wyoming who prepared the plat, and owners of subject property;
 - (3) Location and boundaries of the subdivision that are tied to two (2) legal survey monuments;
 - (4) Date of drawing preparation and all subsequent revisions, as well as a scale (not less than one inch=200 feet) and north arrow;
 - (5) Boundary lines of subdivision, the location and dimensions of all existing streets, alleys, trails, paths, easements, watercourses and irrigation ditches, and structures on and within 200 feet of the subdivision;
 - (6) Location of existing water distribution and wastewater collection lines on and within 200 feet of the subdivision;
 - (7) Two-foot contours where ground slopes are less than ten percent and five-foot contours where ground slopes exceed 10 percent.
- (e) The Zoning Administrator shall review the application, master plan report and preliminary plat for completeness and conformance to the procedural requirements outlined in Part 2 and Part 3 of the Alpine Land Use and Development Code. The master plan report will also be distributed to the Alpine Public Works Director, Town Engineer, Town Surveyor and Alpine Volunteer Fire Department for their review. These municipal representatives will provide written comments to the Zoning Administrator.
- (f) The Zoning Administrator shall provide a written staff report to the Alpine Planning and Zoning Commission and the Alpine Town Council.
- (1) The written staff report shall confirm the completeness of the subdivision application, the receipt of required filing fees, and potential changes in zoning. Based upon comments received from the Alpine Public Works Director, Town Engineer, Town Attorney and Alpine Volunteer Fire Department, this report shall concurrently evaluate the following:
 - (aa) Consistency of the proposed subdivision with the Town of Alpine Municipal Master Plan;
 - (bb) Consistency of the proposed subdivision with subdivision development standards and design criteria outlined in Part 3 of the Alpine Land Use and Development Code;

- (cc) Compatibility and potential impacts of the proposed subdivision and related zone change upon adjoining land uses;
 - (dd) Potential impacts of the proposed subdivision upon the Town of Alpine, e.g., municipal roads, water system, wastewater system, storm water management, and other public services; and,
 - (ee) Compatibility of the proposed subdivision with adjoining land uses.
- (2) The staff report shall also recommend approval of the subdivision as proposed, approval with some possible modifications to the preliminary plat, or provide rationale for denial of the preliminary plat and, when applicable, the related re-zoning request.
- (g) The Zoning Administrator shall notify, in writing, all landowners of properties that are located within 500 feet of the proposed minor subdivision.
 - (h) A public hearing shall be required during a regular or special meeting of the Planning and Zoning Commission. The time and place of the hearing shall be advertised in a regional newspaper serving Star Valley, at least, 30 days in advance of the hearing. During the public hearing, the applicant will provide a brief overview of the proposed subdivision and, when applicable, the related re-zoning request. Subsequently, the Alpine Planning and Zoning Commission will receive public comments concerning the proposed subdivision.
 - (i) Based upon its evaluation of the master plan, preliminary plat, review comments from municipal representatives, the staff report, and public comments, the Alpine Planning and Zoning Commission will discuss the merits, disadvantages, and potential issues associated with the proposed subdivision and, when applicable, the related re-zoning request. In the event that further information is desired by the Planning and Zoning Commission, any decision of the Planning and Zoning Commission may be tabled until members of the Planning and Zoning Commission have had sufficient opportunity to review and evaluate any new information.
 - (j) The Alpine Planning and Zoning Commission shall recommend approval, approval with conditions or modifications, or denial of the proposed subdivision to the Alpine Town Council. The decision to approve or deny the preliminary subdivision plat and any related re-zoning request shall be concurrent.
 - (k) A public hearing shall be required during a regular or special meeting of the Alpine Town Council. The time and place of the hearing shall be advertised in a regional newspaper serving Star Valley, at least, 30 days in advance of the hearing. During the public hearing, the applicant will provide a brief overview of the proposed subdivision. Subsequently, the Alpine Town Council will receive public comments concerning the proposed subdivision and, when applicable, the related re-zoning request.
 - (l) The Alpine Town Council shall review and discuss comments from various municipal representatives, the recommendations of the Zoning Administrator, and the recommendations of the Planning and Zoning Commission. Subsequently, the Alpine Town Council shall approve, approve with conditions or modifications, or deny the preliminary subdivision plat and, when applicable, the proposed re-zoning request. In the event that further information is desired by the Town Council, any decision of the Town Council may be tabled until members of the Town Council have had sufficient opportunity to review and evaluate any new information.
 - (m) The Zoning Administrator shall issue a written notice of determination to the applicant within five (5) business days of the decision of the Alpine Town Council. The notice will indicate the decision made and, when appropriate, conditions that may accompany the approval of the preliminary subdivision plat and, when applicable, related re-zoning request, or reasons why the plat and re-zoning requests were denied.
 - (n) The applicant shall prepare and file three hardcopies and one digital copy of a final subdivision plat application, and related filing fees, with the Zoning Administrator. The final subdivision plat application shall include the final subdivision plat, a signed copy of a subdivision improvement agreement, a payment of all design costs for public improvements, and performance security.

- (o) The final plat shall conform to the approved preliminary plat, as well as incorporate revisions or modifications requested by the Town of Alpine. Any deviation from the approved preliminary plat shall require additional review and approval by the Alpine Planning and Zoning Commission and Alpine Town Council.
- (p) The performance security shall be in an amount that reflects 125 percent of the anticipated cost of improvements in the approved subdivision plan and shall be sufficient to cover all promises and conditions contained in the subdivision improvement agreement. The issuer of any performance bond shall be subject to the approval of the Alpine Town Attorney.
- (q) The Zoning Administrator shall review the final plat to confirm the completeness of the final plat subdivision application and its consistency with subdivision development standards and design criteria outlined in Part 3 of the Alpine Land Use and Development Code. This review may include some additional coordination with the Alpine Public Works Director, Town Engineer, and other municipal representatives. If the final plat is determined to be complete and consistent with development standards, the Zoning Administrator will transmit a copy of the final subdivision plat application and any related recommendations to the Alpine Planning and Zoning Commission for their consideration.
- (r) The Alpine Planning and Zoning Commission shall recommend approval, approval with conditions or modifications, or denial of the final subdivision plat to the Alpine Town Council.
- (s) Upon receipt of the Planning and Zoning Commission recommendation, the Alpine Town Council shall approve, approve with conditions or modifications, or deny the final subdivision plat application.
- (t) The Zoning Administrator shall issue a written notice of determination to the applicant within five (5) business days of the decision of the Alpine Town Council. The notice will indicate the decision made and, when appropriate, conditions that may accompany the approval of the final subdivision application, or reasons why the application was denied.
- (u) Any appeal of the decisions by the Alpine Town Council may be reviewed by the district court pursuant to Rule 12 of the Wyoming Rules of Appellate Procedure.
- (v) If the approved final plat is not recorded within one (1) year from the date of plat approval, or upon expiration of any time extension that may have been issued, the approval of such plat shall expire. Should the applicant thereafter desire to record the final plat, a new application for a new minor subdivision shall be required.

Section 2-207.3 Major Subdivision Review and Approval Process (Figure 2-7)

- (a) A Development Agreement shall be required in which the developer will agree to reimburse the Town expenses for review of permitting the development and provide letters of credit of bonds where applicable.
- (b) The landowner and/or his designated representative shall meet with the Zoning Administrator in a pre-application conference. The intent of this conference is to gain a mutual understanding of:
 - (1) the scope of the proposed project and the applicant's specific development objectives;
 - (2) the applicant's anticipated project schedule;
 - (3) approvals required by the Town of Alpine before any development can occur;
 - (4) the documents, plans, drawings, fees, and other materials that will be needed to process a complete subdivision application; and,
 - (5) potential issues associated with the subdivision.

- (c) Applicant shall complete and file a major subdivision application form, and related filing fees, to the Zoning Administrator. The major subdivision application form shall include, at least, the name and address of the owner(s) and applicant, a legal description of the property to be subdivided, a copy of the deed and easements pertaining to the property, existing zoning designations associated with the property, and the intended use of the subdivision. The owner(s) of the property, or his legal representative, shall authorize the subdivision application via his or her signature on the application.

- (d) Applicant shall complete and file three hardcopies and one digital copy of a master plan report for the proposed subdivision with the Zoning Administrator. The master plan will address what municipal services the subdivision intends to use, as well as the potential impact of the proposed subdivision upon the Town of Alpine and the community. The master plan, which will contain a combination of technical narrative, statistical tables, and illustrations, will address, at least, the following issues:
 - (1) The purpose of the subdivision and proposed land uses.
 - (2) A development schedule for proposed land uses.
 - (3) The number of lots being created and, if applicable, the zoning designations requested for each lot, and densities associated with residential and commercial land uses.
 - (4) Suitability of soils to support future land use expansion.
 - (5) Compatibility of proposed land uses with adjacent land uses.
 - (6) When applicable, the potential need for new housing in the context of anticipated housing demands for Alpine.
 - (7) Planned water system, as well as anticipated average day and maximum day water demand.
 - (8) Planned wastewater system, as well as anticipated average daily flows.
 - (9) Planned points of access to municipal roads, Lincoln County roads, and U.S. Highway 89, anticipated average and peak day traffic volumes.
 - (10) Vehicular circulation plan.
 - (11) Planned storm water management plan and anticipated storm water flows for 10-year storm event.
 - (12) Snow storage areas.
 - (13) Landscaping plan.
 - (14) Planned easements and facilities to accommodate access to, or the extension of, the Town of Alpine's planned community trail system.
 - (15) When applicable, planned covenants, contracts or deed restrictions that may be associated with a common interest development.

- (e) Applicant shall prepare and file three hardcopies and one digital copy of a preliminary plat with the Zoning Administrator that contains, at least, the following information:
 - (1) Proposed name of subdivision, the size of property to be subdivided (in acres), and the size of the lots or parcels being created;
 - (2) Name and address of the subdivision applicant, professional engineer or professional land surveyor registered in the State of Wyoming who prepared the plat, and owners of subject property;
 - (3) Location and boundaries of the subdivision that are tied to two (2) legal survey monuments;

- (4) Date of drawing preparation and all subsequent revisions, as well as a scale (not less than one inch=200 feet) and north arrow;
 - (5) Boundary lines of subdivision, the location and dimensions of all existing streets, alleys, trails, paths, easements, watercourses and irrigation ditches, and structures on and within 200 feet of the subdivision;
 - (6) Location of existing water distribution and wastewater collection lines on and within 200 feet of the subdivision;
 - (7) Two-foot contours where ground slopes are less than ten percent and five-foot contours where ground slopes exceed 10 percent.
- (f) The Zoning Administrator shall review the application, master plan report and preliminary plat for completeness and conformance to the procedural requirements outlined in Part 2 and Part 3 of the Alpine Land Use and Development Code. The master plan report will also be distributed to the Alpine Public Works Director, Town Engineer, Town Surveyor and Alpine Volunteer Fire Department for their review. These municipal representatives will provide written comments to the Zoning Administrator.
- (g) The Zoning Administrator shall provide a written staff report to the Alpine Planning and Zoning Commission and Alpine Town Council.
- (1) The written staff report shall confirm the completeness of the subdivision application, the receipt of required filing fees, and potential changes in zoning. Based upon comments received from the Alpine Public Works Director, Town Engineer, and Alpine Volunteer Fire Department, this report shall concurrently evaluate the following:
 - (aa) Consistency of the proposed subdivision with the Town of Alpine Municipal Master Plan;
 - (bb) Consistency of the proposed subdivision with subdivision development standards and design criteria outlined in Part 3 of the Alpine Land Use and Development Code;
 - (cc) Compatibility and potential impacts of the proposed subdivision and related zone change upon adjoining land uses;
 - (dd) Potential impacts of the proposed subdivision upon the Town of Alpine, e.g., municipal roads, water system, wastewater system, storm water management, and other public services;
 - (ee) When applicable, potential land use management issues that may arise with the establishment of planned covenants, contracts or deed restrictions via common-interest development.
 - (2) The written staff report shall also recommend approval of the subdivision as proposed, approval with some possible modifications to the preliminary plat, or provide rationale for denial of the preliminary plat and, when applicable, the related re-zoning request.
- (h) The Zoning Administrator shall notify, in writing, all landowners of properties that are located within 500 feet of the proposed major subdivision.
- (i) A public hearing shall be required during a regular or special meeting of the Planning and Zoning Commission. The time and place of the hearing shall be advertised in a regional newspaper serving Star Valley, at least, 30 days in advance of the hearing. During the public hearing, the applicant will provide a brief overview of the proposed subdivision and, when applicable, the related re-zoning request. Subsequently, the Alpine Planning and Zoning Commission will receive public comments concerning the proposed subdivision.
- (j) Based upon its evaluation of the master plan, preliminary plat, review comments from municipal representatives, the staff report, and public comments, the Alpine Planning and Zoning Commission

will discuss the merits, disadvantages, and potential issues associated with the proposed subdivision and, when applicable, the related re-zoning request. In the event that further information is desired by the Planning and Zoning Commission, any decision of the Planning and Zoning Commission may be tabled until members of the Planning and Zoning Commission have had sufficient opportunity to review and evaluate any new information.

- (k) The Alpine Planning and Zoning Commission shall recommend approval, approval with conditions or modifications, or denial of the proposed subdivision to the Alpine Town Council. The decision to approve or deny the preliminary subdivision plat and any related re-zoning request shall be concurrent.
- (l) A public hearing shall be required during a regular or special meeting of the Alpine Town Council. The time and place of the hearing shall be advertised in a regional newspaper serving Star Valley, at least, 30 days in advance of the hearing. During the public hearing, the applicant will provide a brief overview of the proposed subdivision. Subsequently, the Alpine Town Council will receive public comments concerning the proposed subdivision and, when applicable, the related re-zoning request.
- (m) The Alpine Town Council shall review and discuss comments from various municipal representatives, the recommendations of the Zoning Administrator, and the recommendations of the Planning and Zoning Commission. Subsequently, the Alpine Town Council shall approve, approve with conditions or modifications, or deny the preliminary subdivision plat and, when applicable, the proposed re-zoning request. In the event that further information is desired by the Town Council, any decision of the Town Council may be tabled until members of the Town Council have had sufficient opportunity to review and evaluate any new information.
- (n) The Zoning Administrator shall issue a written notice of determination to the applicant within five (5) business days of the decision of the Alpine Town Council. The notice will indicate the decision made and, when appropriate, conditions that may accompany the approval of the preliminary subdivision plat and, when applicable, related re-zoning request, or reasons why the plat and re-zoning requests were denied.
- (o) The applicant shall prepare and file three hardcopies and one digital copy of a final subdivision plat application, and related filing fees, with the Zoning Administrator. The final subdivision plat application shall include the final subdivision plat, a signed copy of a subdivision improvement agreement, a payment of all design costs for public improvements, and performance surety.
- (p) The final plat shall conform to the approved preliminary plat, as well as incorporate revisions or modifications requested by the Town of Alpine. Any deviation from the approved preliminary plat shall require additional review and approval by the Alpine Planning and Zoning Commission and Alpine Town Council.
- (q) The performance surety shall be in an amount that reflects 125 percent of the anticipated cost of improvements in the approved subdivision plan and shall be sufficient to cover all promises and conditions contained in the subdivision improvement agreement. The issuer of any performance security shall be subject to the approval of the Alpine Town Attorney. A performance bond will also be set in place. The amount of the performance bond shall be equal to the amount of money necessary for the completion of all infrastructure and landscaping costs of the proposed subdivision. Portions of the bond may be released to developers as stages are completed.
- (r) The Zoning Administrator shall review the final plat to confirm the completeness of the final plat subdivision application and its consistency with subdivision development standards and design criteria outlined in Part 3 of the Alpine Land Use and Development Code. This review may include some additional coordination with the Alpine Public Works Director, Town Engineer, and other municipal representatives. If the final plat is determined to be complete and consistent with development standards, the Zoning Administrator will transmit a copy of the final subdivision plat application and any related recommendations to the Alpine Planning and Zoning Commission for their consideration.
- (s) The Alpine Planning and Zoning Commission shall recommend approval, approval with conditions or modifications, or denial of the final subdivision plat to the Alpine Town Council.

- (t) Upon receipt of the Planning and Zoning Commission recommendation, the Alpine Town Council shall approve, approve with conditions or modifications, or deny the final subdivision plat application.
- (u) The Zoning Administrator shall issue a written notice of determination to the applicant within five (5) business days of the decision of the Alpine Town Council. The notice will indicate the decision made and, when appropriate, conditions that may accompany the approval of the final subdivision application, or reasons why the application was denied.
- (v) Any appeal of the decisions by the Alpine Town Council may be reviewed by the district court pursuant to Rule 12 of the Wyoming Rules of Appellate Procedure.
- (w) If the approved final plat is not recorded within one (1) year from the date of plat approval, or upon expiration of any time extension that may have been issued, the approval of such plat shall expire. Should the applicant thereafter desire to record the final plat, a new application for a new major subdivision shall be required.

Section 2-208 Development Fees

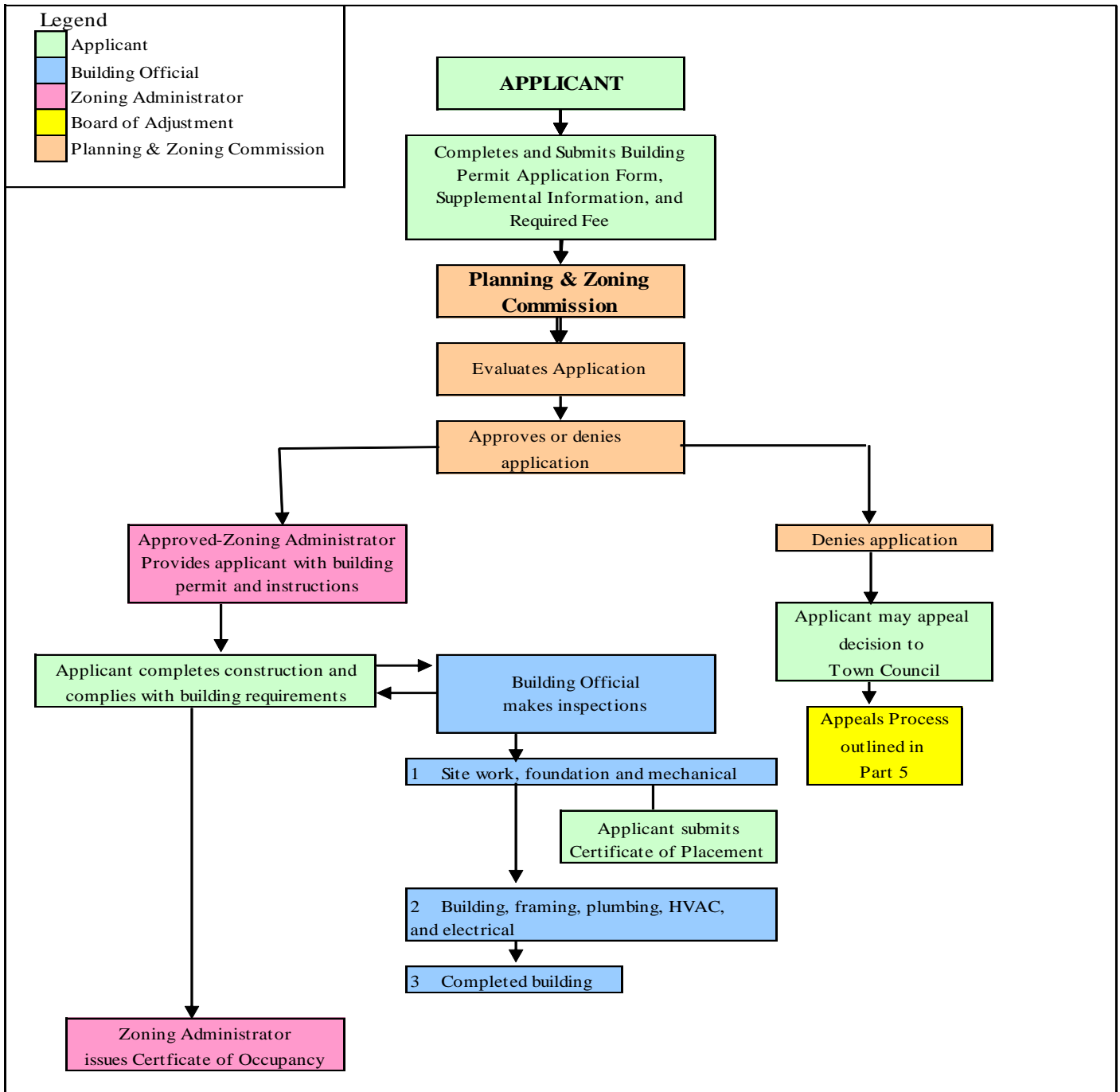
- (a) Processing Fees are based on an average cost for the Planning & Zoning Commission, Board of Adjustment, Town Council, Town Engineer, Town Building Official, Town Clerk, and P&Z Secretary.
- (b) Person requesting permit shall also pay for any and all advertising separately. Advertising costs will be billed directly to the client along with any and all other out of ordinary expenses.
- (c) All fees are non-refundable. There will be no waiver of fees.
- (d) Deposit and/or performance bonds may be required by the Planning & Zoning Commission for the landscaping and building. Deposit will be for the amount of the project. Deposit will be refunded when project is completed and inspected. If project is not completed in a timely manner agreed upon by the Planning & Zoning Commission and owner, deposit will not be refunded.
- (e) Plats must be filed with Lincoln County within (1) year with a one time, one (1) year extension. If the project is not completed within two (2) years, applicant will have to start the process over with all new fees, filings, meetings, etc.
- (f) Applications are valid for 180 days with a one time, 180 day extension upon showing of justifiable cause. If the missing items are not submitted within the required time frame, applicant will have to start the process over with new fees, filings, etc.
- (g) Fees do not reflect the cost of the Town engineer, attorney, or surveyor’s reviews. These costs will be assessed on a case by case basis based on the time spent during the review process.
- (h) Variance Application \$ 250.00
- (i) Zoning Map Amendment Application (rezone) \$1,500.00
- (j) Replat/Subdivisions Application
 - Simple \$ 350.00
 - Minor \$ 800.00
 - Major \$2,000.00 plus \$100.00 per lot
- (k) Extension of land use permits and applications \$ 100.00
- (l) Planned Unit Development Applications will be determined on a case by case basis, number of lots, etc.
- (m) Applications shall start at the above costs. There may be extra costs incurred on case by case basis, as every project will be different and may incur other unforeseen costs.

- (n) No approval shall be granted and formalized until all fees have been paid in full.

ARTICLE 2.3 BUILDING PERMIT PROCESS

Section 2-301. Building Permit Requirements

- (a) No construction, alteration or expansion of any site, building or structure will be initiated or completed by any private landowner or public agency before receiving an approved building permit application from the Town of Alpine (Figure 2-8).
- (b) A building permit is required for all of the following:
 - (1) Any new building that contains greater than two hundred (200) square feet.
 - (2) Additions to existing structures.
 - (3) Utility line installations and replacements, and other mechanical improvements.
 - (4) The demolition or relocation of an existing building.
 - (5) A change in the type of occupancy of a building.
 - (6) Accessory buildings with roof eave heights greater than 10 feet.
- (c) The Town of Alpine will make available a building permit application form to applicants that will require, at least, the following information:
 - (1) Name of applicant
 - (2) Authorization by landowner (if not the applicant)
 - (3) Mailing address
 - (4) Contact information for telephone, fax, and e-mail communication
 - (5) Legal description and size of land parcel where proposed construction will take place
 - (6) Scope of proposed site and facility improvements
 - (7) Existing zoning designation and related permitted uses.
 - (8) A plot plan indicating the general location of proposed buildings and the distances from the property line to the front, back and sides of proposed buildings.
 - (9) Three sets of construction drawings that illustrate the proposed foundation, floor plan, typical wall section, roof system, building elevations, exterior material specifications along with color, as well as electrical, plumbing, and HVAC systems. All construction drawings for structures submitted with a permit application shall be designed, stamped and certified by a civil or structural engineer licensed in the State of Wyoming.
 - (10) Three sets of a scaled site plan that depict the location of, at least, proposed vehicular access, the finish grade of the project site, septic system or sewer connection location, water connection location, propane tanks, parking, setbacks, onsite drainage facilities and potential snow storage areas.
 - (11) Three (3) sets of other construction documents and/or other data that the applicant may consider relevant to the building permit application shall be submitted with the building permit application. The construction documents shall be stamped and certified by a professional engineer who is registered in the State of Wyoming.



Town of Alpine
Land Use & Development Code

Building Permit Process

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Website: www.pedersenplanning.com

Figure 2-8

Section 2-302. Minor Construction Permit

(a) A minor construction permit will not require a Wyoming Engineered Stamp unless otherwise indicated.

(b) A minor construction permit (Figure 2-9) will be required for:

- (1) Sheds, which contain less than 200 square feet of floor area without electrical or plumbing.
- (2) The following roofing applications:
 - i. Replacement of roofing materials that increase the roof load.
 - ii. Addition of roofing layers.
- (3) Construction of decks.
- (4) The addition of stairs, dimension and/or alterations to an existing deck.
- (5) Construction of perimeter fences within setbacks.
- (6) Location of new propane/gas ~~Installation of underground propane gas~~ storage tanks after the initial construction of a primary structure. (Tanks will be inspected by the Town Building Inspector.) ~~a P&Z member or a designated appointee.)~~
- (7) Plumbing improvements on commercial facilities.
- (8) Electrical improvements on commercial facilities.
- (9) Replacement of doors and/or windows when rough opening of ~~are changed when~~ header is increased in width or height. Note - A Wyoming Certified Engineered stamped drawing will be required.
- (10) Utility improvements or changes.

(c) The Town of Alpine will make available a minor construction permit application form to applicants that will require, at least, the following information:

- (1) Name of applicant
- (2) Authorization by landowner (if not the applicant)
- (3) Mailing address
- (4) Contact information for telephone, fax, and e-mail communication
- (5) Legal description and size of land parcel where proposed construction will take place
- (6) Scope of proposed site and facility improvements
- (7) Existing zoning designation and related permitted uses.
- (8) A plot plan indicating the general location of proposed improvements and the distances from the property line to the front, back and sides of proposed buildings.

Section 2-303. Required Building and Site Inspections

- (a) Any authorized construction activity will be subject to inspections by the Town of Alpine Building Official, or its designated representative, during the construction process.
- (b) Upon completion of the forming of the foundation walls of the structure, a Certificate of Placement will be issued and submitted to the Town of Alpine. The Certificate of Placement verifies the location of the structure and the compliance, or lack of compliance, with the plot plan submitted with the approved building permit application. The Certificate of Placement will be completed by a land surveyor, licensed in the State of Wyoming that is retained by the building owner.

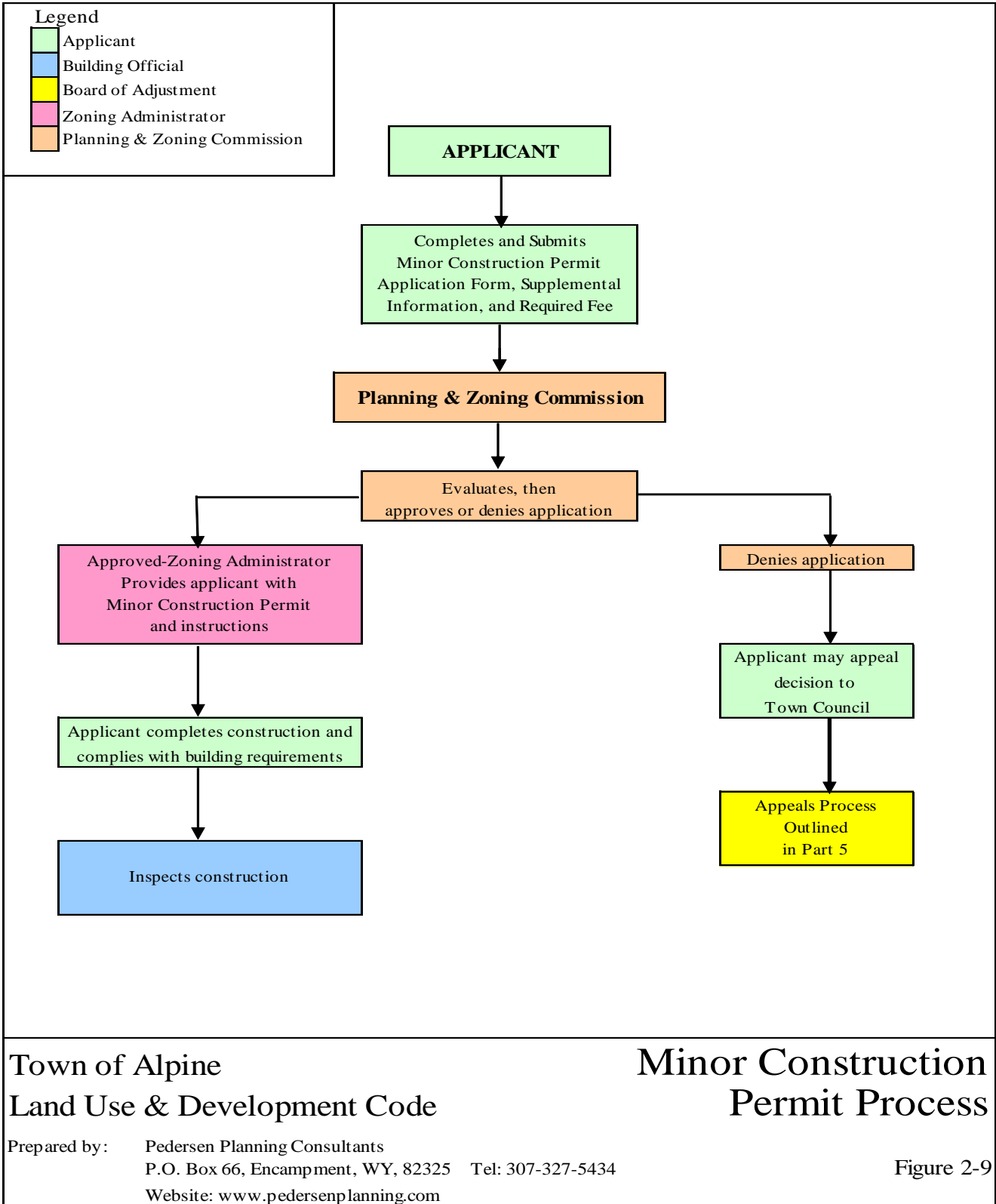
- (c) Conformance to the International Building Code, International Residential Code, International Plumbing Code, International Mechanical Code, International Fuel Gas Code, International Fire Code, and National Electrical Code standards will be ensured through a required inspection process that the municipal Building Official will make at the following stages:
- (1) When site preparation and building site excavation is complete. Concrete forms, reinforcing rods (if used) or pins are in place prior to the placement of concrete for concrete slab foundations or concrete footings. All mechanical piping and conduit is in place, all fittings are properly connected, and all work is adequately supported prior to the placement of utilities, e.g., sewer line, within a concrete foundation.
 - (2) When stem walls are completed. Foundation vents are in place for crawlspace foundations.
 - (3) When all building framing is completed and properly nailed, bolted or secured. **Prior to any coverings, e.g., Tyvek and/or roof coverings.**
 - (4) **The installation of plumbing, heating, ventilation and air conditioning (HVAC), and electrical systems is completed, but prior to the installation of insulation.**
 - (5) **Insulation inspection prior to covering of walls and/or ceilings.**
 - (6) **Sheet rock inspection, prior to taping and/or mudding.**
 - (7) When all construction work is completed.
- (d) The Town of Alpine will inspect improvements, authorized via a minor construction permit, following the construction of all proposed improvements.

Section 2-304. Issuance of Certificate of Occupancy

Once all required building inspections have been made and approved by the municipal Building Official, the Town of Alpine will issue a Certificate of Occupancy to the applicant. The Certificate of Occupancy represents a formal notification by the Town of Alpine that the building can legally be occupied by the applicant. The Certificate of Occupancy will be signed by the Building Official.

Section 2-305. Issuance of Certificate of Completion

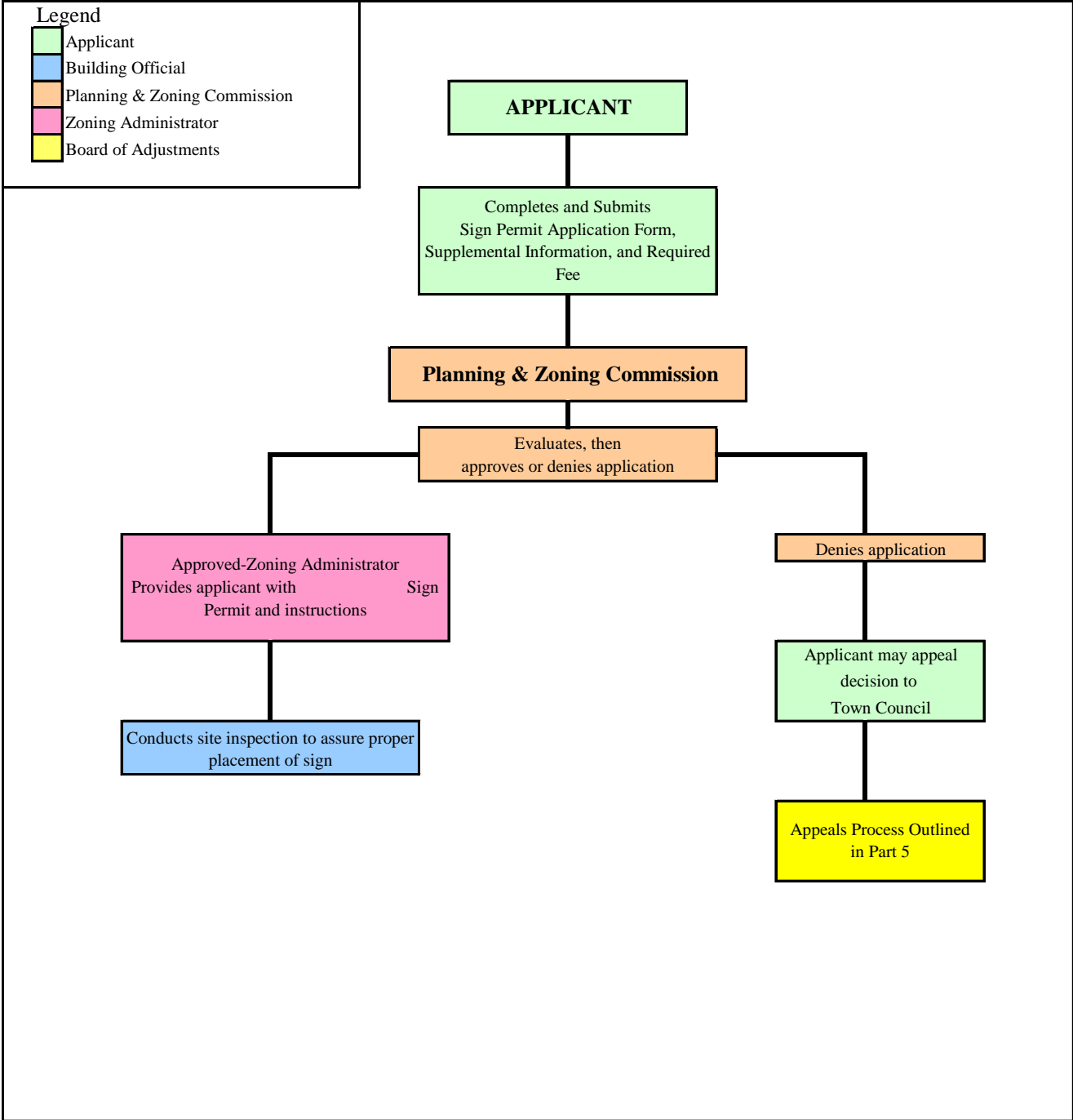
Once all required building inspections have been made and approved by the municipal Building Official, the Town of Alpine will issue a Certificate of Completion to the applicant. The Certificate of Completion represents a formal notification by the Town of Alpine that requirements of the minor construction permit and sign permit has been met. The Certificate of Completion will be signed by the Building Official.



ARTICLE 2.4 SIGN PERMIT PROCESS

Section 2-401. Sign Permit Process

- (a) A sign permit (Figure 2-10) will be required for:
 - (1) New signs.
 - (2) Sign Dimension Amendments.
- (b) A temporary sign permit will be required for:
 - (1) Temporary Signs – Refer to Table 4-9 (page 105);
- (c) The Town of Alpine will make available an ~~sign permit~~ application form to applicants that will require, at least, the following information:
 - (1) Name of applicant.
 - (2) Authorization by landowner (if not the applicant).
 - (3) Mailing address.
 - (4) Contact information for telephone, fax, and e-mail communication (if available).
 - (5) Legal description and size of land parcel where proposed construction will take place.
 - (6) Scope of proposed site and facility improvements.
 - (7) Existing zoning designation and related permitted uses.
 - (8) A plot plan indicating the general location of proposed improvements and the distances from the property line to the front, back and sides of proposed buildings.
- (d) A site inspection will be conducted by the Town of Alpine Building Official, or a designated representative, in order to assure the proper placement.



Town of Alpine
Land Use & Development Code

Sign Permit Process

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Figure 2-10

ARTICLE 2.5 BUILDING DEPARTMENT FEE SCHEDULE

Section 2-501. Building Department Fee Schedule

- (a) Processing fees for building applications and permit applications are based on an average cost for the Planning and Zoning Commission, Town Engineer, Town Building Official, Town Attorney, Town Clerk, and the Planning and Zoning Secretary.
- (b) After the application process has been completed and before a building permit is issued, all water and sewer new connect fees must be paid in full.
- (c) All fees are non – refundable. There will be no waiver of fees.
- (d) Deposit and/or performance bonds may be required by the Planning and Zoning Commission for landscaping and improvements. Deposit will be for the amount of project. Deposit will be refunded when project is completed and inspected. If project is not completed in a timely manner agreed upon by the Planning and Zoning Commission and owner, deposit will not be refunded.
- (e) Applications are valid for 180 days with a one time, 180 day extension upon showing of justifiable cause. If the missing items are not submitted within the allowed time frame, applicant will have to start the process over with new fees, filings, etc.
- (f) Commercial permits are good for 1 (one) year with a onetime, one year extension upon showing of justifiable cause. If project is not completed within two years, applicant will have to start the process over with all new fees, filings, meetings, etc.
- (g) Residential permits are good for 1 (one) year with two, one year extensions upon showing of justifiable cause. If project is not completed within three years, applicant will have to start the process over with all new fees, filings, meetings, etc. **This will be on a year by year basis.**
- (h) Minor Construction Permit Fees:
 - (1) Fence Permit \$100.00
 - (2) Deck Permit \$100.00
 - (3) All others \$150.00
- (i) Sign Permit Fees:
 - (1) repainting only no fee
 - (2) wall / canopy sign \$75.00
 - (3) free standing sign (extra as locates are needed) \$175.00
 - (4) temporary free standing or wall mount sign **no fee** ~~\$50.00~~
- (i) Building Permit Fees: Fees include Planning & Zoning Commission, Stage 2&3 Inspections, Final Inspection, Processing & Filing fees.
 - (1) Plan Review(billed after Stage 1 Inspection) \$ 50.00 - per hour
 - (2) Septic Permit \$500.00
 - (3) Remodeling or addition \$200.00
 - (4) Garage (not attached to home, non living area) \$200.00

- (5) Single Family Residential:
 - (aa) Flat rate of \$0.50 (fifty cents) per square foot for living space
 - (bb) Flat rate of \$200.00 for garage

| | | | | |
|--|---|----------|---|------------------------------------|
| Example: Joe has a 2000 sq. foot house and a two bay garage. His fees would then be: | | | | |
| 2000 | | 2 | | 2 hour plan review |
| x \$0.50 | | \$200.00 | | x \$50.00 |
| \$1000.00 | + | \$200.00 | + | \$100.00 |
| | | | | = Total cost for Joe is: \$1300.00 |

- (6) Multi-Unit Residential/Commercial Properties:
 - (aa) Flat rate of \$1.00 (one dollar) per square foot
- (7) Septic Re-Inspection – per each extra inspection \$100.00
- (8) Building Re-Inspection – per each extra inspection \$100.00
- (9) Extension of building permits and applications \$100.00
- (j) Miscellaneous Others
 - (1) Demolition Permit (not associated with new construction) \$ 25.00
 - (2) Similar Use Determination \$150.00
 - (3) Temporary Use Permit \$150.00
 - (4) Special Hearing by Planning & Zoning Commission \$500.00
- k) If any of the above fees do not fully cover the total costs of processing any application, additional fees may be assessed on a case by case basis.
- l) If a person commences development or remodeling for which a permit is required without having first obtained a permit, they are in violation of this Land Use and Development Code. Such person shall pay twice the fee for said permit, costs associated with the Town’s investigation of the violation, any hearings to abate, and including reasonable attorney, engineer, inspector and surveyor’s fees. The payment of such fees shall not relieve the person from fully complying with the requirements of the LUDC, nor does it automatically secure the permit or preclude a violation for a given infraction. The provisions of this article do not apply to emergency work, only if there is or would have been an unreasonable delay in obtaining the permit.
- m) Fees are transferable as long as the application and/or the permit have not expired.