

## **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. If a property is to be annexed into the incorporated boundaries of the Town a planned unit development concept with zone identification is required to accompany the annexation petition/application.
- (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. All annexation petition/applications **shall** be reviewed for consistency with the Town of Alpine Master Plan.
- (c) Any development on a parcel and/or a piece of land that is larger than one (1) acre **shall** be required to follow the planned unit development process. 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. All annexation petition/applications **shall** be reviewed for consistency with the Town of Alpine Master Plan.
- (d) General land use application requirements are summarized in Table 2-1 and described more fully in later sections of Part 2.
- (e) 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 shall be transmitted to applicants in writing. Approvals may contain specific stipulations or conditions which modify the original application. Denials of any application shall 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.

- (f) Any construction activity shall 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.
- (g) All completed land use permit applications must contain documented approval of the landowner(s) of the subject property.
- (h) If the property is located in an established subdivision, with an active architectural review committee and/or homeowner association, project approval shall accompany the permit application.
- (j) Upon inspection and final approval of all construction that is authorized via municipal building permits, the Town of Alpine shall issue a Certificate of Occupancy to the owner(s).
- (k) No new building shall be used or occupied until a Certificate of Occupancy and/or a Temporary 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 (Re-Plat)	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

**TABLE 2-1**  
**LAND USE DEVELOPMENT APPLICATION REQUIREMENTS**  
(Continued)

<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>
Special Use Permit	Plot plan, description and rationale for deviation from ordinance, provide location, function and characteristics of the proposed use.	Planning and Zoning Commission	30 days	Planning and Zoning Commission to make recommendation to Town Council for final action	Town Council

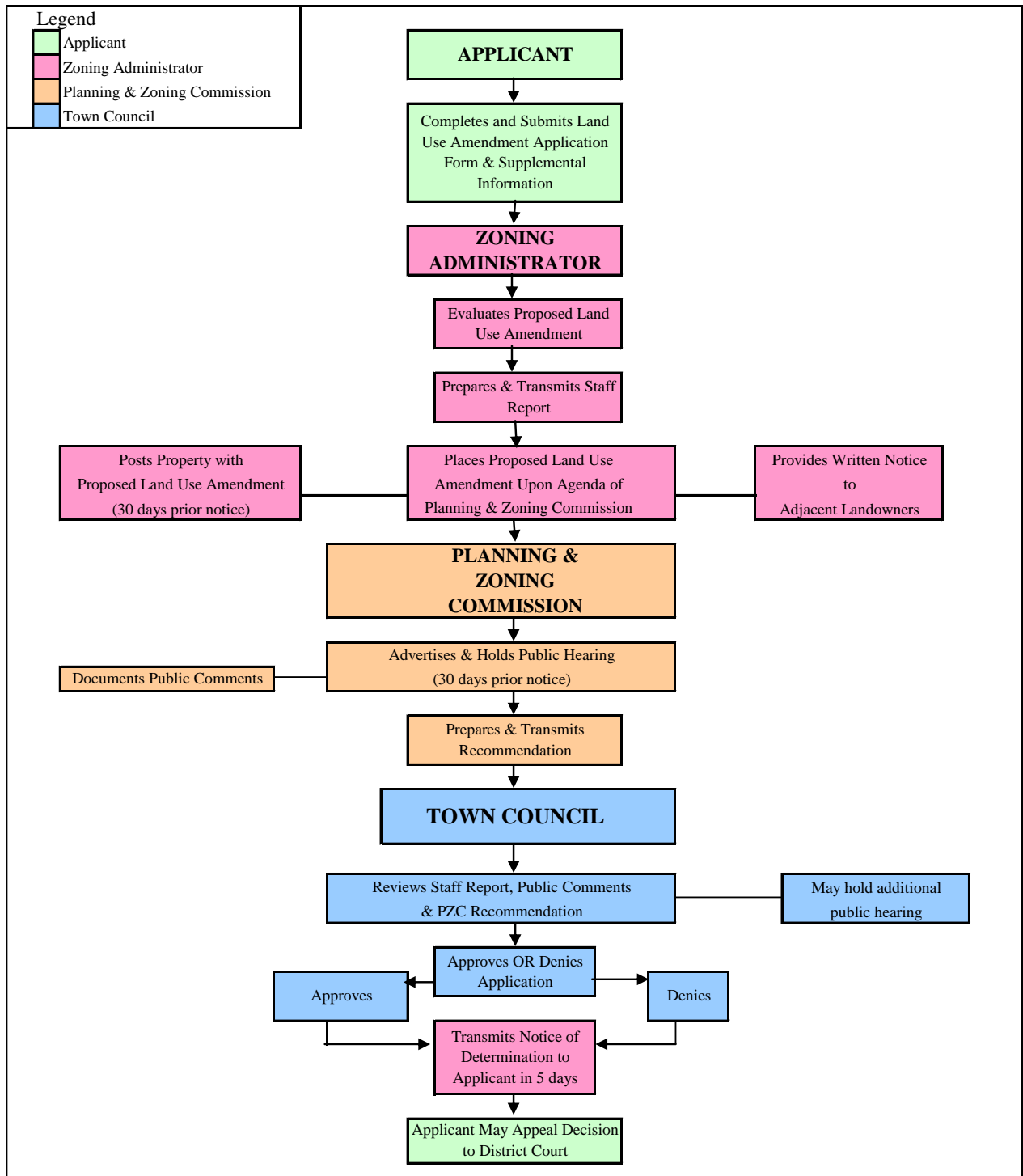
- (l) The Alpine Town Clerk and/or their representative shall not issue a business license to any business being conducted in any building or temporary structure (constructed or placed after the effective date of the ordinance) that does not comply with any provision of the Alpine Land Use and Development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

**Section 2-202. General Evaluation Criteria**

- (a) The development review process shall 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 permit 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 Parts 3 and 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 Parts 3 and 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 shall 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 shall 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 shall prepare and transmit a documented staff report containing these analyses and related recommendations to the Alpine Planning and Zoning Commission.
- (d) The Zoning Administrator shall 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.
  - (1) The Zoning Administrator shall post a copy of the proposed land use amendment upon the property where the zone change is requested. This public notice shall be made, at least, thirty (30) days before the proposed land use amendment is considered publicly by the Alpine Planning and Zoning Commission.



# Town of Alpine Land Use & Development Code

# Land Use Plan Amendment Process

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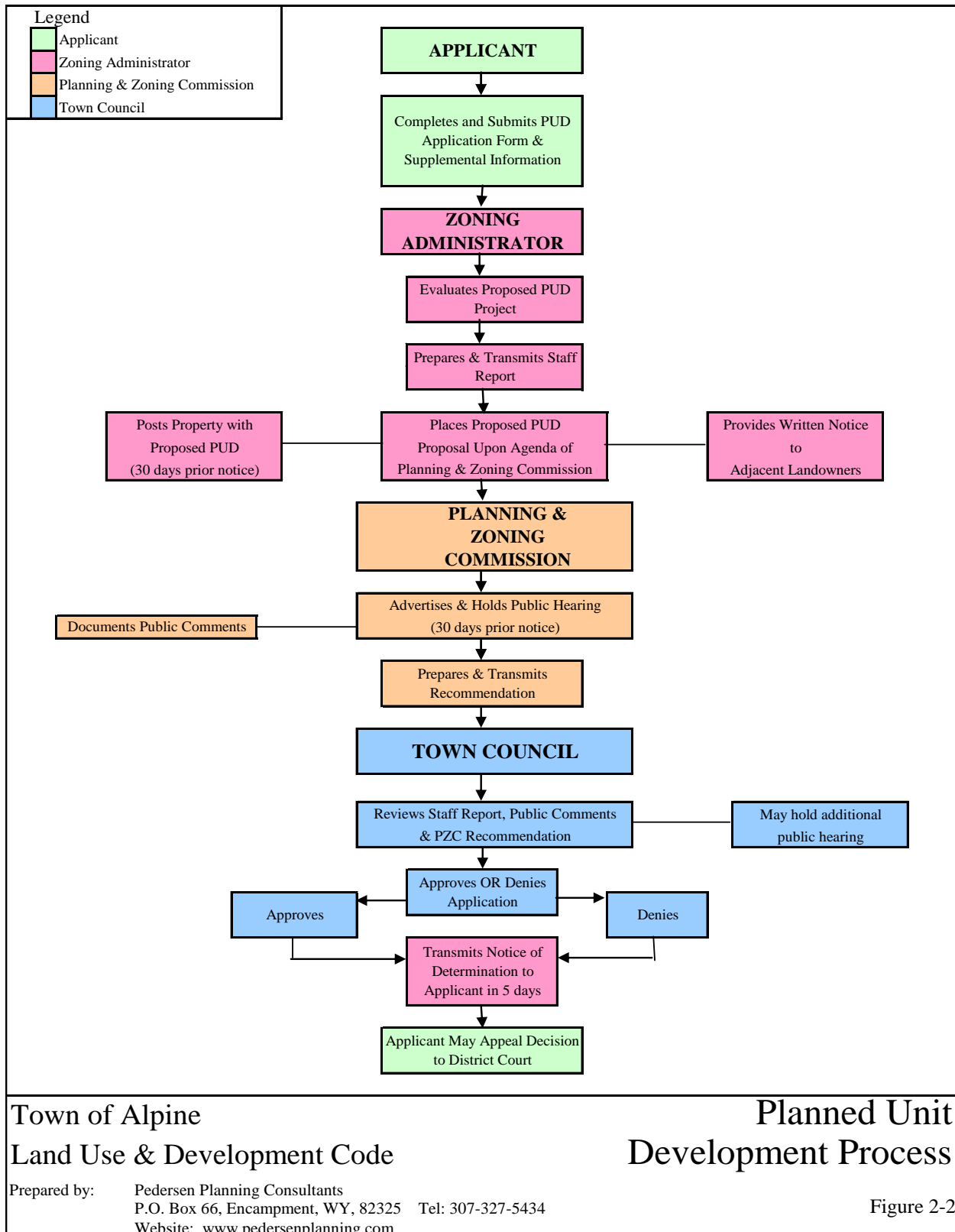
Figure 2-1  
Town of Alpine Land Use and Development Code

2/4/2025  
FINAL CHANGES

- (2) The Zoning Administrator shall provide written notice to all owners of property within five hundred (500) feet of the property or properties under consideration for a land use amendment. The written notice shall also include the date, time, and place when the proposed land use amendment **shall** be considered by the Alpine Planning and Zoning Commission.
- (3) The Alpine Planning and Zoning Commission shall hold one (1) public hearing at a public facility within the Town of Alpine. Town residents and the general public shall receive at least thirty (30) days' notice of the public hearing. Public notice shall be advertised in one (1) newspaper of general circulation throughout Lincoln County. Public comments received during the meeting shall be documented for subsequent reference during the land use plan amendment process.
- (f) Upon consideration of a staff report from the Zoning Administrator for public comment, the Alpine Planning and Zoning Commission shall make a written recommendation to the Alpine Town Council. The recommendation shall state the rationale for its decision.
- (g) The Town Council shall review the staff report from the Zoning Administrator, for 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 shall 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 shall issue a written notice of determination to the applicant within five (5) business days of the decision of the Town Council. The notice shall 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.



- (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 shall 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 shall furnish a written letter from the landowner, which authorizes the application and endorses the proposed project.
  - (3) Name, address, telephone number and e-mail address 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 shall be assessed at the time of application. Before final approval impact fees must be paid.
- (d) Applicants shall also provide the following additional information, which shall 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 shall 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 shall be provided to the town.
- (e) The Zoning Administrator shall make a careful plan review of the proposed development project. The Zoning Administrator, or his or her authorized representative, shall 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 shall prepare and transmit a documented staff report containing these analyses and related recommendations to the Alpine Planning and Zoning Commission.
- (f) The Zoning Administrator shall, 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:



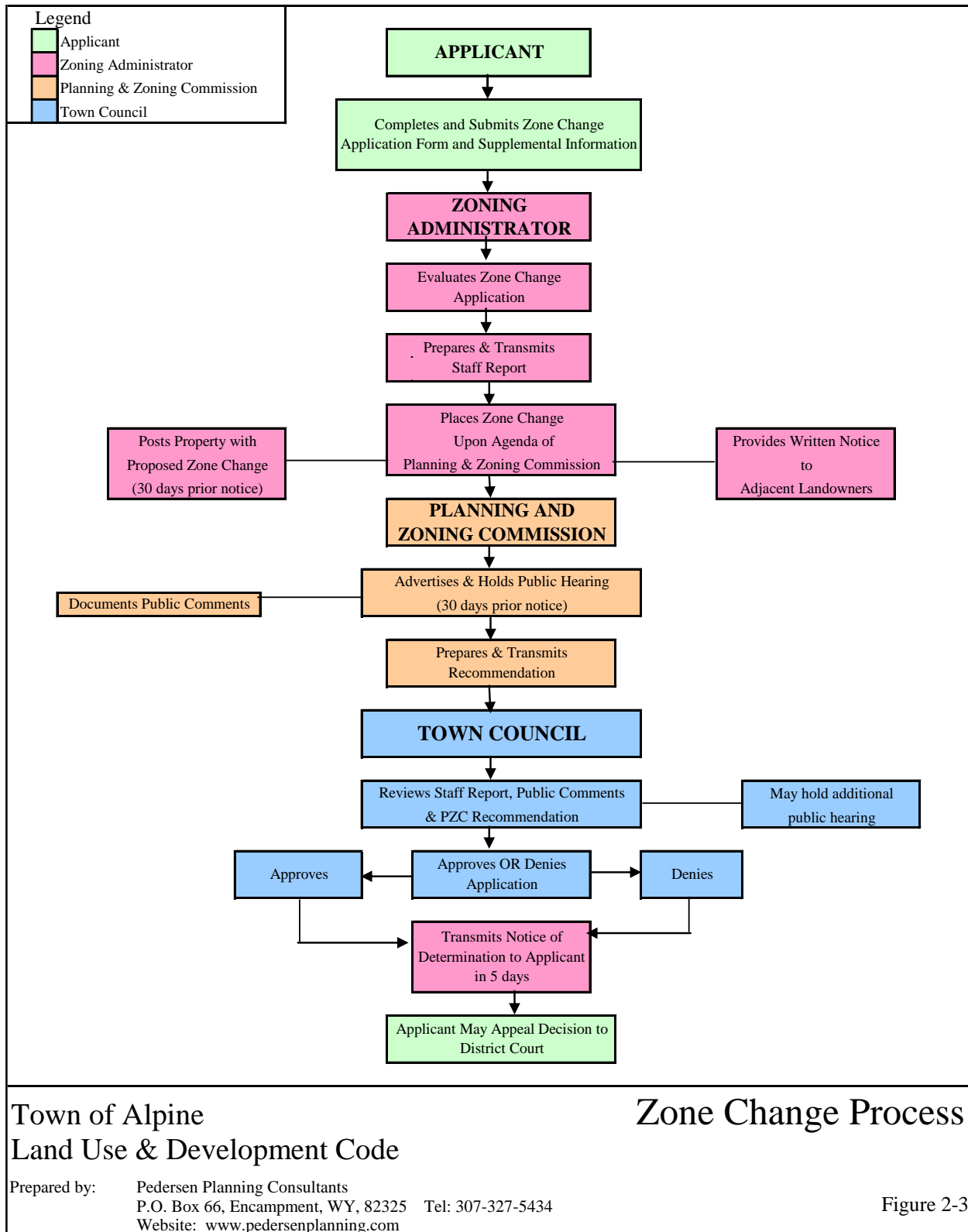
- (1) The Zoning Administrator shall post a copy of the proposed planned unit development application upon the property where the planned unit development is requested. This public notice shall be made, at least, thirty (30) days before the planned unit development application is considered publicly by the Alpine Planning and Zoning Commission.
  - (2) The Zoning Administrator shall provide written notice to all owners of property within five hundred (500) feet of the property or properties under consideration for a planned unit development. The written notice shall also include the date, time and place when the proposed planned unit development shall be considered by the Alpine Planning and Zoning Commission.
  - (3) The Alpine Planning and Zoning Commission shall hold one (1) public hearing at a public facility within the Town of Alpine. Town residents and the general public shall receive at least thirty (30) days' notice of the public hearing. Public notice shall be advertised in one (1) newspaper of general circulation throughout Lincoln County. Public comments received during the meeting shall 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 shall make a written recommendation to the Alpine Town Council. The recommendation shall 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 shall review the staff report from the Zoning Administrator, for 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 shall 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 shall issue a written notice of determination to the applicant within five (5) business days of the decision of the Town Council. The notice shall 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.
- (c) Applicants must complete a zone change application form that shall 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 shall furnish a written notarized letter from the landowner which authorizes the application and endorses the proposed zone change.
  - (3) Name, address, telephone number and e-mail address 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.
- (d) Applicants shall also provide the following additional information, which shall 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 changes shall impact the surrounding area.
- (e) The Zoning Administrator, or his or her authorized representative, shall 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, shall 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 shall prepare and transmit a documented staff report containing these analyses and related recommendations to the Alpine Planning and Zoning Commission.
- (f) The Zoning Administrator shall, 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 shall post a copy of the proposed zone change upon the property where the zone change is requested. This public notice shall 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 shall provide written notice to all owners of property within five hundred (500) feet of the property or properties under consideration for a proposed zone change.

The written notice shall also include the date, time and place when the proposed zone change shall be considered by the Alpine Planning and Zoning Commission.

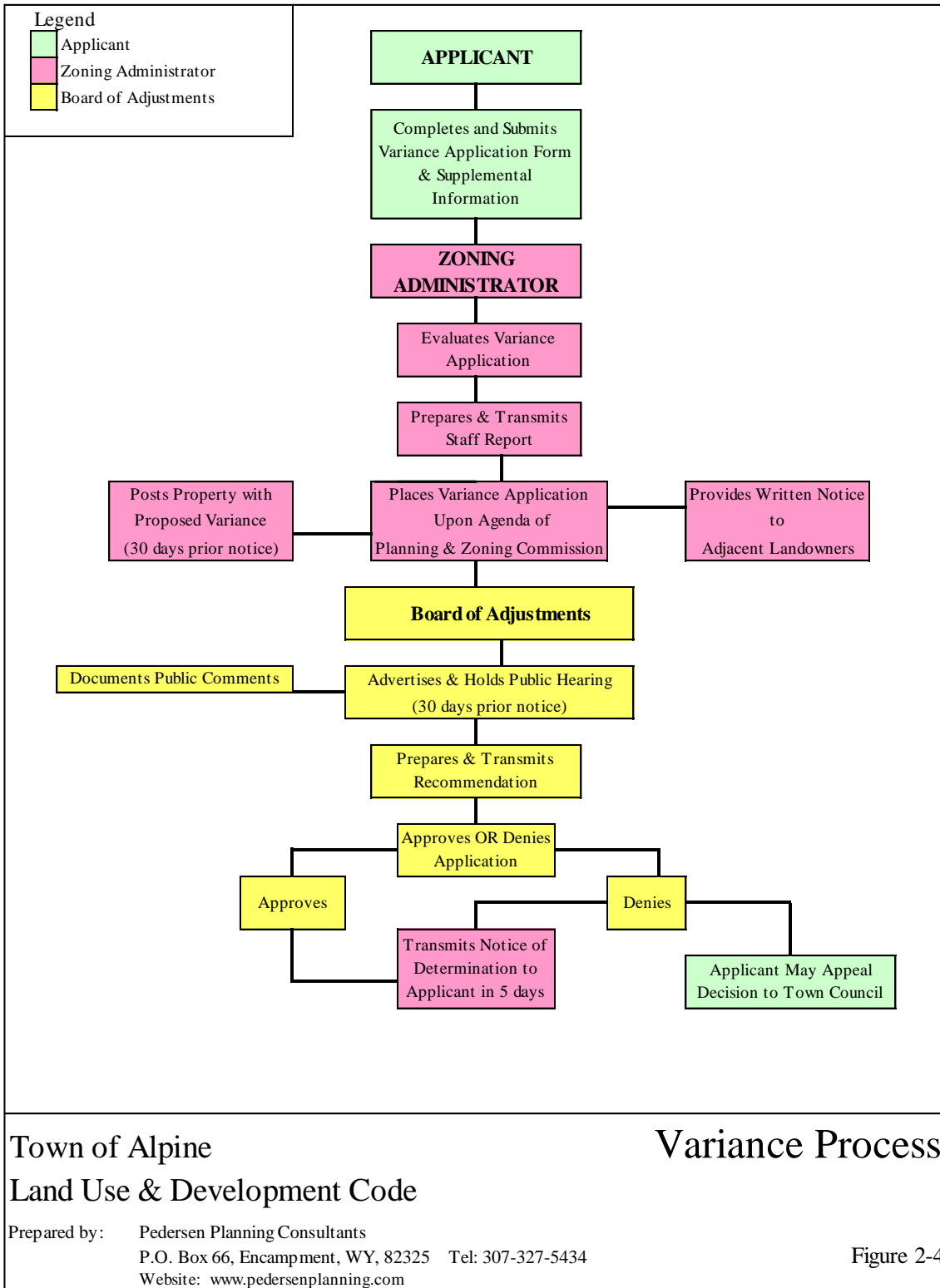
- (4) The Alpine Planning and Zoning Commission shall hold one (1) public hearing at a public facility within the Town of Alpine. Town residents and the general public shall receive at least thirty (30) days' notice of the public hearing. Public notice shall be advertised in one (1) newspaper of general circulation throughout Lincoln County. Public comments received during the meeting shall be documented for subsequent reference during the zone change process.
- (h) Upon consideration of a staff report from the Zoning Administrator for public comment, the Alpine Planning and Zoning Commission shall make a written recommendation to the Alpine Town Council. The recommendation shall 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 shall review the staff report from the Zoning Administrator for 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 shall approve, approve with conditions, or modifications, or deny the proposed zone change by the third reading. 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. The approved zone change shall be adopted by ordinance after the passing of the third and final ordinance reading.
- (k) The Zoning Administrator shall issue a written notice of determination to the applicant within five (5) business days of the decision of the Town Council. The notice shall 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 shall apply to a specific use or structure and shall 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 shall 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 shall 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 shall also provide the following additional information, which shall 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.
  - (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, shall make a review of the proposed variance in the context of the three considerations outlined in Section 2-206 (j). This evaluation and a related recommendation shall be documented and transmitted to the Alpine Board of Adjustments.
- (g) The Zoning Administrator shall, 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 shall post a copy of the proposed variance upon the property where the variance is requested. This public notice shall be made, at least, thirty (30) days before the proposed variance is considered publicly by the Alpine Board of Adjustments.
  - (2) The Zoning Administrator shall provide written notice to all owners of property within five hundred (500) feet of the property or properties under consideration for a variance. The written notice shall also include the date, time and place when the proposed variance shall be considered by the Alpine Board of Adjustments.

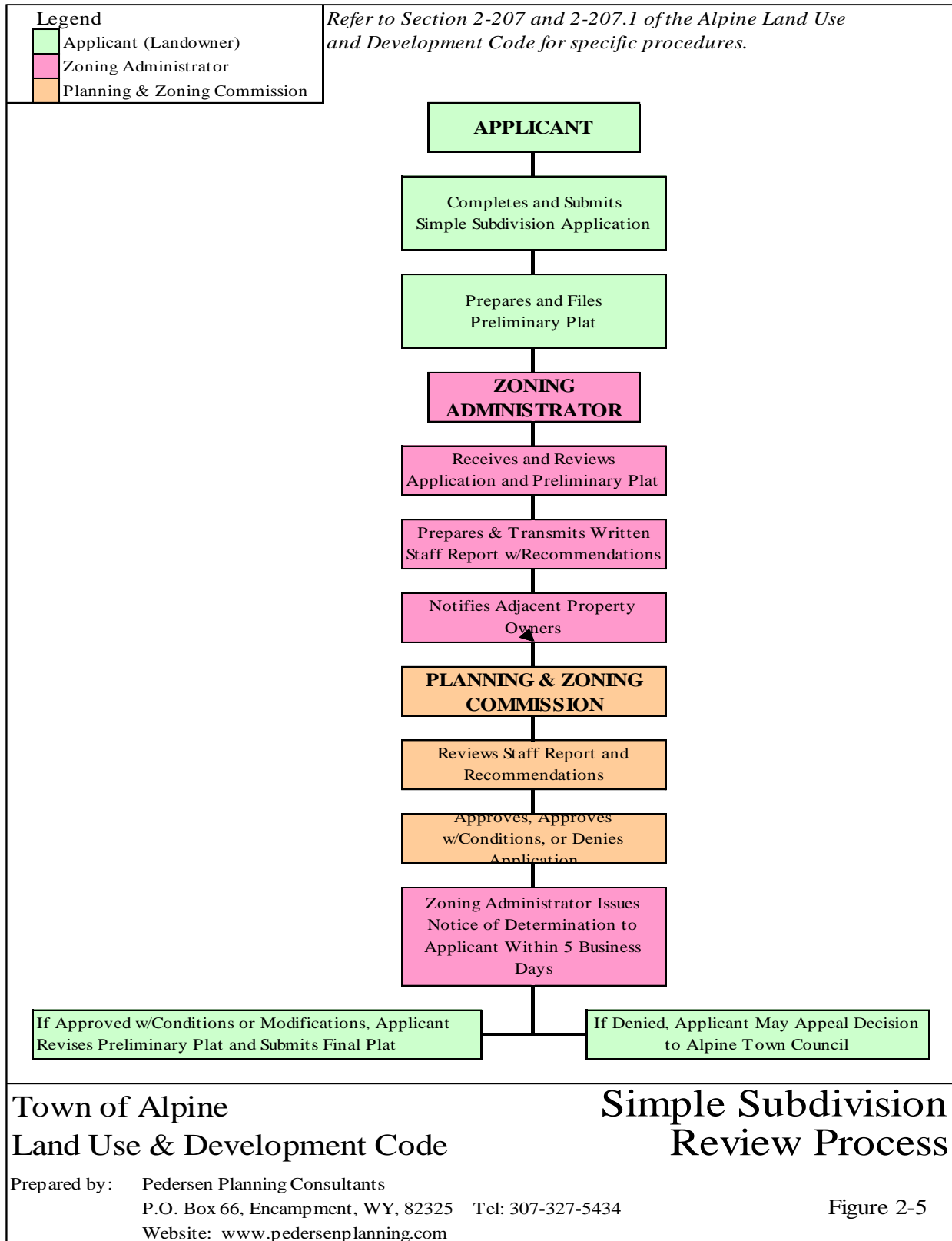
- (3) The Alpine Board of Adjustments shall hold one (1) public hearing at a public facility within the Town of Alpine. Town residents and the general public shall receive at least thirty (30) days' notice of the public hearing. Public notice shall be advertised in one (1) newspaper of general circulation throughout Lincoln County. Public comments received during the meeting shall be documented for subsequent reference during the variance process.
- (i) Upon consideration of a staff report from the Zoning Administrator, for public comments made during a scheduled public hearing concerning the proposed variance, the Alpine Board of Adjustments shall 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 shall 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) 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 shall accomplish this purpose;
  - (3) The granting of the adjustment is in harmony with the general purposes and intent of the ordinance and shall not be injurious to the neighborhood or otherwise detrimental to the public welfare;
  - (4) 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;
- (k) A notice of determination of the Alpine Board of Adjustments shall 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 shall 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 shall be made to the Alpine Town Council.

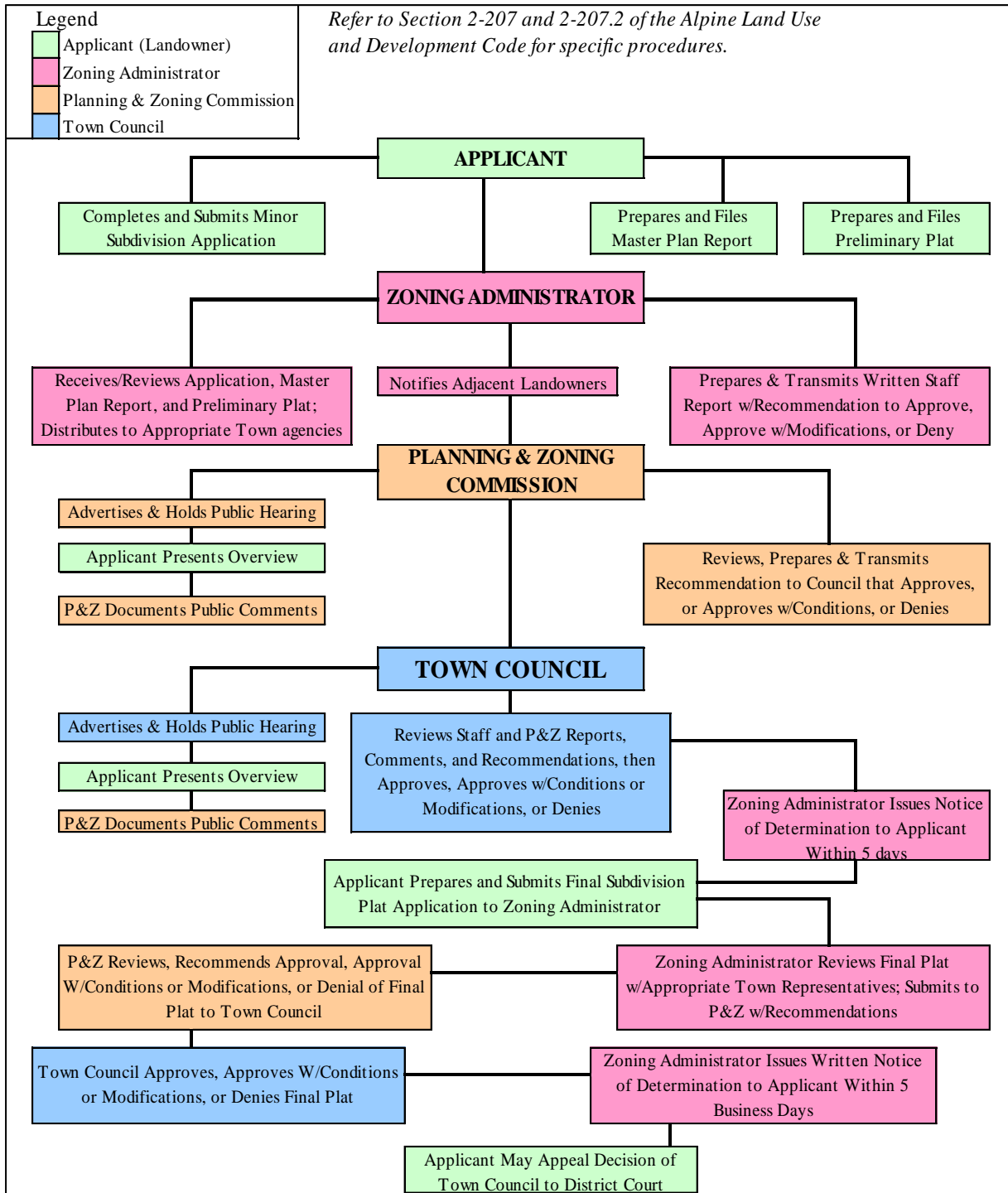


## **Section 2-207. Subdivision Process**

- (a) The intent of the subdivision review and approval process is to encourage the development of attractive neighborhoods, commercial areas, and public spaces that shall 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 (1) additional lot or parcel; or,
  - (2) consolidate one (1) or more lots; or,
  - (3) change a boundary line between two (2) 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 (2) to five (5) lots or parcels;
  - (2) may or may not conform to existing zoning; and,
  - (4) shall 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 (6) or more lots or parcels;
  - (2) may or may not conform to existing zoning; and,
  - (3) shall 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.





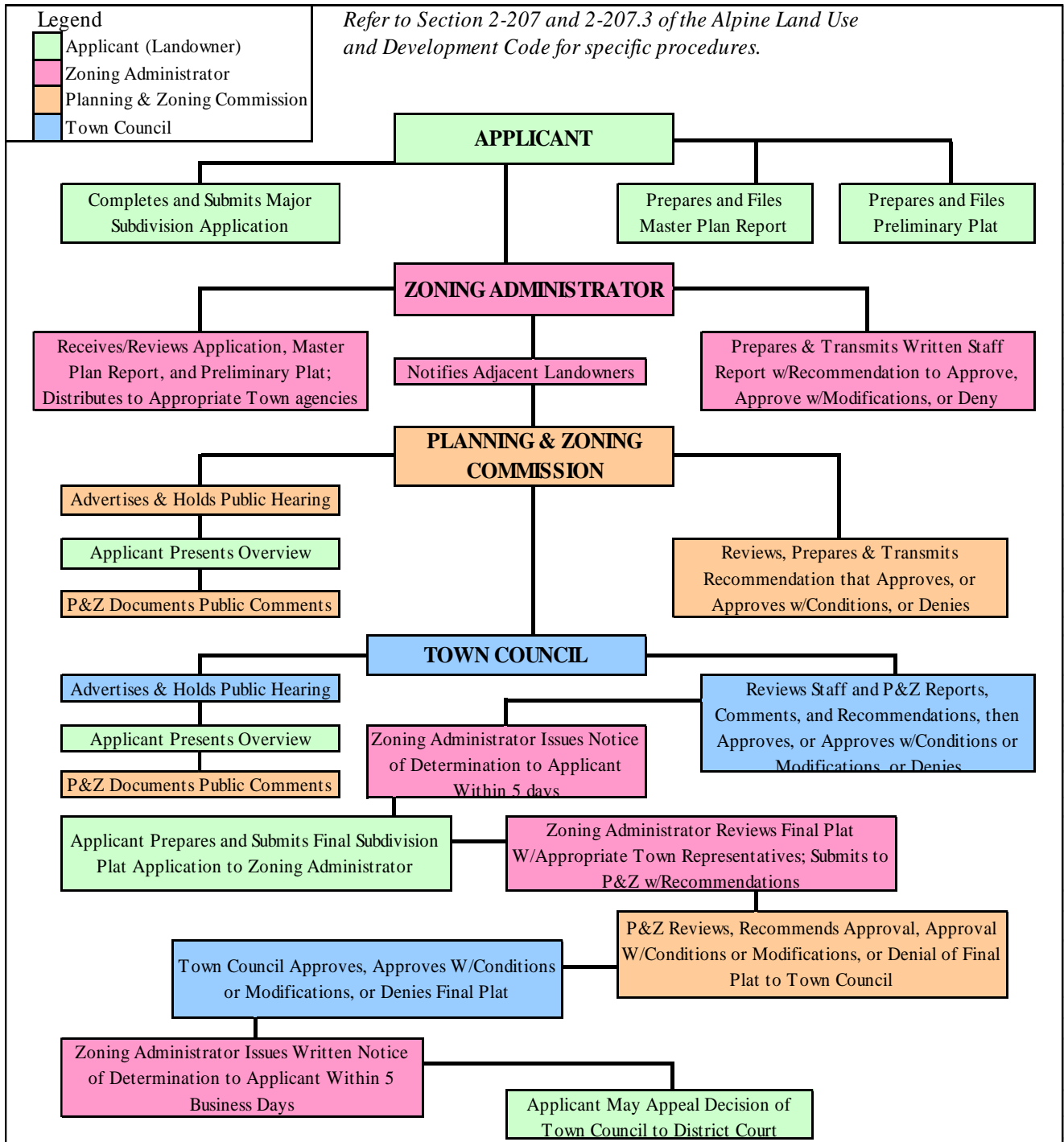


## Town of Alpine Land Use & Development Code

## 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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Website: [www.pedersenplanning.com](http://www.pedersenplanning.com)

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 shall 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 the name, address, telephone number and e-mail 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 {1} inch = two hundred {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 two hundred (200) feet of the subdivision;
  - (6) Location of existing water distribution and wastewater collection lines on and within two hundred (200) feet of the subdivision;
  - (7) Two (2) foot contours where ground slopes are less than ten (10) percent and five (5) foot contours where ground slopes exceed ten (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 five hundred (500) feet of the proposed simple subdivision.
- (f) The Alpine Planning and Zoning Commission shall review and discuss the recommendations of the Zoning Administrator. Although no public hearing shall be required all notified property owners shall have fifteen (15) business days to submit their comments. 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 shall 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 shall 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, 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 (3) hardcopies and one (1) digital copy of a master plan report for the proposed subdivision with the Zoning Administrator. The master plan shall 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 shall contain a combination of technical narrative, statistical tables, and illustrations, shall 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 ten (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 (3) hardcopies and **one (1) 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 {1} inch = two hundred {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 two hundred (200) feet of the subdivision;
  - (6) Location of existing water distribution and wastewater collection lines on and within two hundred (200) feet of the subdivision;
  - (7) Two (2) foot contours where ground slopes are less than ten (10) percent and five (5) foot contours where ground slopes exceed ten (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 shall also be distributed to the Alpine Public Works Director, Town Engineer, Town Surveyor and Alpine Fire District for their review. These municipal representatives shall 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 Fire District, 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 4 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 five hundred (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, thirty (30) days in advance of the hearing. During the public hearing, the applicant shall provide a brief overview of the proposed subdivision and, when applicable, the related re-zoning request. Subsequently, the Alpine Planning and Zoning Commission shall 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 shall 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, thirty (30) days in advance of the hearing. During the public hearing, the applicant shall provide a brief overview of the proposed subdivision. Subsequently, the Alpine Town Council shall 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 shall 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 (3) hard copies and one (1) 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 surety shall be in an amount that reflects one hundred twenty-five (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 4 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 shall 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 shall 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 shall agree to reimburse the Town expenses for review of permitting the development and provide letters of credit or 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 shall be needed to process a complete subdivision application, performance surety or letter of credit, 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, the name, address, telephone number and e-mail 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 (3) hardcopies and **one (1) digital copy of a master plan report** for the proposed subdivision with the Zoning Administrator. The master plan shall 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 shall contain a combination of technical narrative, statistical tables, and illustrations, shall 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 ten (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 (3) hardcopies and one (1) 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 {1} inch = two hundred {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 two hundred (200) feet of the subdivision;
  - (6) Location of existing water distribution and wastewater collection lines on and within two hundred (200) feet of the subdivision;
  - (7) Two (2) foot contours where ground slopes are less than ten (10) percent and five (5) foot contours where ground slopes exceed ten (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 shall also be distributed to the Alpine Public Works Director, Town Engineer, Town Surveyor and Alpine Fire District for their review. These municipal representatives shall 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 Fire District, 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 five hundred (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, thirty (30) days in advance of the hearing. During the public hearing, the applicant **shall** provide a brief overview of the proposed subdivision and, when applicable, the related re-zoning request. Subsequently, the Alpine Planning and Zoning Commission shall 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 shall 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, thirty (30) days in advance of the hearing. During the public hearing, the applicant shall provide a brief overview of the proposed subdivision. Subsequently, the Alpine Town Council shall 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 shall 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 (3) hardcopies and **one (1) 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 one hundred twenty-five (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 shall 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 4 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 shall 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 shall 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 Special Use Permit**

- (a) The purpose of the Special Use Permit (Figure 2-8) is to modify the strict application of the requirements of the Alpine Zoning Ordinance. A Special Use Permit can be granted by the Alpine Planning and Zoning Commission 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 Special Use Permit shall apply to a specific use or structure and shall terminate upon future changes in land ownership.
- (c) Owners and/or prospective developers of any lots or parcels may make applications for a Special Use Permit in any zoning district.
- (g) Applicants must complete a Special Use Permit application form that is made available from the Town Clerk. **Please refer to the current adopted version of the Special Use Permit and Special Review Ordinance.**

## **Section 2-209 Development Fees**

- (a) Processing Fees are based on an average cost for the Planning & Zoning Administrator, Planning and Zoning Commission, Board of Adjustment, Town Council, Town Engineer, Town Building Official, Town Clerk, and Planning and Zoning Secretary.

- (b) The person requesting permit shall also pay for any and all advertising **separately**. Advertising costs shall be billed directly to the client along with any and all other out of the ordinary expenses.
- (c) Fees are established by Town Ordinance; (refer to the most current version of the Town of Alpine Building Department Fee Schedule). **All fees are due at the time of submittal. All fees are non-refundable.** There **shall** be no waiver of permit fees.
- (d) Deposits and/or performance bonds shall be required by the Town of Alpine Planning & Zoning Commission for the landscaping and parking requirements along with the associated building and/or improvements. The deposit shall be determined by the insurance/bonding company in an amount not to exceed One Hundred Twenty-Five (125) percent of the anticipated costs of all improvements for the project. The deposit and/or performance bond(s) shall be held by the Town and shall be refunded when the project is completed and/or inspected. If the total project is not completed in a timely manner as agreed upon by the Planning & Zoning Commission and owner, the deposit shall not be refunded.
- (e) Plats must be filed with Lincoln County within (1) year with a one (1) time, one (1) year extension. If the project is not completed within two (2) years, the applicant shall have to start the process over with all new fees, filings, meetings, etc.
- (f) Applications are valid for ninety (90) days, from submittal date; with a one (1) time, ninety (90) day extension upon showing of justifiable cause. If the missing items are not submitted within the allowed time frame, the applicant shall have to start the process over with all new fees, filings, etc.
- (g) Fees do not reflect the cost of the Town engineer, attorney, or surveyor's reviews (those are considered out of the ordinary expenses). These costs shall be assessed on a case-by-case basis based on the time spent during the review process.
- (h) Planned Unit Development Applications shall be determined on a case-by-case basis, number of lots, etc.
- (i) No approval shall be granted and/or formalized **until all fees have been paid in full.**

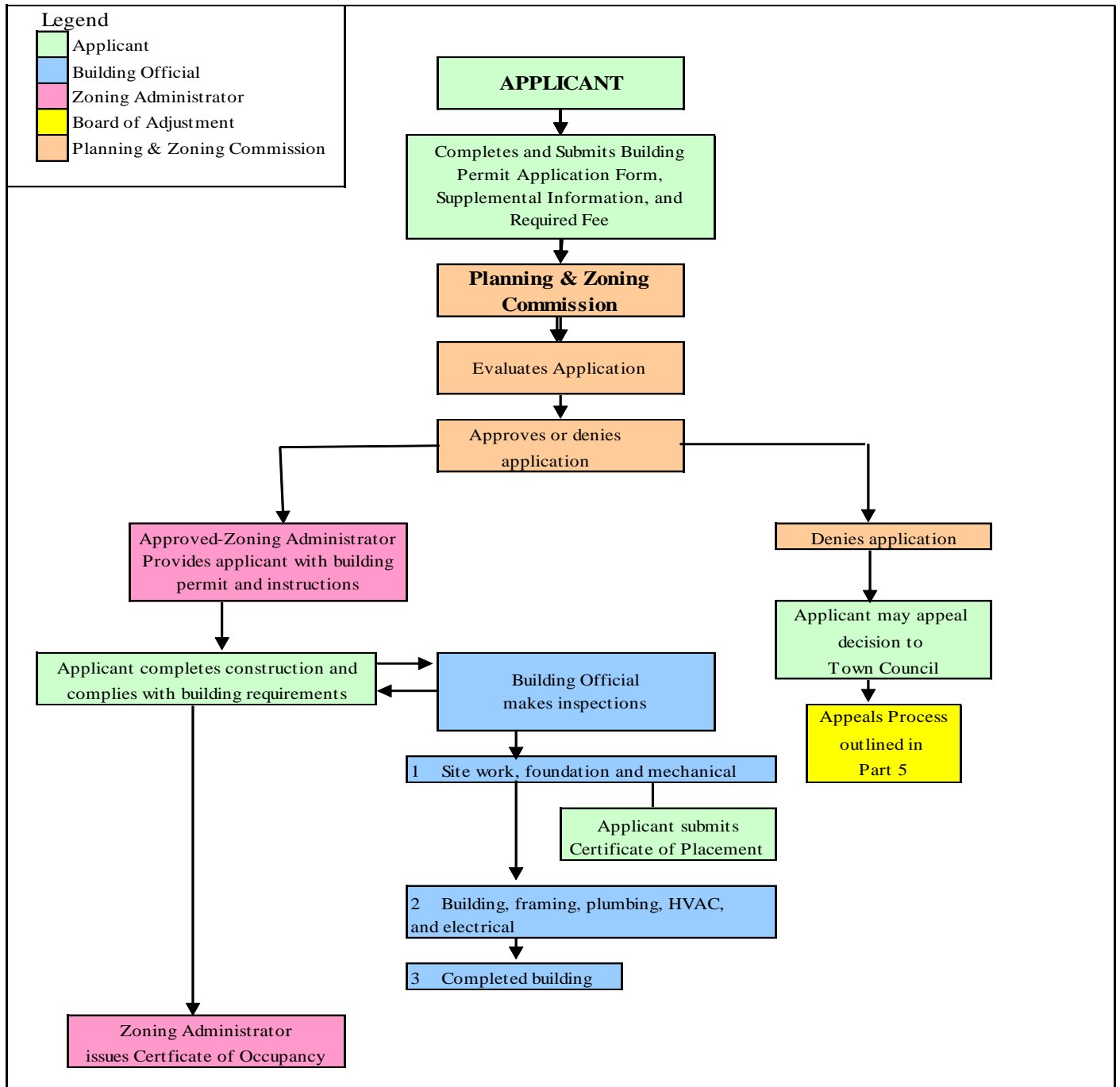
## ARTICLE 2.3 BUILDING PERMIT REQUIREMENTS

### Section 2-301. Building Permit Requirements

- (a) No construction, alteration, or expansion of any site, building or structure shall be initiated or completed by any private landowner, contractor, or a public agency before receiving an approved building permit ~~application~~ from the Town of Alpine (Figure 2-8).
  - 1. Before any site work or construction commences, the Town of Alpine Building Permit/Posting shall be displayed at the front of the lot.
- (b) A building permit is required for all of the following:
  - (1) Any new buildings:
    - a. Buildings that contains equal to or greater than three hundred (300) square feet, **shall** be issued under Residential, Commercial, Addition and/or Garage Permits.
    - b. Anything under three hundred (300) square feet, shall be issued under affidavits; refer Affidavit Process, located under Section 2-303.
    - c. Sanitary facilities shall be provided during construction, remodeling or demolition activities in accordance with the International Plumbing Code. Such facilities shall be maintained in a sanitary condition. Construction worker toilet facilities of the non-sewer type shall conform to PSAI Z4.3.
  - (2) Additions to all existing structures (Such as carports, shed roof's, etc.);
  - (3) Remodel with structural changes to or in an existing structure;
  - (4) Utility line installations and replacements, and other mechanical improvements;
  - (5) The demolition or relocation of an existing building and/or shed on an existing property;
  - (6) A change in the type of occupancy of a building;
  - (7) Accessory buildings with or without a permanent foundation, with square footage greater than three hundred (300) square feet, with or without roof eave heights greater than ten (10) feet;
- (c) The Town of Alpine shall make available a building permit application and/or affidavit forms to applicants that shall require, at least, the following information from the applicant:
  - (1) Name of applicant;
  - (2) Authorization by landowner (if not the applicant);
  - (3) Mailing address;
  - (4) Contact information for telephone, fax, and e-mail address;
  - (5) Legal description and size of land parcel where proposed construction shall take place;
  - (6) Scope of proposed site and facility improvements;
  - (7) Existing zoning designation and related permitted uses;
  - (8) A site/plot plan indicating the location of proposed buildings, the distances from the property line to the front, back and sides of proposed buildings, **also known as the building envelope.**
  - (9) Three (3) sets of **scaled** construction drawings (see application checklist) that illustrate the ***proposed foundation, floor plan, typical wall section, roof system, building elevations, exterior material specifications, as well as electrical, plumbing, radon 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 **greater than**

**three hundred (300) square feet in size.) Along with one (1) digital copy of the construction drawings. {See permit checklist for complete details}.**

- (10) **All new buildings including additions or remodels to and existing structures, require submittal of three (3) sets of a scaled site/plot plan, that depicts the location of, proposed vehicular access, the finish grade of the project site, septic system or sewer connection location, water connection location, denoting all above ground and below ground utilities (power, propane) and/or easements to be located on the property, vehicle parking (garage square footage and driveway dimensions {square footage}), setbacks, onsite drainage facilities and snow storage areas (snow storage dimensions {square footage}) needs to be clearly identified. Along with one (1) digital copy of the scaled site/plot plan. {See permit checklist for complete details}.**
- a. Submittal of the civil engineered site plan is required for all Multi-Unit Residential (R-2) {including additions or remodels to existing structures}, Mixed Residential and Commercial (MRC) {including additions or remodels to existing structures} and Commercial (C) {including additions or remodels to existing structures}, Light Industrial (LI) {including additions or remodels to existing structures}, Public and Community Facilities (PCF) {including additions or remodels to existing structures} and Recreation and Conservation (RC) {including additions or remodels to existing structures} permit applications.
- (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. **All construction documents and/or other requested documents shall be stamped and certified by a civil or structural engineer licensed in the State of Wyoming; (Stamped engineering is required on all structures greater than three hundred (300) square feet in size.)**
- (12) **One (1) digital copy shall** be submitted of the complete plan set, site plan, and all associated construction documents shall be filed at the time of application submittal. **This digital copy shall be kept in-house for internal use only and shall not be provided to any 3<sup>rd</sup> party individuals, as per any copyright regulations/guidelines.**



## Town of Alpine Land Use & Development Code

## Building Permit Process

Prepared by: Pedersen Planning Consultants  
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Figure 2-8



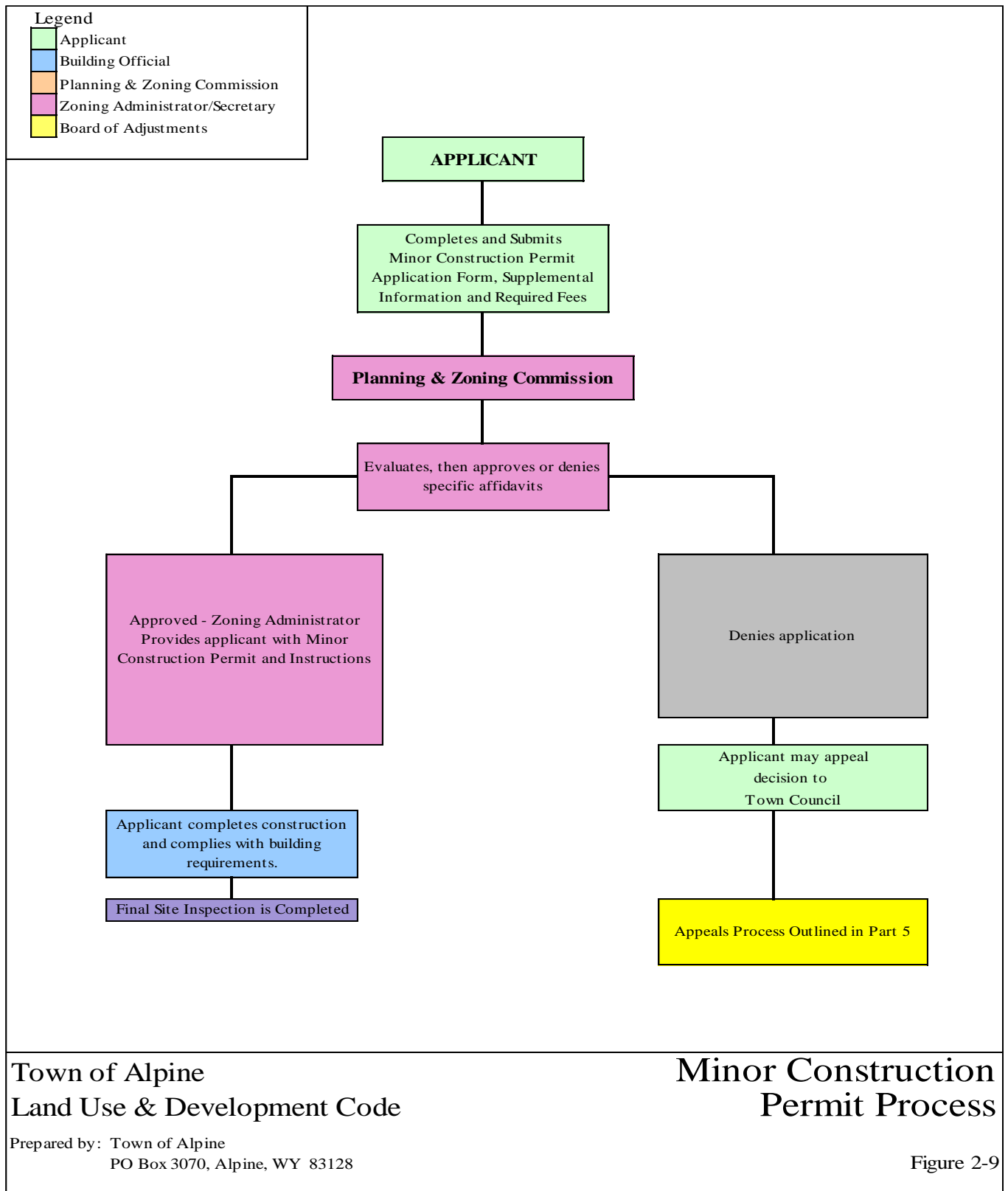
## Section 2-302. Minor Construction Permit

(a) A minor construction permits shall not require a Wyoming Engineered Stamp; **UNLESS OTHERWISE INDICATED.**

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

- (1) Storage Sheds, with or without a permanent foundation {more than three hundred (300) square feet in floor area, but no larger than four hundred (400) square feet}, constructed with or without plumbing and/or electricity.
  - (2) The following roofing applications:
    - i. Change and/or Addition of roofing materials {increase or decrease weight};
    - ii. Replacement of any or all roofing materials, with **no** increase in weight; **Refer to the Affidavit Process;**
    - iii. Addition of any roofing layers;
    - iv. Change in any under sheeting materials;
  - (3) Construction of any attached deck; (of any height or size) or detached deck over Three (300) Hundred square feet and above Thirty (30) inches from finished grade. All construction must follow the Town of Alpine adopted International Building Code and/or International Residential Code: including by not limited to:
    - i. Addition of stairs to any existing deck;
    - ii. Change in dimensions and/or alterations to any existing deck. Note - A Wyoming Certified Engineered stamped drawing shall be required. **Engineered stamps shall be certified by a civil or structural engineer licensed in the State of Wyoming.** Refer to the Affidavit Process for detached decks with are under Three Hundred (300) square feet and not more than Thirty (30) inches above grade.
  - (4) Plumbing improvements on commercial facilities.
  - (5) Electrical improvements on commercial facilities.
  - (6) Replacement of doors and/or windows when rough opening of header is increased in width or height. Note - A Wyoming Certified Engineered stamped drawing shall be required. **Engineered stamps shall be certified by a civil or structural engineer licensed in the State of Wyoming.**
  - (7) Utility improvements or changes. Including, but not limited to, fireplaces, wood stoves and/or heating appliances (propane) installations; after the initial construction/building process.
  - (8) Demolition of an existing building/structure and/or storage shed over three hundred (300) square feet, on an existing property.
- (c) The Town of Alpine shall make available a minor construction permit application form to applicants that shall require, at least, the following information from the applicant:
- (1) Name of applicant;
  - (2) Authorization by landowner (if not the applicant);
  - (3) Mailing address;
  - (4) Contact information for telephone, fax, and e-mail address;
  - (5) Legal description and size of land parcel where proposed construction shall take place;
  - (6) Scope of proposed site and facility improvements;

- (7) Existing zoning designation and related permitted uses;
- (8) A site/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. Affidavit Process**

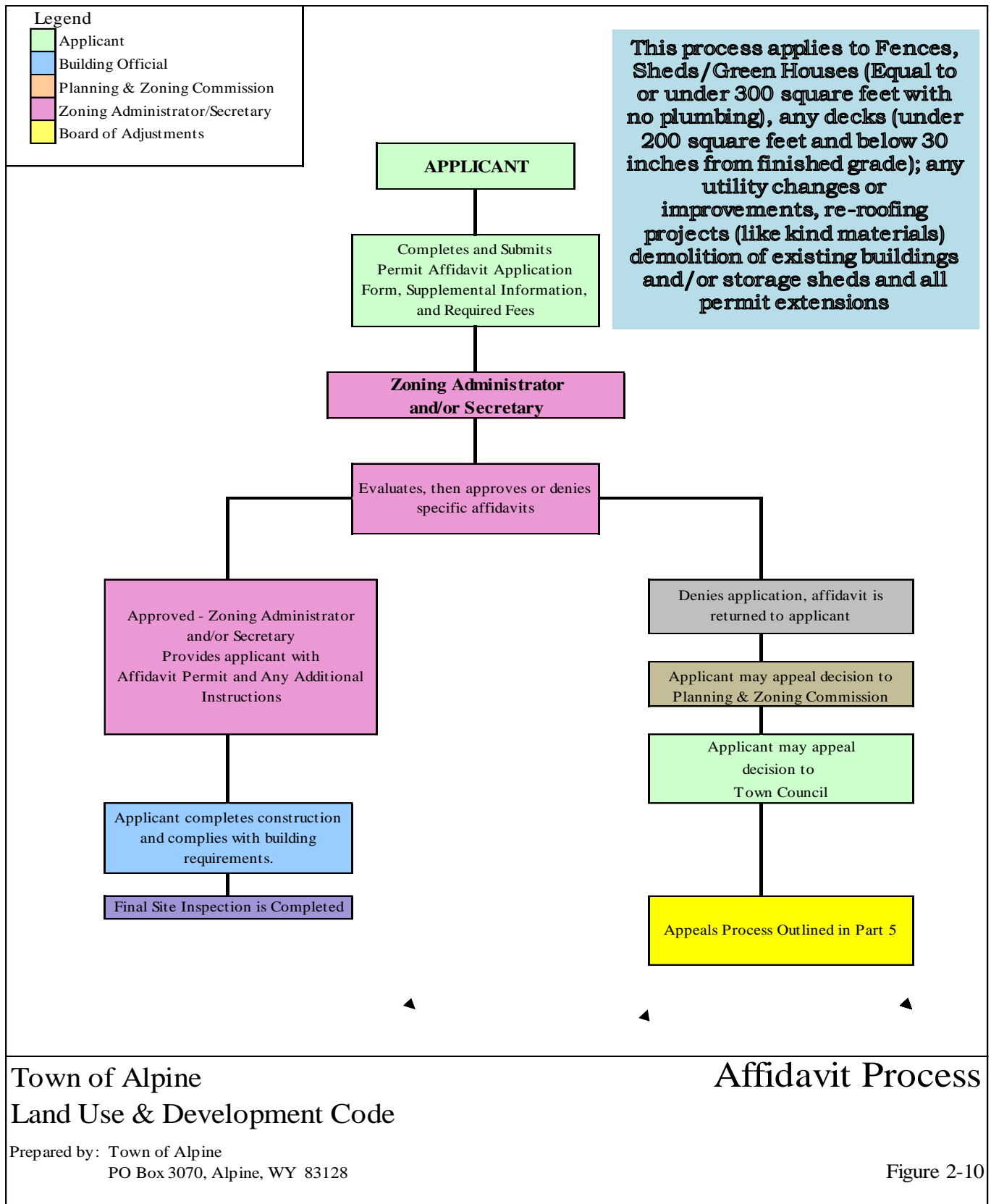
**SOME AFFIDAVITS COULD HAVE A TURNAROUND TIME OF THREE {3} BUSINESS DAYS.**

(a) An affidavit permit (Figure 2-10) shall be required for:

- (1) Construction of perimeter fences.
- (2) Construction of sheds/green houses equal to or under Three Hundred (300) square feet, may be constructed with electricity, but no plumbing or kitchen elements.
- (3) Construction of freestanding decks, equal to or under Three Hundred (300) square feet with a height of less than Thirty {30} inches from finished grade; deck installation must follow the Town of Alpine adopted International Building Code and/or International Residential Code.
- (4) ~~Construction of any and all attached decks must follow the Town of Alpine adopted International Building and Residential Codes; This affidavit could have a turnaround time of three {3} business days.~~
- (5) Location of any new propane tanks after the initial construction of a primary structure. (Tanks shall be inspected by the Town Building Inspector.)
- (6) The following roofing applications:  
Replacement of any roofing materials (all like kind materials only);
- (7) The demolition of an existing building and/or storage sheds under over three hundred (300) square feet, on an existing property;
- (8) Permit Extensions for previously approved Building Permits, *provided no changes and/or alterations have been made to the permitted project.*

(b) The Town of Alpine shall make available a affidavit application form to applicants that shall require, at least, the following information from the applicant:

- (1) Date of Application;
- (2) Name of Applicant;
- (3) Authorization by landowner (if not the applicant);
- (4) Mailing address;
- (5) Contact information for telephone, fax, and e-mail address;
- (6) Legal description of the land parcel where proposed construction shall take place;
- (7) Physical description of the land parcel where proposed construction shall take place;
- (8) Type of Project and/or scope of the proposed site and facility improvements;
- (9) Name of Contractor;
- (10) Existing zoning designation and related permitted uses;
- (11) A site/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, etc.



#### Section 2-304. Required Building and Site Inspections

- (a) Any authorized construction activity shall be subject to inspections by the Town of Alpine Building Official, or its designated representative, during the construction process.
- (b) 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 shall be ensured throughout the required inspection process.
- (c) Applicant to supply the Town of Alpine with an “Exhibit to Accompany Affidavit of Surveyor” from a land surveyor, licensed in the State of Wyoming, that is retained by the building owner. The exhibit depicts property corners, setback lines, house placement and utility improvements.
- (d) Upon completion of the forming of any foundation walls of the structure, a Certificate of Placement shall be issued and submitted to the Zoning Administrator of the Town of Alpine. The Certificate of Placement verifies the location of the structure and the compliance, or lack of compliance, with the plot/site plan submitted with the approved building permit application. The Certificate of Placement shall be completed by a land surveyor, licensed in the State of Wyoming that is retained by the building owner; the certificate is to be submitted to the Town office prior to moving forward with the project. **If any work is completed prior to the certificate submittal, all work shall be removed, at the owner’s expense.**
- (e) The Municipal Building Official shall make at the following stages:
  - (1) Concrete forms, re-bar, reinforcing rods or pins are in place prior to the placement of concrete for concrete slab foundations or concrete footings.
  - (2) When concrete forms are in place for foundation/stem walls prior to the placement of concrete.
  - (3) When exterior damp/water proofing has been completed {prior to foundation backfilling}.
  - (4) Foundation vents are in place for crawlspace foundations, all mechanical piping and conduit is in place (including radon mitigation), 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.
  - (5) When all building framing, plumbing, mechanical (ventilation and air conditioning {HVAC}) is completed and properly nailed, bolted or secured. **Prior to any coverings, e.g., Tyvek, roof coverings and/or insulation.**
  - (6) Exterior nailing of roof and walls.
  - (7) Insulation inspection prior to covering of walls and/or ceilings.
  - (8) Sheet rock inspection, prior to taping and/or mudding.
  - (9) When all construction work is completed, (plumbing, mechanical, etc).
- (f) The Town of Alpine shall inspect all improvements, authorized via an issued construction permit, following the construction of all proposed improvements.
- (g) Any inspections that need to be repeated by the Building Inspector/Official are subject to additional costs to be paid at the property owners expense. Failure to notify the town/inspector of a required inspection; shall result in fines, and/or penalties issued to the property owner; with the removal of work to be uncovered for all items to be inspected properly, this **shall** be completed at their own expense.

**\*NOTE\***

**STATE TO COMPLETE ALL ELECTRICAL INSPECTIONS**

#### **Section 2-305. Construction Activities**

Construction activities and all related sounds from construction activities should be conducted in a manner that minimizes disruption to neighboring properties. Excessive noise that unreasonably disturbs the peace and comfort of others may be subject to enforcement outlined in the most current version of the Crimes Against Peace Ordinance, as adopted by the Town of Alpine. Contractors and property owners are encouraged to be mindful of noise levels. ([www.alpinewy.gov](http://www.alpinewy.gov))

#### **Section 2-306. Temporary Certificate of Occupancy**

A Temporary Certificate of Occupancy shall be issued, by the Building Official, upon completion of all the building construction, specific to all life safety items addressed and identified, by the Building Official. A Temporary Certificate of Occupancy shall be valid for a period of one hundred-eighty (180) days year from the date of issuance. The temporary certificate shall be issued until all landscaping is completed, as per the applicant's site plan requirements, or to at least to the minimum standards of the Land Use and Development Code Regulations. It is the responsibility of the applicant to notify the Town office once the requirements have been met. If applicant does not complete the requirements within the established timeframe, violations, penalties and/or remedies shall be enforced, as per Article 5.3 Subsection 5-302.

#### **Section 2-307. Issuance of Certificate of Occupancy**

Once all required building inspections have been made and approved by the Municipal Building Official, the Town of Alpine shall 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 shall be signed by the Town of Alpine Building Inspector/Official.

#### **Section 2-308. Issuance of Certificate of Completion**

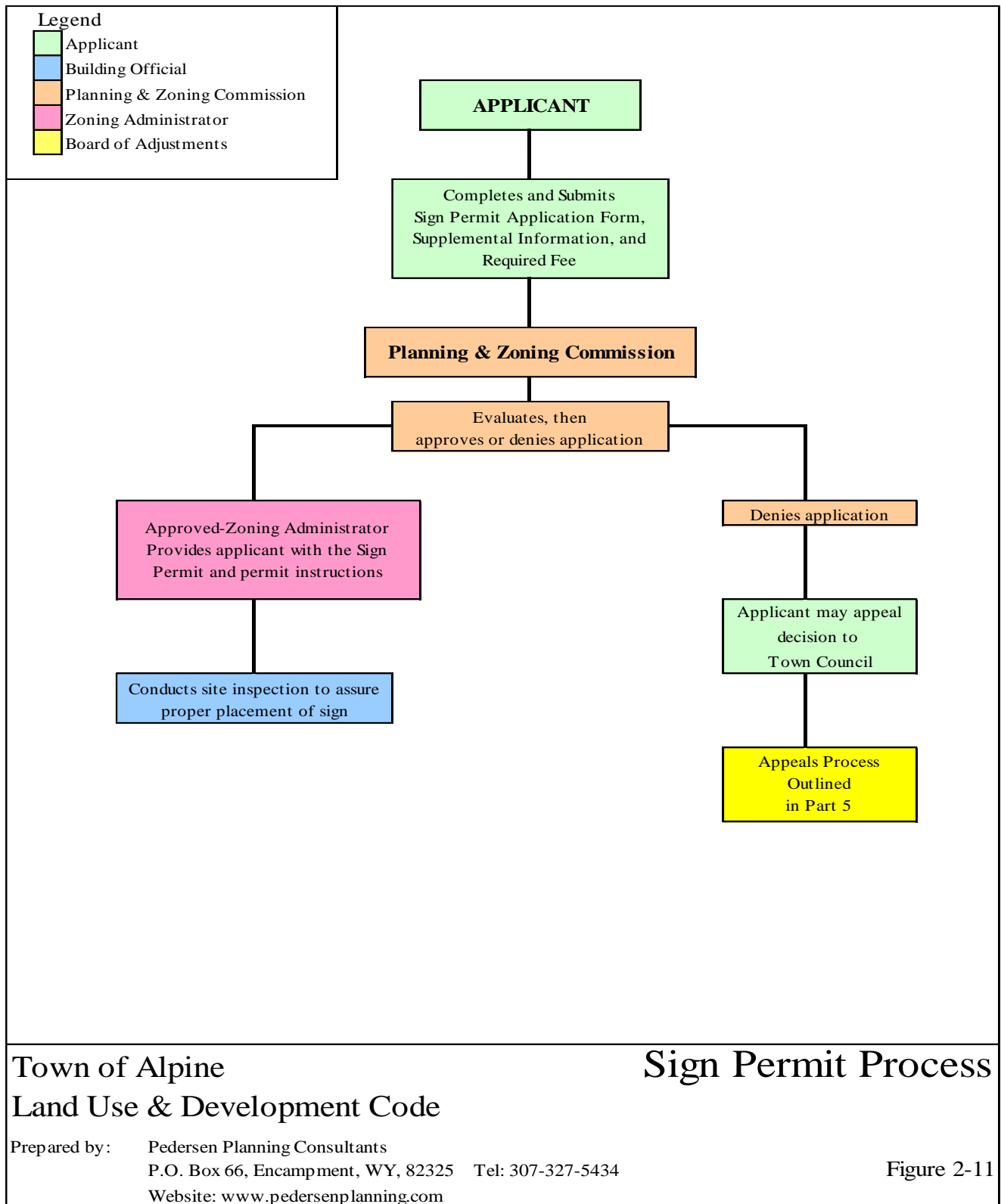
Once all required building inspections have been made and approved by the Municipal Building Official, the Town of Alpine shall issue a Certificate of Completion to the applicant. The Certificate of Completion represents a formal notification by the Town of Alpine that requirements of the addition, garage, minor construction and remodeling permits, and sign permits regulations have been met. The Certificate of Completion shall be signed by the Town of Alpine Building Inspector/Official.

## ARTICLE 2.4 SIGN PERMIT PROCESS

### Section 2-401. Sign Permit Process

- (a) A sign permit (Figure 2-11) shall be required for:
  - (1) New signs.
  - (2) Sign Dimension Amendments and/or enlargements.
  - (3) Directional Signage.
- (b) Temporary Signs, such as: Banner Installations. See Table 4-12;
  - (1) All others identified in Table 4-12 do not require permit and/or affidavit application. **Note** specific timelines and/or requirements are identified in Table 4-12.
- (c) The Town of Alpine shall make available an application form to applicants that shall 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 address;
  - (5) Legal description and size of land parcel where proposed construction shall take place;
  - (6) Scope of proposed site and facility improvements;
  - (7) Existing zoning designation and related permitted uses;
  - (8) A site/plot plan indicating the general location of all utility locations, any improvements; existing or future (i.e., buildings) on the subject property, vehicle parking, onsite drainage facilities and snow storage areas, as it relates to the sign installation.
- (d) A final sign inspection shall be conducted by the Town of Alpine Building Official, or a designated representative, in order to assure permit compliance.





## ARTICLE 2.5 BUILDING APPLICATION PROCESSING SCHEDULE

### Section 2-501. Building Application Processing Schedule

- (a) Processing fees for building applications, permits and affidavit applications are based on an average cost for the Planning and Zoning Administrator, Planning and Zoning Commission, Town Engineer, Town Building Official, Town Attorney, Town Clerk, and the Planning and Zoning Secretary.
- (b) With the application process and before a building permit is issued, all new water and sewer connect fees **must be paid in full**.
- (c) Fees are established by Town Ordinance; (refer to the most current version of the Town of Alpine Building Department Fee Schedule). **All fees (Building Permit, Water/Sewer Connection Fees) are due at time of submittal. All fees are non-refundable. There **shall** be no waiver of fees.**
- (d) Applications are valid for ninety (90) days, from submittal date; with a one (1) time, ninety (90) day extension upon showing of justifiable cause. If the missing items are not submitted within the allowed time frame, the applicant shall have to start the process over with new fees, filings, etc.
- (e) Issued Commercial permits are good for one (1) year with a one (1) time, one (1) year extension upon showing of justifiable cause. If the project is not completed within two (2) years, applicant shall have to start the process over with all new fees, filings, meetings, etc.
- (f) Issued Multi-Unit Residential permits are good for one (1) year with two (2), one (1) year extensions (available) upon showing of justifiable cause. If the project is not completed within three (3) years, the applicant shall have to start the process over with all new fees, filings, meetings, etc.
- ~~(g)~~ Issued Single-Family Residential permits are good for one (1) year with two (2), one (1) year extensions (available) upon showing of justifiable cause. If the project is not completed within three (3) years, the applicant shall have to start the process over with all new fees, filings, meetings, etc. ~~This shall be evaluated on a year by year basis.~~
- ~~(h)~~ Issued Remodel, Addition and Garage permits are good for one (1) year with two (2), one (1) year extensions (available) upon showing of justifiable cause. If the project is not completed within three (3) years, the applicant shall have to start the process over with all new fees, filings, meetings, etc. ~~This shall be evaluated on a year by year basis.~~
- (i) Issued Affidavits are good for six (6) months with one (1) allowable six (6) month extension (available) upon showing of justifiable cause.
- (j) 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.
- (k) If a person commences building 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 a 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 Land Use and Development Code, 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, {as identified in Article 3.3 – Section 3-303 – Facility Repairs} only if there is or would have been an unreasonable delay in obtaining the permit.*
- (l) Permit fees are transferable as long as the application and/or the permit has not expired.