

## **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.

Public notice requirements for all applicable land use actions shall be governed by Town of Alpine Ordinance No. 2026-002, as amended.

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**

No development or construction activity, grading, excavation, land disturbance, or placement of fill shall occur within the Town of Alpine until all applicable development approvals have been obtained in accordance with this Code.

If a property is proposed for annexation into the incorporated boundaries of the Town, an **Annexation Conceptual Report** shall be submitted in accordance with Section 2-204.

##### **(a) Development Review Framework**

The Town utilizes a structured development review system to evaluate proposed projects based on their scope, complexity, and potential impacts. Depending on the nature of the proposal, the Town may require one or more of the following development review processes:

1. **Annexation Conceptual Report** (Section 2-204)  
Required for all annexation applications to evaluate feasibility, impacts, and consistency with the Town of Alpine Master Plan.
2. **Conceptual Development Master Plan (CDMP)** (Section 2-205)  
A non-binding, planning-level review tool used to evaluate large-scale, phased, or complex developments and to establish a conceptual framework for future development applications.
3. **Planned Unit Development (PUD)** (Section 2-206)  
A zoning and development tool used to allow flexibility from standard zoning requirements and to establish binding, site-specific development standards through approval by ordinance.

These processes are distinct and serve different purposes. The Town may require any combination of these processes, and where appropriate, may allow concurrent submittal and review.

**(b) General Development Requirements**

- a. All development projects shall obtain the required permits and approvals necessary to demonstrate compliance with:
- b. The Land Use and Development Code (LUDC);
- c. All other applicable Town ordinances, resolutions, and standards; and
- d. The Town of Alpine Municipal Master Plan.
- e. Site Plan and Grading Requirements for New Construction

All new construction projects shall include submittal of the following, as determined necessary by the Town:

(1) A Topographical Site Plan depicting existing site conditions, including contours, elevations, and natural features; and

(2) A Grading and Excavation Plan depicting proposed site modifications, including grading, drainage patterns, cut and fill areas, and finished elevations.

These requirements are intended to clearly distinguish between existing site conditions and proposed land disturbance activities and shall be required for all new construction unless waived or modified by the Town based on the scope and nature of the project.

All annexation petitions and applications shall be reviewed for consistency with the Town of Alpine Master Plan.

**(c) Governing Standards**

The specific criteria, procedures, and applicability for each development review process shall be governed by the following Sections of this Code:

- Section 2-204 – Annexation Conceptual Report
- Section 2-205 – Conceptual Development Master Plan
- Section 2-206 – Planned Unit Development (PUD)

These Sections are hereby incorporated by reference.

**(d) Application Summary**

Development applications, permits, and approval types are summarized in Table 2-1 and described in the applicable Sections of this Part.

**(e) Change of Use or Occupancy**

A change of use or change of occupancy shall be subject to review in accordance with Section 2-416 (Change of Use Process) and may require additional land use approvals as determined by the Town.

**(f) Decisions**

Decisions by the Planning and Zoning Commission, Town Council, Board of Adjustment, Planning and Zoning Administrator, Building Official, or other authorized Town officials shall be transmitted to the applicant in writing.

Approvals may include conditions or stipulations necessary to ensure compliance with this Code. Denials shall include the rationale for the decision.

**(g) Inspections and Certificates**

All construction activity shall be subject to inspection by the Town Building Official or authorized representative.

No building or structure shall be occupied until a Certificate of Occupancy, Temporary Certificate of Occupancy, or Certificate of Completion has been issued, as applicable.

**(h) Compliance with Construction Site Management**

All properties, uses, and construction activities shall comply with Section 2-304 (Construction Site Management).

**(i) Property Owner Authorization**

All development applications shall include documented authorization from the property owner(s).

**(j) HOA / Architectural Review**

Where applicable, development applications shall include documentation of approval from any required homeowners association or architectural review committee.

**(k) Additional Information**

The Town may require additional information, modify submittal requirements, or waive specific requirements when necessary to adequately evaluate a proposal based on its nature, scope, and complexity.

**(l) Business License Compliance**

The Town Clerk shall not issue a business license for any use conducted within a building or temporary structure that does not comply with the provisions of this Code.

**(m) Permit Processing and Timelines**

Permit review timelines and processing schedules shall be established by the Town and may be updated by resolution or administrative policy.

Nothing in this Code shall be interpreted as requiring approval within a specific timeframe unless otherwise expressly provided.

**THIS ONLY GOES HERE IF WE REMOVE THE PROCESS SCHEDULE AND SET BY RESOLUTION IF NOT, THE ENTIRE UPDATED SECTION 2-401 MOVES HERE AND BECOMES 2-201 L.**

**Section 2-202 Administrative Authority**

(a) The Planning and Zoning Administrator, Building Official, and other authorized Town officials are responsible for administering and enforcing the provisions of this Code.

(b) The Planning and Zoning Administrator shall have the authority to:

- (1) Review applications for completeness;
- (2) Approve, approve with conditions, or deny applications eligible for administrative review;
- (3) Interpret the provisions of this Code;
- (4) Require additional information necessary to evaluate an application;
- (5) Refer applications to the Planning and Zoning Commission or Town Council when appropriate.

(c) The Building Official shall have the authority to:

- (1) Conduct inspections;
- (2) Enforce building and safety codes;
- (3) Issue Certificates of Occupancy, Temporary Certificates of Occupancy, Temporary Change of Occupancy certificates, Temporary structure permits, Certificates of Completion, and Certificates of Change of Use or Occupancy;
- (4) Determine compliance with applicable codes.

(d) Decisions made by the Planning and Zoning Administrator or Building Official may be appealed in accordance with Part 5 of this Code.

**Section 2-203 Enforcement and Stop Work Authority**

(a) When any development, construction, or use is found to be in violation of this Code or any other applicable adopted codes, the Town may take enforcement action to ensure compliance.

(b) The Planning and Zoning Administrator, Building Official, or their authorized representative is authorized to issue a stop work order for any activity that:

- (1) Is being conducted without required permits or approvals;
- (2) Violates any provision of this Code or any other applicable adopted codes;
- (3) Fails to comply with conditions of approval; or
- (4) Creates a threat to public health, safety, or welfare.

(c) Upon issuance of a stop work order:

- (1) All work shall immediately cease;
- (2) Work shall not resume until the violation has been corrected and authorization has been granted by the Town.

(d) Failure to comply with a stop work order may result in:

- (1) Citations or fines;
- (2) Permit suspension or revocation;
- (3) Legal action; or
- (4) Any other remedy authorized by law.

(e) The remedies provided in this section are cumulative and not exclusive.

## **Section 2-203 Annexation Conceptual Report**

### **(a) Purpose**

To establish a unified submittal and review framework that:

- Evaluates feasibility and impacts
- Supports Planning & Zoning recommendation
- Provides information required for the Annexation Report

### **(b) Applicability**

Required for all annexations prior to:

- Planning & Zoning hearing
- Annexation Report preparation

The Town may modify or waive requirements as appropriate.

### **(c) Narrative Requirements**

The applicant shall submit an Annexation Conceptual Report including, as applicable:

- Proposed land use
- Public benefits

- Logical extension analysis
- Feasibility
- Contiguity
- Utilities/services
- Requested zoning
- Development schedule

**(d) Supporting Materials**

As determined necessary by the Town:

**Ownership & Petition**

- Legal description
- Petition
- Ownership documentation

**Mapping**

- Annexation map
- Location map
- Adjacent ownership
- Town boundary relationship

**Site Information**

- Existing conditions
- Conceptual site plan
- Development timeline

**Notification**

- Property owners within 500 feet

**A Conceptual Development Master Plan may be required following annexation when appropriate.**

**(e) Staff Review**

Zoning Administrator evaluates:

- Compatibility
- Infrastructure
- Access
- Safety
- Community impacts

→ Prepares staff report

**(f) Planning & Zoning Review**

- Review at a regularly scheduled Planning and Zoning Commission Meeting.
- Recommendation to Town Council

**(g) Clerk Coordination**

- Materials transmitted to Clerk
- Clerk prepares Annexation Report

**(h) Completeness**

An application shall be deemed complete when the Planning and Zoning Administrator determines that all required application materials, information, and supporting documentation necessary to evaluate the request have been submitted in accordance with this Code and Table 2-1.

A determination of completeness shall not be construed as a determination that the application complies with all applicable standards or that it will be approved.

**Section 2-204 Conceptual Development Master Plan (CDMP) Process**

**(a) Purpose**

The purpose of the Conceptual Development Master Plan process is to provide a planning-level review tool for developments that are large, phased, or complex in nature, but do not require the use of a Planned Unit Development (PUD).

The Conceptual Development Master Plan process is intended to:

(1) Allow the Town to evaluate the overall development vision and layout of a proposed project;

(2) Promote coordinated planning of land use, infrastructure, access, and circulation;

(3) Provide a framework for future subdivision, site plan, building permit, or PUD review; and

(4) Ensure consistency with the Town of Alpine Master Plan.

### **(b) Applicability**

A Conceptual Development Master Plan may be required by the Town when:

(1) A development is large-scale in size or scope;

(2) A development is proposed to occur in multiple phases;

(3) A development involves mixed-use or coordinated land use patterns (The organized and integrated arrangement of land uses within a development or area that ensures compatibility between uses, efficient provision of infrastructure and services, logical circulation and access, and consistency with the Town’s adopted plans and policies);

(4) A development requires coordinated infrastructure planning;

(5) A development requires phased infrastructure development; or

(6) The Town determines that a comprehensive understanding of the development is necessary before formal approval.

A Conceptual Development Master Plan may be submitted and reviewed independently or in conjunction with a Planned Unit Development (PUD) application.

A Conceptual Development Master Plan shall not be required for:

(A) Small or straightforward development projects; or

(B) Projects that fully comply with zoning and do not require coordinated planning review.

### **(c) Relationship to Annexation**

A Conceptual Development Master Plan may be required as part of an annexation applications in accordance with Section 2-201. A Conceptual Development Master Plan may be required during the annexation phase if:

- (1) Large-scale land
- (2) Phased or long-term development
- (3) Mixed-use or complex layouts
- (4) Infrastructure-dependent sites (roads, utilities, slopes, etc.)
- (5) A development is proposed in areas of natural hazard or environmental constraint, including but not limited to steep slopes, unstable soils, floodplains, avalanche-prone areas, dense forest, or areas near geologic fault lines, where additional planning is necessary to protect public health, safety, and welfare; and
- (6) A development may impact natural resources, wildlife habitat, water quality, or air quality, where coordinated planning is necessary to preserve environmental integrity and maintain the character of the community.

When required, the Conceptual Development Master Plan submitted with an annexation application shall provide a conceptual framework for evaluating the proposed development, including general land use, density, infrastructure approach, and long-term development intent.

A Conceptual Development Master Plan reviewed as part of an annexation application shall be considered illustrative in nature and shall not establish binding development standards or zoning.

Following annexation, subsequent development applications, any development or Building Permit requests, including subdivision, site plan, or Planned Unit Development (PUD), shall be generally consistent with the approved or accepted Conceptual Development Master Plan, unless otherwise amended in accordance with this Section.

A Conceptual Development Master Plan shall supplement, but not replace, the Annexation Conceptual Report required in Section 2-204.

**(d) Nature of Approval**

A Conceptual Development Master Plan:

- (1) Is conceptual and illustrative in nature;
- (2) Does not establish binding development standards;
- (3) Does not constitute zoning approval or create vested development rights; and
- (4) Shall not replace subdivision, site plan, building permit. development requests, or PUD approval requirements.

**(e) Application Requirements**

Applicants shall submit a Conceptual Development Master Plan application, including at a minimum:

- (1) Name, address, telephone number, and email address of the applicant;
- (2) Written authorization from the landowner, if the applicant is not the property owner;
- (3) Legal description and total land area of the subject property;
- (4) Name and contact information of the person or entity responsible for preparation of the application materials; and
- (5) Payment of all applicable fees.

**(f) Required Submittal Materials**

In addition to the application form, the applicant shall provide:

- (1) **Conceptual Site Plan**, illustrating:
  - (A) General land use layout;
  - (B) Approximate lot configuration, if applicable;
  - (C) Circulation systems, including vehicular and pedestrian access;
  - (D) General infrastructure and utility framework; and
  - (E) Open space and natural features;
- (2) **Conceptual Narrative**, describing:
  - (A) Project overview;
  - (B) Proposed land uses and development intensity;
  - (C) General density and development pattern;
  - (D) Infrastructure and utility approach;
  - (E) Phasing and long-term development strategy; and
  - (F) Consistency with the Town of Alpine Master Plan;
- (3) A location map showing the project site and surrounding properties;
- (4) A general development schedule, if applicable; and
- (5) Any additional materials required by the Town to evaluate the proposal.
- (6) Any additional materials required by the Town, as determined necessary based on the scope and complexity of the proposal.

**(g) Staff Review**

The Planning and Zoning Administrator shall conduct a review of the proposed Conceptual Development Master Plan .

The Planning and Zoning Administrator, or his or her authorized representative, shall evaluate the proposal with respect to:

- (1) Consistency with the Town of Alpine Master Plan;
- (2) Compatibility with surrounding land uses;
- (3) Municipal infrastructure and service capacity;
- (4) Vehicular and pedestrian access;
- (5) Drainage, snow storage, and site constraints; and
- (6) Community land use relationships.

Following review, the Planning and Zoning Administrator may prepare a written summary or staff report and provide recommendations as appropriate to the Planning and Zoning Commission.

**(h) Review Process**

A Conceptual Development Master Plan shall be reviewed:

- (1) Administratively by the Planning and Zoning Administrator for completeness; and
- (2) By the Planning and Zoning Commission at a public hearing;

A Conceptual Development Master Plan may be reviewed and considered concurrently with a Planned Unit Development (PUD) application. When submitted concurrently, the review procedures of the PUD section shall govern, and the Conceptual Development Master Plan shall be evaluated as part of the overall development proposal.

The review process shall focus on planning-level considerations and shall not require detailed engineering or construction-level design.

**(i) Determination**

Following review, the Planning and Zoning Commission may:

- (1) Accept the Conceptual Development Master Plan as submitted;
- (2) Accept the Conceptual Development Master Plan with recommendations; or
- (3) Request revisions to the Conceptual Development Master Plan.
- (4) Request additional public hearings

(5) The Zoning Administrator shall issue a written notice of decision to the applicant within five (5) business days following Planning and Zoning Commission action.

A Conceptual Development Master Plan shall not be approved by ordinance and shall not constitute a final development or land use approval.

**(j) Relationship to Subsequent Approvals**

(1) A Conceptual Development Master Plan shall serve as a guiding document for future development applications.

(2) Subsequent subdivision, site plan, building permit, or PUD applications shall be generally consistent with the approved or accepted Master Plan, unless otherwise amended.

(3) When a Conceptual Development Master Plan is submitted and approved concurrently with a Planned Unit Development (PUD), the Master Plan shall be considered incorporated into the PUD approval.

(4) If a proposed development deviates substantially from an approved Conceptual Development Master Plan, the Town may require an amended Master Plan or additional review.

**(k) Public Notice**

Public notice for Conceptual Development Master Plan review, when required, shall be provided in accordance with **Ordinance No. 2026-002 (Public Notice Requirements Ordinance)**, as may be amended.

**(k) Amendments**

Any applicant requesting an amendment must submit a written request to the Planning and Zoning Administrator to determine if minor or major.

**(1) Minor Amendments- No Fee**

Minor amendments to an approved Conceptual Development Master Plan may be approved by the Planning and Zoning Administrator when the proposed changes are minor in nature and remain consistent with the overall development intent of the approved Conceptual Development Master Plan .

Minor amendments may include, but are not limited to:

- (A) Minor adjustments to lot configuration or layout;
- (B) Refinements to circulation patterns that do not alter overall access intent;
- (C) Minor changes to land use areas that do not significantly alter the character or

intensity of the development; and

(D) Adjustments to phasing that do not affect infrastructure planning or overall development sequencing.

**(2) Major Amendments- See the most recently adopted version of the fee schedule**

Major amendments to an approved Conceptual Development Master Plan shall be required when proposed changes substantially alter the original development concept or intent.

Major amendments shall be evaluated and approved by the Planning and Zoning Commission and shall follow the applicable review procedures for a Master Plan.

Major amendments include, but are not limited to:

- (A) Significant changes in land use;
- (B) Substantial increases in density or development intensity;
- (C) Significant modifications to circulation systems or access points;
- (D) Changes to the infrastructure framework that impact service capacity or delivery;

or

- (E) Changes that alter the overall character of the development.

**(m) Notice of Decision**

The Planning and Zoning Administrator shall issue a written notice of decision to the applicant within five (5) business days following final action by the Planning and Zoning Commission on a Conceptual Development Master Plan application or major amendment, or following administrative action on a minor amendment.

The notice shall indicate the determination made by the Town, including:

- (1) Acceptance of the Conceptual Development Master Plan as submitted;
- (2) Acceptance of the Conceptual Development Master Plan with recommendations; or
- (3) A request for revisions to the Conceptual Development Master Plan .

The notice of determination shall also identify any recommendations or guidance provided by staff or the Planning and Zoning Commission to inform future development applications.

**(n) Appeals**

Any appeal of a decision regarding a Conceptual Development Master Plan , including determinations made by the Planning and Zoning Administrator or the Planning and Zoning Commission, shall be made to the Board of Adjustment.

Appeals shall be filed in accordance with the procedures set forth in Part 5 of this Code and within the timeframes established therein.

The Board of Adjustment shall review the appeal and may affirm, modify, or reverse the determination based on the standards and evidence presented.

## **Section 2-205 Planned Unit Development (PUD) Process**

### **(a) Purpose**

The purpose of the Planned Unit Development (PUD) process is to provide a flexible zoning and development tool that promotes the most beneficial and creative development of land within the Town.

The PUD process is intended to:

- (1) Permit and encourage coordinated, site-specific development that may not be achievable under standard zoning regulations, where there is a demonstrable benefit to the Town;
- (2) Allow flexibility in site design, land use, density, and development standards, where such flexibility results in improved development outcomes; and
- (3) Promote development that:
  - (A) Improves site design and development quality;
  - (B) Encourages efficient use of land and infrastructure;
  - (C) Preserves open space and natural features;
  - (D) Ensures compatibility with surrounding land uses; and
  - (E) Is consistent with the Town of Alpine Master Plan.

### **(b) Applicability**

A Planned Unit Development (PUD) shall not be required solely based on parcel size.

A PUD may be required or permitted when:

- (1) A development proposes flexibility or deviation from base zoning standards;
- (2) A development is large-scale, mixed-use, or phased; or
- (3) The Town determines that a coordinated development approach is necessary to achieve improved design, infrastructure efficiency, or identifiable public benefit.

Owners and/or prospective developers may apply for a PUD within any zoning district, subject to the provisions of this Section.

### **(c) Relationship to Annexation**

A Planned Unit Development (PUD) shall not be required as part of an annexation application.

Annexation applications shall instead be reviewed based on an Annexation Conceptual Report in accordance with Section 2-204.

A PUD may be required or initiated following annexation when a proposed development meets the applicability criteria outlined in this Section.

Annexation applications shall be reviewed based on:

- Section 2-204 (Annexation Conceptual Report)
- A PUD may be required following annexation when appropriate.

**(d) Application Requirements**

Applicants shall submit a completed Planned Unit Development application form, including at a minimum:

- (1) Name, address, telephone number, and email address of the applicant;
- (2) Written authorization from the landowner, if the applicant is not the property owner;
- (3) Legal description and total land area of the subject property;
- (4) Name and contact information of the person or entity responsible for preparation of the application materials; and
- (5) Payment of all applicable fees.

**(6) Relationship to Conceptual Development Master Plan**

A Conceptual Development Master Plan may be submitted and reviewed concurrently with a Planned Unit Development (PUD) application.

If a Conceptual Development Master Plan has not previously been approved for the subject property, the applicant shall submit a Conceptual Development Master Plan as part of the PUD application in accordance with this Section.

If an approved Conceptual Development Master Plan exists, the PUD application shall be consistent with that plan. Any proposed deviations from an approved Conceptual Development Master Plan shall require amendment of the Conceptual Development Master Plan as part of the PUD application.

When a Conceptual Development Master Plan is submitted concurrently with a PUD, the

Planning and Zoning Commission and Town Council shall review and consider CDMP as part of the PUD application, and approval of the PUD shall constitute acceptance of the Conceptual Development Master Plan as part of the overall development proposal.

**(e) Required Submittal Materials**

**Materials shall be provided as applicable and as determined necessary by the Town.**

In addition to the application form, the applicant shall provide the following:

(1) A Conceptual Development Master Plan, if one has not previously been approved for the subject property. If an approved Conceptual Development Master Plan exists, the application shall be consistent with that plan. Any proposed deviations from an approved Conceptual Development Master Plan shall require amendment of the Conceptual Development Master Plan as part of the application.

The Conceptual Development Master Plan shall be conceptual in nature and shall illustrate, at a minimum:

- (A) General land use layout;
- (B) Proposed density and intensity;
- (C) Circulation systems, including vehicular and pedestrian access;
- (D) General infrastructure framework; and
- (E) Open space and common areas.

(2) **PUD Development Standards**, including:

- (A) Permitted uses;
- (B) Dimensional standards;
- (C) Density; and
- (D) Design criteria;

(3) **PUD Narrative**, describing:

- (A) Project overview;
- (B) Consistency with the Town of Alpine Master Plan;
- (C) Deviations from base zoning;
- (D) Public benefits; and
- (E) Phasing, if applicable;

(4) Location map showing the project site and surrounding properties;

(5) A development schedule for the proposed project; and

(6) Any additional materials required by the Town to evaluate the application.

#### (7) Additional Technical Reports

The Town may require the submission of technical studies and engineering reports as part of a Planned Unit Development (PUD) application when necessary to evaluate the proposed development.

Such reports may include, but are not limited to:

- (A) Geotechnical investigations and slope stability analyses;
- (B) Drainage and stormwater management studies;
- (C) Traffic impact analyses;
- (D) Utility and infrastructure capacity analyses;
- (E) Roadway design and grading plans; and
- (F) Any other engineering or technical documentation deemed necessary by the Town to evaluate public health, safety, and welfare.

The scope and level of detail of such reports shall be determined by the Town based on the size, location, complexity, and characteristics of the proposed development.

#### **(f) Staff Review**

The Planning and Zoning Administrator shall conduct a detailed review of the proposed development.

The Planning and Zoning Administrator, or his or her authorized representative, shall evaluate the merits, disadvantages, and potential impacts of the proposed development upon:

- (1) Adjoining land uses;
- (2) Municipal infrastructure and services;
- (3) Vehicular and pedestrian access;
- (4) Drainage and snow storage;
- (5) Public health, safety, and welfare; and
- (6) Community land use relationships.

Following review, the Planning and Zoning Administrator shall prepare and transmit a written staff report, including findings and recommendations, to the Planning and Zoning Commission.

Once a complete PUD Application and required submittals are received, the Planning and Zoning Administrator has prepared and transmitted the staff report to the Planning and Zoning Commission, the Planning and Zoning Administrator shall schedule a Public Hearing for the PUD (and Conceptual Development Master Plan if applicable) on the

agenda during the first available Planning and Zoning Commission regularly scheduled meeting.

**(g) Public Notice**

Prior to any decision by the Alpine Planning and Zoning Commission, public notice for a Planned Unit Development (PUD) (and Conceptual Development Master Plan if applicable) application shall be provided in accordance with Town of Alpine Ordinance No. 2026-002, as amended.

The applicant shall be responsible for complying with all applicable public notice requirements, including but not limited to posted notice, mailed notice, published notice, and submission of required affidavits of notice, as set forth in Ordinance No. 2026-002.

The Planning and Zoning Commission shall hold at least one (1) public hearing in accordance with Ordinance No. 2026-002. Public comments received during the hearing shall be documented and retained as part of the official record.

Public notice shall apply to both:

- (1) The Planning and Zoning Commission public hearing, and
- (2) Town Council public hearing.

**(h) Planning and Zoning Commission Recommendation**

The Planning and Zoning Commission shall conduct a **duly noticed public hearing** on the proposed Planned Unit Development (and Conceptual Development Master Plan if applicable).

Upon consideration of the staff report and public comment, the Planning and Zoning Commission shall make a written recommendation to the Town Council.

The recommendation shall include findings of fact and may include conditions necessary to mitigate impacts and ensure compliance with this Code.

**(i) Town Council Action**

The Town Council shall conduct a **duly noticed public hearing** on the proposed Planned Unit Development following receipt of the Planning and Zoning Commission recommendation.

The Town Council shall review the application, staff report, and Planning and Zoning Commission recommendation.

The Town Council may:

- (1) Approve;
- (2) Approve with conditions;
- (3) Deny; or
- (4) Table the application pending additional information.

Approval of a Planned Unit Development shall be by ordinance, and such ordinance shall be subject to the requirements of Wyoming State Statute, including:

- Reading of the ordinance on **three (3) separate days**; and
- A minimum of **ten (10) days between introduction and final passage**, unless otherwise lawfully suspended.

**(j) Approval Criteria**

A Planned Unit Development may be approved only upon finding that:

- (1) The proposal is consistent with the Town of Alpine Master Plan;
- (2) The proposal is consistent with the Conceptual Development Master Plan;
- (3) The development provides improved design or efficiency over standard zoning;
- (4) The project is compatible with surrounding land uses;
- (5) Infrastructure and services can be adequately provided; and
- (6) The development provides identifiable public benefits.

**(k) Amendments**

**(1) Minor Amendments**

May be approved administratively when:

- (A) No change in density;
- (B) No change in land use; and
- (C) No alteration of overall development intent.

**(2) Major Amendments**

Shall require Planning and Zoning Commission review and Town Council approval by ordinance.

Major amendments include:

- (A) Changes in land use;
- (B) Increases in density;

- (C) Significant changes to layout or infrastructure; or
- (D) Changes affecting the overall character of the development.

**(l) Notice of Decision**

The Planning and Zoning Administrator shall issue a written notice of decision to the applicant within five (5) business days following final action by the Town Council on a Planned Unit Development (PUD) application or major amendment, or following administrative action on a minor amendment.

The notice shall indicate the final determination made by the Town, including:

- (1) Approval of the Planned Unit Development (PUD) (and Conceptual Development Master Plan if applicable),
- (2) Approval of the Planned Unit Development (PUD) (and Conceptual Development Master Plan if applicable) with conditions;
- (3) Denial of the Planned Unit Development (PUD) (and Conceptual Development Master Plan if applicable) ;
- (4) Approval of a minor amendment; or
- (5) Approval, approval with conditions, or denial of a major amendment.

The notice of decision shall also include:

- (A) Any conditions of approval imposed by the Town Council or Planning and Zoning Commission;
- (B) A summary of findings supporting the decision; and
- (C) Any applicable requirements for subsequent approvals, including but not limited to subdivision, site plan, or building permit review.

For Planned Unit Developments and major amendments approved by ordinance, the notice of decision shall reference the adopting ordinance and shall constitute written confirmation of the Town Council’s action.

**(m) Recording Requirements**

No covenants, conditions, restrictions, plats, or related documents shall be recorded until the Planned Unit Development has been approved by ordinance of the Town Council.

**(n) Appeals**

Any appeal of a decision of the Town Council shall be made to the District Court in accordance with Rule 12 of the Wyoming Rules of Appellate Procedure.

## **Section 2-207 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 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.

## **Section 2-208 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 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, 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 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 changes 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) **Prior to any decision by the Alpine Planning and Zoning Commission, public notice for the proposed zone change application shall be provided in accordance with Town of Alpine Ordinance No. 2026-002, as amended.**

**The applicant shall be responsible for complying with all applicable public notice requirements, including but not limited to posted notice, mailed notice,**

published notice, and submission of required affidavits of notice, as set forth in Ordinance No. 2026-002.

The Planning and Zoning Commission shall hold at least one (1) public hearing in accordance with Ordinance No. 2026-002. Public comments received during the hearing shall be documented and retained as part of the official record.

- (h) Upon consideration of a staff report from the Zoning Administrator for 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 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 will 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 the desired information is obtained and reviewed by the Town Council. The approved zone change will be adopted by ordinance after the passing of the third and final ordinance reading.
- (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 2-209 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.
  - (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 2-206 (j). This evaluation and a related recommendation will be documented and transmitted to the Alpine Board of Adjustments.
- (f) The Zoning Administrator will, as soon as practical, place the proposed variance on the agenda of the Alpine Board of Adjustments.
- (g) **Prior to any decision by the Alpine Planning and Zoning Commission, public notice for the proposed variance application shall be provided in accordance with Town of Alpine Ordinance No. 2026-002, as amended.**

The applicant shall be responsible for complying with all applicable public notice requirements, including but not limited to posted notice, mailed notice, published notice, and submission of required affidavits of notice, as set forth in Ordinance No. 2026-002.

The Planning and Zoning Commission shall hold at least one (1) public hearing in accordance with Ordinance No. 2026-002. Public comments received during the hearing shall be documented and retained as part of the official record.

- (h) 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 will make its decision concerning the variance request. Any affirmative decision may contain specific stipulations which may modify the specific variance request.
- (i) 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 will 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 will accomplish this purpose;
  - (3) 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;
  - (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;
- (j) 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.

- (k) Any appeal of the decisions by the Alpine Board of Adjustments will be made to the Alpine Town Council.

### **Section 2-210 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 will 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 will 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 requirements will 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) 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 will apply to subdivisions that:
  - (1) create six (6) 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,
- (5) generate significant impacts upon existing public improvements and facilities

## **Section 2-210.1 Subdivision Technical Reports**

### **(a) Purpose**

The purpose of the Subdivision Technical Report is to evaluate the infrastructure capacity, service demands, and potential impacts associated with a proposed subdivision. This report is intended to ensure that adequate public facilities and services are available and that the proposed development will not adversely impact public health, safety, and welfare.

The Subdivision Technical Report is a technical and analytical document and is distinct from the Conceptual Development Master Plan described in Section 2-205.

### **(b) Applicability**

A Subdivision Technical Report shall be required for all Minor and Major subdivision applications, unless waived by the Town based on the size, scope, or nature of the proposed subdivision.

### **(c) General Requirements**

The report shall be prepared by qualified professionals, as applicable, and shall include sufficient analysis, data, and supporting documentation to allow the Town to evaluate the proposed subdivision.

### **(d) Required Contents**

The Subdivision Technical Report shall include, at a minimum:

#### **(1) Project Overview**

- (A) Description of the proposed subdivision;
- (B) Number and type of lots;
- (C) Proposed land uses;
- (D) Phasing, if applicable.

#### **(2) Water Supply**

- (A) Source of water supply;
- (B) Estimated water demand;

- (C) Demonstration of available capacity;
- (D) Fire flow requirements and compliance.

(3) Wastewater / Sewer

- (A) Method of wastewater disposal;
- (B) Estimated wastewater generation;
- (C) Capacity of existing or proposed systems;
- (D) Any required upgrades or extensions.

(4) Stormwater and Drainage

- (A) Existing drainage conditions;
- (B) Proposed drainage improvements;
- (C) Stormwater management approach;
- (D) Compliance with applicable standards.

(5) Transportation and Access

- (A) Access points to the site;
- (B) Internal street layout;
- (C) Traffic impacts, if applicable;
- (D) Emergency access considerations.

(6) Utilities

- (A) Location and capacity of existing utilities;
- (B) Proposed utility extensions;
- (C) Coordination with service providers.

(7) Fire Protection and Emergency Services

- (A) Access for emergency vehicles;
- (B) Hydrant locations;
- (C) Coordination with fire protection authorities.

(8) Grading and Site Conditions

- (A) General topography;
- (B) Proposed grading;
- (C) Identification of any geotechnical concerns.

(9) Phasing Plan (if applicable)

- (A) Sequence of development;
- (B) Timing of infrastructure improvements.

(10) Additional Information

Any additional studies or information deemed necessary by the Town to evaluate the impacts of the proposed subdivision.

(e) Waiver

The Town may waive or modify the requirements of this Section for minor subdivisions or where the impacts of the proposed development are minimal.

## Section 2-210.2 Simple Subdivision Review and Approval Process (Figure 2-5)

- (a) The landowner and/or his designated representative will 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 will complete and file a simple subdivision application form, and related filing fees, to the Zoning Administrator. The simple subdivision application will 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, will authorize the subdivision application via his or her signature on the application.
- (c) Applicant will 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 will 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 will 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) Prior to any decision by the Alpine Planning and Zoning Commission, public notice for the proposed subdivision application shall be provided in accordance with Town of Alpine Ordinance No. 2026-002, as amended.

The applicant shall be responsible for complying with all applicable public notice requirements, including but not limited to posted notice, mailed notice, published notice, and submission of required affidavits of notice, as set forth in Ordinance No. 2026-002.

The Planning and Zoning Commission shall hold at least one (1) public hearing in accordance with Ordinance No. 2026-002. Public comments received during the hearing shall be documented and retained as part of the official record.

- (f) The Alpine Planning and Zoning Commission will review and discuss the recommendations of the Zoning Administrator. Although no public hearing will be required, all notified property owners will have fifteen (15) business days to submit their comments. Subsequently, the Alpine Planning and Zoning Commission will approve, approve with conditions or modifications, or deny the proposed subdivision.
- (g) The Zoning Administrator will 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 will be deemed and accepted as a final plat. If approved

with modifications, the preliminary plat will 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 will 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 will expire. Should the applicant thereafter desire to record the final plat, a new application for a new simple subdivision will be required.

### **Section 2- 210.3 Minor Subdivision Review and Approval Process (Figure 2-6)**

- (a) The landowner and/or his designated representative will 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.
- (a) Applicant will complete and file a minor subdivision application form, and related filing fees, with the Zoning Administrator. The minor subdivision application form will 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, will authorize the subdivision application via his or her signature on the application.
- (b) The applicant shall submit a Subdivision Technical Report in accordance with Section 2-210.X.
- (c) Applicant will complete and file two (2) hard copies and one (1) digital copy of a Subdivision Technical Report for the proposed subdivision with the Zoning

Administrator. The **Subdivision Technical Report** 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 **Subdivision Technical Report 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 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 will prepare and file **two (2)** hard copies 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 will review the application, **Subdivision Technical 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 **Subdivision Technical Report** will also be distributed to the Alpine Public Works Director, Town Engineer, Town Surveyor and Alpine Fire District for their review. These municipal representatives will provide written comments to the Zoning Administrator.
- (k) The Zoning Administrator will provide a written staff report to the Alpine Planning and Zoning Commission and the Alpine Town Council.
- (1) The written staff report will 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 will 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 will 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) Prior to any decision by the Alpine Planning and Zoning Commission, public notice for the proposed subdivision application shall be provided in accordance with Town of Alpine Ordinance No. 2026-002, as amended.

The applicant shall be responsible for complying with all applicable public notice requirements, including but not limited to posted notice, mailed notice, published notice, and submission of required affidavits of notice, as set forth in Ordinance No. 2026-002.

The Planning and Zoning Commission shall hold at least one (1) public hearing in accordance with Ordinance No. 2026-002. Public comments received during the hearing shall be documented and retained as part of the official record.

(h) A public hearing will be required during a regular or special meeting of the Planning and Zoning Commission. The time and place of the hearing will 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 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 **Subdivision Technical Report**, 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 will 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 will be concurrent.

(k)

A public hearing will be required during a regular or special meeting of the Alpine Town Council. The time and place of the hearing will 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 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 will 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 will 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 will 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 will prepare and **two (2)** 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 will 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 will 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 will require additional review and approval by the Alpine Planning and Zoning Commission and Alpine Town Council.
- (p) The performance surety will be in an amount that reflects one hundred twenty-five (125) percent of the anticipated cost of improvements in the approved subdivision plan and will be sufficient to cover all promises and conditions contained in the subdivision improvement agreement. The issuer of any performance bond will be subject to the approval of the Alpine Town Attorney.
- (q) The Zoning Administrator will 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 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 will 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 will approve, approve with conditions or modifications, or deny the final subdivision plat application.
- (t) The Zoning Administrator will 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 will expire. Should the applicant thereafter desire to record the final plat, a new application for a new minor subdivision will be required.

**Section 2-210.4 Major Subdivision Review and Approval Process (Figure 2-7)**

- (a) A Development Agreement will be required in which the developer will 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 will 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, performance surety or letter of credit, and;
  - (5) Potential issues associated with the subdivision.

- (b) Applicant will complete and file a major subdivision application form, and related filing fees, to the Zoning Administrator. The major subdivision application form will 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, will authorize the subdivision application via his or her signature on the application.
- (c) The applicant shall submit a Subdivision Technical Report in accordance with Section 2-210.X.
- (d) Applicant will complete and file **two (2)** hard copies and **one (1) digital copy of a Subdivision Technical Report** for the proposed subdivision with the Zoning Administrator. The ~~master plan~~ **Subdivision Technical Report** 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~~ **Subdivision Technical Report**, 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 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 will prepare and file **two (2)** hard copies 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 will review the application, **report Subdivision Technical 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 **Subdivision Technical Report** will also be distributed to the Alpine Public Works Director, Town Engineer, Town Surveyor and Alpine Fire District for their review. These municipal representatives will provide written comments to the Zoning Administrator.
- (g) The Zoning Administrator will provide a written staff report to the Alpine Planning and Zoning Commission and Alpine Town Council.

- (1) The written staff report will 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 will 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 will 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) Prior to any decision by the Alpine Planning and Zoning Commission, public notice for the proposed subdivision application shall be provided in accordance with Town of Alpine Ordinance No. 2026-002, as amended.

The applicant shall be responsible for complying with all applicable public notice requirements, including but not limited to posted notice, mailed notice, published notice, and submission of required affidavits of notice, as set forth in Ordinance No. 2026-002.

The Planning and Zoning Commission shall hold at least one (1) public hearing in accordance with Ordinance No. 2026-002. Public comments received during the hearing shall be documented and retained as part of the official record.

- (i) A public hearing will be required during a regular or special meeting of the Planning and Zoning Commission. The time and place of the hearing will 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 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~~ **Subdivision Technical Report**, 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 will 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 will be concurrent.
- (l) A public hearing will be required during a regular or special meeting of the Alpine Town Council. The time and place of the hearing will 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 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 will 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 will 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 will 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 will prepare and file **two (2)** 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 will 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 will 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 will require additional review and approval by the Alpine Planning and Zoning Commission and Alpine Town Council.
- (q) The performance surety will be in an amount that reflects one hundred twenty-five (125) percent of the anticipated cost of improvements in the approved subdivision plan and will be sufficient to cover all promises and conditions contained in the subdivision improvement agreement. The issuer of any performance security will 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 will 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 will 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 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 will 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 will approve, approve with conditions or modifications, or deny the final subdivision plat application.
- (u)

The Zoning Administrator will 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 will expire. Should the applicant thereafter desire to record the final plat, a new application for a new major subdivision will be required.

**Section 2-211 Special Use Permit (SUP)**

- (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 will apply to a specific use or structure and will 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.
- (l) 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.**

**Article 2.3 Permits**

**Section 2-301 Temporary Use and Temporary Structure Permit**

**(a) Purpose**

1. The purpose of this section is to establish clear and distinct procedures for the review and approval of **temporary uses** and **temporary structures**.
2. Temporary uses are regulated to address land use impacts, duration, and compatibility with surrounding properties.  
Temporary structures are regulated to ensure compliance with applicable building and fire safety standards.
3. This section is intended to allow flexibility for short-term activities while protecting public health, safety, and welfare.

---

**(b) Applicability**

Temporary Uses and Temporary Structures may be regulated independently or in combination.

- (1) A **Temporary Use Permit** shall be required for activities conducted on a property for a limited duration, whether or not a structure is involved.

- (2) A **Temporary Structure Permit** shall be required for structures installed for a limited duration in accordance with this Section.
- (3) A temporary use may require a permit even when no structure is proposed.
- (4) A temporary structure may require a permit regardless of whether a temporary use permit is required.
- (5) All applications for new construction shall include a Topographical Site Plan and a Grading and Excavation Plan in accordance with Section 2-201.
- 

### □ (c) Temporary Uses (Land Use Regulation)

---

#### (1) Applicability

Temporary uses include, but are not limited to:

- Seasonal or short-term commercial activities
  - Special events
  - Temporary sales or promotional activities
  - Outdoor events or gatherings
  - Other temporary activities as determined by the Town
- 

#### (2) Approval Authority (Based on Duration and Impact)

##### (a) **Sixty (60) days or less:**

May be approved administratively by the Planning and Zoning Administrator.

##### (b) **Greater than sixty (60) days and up to one (1) year:**

Shall require review by the Planning and Zoning Commission and approval by the Town Council.

##### (c) **Greater than one (1) year:**

Shall require approval of a Special Use Permit in accordance with Section 2-211.

---

#### (3) Escalation Authority

Notwithstanding the above, the Planning and Zoning Administrator may refer any Temporary Use to the Planning and Zoning Commission and Town Council when the proposed use may have significant impacts related to:

- Traffic
  - Noise
  - Duration
  - Intensity
  - Compatibility with surrounding land uses
- 

#### (4) Application Requirements

Applications for Temporary Uses shall include:

- Description of the proposed use
  - Duration
  - Site plan
  - Access, parking, and circulation
  - Sanitation and waste management (if applicable)
  - Any additional information required by the Town
- 

### □ (d) Temporary Structures (Building Code Regulation)

---

### **(1) Code Compliance**

All temporary structures shall comply with the currently adopted:

- International Building Code (IBC)
- International Fire Code (IFC)

Including but not limited to:

- Structural integrity
- Fire safety
- Means of egress
- Accessibility
- Light and ventilation
- Sanitation

---

### **(2) Duration (IBC Alignment)**

(a) Structures intended for **one hundred eighty (180) days or less** shall be considered temporary structures.

(b) Structures intended for **more than one hundred eighty (180) days** shall comply with applicable provisions of the IBC for permanent structures.

---

### **(3) Permit Thresholds**

A Temporary Structure Permit shall be required for any structure:

- Exceeding one hundred twenty (120) square feet; or
- Intended to accommodate ten (10) or more occupants; or
- As determined necessary by the Building Official

---

### **(4) Application Requirements**

Applications for Temporary Structures shall include, as applicable:

- Site plan
- Occupant load
- Means of egress
- Construction or structural details
- Any additional documentation required by the Building Official

---

### **(5) Review Authority**

Temporary structures shall be reviewed by the **Building Official** for compliance with applicable codes.

---

### **◆ (e) Combined Temporary Use and Structure**

Where a proposal includes both a temporary use and a temporary structure:

- The **use** shall be reviewed under subsection (c);
- The **structure** shall be reviewed under subsection (d);
- Both approvals may be required and processed concurrently.

---

### **◆ (f) Conditions of Approval**

The Town may impose conditions necessary to:

- Mitigate impacts to adjacent properties
- Ensure compatibility
- Protect public health, safety, and welfare

- Address access, sanitation, and operational impacts
- Ensure compliance with applicable codes

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◆ **(g) Duration, Extensions, and Renewals**

- Permits shall be valid only for the approved duration
- Extensions shall be reviewed at the same level of authority
- Repeated or continuous temporary uses may be deemed permanent

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◆ **(h) Compliance and Site Restoration**

Upon expiration:

- Temporary uses shall cease
  - Structures shall be removed
  - Site shall be restored
- Failure to comply may result in enforcement action.

---

◆ **(i) Relationship to Certificates**

Temporary Uses and Temporary Structures are approved through a permit process and do not constitute a certificate.

Temporary structures shall not be occupied unless approved by the Building Official.

Where occupancy is proposed, a **Temporary Certificate of Occupancy (TCO)** may be required in accordance with Section 2-204.

---

◆ **(j) Appeals**

Appeals shall be made to the Board of Adjustment in accordance with Part 5.

## **Section 2-302 Grading, Excavation, and Land Disturbance**

### **(a) Purpose**

The purpose of this Section is to regulate grading, excavation, land clearing, and the placement of fill material to:

1. Protect public health, safety, and welfare;
2. Prevent adverse drainage impacts to adjacent properties and public rights-of-way;
3. Minimize erosion, sedimentation, and site instability; and
4. Ensure that land disturbance activities are conducted in a safe and coordinated manner.

---

### **(b) Applicability**

This Section shall apply to all grading, excavation, land disturbance, and placement of fill within the Town of Alpine, regardless of whether the activity is associated with:

- A building permit;
- A development application; or
- Any other land use approval.

On properties not subject to an active building permit or development approval, any clearing, grading, excavation, or placement of fill beyond routine vegetation maintenance shall be considered land disturbance and subject to the requirements of this Section.

No person shall conduct such activities except in compliance with this Section.

---

### **(c) Definitions**

For the purposes of this Section:

**Grading / Land Disturbance**

Any activity that disturbs, recontours, or alters the surface of land, including but not limited to excavation, filling, clearing, grubbing, stockpiling, or movement of earth materials.

**Excavation**

Any act of removing soil, rock, or other earth material from a site.

**Fill**

Any material placed to raise, lower, or recontour the ground surface.

---

**(d) Permit Required**

A Grading or Land Disturbance Permit shall be required prior to commencing any of the following activities:

1. **Depth**
  - o Excavation or fill exceeding two (2) feet in vertical depth;
2. **Area**
  - o Disturbance of more than one thousand (1,000) square feet of land;
3. **Volume**
  - o Movement of more than fifty (50) cubic yards of material;
4. **Grade Change**
  - o Any activity resulting in a change in grade of more than two (2) feet;
5. **Drainage Impact**
  - o Any activity that alters existing drainage patterns, including but not limited to redirecting surface water flow onto adjacent properties or public rights-of-way;
6. **Fill Placement**
  - o Placement of fill material on any lot not actively under construction or not associated with an approved development permit.

---

**(e) Exemptions**

The following activities may be exempt from permit requirements, unless otherwise determined by the Town:

1. Routine landscaping or maintenance that does not exceed the thresholds in subsection (d);
2. Agricultural activities, provided such activities do not adversely impact drainage or adjacent properties;
3. Emergency work necessary to protect life, property, or public infrastructure, provided that the Town is notified within one (1) business day.

The Town may require a permit for any activity otherwise exempt if it is determined that the activity may impact public health, safety, welfare, or adjacent properties.

---

**(f) Submittal Requirements**

Applications for a Grading or Land Disturbance Permit shall include, as applicable:

1. A **Topographical Site Plan** depicting existing conditions, including contours, elevations, and natural features;
2. A **Grading and Drainage Plan** depicting proposed contours, cut and fill areas, drainage patterns, and finished elevations;
3. Estimated quantities of material to be excavated or placed;
4. Identification of drainage patterns and any proposed modifications;
5. Erosion and sediment control measures, if applicable; and
6. Any additional information required by the Town to evaluate the activity.

**(g) Standards**

All grading, excavation, and land disturbance activities shall comply with the following:

1. **Drainage Protection**
    - o No grading or fill shall adversely impact drainage onto adjacent properties or public rights-of-way;
  2. **Slope Stability**
    - o Slopes shall be stabilized to prevent erosion, sloughing, or failure;
  3. **Material Placement**
    - o Fill material shall be placed and compacted in a manner that does not create hazardous or unstable conditions;
  4. **Site Management**
    - o All activities shall comply with Section 2-304 (Construction Site Management);
  5. **Compliance with Approved Plans**
    - o All work shall be conducted in accordance with approved plans and permit conditions.
- 

**(h) Authority**

The Planning and Zoning Administrator, Building Official, or their authorized representative may:

1. Require additional information or technical studies;
  2. Modify submittal requirements based on project scope;
  3. Impose conditions necessary to protect public health, safety, and welfare; and
  4. Require engineering review where warranted by site conditions.
- 

**(i) Violations and Enforcement**

Any grading, excavation, land disturbance, or placement of fill conducted in violation of this Section shall be subject to enforcement under Section 2-203.

The Town may issue a stop work order for:

- Work conducted without a required permit;
  - Work not in compliance with approved plans; or
  - Activities creating adverse impacts to adjacent properties or public infrastructure.
- 

**(j) Relationship to Other Approvals**

Approval of a Grading or Land Disturbance Permit does not eliminate the need to obtain any other required permits or approvals under this Code.

Likewise, approval of a building permit or development application does not authorize grading or excavation beyond what is specifically approved.

**Section 2-303 Minor Construction Permit**

**(a) Purpose**

The purpose of the Minor Construction and Structural Improvement Permit is to provide a review process for construction activities involving structural modifications, additions to existing structures, or building system improvements that do not constitute new principal buildings but require review for compliance with applicable codes.

**(b) Applicability**

A Minor Construction Permit shall be required for projects including, but not limited to:

(1) Additions and Structural Modifications

- (a) Additions to existing structures, including expansions of the primary structure;
- (b) Attached garages, which shall be considered part of the primary structure;
- (c) Alterations affecting structural components;
- (d) Replacement of doors or windows where the rough opening or header is increased in width or height;
- (e) Modifications requiring structural reinforcement or analysis;

(2) Interior Modifications

- (a) Reconfiguration of interior spaces affecting layout or function;
- (b) Modifications affecting means of egress;
- (c) Changes affecting fire-resistance-rated assemblies;

(3) Mechanical, Electrical, and Plumbing (MEP) Improvements

- (a) Plumbing improvements within residential or commercial structures;
- (b) Electrical upgrades or modifications beyond minor repair;
- (c) Mechanical system installations or upgrades affecting building performance or safety;

(4) Commercial Tenant Improvements

- (a) Interior improvements to accommodate a change in tenant or business use;
- (b) Modifications required to meet applicable building, fire, or life safety codes;

(5) Site and Grading Improvements

- (a) Site grading, excavation, or land disturbance not associated with an active building permit;
- (b) Minor drainage modifications associated with construction;
- (c) Utility service connections or extensions;
- (d) Work affecting access, circulation, or site functionality, as determined by the Town;

(6) Other Work

Other similar construction activities as determined by the Building Official based on scope, complexity, and potential impacts.

(c) Exclusions

This section shall not apply to sheds, greenhouses, detached garages, or other accessory structures, which shall be regulated under Section 2-214.

(d) Determination

The Planning and Zoning Administrator or Building Official may determine whether a proposed project qualifies for a Minor Construction Permit based on the scope, complexity, and potential impacts of the work.

(e) Review Process

Minor Construction Permits shall be reviewed administratively by the Planning and Zoning Administrator and/or Building Official.

Applications may be referred to the Planning and Zoning Commission when site design, layout, or land use considerations warrant additional review.

(f) Completion

Projects authorized under this section shall require a Certificate of Completion in accordance with Section 2-204.

**Section 2-304 Sheds, Greenhouses, and Accessory Structures, including Detached Garages**

(a) Purpose

The purpose of this section is to establish a tiered permitting framework for accessory structures based on size, complexity, and potential impacts, ensuring appropriate review while minimizing unnecessary regulatory burden.

(b) Applicability

This section applies to the construction, placement, or installation of sheds, greenhouses, and accessory structures, including detached garages.

For the purposes of this section, an accessory structure shall include any detached structure subordinate to a primary building on the same parcel.

Attached garages shall be considered part of the primary structure and shall be reviewed as an addition under the Minor Construction Permit or Building Permit, as applicable.

(c) Affidavit-Level Review ( $\leq$  300 square feet)

Structures meeting all of the following criteria may be approved through an Affidavit process:

- (1) Total floor area of three hundred (300) square feet or less;
- (2) No plumbing, mechanical, or electrical systems;
- (3) No permanent foundation requiring inspection; and
- (4) Accessory to a permitted primary use.

(d) Minor Permit Required (301–400 square feet)

Structures meeting any of the following criteria shall require a Minor Construction Permit:

- (1) Structures between three hundred one (301) and four hundred (400) square feet;
- (2) Structures that do not include plumbing but may include limited electrical or structural components;
- (3) Structures requiring basic plan review for placement, setbacks, or structural integrity.

(e) Accessory Structure / Garage Permit Required ( $>$  400 square feet)

Structures meeting any of the following criteria shall require a Building Permit (Accessory Structure or Garage):

- (1) Structures greater than four hundred (400) square feet;
- (2) Structures including plumbing, mechanical, or full electrical systems;
- (3) Detached garages or similar enclosed accessory structures;
- (4) Structures requiring full building code review.

(f) General Requirements

All structures regulated under this section shall:

- (1) Comply with applicable zoning standards, including setbacks and height restrictions;
- (2) Meet all applicable building code requirements;
- (3) Be clearly accessory to a primary permitted use unless otherwise allowed; and
- (4) Be subject to inspection as required by the Building Official.

(g) Determination Authority

The Building Official shall have the authority to determine the appropriate permit classification based on the size, scope, and complexity of the proposed structure.

(h) Enforcement

Temporary or movable structures shall not be used to circumvent permit requirements established by this Code.

## **Section 2-305 Driveway Permit**

(a) Purpose

The purpose of the Driveway Permit is to regulate access to properties and ensure that driveway construction is safe, functional, and does not adversely impact public rights-of-way, drainage, or adjacent properties.

(b) Applicability

A Driveway Permit shall be required for:

- (1) Construction of a new driveway connecting to a public street or right-of-way;
- (2) Modification, widening, or relocation of an existing driveway;
- (3) Any work within the public right-of-way associated with driveway access.

(c) Relationship to Other Permits

- (1) A Driveway Permit may be required in addition to a Building Permit or Minor Construction Permit.
- (2) Work within the public right-of-way shall also require a Right-of-Way Excavation or Encroachment Permit, as applicable.
- (3) Approval of a Driveway Permit does not waive compliance with zoning, subdivision, or construction standards.

(d) Application Requirements

The applicant shall submit:

- (1) A site plan showing:
  - (A) Driveway location and dimensions;
  - (B) Connection to the public roadway;
  - (C) Adjacent property lines and structures;
- (2) Proposed grades and slopes;
- (3) Drainage considerations, including culverts if required;
- (4) Any additional information required by the Town or Public Works Director.

(e) Review and Approval

Driveway Permits shall be reviewed and approved administratively by the Public Works Director or designee, with input from the Building Official as necessary.

(f) Standards

Driveways shall comply with all applicable Town standards, including but not limited to:

- (1) Maximum slope requirements;
- (2) Width requirements;
- (3) Sight distance and access safety;
- (4) Drainage and stormwater management;
- (5) Protection of public infrastructure.

(g) Inspections

Driveway construction may be subject to inspection to ensure compliance with approved plans and Town standards.

(h) Enforcement

Failure to obtain a required Driveway Permit or failure to comply with approved plans may result in:

- (1) Stop work orders;
- (2) Required removal or correction of non-compliant work;
- (3) Citations or fines.

**Section 2-306 Right-of-Way Excavation and Encroachment Permit**

(a) Purpose and Intent

The purpose of a Right-of-Way Excavation and Encroachment Permit is to regulate and control work within public rights-of-way in order to protect public infrastructure, ensure safe travel, and require proper restoration of disturbed areas.

(b) Applicability

A Right-of-Way Excavation and Encroachment Permit shall be required for any person, contractor, utility provider, or entity proposing to disturb, occupy, or perform work within a public street, sidewalk, alley, parking area, or right-of-way under the jurisdiction of the Town of Alpine.

(c) Activities Requiring a Permit

A permit shall be required for, including but not limited to:

- (1) Excavation, trenching, tunneling, or disturbance of the surface or subsurface of any public right-of-way;
- (2) Installation, repair, or replacement of utilities, including water, sewer, power, telecommunications, or other infrastructure;
- (3) Placement or storage of equipment, materials, dumpsters, or construction supplies within the right-of-way;
- (4) Occupation or obstruction of any street, sidewalk, or parking area for construction-related activities;
- (5) Movement of structures across or within a public right-of-way; and
- (6) Any other activity that impacts or interferes with the use of the public right-of-way.

(d) Exemptions

This Section shall not apply to:

- (1) Driveway permits regulated under Section 2-214 or
- (2) Excavation occurring entirely within private property as part of an approved building permit, unless such work impacts the public right-of-way.

(e) Application Requirements

Applications shall be submitted through the Town's online digital application portal and shall include, at a minimum:

- (1) Applicant and contractor information;
- (2) Description of proposed work;
- (3) Location of the work within the right-of-way;
- (4) Traffic control plan, if applicable;
- (5) Restoration plan; and
- (6) Any additional information required by the Town.

(f) Review and Approval

Right-of-Way Excavation and Encroachment Permits shall be reviewed and approved administratively by the Planning and Zoning Administrator and/or Public Works Director.

The review shall be limited to ensuring compliance with:

- (1) Town standards and specifications;
- (2) Public safety requirements; and
- (3) Protection of public infrastructure.

(g) Compliance with Standards

All work performed under this permit shall comply with:

- (1) The Town of Alpine Land Use and Development Code;
- (2) The Town of Alpine Street Restoration Standards; and
- (3) Any conditions imposed by the Town.

All disturbed areas shall be restored to equal or better condition than existed prior to the work.

(h) Security and Financial Guarantees

The Town may require a bond, cash deposit, letter of credit, or other financial guarantee to ensure proper restoration and compliance with permit conditions.

(i) Warranty

All work performed within the public right-of-way shall be subject to a one (1) year warranty period from the date of acceptance by the Town. The applicant shall be responsible for correcting any defects, failures, or settlement during this period.

(j) Seasonal Restrictions

No permit shall be issued for work impacting travel lanes, sidewalks, or parking areas between November 15 and April 15, unless approved by the Public Works Director due to:

- (1) Emergency conditions;
- (2) Routine maintenance; or

(3) Work required as part of an approved construction project.

(k) Public Notice

Public notice shall not be required for Right-of-Way Excavation and Encroachment Permits.

(l) Compliance and Enforcement

Failure to comply with the requirements of this Section or permit conditions may result in stop-work orders, permit revocation, penalties, or corrective action at the applicant's expense.

(m) Acknowledgment

Issuance of a permit under this Section shall constitute acknowledgment by the applicant that they agree to comply with all applicable standards, restoration requirements, and conditions of approval, consistent with the Town's Right-of-Way Affidavit requirements.

**Section 2-307 Sign Permit**

(a) A sign permit (Figure 2-11) will 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 will make available an 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 address;

- (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 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 will be conducted by the Town of Alpine Building Official, or a designated representative, in order to assure permit compliance.

**Article 2.4 Building permit administration**

**Section 2-401. Permit Administration General Provisions**

- (a) No construction, alteration, repair, demolition, or development activity shall occur within the Town without first obtaining the appropriate permit, affidavit, or approval as required by this Code.

**(b) Permit Required**

A permit shall be required for, but not limited to, the following activities:

- 1. Construction of new buildings or structures;
- 2. Additions to existing structures;
- 3. Structural remodeling or alterations;
- 4. Installation, replacement, or modification of utility systems or mechanical systems;
- 5. Demolition or relocation of structures;
- 6. Change in occupancy or use of a building;
- 7. Construction of accessory structures.
- 8. Construction or installation of common site and structural improvements, including but not limited to decks, fences, sheds, garages, accessory structures, and similar improvements;
- 9. Exterior modifications affecting the structure or appearance of a building, including but not limited to re-roofing, siding replacement, and similar work where applicable under this Code;
- 10. Installation or modification of signage;

11. Any other activity requiring a permit as identified in Table 2-1 or elsewhere in this Code.

**(c) All work shall comply with:**

- This Land Use and Development Code;
- All applicable Town ordinances; and
- Adopted building and safety codes.

**(d) Permit Posting**

The approved building permit shall be posted in a visible location on the property prior to commencement of work and maintained throughout construction.

**(e) Permit Fees**

Payment of all applicable fees shall be required in accordance with the Town's most recently adopted fee schedule, as may be amended by resolution of the Town Council.

**(f) Administrative Authority**

The Planning and Zoning Administrator and/or Building Official shall have the authority to interpret and administer the provisions of this Chapter.

**(g) Trash Containment and Debris**

All properties, uses, and construction activities shall comply with the Town of Alpine's section 2-304 (a).

**Section 2-402. Permit and Approval Framework**

Permits and approvals under this Code are organized into the following categories:

**(a) Construction Permit Classifications**

Construction-related activities shall be reviewed under one of the following classifications, based on scope and complexity:

- (1) Affidavit Permit (Administrative Review)
- (2) Minor Construction Permit (Enhanced Review)
- (3) Building Permit (Full Review)

**(b) Standalone Permits**

Certain activities require permits that are not classified by construction complexity and are reviewed based on their specific impacts:

- (1) Temporary Use Permit
- (2) Temporary Structure Permit
- (3) Sign Permit
- (4) Driveway Permit

- (5) Right-of-Way Excavation and Encroachment Permit
- (6) Change of Use / Occupancy Permit

(c) Land Use and Development Approvals

These approvals regulate land use and development patterns and are processed separately from construction permits:

- (1) Annexation
- (2) Conceptual Development Master Plan (CDMP)
- (3) Planned Unit Development (PUD)
- (4) Subdivision
- (5) Zone Change
- (6) Variance
- (7) Special Use Permit

(d) Certificates

Certificates are issued following construction or approval to verify compliance:

- (1) Certificate of Occupancy
- (2) Temporary Certificate of Occupancy
- (3) Certificate of Completion
- (4) Certificate of Change of Use / Occupancy

**Section 2-403 Application Requirements by Permit Type**

Development applications, permits, and approvals are summarized in Table 2-1 and described in the applicable sections of this Part.

(a) General Application Requirements

- a. All applications shall include:
- b. Applicant information
- c. Property owner authorization (if applicable)
- d. Project location
- e. Description of proposed work
- f. Payment of applicable fees

(b) Affidavit Permits

Affidavit permits are intended for minor work that does not involve structural modification, does not require detailed plan review, and does not pose significant risk to public health, safety, or welfare.

Affidavit permits:

- (1) Do not require plan sets unless determined necessary by the Town;

- (2) May require inspection(s) as determined by the Building Official; and
- (3) Require notification to the Town upon completion of the work.

(c) Standard Permits

- i. Standard permits are required for projects involving moderate structural work or complexity.
- ii. Applications shall include:
- iii. Construction drawings or plans
- iv. Description of materials and methods
- v. Site plan when applicable

The Town may require a higher level of permit review if the proposed work is determined to exceed the scope of an affidavit permit.

(d) Minor Construction Permits

- 1) Applications shall include:
- 2) Detailed site plan
- 3) Construction drawings
- 4) Engineering or technical reports (when required)
- 5) Project narrative

(e) Temporary Use and Temporary Structure permit applications shall include:

- (1) Site plan identifying location and layout;
- (2) Description of the proposed use or structure;
- (3) Duration of the use;
- (4) Plan for removal and site restoration; and
- (5) Any additional information required by the Town.

(f) Accessory Structures (Sheds, Greenhouses, Detached Garages)

Applications shall include:

- (1) Site plan showing structure location and setbacks;
- (2) Structure size and dimensions;
- (3) Construction details, as applicable;
- (4) Utility information, if applicable; and
- (5) Additional documentation as required based on permit tier (affidavit, minor, or building permit).

(g) Driveway Permits

Applications shall include:

- (1) Description of proposed work;
- (2) Location of work within the right-of-way;
- (3) Traffic control plan, if applicable;
- (4) Restoration plan; and
- (5) Any additional documentation required by the Town.

(h) Right-of-Way Excavation/Encroachment Permits

Applications shall include:

- (1) Description of proposed work;
- (2) Location of work within the right-of-way;
- (3) Traffic control plan, if applicable;
- (4) Restoration plan; and
- (5) Any additional documentation required by the Town.

(i) Sign Permits

Applications shall include:

- (1) Sign design and dimensions;
- (2) Location on the property;
- (3) Method of installation;
- (4) Illumination details, if applicable; and
- (5) Site plan showing sign placement.

(j) Change of Use/ Occupancy

Applications shall include:

- (1) Description of proposed use;
- (2) Existing and proposed occupancy classification;
- (3) Floor plan showing layout and means of egress;
- (4) Life safety and fire protection information, as applicable;
- (5) Accessibility compliance information, as applicable; and
- (6) Any additional information required by the Building Official.

(k) Additional Requirements

The Town may require additional documentation, including engineering reports or stamped plans, in accordance with Section 2-302(g).

(l) Deck Construction

Deck projects shall be classified as follows:

(1) Affidavit

- a. Decking replacement only

- b. No structural changes
  - c. No stairs, rails, or framing changes
- (2) Deck Permit (Standard Permit)
  - a. Structural repairs (joists, beams, rails, stairs)
  - b. Partial reconstruction
  - c. Work exceeding affidavit scope
- (3) Minor Construction Permit
  - a. New footings or foundations
  - b. Expansion of footprint
  - c. Structural redesign or engineering
  - d. Site constraints or complexity
- (m) Sheds/ Greenhouses/ Accessory Structures (including Detached Garages)
  - (1) Affidavit
    - a. ≤300 sq ft
    - b. No plumbing or kitchen elements
    - c. No foundation work is taking place
  - (2) Standard Permit
    - a. 301- 400 Sq ft
    - b. Plumbing or kitchen elements included
    - c. No foundation work is taking place
  - (3) Minor Construction Permit
    - a. Any size of structure if;
    - b. Structural complexity requiring Engineering;
    - c. Foundations work is taking place
- (n) Roofs
  - (1) Affidavit
    - a. Like-kind material replacement
    - b. No structural or decking repair
  - (2) Roof Permit
    - a. Structural repairs
    - b. Material or weight changes

c. Layering changes

(o) Demolition and Relocation of Structures

(1) No Permit Required

No permit or affidavit shall be required for the demolition or relocation of structures equal to or less than three hundred (300) square feet, provided that:

(a) The structure does not contain regulated or hazardous materials;

(b) The activity does not involve utility disconnection requiring Town coordination; and

(c) The work does not otherwise create a condition affecting public health, safety, or welfare.

The Town may require a permit if site conditions or project circumstances warrant additional review.

(2) Demolition/Relocation Affidavit Required

A Demolition/Relocation affidavit shall be required for the demolition or relocation of any structure greater than three hundred (300) square feet.

(3) Demolition/ Relocation Associated with New Construction

When demolition or relocation of a structure greater than three hundred (300) square feet is proposed as part of an approved building permit for new construction:

(a) A Demolition/Relocation affidavit shall still be required;

(b) The affidavit shall be reviewed and issued in coordination with the associated building permit; and

(c) The applicable affidavit fee shall be waived.

(j) Temporary Use and Temporary Structure Permit

Applications shall include:

a. Description of the proposed temporary use or structure;

b. Proposed duration;

c. Site plan showing location of the temporary use or structure;

d. Description of access, parking, utilities, and sanitation, as applicable;

e. Removal and site restoration plan; and

f. Any additional information required by the Town.

(k) Right-of-Way Excavation and Encroachment Permit

Applications shall include:

a. Description of proposed work;

b. Location of work within the public right-of-way;

c. Traffic control plan, if applicable;

d. Restoration plan;

e. Contractor information; and

f. Any additional information required by the Town.

(l)Supplemental Application Requirements

In addition to the general application requirements set forth in this Section, the Town may require additional information necessary to evaluate the proposed project for compliance with this Code and other applicable regulations.

Such information may include, but is not limited to:

- (1) A detailed description of the scope of work;
- (2) Existing zoning designation and proposed use of the property;
- (3) Identification of all existing and proposed structures on the property;
- (4) Description of construction materials and methods;
- (5) Any additional documentation deemed necessary by the Town to evaluate the project.

(m)Site Plan Requirements

When required, applications shall include a scaled site plan (plot plan) that clearly depicts the proposed development and existing site conditions.

The site plan shall include, at a minimum:

- (6) Property boundaries and dimensions;
- (7) Location of all existing and proposed structures;
- (8) Setbacks from all property lines;
- (9) Location of vehicular access, driveways, and parking areas;
- (10) Location of all utilities, including but not limited to:
- (11) Water service
- (12) Sewer or septic systems
- (13) Power and propane lines
- (14) Easements and rights-of-way
- (15) Existing and proposed grading, drainage patterns, and stormwater management features;
- (16) Identification of snow storage areas, where applicable;
- (17) Finished floor elevations and general site elevations, where applicable; and
- (18) Any other information required by the Town to evaluate compliance with this Code.

The Town may require additional detail or engineered site plans based on the scope and complexity of the project.

(n)Construction Drawings and Supporting Documents

Applications for Standard Permits and Minor Construction Permits shall include construction drawings sufficient to demonstrate compliance with applicable codes.

Construction drawings may include:

- (19) Foundation plans;
- (20) Floor plans;
- (21) Wall sections;
- (22) Roof systems;
- (23) Building elevations;
- (24) Structural details;
- (25) Electrical, plumbing, mechanical, and HVAC systems; and
- (26) Any additional documentation required by the Town.

Construction drawings shall be prepared to scale and may be required to be stamped by a licensed Wyoming Professional Engineer or other qualified design professional in accordance with Section 2-302(g).

i. Submittal Format and Copies

All applications requiring construction drawings, site plans, or supporting documentation shall include:

- 1. Two (2) complete hard copies of all required plan sets and supporting documents; and
- 2. One (1) complete digital copy of all application materials submitted through the Town's designated online permitting system (CitizenServe).

The digital submittal shall include all plan sets, site plans, and supporting documentation required for review and shall be provided at the time of application.

(o) Digital Submittal Requirement

All applications requiring plans, site plans, or supporting documentation shall include a complete digital copy of the application materials at the time of submission.

The digital submittal shall:

- (27) Include all plan sets, site plans, and supporting documents;
- (28) Be in a format acceptable to the Town; and
- (29) Be retained by the Town for internal review, recordkeeping, and administrative purposes.

Digital submittals shall not be distributed to third parties except as permitted by law.

Application requirements for specific permit types may also be provided in the individual permit sections of this Code and in Table 2-1. In the event of a conflict, the requirements of the applicable permit section shall control.

**Section 2-404 Development Applications and Permit Matric (Table 2-1)**

**TABLE 2-1 PERMIT APPLICATION REQUIRMENTS**

**LAND USE DEVELOPMENT APPLICATION REQUIREMENTS – TOWN OF ALPINE LEGISLATIVE / QUASI-JUDICIAL LAND USE APPROVALS**

<b>Permit Type</b>	<b>Information Required</b>	<b>Public Hearing</b>	<b>Notice</b>	<b>Decision Process</b>	<b>Appeals</b>
<b>Annexation (Conceptual Report)</b>	<b>Conceptual report; site plan; ownership; legal description; mapping</b>	<b>Town Council</b>	<b>Per Ord. 2026-002</b>	<b>P&amp;Z → Council</b>	<b>District Court</b>
<b>Conceptual Development Master Plan (CDMP)</b>	<b>Conceptual plan + narrative</b>	<b>Admin or P&amp;Z</b>	<b>If applicable</b>	<b>Conceptual review only</b>	<b>Board of Adjustment</b>
<b>Planned Unit Development (PUD)</b>	<b>Master Plan (if req.); narrative; standards; technical reports</b>	<b>P&amp;Z + Council</b>	<b>Per Ord.</b>	<b>P&amp;Z → Ordinance</b>	<b>District Court</b>
<b>Land Use Plan Amendment</b>	<b>Rationale; map change</b>	<b>P&amp;Z + Council</b>	<b>Per Ord.</b>	<b>Ordinance</b>	<b>District Court</b>
<b>Zone Change</b>	<b>Site plan; zoning request</b>	<b>P&amp;Z + Council</b>	<b>Per Ord.</b>	<b>Ordinance</b>	<b>District Court</b>
<b>Variance</b>	<b>Plot plan; hardship</b>	<b>BOA</b>	<b>Per Ord.</b>	<b>BOA decision</b>	<b>District Court</b>
<b>Subdivision (Minor/Major)</b>	<b>Plat; technical report</b>	<b>P&amp;Z + Council</b>	<b>Per Ord.</b>	<b>Ordinance</b>	<b>District Court</b>
<b>Special Use Permit</b>	<b>Site plan; operations</b>	<b>P&amp;Z + Council</b>	<b>Per Ord.</b>	<b>Ordinance</b>	<b>District Court</b>

**□ BUILDING & CONSTRUCTION PERMITS**

Permit Type	Information Required	Public Hearing	Decision Process	Appeals
Building Permit (New / Major)	Full plans; site plan; utilities	No	Building Official + P&Z (if applicable)	BOA
Minor Construction Permit	Plans; scope; limited review	No	Admin / BO / P&Z (if needed)	BOA
Affidavit Permit	Description only	No	Administrative	BOA

**□ ACCESSORY STRUCTURES (INCLUDING DETACHED GARAGES)**

Permit Type	Information Required	Public Hearing	Decision Process	Appeals
Sheds / Greenhouses / Accessory Structures	Site plan; size; details	No	Tiered: Affidavit / Admin / BO / P&Z	BOA

**📁 Internal classification:**

- ≤300 sq ft (no utilities) → Affidavit
- 301–400 sq ft → Administrative
- 400 sq ft or utilities → Building Permit / BO
- Site impacts → P&Z

**□ SITE & INFRASTRUCTURE PERMITS**

Permit Type	Information Required	Public Hearing	Decision Process	Appeals
Driveway Permit	Site plan; grades; drainage	No	Public Works	BOA

Permit Type	Information Required	Public Hearing	Decision Process	Appeals
Grading / Excavation (Private)	Site plan; disturbance	No	Admin / BO / P&Z (if needed)	BOA
Right-of-Way / Encroachment	Work description; restoration	No	Public Works	BOA

#### □ USE / OPERATIONAL PERMITS

Permit Type	Information Required	Public Hearing	Decision Process	Appeals
Temporary Use Permit	Description; duration; site plan; operations	≤60 days: No / >60 days: Yes	Admin → P&Z → Council	BOA
Temporary Structure Permit	Site plan; egress; occupant load; construction details	No (unless tied to use)	Building Official	BOA
Change of Use / Occupancy	Floor plan; life safety; classification	No	Building Official	BOA
Sign Permit	Design; size; location	No	Administrative	BOA

#### □ CERTIFICATES (FINAL APPROVALS — NOT PERMITS)

Certificate Type	Purpose	Issued By
Certificate of Occupancy (CO)	Final occupancy approval	Building Official
Temporary Certificate of Occupancy (TCO)	Temporary occupancy prior to completion	Building Official
Certificate of Completion	Completion of work not requiring CO	Building Official
Certificate of Change of Use / Occupancy	Confirms compliance for change of use	Building Official

**TABLE NOTES:**

- Table 2-1 organizes permit types by category. Only construction-related permit types are subject to permit classification as defined in Section 2-302(a).
- Permit classifications represent levels of review, while permit types represent categories of development. Classification shall be determined by the Town based on scope and complexity.
- Temporary Uses and Temporary Structures are regulated separately:
  - Temporary Uses are governed by duration and land use impacts.
  - Temporary Structures are governed by applicable building and fire codes.
- Temporary structures shall comply with the currently adopted International Building Code (IBC) and International Fire Code (IFC).
- Structures intended for one hundred eighty (180) days or less are considered temporary structures.
- Structures intended for more than one hundred eighty (180) days shall comply with applicable provisions of the IBC for permanent structures.
- A permit shall be required for temporary structures exceeding one hundred twenty (120) square feet or intended to accommodate ten (10) or more occupants, or as otherwise determined necessary by the Building Official.
- Review authority may be elevated based on scope, complexity, or potential impacts.

**Section 2-405                      Construction Site Management and Land Disturbance Compliance**

**(a) Purpose and Applicability**

The purpose of this section is to ensure that all construction sites are maintained in a clean, safe, and orderly condition, and to prevent impacts to adjacent properties, public rights-of-way, and the general public health, safety, and welfare.

The provisions of this section shall apply to all construction activity requiring a permit under this Code.

## **(b) Construction Site Trash and Debris Management**

### **(1) General requirement**

All construction sites shall be maintained in a clean, safe, and orderly condition at all times.

Construction debris, waste materials, and refuse shall be contained on-site and shall not be allowed to accumulate, disperse, or migrate onto adjacent properties or public rights-of-way.

### **(30) Required Containment**

All construction sites shall provide and maintain adequate waste containment, which shall include:

- A dumpster; or
- An alternative approved waste container; or
- Another containment method approved by the Town based on the scope and nature of the project

### **(3) Securing of Materials**

All lightweight or loose materials shall be secured to prevent wind dispersal. Waste containers shall be covered or otherwise secured when not in active use to prevent the escape of debris.

### **(4) Maintenance and Removal**

- Waste materials shall be regularly collected and removed from the site
- Containers shall not overflow at any time
- Debris shall not be stockpiled in a manner that creates a nuisance or hazard

### **(5) Daily Site Cleanup**

At the conclusion of each workday, all construction sites shall be cleaned of loose debris, trash, and waste materials.

### **(6) Prohibited Activities**

The following are prohibited:

- Accumulation of loose or scattered debris on-site
- Migration of debris onto adjacent properties or public rights-of-way
- Overflowing waste containers
- Burning of construction debris or waste materials, unless expressly permitted by applicable regulations

### **(7) Responsibility**

The property owner and any contractor or subcontractor performing work on the site shall be jointly responsible for compliance with this subsection.

**(8) Enforcement**

Failure to comply with this subsection may result in:

- Stop work orders
- Citations or fines
- Permit suspension or revocation
- Abatement by the Town, with costs assessed to the property owner

**(b) Temporary Sanitary Facilities**

(a) Requirement

Portable sanitary facilities shall be provided and maintained on all active construction, remodeling, or demolition sites where workers are present and permanent restroom facilities are not available or not accessible.

(b) Standards

Sanitary facilities shall:

- (1) Be of a type approved for temporary use;
- (2) Be maintained in a clean, sanitary, and operable condition;
- (3) Be serviced at a frequency sufficient to prevent unsanitary conditions or nuisance; and
- (4) Be located on-site or in a location approved by the Town.

(c) Responsibility

The property owner, contractor, or permit holder shall be responsible for providing and maintaining required sanitary facilities.

(d) Exceptions

This requirement may be waived by the Building Official for minor construction activities of short duration where sanitary facilities are reasonably available and accessible.

(e) Compliance

Failure to provide or maintain required sanitary facilities may result in enforcement action, including stop work orders or permit suspension.

**(c) Construction Materials Storage and Site Organization**

All construction materials shall be stored in an orderly manner and shall be located entirely on-site.

The following shall apply:

- No materials shall be stored within public rights-of-way
- No materials shall be stored on adjacent properties without authorization

- Lumber, insulation, and other lightweight materials shall be secured to prevent dispersal
- Hazardous materials shall be stored and handled in accordance with applicable federal, state, and local regulations

**(d) Dust Control**

All construction activity shall be conducted in a manner that prevents dust from leaving the site.

Dust control measures shall include, as applicable:

- Watering
- Soil stabilization
- Covering of materials
- Other methods approved by the Town

Visible dust leaving the site shall constitute a violation of this section.

**(e) Hours of Construction**

Construction activities shall be limited to the following hours unless otherwise approved by the Town:

- Monday through Saturday: 7:00 a.m. to 7:00 p.m.

Construction activities on Sundays and legal holidays are prohibited unless specifically authorized by the Town.

**(f) Noise and Nuisance Control**

Construction activities shall be conducted in a manner that minimizes disturbance to surrounding properties.

The following shall apply:

- No excessive or unnecessary noise outside permitted construction hours
- Equipment shall be operated in a manner that minimizes nuisance impacts
- Construction activity shall not create conditions that are detrimental to neighboring properties or the general public

**(g) Temporary Facilities**

Construction sites shall provide necessary temporary facilities to support on-site workers.

The following shall apply:

- Portable toilet facilities shall be provided for active construction sites
- Such facilities shall be:
  - Properly maintained
  - Secured
  - Located in a manner that minimizes visual and nuisance impacts

Temporary structures and trailers shall comply with applicable provisions of this Code.

**(h) Erosion and Stormwater Control**

Construction sites shall be managed to prevent erosion and the discharge of sediment from the site.

The following shall apply:

- Sediment shall not leave the site and enter adjacent properties, drainage systems, or public rights-of-way
- Existing drainage patterns shall be maintained or appropriately managed
- Disturbed areas shall be stabilized as necessary to prevent erosion

**(i) Public Safety**

All construction sites shall be maintained in a manner that protects public safety.

The following shall apply:

- Open excavations shall be secured or protected
- Hazardous conditions shall be mitigated in a timely manner
- The site shall not pose a risk to the public or adjacent properties

**(j) Parking and Worker Conduct**

Construction-related vehicles and worker activities shall not interfere with public access or surrounding properties.

The following shall apply:

- Construction-related parking shall not block public roads or private driveways
- No staging, storage, or parking shall occur within the public right-of-way without approval from the Public Works Director
- Workers shall conduct themselves in a manner that does not create a nuisance or disruption to surrounding properties

**Section 2-406 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 2-407 Affidavit Process (Figure 2-12)**

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

**(a) Purpose**

The purpose of the Affidavit Permit is to provide an administrative approval process for minor construction activities that are limited in scope, do not involve structural complexity, and do not pose significant risk to public health, safety, or welfare.

Affidavit permits are one of the permit classifications established in Section 2-302.

(a) Applicability

Affidavit permits shall be applied to eligible construction activities as defined in Section 2-304.

Affidavit permits are generally limited to work that:

- a. Does not involve structural modification;
- b. Does not require engineered plans or technical review;
- c. Does not involve significant site impacts or utility work; and
- d. Can be verified through limited inspection, if required.

(b) Application Requirements

- a. Completed affidavit form
- b. Description of work
- c. Confirmation project meets eligibility

(c) Review

- a. Administrative review by staff
- b. No plan review unless required

(d) Inspections

- a. May require inspection
- b. Applicant must notify Town upon completion

(e) Limitations

Affidavit permits shall not be used for projects that:

- a. Require structural modification;
- b. Involve utility installation or modification;
- c. Require engineering or technical analysis;
- d. Exceed the scope defined in Section 2-304; or
- e. Are otherwise determined by the Town to require a higher level of review.

(f) Conversion Clause

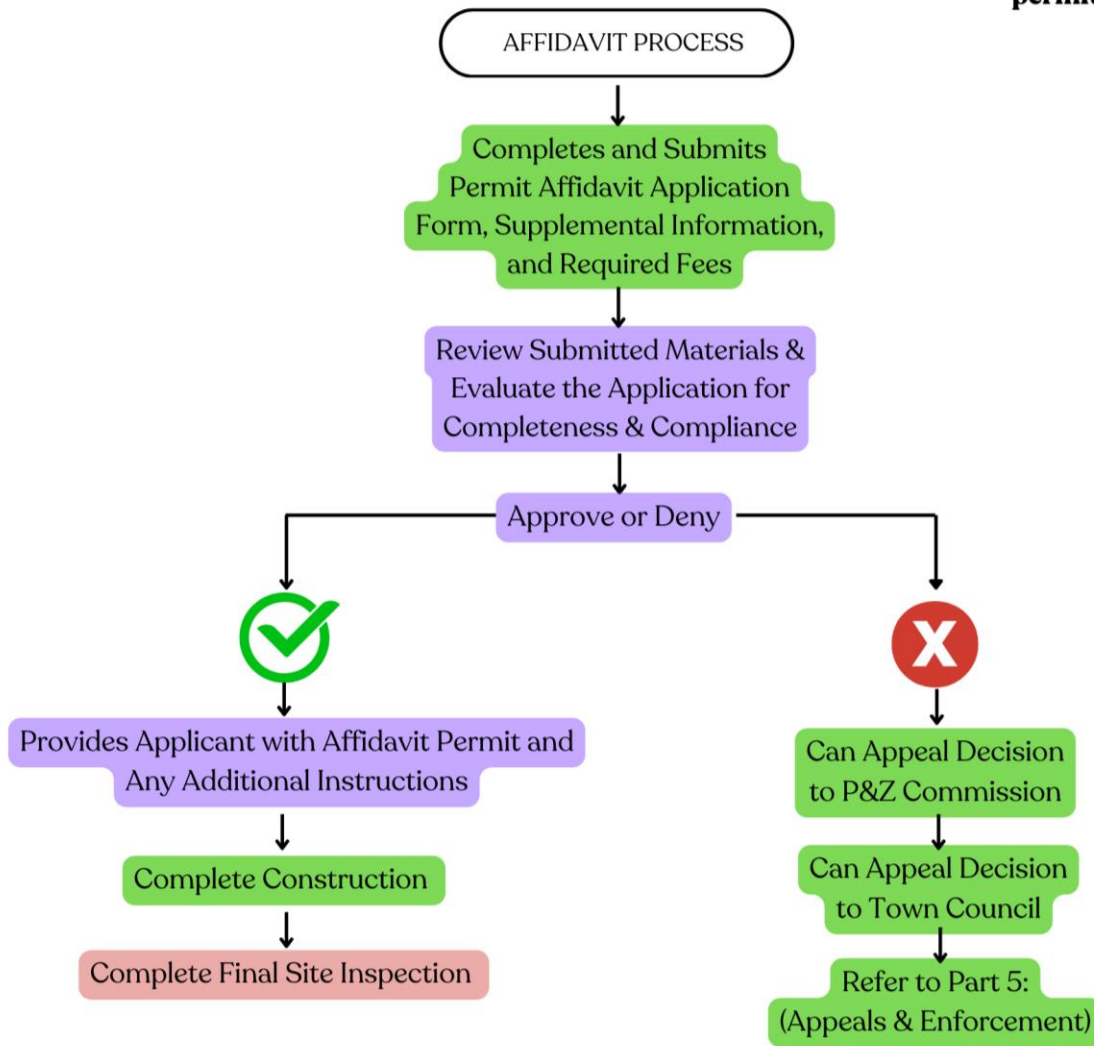
If, during review or construction, it is determined that a project exceeds the scope of an Affidavit Permit, the applicant shall be required to obtain the appropriate permit classification prior to proceeding.



**Legend:**

- APPLICANT
- BUILDING OFFICIAL
- ZONING ADMINISTRATOR

**This process applies to Fences, Sheds/Green Houses (Equal to or under 300 square feet with no plumbing), any decks (under 200 square feet and below 30 inches from finished grade); any utility changes or improvements, re-roofing projects (like kind materials) demolition of existing buildings and/or storage sheds and all permit extensions**



**AFFIDAVIT PROCESS**  
Figure 2-12

**Section 2-408**

**Required Building and Site Inspections**

**(a) General Requirement**

**All work requiring a permit shall be subject to inspection by the Town as necessary to ensure compliance with approved plans and applicable codes. All construction shall conform to the Town's adopted codes, including but not limited to:**

- International Building Code (IBC)
- International Residential Code (IRC)
- International Plumbing Code (IPC)
- International Mechanical Code (IMC)
- International Fuel Gas Code (IFGC)
- International Fire Code (IFC)
- National Electrical Code (NEC)

**(b) Inspections by Permit Type**

**(1) Affidavit Permits**

- a. Inspections may be required at the discretion of the Town;
- b. A final inspection is typically required upon completion;
- c. The applicant shall notify the Town when work is complete;
- d. Failure to request inspection may result in enforcement action.

**(31) Standard Permits**

- e. Inspections shall be required as determined by the Building Official;
- f. May include multiple inspections depending on scope;
- g. Work shall not proceed beyond required stages without approval.
- h. Inspection stages may include, but are not limited to, those identified in subsection (b)(3).

**(3) Minor Construction Permits**

- a. Inspections are required and shall be determined by the Building Official;
- b. May include multiple staged inspections, including but not limited to:

- i. Footings, including concrete forms, rebar, reinforcing rods or pins prior to placement of concrete;
- ii. Foundation forms, including stem walls prior to placement of concrete;
- iii. Damp-proofing or waterproofing prior to foundation backfilling;
- iv. Foundation systems, including vents, mechanical piping, conduit (including radon mitigation), and utility placement prior to covering;
- v. Framing, plumbing, and mechanical systems prior to covering (including HVAC systems);
- vi. Exterior wall and roof nailing;
- vii. Insulation prior to covering of walls and ceilings;
- viii. Drywall (sheetrock) prior to taping or mudding;
- ix. Final inspection upon completion of all construction work.

c. Additional inspections may be required based on project complexity, site conditions, or as determined necessary to ensure compliance.

**(c) Survey and Placement Requirements**

a. The applicant shall provide an “Exhibit to Accompany Affidavit of Surveyor”, prepared by a land surveyor licensed in the State of Wyoming, depicting:

- Property corners
- Setback lines
- Structure placement
- Utility improvements

b. Upon completion of foundation wall forming, a Certificate of Placement shall be prepared by a licensed Wyoming land surveyor and submitted to the Town.

c. The Certificate of Placement shall verify that the structure is located in compliance with the approved site or plot plan.

d. No further construction shall proceed until the Certificate of Placement has been submitted and accepted by the Town.

e. Any work completed prior to submission may be required to be removed at the property owner’s expense.

**(d) Responsibility of Applicant**

The applicant is responsible for:

- a. Requesting all required inspections;
- b. Providing reasonable access to the site;
- c. Ensuring work is ready for inspection prior to scheduling;
- d. Coordinating required inspections in proper sequence;
- e. Providing required survey and placement documentation.

**(e) State Electrical Inspections Required**

All work requiring an electrical permit shall be subject to inspection by the **Wyoming Department of Fire Prevention and Electrical Safety**, or its successor agency.

The applicant shall be responsible for:

- a. Obtaining all required state electrical permits;
- b. Providing a copy of the approved wiring permit
- b. Scheduling and completing all required state inspections; and
- c. Providing documentation of approved electrical inspections to the Town prior to final approval or project sign-off.

The Town shall not perform electrical inspections except as necessary for general compliance verification and shall rely on the State’s inspection and approval.

Failure to provide required documentation may result in withholding of final approval or enforcement action.

**(f) Failure to Obtain Inspection**

Failure to obtain required inspections or comply with inspection requirements may result in:

- a. Stop-work orders;
- b. Permit revocation;
- c. Required removal or correction of work;
- d. Additional inspection fees or penalties;
- e. Requirement to uncover work for proper inspection at the property owner's expense.

**(g) Final Inspection**

The Town shall conduct a final inspection upon completion of all work authorized under a permit.

No project shall be considered complete until all required inspections, including applicable state electrical inspections and required documentation, have been approved.

**Section 2-409 Certificates**

**(a) Purpose**

The purpose of this section is to establish the types of certificates issued by the Town of Alpine and to define the conditions under which such certificates are required. This section provides a general framework only and shall not replace the specific procedures and requirements set forth elsewhere in this Code.

**(b) Types of Certificates**

The Town of Alpine may issue the following certificates:

**(1) Certificate of Occupancy (CO)**

Issued upon completion of construction and verification that a building or structure complies with all applicable codes, approved plans, and conditions of approval.

**(2) Temporary Certificate of Occupancy (TCO)**

Issued when a building or structure, or portion thereof, may be safely occupied prior to full completion or for a limited duration, subject to conditions and time limitations established by the Building Official.

**(3) Certificate of Completion**

Issued for permits that do not require a Certificate of Occupancy, including but not limited to additions, garages, minor construction, and similar improvements.

**(4) Certificate of Change of Use or Occupancy**

Issued when an existing building or structure undergoes a change in use or occupancy classification and has been verified to comply with applicable codes and requirements.

**(c) General Requirement**

No building, structure, or use shall be occupied, utilized, or changed in use or occupancy unless the applicable certificate required by this Code has been issued.

(d) Relationship to Permits and Temporary Uses

Certificates are distinct from permits and shall not be construed as authorizing construction or land use.

Temporary Uses and Temporary Structures are regulated under Section 2-212 and are approved through a permit process. Such approvals do not constitute a certificate unless occupancy of a structure is authorized through a Temporary Certificate of Occupancy.

(e) Authority

The Building Official shall have the authority to issue, deny, suspend, or revoke certificates in accordance with this Code.

**Section 2-410 Issuance of Temporary Certificate of Occupancy (TCO)**

The Building Official may issue a Temporary Certificate of Occupancy when the portion of the structure requested for occupancy is deemed safe for the intended temporary use and all outstanding items do not pose a hazard to life, health, or public safety. The **Building Official shall set the time period during which the Temporary Certificate of Occupancy is valid.** A TCO shall:

- Identify all outstanding items that must be completed prior to issuance of a full Certificate of Occupancy;
- Not authorize occupancy beyond the limited scope and areas approved.

Failure to complete the required work within the time period established for the TCO may result in revocation of the TCO and enforcement actions as allowed by Town ordinance.

(d) Temporary Changes in Use or Occupancy

A Temporary Certificate of Occupancy may be issued to allow a temporary change in use or occupancy where the Building Official determines that the building or structure can be safely occupied for the proposed use for a limited duration.

- (e) Temporary Certificates of Occupancy shall apply only to buildings or structures intended for occupancy. Temporary structures regulated under Section 2-212 shall not be considered occupied structures unless approved by the Building Official and issued a Temporary Certificate of Occupancy when applicable.

**Section 2-411 Issuance of Certificate of Occupancy (CO)**

No building or structure, or portion thereof, shall be used or occupied until a Certificate of Occupancy has been issued by the **Building Official**, confirming that all work complies with the adopted International Codes, the approved construction documents, all conditions of approval, and all applicable provisions of the Town of Alpine Municipal Code.

**(a) Conditions for Issuance.**

A Certificate of Occupancy shall be issued only after:

1. **Final inspections** have been completed and approved by the Building Official;
2. **All life-safety systems** required by the applicable codes have been installed, tested, and verified as operational;
3. **All site improvements** required by the Planning and Zoning Commission or Design Review Committee—including but not limited to parking, access, utilities, landscaping, grading, and drainage—have been completed or otherwise secured to the satisfaction of the Town;
4. **All applicable fees and any outstanding fines** owed to the Town have been paid in full;
5. **All required approvals or clearances** from external agencies, if applicable, have been provided;
6. **All conditions of the building permit and development approvals** have been met.

**(b)** This requirement includes changes of use or occupancy as governed by Section 2-314.

**Section 2-412 Record of Certificate.**

The Building Official shall transmit all Certificates of Occupancy and Temporary Certificates of Occupancy to the Planning and Zoning Administrator for recordkeeping.

**Section 2-413 Revocation of Certificate of Occupancy and Temporary Certificate of Occupancy**

The Building Official may suspend or revoke a Certificate of Occupancy or Temporary Certificate of Occupancy if:

1. The certificate was issued in error;

2. The certificate was issued based on incorrect, incomplete, or fraudulent information; or
3. The structure or use violates any applicable code, ordinance, or condition of approval.
4. It is determined that required fees or fines were not paid prior to issuance of the certificate.

### **Section 2-414 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 the requirements of the addition, garage, minor construction and remodeling permits, and sign permits regulations have been met.

The Certificate of Completion will be signed by the Town of Alpine Building Inspector/Official.

#### **(a) Conditions for Issuance**

A Certificate of Completion shall be issued only after:

1. All required inspections have been completed and approved;
2. All applicable permit requirements have been satisfied; and
3. All applicable fees and any outstanding fines owed to the Town have been paid in full.

#### **(b) Execution**

The Certificate of Completion shall be signed by the Town of Alpine Building Official.

### **Section 2-415 Change of Use or Change of Occupancy Certificate**

A Change of Use or Change of Occupancy, as defined by the adopted International Building Code, does **not** necessarily require the issuance of a new building permit; however, no such change shall take effect until the Building Official has completed all inspections deemed necessary and has issued a **Change of Use Certificate** or **Change of Occupancy Certificate** as applicable.

#### **(a) Applicability**

A change of use or change of occupancy of an existing building or structure, or any portion thereof, shall be subject to review under this section.

A change of use or change of occupancy, as defined by the adopted International Building Code, does not necessarily require the issuance of a new building permit;

however, no such change shall take effect until the requirements of this section have been satisfied.

**(b) Application Required**

Prior to any change of use or occupancy, the property owner or authorized agent shall submit an application to the Town.

No change of use or occupancy shall occur until the Building Official has completed review and issued a Change of Use Certificate or Change of Occupancy Certificate in accordance with this section.

**(c) Information Accompanying Application**

The application shall include the following, as applicable:

- Description of the proposed change of use or occupancy
- Identification of existing and proposed occupancy classification
- Floor plan showing existing layout, affected areas, and means of egress
- Life safety information, including occupant load and fire protection systems, as applicable
- Accessibility compliance information, as applicable
- Mechanical, plumbing, and electrical system information necessary to support the proposed use
- Copy of any existing Certificate of Occupancy or prior approvals (if available)
- Any additional information required by the Building Official to determine compliance with applicable codes

Submittal requirements may be adjusted by the Building Official based on the scope and complexity of the proposed change.

**(d) Inspections Required**

Upon receipt of an application for a proposed change of use or occupancy, the Building Official, or the Building Official’s designated representative, shall conduct any inspections necessary to evaluate the existing conditions of the building or structure and to determine compliance with the requirements applicable to the proposed use or occupancy classification.

**(e) Compliance With Current Codes**

Where a change of use or occupancy is proposed, the building, structure, or affected portion thereof shall comply with all applicable provisions of the adopted International Codes, including but not limited to requirements related to:

- Life safety
- Means of egress
- Fire protection
- Structural capacity
- Accessibility
- Mechanical, plumbing, and electrical systems

to the extent necessary to support the proposed use or occupancy.

**(f) Certificate Required Prior to Occupancy**

A building or structure shall not be used or occupied in whole or in part, and a change of occupancy of a building or structure or any portion thereof shall not be made, until the Building Official has issued a Change of Use Certificate or Change of Occupancy Certificate verifying compliance with this Code and the adopted International Codes. Issuance of such certificate shall not be construed as approval of any violation of the provisions of this Code or other ordinances of the Town. Any certificate purporting to authorize a violation or to waive compliance with code requirements shall be invalid. Exception: A certificate is not required for work that is exempt from permits pursuant to Section 105.2.

**(g) Temporary Change of Occupancy**

The Building Official may authorize a Temporary Certificate of Occupancy when the proposed use can be safely accommodated for a limited time.

The Building Official shall establish the duration for which such temporary occupancy is permitted and shall identify any conditions that must be met before issuance of a full certificate.

**(h) Relationship to Other Approvals**

Approval under this section does not authorize a use that is not otherwise permitted under this Code.

Where a proposed change of use requires additional land use approvals, including but not limited to a Special Use Permit, variance, or zone change, such approvals shall be obtained prior to issuance of a Change of Use or Occupancy Certificate.

**(i) Violations**

Occupying or allowing occupancy of a building or structure following a change of use or change of occupancy without the required certificate constitutes a violation of this Code and shall be subject to all applicable penalties and enforcement mechanisms provided by Town ordinance.

**Section 2-416 Change of Use/ Occupancy Certificate Process**

**(a) Requirement**

A Change of Use or Change of Occupancy, as defined by the adopted International Building Code, shall require issuance of a Certificate of Change of Use or Occupancy prior to the establishment of the new use.

**(b) Issuance**

The Building Official shall issue a Certificate of Change of Use or Occupancy upon determination that the building or structure complies with the applicable provisions of this Code and the adopted International Codes.

**(c) Prohibition**

No change of use or occupancy shall occur until the required certificate has been issued.

**(d) Temporary Certificate**

Where a proposed change of use or occupancy is temporary in nature, the Building Official may authorize such use through issuance of a Temporary Certificate of Occupancy in accordance with Section 2-308, subject to conditions and time limitations.

**(e) Violations**

Occupancy without the required certificate shall constitute a violation of this Code.

**ARTICLE 2.5 FEES AND PROCESSING**

**Section 2-501 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 applicant shall be responsible for all costs associated with required public notice, including but not limited to publication, mailing, and posting, in accordance with Ordinance No. 2026-002 (Public Notice Requirements Ordinance), as may be amended.  
The applicant shall also be responsible for any and all out-of-the-ordinary costs that may arise as a result of the public notification process.  
The applicant shall complete all required notice procedures and provide proof of compliance in the form of affidavits or other documentation as required by the Town prior to any scheduled public hearing.  
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 will be no waiver of permit fees.
  
- (c) Deposits and/or performance bonds will 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 will 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) will be held by the Town and will 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 will not be refunded.

- (d) 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 will have to start the process over with all new fees, filings, meetings, etc.
- (e) 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 will have to start the process over with all new fees, filings, etc.
- (f) 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 will be assessed on a case-by-case basis based on the time spent during the review process.
- (g) Planned Unit Development Applications will be determined on a case-by-case basis, number of lots, etc.
- (h) No approval will be granted and/or formalized **until all fees have been paid in full.**