

*Town of Alpine
Planning & Zoning*



Chairman:

Melisa Wilson

Commission Members:

Sue Kolbas

Dan Schou

August 13, 2024

Mayor Eric Green and Council Members:

Recommendation from the Planning & Zoning Commission

As requested, the Planning & Zoning Commission recently reviewed the Alpine Land Use and Development Code (LUCD) documents. Commission members have been working on revisions for the past couple of months.

The Commission has put together a package of changes for chapters 1, 2, 3, 5 and 6 for Town Council consideration of adopted changes to the LUCD. The suggested changes to the document have been identified in red. The Commission is available to any questions that the Council might have regarding the suggested changes.

Mr. Dan Schou moved to make a recommendation to the Town Council for their consideration on the suggested amendments and/or changes to the Alpine Land Use and Development Code as presented and approved the Planning and Zoning Commission. Ms. Susan Kolbas seconded the motion. Vote: 3 yes, 0 no, 0 abstain, 0 absent. Motion carried.

PART 1 - GENERAL PROVISIONS

ARTICLE 1.1 ADMINISTRATION

Section 1-101. Title

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

Section 1-102. Intent

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

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

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

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

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

The Land Use and Development Code includes development standards for parking lots, signs, fencing, landscaping, vehicular parking, and other site and facility development features. Performance standards, e.g., hours of operation, which specify the conditions under which an activity shall operate, are also included for some types of land uses in the zoning regulations (Part 3).

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

Section 1-104. Planning and Zoning Commission

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

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

Example:

Appointments in 2009

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

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

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

Appointments in 2010

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

Appointments in 2011

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

Appointments in 2012

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

- (4) A Chair and Vice Chair of the Planning and Zoning Commission shall be selected by the Commission to serve for a period of one (1) year, or until their successors have been selected.
- (5) The Planning and Zoning Commission may appoint a Secretary to the Commission.
- (6) Upon its receipt of written allegations of wrongdoing or improper conduct and the holding of a public hearing, the Town Council may remove any member of the Planning and Zoning Commission for reasonable cause such as lack of meeting attendance, wrongdoing, or improper conduct.
- (7) The Planning and Zoning Commission shall meet once a month (during November – April) and twice a month (during May – October), or as needed, at times and places which may be determined by resolution of the Commission. Special meetings may be called at any time by the Chair, or, in his absence, by the Vice Chair.
- (8) A simple majority of the Planning and Zoning Commission shall constitute a quorum for the transaction of business.

- (9) The Commission may adopt rules of procedure for conducting its business. Copies of all rules or regulations adopted by the Commission shall be forwarded to the Town Council, who shall also adopt the rules and regulations. The Commission shall then transmit all adopted rules and regulations to the Zoning Administrator who shall make them readily accessible to the general public.

(b) Scope of Responsibility:

The Planning and Zoning Commission shall have the following responsibilities:

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

Section 1-105. Board of Adjustment

(a) Creation of Alpine Board of Adjustment:

- (1) The Mayor of Alpine, with consent of the Alpine Town Council, shall appoint the five (5) members of the Alpine Planning and Zoning Commission as the Alpine Board of Adjustment, in accordance with the requirements outlined in W.S. 15-1-605.
- (2) The Alpine Town Council may remove any member from the Alpine Board of Adjustment for reasonable cause, e.g., lack of attendance, wrongdoing or misconduct, and following a public hearing, concerning the removal under consideration. Vacancies shall be filled for the unexpired portion of a term.
- (3) The Alpine Board of Adjustment shall select one (1) of their members as chair and one (1) as vice chair. Both the chairman and vice chair shall serve one (1) year, or until their successors have been selected. The Alpine Board of Adjustment may appoint a Secretary to the Board.
- (4) The Alpine Board of Adjustment shall meet as needed, at times and places which shall be determined by resolution of the Board of Adjustment. Special meetings may be called at any time by the Chair, or, in his absence, by the Vice Chair.

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

Section 1-106. Zoning Administrator

- (a) Designation of Alpine Zoning Administrator:
 - (1) A Zoning Administrator shall be designated by the Mayor of the Town of Alpine with consent of the Alpine Town Council from within the current employee staffing.
 - (2) The Zoning Administrator shall report to the chair of the Alpine Planning and Zoning Commission.

- (3) If a Zoning Administrator is not appointed the Planning & Zoning Commission shall act as such.

(b) Scope of Responsibility:

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

- (1) Evaluate requests and make recommendations for proposed amendments to the Alpine community land use plan, planned unit development projects, proposed zone changes, variances, and building permits.
- (2) Hear concerns of the general public concerning any proposed land action and present to Alpine Planning & Zoning Commission for determination.
- (3) Evaluate and make recommendations concerning any properties in the Town of Alpine where a potential violation of the Alpine Zoning Ordinance is suspected or known to be present to the Alpine Planning & Zoning Commission.
- (4) Provide information to the Board of Adjustment concerning any order, requirement, decision, or determination that is made by the Alpine Planning and Zoning Commission, the Zoning Administrator, or the Building Official.
- (5) Prepare and propose desirable changes to the Alpine Land Use and Development Code which may be necessary to improve the management of land use development within the community. All such changes shall be subject to the amendment procedures outlined in Article 2.2 - General Development Review and Approval Process, of this ordinance.
- (6) Maintain a community land use database and regularly update Alpine Zoning map.
- (7) Complete any land use studies which may be necessary to monitor future compliance and effectiveness of the Alpine Land Use and Development Code.
- (8) Maintain records and files for all land use and building permit applications.

Section 1-107. Building Official – Building Inspector

(a) Appointment of Building Official – Building Inspector:

- (1) A Building Official/Inspector shall be appointed by the Mayor of the Town of Alpine with consent of the Alpine Town Council.
- (2) The Building Official/Inspector shall report to the Planning & Zoning Commission.

(b) Scope of Responsibility:

The Building Official/Inspector shall have the following responsibilities:

- (1) Review building permit applications and related documentation.
- (2) Inspect any properties in the Town of Alpine where any new construction, building renovations, or alterations are being made.
- (3) Inspect any properties in the Town of Alpine where a potential violation of the Alpine Zoning Ordinance is suspected or known to be present.
- (4) Coordinate inspection findings with applicants, developers, construction contractors, and other appropriate parties.

- (5) Issue cease and decess orders, as deemed necessary.
- (6) Provide information to the Board of Adjustment concerning any order, requirement, decision, or determination that is made by the Building Official/Inspector.

Section 1-108. Legal Rulings

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

Section 1-109. Severability

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

PART 2 - PROCEDURES

ARTICLE 2.1 GENERAL PROVISIONS

Section 2-101. Purpose

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

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

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

ARTICLE 2.2 GENERAL DEVELOPMENT REVIEW AND APPROVAL PROCESS

Section 2-201. General Requirements

- (a) No development or construction activity is permitted until all applicable development approvals are issued by the Town of Alpine in accordance with Part 2 of the Alpine Land Use and Development Code. If a property is to be annexed into the incorporated boundaries of the Town a planned unit development concept with zone identification is required to accompany the annexation petition/application.
- (b) Development approvals are required for all development projects to ensure compliance with codes and standards adopted by the Town of Alpine, as well as consistency with the Town of Alpine Municipal Master Plan. All annexation petition/applications will be reviewed for consistency with the Town of Alpine Master Plan.
- (c) Any development on a parcel and/or a piece of land that is larger than one (1) acre will be required to follow the planned unit development process. Development approvals are required for all development projects to ensure compliance with codes and standards adopted by the Town of Alpine, as well as consistency with the Town of Alpine Municipal Master Plan. All annexation petition/applications will be reviewed for consistency with the Town of Alpine Master Plan.
- (d) General land use application requirements are summarized in Table 2-1 and described more fully in later sections of Part 2.
- (e) Decisions by the Alpine Planning and Zoning Commission, Alpine Board of Adjustments, and Alpine Town Council concerning applications for land use plan map amendments, planned unit developments, zone changes, variances, subdivisions, buildings, and signs shall be transmitted to applicants in writing. Approvals may contain specific stipulations or conditions which modify the original application. Denials of any application shall be accompanied with documentation of the rationale used by the Alpine Planning and Zoning Commission, Alpine Board of Adjustments, and/or the Alpine Town Council to make its determination.

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

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

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

Section 2-202. General Evaluation Criteria

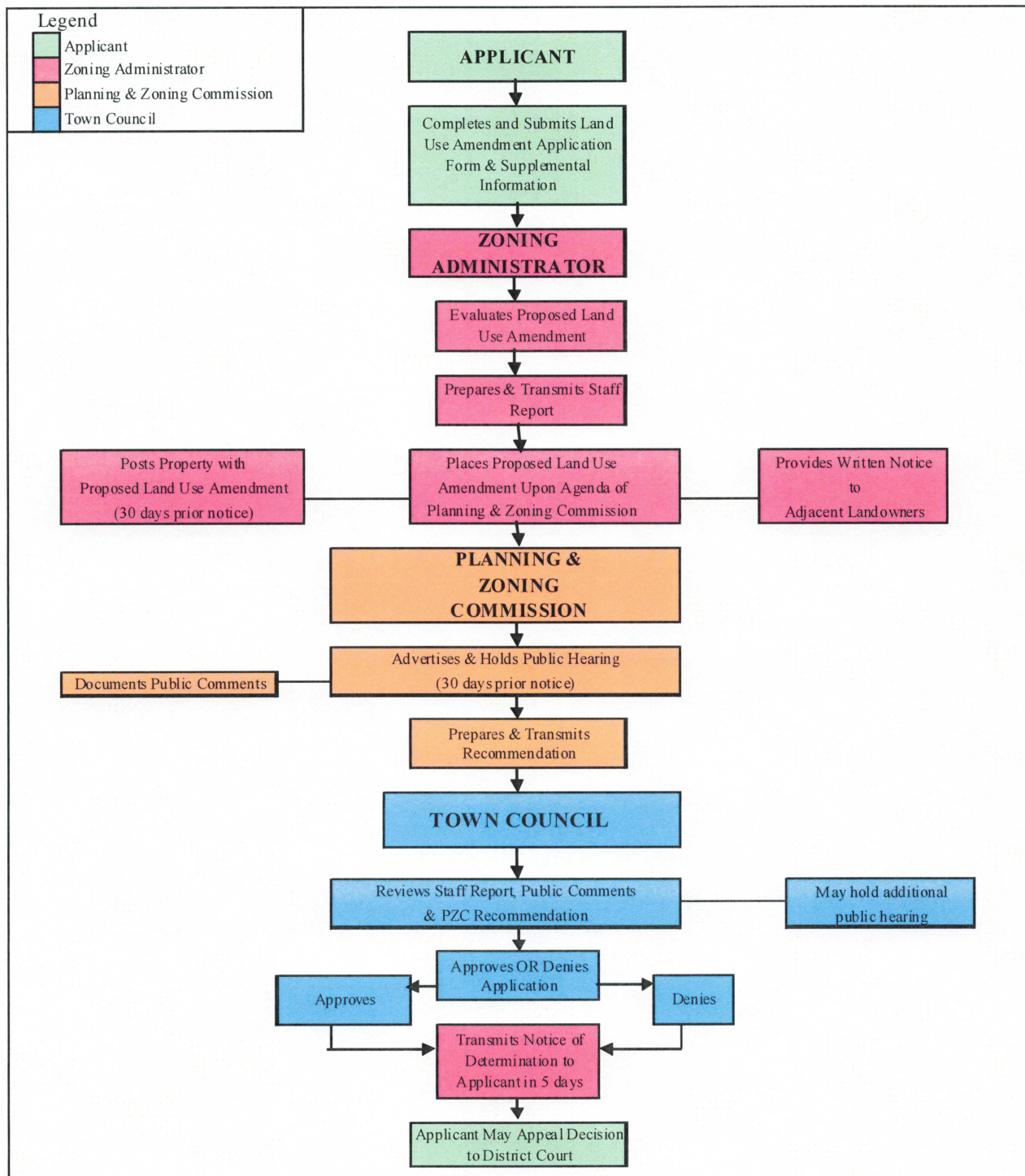
- (a) The development review process shall generally involve the Town of Alpine's consideration and evaluation of, at least, the following issues:
 - (1) Consistency of proposed land uses with the community land use plan map contained in the Alpine Municipal Master Plan.
 - (2) Consistency of proposed land uses to permit uses, minimum lot sizes, densities, and accessory uses outlined in the Alpine Zoning Ordinance (Part 3) and related Alpine Zoning Map.
 - (3) Potential project stipulations or conditions for a land use plan map amendment, zone change, variance or subdivision that may be required to ensure the compatibility of the project with adjacent land uses and protect the health, safety, and welfare of the general public.
 - (4) Long-term operation and maintenance of subdivisions, multi-use residential complexes, community facilities, public facilities, and on-site amenities.
 - (5) Conformance of proposed buildings and structures to required building setbacks, building heights, and signage limitations outlined in the Alpine Land Use and Development Code.
 - (6) Conformance of proposed buildings and structures to building code requirements adopted by the Town of Alpine and outlined in Parts 3 and 4 of the Alpine Land Use and Development Code.
 - (7) Conformance of proposed land uses to vehicular parking requirements outlined in Parts 3 and 4 of the Alpine Land Use and Development Code.
 - (8) Connection of primary structures to municipal water and sewer systems.
 - (9) Conformance of proposed site development to onsite drainage, snow storage and landscaping requirements outlined in Parts 3 and 4 of the Alpine Land Use and Development Code.

Section 2-203. Land Use Plan Amendment Process

- (a) A proposed amendment to the adopted community land use plan map contained within the Alpine Municipal Master Plan may be initiated by the Alpine Planning and Zoning Commission, Alpine Town Council, or other residents of the Town of Alpine, (Figure 2-1).
- (b) Applicants must complete a land use amendment form that shall request, at least, the following information:
 - (1) Name, address, telephone number, e-mail address, and fax number of the applicant.
 - (2) Proposed changes in land use plan map designations.
 - (3) Rationale for the proposed land use amendment.
 - (4) A scaled illustration depicting the location of the proposed land use amendment.
- (c) The Zoning Administrator shall evaluate the merits, disadvantages, and potential impacts of the proposed land use amendment upon community residents, municipal infrastructure, community land use relationships,

and the economy of Alpine. Subsequently, the Zoning Administrator shall prepare and transmit a documented staff report containing these analyses and related recommendations to the Alpine Planning and Zoning Commission.

- (d) The Zoning Administrator shall as soon as practical, place the proposed land use amendment upon the agenda of the Alpine Planning and Zoning Commission.
- (e) Before any decision is reached by the Alpine Planning and Zoning Commission.
 - (1) The Zoning Administrator shall post a copy of the proposed land use amendment upon the property where the zone change is requested. This public notice shall be made, at least, thirty (30) days before the proposed land use amendment is considered publicly by the Alpine Planning and Zoning Commission.



Town of Alpine Land Use & Development Code

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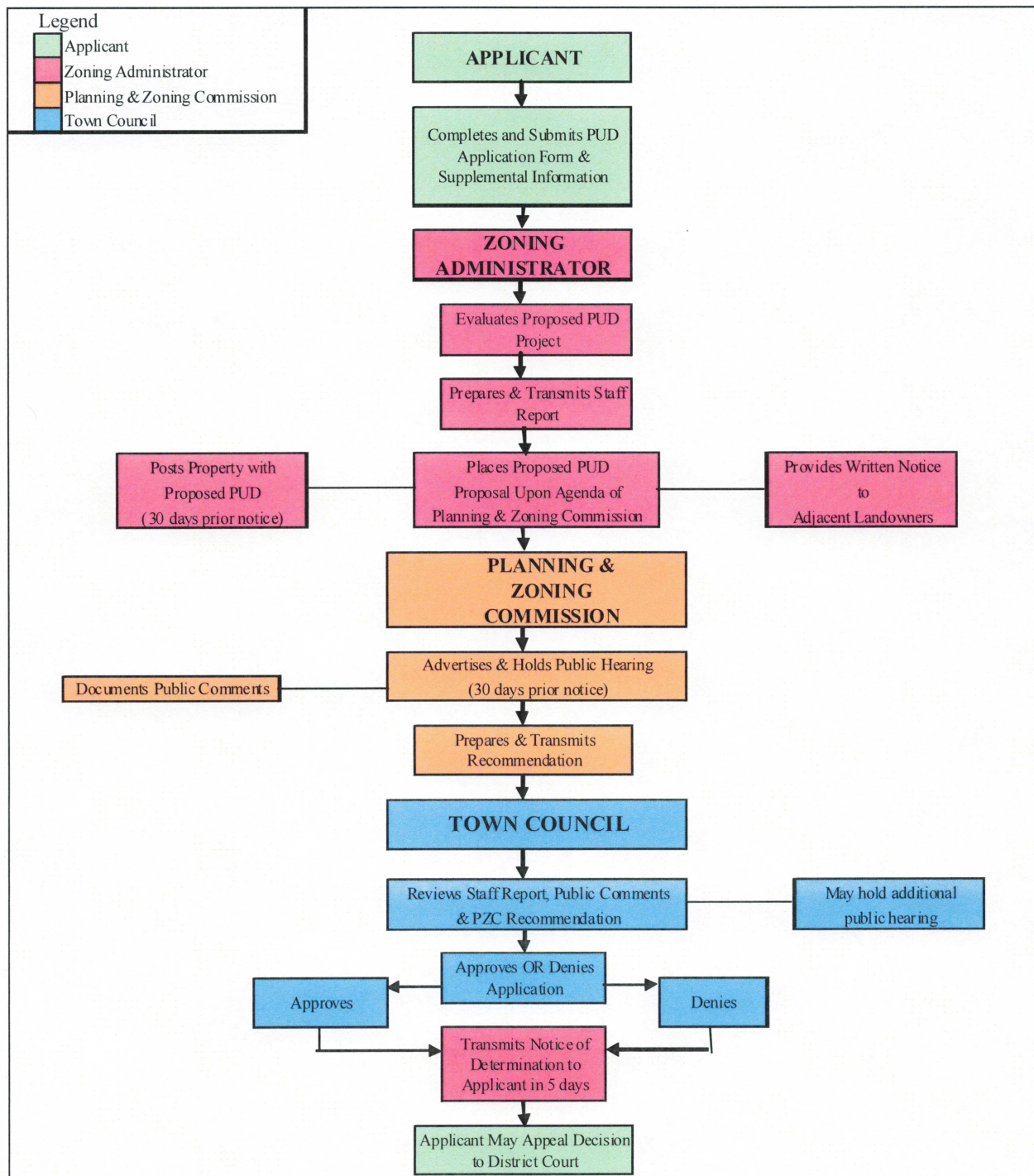
Land Use Plan Amendment Process

Figure 2-1

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

Section 2-204. Planned Unit Development Process

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



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

**Planned Unit
Development Process**

Prepared by: Pedersen Planning Consultants
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Figure 2-2

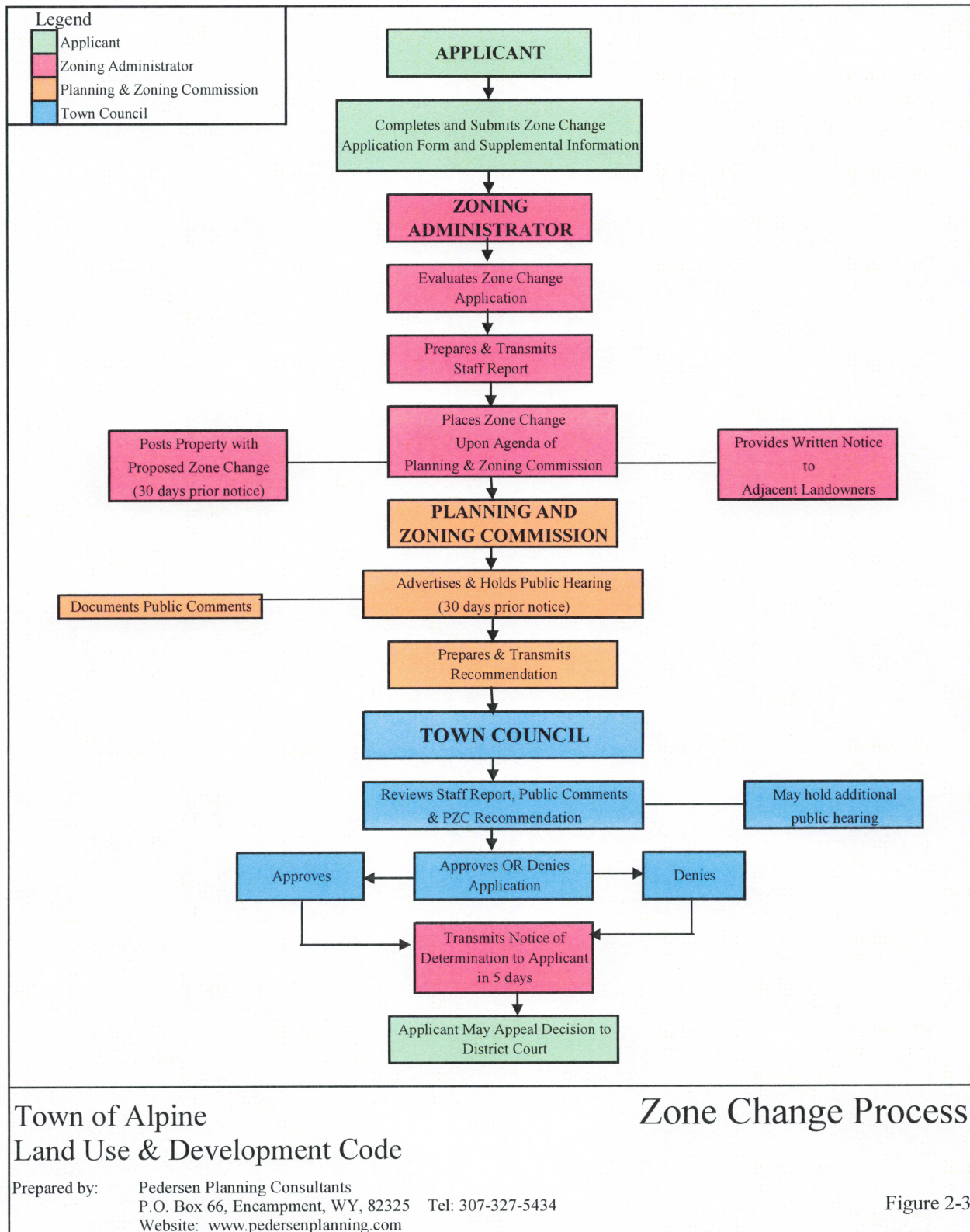
- (b) Owners and/or prospective developers of one or more lots or parcels, which comprise more than one (1) acre of land area, may make application for a planned unit development in any single family residential, multi-unit residential, mixed residential and commercial, or general commercial zoning district.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

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

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

Section 2-205. Zone Change Process

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



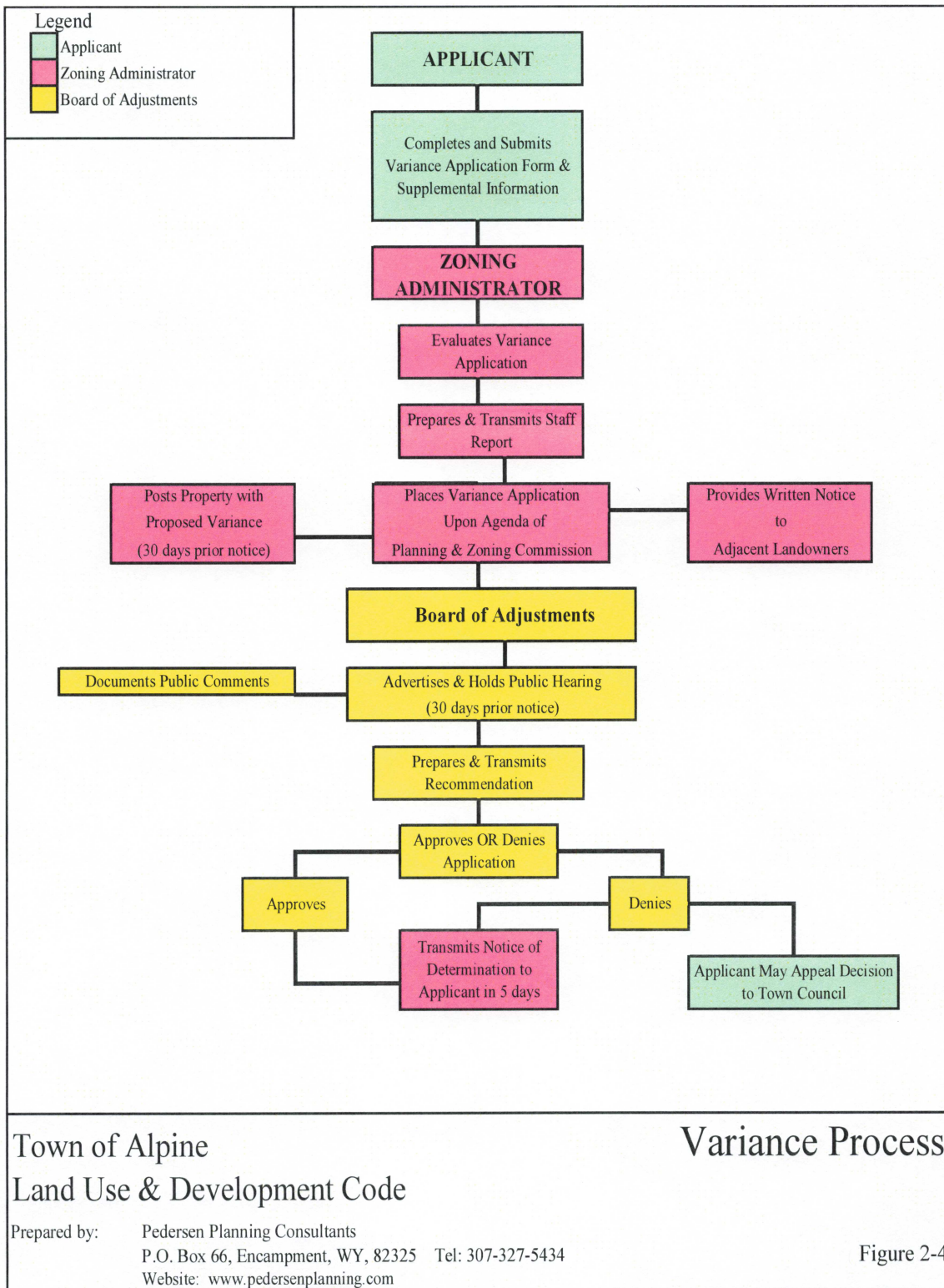
- (c) Applicants must complete a zone change application form that shall request at least the following information:
 - (1) Name, address, telephone number, e-mail address, and fax number of the applicant.
 - (2) When the applicant is not the landowner, the applicant shall furnish a written notarized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

The recommendation shall state the rationale for its decision. When necessary, the recommendation from the Alpine Planning and Zoning Commission may include project stipulations or conditions that may be imposed to mitigate potential impacts upon neighboring properties and the general community.

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

Section 2-206. Variance Process

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

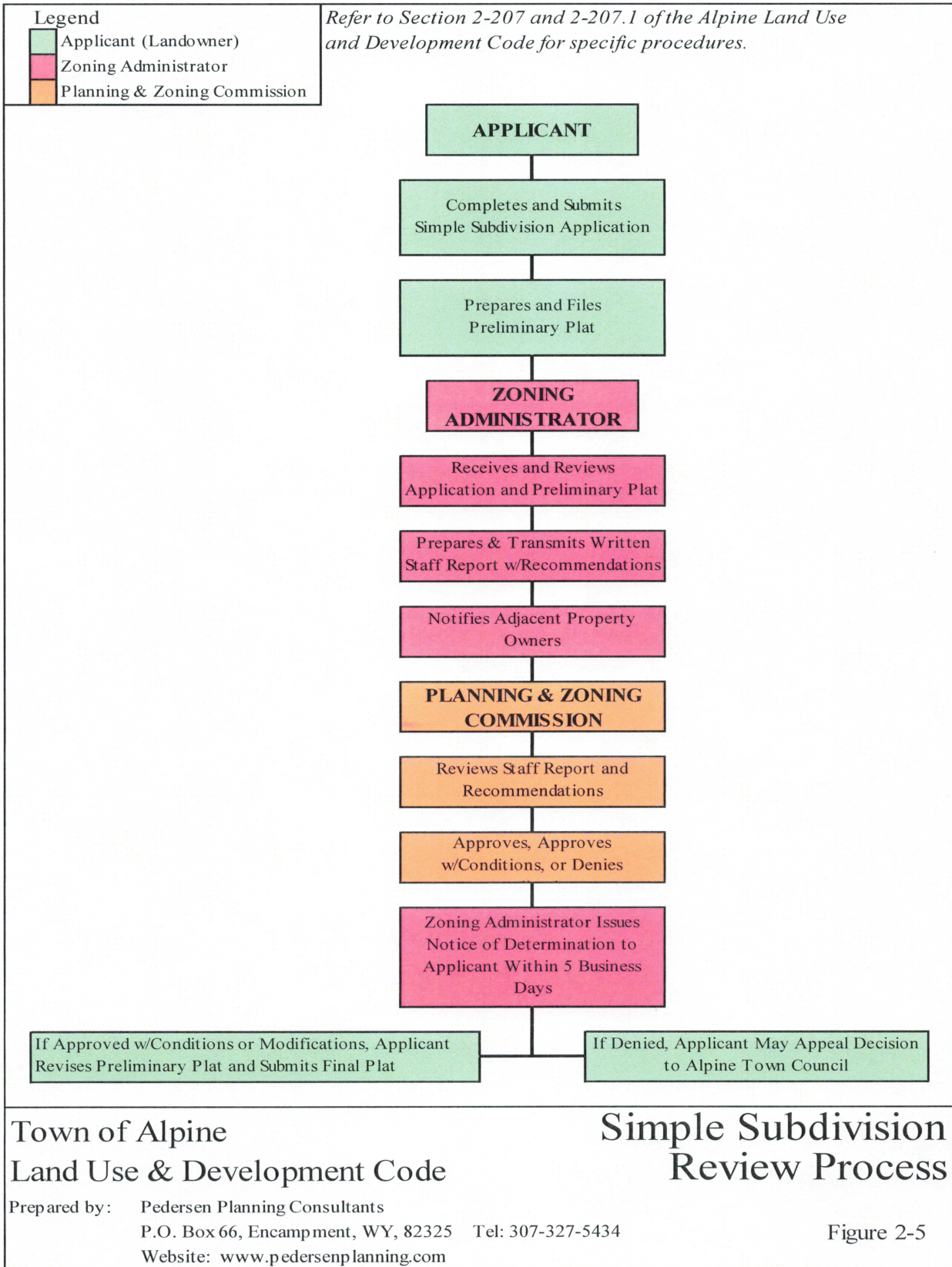


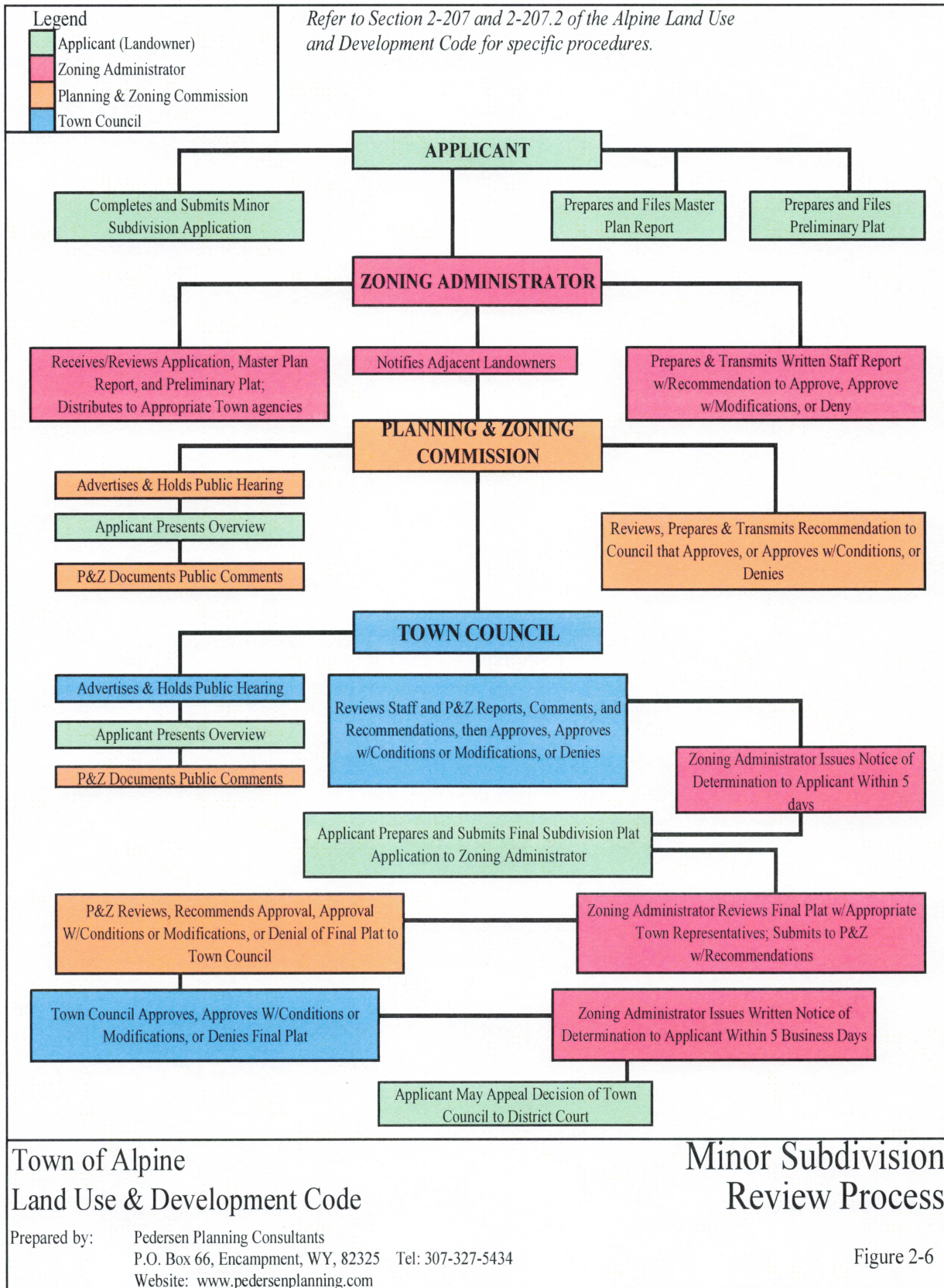
- (3) The limitations in the dimensions of the lot and/or buildings under consideration that prevent the applicant from developing or pursuing the type of land uses permitted in the zoning district where the property is located.
- (f) The Zoning Administrator, or his or her authorized representative, shall make a review of the proposed variance in the context of the three considerations outlined in Section 2-206 (j). This evaluation and a related recommendation shall be documented and transmitted to the Alpine Board of Adjustments.
- (g) The Zoning Administrator shall, as soon as practical, place the proposed variance on the agenda of the Alpine Board of Adjustments.
- (h) Before any decision is reached by the Alpine Board of Adjustments:
 - (1) The Zoning Administrator shall post a copy of the proposed variance upon the property where the variance is requested. This public notice shall be made, at least, thirty (30) days before the proposed variance is considered publicly by the Alpine Board of Adjustments.
 - (2) The Zoning Administrator shall provide written notice to all owners of property within five hundred (500) feet of the property or properties under consideration for a variance. The written notice shall also include the date, time and place when the proposed variance shall be considered by the Alpine Board of Adjustments.
 - (3) The Alpine Board of Adjustments shall hold one (1) public hearing at a public facility within the Town of Alpine. Town residents and the general public shall receive at least thirty (30) days' notice of the public hearing. Public notice shall be advertised in one (1) newspaper of general circulation throughout Lincoln County. Public comments received during the meeting will be documented for subsequent reference during the variance process.
- (i) Upon consideration of a staff report from the Zoning Administrator, for public comments made during a scheduled public hearing concerning the proposed variance, the Alpine Board of Adjustments shall make its decision concerning the variance request. Any affirmative decision may contain specific stipulations which may modify the specific variance request.
- (j) In determining whether to approve, approve with conditions, or deny a variance application, the Alpine Board of Adjustments shall use and address the following considerations. No variance shall be authorized unless the Alpine Board of Adjustments determines that it is pursuant to §15-1-608 of the Wyoming State Statutes, no adjustment in the strict application of any provision of an ordinance may be granted unless:
 - (1) There are special circumstances or conditions, fully described in the board's findings, which are peculiar to the land or building for which the adjustment is sought and do not apply generally to land or buildings in the neighborhood, and have not resulted from any act of the applicant subsequent to the adoption of the ordinance;
 - (2) For reasons fully set forth in the board's findings, the circumstances or conditions are such that the strict application of the provisions of the ordinance would deprive the applicant of the reasonable use of the land or building, the granting of the adjustment is necessary for the reasonable use thereof and the adjustment as granted is the minimum adjustment that 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;

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

Section 2-207. Subdivision Process

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



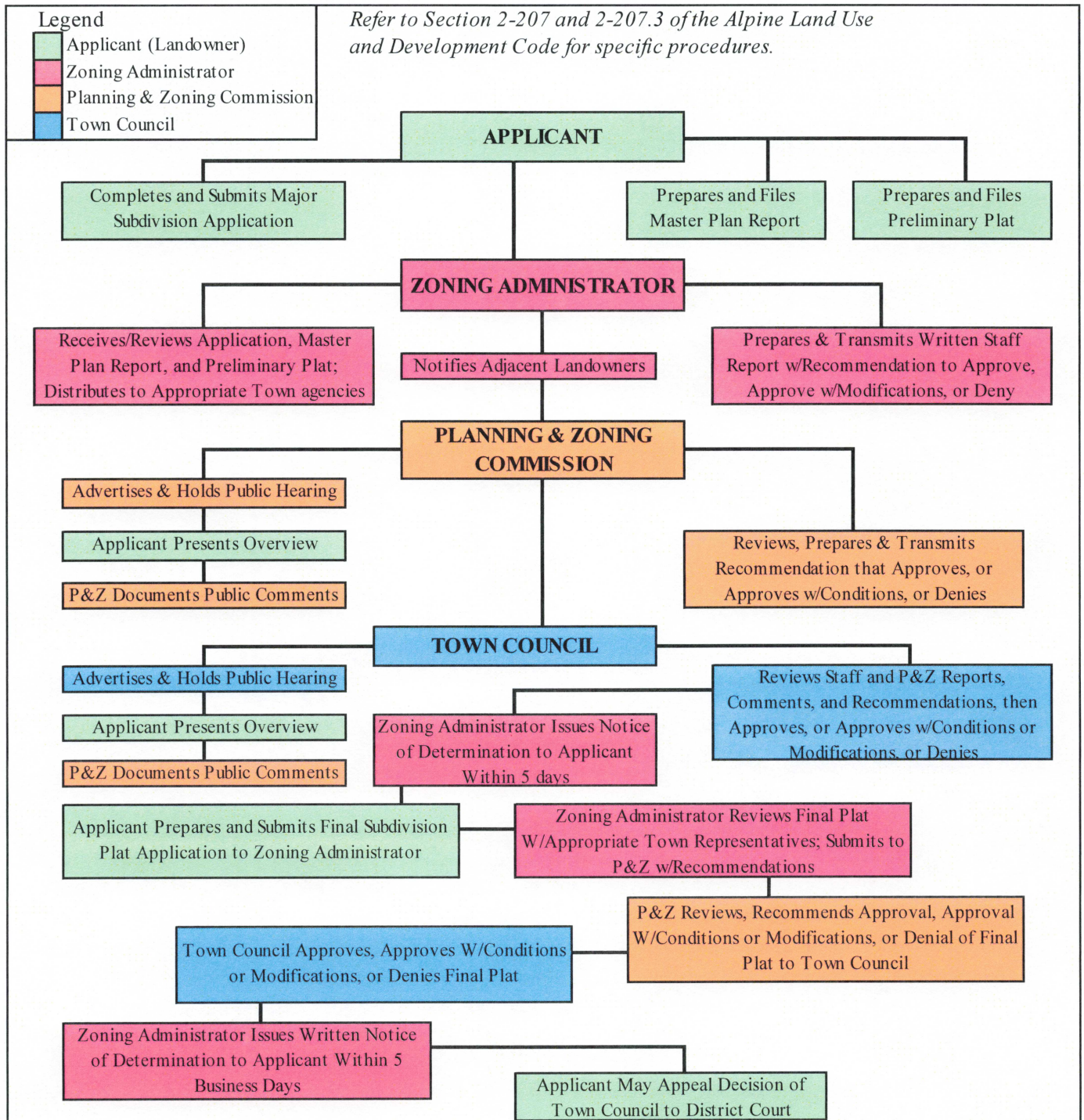


Town of Alpine
Land Use & Development Code

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

Minor Subdivision
Review Process

Figure 2-6



Town of Alpine Land Use & Development Code

Major Subdivision Review Process

Prepared by: Pedersen Planning Consultants
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Website: www.pedersenplanning.com

Figure 2-7

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

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

- (f) The Alpine Planning and Zoning Commission shall review and discuss the recommendations of the Zoning Administrator. Although no public hearing will be required all notified property owners shall have fifteen (15) business days to submit their comments. Subsequently, the Alpine Planning and Zoning Commission shall approve, approve with conditions or modifications, or deny the proposed subdivision.
- (g) The Zoning Administrator shall issue a written notice of determination to the applicant within five (5) business days of the decision of the Alpine Planning and Zoning Commission. The notice shall indicate the decision made and, when appropriate, conditions that may accompany the approval of a specific application, or reasons why the application was denied.
- (h) If approved by the Alpine Planning and Zoning Commission, the preliminary plat of the simple subdivision shall be deemed and accepted as a final plat. If approved with modifications, the preliminary plat shall be revised and filed by the applicant as a final plat with the Zoning Administrator.
- (i) Any appeal of the decisions by the Alpine Planning and Zoning Commission shall be made to the Alpine Town Council.
- (j) If the approved final plat is not recorded within one (1) year from the date of plat approval, or upon expiration of any time extension that may have been granted by the Planning & Zoning Commission the approval of such plat shall expire. Should the applicant thereafter desire to record the final plat, a new application for a new simple subdivision shall be required.

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

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

PART 3 - ZONING ORDINANCE

ARTICLE 3.1 GENERAL PROVISIONS

Section 3-101. Short Title

Part 3 of the Alpine Land Use and Development Code shall be known, cited and referred to as the Alpine Zoning Ordinance.

Section 3-102. Purpose

The Alpine Zoning Ordinance has been prepared and adopted to encourage an orderly development pattern within the Town of Alpine, Wyoming. The Alpine Zoning Ordinance represents an important planning tool that will be used by the Town of Alpine to help implement its Community Land Use Plan. The Town of Alpine Municipal Master Plan, which was adopted by the Alpine Town Council on December 19, 2006, contains, in part, a general community land use plan (recommended option 3) that expresses a vision for future land uses within the community.

Section 3-103. Authority

This Ordinance is adopted in accordance with the authority vested in the Town Council of the Town of Alpine, Wyoming, by Wyoming Statutes 15-1-601 through 15-1-611.

Section 3-104. Applicability of Ordinance

This ordinance shall apply to all private and public lands within the corporate limits of the Town of Alpine, Wyoming. All land use development projects will be subject to the required land use development review and approval process that is outlined in Article 2.2 of the Alpine Land Use and Development Code.

Existing land uses, buildings, and structures authorized by the Town of Alpine before the enactment of this ordinance will be considered legal land uses even if such uses are contrary to the current Alpine Zoning Ordinance.

Restrictive covenants or agreements associated with land subdivisions or other land sales will not supersede the Alpine Zoning Ordinance. Further, the Town of Alpine will not use the Alpine Zoning Ordinance as a tool for enforcing private restrictive covenants or agreements.

Section 3-105. Zoning Districts

In order to carry out the provisions of this ordinance, the municipality is divided into the following zoning districts:

R-1	Single-Family Residential District
R-2	Multi-Unit Residential District
MRC	Mixed Residential and Commercial District
C	Commercial District
LI	Light Industrial District
PCF	Public and Community Facilities District
RC	Recreation and Conservation District

Section 3-106. Zoning Map

The Alpine Zoning Map (Appendix A) depicts the location and boundaries of zoning districts that were established by the Alpine Town Council at the time of ordinance adoption.

ARTICLE 3.2 DISTRICT REGULATIONS

Section 3-201. General

- a) The following regulations outline the type of land use permitted within various zoning districts established under Section 3-105 of this ordinance. Permitted land uses are also subject to various requirements such as the type of allowable structures, setbacks, building height, signage, fencing, vehicular parking requirements and snow storage identification.
- b) Prior to the issuance of a building permit, some permitted uses also require a more detailed plan review by the Commission to ensure that specific project issues are adequately addressed by the owner(s) of the project. In some cases, stipulations or conditions may be attached to a building permit to address the specific concerns of the Alpine Planning and Zoning Commission.

Section 3-202. R-1 Single-Family Residential District

- (a) Intent and Purpose of District: This zoning district designation is intended to encourage the development and maintenance of low-density residential areas. These regulations are intended to provide a diverse and compatible housing stock, limit the density of the resident population, provide adequate open space around buildings and accessory structures, provide accessibility to community utility systems and community open space areas, as well as encourage a safe and attractive living environment for community residents.
- (b) Permitted Uses:
Structures are limited to stick-built, manufactured, or modular units.
 - (1) One (1) single-family dwelling unit.
 - (2) One (1) family or non-family household will primarily occupy the single-family dwelling unit. However, owners may provide room and board for up to three (3) persons who are not related by blood or marriage; provided there is no separate kitchen unit attached or detached to the primary and/or accessory structure.
 - (3) Bed-and-breakfast operation in the principal residence on the property that is operated by the property owner.
 - (4) Home occupations operated by the occupants of a single-family residence and not more than two (2) non-household employees.
 - (5) Childcare home service authorized by the Wyoming Department of Family Services that is operated by the occupants of a single-family residence and not more than two (2) non-household employees.
 - (6) Structures supporting regional and community utility systems.
 - (7) Primary structures will be constructed out of new materials. The relocation and/or moving in of old or used buildings are prohibited.
- (c) Residential Building Standards:
 - (1) Required building standards for residential structures in the “R-1” residential district is presented in Part 4, Section 501 of the Alpine Land Use and Development Code.
 - (2) All buildings in the “R-1” Single-Family Residential District will require a plan review by the Town Building Official – Building Inspector, the Planning & Zoning Commission, and/or their representative, prior to the issuance of a building permit.

- (d) Minimum Lot Area:
 20,000 square feet in the following subdivisions: Alpine Estates #1 & #2;
 Forest Meadows;
 Grey's River Valley;
 Griest Addition; and
 Three Rivers Meadows Est.
- 15,000 square feet in the following subdivisions: Grey's River Village #1;
 Lakeview Estates, 6th Addition;
 Bridger Homes; and,
 Alpine Meadows.
- 10,000 square feet in the following subdivisions: Grey's River Village #2.
 Lakeview Estates, 3rd and 7th Additions;
 Palis Park, 2nd Addition; and
 River View Meadows.
- 9,900 square feet in all other subdivisions.
- (e) Minimum Setbacks: (Measurements are taken from the foundation of the structure to the property line.)
- (1) Front Yard: Primary residential structure will be setback not less than twenty-five (25) feet from the front property line. Detached accessory buildings will not be located beyond the front line of any primary residential structure. **Both street frontages of corner lots shall be considered front yards.**
 - (2) Side Yards: Primary residential structures will be setback not less than fifteen (15) feet from side property lines. Detached accessory buildings/structures, equal to or under Three Hundred (300) square feet, can have a setback of not less than ten (10) feet from side property lines. Detached accessory buildings/structures, with a total square footage of over Three Hundred (300) square feet, will have a setback of not less than fifteen (15) feet from side property lines. **Please Note: Should a structure be placed within a recorded property/utility easements, the Town of Alpine assumes no responsibility for damage and/or any replacement costs of any structure or property damage; owner will accept full responsibility for any and all costs for repairs.**
 - (3) Rear Yard: Primary residential structures will be setback not less than twenty (20) feet from the rear property line. Detached accessory buildings/structures, equal to or under Three Hundred (300) square feet, can have a setback of not less than ten (10) from rear property lines. Detached accessory buildings/structures, with a total square footage of over Three Hundred (300) square feet, will have a setback of not less than twenty-five (20) from rear property lines. **Please Note: Should a structure be placed within a recorded property/utility easements, the Town of Alpine assumes no responsibility for damage and/or any replacement costs of any structure or property damage; owner will accept full responsibility for any and all costs for repairs.**
 - (4) Properties with less than ten thousand (10,000) square feet will be allowed to have a front yard setback of twenty (20) feet and side yard and rear yard setbacks of ten (10) feet, for primary residential structures. Detached accessory buildings/structures, equal to or under Three Hundred (300) square feet, can have a setback of not less than ten (10) from rear property lines. Detached accessory buildings/structures, with a total square footage of over Three Hundred (300) square feet, will have a setback of not less than ten (10) feet from rear property lines. **Please Note: Should a structure be placed within a**

recorded property/utility easements, the Town of Alpine assumes no responsibility for damage and/or any replacement costs of any structure or property damage; owner will accept full responsibility for any and all costs for repairs.

(5) Setbacks are required specifically for safety, legal and aesthetic reasons. The only items allowed in the established setback area is landscaping and snow storage.

(6) Corner Lots and Irregular Lots will have all street front setback guidelines and remaining sides will be considered side setbacks.

(7) Any deviations from setback requirements will require a plan review and approval of a variance unless a lesser setback is identified in the recorded plat of the approved residential subdivision.

(f) Maximum Building Height:

(1) Primary residential structures will be thirty-five (35) feet or less in height.

(2) The height of detached accessory structures will be twenty-six (26) feet or less, this height restriction is applicable to structures that are set back from the property line of not less than fifteen (15) feet from the side property line and not less than twenty (20) feet from the rear property line. All detached accessory structures will be placed behind the front plane of the existing residential structure.

aa. Detached accessory structures of with a total square footage equal to or under Three Hundred (300) square feet and are placed within the allowable ten (10) foot rear setback and ten (10) foot side setback; will have a height restriction of fourteen (14) feet in height or less. Special consideration for setback is made for properties that have a total square footage under Ten Thousand (10,000) square feet.

(3) Roof eaves for non-sprinkled buildings will be twenty-eight (28) feet or less; measuring the pitch end of the roof eaves, from the finished grade elevation.

(g) Vehicular Parking and Storage:

(1) A minimum of six hundred (600) square feet of off-street parking will be provided for each single-family dwelling unit; either by driveways associated with the dwelling unit, and/or private garages. The parking area will not extend into the municipal street right-of-way.

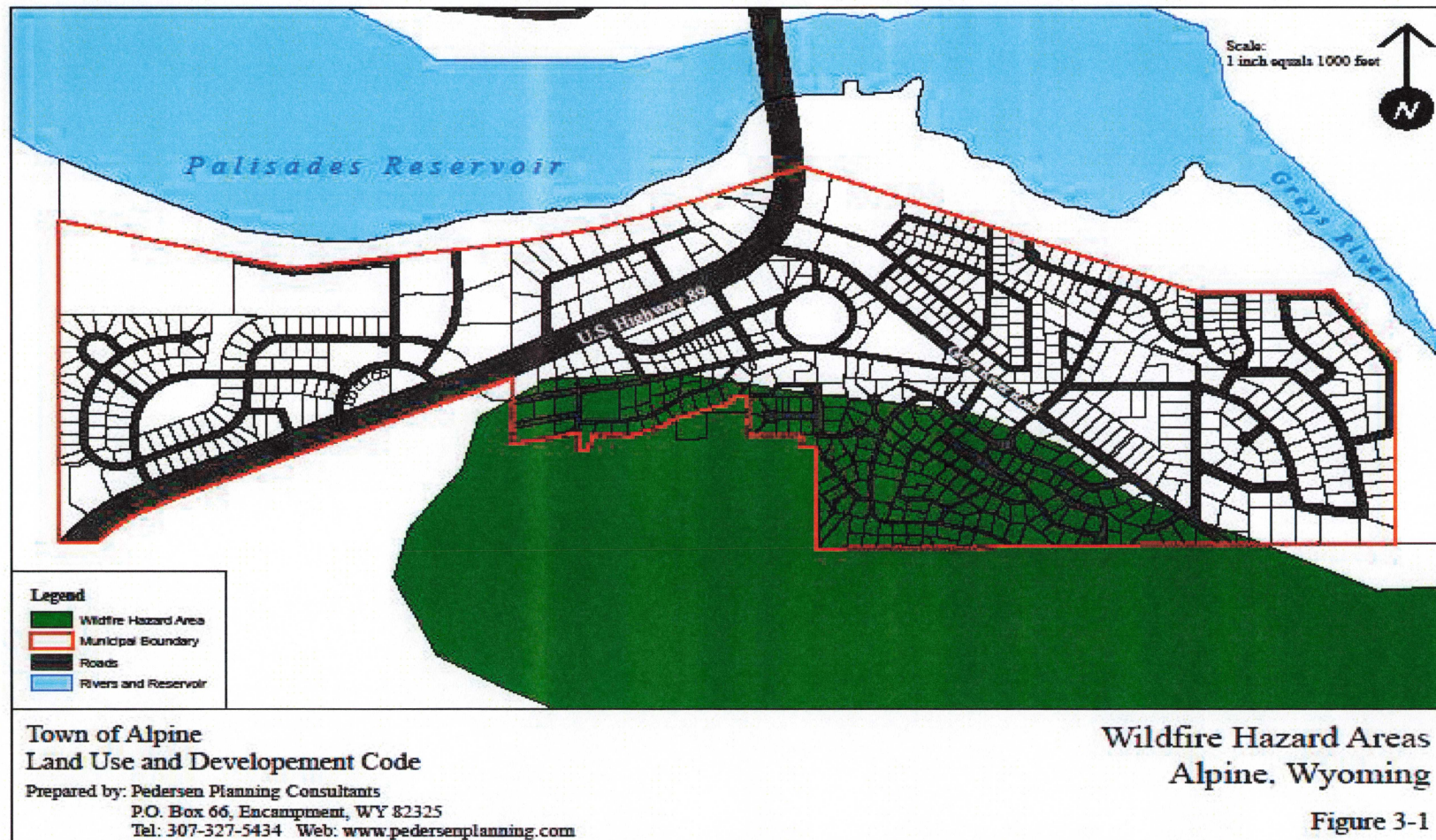
(2) Recreational vehicles (RVs), recreational watercrafts and travel trailers shall be parked as not to obstruct the view of traffic and must follow guidelines set forth by the Covenants, Conditions and Restrictions (CCRs) established by the residential unit and/or subdivision, if applicable. All vehicles, boats and/or trailers are to be parked on the property owners, **private property.**

(3) Recreational vehicles (RVs) and/or travel trailers used during construction or maintenance activities; these vehicles are to be parked on the private property that the activity is taking place on and will be removed **within seven (7) working days after receiving the certificate of occupancy/completion is issued for the project and/or when the maintenance has been completed.** ~~promptly when construction and/or the maintenance has been completed.~~

(4) Parking of any vehicle which has a gross vehicle weight (GVW) of greater than twenty-six thousand (26,000) pounds, is prohibited along any public street that adjoins an "R-1" District, except for the following:

- (aa) Vehicles temporarily parked (**less than** twenty four {24} hours) for loading or unloading passengers, materials, and merchandise.
 - (bb) Vehicles temporarily parked (less than twenty four {24} hours) engaged in performing a service activity on the residential lot and/or parcel of land in which the service is being performed (less than twenty four {24} hours).
 - (cc) One (1) vehicle that is owned, operated and licensed by the resident of the property on where it is parked and must follow guidelines set forth by the Covenants, Conditions and Restrictions (CCRs) established by the residential unit and/or subdivision, if applicable. Vehicle must be parked as not to obstruct the view of traffic and must be parked on resident's private property.
- (5) One (1) unlicensed or inoperable vehicle will be permitted within the confines of any residential lot.
- (h) **Landscaping Requirements:**
A minimum of ten (10) percent of each residential site will be landscaped and maintained with grasses, shrubs, and/or trees to increase compatibility with adjoining land uses, increase the attractiveness of the site, and enhance the general aesthetics of the community. This requirement may be made within setback areas and/or designated easements.
- (i) **Fencing:**
 - (1) Fences shall be no more than four (4) feet high between the **front building line and the front property line**. Structural posts associated with this fencing will be situated on the interior side of the fence.
 - (2) Perimeter fences along side or rear property lines shall be no more than seven (7) feet high and not constructed on top of property lines. Structural posts associated with all perimeter fences will be situated on the interior side of the fence.
 - (3) Electric and barbed wire fencing is **prohibited** except for seasonal fencing around gardens.
 - (4) Fencing and walls may be placed within drainage and utility easements, locates will be required by utility companies. **If fencing or walls are damaged due to utility improvements, repairs, snow removal, etc., the owner will accept full responsibility for any and all costs for repairs.**
 - (5) Construction fences are allowed during initial construction of a primary structure. It will be constructed on the property of the primary building site. The permit is issued along with the Residential Building Permit. The Certificate of Occupancy will not be issued until the construction fence is removed.
 - (6) Snow fences are allowed between the months of October and May of the following year. A snow fence will not impede the removal of snow from the public rights of way, must be maintained and preferably of a neutral or black color.
- (j) **Accessory Uses and Buildings:**
 - (1) Accessory buildings such as pole barns, garages, workshops, and sheds of any sort. **These structures will only be permitted on the same lot with an existing primary residential structure.**
 - (2) Accessory buildings will be no larger than allowed by setbacks and will contain no more than a total of twelve hundred (1200) square feet of floor area, this regulation will apply for properties that have a total amount of land under 0.70 acres.

- (3) Properties that have a total land area of 0.70 acres or greater can have an accessory building that could contain no more than a total of two thousand (2000) square feet of floor area.
- (4) Steel Shipping Containers and/or Cargo/Semi Trailer Containers are **prohibited** in this zoning district.
- (k) Authorized Signs: Sign Standards for the “R-1” Single-Family Residential District are presented in Part 4 Development Standards, (See Section 4-801 and 4-802).
- (k) Fuel Storage Tanks: Class I and Class II liquids in above ground tanks is prohibited unless temporarily stored in licensed and operative commercially used vehicles in an accumulative amount over one hundred fifty (150) gallons.
- (l) Fire Protection:
 - (1) Homeowners will prepare a defensible space plan for residential properties located in potential wildfire hazard areas (Figure 3-1). The defensible space plan will address how the homeowner will manage vegetation within a one hundred (100) foot radius of the home, or the maximum radius allowed within the residential property owned by the homeowner.
 - (2) The defensible space plan will be reviewed and approved by an authorized representative of the Alpine Fire District and submitted with any building permit application.



Section 3-203. R-2 Multi-Unit Residential District

- (a) Intent and Purpose of District: The purpose of this district is to encourage the development of duplexes, townhouses, apartments and other multi-unit residential facilities which can provide housing for both short and long-term residents. The “R-2” Multi-Unit Residential District regulations are intended to ensure that new multi-unit housing structures are developed with reasonable building heights and setbacks, adequate vehicular parking, landscaping and/or other screening, and attractive signage to ensure their compatibility with adjoining single-family residential districts, as well as their accessibility to community utility systems and community recreational facilities.
- (b) Permitted Uses:
Structures are limited to stick-built, manufactured or modular units.
- (1) Residential duplexes, apartment units, townhouses or multi-unit complexes.
 - (2) One (1) family or non-family household will primarily occupy the single-family dwelling unit. However, owners may provide room and board for up to three (3) persons who are not related by blood or marriage; **provided** there is no separate kitchen attached or detached to the primary and/or accessory structure.
 - (3) Assisted-living and/or nursing home facilities.
 - (4) Structures supporting regional and community utility systems.
 - (5) Home occupations operated by the occupants of a multi-family residential unit and not more than two (2) non-household employees.
 - (6) Primary structures will be constructed out of new or recycled materials. The relocation and/or moving in of old or used structures are prohibited.
- (c) Residential Building Standards:
- (1) Required building standards for residential structures in the “R-2” residential district is presented in Part 4, Section 504 of the Alpine Land Use and Development Code.
 - (2) All buildings in the “R-2” Multi-Unit Residential District will require a plan review of the Town Building Official – Building Inspector, the Planning & Zoning Commission, and/or their representative, prior to the issuance of a building permit.
- (d) Architectural Guidelines: Architectural Guidelines for the “R-2” Multi-Unit Zoning District are presented in Part 4 Development Standards. See Section 4-504(f).
- (e) Minimum Lot Area:
10,000 - square feet per unit in Palisade Heights subdivision;
7,000 - square feet per unit in Palis Park subdivision;
7,500 - square feet per unit in all other subdivisions.
- (f) Minimum Setbacks:
- (1) Front Yard: Primary residential structure will be setback not less than twenty-five (25) feet from the front property line. Detached accessory buildings will not be located beyond the front line of any primary residential structure. **Both street frontages of corner lots shall be considered front yards.**
 - (2) Side Yards: Primary residential structures will be setback not less than fifteen (15) feet from side property lines. Detached accessory buildings/structures, equal to or under Three Hundred (300) square feet, can have a setback of not less than ten (10) feet from

side property lines. Detached accessory buildings/structures, with a total square footage of over Three Hundred (300) square feet, will have a setback of not less than fifteen (15) feet from side property lines. **Please Note: Should a structure be placed within a recorded property/utility easements, the Town of Alpine assumes no responsibility for damage and/or any replacement costs of any structure or property damage; owner will accept full responsibility for any and all costs for repairs.**

- (3) Rear Yard: Primary residential structures will be setback not less than twenty (20) feet from the rear property line. Detached accessory buildings/structures, equal to or under Three Hundred (300) square feet, can have a setback of not less than ten (10) from rear property lines. Detached accessory buildings/structures, with a total square footage of over Three Hundred (300) square feet, will have a setback of not less than twenty-five (20) from rear property lines. **Please Note: Should a structure be placed within a recorded property/utility easements, the Town of Alpine assumes no responsibility for damage and/or any replacement costs of any structure or property damage; owner will accept full responsibility for any and all costs for repairs.**
- (4) Properties with less than ten thousand (10,000) square feet will be allowed to have a front yard setback of twenty (20) feet and side yard and rear yard setbacks of ten (10) feet, for primary residential structures. Detached accessory buildings/structures, equal to or under Three Hundred (300) square feet, can have a setback of not less than ten (10) from rear property lines. Detached accessory buildings/structures, with a total square footage of over Three Hundred (300) square feet, will have a setback of not less than ten (10) feet from rear property lines. **Please Note: Should a structure be placed within a recorded property/utility easements, the Town of Alpine assumes no responsibility for damage and/or any replacement costs of any structure or property damage; owner will accept full responsibility for any and all costs for repairs.**
- (5) **Setbacks are required specifically for safety, legal and aesthetic reasons. The only items allowed in the established setback area are landscaping and snow storage.**
- (6) Corner Lots and Irregular Lots will have all street front setback guidelines and remaining sides will be considered side setbacks.
- (7) Any deviations from setback requirements will require a plan review and approval of a variance unless a lesser setback is identified in the recorded plat of the approved subdivision.

(g) Maximum Building Height:

- (1) Primary residential structures will be thirty-five (35) feet or less in height.
- (2) The height of detached accessory structures will be twenty-six (26) feet or less, this height restriction is applicable to structures that are set back from the property line of not less than fifteen (15) feet from the side property line and not less than twenty (20) feet from the rear property line. All detached accessory structures will be placed behind the front plane of the existing multi-unit residential structure.
 - aa. Detached accessory structures of with a total square footage equal to or under Three Hundred (300) square feet and are placed within the allowable ten (10) foot rear setback and ten (10) foot side setback; will have a height restriction of fourteen (14) feet in height or less. Special consideration for setback is made for properties that have a total square footage under Ten Thousand (10,000) square feet.
- (3) Roof eaves for non-sprinkled buildings will be twenty-eight (28) feet or less from the finished grade elevation.

(h) Vehicular Parking and Storage:

- (1) A minimum of six hundred (600) square feet of off-street parking will be provided for each dwelling unit located on the property; parking requirements will be met through construction and use of centralized vehicular parking areas, driveways associated with each dwelling unit, and/or private garages. The parking area will not extend into the municipal street right-of-way.
- (2) Centralized vehicular parking areas will be designed and constructed in accordance with the vehicular parking standards outlined in Part 4, Article 4.6 of the Alpine Land Use and Development Code. The parking area and/or driveways will not extend from the edge of pavement or improved road surface of any municipal street. In the event that no improved road surface exists, the parking area will extend from the edge of the municipal street right-of-way.
- (3) One (1) designated parking space will be required for each single bedroom dwelling unit. Multi-bedroom, multi unit residential buildings will require a minimum of two (2) parking spaces per unit. Multi-unit residential buildings containing more than four (4) dwelling units will also have one (1) designated guest parking space for every two (2) dwelling units; these parking spaces will be located on the property.
- (4) Recreational vehicles (RVs), recreational watercrafts and travel trailers shall be parked as not to obstruct the view of traffic and must follow guidelines set forth by the Covenants, Conditions and Restrictions (CCRs) established by the residential unit and/or subdivision, if applicable. All vehicles, boats and/or trailers are to be parked on the property owners, **private property**.
- (5) Recreational vehicles (RVs) and/or travel trailers used during construction or maintenance activities; these vehicles are to be parked on the private property that the activity is taking place on and will be removed **within seven (7) working days after receiving the certificate of occupancy/completion is issued for the project and/or when the maintenance has been completed.** ~~promptly when construction and/or the maintenance has been completed.~~
- (6) Additional parking spaces within a centralized parking area will be provided to park recreational vehicles (RVs) and travel trailers. These vehicles are to be parked on the property owners, private property.
- (7) Parking of any vehicle, which has a gross vehicle weight (GVW) of greater than twenty-six thousand (26,000) pounds, is prohibited along any public street that adjoins an “R-2” District, except for the following:
 - (aa) Vehicles temporarily parked (**less than** twenty four {24} hours) for loading or unloading passengers, materials, and merchandise.
 - (bb) Vehicles temporarily parked (less than twenty four {24} hours) engaged in performing a service activity on the residential lot and/or parcel of land in which the service is being performed (less than twenty four {24} hours).
 - (cc) Vehicles used in association with construction or maintenance activities; this vehicle is to be parked on the private property that the activity is taking place on and will be removed when construction and/or the maintenance has been completed.
 - (dd) One (1) vehicle that is owned, operated and licensed by the resident of the property on where it is parked. Vehicle will be parked as not to obstruct the view of traffic and must be parked on resident’s private property.
- (8) No unlicensed or inoperable vehicles will be permitted on any multi-residential lot.

(i) Landscaping Requirements:

A minimum of ten (10) percent of each residential site will be landscaped and maintained with grasses, shrubs, and/or trees to increase compatibility with adjoining land uses, increase the attractiveness of the site, and enhance the general aesthetics of the community. This requirement may be made within setback areas and/or designated easements.

(j) Fencing:

- (1) Fences shall be no more than four (4) feet high between the front building line and front property line. Structural posts associated with this fencing will be situated on the interior side of the fence.
- (2) Perimeter fences along side or rear property lines shall be no more than seven (7) feet high and not constructed on top of property lines. Structural posts associated with all perimeter fences will be situated on the interior side of the fence.
- (3) Electric and barbed wire fencing is **prohibited** except for seasonal fencing around gardens.
- (4) Fencing and walls may be placed within drainage and utility easements, locates will be required by utility company. **If fencing or walls are damaged due to utility improvements, repairs, snow removal, etc., the owner will accept full responsibility for any and all costs for repairs.**
- (5) Construction fences are allowed during initial construction of a primary structure. It will be constructed on the property of the primary building site. The permit is issued along with the Residential Building permit. The Certificate of Occupancy will not be issued until the construction fence is removed.
- (6) Snow fences are allowed between the months of October and May of the following year. A snow fence will not impede the removal of snow from the public rights of way, must be maintained and preferably of a neutral or black color.

(k) Accessory Uses and Buildings:

- (1) Accessory buildings such as pole barns, garages, workshops and sheds of any sort. **These structures will only be permitted on the same lot with an existing primary residential structure.**
- (2) Accessory buildings will be no larger than allowed by setbacks and will contain no more than a total of twelve hundred (1200) square feet of floor area.
- (3) Steel Shipping Containers and/or Cargo/Semi Trailer Containers are **prohibited** in this zoning district.

(l) Authorized Signs: Sign Standards for the “R2” Multi-Unit Residential District are presented in Part 4 Development Standards, see Section 4-801 and 4-802.

(m) Fuel Storage Tanks: Class I and Class II liquids in above ground tanks are prohibited unless temporarily stored in licensed and operative commercially used vehicles in an accumulative amount over one hundred fifty (150) gallons.

(n) Fire Protection: All buildings that reach the maximum allowable building height for this zoning district will be required to install automatic sprinkler systems. The installation of these systems will be made in accordance with National Fire Protection Association requirements outlined in NFPA 13.

Section 3-204. MRC Mixed Residential and Commercial District

(a) Intent and Purpose of District:

This district is intended to accommodate a combination of residential multi-unit housing, retail commercial facilities, commercial offices, and other commercial services within selected areas of the community that are immediately accessible to primary roadways and near other residential districts in the community. The purpose of the “MRC” District is to establish viable commercial expansion areas that can serve and be accessible to the entire community, as well as those residing in multi-unit housing within the “MRC” District. It is envisioned that multi-unit residential uses will, in some cases, be combined with approved commercial uses within one structure.

(b) Permitted Uses:

Structures are limited to stick-built, manufactured or modular units.

- (1) Residential duplexes, apartment units, townhouses, multi-unit complexes, or mixed commercial-residential buildings.
- (2) One (1) family or non-family household will primarily occupy the single-family dwelling unit. However, owners may provide room and board for up to three (3) persons who are not related by blood or marriage; **provided** there is no separate kitchen attached or detached to the primary and/or accessory structure.
- (3) Bed-and-breakfast operation in the principal residence on the property that is operated by the property owner.
- (4) Home occupations operated by the occupants of a multi-family residential unit and not more than two (2) non-household employees.
- (5) Commercial retail stores and commercial offices.
- (6) Banks and other financial institutions.
- (7) Eating and drinking establishments such as cafes and restaurants; not including mobile food dispensaries.
- (8) Visitor accommodations such as motels, lodges, **bed-and-breakfast facilities and RV campgrounds/parks.**
- (9) Conference facilities.
- (10) Commercial entertainment facilities such as theatres.
- (11) Medical and veterinary clinics.
- (12) Assisted-living and/or nursing home facilities.
- (13) Cabinet, plumbing, welding, and fabrication shops.
- (14) Structures supporting regional and community utility systems.
- (15) Primary structures will be constructed out of new materials. The relocation and/or moving in of old or used buildings are **prohibited**.

(c) Residential and Commercial Building Standards:

- (1) Required building standards for residential structures in the “MRC” District are presented in Part 4, Section 505 of the Alpine Land Use and Development Code.
- (2) All buildings in the “MRC” Mixed Residential and Commercial District will require a plan review of the Town Building Official – Building Inspector, the Planning & Zoning Commission, and/or their representative, prior to the issuance of a building permit.

- (3) Residential and Commercial structures roof style shall balance compatibility with the character of the area and snow shed considerations. Where pitched roofs are used, steeper roof pitches are preferred, but flatter pitches are permitted. Provided the engineering standards are met. The choice of roof pitch shall include consideration if and where the roof will hold or release snow and where roof drainage will occur. No snow shall deposit on adjacent properties.
- (d) Architectural Standards and Guidelines: Architectural standards and guidelines for the “MRC” Mixed Residential and Commercial Zoning District are presented in Part 4 Development Standards. See Section 4-505.
- (e) Minimum Lot Area:
 300 - square feet in Original Town Plat (Grid);
 4,000 - square feet in Lake View Estates Tract C for Lost Elk Townhomes only;
 8,000 - square feet in Lakeview Estates, Tracts A, B, and C;
 8,700 - square feet in Strout Subdivision;
 9,000 - square feet in Palis Park Subdivision;
 10,000 – square feet in Lazy B Subdivision (Lot #12);
 10,800 - square feet in Greys River Cove Subdivision;
 20,000 – square feet in Elk Meadows Addition
 34,850 - square feet in Palisades Heights;
 1.0 acre on lots 184-186 in Alpine Meadows Subdivision; and
 1.0 acre on all other mixed residential and commercial properties.
- (f) Minimum Setbacks:
- (1) Front Yard: Primary residential structure will be setback not less than twenty-five (25) feet from the front property line. Detached accessory buildings will not be located beyond the front line of any primary residential structure. **Both street frontages of corner lots shall be considered front yards.**
- (2) Side Yards: Primary residential structures will be setback not less than fifteen (15) feet from side property lines. Detached accessory buildings/structures, equal to or under Three Hundred (300) square feet, can have a setback of not less than ten (10) feet from side property lines. Detached accessory buildings/structures, with a total square footage of over Three Hundred (300) square feet, will have a setback of not less than fifteen (15) feet from side property lines. **Please Note: Should a structure be placed within a recorded property/utility easements, the Town of Alpine assumes no responsibility for damage and/or any replacement costs of any structure or property damage; owner will accept full responsibility for any and all costs for repairs.**
- (3) Rear Yard: Primary residential structures will be setback not less than twenty (20) feet from the rear property line. Detached accessory buildings/structures, equal to or under Three Hundred (300) square feet, can have a setback of not less than ten (10) from rear property lines. Detached accessory buildings/structures, with a total square footage of over Three Hundred (300) square feet, will have a setback of not less than twenty (20) from rear property lines. **Please Note: Should a structure be placed within a recorded property/utility easements, the Town of Alpine assumes no responsibility for damage and/or any replacement costs of any structure or property damage; owner will accept full responsibility for any and all costs for repairs.**
- (4) Properties with less than ten thousand (10,000) square feet will be allowed to have a front yard setback of twenty (20) feet and side yard and rear yard setbacks of ten (10) feet, for primary residential structures. Detached accessory buildings/structures, equal to or under Three Hundred (300) square feet, can have a setback of not less than ten (10) from rear property lines. Detached accessory buildings/structures, with a total square footage of over Three Hundred (300) square feet, will have a setback of not less than ten (10) feet

from rear property lines. **Please Note: Should a structure be placed within a recorded property/utility easements, the Town of Alpine assumes no responsibility for damage and/or any replacement costs of any structure or property damage; owner will accept full responsibility for any and all costs for repairs.**

- (5) **Setbacks are required specifically for safety, legal and aesthetic reasons. The only items allowed in the established setback area are landscaping and snow storage.**
- (6) Corner Lots and Irregular Lots will have all street front setback guidelines and remaining sides will be considered side setbacks.
- (7) Any deviations from setback requirements will require a plan review and approval of a variance unless a lesser setback is identified in the recorded plat of the approved residential subdivision.

(g) Maximum Building Height:

- (1) Multi-unit residential structures in the “MRC” Mixed Residential and Commercial District can be thirty-five (35) feet or less in height.
- (2) Multi-Unit Residential and Commercial building structures in the “MRC” Mixed Residential and Commercial District can be forty-five (45) feet or less. Buildings with a mixture of residential and commercial use must have a minimum amount of thirty-three (33%) percent of the building use allocated for the commercial businesses. The Residential/Commercial buildings in this zoning will not exceed three (3) stories.
- (3) Commercial building structures in the “MRC” Mixed Residential and Commercial District can be forty-five (45) feet or less. Buildings with a mixture of residential and commercial use must have a minimum amount of thirty-three (33%) percent of the building use allocated for the commercial businesses. The Residential/Commercial buildings in this zoning will not exceed three (3) stories.
- (4) The height of detached accessory structures will be twenty-six (26) feet or less, this height restriction is applicable to structures that are set back from the property line of not less than fifteen (15) feet from the side property line and not less than twenty (20) feet from the rear property line. All detached accessory structures will be placed behind the front plan of the existing residential/commercial structure.

aa. Detached accessory structures of with a total square footage equal to or under Three Hundred (300) square feet and are placed within the allowable ten (10) foot rear setback and ten (10) foot side setback; will have a height restriction of fourteen (14) feet in height or less. Special consideration for setback is made for properties that have a total square footage under Ten Thousand (10,000) square feet.

- (8) Roof eaves for non-sprinkled buildings will be twenty-eight (28) feet or less from the finished grade elevation.

(h) Vehicular Parking and Storage:

- (1) A minimum of six hundred (600) square feet of off-street parking will be provided for each dwelling unit located on the property, parking requirements for multi-unit residential structures will be met through the construction and use of centralized vehicular parking areas, driveways associated with each dwelling unit, and/or private garages.
- (2) Recreational vehicles (RVs), recreational watercrafts and travel trailers shall be parked as not to obstruct the view of traffic and must follow guidelines set forth by the Covenants, Conditions and Restrictions (CCRs) established by the residential unit and/or subdivision,

if applicable. All vehicles, boats and/or trailers are to be parked on the property owners, private property.

- (3) Recreational vehicles (RVs) and/or travel trailers used during construction or maintenance activities; these vehicles are to be parked on the private property that the activity is taking place on and will be removed **within seven (7) working days after receiving the certificate of occupancy/completion is issued for the project and/or when the maintenance has been completed.** ~~promptly when construction and/or the maintenance has been completed.~~
- (4) Mixed Residential Commercial buildings require at least one (1) designated parking space will be required for each single bedroom dwelling unit and a minimum of two (2) parking spaces per multi bedroom unit. "MRC" buildings containing more than four (4) dwelling units will also have one (1) designated guest parking space for every two (2) dwelling units. In addition, designated parking spaces for the mixed residential/commercial buildings will provide for additional parking spaces as outlined in Table 3-1 – Minimum Off-Street Parking Requirements.
- (5) Off-street parking areas supporting commercial facilities or mixed residential-commercial facilities will consist of designated parking spaces and/or centralized parking areas within the building site. The minimum number of required off-street parking spaces will be calculated by the Zoning Administrator and/or Planning & Zoning Commission based upon the criteria presented in Table 3-1.
- (6) Structures that include a combination of residential and commercial facilities will meet the cumulative requirements for both multi-unit residential structures and commercial facilities.
- (7) Centralized vehicular parking areas will be designed and constructed in accordance with the vehicular parking standards outlined in Part 4, Article 4.6 of the Alpine Land Use and Development Code. The parking area and/or driveways will extend from the edge of pavement or improved road surface of any municipal street. In the event that no improved road surface exists, the parking area will extend from the edge of the municipal street right-of-way.
- (8) Parking of any vehicle, which has a gross vehicle weight (GVW) of greater than twenty-six thousand (26,000) pounds, is prohibited along any public street that adjoins an "MRC" District, except for the following:
 - (aa) Vehicles temporarily parked (**less than** twenty four {24} hours) for loading or unloading passengers, materials, and merchandise.
 - (bb) Vehicles temporarily parked (less than twenty four {24} hours) engaged in performing a service activity on the residential lot and/or parcel of land in which the service is being performed (less than twenty four {24} hours).
 - (cc) Vehicles used in association with construction or maintenance activities; this vehicle is to be parked on the private property that the activity is taking place on and will be removed when construction and/or the maintenance has been completed.
 - (dd) One (1) vehicle that is owned, operated and licensed by the resident of the property on where it is parked. Vehicle will be parked as not to obstruct the view of traffic and must be parked on resident's private property.
- (9) No unlicensed or inoperable vehicle will be permitted on any multi-residential lot.
- (10) Shared Parking is permitted provided the Planning and Zoning Commission has received, reviewed, and approved the written contract agreement between landowners. The

agreement will be recorded in the Lincoln County Registration of Deeds and is in effect for as long as this ordinance requires.

- (11) All commercial overnight street parking is prohibited.

TABLE 3-1 MINIMUM OFF-STREET PARKING REQUIREMENTS MRC DISTRICT	
<i>Type of Use</i>	<i>Standard</i>
Multi-Unit Residential	2 parking spaces per dwelling unit; multi-unit buildings with more than 4 dwelling units will also have one guest parking space for every two dwelling units
Motel/Hotel	1 parking space per guest room
Inns or Lodges	1 per guest room; 35% of total seating capacity of associated café & restaurant operations
Medical and Veterinary Clinics	1 per 600 square feet of floor space
Commercial Offices	1 per 600 square feet of retail floor space
Cafes and Restaurants (including fast-food outlets with seating)	Number of parking spaces will equal 35% of total seating capacity
Fast-food Outlets (with no seating)	1 per number of employees for average work shift
Retail Stores	1 per 600 square feet of retail floor space
Self-Storage Facilities	1 per every 2,000 square feet of storage space
Commercial Services	1 per 600 square feet of retail floor space
Service and Repair Establishments	4 per service bay plus 1 per employee.
Cabinet, plumbing, welding, and steel fabrication shops	One parking space every 800 square feet of floor space plus 1 per employee.
Commercial Recreational Facilities	1 parking space for 25% of the total number of customers that can be served at any given time
Mixed Residential and Commercial Building	Cumulative parking requirements for both multi-unit residential structures and commercial facilities
Public medical clinics	1 parking space for each employee, 1 reserved parking space for each anticipated paramedic van or ambulance serving the facility in one 8-hour period, 2 reserved parking spaces for law enforcement, 1 parking space for the maximum number of patients served by the facility at any given time.

- (h) Landscaping Requirements:
A minimum of ten (10) percent of each residential site will be landscaped and maintained with grasses, shrubs, and/or trees to increase compatibility with adjoining land uses, increase the attractiveness of the site, and enhance the general aesthetics of the community. This requirement may be made within setback areas and/or designated easements.
- (i) Fencing:
(1) Fences shall be no more than four (4) feet high between the front building line and front property line. Structural posts associated with this fencing will be situated on the interior side of the fence.

- (2) Perimeter fences along side or rear property lines shall be no more than seven (7) feet high for residential lots and no more than eight (8) feet high for commercial lots. Fences will not be constructed on top of property lines. Structural posts associated with all perimeter fences will be situated on the interior side of the fence.
 - (3) Electric and barbed wire fencing is **prohibited** below six (6) feet.
 - (4) Fencing and walls may be placed within drainage and utility easements, locates will be required by utility company. **If fencing or walls are damaged due to utility improvements, repairs, snow removal, etc., the owner will accept full responsibility for any and all costs for repairs.**
 - (5) Construction fences are allowed during initial construction of a primary structure. It will be constructed on the property of the primary building site. The permit is issued along with the Residential Building permit. The Certificate of Occupancy will not be issued until the construction fence is removed.
 - (6) Snow fences are allowed between the months of October and May of the following year. A snow fence will not impede the removal of snow from the public rights of way, must be maintained and preferably of a neutral or black color.
- (j) Accessory Uses and Buildings:
- (1) Accessory buildings such as pole barns, garages, workshops and sheds of any sort. **These structures will only be permitted on the same lot with an existing primary residential structure.**
 - (2) Accessory buildings will be no larger than allowed setbacks and will contain no more than a total of twelve hundred (1200) square feet of floor area.
 - (3) Steel Shipping Containers and/or Cargo/Semi Trailer Containers are **prohibited** in this zoning district.
- (k) Authorized Signs: Sign Standards for the “MRC” Mixed Residential and Commercial District are presented in Part 4 Development Standards, see Section 4-801, 4-802 and 4-803.
- (l) Fuel Storage Tanks: Class I and Class II liquids in above ground tanks is prohibited unless temporarily stored in licensed and operative commercially used vehicles in an accumulative amount over one hundred fifty (150) gallons.
- (m) Fire Protection: All buildings that reach the maximum allowable building height for this zoning district will be required to install automatic sprinkler systems. The installation of these systems will be made in accordance with National Fire Protection Association requirements outlined in NFPA 13.

Section 3-205. C Commercial District

- (a) Intent and Purpose of District: This district is intended to provide and encourage potential locations for commercial retail facilities, commercial offices, and other commercial services. The Commercial District regulations are intended to provide adequate vehicular parking, setbacks, landscaping and/or other screening to ensure the compatibility of commercial establishments with adjoining land uses, as well as their accessibility to community utility systems and community open space areas.
- (b) Permitted Uses:
All structures are limited to stick-built, manufactured or modular units.

- (1) Visitor accommodations such as motels, hotels, inns, lodges, bed-and-breakfast facilities and RV campgrounds.
 - (2) Medical and veterinary clinics.
 - (3) Commercial offices and office complexes.
 - (4) Banks and other financial institutions.
 - (5) Eating and drinking establishments including cafes and restaurants; including mobile food dispensaries.
 - (6) Commercial retail establishments such as agricultural supply stores, convenience stores, mercantile stores, gas stations, automobile part stores, computer stores, grocery stores, hardware stores, pharmacies, automated teller machine operations, barber shops and hair salons, boot and shoe repair shops, and building supply centers.
 - (7) Commercial contracting establishments, such as; rental facilities, landscaping services and supplies, excavation equipment and vehicles associated with said businesses.
 - (8) Service and repair establishments such as video production, self-storage facilities, auto repair shops, auto lubrication services and car wash facilities.
 - (9) Cabinet, plumbing, welding, and fabrication shops.
 - (10) Conference center facilities.
 - (11) Commercial entertainment facilities such as theatres.
 - (12) Structures supporting regional and community utility systems.
 - (13) Structures will be constructed out of new or recycled materials. The relocation and/or moving in of old or used structures are **prohibited**.
- (c) Commercial Building Standards:
- (1) Required building standards for commercial structures in the “C” Commercial District are presented in Part 4, Section 505 of the Alpine Land Use and Development Code.
 - (4) All buildings in the “C” Commercial District will require a plan review of the Town Building Official – Building Inspector, the Planning & Zoning Commission, and/or their representative, prior to the issuance of a building permit.
 - (5) Residential and Commercial structures roof style shall balance compatibility with the character of the area and snow shed considerations. Where pitched roofs are used, steeper roof pitches are preferred, but flatter pitches are permitted. Provided the engineering standards are met. The choice of roof pitch shall include consideration if and where the roof will hold or release snow and where roof drainage will occur.
- (d) Architectural Guidelines: Architectural guidelines for the “C” Commercial Zoning District are presented in Part 4 Development Standards of the Land Use and Development Code.
- (e) Minimum Lot Area:
- 8,000 - square feet in Palisades Heights;
 - 8,500 - square feet in Lakeview Estates, Tract C; and, Lakeview Estates, 7th Addition;
 - 10,000 - square feet in Lakeview Estates, 2nd Addition; and Grey’s River Valley;
 - 11,000 - square feet in Kilroy Addition;
 - 13,000 - square feet in Palis Park, 3rd Addition;
 - 16,000 - square feet in Riverview Meadows Subdivision;
- (f) Minimum Setbacks:
- (1) Front Yard: Commercial buildings will be located, at least, twenty-five (25) feet from the front property line. Detached accessory buildings will not be located beyond the front line of any

primary commercial structure. **Both street frontages of corner lots shall be considered front yards.**

- (2) **Side Yard:** Commercial buildings a Zero Setback will be allowed; however, property owners are required to make available space to accommodate parking and snow storage/removal. When a lot adjoins a lot in an MRC zoning district the setback shall be ten (10) feet from the property line. When a lot adjoins a R-2 or R-1 zoning districts the setback shall be fifteen (15) feet from the property line. Detached accessory buildings/structures, equal to or under Three Hundred (300) square feet, can have a setback of not less than ten (10) feet from side property lines. Detached accessory buildings/structures, with a total square footage of over Three Hundred (300) square feet, will have a setback of not less than ten (10) feet from side property lines. **Please Note: Should a structure be placed within a recorded property/utility easements, the Town of Alpine assumes no responsibility for damage and/or any replacement costs of any structure or property damage; owner will accept full responsibility for any and all costs for repairs.**
 - (3) **Rear Yard:** Commercial buildings a Zero Setback will be allowed; however, property owners are required to make available space to accommodate parking and snow storage/removal. When a lot adjoins a lot in an MRC zoning district the setback shall be ten (10) feet from the property line. When a lot adjoins a R-2 or R-1 zoning districts the setback shall be fifteen (15) feet from the property line. Detached accessory buildings/structures, equal to or under Three Hundred (300) square feet, can have a setback of not less than ten (10) feet from side property lines. Detached accessory buildings/structures, with a total square footage of over Three Hundred (300) square feet, will have a setback of not less than ten (10) feet from side property lines. **Please Note: Should a structure be placed within a recorded property/utility easements, the Town of Alpine assumes no responsibility for damage and/or any replacement costs of any structure or property damage; owner will accept full responsibility for any and all costs for repairs.**
 - (4) Properties with less than ten thousand (10,000) square feet will be allowed to have a front yard setback of twenty (20) feet and side yard and rear yard setbacks of ten (10) feet, for primary structures. Detached accessory buildings/structures, equal to or under Three Hundred (300) square feet, can have a setback of not less than ten (10) feet from rear property lines. Detached accessory buildings/structures, with a total square footage of over Three Hundred (300) square feet, will have a setback of not less than ten (10) feet from rear property lines. **Please Note: Should a structure be placed within a recorded property/utility easements, the Town of Alpine assumes no responsibility for damage and/or any replacement costs of any structure or property damage; owner will accept full responsibility for any and all costs for repairs.**
 - (5) **Setbacks are required specifically for safety, legal and aesthetic reasons. The only items allowed in the established setback area are landscaping and snow storage.**
 - (6) Corner Lots and Irregular Lots will have all street front setback guidelines, and the remaining sides will be considered side setbacks.
 - (7) Any deviations from setback requirements will require a plan review and approval of a variance unless a lesser setback is identified in the recorded plat of the approved subdivision.
- (g) **Maximum Building Height:**
- (1) Commercial buildings will not exceed three (3) stories or forty-five (45) feet in height.
 - (2) The height of detached storage/accessory structures will be thirty-five (35) feet or less, all detached accessory structures will be placed behind the front plane of the existing commercial structure. This height restriction is applicable to structures that are set back from the property line of not less than fifteen feet from the side property line and not less than twenty feet from the rear property line.

- aa. Detached accessory structures, with a total square footage of less than Three Hundred (300) square feet and are placed within the allowable ten (10) foot rear setback and ten (10) foot side setback shall have a height restriction of fourteen (14) feet in height or less.
- (3) Roof eaves for non-sprinkled buildings will be twenty-eight (28) feet or less from the finished grade elevation.
- (h) Vehicular Parking and Storage:
- (1) Off-street parking areas will consist of designated parking spaces and/or centralized parking areas within the commercial building site. The minimum number of required off-street parking spaces will be calculated by the Zoning Administrator and/or Planning and Zoning Commission based upon the criteria presented in Table 3-2 (Below).

TABLE 3-2 MINIMUM OFF-STREET PARKING REQUIREMENTS COMMERCIAL FACILITIES	
<i>Type of Commercial Use</i>	<i>Standard</i>
Motel/Hotel	1 parking space per guest room
Inns or Lodges	1 per guest room; 35% of total seating capacity of associated cafe & restaurant operations.
Medical and Veterinary Clinics	1 per 600 square feet of floor space
Commercial Offices	1 per 600 square feet of retail floor space
Cafes and Restaurants (including fast-food outlets with seating)	Number of parking spaces will equal 35% of total seating capacity
Fast-food Outlets (with no seating)	1 per number of employees for average work shift
Retail Stores	1 per 600 square feet of retail floor space
Self-Storage Facilities	1 per every 2,000 square feet of storage space
Commercial Services	1 per 600 square feet of retail floor space
Service and Repair Establishments	4 per service bay plus 1 per employee.
Cabinet, plumbing, welding, and steel fabrication shops	One parking space every 800 square feet of floor space plus 1 per employee.
Commercial Recreational Facilities	1 parking space for 25% of the total number of customers that can be served at any give time
Other private or educational facilities accessible to the general public	1 parking space for every two persons employed. The Total parking spaces for facility users will equal 50 percent of the peak user capacity.

- (2) Centralized vehicular parking areas will be designed and constructed in accordance with the vehicular parking standards outlined in Article 4.6 of the Alpine Land Use and Development Code. The parking area and/or driveways will extend from the edge of pavement or improved road surface of any municipal street. In the event that no improved road surface exists, the parking area will extend from the edge of the municipal street right-of-way.
- (3) Recreational vehicles (RVs), recreational watercrafts and travel trailers shall be parked as not to obstruct the view of traffic and must follow guidelines set forth by the Covenants, Conditions and Restrictions (CCRs) established by the residential unit and/or subdivision,

if applicable. All vehicles, boats and/or trailers are to be parked on the property owners private property.

- (4) Recreational vehicles (RVs) and/or travel trailers used during construction or maintenance activities; these vehicles are to be parked on the private property that the activity is taking place on and will be removed **within seven (7) working days after receiving the certificate of occupancy/completion is issued for the project and/or when the maintenance has been completed.** ~~promptly when construction and/or the maintenance has been completed.~~
 - (5) Shared Parking is permitted provided the Planning and Zoning Commission has received, reviewed and approved the written contract agreement between landowners. The agreement will be recorded in the Lincoln County Registration of Deeds and is in effect for as long as this ordinance requires.
 - (6) Parking of any vehicle, which has a gross vehicle weight (GVW) of greater than twenty-six thousand (26,000) pounds, is prohibited along any public streets; except for the following:
 - (aa) Vehicles temporarily parked (**less than** twenty four {24} hours) for loading or unloading passengers, materials, and merchandise.
 - (bb) Vehicles temporarily parked (less than twenty four {24} hours) engaged in performing a service activity on the commercial lot and/or parcel of land in which the service is being performed (less than twenty four {24} hours).
 - (cc) Vehicles used in association with construction or maintenance activities; this vehicle is to be parked on the commercial property that the activity is taking place on and will be removed when construction and/or the maintenance has been completed.
 - (7) All overnight street parking is prohibited.
- (i) **Landscaping Requirements:**
A minimum of ten (10) percent of each residential site will be landscaped and maintained with grasses, shrubs, and/or trees to increase compatibility with adjoining land uses, increase the attractiveness of the site, and enhance the general aesthetics of the community. This requirement may be made within setback areas and/or designated easements.
- (j) **Fencing:**
- (1) Fences shall be no more than four (4) feet high between the front building line and front property line. Structural posts associated with this fencing will be situated on the interior side of the fence.
 - (2) Perimeter fences along side or rear property lines shall be no more than eight (8) feet high for commercial lots. Fences will not be constructed on top of property lines. Structural posts associated with all perimeter fences will be situated on the interior side of the fence.
 - (3) Electric and barbed wire fencing is **prohibited** below six (6) feet.
 - (8) Fencing and walls may be placed within drainage and utility easements, locates will be required by utility company. **If fencing or walls are damaged due to utility improvements, repairs, snow removal, etc., the owner will accept full responsibility for any and all costs for repairs.**
 - (9) Construction fences are allowed during initial construction of a structure. It will be constructed on the property of the primary building site. The Certificate of Occupancy will not be issued until the construction fence is removed.

- (k) Accessory Uses and Buildings:
 - (1) Storage/Accessory buildings will be permitted with a primary commercial structure on a commercial lot. These structures will only be permitted on the same lot with a primary commercial structure.
 - (2) Storage/Accessory buildings will be no larger than allowed by the setbacks, vehicular parking and landscaping requirements.
 - (3) Steel Shipping Containers and/or Cargo/Semi Trailer are allowed in this zoning district, so long as they are placed behind the primary structure and meet the allowable setback requirements. Stacking of containers is prohibited.
- (l) Authorized Signs:
 - (1) Sign standards for the “C” Commercial Zoning District are presented in Part 4 Development Standards, see Section 4-801 and 4-803.
- (m) Fire Protection:
 - (1) All buildings that reach the maximum allowable building height for this zoning district will be required to install automatic sprinkler systems. The installation of these systems will be made in accordance with National Fire Protection Association requirements outlined in NFPA 13.
 - (2) A defensible space plan will be prepared for commercial properties located in potential wildfire hazard areas (Figure 3-1). The defensible space plan will address how the landowner will manage vegetation within a one hundred (100) foot radius of the commercial facility, or the maximum radius allowed within the property owned by the landowner.
 - a. The defensible space plan will be reviewed and approved by an authorized representative of the Alpine Fire District and submitted with any building permit application.

Section 3-206. LI Light Industrial District

- (a) Intent and Purpose of District: This district is intended to encourage the development of smaller manufacturing facilities which produce finished products and/or parts from previously prepared materials. The Light Industrial District is also to provide area within the community for the storage and distribution of finished products, the storage of heavy equipment, industrial service and repair operations, as well as laboratory and administrative facilities supporting light industrial operations. The Light Industrial District regulations are intended to provide adequate vehicular parking, setbacks, landscaping and/or other screening to ensure compatibility with adjoining land uses, as well as accessibility to community utility systems and community open space areas.
- (b) Permitted Uses:

All structures are limited to stick-built, manufactured or modular units.

 - (1) Manufacturing of finished products, or parts, including processing, fabrication, assembly, treatment, packaging, canning and/or bottling, incidental storage, as well as the wholesale distribution of such products.
 - (2) Light industrial parks.
 - (3) Regional warehouse and distribution facilities.
 - (4) Construction and maintenance equipment yards.

- (5) Cabinet, plumbing, welding, and fabrication shops.
 - (6) Industrial service and repair operations.
 - (7) Storage yards for heavy equipment and industrial materials.
 - (8) Truck terminals.
 - (9) Solid waste collection or transfer facilities.
 - (10) Eating/drinking establishments, specific to the distribution business, which could include: cafes/restaurants tap and/or tasting rooms, branded merchandise.
 - (11) Mobile food dispensaries.
 - (12) Structures supporting regional and community utility systems.
 - (13) Structures will be constructed out of new or recycled materials. The relocation and/or moving in of old or used structures are **prohibited**.
- (c) Light Industrial Building Standards:
- (1) Required building standards for light industrial structures in the “LI” Light Industrial District are presented in Part 4, Section 506 of the Alpine Land Use and Development Code.
 - (2) All buildings in the “LI” Light Industrial District will require a plan review by the Building Official – Building Inspector, Zoning Administrator, or his or her representative, prior to the issuance of a building permit.
- (d) Architectural Guidelines: Architectural Guidelines for the “LI” Light Industrial Zoning District are presented in Part 4, Section 507 of the Land Use and Development Code.
- (e) Minimum Lot Area: 0.9 acre in Alpine Meadows Subdivision.
- (f) Minimum Setbacks:
- (1) Front Yard: Industrial buildings will be located, at least, twenty-five (25) feet from the front property line. Detached accessory buildings will not be located beyond the front line of any primary light industrial structure. **Both street frontages of corner lots shall be considered front yards.**
 - (2) Side Yards: Primary structures will be setback not less than fifteen (15) feet from side property lines. Detached accessory buildings/structures, equal to or under Three Hundred (300) square feet, can have a setback of not less than ten (10) feet from side property lines. Detached accessory buildings/structures, with a total square footage of over Three Hundred (300) square feet, will have a setback of not less than fifteen (15) feet from side property lines. **Please Note: Should a structure be placed within a recorded property/utility easements, the Town of Alpine assumes no responsibility for damage and/or any replacement costs of any structure or property damage; owner will accept full responsibility for any and all costs for repairs.**
 - (3) Rear Yard: Primary structures will be setback not less than twenty (20) feet from the rear property line. Detached accessory buildings/structures, equal to or under Three Hundred (300) square feet, can have a setback of not less than ten (10) from rear property lines. Detached accessory buildings/structures, with a total square footage of over Three Hundred (300) square feet, will have a setback of not less than twenty (20) from rear property lines. **Please Note: Should a structure be placed within a recorded property/utility easements, the Town of Alpine assumes no responsibility for**

damage and/or any replacement costs of any structure or property damage; owner will accept full responsibility for any and all costs for repairs.

- (4) Properties with less than ten thousand (10,000) square feet will be allowed to have a front yard setback of twenty (20) feet and side yard and rear yard setbacks of ten (10) feet, for primary residential structures. Detached accessory buildings/structures, equal to or under Three Hundred (300) square feet, can have a setback of not less than ten (10) from rear property lines. Detached accessory buildings/structures, with a total square footage of over Three Hundred (300) square feet, will have a setback of not less than ten (10) feet from rear property lines. **Please Note: Should a structure be placed within a recorded property/utility easements, the Town of Alpine assumes no responsibility for damage and/or any replacement costs of any structure or property damage; owner will accept full responsibility for any and all costs for repairs.**
- (5) **Setbacks are required specifically for safety, legal and aesthetic reasons. The only items allowed in the established setback area are landscaping and snow storage.**
- (6) Corner Lots and Irregular Lots will have all street front setback guidelines and remaining sides will be considered side setbacks.
- (7) Any deviations from setback requirements will require a plan review and approval of a variance unless a lesser setback is identified in the recorded plat of the approved subdivision.
- (g) Maximum Building Height:
 - (1) Industrial buildings will not exceed three (3) stories or forty-five (45) feet.
 - (2) The height of detached accessory structures will be twenty-six (26) feet or less, this height restriction is applicable to structures that are set back from the property line of not less than fifteen (15) feet from the side property line and not less than twenty (20) feet from the rear property line.
 - aa. Detached accessory structures, with a total square footage equal to or under Two Hundred (200) square feet and are placed within the allowable five (5) foot rear setback and five (5) foot side setback shall have a height restriction of fourteen (14) feet in height or less.
 - (3) Roof eaves for non-sprinkled buildings will be twenty-eight (28) feet or less from the finished grade elevation.
- (h) Vehicular Parking and Storage:
 - (1) Off-street parking areas will consist of designated parking spaces and/or centralized parking areas within the building site. The minimum number of required off-street parking spaces will be calculated by the Zoning Administrator based upon the criteria presented in Table 3-3.
 - (2) Centralized vehicular parking areas will be designed and constructed in accordance with the vehicular parking standards outlined in Article 4.6 of the Alpine Land Use and Development Code. The parking area and/or driveways will extend from the edge of the pavement or improved road surface of any municipal street. In the event that no improved road surface exists, the parking area will extend from the edge of the municipal street right-of-way.

<p style="text-align: center;">TABLE 3-3 MINIMUM OFF-STREET PARKING REQUIREMENTS LIGHT INDUSTRIAL FACILITIES</p>	
<i>Type of Light Industrial Use</i>	<i>Standard</i>
Manufacturing	1 parking space for each person employed, or intended to be employed, on the largest work shift.
Warehouse and Distribution Facilities	1 parking space for every 1,000 square feet of floor area.
Construction and Maintenance Equipment Yards	1 parking space for each two persons employed.
Cabinet, plumbing, welding, and steel fabrication shops	1 parking space every 800 square feet of floor space plus 1 per employee.
Industrial Service and Repair Operations	1 parking space for each two persons employed.
Truck Terminals	1 parking space for every semi truck and trailer anticipated during peak use of the truck terminal. 1 automobile parking space for each 2 persons employed.
Solid Waste Collection or Transfer Facilities	1 parking space for each 2 persons employed.
Light Industrial Parks	1 parking space for each employee.

- (3) Parking of any vehicle, which has a gross vehicle weight (GVW) of greater than twenty-six thousand (26,000) pounds, is prohibited along any public streets; except for the following:

(aa) Vehicles temporarily parked (**less than** twenty four {24} hours) for loading or unloading passengers, materials, and merchandise.

(bb) Vehicles temporarily parked (less than twenty four {24} hours) engaged in performing a service activity on the commercial lot and/or parcel of land in which the service is being performed (less than twenty four {24} hours).

(cc) Vehicles used in association with construction or maintenance activities; this vehicle is to be parked on the commercial property that the activity is taking place on and will be removed when construction and/or the maintenance has been completed.

- (4) All overnight street parking is prohibited.

(i) Landscaping Requirements:

A minimum of ten (10) percent of each residential site will be landscaped and maintained with grasses, shrubs, and/or trees to increase compatibility with adjoining land uses, increase the attractiveness of the site, and enhance the general aesthetics of the community. This requirement may be made within setback areas and/or designated easements.

(j) Fencing:

- (1) Fences shall be no more than four (4) feet high between the front building line and front property line. Structural posts associated with this fencing will be situated on the interior side of the fence.
- (2) Perimeter fences along side or rear property lines shall be no more than eight (8) feet high and not constructed on top of property lines. Structural posts associated with all perimeter fences will be situated on the interior side of the fence.
- (3) Electric and barbed wire fencing is prohibited below six (6) feet.
- (4) Fencing and walls may be placed within drainage and utility easements, locates will be required by utility company. If fencing or walls are damaged due to utility improvements, repairs, snow removal, etc., owner will accept full responsibility for any and all costs for repairs.

- (5) Fencing is required where “L-1” is adjacent to “R-1”, “R-2”, “MRC”, “PCF” or “RC” lots.
- (j) Accessory Uses and Buildings:
 - (1) Offices, storage buildings, repair and maintenance shops and other structures directly associated with the operation of a light industrial complex, facility, or operation are permitted. These uses will only be permitted on the same lot with a primary light industrial structure.
 - (2) Accessory buildings will be no larger than allowed by setbacks.
 - (3) Steel Shipping Containers and/or Cargo/Semi Trailer are allowed in this zoning district, so long as they are placed behind the primary structure and meet the allowable setback requirements. Stacking of containers is prohibited.
- (k) Authorized Signs: Sign Standards for the “LI” Light Industrial Zoning District are presented in Part 4 Development Standards, see Section 4-801 and 4-803.
- (l) Fire Protection:
All buildings that reach the maximum allowable building height for this zoning district will be required to install automatic sprinkler systems. The installation of these systems will be made in accordance with National Fire Protection Association requirements outlined in NFPA 13.

Section 3-207. PCF Public and Community Facilities District

- (a) Intent and Purpose of District: The purpose of this district is to encourage and provide areas for the development of municipal, county, state, federal, and quasi-public facilities. This district is also intended to encourage the development of churches, community visitor centers, private membership clubs, and other privately-owned facilities that are generally available for public use.
- (b) Permitted Uses:
All structures are limited to stick-built, manufactured or modular units.
 - (1) Government administrative facilities
 - (2) Public works shops and equipment base yards
 - (3) Public multi-purpose facilities
 - (4) Public safety facilities for law enforcement, fire suppression and/or Fire Station, and emergency medical services, and/or Ambulance Station.
 - (5) Public schools, educational facilities, and related administrative offices
 - (6) Public recreation centers, public parks and playgrounds, community trails for pedestrians, bikes and snow machines, and other recreational facilities
 - (7) Public medical clinics
 - (8) Public libraries and other cultural facilities
 - (9) Public conference centers
 - (10) Churches and other places of worship
 - (11) Visitor centers
 - (12) Childcare centers and early childhood development facilities
 - (13) Museums and exhibition halls
 - (14) Private membership club facilities

- (15) Bus transportation facilities
- (16) Private recreational or educational facilities that is accessible to the general public
- (17) Community trails for bikes, pedestrians and snow machines
- (18) Solid waste collection and transfer facilities
- (19) Structures supporting regional and community utility systems
- (20) Primary structures will be constructed out of new materials. The moving in of old or used buildings are prohibited.

(c) Public Facility Building Standards:

- (1) Required building standards for structures in the Public and Community Facilities District are presented in Part 4, Section 508 of the Alpine Land Use and Development Code.
- (2) All buildings in the Public and Community Facilities District will require a plan review of the Town Building Official – Building Inspector, the Planning & Zoning Commission, and/or their representative, prior to the issuance of a building permit.
- (3) Public Facility structures roof style shall balance compatibility with the character of the area and snow shed considerations. Where pitched roofs are used, steeper roof pitches are preferred, but flatter pitches are permitted. Provided the engineering standards are met. The choice of roof pitch shall include consideration if and where the roof will hold or release snow and where roof drainage will occur.

(d) Architectural Guidelines: Architectural guidelines for the “PCF” Public and Community Facilities Zoning District are presented in Part 4 Development Standards.

(e) Landscaping Requirements: At least ten (10) percent of each public or private facility site, or complex, will be landscaped and maintained with grasses, shrubs, and/or trees to increase compatibility with adjoining land uses, increase the attractiveness of the site, and enhance the general aesthetics of the community. This requirement may be made within setback areas, designated easements.

(f) Minimum Lot Area: None.

(g) Minimum Setbacks:

- (1) Front Yard: Public and community facility structures will be located, at least, twenty-five (25) feet from the front property line. Detached accessory buildings will not be located beyond the front line of any primary public or community facility. **Both street frontages of corner lots shall be considered front yards.**
- (2) Side Yards: Primary residential structures will be setback not less than fifteen (15) feet from side property lines. Detached accessory buildings/structures, equal to or under Two Hundred (200) square feet, can have a setback of not less than five (5) feet from side property lines. Detached accessory buildings/structures, with a total square footage of over Two Hundred 200 square feet, will have a setback of not less than fifteen (15) feet from side property lines. **Please Note: Should a structure be placed within a recorded property/utility easements, the Town of Alpine assumes no responsibility for damage and/or any replacement costs of any structure or property damage; owner will accept full responsibility for any and all costs for repairs.**
- (3) Rear Yard: Primary residential structures will be setback not less than twenty (20) feet from the rear property line. Detached accessory buildings/structures, equal to or under Two Hundred (200) square feet, can have a setback of not less than five (5) feet from rear

property lines. Detached accessory buildings/structures, with a total square footage of over Two Hundred (200) square feet, will have a setback of not less than twenty (20) feet from rear property lines. **Please Note: Should a structure be placed within a recorded property/utility easements, the Town of Alpine assumes no responsibility for damage and/or any replacement costs of any structure or property damage; owner will accept full responsibility for any and all costs for repairs.**

- (4) Properties with less than ten thousand (10,000) square feet will be allowed to have a front yard setback of twenty (20) feet and side yard and rear yard setbacks of ten (10) feet, for primary residential structures. Detached accessory buildings/structures, equal to or under Two Hundred (200) square feet, can have a setback of not less than five (5) feet from rear property lines. Detached accessory buildings/structures, with a total square footage of over Two Hundred (200) square feet, will have a setback of not less than ten (10) feet from rear property lines. **Please Note: Should a structure be placed within a recorded property/utility easements, the Town of Alpine assumes no responsibility for damage and/or any replacement costs of any structure or property damage; owner will accept full responsibility for any and all costs for repairs.**
- (5) Any deviations from setback requirements will require a plan review and approval of a variance unless a lesser setback is identified in the recorded plat of the approved subdivision plat.

(h) Maximum Building Height:

- (1) Public and community facilities will not exceed three (3) stories or forty-five (45) feet.
- (2) The height of detached accessory structures will be twenty-six (26) feet or less, this height restriction is applicable to structures that are set back from the property line of not less than ten (10) feet from the side property line and not less than ten (10) feet from the rear property line.
 - aa. Detached accessory structures, with a total square footage of equal to or under Two Hundred (200) square feet and are placed within the allowable five (5) foot rear setback and five (5) foot side setback shall have a height restriction of fourteen (14) feet in height or less.
- (3) Roof eaves for non-sprinkled buildings will be twenty-eight (28) feet or less from the finished grade elevation.

(i) Accessory Uses and Buildings:

- (1) Office and storage buildings directly associated with the operation of public and community facilities are permitted. These uses will only be permitted on the same lot with a primary public or community facility, or on an adjacent lot associated with the primary public or community facility.
- (2) Accessory buildings will contain no more than six hundred (600) square feet of floor area.
- (3) Steel Shipping Containers and/or Cargo/Semi Trailer are allowed in this zoning district, so long as they are placed behind the primary structure and meet the allowable setback requirements. Stacking of containers is prohibited.

(j) Landscaping Requirements:

A minimum of ten (10) percent of each residential site will be landscaped and maintained with grasses, shrubs, and/or trees to increase compatibility with adjoining land uses, increase the attractiveness of the site, and enhance the general aesthetics of the community. This requirement may be made within setback areas and/or designated easements.

- (k) Fencing:
- (1) Fences shall be no more than four (4) feet high between the front building line and front property line. Structural posts associated with this fencing will be situated on the interior side of the fence.
 - (2) Perimeter fences along side or rear property lines shall be no more than eight (8) feet high and not constructed on top of property lines. Structural posts associated with all perimeter fences will be situated on the interior side of the fence.
 - (3) Electric and barbed wire fencing is **prohibited** below six (6) feet.
 - (4) Fencing and walls may be placed within drainage and utility easements, locates will be required by utility company. **If fencing or walls are damaged due to utility improvements, repairs, snow removal, etc., the owner will accept full responsibility for any and all costs for repairs.**
 - (5) Construction fences are allowed during initial construction of a structure. It will be constructed on the property of the primary building site. The Certificate of Occupancy will not be issued until the construction fence is removed.
- (l) Vehicular Parking and Storage:
- (1) Off-street parking areas will consist of designated parking spaces and/or centralized parking areas within the building site. The minimum number of required off-street parking spaces will be calculated by the Zoning Administrator and/or Planning and Zoning Commission based upon the criteria presented in Table 3-4.
 - (2) Centralized vehicular parking areas will be designed and constructed in accordance with the vehicular parking standards outlined in Article 4.6 of the Alpine Land Use and Development Code. The parking area and/or driveways will extend from the edge of the pavement or improved road surface of any municipal street. In the event that no improved road surface exists, the parking area will extend from the edge of the municipal street right-of-way.
 - (3) Shared Parking is permitted provided the Planning and Zoning Commission has reviewed and approved the written contract agreement between landowners. The agreement will be recorded in the Lincoln County Registration of Deeds and is in effect for as long as this ordinance requires.
 - (4) No unlicensed or inoperable vehicle will be permitted on any public or community facility lot unless the vehicle is used for training purposes approved by the Alpine Planning & Zoning Commission.
 - (5) Parking of any vehicle, which has a gross vehicle weight (GVW) of greater than twenty-six thousand (26,000) pounds, is prohibited along any public street, except for the following:
 - (aa) Vehicles temporarily parked (**less than** twenty four {24} hours) for loading or unloading passengers, materials, and merchandise.
 - (bb) Vehicles temporarily parked (less than twenty four {24} hours) engaged in performing a service activity on the commercial lot and/or parcel of land in which the service is being performed (less than twenty four {24} hours).
 - (cc) Vehicles used in association with construction or maintenance activities; this vehicle is to be parked on the commercial property that the activity is taking place on and will be removed when construction and/or the maintenance has been completed.
 - (6) All overnight street parking is prohibited.

- (m) Authorized Signs: Sign Standards for the Public and Community Facilities District are presented in Part 4 Development Standards, see Section 4-801 and 4-803.
- (n) Fuel Storage Tanks: Class I and Class II liquids in above ground tanks is prohibited unless temporarily stored in licensed and operative commercially used vehicles in an accumulative amount over one hundred fifty (150) gallons.
- (o) Fire Protection: All buildings that reach the maximum allowable building height for this zoning district will be required to install automatic sprinkler systems. The installation of these systems will be made in accordance with National Fire Protection Association requirements outlined in NFPA 13.

**TABLE 3-4
MINIMUM OFF-STREET PARKING REQUIREMENTS
PUBLIC AND COMMUNITY FACILITIES**

<i>Type of Public or Community Facility Use</i>	<i>Standard</i>
Government administrative facilities	1 parking space per 600 square feet of floor space
Public works centers and base yards	1 parking space for each person employed on largest work shift.
Public multi-purpose facilities	The number of parking spaces will equal 35 percent of the total seating capacity.
Public safety facilities for law enforcement, fire protection (fire departments), and emergency medical services (ambulance stations)	To be determined by Zoning Administrator and Planning and Zoning Commission during project review.
Educational facilities, and related administrative offices	The number of parking spaces will include 1 parking space for each employee, school bus parking to accommodate peak bus traffic or loading zones, parking spaces for 50 percent of anticipated school enrollment for high schools, and visitor parking adequate to support events at the facility.
Public recreation centers and recreational facilities	The number of parking spaces will equal 35 percent of the peak number of adult recreational users during any one period.
Public medical clinics	1 parking space for each employee, 1 reserved parking space for each anticipated paramedic van or ambulance serving the facility in one 8-hour period, 2 reserved parking spaces for law enforcement, 1 parking space for the maximum number of patients served by the facility at any given time.
Public libraries	1 parking space for each employee; 1 parking space for each anticipated facility user during an anticipated peak hour of facility use.
Public cultural facilities	The number of parking spaces will equal 35 percent of the total seating capacity
Public conference facilities	The number of parking spaces will equal 35 percent of the total seating capacity
Operations centers, administrative offices, and facilities supporting quasi-public utilities	1 parking space per 200 square feet of floor space for administrative areas and workshop areas. 2 parking spaces at each facility, e.g., water storage tank.
Solid waste collection and transfer facilities	1 parking space for employee(s) working at solid waste site; one parking space/loading area for incoming trucks used for collection and transfer.
Structures supporting regional and community utility systems.	1 parking space for maintenance personnel.
Churches and other places of worship	The number of parking spaces will equal 35 percent of the seating capacity of the primary sanctuary at each church.
Museums	1 parking space for each two persons employed. 1 parking space for every two visitors during peak hour of visitation.
Private membership club facilities	1 parking space for every 1.5 persons as rated by the maximum capacity of the building defined by the fire code.
Community visitor centers	1 parking space for every employee, as well as 10 spaces for visitors.

TABLE 3-4
MINIMUM OFF-STREET PARKING REQUIREMENTS
PUBLIC AND COMMUNITY FACILITIES
(CONTINUED)

Other private or educational facilities accessible to the general public	1 parking space for every two persons employed. The Total parking spaces for facility users will equal 50 percent of the peak user capacity.
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Section 3-208. RC Recreation and Conservation District

- (a) Intent and Purpose of District: The purpose of this district is intended to encourage the conservation of sensitive natural resources and enhance the aesthetics of the community via the provision of community parks and other open space. The intent of this district also includes the development of recreational facilities to support outdoor recreational activities such as walking, biking, cross-country skiing, snowmobiling, and picnicking. The recreation and conservation district regulations are established to ensure compatibility with adjoining land uses, as well as accessibility to residential and commercial areas.
- (b) Permitted Uses:
All structures are limited to stick-built, manufactured or modular units.
 - (1) Outdoor public parks, pavilions, outdoor cooking and picnic facilities, and recreational equipment.
 - (2) Pedestrian, bicycle, cross-country ski, and snow machine trails.
 - (3) Outdoor courts for basketball, volleyball, tennis, and other activities.
 - (4) Hockey rinks and ice-skating facilities.
 - (5) Recreational areas for soccer, baseball, football, skateboarding, and other outdoor recreational activities.
 - (6) Historical sites and related interpretation facilities.
 - (7) Wellhead protection areas.
 - (8) Undeveloped lands.
 - (9) Primary structures will be constructed out of new materials. The moving in of old or used buildings are prohibited.
- (c) Recreation and Conservation Building Standards:
 - (1) Required building standards for all structures in the Recreation and Conservation District are presented in Part 4, of the Alpine Land Use and Development Code.
 - (2) All buildings in the Recreation and Conservation District will require a plan review of the Town Building Official – Building Inspector, the Planning & Zoning Commission, and/or their representative, prior to the issuance of a building permit.
 - (3) Recreation and Conservation structures roof style shall balance compatibility with the character of the area and snow shed considerations. Where pitched roofs are used, steeper roof pitches are preferred, but flatter pitches are permitted. Provided the engineering standards are met. The choice of roof pitch shall include consideration if and where the roof will hold or release snow and where roof drainage will occur.
- (d) Architectural Guidelines: Architectural guidelines for the Recreation and Conservation District are presented in Part 4 Development Standards.

- (e) Landscaping Requirements: At least ten (10) percent of each recreational and conservation lot will be landscaped and maintained with grasses, shrubs, and/or trees to increase the compatibility with adjoining land uses, increase the attractiveness of the residential site or complex, and enhance the general aesthetics of the community. This requirement may be satisfied within setback areas, designated easements, or any portion of the site.
- (f) Minimum Lot Area: None.
- (g) Minimum Setbacks:
- (1) Twenty-five (25) feet from adjoining properties and land uses in other zoning districts. Detached accessory buildings/structures, with a total square footage equal to or under Two Hundred (200) square feet, can have a setback of not less than five (5) feet from side property lines. Detached accessory buildings/structures, with a total square footage of over Two Hundred (200) square feet, will have a setback of not less than twenty-five (25) feet from side and rear property lines.
 - (2) Side Yards: Primary residential structures will be setback not less than fifteen (15) feet from side property lines. Detached accessory buildings/structures, equal to or under Two Hundred (200) square feet, can have a setback of not less than five (5) feet from side property lines. Detached accessory buildings/structures, with a total square footage of over Two Hundred (200) square feet, will have a setback of not less than fifteen (15) feet from side property lines.
 - (3) Rear Yard: Primary residential structures will be setback not less than twenty (20) feet from the rear property line. Detached accessory buildings/structures, equal to or under Two Hundred (200) square feet, can have a setback of not less than five (5) feet from rear property lines. Detached accessory buildings/structures, with a total square footage of over Two Hundred (200) square feet, will have a setback of not less than twenty (20) feet from rear property lines.
 - (4) Properties with less than ten thousand (10,000) square feet will be allowed to have a front yard setback of twenty (20) feet and side yard and rear yard setbacks of ten (10) feet, for primary residential structures. Detached accessory buildings/structures, equal to or under Two Hundred (200) square feet, can have a setback of not less than five (5) feet from rear property lines. Detached accessory buildings/structures, with a total square footage of over Two Hundred (200) square feet, will have a setback of not less than ten (10) feet from rear property lines.
 - (5) Any deviations from setback requirements will require a plan review and approval of a variance unless a lesser setback is identified in the recorded plat of the approved subdivision.
- (h) Maximum Building Height:
- (1) Thirty-five (35) feet.
 - (2) The height of detached accessory structures will be twenty-six (26) feet or less, this height restriction is applicable to structures that are set back from the property line of not less than twenty-five (25) feet from the side property line and not less than twenty-five (25) feet from the rear property line.
 - aa. Detached accessory structures, with a total square footage of less than Two Hundred (200) square feet and are placed within the allowable five (5) foot rear setback and five (5) foot side setback shall have a height restriction of fourteen (14) feet in height or less.
- (i) Vehicular Parking and Storage:
- (1) Off-street parking areas will consist of designated parking spaces and/or centralized parking areas within the building site. The minimum number of required off-street

parking spaces will be calculated by the Zoning Administrator based upon the criteria presented in Table 3-5.

- (2) Centralized vehicular parking areas will be designed and constructed in accordance with the vehicular parking standards outlined in Article 4.6 of the Alpine Land Use and Development Code. The parking area and/or driveways will extend from the edge of the pavement or improved road surface of any municipal street. In the event that no improved road surface exists, the parking area will extend from the edge of the municipal street right-of-way.
- (3) No unlicensed or inoperable vehicle will be permitted on any recreational or conservation area facility lot.
- (4) Shared Parking is permitted provided the Planning and Zoning Commission has reviewed and approved the written contract agreement between landowners.

TABLE 3-5 MINIMUM OFF-STREET PARKING REQUIREMENTS RECREATION AND CONSERVATION AREA FACILITIES	
<i>Type of Public or Community Facility Use</i>	<i>Standard</i>
Football, soccer, and baseball fields	The number of parking spaces will equal 35 percent of the anticipated peak number of adult recreational users and spectators during any one period.
Hockey and ice-skating rinks	The number of parking spaces will equal 35 percent of the anticipated peak number of adult recreational users and spectators during any one period.
Basketball, volleyball, and tennis courts	The number of parking spaces will equal 50 percent of the anticipated peak number of adult recreational users and spectators during any one period.
Historical sites and interpretative facilities	None
Structures supporting regional & community utility systems.	1 parking space for maintenance personnel.

- (5) Parking of any vehicle, which has a gross vehicle weight (GVW) of greater than twenty-six thousand (26,000) pounds, is prohibited along any public street; except for the following:

(aa) Vehicles temporarily parked (**less than** twenty four {24} hours) for loading or unloading passengers, materials, and merchandise.

(bb) Vehicles temporarily parked (less than twenty four {24} hours) engaged in performing a service activity on the commercial lot and/or parcel of land in which the service is being performed (less than twenty four {24} hours).

(cc) Vehicles used in association with construction or maintenance activities; this vehicle is to be parked on the commercial property that the activity is taking place on and will be removed when construction and/or the maintenance has been completed.

- (6) All overnight street parking is **prohibited**.

(j) Fencing:

- (1) Fences shall be no more than four (4) feet high between the front building line and front property line. Structural posts associated with this fencing will be situated on the interior side of the fence.

- (2) Perimeter fences along side or rear property lines shall be no more than six (6) feet high and not constructed on top of property lines. Structural posts associated with all perimeter fences will be situated on the interior side of the fence.
 - (3) Electric and barbed wire fencing is **prohibited**.
 - (4) Fencing and walls may be placed within drainage and utility easements, locates will be required by utility company. **If fencing or walls are damaged due to utility improvements, repairs, snow removal, etc., owner will accept full responsibility for any and all costs for repairs.**
 - (5) Construction fences are allowed during initial construction of a structure. It will be constructed on the property of the primary building site. The Certificate of Occupancy will not be issued until the construction fence is removed.
- (k) Accessory Uses and Buildings:
- (1) Storage buildings, tool sheds, and other structures directly associated with the operation and maintenance of community parks, recreational facilities, historic sites, and conservation areas are permitted. These uses will only be permitted on the same lot with a primary recreational structure or conservation area facility, or on an adjacent lot associated with the primary facility.
 - (2) Accessory buildings will contain no more than six hundred (600) square feet of floor area.
 - (3) Accessory buildings will not be located beyond the front line of any primary recreational structure.
- (l) Authorized Signs: Sign Standards for the “RC” Recreational and Conservation District are presented in Part 4 Development Standards, see Section 4-801 and 4-802.
- (m) Fuel Storage Tanks: Class I and Class II liquids in above ground tanks is prohibited unless temporarily stored in licensed and operative commercially used vehicles in an accumulative amount over one hundred fifty (150) gallons.
- (n) Fire Protection: All buildings that reach the maximum allowable building height for this zoning district will be required to install automatic sprinkler systems. The installation of these systems will be made in accordance with National Fire Protection Association requirements outlined in NFPA 13.

Article 3.3

NONCONFORMING USES AND STRUCTURES

Section 3-301. Nonconforming Uses

- (a) A nonconforming use may be continued on the same land lot or land parcel, as well as within the same floor area, which existed on the date when the use initially became nonconforming, subject to the conditions below.
- (b) If active and continuous operation of a nonconforming use is discontinued for a period of twelve (12) consecutive months, the structure or tract of land shall subsequently be used only for a conforming use. A stated intent to resume operations shall not affect this provision.
- (c) In the event of catastrophic loss, e.g., fire, an existing non-conforming structure may be re-established within twelve (12) months of the date the loss occurred. Any reconstruction of a structure shall be the same dimensions of the structure prior to the catastrophic loss and follow the then current version of the building codes adopted by the Town of Alpine.

Section 3-302. Nonconforming Structures

- (a) A nonconforming structure may be enlarged or expanded an accumulative amount of twenty (20) percent of the existing structure. However, no enlargement or expansion may encroach any further into setbacks than the existing structure encroaches. The cumulative total is the sum of all expansions or enlargements from the date the structure became nonconforming.
- (b) Notwithstanding the limitations stated above, expansions to buildings such as covered wheelchair ramps, lifts and handicap accessible restrooms need to meet the requirements of the Americans with Disabilities Act (ADA) shall be exempt from the twenty (20) percent limitation above.

Section 3-303. Facility Repairs

Emergency (acts of nature), ordinary repairs and maintenance of a nonconforming building shall be permitted, with the appropriate permits on file with the Planning and Zoning Commission, Town of Alpine.

PART 5 - APPEALS AND ENFORCEMENT

ARTICLE 5.1 APPEALS

Section 5-101. General

Any order or decision by the Planning & Zoning Commission or Building Official may be appealed to the Alpine Board of Adjustment. Appeals may be made by any person, private company or corporation, or public agency affected by any such order or decision.

Section 5-102. Authority and Scope of Responsibility

The authority and responsibility of the Alpine Board of Adjustment are presented in Section 1-105, Board of Adjustment, of the Alpine Land Use and Development Code.

Section 5-103. Rules for Appeal Proceedings Before Alpine Board of Adjustment

- (a) Appeals to the Alpine Board of Adjustment may be received from any person aggrieved, or by any officer, department or agency affected by any decision of the Planning & Zoning Commission or the Building Official. Such an appeal shall be made in writing on forms provided by the Zoning Administrator or Town Clerk and delivered to the Town of Alpine within ten (10) days from the date of the action being appealed. Upon receipt of notice of appeal, the Zoning Administrator shall transmit to the Alpine Planning and Zoning Commission the notice of appeal and all of the original documents or copies which represent the record of the action being appealed.
- (b) Decisions of the Alpine Board of Adjustment concerning an appeal shall be reached only after a public hearing concerning the specific appeal. The Board of Adjustment shall fix a reasonable time and place for the hearing, and shall proceed in accordance with the following rules:
 - (1) Public notice shall be given for all hearings of the Alpine Board of Adjustment. Public notice shall consist of posting a sign by the Zoning Administrator on the affected property for, at least, thirty (30) days prior to the date of the hearing and one (1) posting of a notice by the Zoning Administrator in the Alpine Town Hall for at least five (5) days prior to the hearing. Both the sign and the notice shall identify the applicant, the nature and general scope of the appeal, as well as the date, time and place of the hearing. All hearings shall be open to the public.
 - (2) Notice of the hearing will also be given to any parties of interest, including the Town Council, Town Attorney, Zoning Administrator and any attorney of record for the applicant. All parties of interest shall be permitted to be heard during all public hearings.
 - (3) Any interested party may also appear in person, or be represented by an agent or attorney, at any public hearing. After being duly sworn, the interested party may offer evidence and testimony, as well as cross-examine witnesses.
 - (4) All witnesses shall be sworn, or shall affirm their testimony, in the manner required in courts of record.
 - (5) All testimony and evidence shall be presented publicly.
 - (6) The Alpine Board of Adjustment shall keep a record of the proceedings for each matter heard. Records of the proceedings will be kept on file and copies made available to any party at cost. The record of proceedings may include documents and physical evidence considered in the case.

- (7) The Alpine Board of Adjustment shall render a written decision on each case heard within thirty (30) days of the hearing. Each decision must be supported by the rationale for its decision and based on findings of fact. The record shall also document the vote of each member for each decision and be available for public review.
- (8) A majority vote of the Alpine Board of Adjustment shall be necessary to reverse any order, requirement, decision or determination of the Planning & Zoning Commission or Building Official.
- (9) The decision of the Alpine Board of Adjustment may be reviewed by District Court pursuant to Rule 12 of the Wyoming Rules of Appellate Procedure.

ARTICLE 5.2 ENFORCEMENT

Section 5-201. Administration, Inspections, Right of Entry, and Other Powers

(a) Administration:

The Planning & Zoning Commission and Building Official are authorized to make interpretations of the Alpine Land Use and Development Code. Interpretations of the Alpine Land Use and Development Code shall conform to the general intent and purpose of this ordinance.

(b) Inspections:

The Building Official is authorized to make site and building inspections, as well as other actions that may be required to enforce the provisions of the Alpine Land Use and Development Code.

(c) Right of Entry:

(1) The Building Official may enter any building in the Town of Alpine to make an authorized property or building inspection, enforce any of the provisions of this ordinance, or inspect buildings or properties. Such actions may be taken whenever the Building Official has reasonable cause to believe there is a condition or ordinance violation which makes such building or property unsafe, dangerous, hazardous, or in conflict with any provision of the Alpine Land Use and Development Code with approval from the Planning & Zoning Commission.

(2) Building or property inspections will be made at reasonable times during **weekdays, normal business hours, unless unexpected circumstances apply and/or visits have been arranged**. When a building on a given property is occupied, the Building Official will first present proper credentials to building occupants and request entry. When existing buildings are unoccupied, the Zoning Administrator or Building Official will first make a reasonable effort to locate and contact the owner, or other person having charge or control of the building or premises, and request entry. If such entry is refused, the Building Official shall have recourse to every remedy provided by law to secure entry.

(d) Other powers:

- (1) The Planning & Zoning Commission, or representative, is also authorized to perform the following:
 - (a) Upon reasonable cause, revoke any land use or building permit, issue “Cease and Desist” orders, or take any other lawful action to ensure substantial compliance with the provisions of this ordinance.
 - (b) Issue notices and/or citations for violations of the Alpine Zoning Ordinance.

- (2) The Town of Alpine shall hold harmless the **Planning and Zoning Commission members**, Town Zoning Administrator and Building Official from all personal liability for any damage, which may accrue to any person or property, as a result of any act or omission associated with the administration and enforcement of the Alpine Land Use and Development Code. The Town Attorney, or the Government Liability Pool selected attorney, as applicable, through final determinations of such proceedings, shall defend any suit brought against the Town of Alpine, the **Planning and Zoning Commission members**, Zoning Administrator, or Building Official.

Section 5-202. Inspection and Repair

After inspection by the Building Official, all buildings or property determined to be unsafe, dangerous, hazardous, or in conflict with any of the provisions of this ordinance shall be repaired, rehabilitated, vacated, demolished, or removed in accordance with the procedure outlined in Article 4.2 of the Alpine Land Use and Development Code.

Section 5-203. Citizen Complaints

Any landowner, resident, private company, corporation, or public agency shall be allowed to file a complaint of any violation of this ordinance at the office of the Town Clerk.

- (a) The forms for citizen complaints will be made available to the general public at the Town Clerk's office.
- (b) When a complaint is received, the Zoning Administrator will, as soon as practical, place the complaint upon the agenda for the Alpine Planning & Zoning Commission.
- (c) When a complaint is received, the Zoning Administrator will also send a copy of the complaint, via certified mail, to the landowner or person, who owns and/or occupies the subject property, within ten (10) days of receipt of the complaint. The landowner or person, who owns or occupies the subject property, shall have thirty (30) days to submit a written response to the Zoning Administrator.
- (d) After receipt of the response, the Zoning Administrator and Building Official shall investigate the complaint and determine an appropriate action with direction from the Planning & Zoning Commission.
- (e) Should the Planning and Zoning Commission issue any notice concerning correction for violation of the ordinance, the landowner or person who receives any notice of violation shall have the right to appeal through the appeal process outlined in Part 4, Appeals and Enforcement, of the Alpine Land Use and Development Code.

ARTICLE 5.3 VIOLATIONS, PENALTIES, AND REMEDIES

Section 5-301. Unlawful to Violate Ordinance

It shall be unlawful for any person, private firm or corporation, or public agency to construct, alter, expand, renovate, or demolish any building or structure in violation of the Alpine Land Use and Development Code.

Section 5-302. Continuing Violations and Penalties

Any person, group, firm, or corporation whether as principle, agent, employee, or otherwise, violating, causing, or permitting the violation of the provisions of this ordinance shall be guilty of a misdemeanor, subject to a Seven Hundred and Fifty (\$750) dollar fine, such person, group, firm, or corporation shall be deemed to be guilty of a separate offense for each and every day during which any violation of this ordinance is committed, continues or results from the action or inaction of such person, group, firm, or corporation.

Section 5-303. Town Enforce through Appropriate Civil Remedy.

The Town may also enforce this ordinance through any appropriate civil remedy.

Section 5-304. Actions for Penalties or Fines.

- (a) To be brought in Corporate Name. All actions brought to recover any penalty or fine shall be brought in the corporate name of the municipality.
- (b) Disposition of Recoveries. The recoveries, when collected, shall be paid into the treasury of the municipality.

Section 5-305. Applicability of "Wyoming Administrative Procedure Act".

In all proceedings before an agency or board pursuant to the rules set forth in this article, the "Wyoming Administrative Procedure Act" shall apply. If a conflict arises between such act and the rules set forth in this article, the act shall supersede these rules.

Section 5-306. Order in Writing

- (a) The Zoning Administrator, with approval from the Planning & Zoning Commission, shall order, in writing, the remedying of any violation. The order shall be sent via certified mail. If the recipient fails to pick up the certified mail a delivery fee of **fifty (\$50.00)** dollars for Civil Service Fee of the Officer will be assessed for each violation letter.
- (b) After any order has been served, no work shall proceed on any structure, or tract of land, covered by such an order except to correct the violation, or comply with the order.

Section 5-307. Ordinance Enforceable in Addition to Other Remedies

The Alpine Land Use and Development Code shall be enforceable in addition to the other remedies provided by law, by injunction, mandamus, or proceedings in abatement.

PART 6 – RULES OF INTERPRETATION AND DEFINITIONS

ARTICLE 6.1 RULES OF INTERPRETATION

Some of the words, phrases, and terms used in the Alpine Land Use and Development Code have specific meanings that are defined within Article 6.2. Words, phrases, and terms not defined in the Land Use and Development Code shall be given their usual and customary meanings except where the context clearly indicates a different meaning.

The word “shall” requires mandatory action. The words “may” and “should” are discretionary.

Within the Land Use and Development Code, various sections identified as “Intent” are provided as an official statement of legislative purpose. These sections are intended as a guide to the administration and interpretation of the Land Use and Development Code. However, they are not binding standards.

ARTICLE 6.2 DEFINITIONS

General Comments:

The code user should be familiar with the terms in this section because:

1. The definitions are essential to the correct interpretation of the International Building Code (IBC) and/or International Residential Code (IRC);
2. The user might not be aware that a particular term encountered in the text has the special definition found herein; and
3. Terms not defined: Where terms are not defined through the methods authorized by the section, such terms shall have ordinarily accepted meanings such as the context implies.

Words with specific defined meanings are as follows:

Accessory Building/Structure. A detached building/structure located on a parcel of land that is used to support the primary use of a principal building, located on the same lot as the primary structure/building.

Accessory Use. A secondary use of a parcel of land that is secondary to the primary use of the property.

Alley. A public thoroughfare which affords only a secondary means of access to an abutting property.

Ambulance Station. A structure or facility for storage of ambulance vehicles and their medical equipment are stationed, as well as working, living and sleeping space for their staff/crew, including a kitchen and showers, while they are on duty (transient).

Apartment. A dwelling unit within a multi-unit residential facility.

Appliance. A device or apparatus that is manufactured and designed to utilize energy and for which this code provides specific requirements.

Attach. To make fast; permanently fixed.

Attached/Attachment. To make fast, permanently fixed; must have contiguous foundation wall; can include a covered walkway. Roof of addition and/or walkway, must be attached to the principal building.

Authorized Representative. An individual appointed by the Town Council to enforce the provisions of the International Building Code (IBC), International Residential Code (IRC), International Mechanical Code (UMC), International Plumbing Code (UPC), National Electric Code, and the Alpine Zoning Ordinance.

Banners. Signs that are made out of a fabric weight or material that indicates temporary activities or welcomes.

Bed-and-Breakfast Operation. An owner-occupied single-family dwelling with a maximum of five (5) guest bedrooms within the dwelling. Guest bedrooms used to provide short-term overnight accommodations are rented for periods less than thirty (30) days. Only breakfast meals are served to guests of the bed-and-breakfast operation.

Breezeway. A roofed, often open passage connecting two buildings (as a house or garage) or halves of a building.

Building. Any permanent structure built for the shelter or enclosure of persons, animals, chattels, or property of any kind.

Building Eave Projections and/or Overhangs: The eaves are the edges of the roof which overhang the face of a wall and normally project beyond the side of a building

Building Envelope: The building envelope includes all the building components that separate the indoors from the outdoors as to the perimeter of the building itself; specific to placement of structure on lot within setback parameters and lot lines.

Building, Principal. A building which represents the primary use of a property.

Carport. A roofed, wall-less shed, usually projecting from the side of a building, used as a shelter for an automobile.

Commercial Frontage. Is the full length of a plot of land or a building measured alongside the road on to which the plot or building fronts. In the case of contiguous buildings, individual frontages are usually measured to the middle of any party wall.

Community Land Use Plan Map. An illustration that depicts a general community vision regarding the type and location of various land uses in Alpine. This map is presented as Figure 8-4 within the Alpine Municipal Master Plan report dated October 25, 2006.

Conceptual Site Plan. An illustration of a general land use development concept for one or more parcels of land which provides an identified map scale, identifies the boundaries of project development site, and locates all proposed buildings and other land uses, vehicular parking areas and access to the project development site, utility distribution systems, and primary site development features.

Condominium. A living unit in a multi-unit residential facility that is owned in fee simple. The use of the living unit, as well as shared common space areas and facilities, are subject to covenants, conditions, and restrictions that are enforced by a homeowner's association.

Construction Fences. A temporary fence constructed to preserve the safety of the building site during construction of a building.

Copyright. The exclusive legal right that protects original works of authorship as soon as an author fixes the work in a tangible form of expression, whether by print, publication, film or recorded/recording of materials. (Example: © **ALL RIGHTS RESERVED**).

Copyright is a type of intellectual property that protects original works of authorship as soon as an author fixes the work in a tangible form of expression.

Deck. An exterior floor supported on at least two (2) opposing sides by an adjacent structure, and/or posts, piers or other independent supports. Decks with heights of thirty (30) inches or greater need guard rails.

Drainage. The process by which water or other liquids flow away into pipes or into the ground. Such as: Final Grade shall be sloped away from the structure.

Development Fee. Total of all costs incurred from initiation to implementation of a project.

Driveway. A private road connecting a house, garage, or other building with the street.

Due Dilligence: The investigation or exercise of care that a reasonable business or person is normally expected to take **BEFORE** entering into an agreement or contract with another party or an act with a certain standard of care, i.e. vetting issues thoughtfully and carefully.

Dwelling. Any building that contains one or two dwelling units, used, intended, or designed to be built, used, rented, leased, let or hired out to be occupied, or that are occupied for living purposes.

Dwelling, Single-Family. A residential structure limited to a stick-built home, manufactured home, modular home, or factory-built home, which is physically arranged to create an independent housekeeping establishment for occupancy by one (1) family or one (1) household. The structure is characterized by separate facilities for wastewater disposal, cooking and sleeping.

Dwelling Multi-Unit. A residential building occupied by two (2) or more families or households living independently of each other.

Dwelling Unit. A single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

E-Mail. A system for sending and receiving messages electronically over a computer network.

Easement: An agreed upon use of land, usually of record, by someone other than the landowner for a specific purpose (i.e. utilities).

Emergency Care Facility. A physician's office, clinic, or other health care center which provides emergency medical care in conjunction with other primary care services.

Emergency Medical Facility. A freestanding emergency center or trauma center, such as hospital or any other institution licensed by the cabinet for Health and Family Services that furnishes emergency medical services.

Emergency Medical Services (EMS). Also known as ambulance services or paramedic services, are emergency services that provide urgent pre-hospital treatment and stabilization for serious illness and injuries and transport to definitive care.

Factory-built Home. Any residential dwelling that is wholly, or in substantial part, made, fabricated, formed, or assembled in manufacturing facilities for installation or assembly on a building site. Factory-built homes shall include, but not be limited to, manufactured homes, modular homes, and mobile homes.

Family Household. A single-family dwelling or multi-unit dwelling that is occupied by a family that is comprised by any number of persons related by blood, marriage, or adoption.

Floor Area. Area contained within the building measured to the external face of the external walls.

Frontage. The direction in which a building faces; the front of a building or lot; the lineal extent of this front; the land between a building and the street; body of water etc.

Front Yard. Portion of a property that is adjacent to the street frontage where the primary structure's driveway exits and enters.

Fireplace. An assembly consisting of a hearth and fire chamber of noncombustible material and provided with a chimney, for use with solid fuels.

Factory-built fireplace. A listed and labeled fireplace and chimney system composed of factory-made components and assembled in the field in accordance with manufacturer's instructions and the conditions of the listing.

Masonry chimney. A field constructed chimney composed of solid masonry units, bricks, stones or concrete.

Masonry fireplace. A field constructed fireplace composed of solid masonry unit, bricks, stone or concrete.

Fire Station. A structure or facility for storage of firefighting vehicles and equipment are stationed, as well as working, living and sleeping space for their staff/crew, including a kitchen and showers, while they are on duty (transient). Also called firehouse or fire hall.

Full-Time Employees. Full-time employees are those employees working forty (40) hours or more per week, or those individuals that have been deemed by the Governing Body as full-time employees.

Governing Body. The Alpine Town Council.

Grade. The average finished ground elevation around a building.

Gross Floor Area. The total floor area contained within the building measured to the external face of the external walls.

Gross Internal Area. The floor area contained within the building measured to the internal face of the external walls.

Guard. A building component or a system of building components located at or near the open side of elevated walking surfaces that minimizes the possibility of a fall from the walking surface to a lower level.

Habitable Space. A space in a building for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas are not considered habitable spaces.

Handrail. A horizontal or sloping rail intended for grasping by the hand for guidance or support.

Hardship: A condition that is difficult to endure and can be proven, i.e. especially financial/economic.

Height of Buildings. The vertical distance from the average finished ground elevation that adjoins a building at all exterior walls. Where the finished ground elevation slopes away from the exterior walls, a grade plane will be established by the lowest points within the area between the building and the lot line. Where the lot line is more than six (6) feet from the building, a grade plane will be established between the structure and a point six (6) feet from the building.

Historical Buildings. Buildings that are listed in or eligible for listing in the National Register of Historic Places or designated as historical under an appropriate state or local law.

Home Occupation. A professional, technical or retail service operated by the occupants of a single-family residence and not more than two (2) non-household employees. However, such enterprises will generate limited vehicular traffic and vehicular parking along residential streets, as well as limited noise within residential neighborhoods.

Hotel. Any building containing six (6) or more guest rooms used to provide short-term overnight accommodations, which are rented, for less than thirty (30) days. This facility may also include commercial food preparation and dining facilities, as well as other onsite amenities.

Household. A household consists of all the people who occupy a single-family or multi-unit dwelling but does not include more than three (3) persons who are not related by blood or marriage.

Impact Fee. A fee imposed on a new or proposed development project to pay for all or a portion of the costs of providing public services to the new development.

Impervious: A hard surface that does NOT let runoff/water soak into the ground or greatly reduces the amount of runoff/water that soaks into the ground.

Irregular Lot. Not even or balanced in shape or arrangement; contrary to the rules or to that which is normal or established. Such as: lots with multiple street frontages.

Jurisdiction: The governmental unit that adopts and enforces all codes, including but not limited to the IBC, IRC, IFC, IMC and the IPC of the “Jurisdiction”.

Kitchen. Kitchen shall mean an area used, or designated to be used, for the preparation of food and shall contain permanent provisions for the cooking, storage and preparation of food consisting of a sink, refrigerator oven and/or a cook top.

Landscaping. To improve the appearance, the process of making a yard or other piece of land more attractive by altering and/or adding ornamental features, the planting of trees, shrubs grass or other ornamental vegetation.

Land Use Plan Map. The definition of land use plan map is synonymous with the definition for “community land use plan map”.

Live Loads. Those loads produced by the use and occupancy of the building or other structure and do not include constructions or environmental loads such as wind load, snow load, rain load, earthquake load, flood load or dead load.

Loads. Forces or other actions that result from the weight of building materials, occupants and their possessions, environmental effects, differential movement and restrained dimensional changes

Lot. A parcel of land within the Town of Alpine which may be vacant, occupied by a building or a group of buildings, as well as contain utility systems and/or accessory buildings.

Lot Area. The total land area contained within a parcel of land.

Maintenance. The cleaning, painting, repair of a building, or the replacement of defective materials and fixed equipment within a building, in a manner that does not alter the basic design of the structure.

Manufactured Home. A single-family dwelling structure which:

- (a) Is partially or entirely manufactured in an offsite factory facility.
- (b) Will adhere to the building standards outlined in Part 4, Section 4-502 of the Alpine Land Use and Development Code.

Master Plan: The Towns comprehensive project plan that define project scope, cost, planning, activities and resources. Reflects a vision set in the early stages of a project and moves everyone in the same direction.

Mean Roof Height. The average of the roof eave height and the height to the highest point on the roof surface.

Membership Club. A private group of people organized in association with a national, state, or local non-profit organization.

Mobile Home. A single-family dwelling that does not meet the definition of a manufactured home of this ordinance, and has the following characteristics:

- (a) It is designed for long or short-term occupancy; and

- (b) It contains sleeping accommodations, a flush toilet, a tub or shower bath, and kitchen facilities; and
- (c) It contains plumbing and electrical connections to local utility systems; and
- (d) It is designed to be transported after fabrication, on its own wheels, a flatbed truck or other trailers, or on detachable wheels; and
- (e) It arrives at the building site where it is to be occupied as a complete unit and is ready for occupancy except for minor and incidental unpacking and assembly operations, installed on foundation supports or jacks, underpinned, and connected to utilities.

Modular Home. A residential dwelling, which:

- (a) Is constructed in a factory in accordance with the most current version of the International Building Code.
- (b) Will adhere to the building standards outlined in Section 4-503 of the Alpine Land Use and Development Code.

Motel. Any building or complex containing six (6) or more guestrooms used to provide short-term overnight accommodations, which are rented, for usually less than thirty (30) days.

Multi-Unit Complex. A residential development that includes a group of multi-unit residential facilities that are owned by one landowner.

Multi-Unit Residential Facility. A group of dwelling units within one building that contains separate living units for three or more families who may share supporting services and facilities.

Nonconforming Building/Structure. An existing structure which, on the effective date of this ordinance, does not comply with the provision of this ordinance for the zoning district where the building is located.

Nonconforming Sign. All signs in existence before the effective date of this ordinance.

Nonconforming Use. A legal use of land which, on the effective date of this ordinance, does not conform to the permitted uses established for the zoning district where the existing land use is located.

Nonfamily Household. A nonfamily household consists of a householder living alone (a one {1} person household) or where the householder shares the home exclusively with not more than three (3) persons to whom he or she is not related.

Occupied. The use of a developed property for one (1) or more purposes.

Parapet. A low wall or railing to protect the edge of a platform, roof or bridge.

Pavement Structures. The implementation of a sub-base, base and surface material, to accommodate the needs of traffic and load bearings.

Permanent Foundation. A system of supports, including piers, either partially or entirely below grade which is:

- (a) Capable of transferring all design loads imposed by or upon the structure into soil or bedrock without failure;
- (b) Placed at an adequate depth below grade to prevent frost damage;
- (c) Constructed of concrete, metal, treated lumber or wood, or grouted masonry; and
- (d) In accordance with manufacturer specifications and applicable sections of the International Building Code (IBC).

Pervious. A surface that allows for the penetration of runoff/water through the surface and into underlying soils.

Planned Unit Development. A development of one (1) or more parcels of land that is planned and developed as a single development project and/or programmed for development over a series of incremental development stages. This development approach integrates site development considerations for proposed land uses, vehicular access, parking and circulation, supporting utility systems, landscaping, site constraints and development opportunities, and zoning requirements.

Plot Plan. An illustration depicting a proposed land use which shall be prepared to a defined map scale, identifies the general location of the project site, project development site boundaries, locates the proposed vehicular access to the project development site, as well as identifies and locates proposed land uses.

Pole Barn. Structure/Building built for animal shelter, equipment and/or storage of open at the sides and/or ends.

Primary Structure. The structure from which the principal use of a property is conducted.

Project Stipulations. Potential requirements which may accompany decisions by the Alpine Planning and Zoning Commission, Board of Adjustment, and Alpine Town Council concerning proposed planned unit developments, zone changes, and variances.

Public Way. Any street, alley or other parcel of land open to the outside air leading to a public street, which has been deeded, dedicated or otherwise permanently appropriated to the public for public use.

Ramp. A walking surface that has a running slope steeper than one unit vertical in twenty (20) units horizontal (five {5} percent slope).

Rear Yard. Portion of a property that is opposite the front yard.

Remodel. Change the structure or form of (something, especially a building).

Renovate. To renew; to revamp something to make it look new again.

Reproduce. To produce again, to cause to exist again or anew.

Right-Of-Way. Establishes use of property for town matters without conferring ownership (i.e. snow storage, utilities, fire access) including, but not limited to.

Road Grade. Grade is the rate of change of the vertical alignment, at the center of the road.

RV (Recreational Vehicle). A vehicle, such as a Class A, B, or C RV, a RV Folding Trailer, RV Travel Trailer, Fifth Wheel Travel Trailer, or a truck camper mounted or un-mounted inside of a truck bed, primarily used for leisure activities, traveling and recreational activities.

Sandwich Board. Signboard consisting of two (2) hinged boards that hang and/or sit front and back from the shoulders of a walker and/or are placed on the ground, that are used to display advertisements.

Setback. The areas measured from the property line to any structure, within which building is prohibited, but which may include driveway area (s) as designated (i.e. the distance a building or impervious surface must be from all of the boundary lines).

Shed. A structure/building for storage.

Side Yard. Portion of a property that runs perpendicular to the front and side yards.

Silt Fence. Temporary sediment control device typically used in combination with sediment basins and sediment traps, as well as erosion controls, which are designed to retain sediment in place where soil is being disturbed by construction processes. A typical fence consists of a piece of synthetic filter fabric stretched between a series of wooden or metal stakes.

Single Family Dwelling Unit. One (1) family or non-family household occupies the single-family dwelling unit; limited to stick-built homes, manufactured homes and modular homes. However, owners may provide room and board for up to three (3) persons who are not related by blood or marriage; provided no separate kitchen is provided.

Site Plan. An illustration or construction document submitted with the application for *permit* depicting a proposed land use which shall be prepared to a defined map scale, identifies the general location of the project site, project development site boundaries showing the size and location of new construction and/or existing structures, utilities, snow storage, proposed vehicular access to the project development site, as well as identifies and locates the proposed land uses.

Snow Fence. A temporary fence to prevent blowing and drifting snow.

Stair. A change in elevation, consisting of one or more risers.

Storage Building. A detached building located on a parcel of land that is used to support the primary use of a principal building, located on the same lot as the primary structure/building.

Street. A public or private transportation facility which affords public access to adjacent properties and/or other parts of the community.

Street – Right of Way. The legal right established by usage or grant, to pass along a specific route through grounds or property belonging to another.

Structure. A new, extended, expanded, or renovated building constructed on a property.

- (a) Permanent: A structure fixed to the ground by any of the various types of foundations, slabs, piers, poles, or other means allowed by building codes.
- (b) Temporary: A type of building, tent and/or greenhouse that is used for a limited period of time – this could be for an event, or a warehouse needed to store seasonal stock for a retail shop.

Townhome: An attached single-family home that has a common wall with an adjacent single-family home. This type of housing is sometimes referred to as a duplex or twinhome.

Townhouse: A single-family dwelling unit constructed in a group of three or more attached units in which each unit extends from foundation to roof with open space on at least two sides.

Transient. Occupancy of a dwelling unit or facility with 10 or fewer occupants staying or working in a place for only a short period of time, time not to exceed five (5) consecutive days.

Utility Systems. Means any of the following: A system for the treatment or supply of water. A system for the collection or treatment of wastewater. A system for the generation or supply of steam, hot water, and chilled water. A system for the supply of natural gas. A system for the transmission of telecommunications.

Use. The purpose for which a parcel of land or building is utilized.

Vehicular Parking Area. An off-street area containing a paved surface designated parking stall, and appropriate signage for the parking of motor vehicles.

Violations: The act of doing something that is not allowed by a law/ordinance, or code.

Wall.

- (a) Retaining. A wall not laterally supported at the top, that resists lateral soil load and other imposed loads.
- (b) Load bearing. A wall supporting any vertical load in addition to its own weight.
- (c) Nonbearing. A wall which does not support vertical loads other than its own weight.

Water-Resistive Barrier. A material behind an exterior wall covering that is intended to resist liquid water that has penetrated behind the exterior covering from further intruding into the exterior wall assembly.

Xeriscaping. A landscaping method that makes routing irrigation unnecessary. It uses drought-adaptable and low-water plants as well as soil amendments such as compost and mulches to reduce evaporation.

Yard, Front, Side, or Rear. Required open space area on an occupied lot which is defined via minimum setback requirements from property lines.

Zoning Administrator. A person who is an authorized individual (and/or their representative) to manage the practices, policies and regulations of the operations of the Zoning Commission.

Zoning District. A land use zoning designation for selected geographical areas within the Town of Alpine.