

## **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 will be transmitted to applicants in writing. Approvals may contain specific stipulations or conditions which modify the original application. Denials of any application will be accompanied with documentation of the rationale used by the Alpine Planning and Zoning Commission, Alpine Board of Adjustments, and/or the Alpine Town Council to make its determination.

- (f) Any construction activity will be subject to inspections by the Town of Alpine Building Official, or its designated representative, until the Certificate of Occupancy or Certificate of Completion has been issued.
- (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 will accompany the permit application.
- (j) Upon inspection and final approval of all construction that is authorized via municipal building permits, the Town of Alpine will issue a Certificate of Occupancy to the owner(s).
- (k) No new building will be used or occupied until a Certificate of Occupancy and/or a Temporary Certificate of Occupancy has been issued by the Town of Alpine.

**TABLE 2-1  
LAND USE DEVELOPMENT APPLICATION REQUIREMENTS  
TOWN OF ALPINE**

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

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

<i>Land Use Permit</i>	<i>Information Accompanying Application Form</i>	<i>Public Hearing</i>	<i>Notice Prior to Public Hearing</i>	<i>Decision Process</i>	<i>Appeals</i>
Special Use Permit	Plot plan, description and rationale for deviation from ordinance, provide location, function and characteristics of the proposed use.	Planning and Zoning Commission	30 days	Planning and Zoning Commission to make recommendation to Town Council for final action	Town Council

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

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

- (a) The development review process will generally involve the Town of Alpine’s consideration and evaluation of, at least, the following issues:
  - (1) Consistency of proposed land uses with the community land use plan map contained in the Alpine Municipal Master Plan.
  - (2) Consistency of proposed land uses to 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 will request, at least, the following information:
  - (1) Name, address, telephone number, e-mail address, and fax number of the applicant.
  - (2) Proposed changes in land use plan map designations.
  - (3) Rationale for the proposed land use amendment.
  - (4) A scaled illustration depicting the location of the proposed land use amendment.
- (c) The Zoning Administrator will evaluate the merits, disadvantages, and potential impacts of the proposed land use amendment upon community residents, municipal infrastructure, community land use relationships, and the economy of Alpine. Subsequently, the Zoning Administrator will prepare and transmit a documented staff report containing these analyses and related recommendations to the Alpine Planning and Zoning Commission.
- (d) The Zoning Administrator will as soon as practical, place the proposed land use amendment upon the agenda of the Alpine Planning and Zoning Commission.
- (e) Before any decision is reached by the Alpine Planning and Zoning Commission.
  - (1) ~~The Zoning Administrator will post a copy of the proposed land use amendment upon the property where the zone change is requested. This public notice will be made, at least, thirty (30) days before the proposed land use amendment is considered publicly by the Alpine Planning and Zoning Commission.~~

The Zoning Administrator shall provide an official notice sign, and the landowner(s)/applicant(s) shall post the notice on the property where the proposed land use amendment is requested. The notice shall be no less than 18" x 24", placed on material visible from the property line. This public notice will be made at least thirty (30) days before the proposed land use amendment is considered publicly by the Alpine Planning and Zoning Commission. The landowner(s)/applicant(s) shall be responsible for all costs associated with producing and posting the notice and shall submit an **Affidavit of Public Notice** to the Town as verification.

**LEGEND:**



- (2) ~~The Zoning Administrator will 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 Zoning Administrator shall provide an official written notice to the owner(s)/applicant(s). The owner(s)/applicant(s) shall provide that notice to all owners of property within five hundred (500) feet of the property or properties under consideration for a land use amendment. Notice shall be received at least thirty (30) days' notice of the public hearing. The applicant shall be responsible for paying all costs associated with this notice and supplying the list of property owners notified, and for submitting an **Affidavit of Mailings** to the Town as verification.

- (3) ~~The Alpine Planning and Zoning Commission will 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 will be advertised in one (1) newspaper of general circulation throughout Lincoln County. Public comments received during the meeting will be documented for subsequent reference during the land use plan amendment process.~~

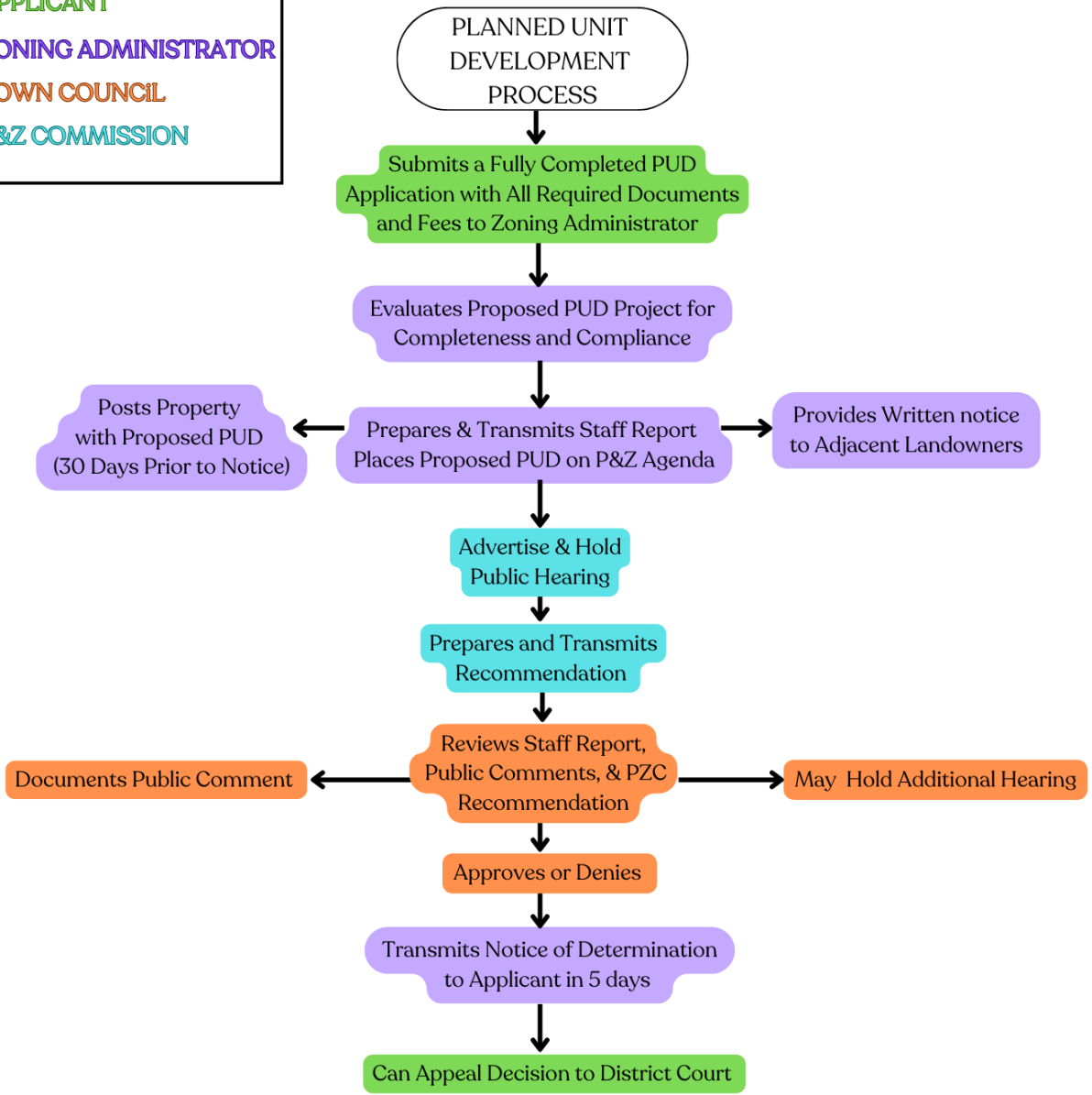
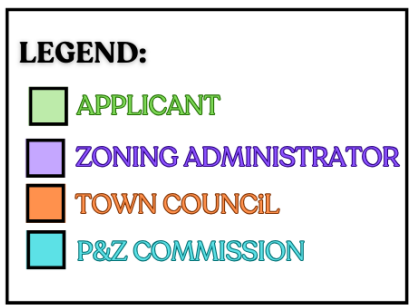
The Alpine Planning and Zoning Commission shall hold one (1) public hearing at a public facility within the Town of Alpine. The Planning and Zoning Administrator shall provide official notice to the owner(s)/applicant(s). Town residents and the general public shall receive at least thirty (30) days' 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. The applicant shall be responsible for placing and paying for the advertisement of this notice and shall submit an **Affidavit of Published Public Notice** to the Town as verification.

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

#### **Section 2-204. Planned Unit Development Process**

- (a) The purpose of the planned unit development process (Figure 2-2) is to:

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



## PLANNED UNIT DEVELOPMENT PROCESS

Figure 2-2



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

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

The Zoning Administrator shall provide an official notice sign, and the landowner(s)/applicant(s) shall post the notice on the property where the proposed Planned Unit Development is requested. The notice shall be no less than 18" x 24", placed on material visible from the property line. This public notice will be made at least thirty (30) days before the proposed planned unit development is considered publicly by the Alpine Planning and Zoning Commission. The landowner(s)/applicant(s) shall be responsible for all costs associated with producing and posting the notice and shall submit an **Affidavit of Public Notice** to the Town as verification.

- (2) ~~The Zoning Administrator will 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 will be considered by the Alpine Planning and Zoning Commission.~~

The Zoning Administrator shall provide an official written notice to the owner(s)/applicant(s). The owner(s)/applicant(s) shall provide that notice to all owners of property within five hundred (500) feet of the property or properties under consideration for a Planned Unit Development. The applicant shall be responsible for paying all costs associated with this notice and supplying the list of property owners notified, and for submitting an **Affidavit of Mailings** to the Town as verification.

- (3) ~~The Alpine Planning and Zoning Commission will 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 will be advertised in one (1) newspaper of general circulation throughout Lincoln County. Public comments received during the meeting will be documented for subsequent reference during the zone change process.~~

The Alpine Planning and Zoning Commission shall hold one (1) public hearing at a public facility within the Town of Alpine. The Planning and Zoning Administrator shall provide official notice to the owner(s)/applicant(s). 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 planned unit development process. The applicant shall be responsible for placing and paying for the advertisement of this notice and shall submit an **Affidavit of Published Public Notice** to the Town as verification.

- (h) Upon consideration of a staff report from the Zoning Administrator, and public comment, the Alpine Planning and Zoning Commission will make a written recommendation to the Alpine Town Council. The recommendation will state the rationale for its decision. When necessary, the recommendation from the Alpine Planning and Zoning Commission may include project stipulations that may be imposed to mitigate potential impacts upon neighboring properties and the general community.
- (i) The Town Council will review the staff report from the Zoning Administrator, for public comments, and the recommendation of the Alpine Planning and Zoning Commission. In the course of its review, the Town Council may hold an additional public hearing to provide an expanded opportunity for public comment.
- (j) The Town Council will approve, approve with conditions, or 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 the desired information is obtained and reviewed by the Town Council.

- (k) The Zoning Administrator will issue a written notice of determination to the applicant within five (5) business days of the decision of the Town Council. The notice will indicate the decision made and, when appropriate, stipulations that may accompany the approval of a specific application.
- (l) No statement of covenants and restrictions will 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 will request at least the following information:
  - (1) Name, address, telephone number, e-mail address, and fax number of the applicant.
  - (2) When the applicant is not the landowner, the applicant will furnish a written notarized letter from the landowner which authorizes the application and endorses the proposed zone change.
  - (3) Name, address, telephone number and e-mail address of the person or company responsible for preparation of the conceptual site plan supporting the application.
  - (4) Legal description and total land area of the lands proposed for a zone change.
- (d) Applicants will also provide the following additional information, which will supplement a completed application form.
  - (1) Location map of the lots or land parcels being considered for a zone change.
  - (2) A conceptual site plan of the proposed land use development concept.
  - (3) A development schedule for proposed land use.
  - (4) A description of how the zone changes will impact the surrounding area.
- (e) The Zoning Administrator, or his or her authorized representative, will make a careful plan review of the proposed zone change and related land use development proposal. The Zoning Administrator, or his or her authorized representative, will evaluate the merits, disadvantages, and potential impacts of the proposed zone change upon adjoining land uses, municipal infrastructure, public health and safety, and community land use relationships. Subsequently, the Zoning Administrator will prepare and transmit a documented staff report containing these analyses and related recommendations to the Alpine Planning and Zoning Commission.

(f) The Zoning Administrator will, as soon as practical, place the proposed zone change application on the agenda of the Alpine Planning and Zoning Commission.

(g) Before any decision is reached by the Alpine Planning and Zoning Commission:

- (1) ~~The Zoning Administrator will post a copy of the proposed zone change upon the property where the zone change is requested. This public notice will be made, at least thirty (30) days before the zone change is considered publicly by the Alpine Planning and Zoning Commission.~~

The Zoning Administrator shall provide an official notice sign, and the landowner(s)/applicant(s) shall post the notice on the property where the proposed land use amendment is requested. The notice shall be no less than 18" x 24", placed on material visible from the property line. This public notice will be made at least thirty (30) days before the proposed zone change is considered publicly by the Alpine Planning and Zoning Commission. The landowner(s)/applicant(s) shall be responsible for all costs associated with producing and posting the notice and shall submit an **Affidavit of Public Notice** to the Town as verification.

- (2) ~~The Zoning Administrator will 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 will also include the date, time and place when the proposed planned unit development will be considered by the Alpine Planning and Zoning Commission.~~

The Zoning Administrator shall provide an official written notice to the owner(s)/applicant(s). The owner(s)/applicant(s) shall provide that notice to all owners of property within five hundred (500) feet of the property or properties under consideration for a zone change. Notice shall be received at least thirty (30) days' notice of the public hearing. The applicant shall be responsible for paying all costs associated with this notice and supplying the list of property owners notified, and for submitting an **Affidavit of Mailings** to the Town as verification.

- (3) ~~Commission will 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 will be advertised in one (1) newspaper of general circulation throughout Lincoln County. Public comments received during the meeting will be documented for subsequent reference during the zone change process.~~

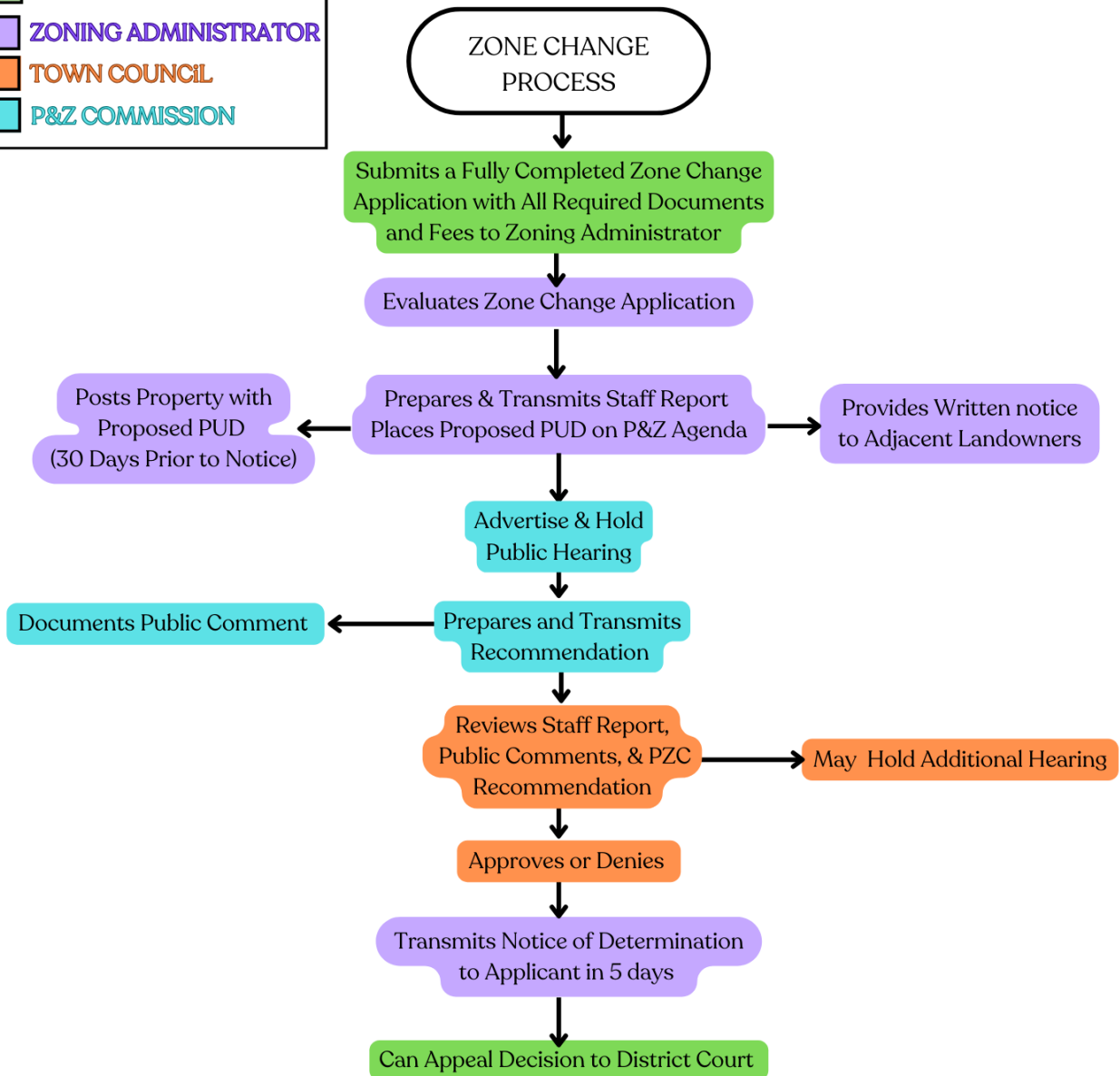
The Alpine Planning and Zoning Commission shall hold one (1) public hearing at a public facility within the Town of Alpine. The Planning and Zoning Administrator shall provide official notice to the owner(s)/applicant(s). Town residents and the general public shall receive at least thirty (30) days' 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. The applicant shall be responsible for placing and paying for the advertisement of this notice and shall submit an **Affidavit of Published Public Notice** to the Town as verification.

(h) Upon consideration of a staff report from the Zoning Administrator for public comment, the Alpine Planning and Zoning Commission will make a written recommendation to the Alpine Town Council. The recommendation will state the rationale for its decision. When necessary, the recommendation from the Alpine Planning and Zoning Commission may include project stipulations or conditions that may be imposed to mitigate potential impacts upon neighboring properties and the general community.

(i) The Town Council will review the staff report from the Zoning Administrator for public comments, and the recommendation of the Alpine Planning and Zoning Commission. In the course of its review, the Town Council may hold an additional public hearing to provide an expanded opportunity for public comment.

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

**LEGEND:**



## Section 2-206. Variance Process

- (a) The purpose of the variance process (Figure 2-4) is to modify the strict application of the requirements of the Alpine Zoning Ordinance. A variance can be granted by the Alpine Board of Adjustments where it can be shown that unusual site or building characteristics, extraordinary circumstances, or other relevant factors, prevent a landowner from using a lot or land parcel for purposes permitted in the zoning district where the property is located.
- (b) Each authorized variance will apply to a specific use or structure and will continue in perpetuity regardless of future changes in land ownership.
- (c) Owners and/or prospective developers of any lots or parcels may make application for a variance in any zoning district.
- (d) Applicants must complete a variance application form that will request at least the following information:
  - (1) Name, address, telephone number, e-mail address, and fax number of the applicant.
  - (2) When the applicant is not the landowner, the applicant will furnish a written, notarized letter from the landowner, which authorizes the application and endorses the proposed variance.
  - (3) Legal description and total land area of the land and/or the total floor area of the building(s) where the proposed variance would be located.
- (e) Applicants will also provide the following additional information, which will supplement a completed application form.
  - (1) Location map of the lots or land parcels being considered for a variance.
  - (2) A plot plan of the site and buildings where the proposed variance would occur.
  - (3) The limitations in the dimensions of the lot and/or buildings under consideration that prevent the applicant from developing or pursuing the type of land uses permitted in the zoning district where the property is located.
- (f) The Zoning Administrator, or his or her authorized representative, will make a review of the proposed variance in the context of the three considerations outlined in Section 2-206 (j). This evaluation and a related recommendation will be documented and transmitted to the Alpine Board of Adjustments.
- (g) The Zoning Administrator will, as soon as practical, place the proposed variance on the agenda of the Alpine Board of Adjustments.
- (h) Before any decision is reached by the Alpine Board of Adjustments:
  - (1) ~~The Zoning Administrator will post a copy of the proposed variance upon the property where the variance is requested. This public notice will be made, at least, thirty (30) days before the proposed variance is considered publicly by the Alpine Board of Adjustments.~~

The Zoning Administrator shall provide an official notice sign, and the landowner(s)/applicant(s) shall post the notice on the property where the proposed subdivision is requested. The notice shall be no less than 18" x 24", placed on material visible from the property line. This public notice will be made at least thirty (30) days before the proposed variance is considered publicly by the Alpine Planning and Zoning Commission. The landowner(s)/applicant(s) shall be responsible for all costs associated with producing and posting the notice and shall submit an **Affidavit of Public Notice** to the Town as verification.
  - (2) ~~The Zoning Administrator will 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 will~~

~~also include the date, time and place when the proposed variance will be considered by the Alpine Board of Adjustments.~~

The Zoning Administrator shall provide an official written notice to the owner(s)/applicant(s). The owner(s)/applicant(s) shall provide that notice to all owners of property within five hundred (500) feet of the property or properties under consideration for a variance. Notice shall be received at least thirty (30) days' notice of the public hearing. The applicant shall be responsible for paying all costs associated with this notice and supplying the list of property owners notified, and for submitting an **Affidavit of Mailings** to the Town as verification.

- (3) ~~The Alpine Board of Adjustments will 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 will be advertised in one (1) newspaper of general circulation throughout Lincoln County. Public comments received during the meeting will be documented for subsequent reference during the variance process.~~

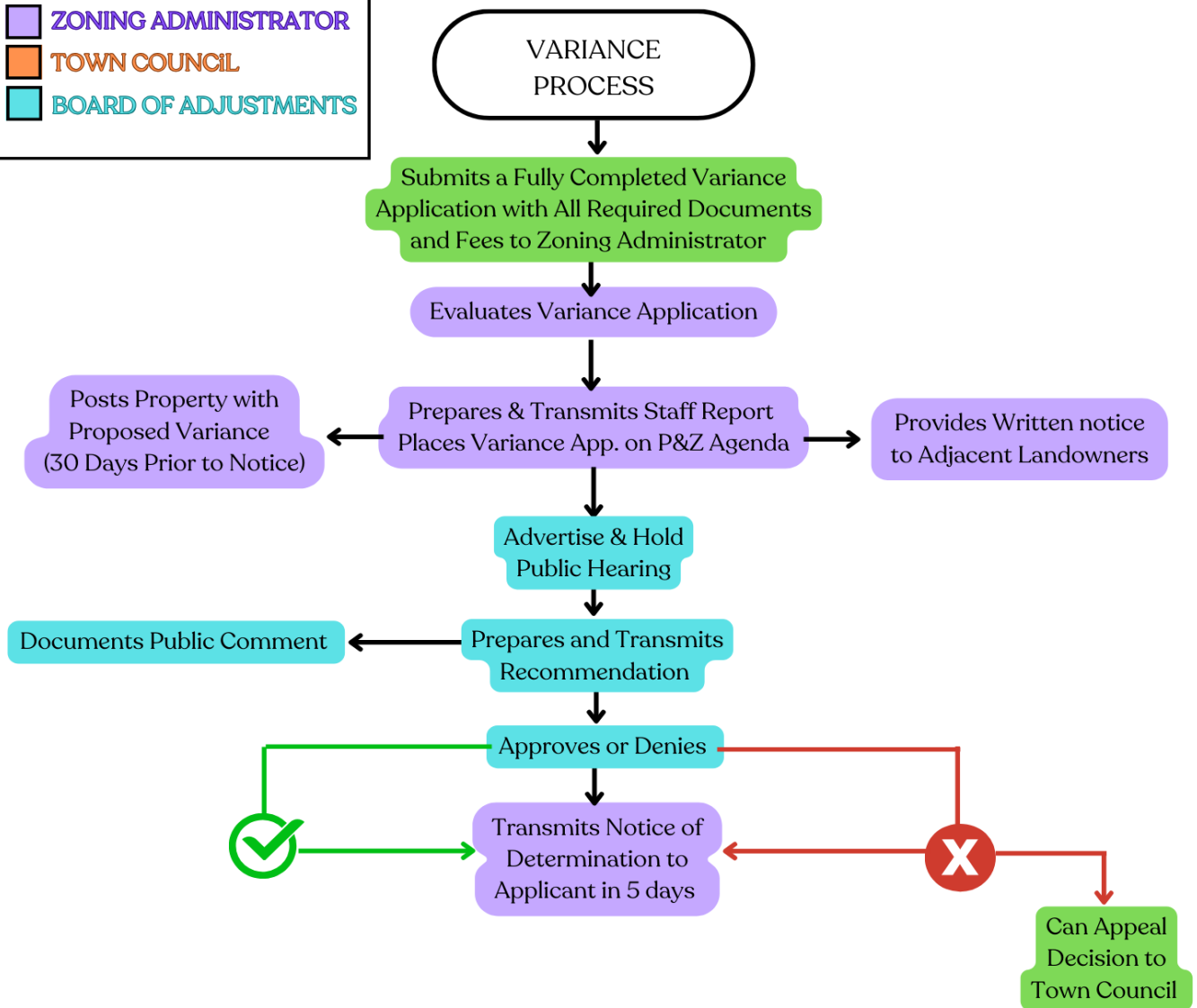
The Alpine Planning and Zoning Commission shall hold one (1) public hearing at a public facility within the Town of Alpine. The Planning and Zoning Administrator shall provide official notice to the owner(s)/applicant(s). Town residents and the general public shall receive at least thirty (30) days' notice of the public hearing. Public notice shall be advertised in one (1) newspaper of general circulation throughout Lincoln County. Public comments received during the meeting shall be documented for subsequent reference during the variance process. The applicant shall be responsible for placing and paying for the advertisement of this notice and shall submit an **Affidavit of Published Public Notice** to the Town as verification.

- (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 will make its decision concerning the variance request. Any affirmative decision may contain specific stipulations that may modify the specific variance request.
- (j) In determining whether to approve, approve with conditions, or deny a variance application, the Alpine Board of Adjustments will use and address the following considerations. No variance will be authorized unless the Alpine Board of Adjustments determines that it is pursuant to §15-1-608 of the Wyoming State Statutes, no adjustment in the strict application of any provision of an ordinance may be granted unless:
- (1) There are special circumstances or conditions, fully described in the board's findings, which are peculiar to the land or building for which the adjustment is sought and do not apply generally to land or buildings in the neighborhood, and have not resulted from any act of the applicant subsequent to the adoption of the ordinance;
  - (2) For reasons fully set forth in the board's findings, the circumstances or conditions are such that the strict application of the provisions of the ordinance would deprive the applicant of the reasonable use of the land or building, the granting of the adjustment is necessary for the reasonable use thereof and the adjustment as granted is the minimum adjustment that will accomplish this purpose;
  - (3) The granting of the adjustment is in harmony with the general purposes and intent of the ordinance and will not be injurious to the neighborhood or otherwise detrimental to the public welfare;
  - (4) The special circumstances or conditions have not resulted from any act of the applicant that was intended to circumvent the Land Use and Development Code;
- (k) A notice of determination of the Alpine Board of Adjustments will be prepared by the Zoning Administrator and transmitted to the applicant within five (5) business days of the decision of the Board of Adjustments. The notice of determination will state the rationale for approval or disapproval for the proposed variance and outline any required stipulations to any approved variance application.



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

**LEGEND:**



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

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

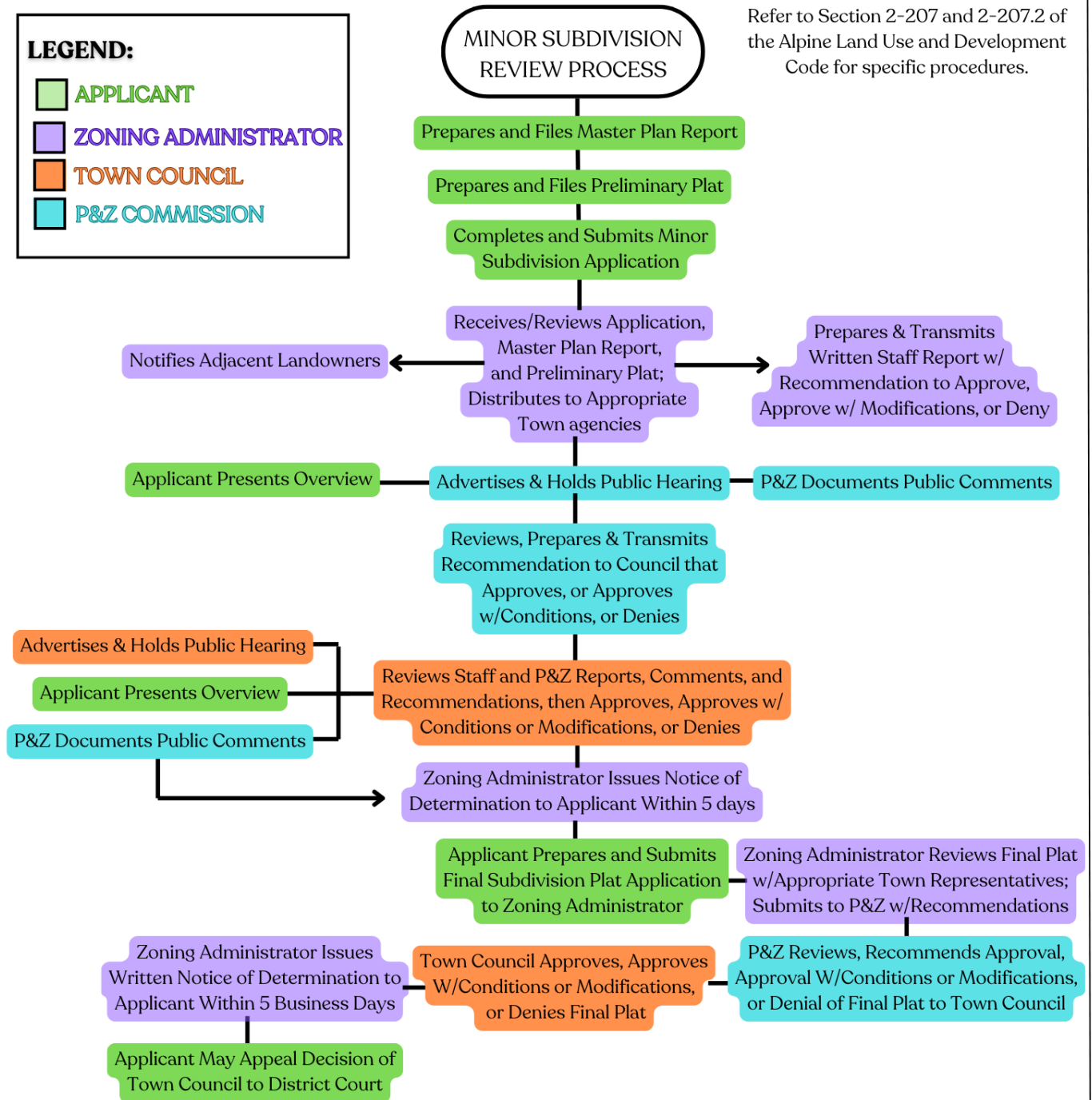
Refer to Section 2-207 and 2-207.1 of the Alpine Land Use and Development Code for specific procedures.

**LEGEND:**



**LEGEND:**

Refer to Section 2-207 and 2-207.2 of the Alpine Land Use and Development Code for specific procedures.

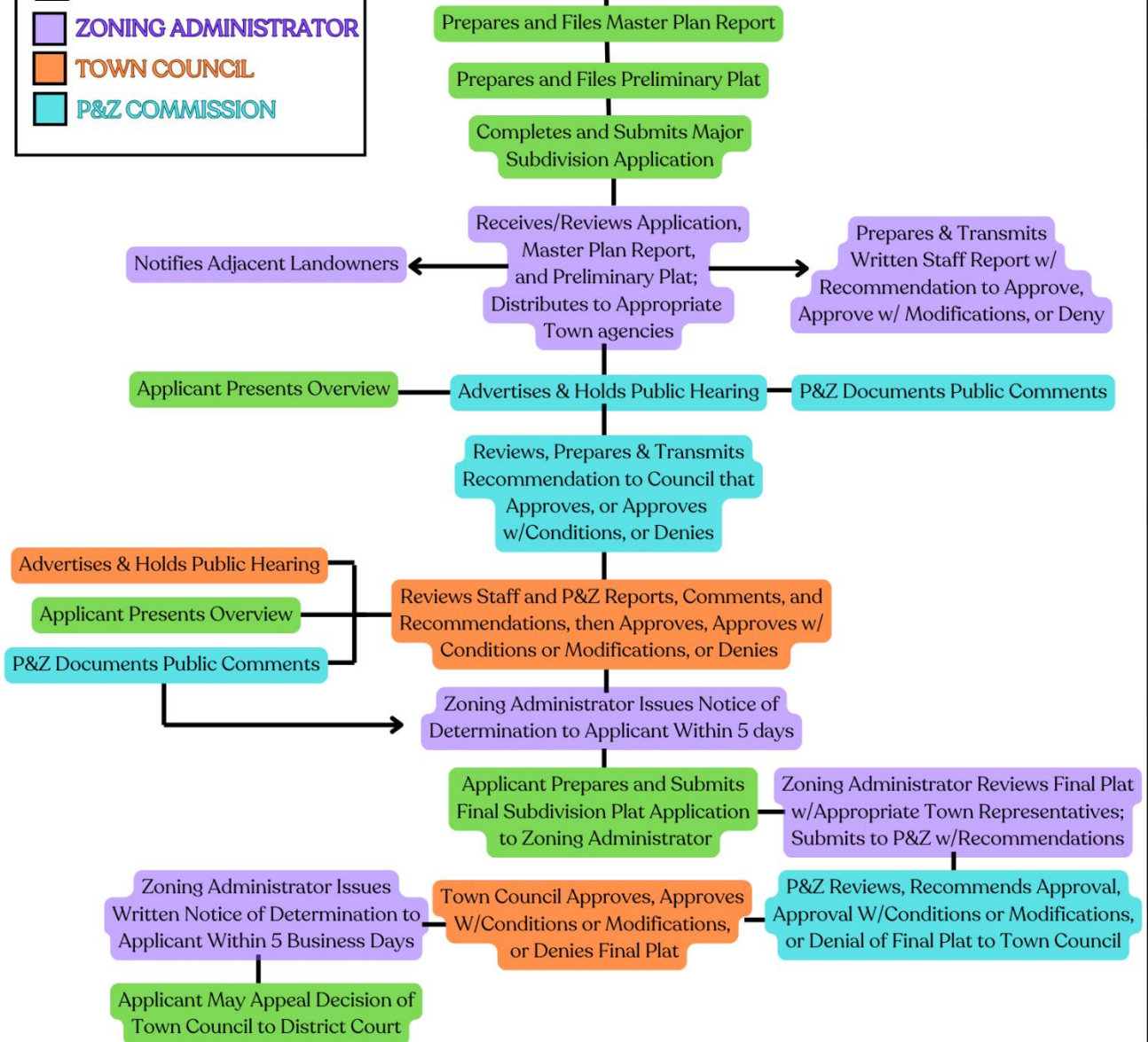


**LEGEND:**



**MAJOR SUBDIVISION  
REVIEW PROCESS**

Refer to Section 2-207 and 2-207.2 of the Alpine Land Use and Development Code for specific procedures.



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

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

The Zoning Administrator shall provide an official written notice to the owner(s)/applicant(s). The owner(s)/applicant(s) shall provide that notice to all owners of property within five hundred (500) feet of



the property or properties under consideration for a land use amendment. Notice shall be received at least thirty (30) days' notice of the public hearing. The applicant shall be responsible for paying all costs associated with this notice and supplying the list of property owners notified, and for submitting an **Affidavit of Mailings** to the Town as verification.

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

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

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



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

- (cc) Compatibility and potential impacts of the proposed subdivision and related zone change upon adjoining land uses;
  - (dd) Potential impacts of the proposed subdivision upon the Town of Alpine, e.g., municipal roads, water system, wastewater system, storm water management, and other public services; and,
  - (ee) Compatibility of the proposed subdivision with adjoining land uses.
- (2) The staff report will also recommend approval of the subdivision as proposed, approval with some possible modifications to the preliminary plat, or provide rationale for denial of the preliminary plat and, when applicable, the related re-zoning request.
- (g) **The Zoning Administrator will notify, in writing, all landowners of properties that are located within five hundred (500) feet of the proposed minor subdivision.**

The Zoning Administrator shall provide an official written notice to the owner(s)/applicant(s). The owner(s)/applicant(s) shall provide that notice to all owners of property within five hundred (500) feet of the property or properties under consideration for a subdivision. Notice shall be received at least thirty (30) days' notice of the public hearing. The applicant shall be responsible for paying all costs associated with this notice and supplying the list of property owners notified, and for submitting an **Affidavit of Mailings** to the Town as verification.

- (h) ~~A public hearing will be required during a regular or special meeting of the Planning and Zoning Commission. The time and place of the hearing will be advertised in a regional newspaper serving Star Valley, at least, thirty (30) days in advance of the hearing.~~ The Alpine Planning and Zoning Commission shall hold one (1) public hearing at a public facility within the Town of Alpine. The Planning and Zoning Administrator shall provide official notice to the owner(s)/applicant(s). 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 subdivision process. The applicant shall be responsible for placing and paying for the advertisement of this notice and shall submit an **Affidavit of Published Public Notice** to the Town as verification. During the public hearing, the applicant will provide a brief overview of the proposed subdivision and, when applicable, the related re-zoning request. Subsequently, the Alpine Planning and Zoning Commission will receive public comments concerning the proposed subdivision.
  - (i) Based upon its evaluation of the master plan, preliminary plat, review comments from municipal representatives, the staff report, and public comments, the Alpine Planning and Zoning Commission will discuss the merits, disadvantages, and potential issues associated with the proposed subdivision and, when applicable, the related re-zoning request. In the event that further information is desired by the Planning and Zoning Commission, any decision of the Planning and Zoning Commission may be tabled until members of the Planning and Zoning Commission have had sufficient opportunity to review and evaluate any new information.
  - (j) The Alpine Planning and Zoning Commission will recommend approval, approval with conditions or modifications, or denial of the proposed subdivision to the Alpine Town Council. The decision to approve or deny the preliminary subdivision plat and any related re-zoning request will be concurrent.
  - ~~(k) A public hearing will be required during a regular or special meeting of the Alpine Town Council. The time and place of the hearing will be advertised in a regional newspaper serving Star Valley, at least, thirty (30) days in advance of the hearing. During the public hearing, the applicant will provide a brief overview of the proposed subdivision. Subsequently, the Alpine Town Council will receive public comments concerning the proposed subdivision and, when applicable, the related re-zoning request.~~
  - (k) The Alpine Town Council will review and discuss comments from various municipal representatives, the recommendations of the Zoning Administrator and the recommendations of the Planning and Zoning Commission. Subsequently, the Alpine Town Council will approve, approve with conditions or modifications, or deny the preliminary subdivision plat and, when applicable, the proposed re-zoning request. In the event that further information is desired by the Town Council, any decision of the Town

Council may be tabled until members of the Town Council have had sufficient opportunity to review and evaluate any new information.

- (l) The Zoning Administrator will issue a written notice of determination to the applicant within five (5) business days of the decision of the Alpine Town Council. The notice will indicate the decision made and, when appropriate, conditions that may accompany the approval of the preliminary subdivision plat and, when applicable, related re-zoning request, or reasons why the plat and re-zoning requests were denied.
- (m) The applicant will prepare and file ~~three (3)~~ two (2) hard copies and one (1) digital copy of a final subdivision plat application, and related filing fees, with the Zoning Administrator. The final subdivision plat application will include the final subdivision plat, a signed copy of a subdivision improvement agreement, a payment of all design costs for public improvements, and performance security.
- (n) The final plat will conform to the approved preliminary plat, as well as incorporate revisions or modifications requested by the Town of Alpine. Any deviation from the approved preliminary plat will require additional review and approval by the Alpine Planning and Zoning Commission and Alpine Town Council.
- (o) The performance surety will be in an amount that reflects one hundred twenty-five (125) percent of the anticipated cost of improvements in the approved subdivision plan and will be sufficient to cover all promises and conditions contained in the subdivision improvement agreement. The issuer of any performance bond will be subject to the approval of the Alpine Town Attorney.
- (p) The Zoning Administrator will review the final plat to confirm the completeness of the final plat subdivision application and its consistency with subdivision development standards and design criteria outlined in Part 4 of the Alpine Land Use and Development Code. This review may include some additional coordination with the Alpine Public Works Director, Town Engineer, and other municipal representatives. If the final plat is determined to be complete and consistent with development standards, the Zoning Administrator will transmit a copy of the final subdivision plat application and any related recommendations to the Alpine Planning and Zoning Commission for their consideration.
- (q) The Alpine Planning and Zoning Commission will recommend approval, approval with conditions or modifications, or denial of the final subdivision plat to the Alpine Town Council.
- (r) Upon receipt of the Planning and Zoning Commission recommendation, the Alpine Town Council will approve, approve with conditions or modifications, or deny the final subdivision plat application.
- (s) The Zoning Administrator will issue a written notice of determination to the applicant within five (5) business days of the decision of the Alpine Town Council. The notice will indicate the decision made and, when appropriate, conditions that may accompany the approval of the final subdivision application, or reasons why the application was denied.
- (t) 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.
- (u) If the approved final plat is not recorded within one (1) year from the date of plat approval, or upon expiration of any time extension that may have been issued, the approval of such plat will expire. Should the applicant thereafter desire to record the final plat, a new application for a new minor subdivision will be required.

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

- (a) A Development Agreement will be required in which the developer will agree to reimburse the Town expenses for review of permitting the development and provide letters of credit of bonds where applicable.

- (b) The landowner and/or his designated representative will meet with the Zoning Administrator in a pre-application conference. The intent of this conference is to gain a mutual understanding of:
- (1) The scope of the proposed project and the applicant's specific development objectives;
  - (2) The applicant's anticipated project schedule;
  - (3) Approvals required by the Town of Alpine before any development can occur;
  - (4) The documents, plans, drawings, fees, and other materials that will be needed to process a complete subdivision application, performance surety or letter of credit, and;
  - (5) Potential issues associated with the subdivision.
- (c) Applicant will complete and file a major subdivision application form, and related filing fees, to the Zoning Administrator. The major subdivision application form will include, the name, address, telephone number and e-mail address of the owner(s) and applicant, a legal description of the property to be subdivided, a copy of the deed and easements pertaining to the property, existing zoning designations associated with the property, and the intended use of the subdivision. The owner(s) of the property, or his legal representative, will authorize the subdivision application via his or her signature on the application.
- (d) Applicant will complete and file ~~three (3)~~ two (2) hardcopies and one (1) digital copy of a master plan report for the proposed subdivision with the Zoning Administrator. The master plan will address what municipal services the subdivision intends to use, as well as the potential impact of the proposed subdivision upon the Town of Alpine and the community. The master plan, which will contain a combination of technical narrative, statistical tables, and illustrations, will address, at least, the following issues:
- (1) The purpose of the subdivision and proposed land uses.
  - (2) A development schedule for proposed land uses.
  - (3) The number of lots being created and, if applicable, the zoning designations requested for each lot, and densities associated with residential and commercial land uses.
  - (4) Suitability of soils to support future land use expansion.
  - (5) Compatibility of proposed land uses with adjacent land uses.
  - (6) When applicable, the potential need for new housing in the context of anticipated housing demands for Alpine.
  - (7) Planned water system, as well as anticipated average day and maximum day water demand.
  - (8) Planned wastewater system, as well as anticipated average daily flows.
  - (9) Planned points of access to municipal roads, Lincoln County roads, and U.S. Highway 89, anticipated average and peak day traffic volumes.
  - (10) Vehicular circulation plan.
  - (11) Planned storm water management plan and anticipated storm water flows for ten (10) year storm event.
  - (12) Snow storage areas.
  - (13) Landscaping plan.
  - (14) Planned easements and facilities to accommodate access to, or the extension of, the Town of Alpine's planned community trail system.
  - (15) When applicable, planned covenants, contracts or deed restrictions that may be associated with a common interest development.

- (e) Applicant will prepare and file ~~three (3)~~ two (2) hardcopies and one (1) digital copy of a preliminary plat with the Zoning Administrator that contains, at least, the following information:
- (1) Proposed name of subdivision, the size of property to be subdivided (in acres), and the size of the lots or parcels being created;
  - (2) Name and address of the subdivision applicant, professional engineer or professional land surveyor registered in the State of Wyoming who prepared the plat, and owners of subject property;
  - (3) Location and boundaries of the subdivision that are tied to two (2) legal survey monuments;
  - (4) Date of drawing preparation and all subsequent revisions, as well as a scale (not less than one {1} inch = two hundred {200} feet) and north arrow;
  - (5) Boundary lines of subdivision, the location and dimensions of all existing streets, alleys, trails, paths, easements, watercourses and irrigation ditches, and structures on and within two hundred (200) feet of the subdivision;
  - (6) Location of existing water distribution and wastewater collection lines on and within two hundred (200) feet of the subdivision;
  - (7) Two (2) foot contours where ground slopes are less than ten (10) percent and five (5) foot contours where ground slopes exceed ten (10) percent.
- (f) The Zoning Administrator will review the application, master plan report and preliminary plat for completeness and conformance to the procedural requirements outlined in Part 2 and Part 3 of the Alpine Land Use and Development Code. The master plan report will also be distributed to the Alpine Public Works Director, Town Engineer, Town Surveyor and Alpine Fire District for their review. These municipal representatives will provide written comments to the Zoning Administrator.
- (g) The Zoning Administrator will provide a written staff report to the Alpine Planning and Zoning Commission and Alpine Town Council.
- (1) The written staff report will confirm the completeness of the subdivision application, the receipt of required filing fees, and potential changes in zoning. Based upon comments received from the Alpine Public Works Director, Town Engineer and Alpine Fire District, this report will concurrently evaluate the following:
    - (aa) Consistency of the proposed subdivision with the Town of Alpine Municipal Master Plan;
    - (bb) Consistency of the proposed subdivision with subdivision development standards and design criteria outlined in Part 3 of the Alpine Land Use and Development Code;
    - (cc) Compatibility and potential impacts of the proposed subdivision and related zone change upon adjoining land uses;
    - (dd) Potential impacts of the proposed subdivision upon the Town of Alpine, e.g., municipal roads, water system, wastewater system, storm water management, and other public services;
    - (ee) When applicable, potential land use management issues that may arise with the establishment of planned covenants, contracts or deed restrictions via common-interest development.
  - (2) The written staff report will also recommend approval of the subdivision as proposed, approval with some possible modifications to the preliminary plat, or provide rationale for denial of the preliminary plat and, when applicable, the related re-zoning request.
- (h) ~~The Zoning Administrator will notify, in writing, all landowners of properties that are located within five hundred (500) feet of the proposed major subdivision.~~
- The Zoning Administrator shall provide an official written notice to the owner(s)/applicant(s). The owner(s)/applicant(s) shall provide that notice to all owners of property within five hundred (500) feet of

the property or properties under consideration for a subdivision. Notice shall be received at least thirty (30) days' notice of the public hearing. The applicant shall be responsible for paying all costs associated with this notice and supplying the list of property owners notified, and for submitting an **Affidavit of Mailings** to the Town as verification.

- (i) ~~A public hearing will be required during a regular or special meeting of the Planning and Zoning Commission. The time and place of the hearing will be advertised in a regional newspaper serving Star Valley, at least, thirty (30) days in advance of the hearing.~~ The Alpine Planning and Zoning Commission shall hold one (1) public hearing at a public facility within the Town of Alpine. The Planning and Zoning Administrator shall provide official notice to the owner(s)/applicant(s). 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 subdivision process. The applicant shall be responsible for placing and paying for the advertisement of this notice and shall submit an **Affidavit of Published Public Notice** to the Town as verification. During the public hearing, the applicant will provide a brief overview of the proposed subdivision and, when applicable, the related re-zoning request. Subsequently, the Alpine Planning and Zoning Commission will receive public comments concerning the proposed subdivision.
- (j) Based upon its evaluation of the master plan, preliminary plat, review comments from municipal representatives, the staff report, and public comments, the Alpine Planning and Zoning Commission will discuss the merits, disadvantages, and potential issues associated with the proposed subdivision and, when applicable, the related re-zoning request. In the event that further information is desired by the Planning and Zoning Commission, any decision of the Planning and Zoning Commission may be tabled until members of the Planning and Zoning Commission have had sufficient opportunity to review and evaluate any new information.
- (k) The Alpine Planning and Zoning Commission will recommend approval, approval with conditions or modifications, or denial of the proposed subdivision to the Alpine Town Council. The decision to approve or deny the preliminary subdivision plat and any related re-zoning request will be concurrent.
- ~~(l) A public hearing will be required during a regular or special meeting of the Alpine Town Council. The time and place of the hearing will be advertised in a regional newspaper serving Star Valley, at least, thirty (30) days in advance of the hearing. During the public hearing, the applicant will provide a brief overview of the proposed subdivision. Subsequently, the Alpine Town Council will receive public comments concerning the proposed subdivision and, when applicable, the related re-zoning request.~~
- (l) The Alpine Town Council will review and discuss comments from various municipal representatives, the recommendations of the Zoning Administrator, and the recommendations of the Planning and Zoning Commission. Subsequently, the Alpine Town Council will approve, approve with conditions or modifications, or deny the preliminary subdivision plat and, when applicable, the proposed re-zoning request. In the event that further information is desired by the Town Council, any decision of the Town Council may be tabled until members of the Town Council have had sufficient opportunity to review and evaluate any new information.
- (m) The Zoning Administrator will issue a written notice of determination to the applicant within five (5) business days of the decision of the Alpine Town Council. The notice will indicate the decision made and, when appropriate, conditions that may accompany the approval of the preliminary subdivision plat and, when applicable, related re-zoning request, or reasons why the plat and re-zoning requests were denied.
- (n) The applicant will prepare and file three (3) hardcopies and **one (1) digital copy of a final subdivision plat** application, and related filing fees, with the Zoning Administrator. The final subdivision plat application will include the final subdivision plat, a signed copy of a subdivision improvement agreement, a payment of all design costs for public improvements, and performance surety.
- (o) The final plat will conform to the approved preliminary plat, as well as incorporate revisions or modifications requested by the Town of Alpine. Any deviation from the approved preliminary plat will

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

- (p) The performance surety will be in an amount that reflects one hundred twenty-five (125) percent of the anticipated cost of improvements in the approved subdivision plan and will be sufficient to cover all promises and conditions contained in the subdivision improvement agreement. The issuer of any performance security will be subject to the approval of the Alpine Town Attorney. A performance bond will also be set in place. The amount of the performance bond will be equal to the amount of money necessary for the completion of all infrastructure and landscaping costs of the proposed subdivision. Portions of the bond may be released to developers as stages are completed.
- (q) The Zoning Administrator will review the final plat to confirm the completeness of the final plat subdivision application and its consistency with subdivision development standards and design criteria outlined in Part 4 of the Alpine Land Use and Development Code. This review may include some additional coordination with the Alpine Public Works Director, Town Engineer, and other municipal representatives. If the final plat is determined to be complete and consistent with development standards, the Zoning Administrator will transmit a copy of the final subdivision plat application and any related recommendations to the Alpine Planning and Zoning Commission for their consideration.
- (r) The Alpine Planning and Zoning Commission will recommend approval, approval with conditions or modifications, or denial of the final subdivision plat to the Alpine Town Council.
- (s) Upon receipt of the Planning and Zoning Commission recommendation, the Alpine Town Council will approve, approve with conditions or modifications, or deny the final subdivision plat application.
- (t) The Zoning Administrator will issue a written notice of determination to the applicant within five (5) business days of the decision of the Alpine Town Council. The notice will indicate the decision made and, when appropriate, conditions that may accompany the approval of the final subdivision application, or reasons why the application was denied.
- (u) Any appeal of the decisions by the Alpine Town Council may be reviewed by the district court pursuant to Rule 12 of the Wyoming Rules of Appellate Procedure.
- (v) If the approved final plat is not recorded within one (1) year from the date of plat approval, or upon expiration of any time extension that may have been issued, the approval of such plat will expire. Should the applicant thereafter desire to record the final plat, a new application for a new major subdivision will be required.

## **Section 2-208 Special Use Permit**

- (a) The purpose of the Special Use Permit (Figure 2-8) is to modify the strict application of the requirements of the Alpine Zoning Ordinance. A Special Use Permit can be granted by the Alpine Planning and Zoning Commission where it can be shown that unusual site or building characteristics, extraordinary circumstances, or other relevant factors, prevent a landowner from using a lot or land parcel for purposes permitted in the zoning district where the property is located.
- (b) Each authorized Special Use Permit will apply to a specific use or structure and will terminate upon future changes in land ownership.
- (c) Owners and/or prospective developers of any lots or parcels may make applications for a Special Use Permit in any zoning district.
- (i) Applicants must complete a Special Use Permit application form that is made available from the Town Clerk. **Please refer to the current adopted version of the Special Use Permit and Special Review Ordinance.**



**Section 2-209      Development Fees**

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



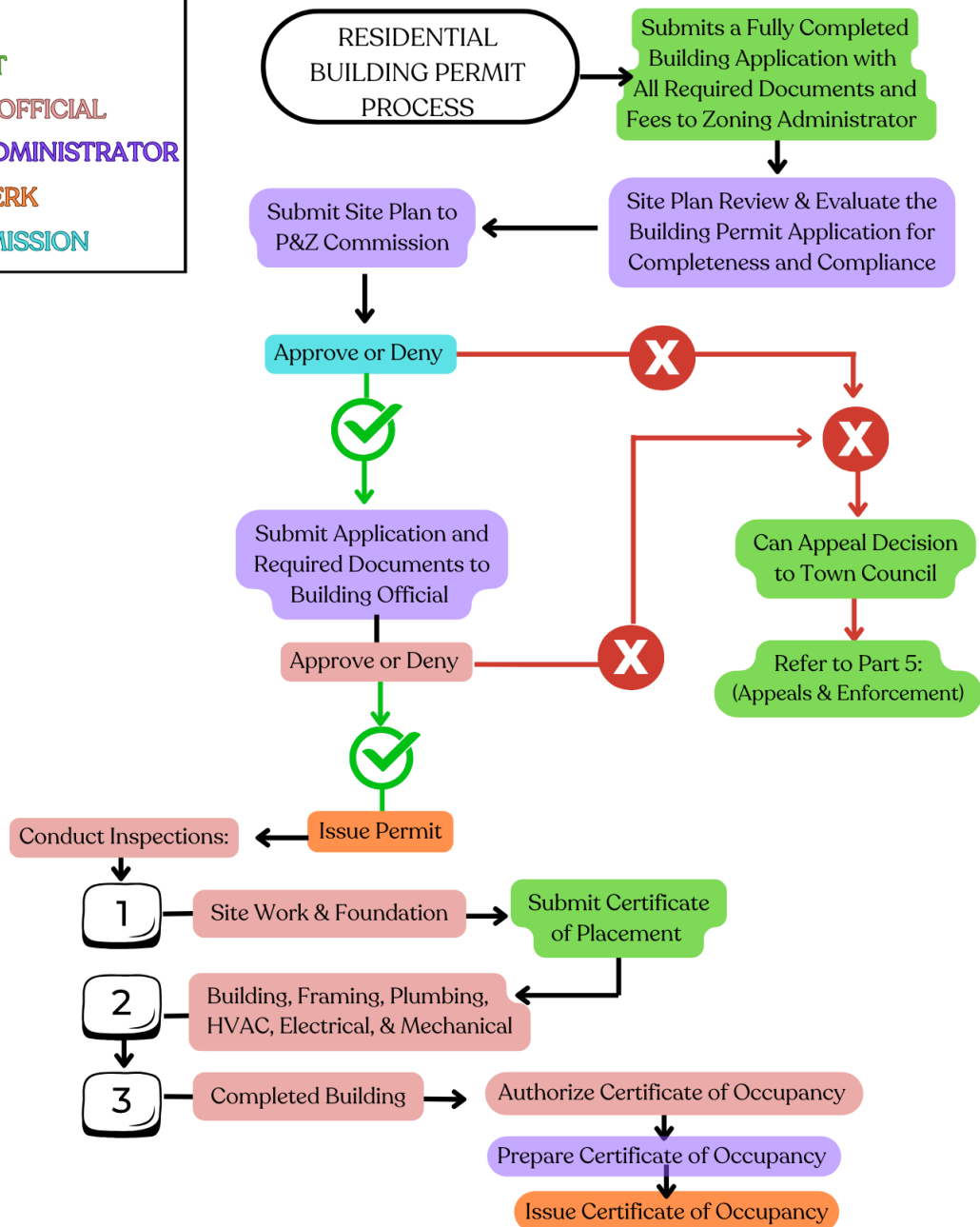
## ARTICLE 2.3 BUILDING PERMIT REQUIREMENTS

### Section 2-301. Building Permit Requirements

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

- (10) All new buildings including additions or remodels to and existing structures, require submittal of ~~three (3)~~ **two (2)** sets of a scaled site/plot plan, that depicts the location of, proposed vehicular access, the finish grade of the project site, septic system or sewer connection location, water connection location, denoting all above ground and below ground utilities (power, propane) and/or easements to be located on the property, vehicle parking (garage square footage and driveway dimensions {square footage}), setbacks, onsite drainage facilities and snow storage areas (snow storage dimensions {square footage}) needs to be clearly identified. **Along with one (1) digital copy of the scaled site/plot plan.** {See permit checklist for complete details}.
- a. Submittal of the civil engineered site plan is required for all **Single-Family Residential (R1) {including additions or remodels to existing structures}**, **Multi-Unit Residential (R-2) {including additions or remodels to existing structures}**, **Mixed Residential and Commercial (MRC) {including additions or remodels to existing structures}** and **Commercial (C) {including additions or remodels to existing structures}**, **Light Industrial (LI) {including additions or remodels to existing structures}**, **Public and Community Facilities (PCF) {including additions or remodels to existing structures}** and **Recreation and Conservation (RC) {including additions or remodels to existing structures}** permit applications.
- (11) ~~Three (3)~~ **Two (2)** sets of other construction documents and/or other data that the applicant may consider relevant to the building permit application will be submitted with the building permit application. **All construction documents and/or other requested documents will be stamped and certified by a civil or structural engineer licensed in the State of Wyoming; (Stamped engineering is required on all structures greater than three hundred (300) square feet in size.)**
- (12) **One (1) digital copy** will be submitted of the complete plan set, site plan, and all associated construction documents will be filed at the time of application submittal. **This digital copy will be kept in-house for internal use only and will not be provided to any 3<sup>rd</sup> party individuals, as per any copyright regulations/guidelines.**

**LEGEND:**

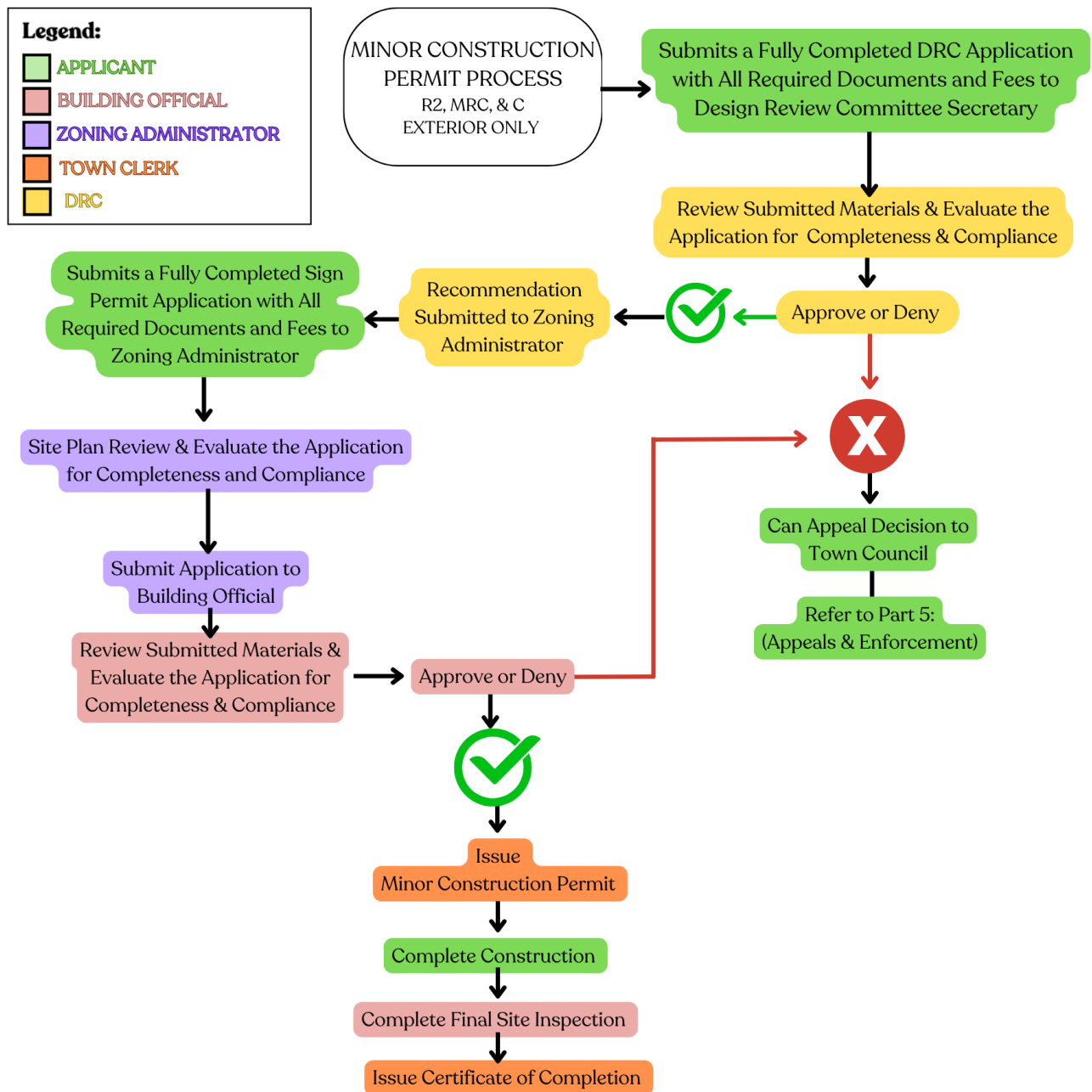


**LEGEND:**

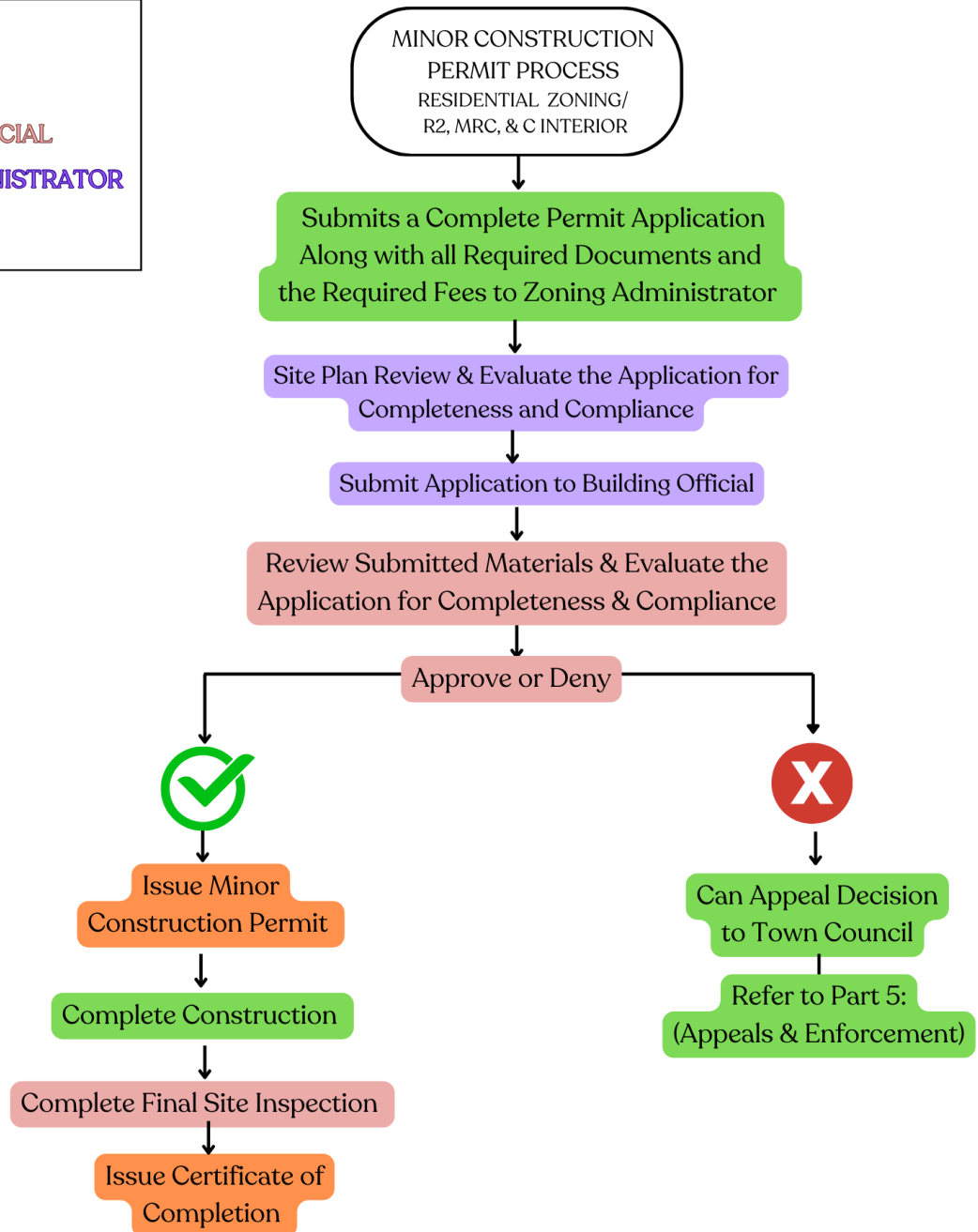


## Section 2-302. Minor Construction Permit

- (a) A minor construction permits that will not require a Wyoming Engineered Stamp; **UNLESS OTHERWISE INDICATED.**
- (b) A minor construction permit (Figure 2-9) will be required for:
- (1) Storage Sheds, with or without a permanent foundation {more than three hundred (300) square feet in floor area, but no larger than four hundred (400) square feet}, constructed with or without plumbing and/or electricity.
  - (2) The following roofing applications:
    - i. Change and/or Addition of roofing materials {increase or decrease weight};
    - ii. Replacement of any or all roofing materials, with **no** increase in weight; **Refer to the Affidavit Process;**
    - iii. Addition of any roofing layers;
    - iv. Change in any under sheeting materials;
  - (3) Construction of any attached deck; (of any height or size) or detached deck over Three (300) Hundred square feet and above Thirty (30) inches from finished grade. All construction must follow the Town of Alpine adopted International Building Code and/or International Residential Code: including by not limited to:
    - i. Addition of stairs to any existing deck;
    - ii. Change in dimensions and/or alterations to any existing deck. Note - A Wyoming Certified Engineered stamped drawing will be required. Engineered stamps will be certified by a civil or structural engineer licensed in the State of Wyoming. Refer to the Affidavit Process for detached decks with are under Three Hundred (300) square feet and not more than Thirty (30) inches above grade.
  - (4) Plumbing improvements on commercial facilities.
  - (5) Electrical improvements on commercial facilities.
  - (6) Replacement of doors and/or windows when rough opening of header is increased in width or height. Note - A Wyoming Certified Engineered stamped drawing will be required. Engineered stamps will be certified by a civil or structural engineer licensed in the State of Wyoming.
  - (7) Utility improvements or changes. Including, but not limited to, fireplaces, wood stoves and/or heating appliances (propane) installations; after the initial construction/building process.
  - (8) Demolition of an existing building/structure and/or storage shed over three hundred (300) square feet, on an existing property.
- (c) The Town of Alpine will make available a minor construction permit application form to applicants that will require, at least, the following information from the applicant:
- (1) Name of applicant;
  - (2) Authorization by landowner (if not the applicant);
  - (3) Mailing address;
  - (4) Contact information for telephone, fax, and e-mail address;
  - (5) Legal description and size of land parcel where proposed construction will take place;
  - (6) Scope of proposed site and facility improvements;
  - (7) Existing zoning designation and related permitted uses;
  - (8) A site/plot plan indicating the general location of proposed improvements and the distances from the property line to the front, back and sides of proposed buildings.



**Legend:**



**Section 2-303. Affidavit Process**

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

- (a) An affidavit permit (Figure 2-10) will be required for:
- (1) Construction of perimeter fences.
  - (2) Construction of sheds/green houses equal to or under Three Hundred (300) square feet, may be constructed with electricity, but no plumbing or kitchen elements.
  - (3) Construction of freestanding decks, equal to or under Three Hundred (300) square feet with a height of less than Thirty {30} inches from finished grade; deck installation must follow the Town of Alpine adopted International Building Code and/or International Residential Code.
  - (4) Location of any new propane tanks after the initial construction of a primary structure. (Tanks will be inspected by the Town Building Inspector.)
  - (5) The following roofing applications:  

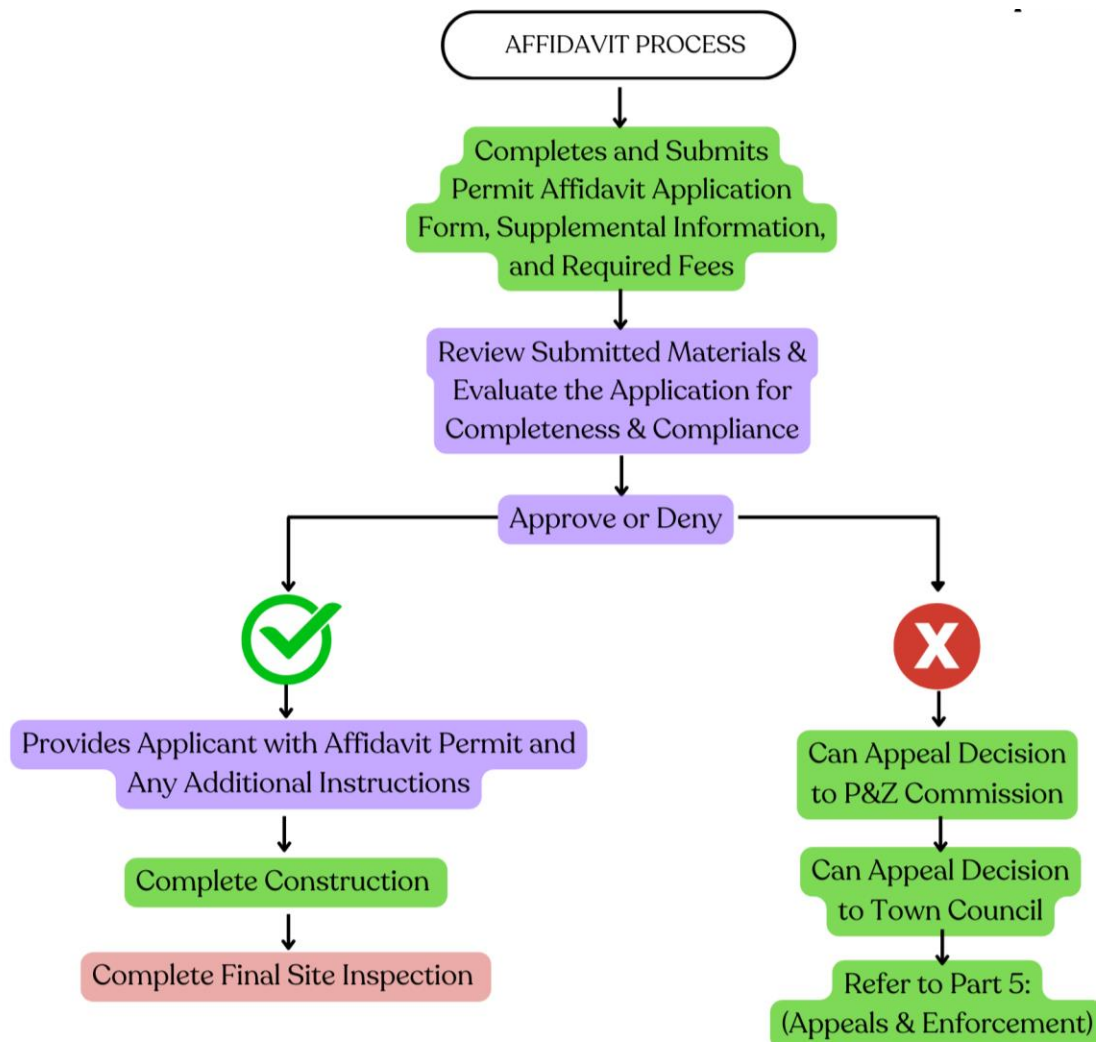
Replacement of any roofing materials (all like kind materials only);
  - (6) The demolition of an existing building and/or storage sheds under ~~over~~ three hundred (300) square feet, on an existing property;
  - (7) Permit Extensions for previously approved Building Permits, **provided no changes and/or alterations have been made to the permitted project.**
- (b) The Town of Alpine will make available an affidavit application form to applicants that will require, at least, the following information from the applicant:
- (1) Date of Application;
  - (2) Name of Applicant;
  - (3) Authorization by landowner (if not the applicant);
  - (4) Mailing address;
  - (5) Contact information for telephone, fax, and e-mail address;
  - (6) Legal description of the land parcel where proposed construction will take place;
  - (7) Physical description of the land parcel where proposed construction will take place;
  - (8) Type of Project and/or scope of the proposed site and facility improvements;
  - (9) Name of Contractor;
  - (10) Existing zoning designation and related permitted uses;
  - (11) A site/plot plan indicating the general location of proposed improvements and the distances from the property line to the front, back and sides of proposed buildings, etc.



**Legend:**



This process applies to Fences, Sheds/Green Houses (equal to or under 300 square feet and below 30 inches) any deck (under ~~200~~ 300 square feet and below 30 inches from finished grade), any utility changes or improvements, re-roofing (like kind materials), demolition of existing building or storage sheds (under 300 square feet), and all permit extensions.



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

- (a) Any authorized construction activity will be subject to inspections by the Town of Alpine Building Official, or its designated representative, during the construction process.
- (b) Conformance to the International Building Code, International Residential Code, International Plumbing Code, International Mechanical Code, International Fuel Gas Code, International Fire Code and National Electrical Code standards will be ensured throughout the required inspection process.
- (c) Applicant to supply the Town of Alpine with an “Exhibit to Accompany Affidavit of Surveyor” from a land surveyor, licensed in the State of Wyoming, that is retained by the building owner. The exhibit depicts property corners, setback lines, house placement and utility improvements.
- (d) Upon completion of the forming of any foundation walls of the structure, a Certificate of Placement will be issued and submitted to the Zoning Administrator of the Town of Alpine. The Certificate of Placement verifies the location of the structure and the compliance, or lack of compliance, with the plot/site plan submitted with the approved building permit application. The Certificate of Placement will be completed by a land surveyor, licensed in the State of Wyoming that is retained by the building owner; the certificate is to be submitted to the Town office prior to moving forward with the project. If any work is completed prior to the certificate submittal, **all work will be removed, at the owner’s expense.**
- (e) The Municipal Building Official will make at the following stages:
  - (1) Concrete forms, re-bar, reinforcing rods or pins are in place prior to the placement of concrete for concrete slab foundations or concrete footings.
  - (2) When concrete forms are in place for foundation/stem walls prior to the placement of concrete.
  - (3) When exterior damp/water proofing has been completed {prior to foundation backfilling}.
  - (4) Foundation vents are in place for crawlspace foundations, all mechanical piping and conduit is in place (including radon mitigation), all fittings are properly connected, and all work is adequately supported prior to the placement of utilities, e.g., sewer line, within a concrete foundation.
  - (5) When all building framing, plumbing, mechanical (ventilation and air conditioning {HVAC}) is completed and properly nailed, bolted or secured. ***Prior to any coverings, e.g., Tyvek, roof coverings and/or insulation.***
  - (6) Exterior nailing of roof and walls.
  - (7) Insulation inspection prior to covering of walls and/or ceilings.
  - (8) Sheet rock inspection, prior to taping and/or mudding.
  - (9) When all construction work is completed, (plumbing, mechanical, etc).
- (f) The Town of Alpine will inspect all improvements, authorized via an issued construction permit, following the construction of all proposed improvements.
- (g) Any inspections that need to be repeated by the Building Inspector/Official are subject to additional costs to be paid at the property owners expense. Failure to notify the town/inspector of a required inspection will result in fines, and/or penalties issued to the property owner; with the removal of work to be uncovered for all items to be inspected properly, this will be completed at their own expense.
- (h) **Electrical Wiring Permit Required from the Wyoming Department of Fire Prevention and Electrical Safety shall be obtained prior to commencing any new construction, alteration, or remodeling of any building, mobile home, or premises when the electrical work requires a public utility to connect, disconnect, or restore electrical power. Electrical wiring permits are not required for installations exempt under W.S. § 35-9-123(a)(ii) through (v), unless the electrical work is performed by a person or entity**

acting as a subcontractor for the exempt person, partnership, or corporation and the electrical work is governed by the National Electrical Code (NEC).

- (1) All applicants shall apply for and obtain any required **electrical and fire safety permits and inspections** through the **Wyoming Department of Fire Prevention and Electrical Safety**, as applicable to the scope of work. Compliance with all state-issued permit and inspection requirements shall be mandatory for projects subject to this Code.
- (2) To ensure timely inspections, reliability, and accountability, applicants shall be required to pay the **State-offered Guaranteed Inspection fee** when such option is available and applicable to the project. Proof of payment shall be provided to the Town upon request.
- (3) Prior to the issuance of a **Certificate of Occupancy** or **Certificate of Completion**, the applicant shall submit to the Town copies of all required **state permits, inspection approvals, and compliance documentation** related to electrical and fire safety systems.
- (4) No Certificate of Occupancy or Certificate of Completion shall be issued until the Town has received and verified documentation demonstrating compliance with applicable state statutes and adopted codes.
- (5) All electrical and fire safety permit and inspection documentation submitted pursuant to this section shall be retained by the Town as part of the permanent project record.

~~**\*NOTE\***~~ ~~**STATE TO COMPLETE ALL ELECTRICAL INSPECTIONS**~~

## Section 2-305. Construction Activities

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

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

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

### Issuance of Temporary Certificate of Occupancy (TCO)

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

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

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

## Section 2-307. Issuance of Certificate of Occupancy (CO)

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

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

### (a) Conditions for Issuance.

A Certificate of Occupancy shall be issued only after:

1. **Final inspections** have been completed and approved by the Building Official;
2. **All life-safety systems** required by the applicable codes have been installed, tested, and verified as operational;
3. **All site improvements** required by the Planning and Zoning Commission or Design Review Committee—including but not limited to parking, access, utilities, landscaping, grading, and drainage—have been completed or otherwise secured to the satisfaction of the Town;

4. **All applicable fees** owed to the Town have been paid in full;
5. **All required approvals or clearances** from external agencies, if applicable, have been provided;
  1. Wiring permit approvals, inspection reports, and compliance documentation
6. **All conditions of the building permit and development approvals** have been met.
7. Prior to the issuance of a **Certificate of Occupancy** or **Certificate of Completion**, the applicant shall submit to the Town copies of all required **state permits, inspection approvals, and compliance documentation** related to electrical and fire safety systems.

#### **Section 2-308 Revocation of Certificate of Occupancy.**

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

1. The certificate was issued in error.
2. The certificate was issued based on incorrect, incomplete, or fraudulent information; or
3. The structure or use violates any applicable code, ordinance, or condition of approval.

#### **~~Section 2-308.~~ Section 2-309 Issuance of Certificate of Completion (CO)**

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

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

Certificate of Completion shall be issued only after:

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

7. Prior to the issuance of a **Certificate of Occupancy** or **Certificate of Completion**, the applicant shall submit to the Town copies of all required **state permits, inspection approvals, and compliance documentation** related to electrical and fire safety systems.

#### **Section 2-310 Record of Certificate.**

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

#### **Section 2-311. Change of Use or Change of Occupancy**

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

##### **(a) Inspections Required.**

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

##### **(b) Compliance With Current Codes.**

Where a change of use or occupancy is proposed, the building, structure, or affected portion thereof shall comply with all applicable provisions of the adopted International Codes relating to life safety, exiting, fire protection, structural capacity, accessibility, mechanical, plumbing, and electrical systems necessary to support the new use or occupancy.

##### **(c) Certificate Required Prior to Occupancy.**

A building or structure shall not be used or occupied in whole or in part, and a change of occupancy of a building or structure or any portion thereof shall not be made, until the Building Official has issued a **Change of Use Certificate** or **Change of Occupancy Certificate** verifying compliance with this Ordinance and the adopted codes.

Issuance of such a certificate shall not be construed as approval of any violation of the provisions of this code or other ordinances of the Town. Certificates purporting to authorize a violation or to waive compliance with code requirements are invalid.

**Exception:** A certificate is not required for work that is exempt from permits pursuant to Section 105.2.

##### **(d) Temporary Change of Occupancy**

The Building Official may authorize a **Temporary Certificate of Occupancy** when the proposed use can be safely accommodated for a limited time. The Building Official shall establish the duration for which such temporary occupancy is permitted and shall identify any conditions that must be met before issuance of a full certificate.

##### **(e) Violations**

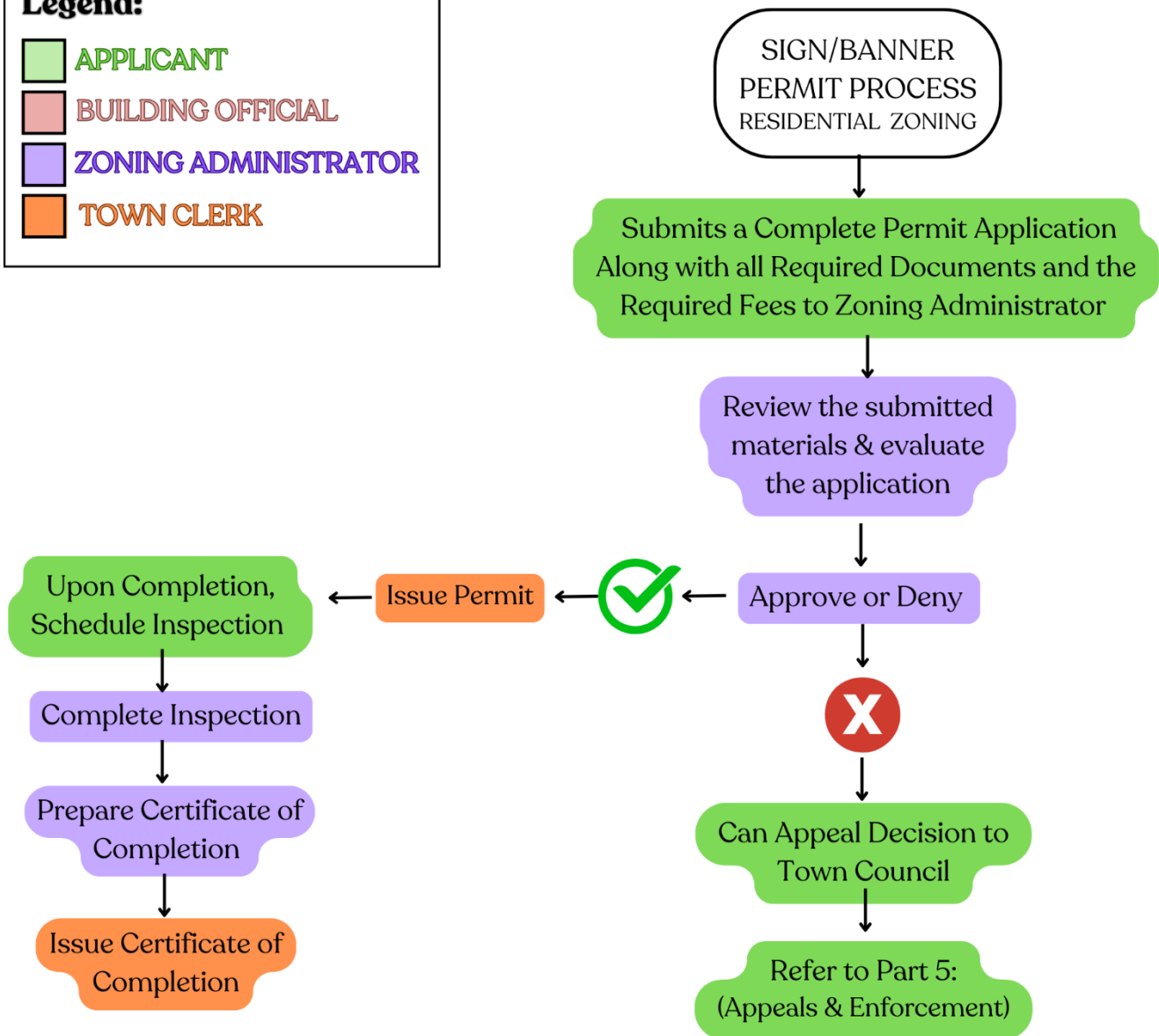
Occupying or allowing occupancy of a building or structure following a change of use or change of occupancy **without** the required certificate constitutes a violation of this Ordinance and is subject to all penalties and enforcement mechanisms provided by the Town code.

## **ARTICLE 2.4 SIGN PERMIT PROCESS**

### **Section 2-401. Sign Permit Process**

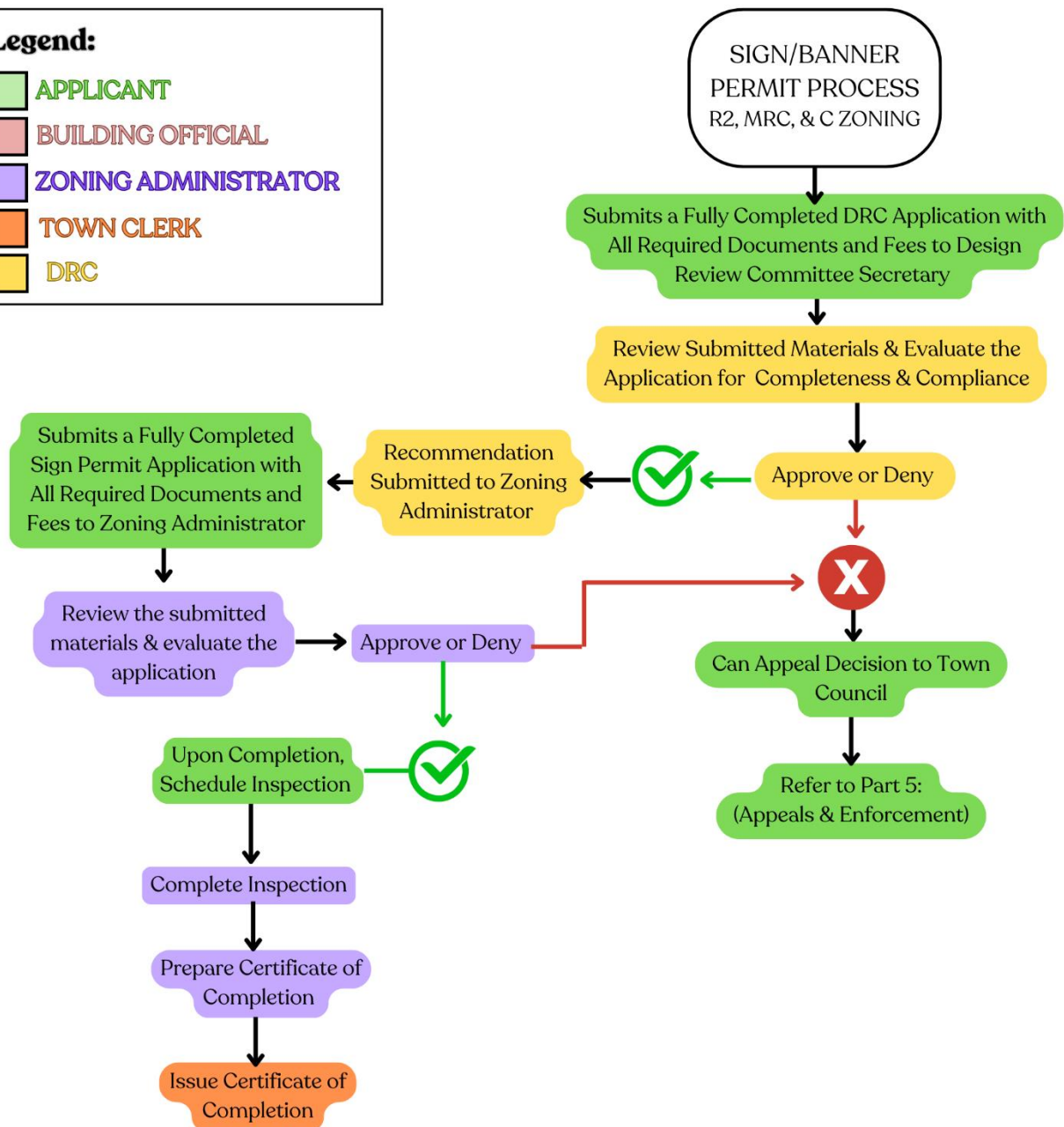
- (a) A sign permit (Figure 2-11) will be required for:
  - (1) New signs.
  - (2) Sign Dimension Amendments and/or enlargements.
  - (3) Directional Signage.
- (b) Temporary Signs, such as: Banner Installations. See Table 4-12;
  - (1) All others identified in Table 4-12 do not require permit and/or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

**Legend:**





**Legend:**



## ARTICLE 2.5 BUILDING APPLICATION PROCESSING SCHEDULE

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

- (a) Processing fees for building applications, permits and affidavit applications are based on an average cost for the Planning and Zoning Administrator, Planning and Zoning Commission, Town Engineer, Town Building Official, Town Attorney, Town Clerk, and the Planning and Zoning Secretary.
- (b) With the application process and before a building permit is issued, all new water and sewer connect fees **must be paid in full**.
- (c) Fees are established by Town Ordinance; (refer to the most current version of the Town of Alpine Building Department Fee Schedule). **All fees (Building Permit, Water/Sewer Connection Fees) are due at time of submittal. All fees are non-refundable. There will be no waiver of fees.**
- (d) Applications are valid for ninety (90) days, from submittal date; with a one (1) time, ninety (90) day extension upon showing of justifiable cause. If the missing items are not submitted within the allowed time frame, the applicant will have to start the process all over with new fees, filings, etc.
- (e) Issued Commercial permits are good for one (1) year with a one (1) time, one (1) year extension upon. If the project is not completed within two (2) years, applicants will have to start the process over with all new fees, filings, meetings, etc.
- (f) Issued Multi-Unit Residential permits are good for one (1) year with two (2), one (1) year extensions (available) upon showing of justifiable cause. If the project is not completed within three (3) years, the applicant will have to start the process over with all new fees, filings, meetings, etc.
- (g) Issued Single-Family Residential permits are good for one (1) year with two (2), one (1) year extensions (available) upon showing of justifiable cause. If the project is not completed within three (3) years, the applicant will have to start the process over with all new fees, filings, meetings, etc.
- (h) Issued Remodel, Addition and Garage permits are good for one (1) year with two (2), one (1) year extensions (available) upon showing of justifiable cause. If the project is not completed within three (3) years, the applicant will have to start the process over with all new fees, filings, meetings, etc.
- (i) Issued Affidavits are good for six (6) months with one (1) allowable six (6) month extension (available) upon showing of justifiable cause.
- (j) If any of the above fees do not fully cover the total costs of processing any application, additional fees may be assessed on a case-by-case basis.
- (k) If a person commences building development or remodeling for which a permit is required without having first obtained a permit, they are in violation of this Land Use and Development Code. Such a person will pay twice the fee for said permit, costs associated with the Town's investigation of the violation, any hearings to abate, and including reasonable attorney, engineer, inspector and surveyor's fees. The payment of such fees will not relieve the person from fully complying with the requirements of the Land Use and Development Code, nor does it automatically secure the permit or preclude a violation for a given infraction. ***The provisions of this article do not apply to emergency work, {as identified in Article 3.3 – Section 3-303 – Facility Repairs} only if there is or would have been an unreasonable delay in obtaining the permit.***
- (l) Permit fees are transferable as long as the application and/or the permit has not expired.