

## **Summarization List – Recommended Changes to Town of Alpine Land Development Code**

Prepared by Jorgensen Associates, Inc.      January, 2024

Red items are highlighted as “high priority” for simplifying items for the Town Staff

- **SECTION 1-105 (6)** This should be revised. To redefine Use and Area variance as well as putting more onus on the applicant in PROVING hardship under new guidelines (see points below).

- **Section 1-104. Planning and Zoning Commission (b)**

Better definitions of town limits or outside Town limits must be implemented. Currently, It is nebulous.

- **Section 1-106. Architectural Review and Design Committee**

A better definition of scope of responsibility and architectural standards should be implemented to secure the vision of the master plan and all residents in the Town of Alpine on how THEY want their community to look and maintain high property values.

- **Section 1-107 ZONING ADMINISTRATOR**

Need to place job qualifications of a Zoning Administrator within the Code AND expand upon their duties.

*i.e., Review, evaluate and report on all land development applications using the Town of Alpine Land Use and Development Code and most recent adopted Town of Alpine Master Plan*

- **Section 1-108 Building Official- Building Inspector**

Need to place job qualifications of a Building Official within the Code AND expand upon their duties based on IBC, IRC, IFC, etc.

### **ARTICLE 2.2 GENERAL DEVELOPMENT REVIEW AND APPROVAL PROCESS**

Repeat this requirement in the Business License Section to emphasize the requirements.

- **Section 2-201. General Requirements**

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

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

Add to the list of items #10 which shall read *Conformance with Town of Alpine Engineering Specifications and Details*

➤ **Section 2-203. Land Use Plan Amendment Process**

Rational for the proposed land Use Amendment process expanded upon providing proper evidence added to this process.

Expanding upon the zoning administrators' duties and responsibilities in subsection (c)

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

(a.), (1) Subsection (1) must be expanded and better defined with the phrase.... where there is a **demonstrable benefit to the town. (this must be proven by applicant)**

**Benefits: Economic, Property Values, added infrastructure paid by the applicant, etc.) The benefits must be defined and placed in the Code**

(d) Expanding and adding additional information the applicant must provide

(e) Expanding the duties and responsibilities of the zoning administrator.

(f) Re-write this section to better define the notice of application and putting more onus on the applicant and taking un-necessary responsibilities away from the Town Administration and personnel.

In addition, a new sub section must be drafted within this section addressing the possibilities of the applicant going bankrupt or selling to another entity when the project is half completed and the project is NOT left standing as an eye sore and a devalues surrounding properties that affects the other contiguous properties value. All applicants should post a construction bond with the Town OR have a construction bond in place with the applicant's contractor that would ensure that the project will be finished within the submitted project schedule Proof of Bonding must be submitted with the final plat to the Town.

➤ **Section 2-205. Zone Change Process**

Extensive work needs to be done on this section to place a greater burden of proof on the applicant. A Zone change is a town wide examination of proposed new zone in relationship to the entire town not an applicant's desire to spot zone change for their purposes. The current local law is lame. It does not put more onus on the applicant to PROVE the zone change to the decision makers. (see detailed writing) This addition places more burden of proof on the applicant using the Towns NEW Variance Code with multiple items written into the new code including but not limited to the following:

- **Reasonable return**
- **Unique circumstances**

- **Essential character of the neighborhood**
  - **Self-created hardship**
- **Section 2-205 (g)** Better define and expand upon the responsibilities of the Planning and Zoning Administrator.
- **Section 2-206. Variance Process**

Variances must be better defined as TWO TYPES. Area and Use Variances within the code.

Addition to Section (J) Use Variance: This addition places more burden of proof on the applicant using the Towns NEW Variance Code with multiple items written into the new code including but not limited to the following:

- **Reasonable return**
- **Unique circumstances**
- **Essential character of the neighborhood**
- **Self-created hardship**

**Section 2-206 Subsection (J):**

A better and more detailed definition of Area and Use variance and providing 5 (five) factors within this section for the applicant to prove and provide. Adding the term **Undesirable change in the neighborhood** as well as an **Alternative to a variance** that the board and applicant must discuss to make sure no stone unturned.

- **Undesirable change in the neighborhood**
- **Alternative to a variance**
- **Substantiality**
- **Impact on environment**
- **Self-created difficulty**

**Section 2-206 Variance Process – NEW re-written sections**

(e) More defined list of distribution of application materials to ALL stakeholders. Currently the list is not adequate.

(f) and (i) Better defined duties and responsibilities of the Planning and Zoning Administrator

**Section 2-207.1 Simple Subdivision Review and Approval Process**

Add new sub section (c) (8) Applicant must distribute copies of the preliminary plan to all stakeholders. These are listed.

**Section 2-207.2 Minor Subdivision Review and Approval Process**

Add new sub section (c) (8) Applicant must distribute copies of the preliminary plat to all stakeholders. These are listed.

**Section 2-207.2 , (c) (11)** Must provide financial solvency to construct proposed work. The Town of Alpine should not be fooled into approving an application and building permit to construct when the applicant does not have the means to finish it, leaving the Town with an eyesore, upset residents and devalued property values.

**Section 2-207.2 , (f) (1)**

PROPOSED place WYDOT and WYDEQ within the distribution list

**Section 2-207.2 , (g)**

Re-write sub section (g) , (h), (k) and (p)

**Section 2-207.2 , (p)**

Add to this sub-section...that the cost estimate will be reviewed by the Town Engineer.

**Section 2-207.3 Major Subdivision Review and Approval Process**

(b), (2) This section must be re-written. Applicant must provide construction schedule and financial solvency like Minor Subdivision.

Construction Schedule and Financial solvency should also be required in the Planned Unit Development process as well.

(d) New List of distribution of the application and supporting materials to ALL STAKEHOLDERS

(h) re-write section reducing the duties and responsibilities of the zoning administrator and placing more onus on the applicant of their duties and responsibilities that were originally the P/Z Administrator.

(i) re-write section reducing the duties and responsibilities of the zoning administrator and placing more onus on the applicant of their duties and responsibilities that were originally the P/Z Administrator.

(l) Redefine process for advertising public hearing and reducing the duties and responsibilities of the zoning administrator and placing more onus on the applicant of their duties and responsibilities that were originally the P/Z Administrator.

(q) re-write of this code Cost estimate for bonding shall be reviewed By Town Engineer. Within sub section (q)

#### **Section 2-301. Building Permit Requirements**

(c) (9) re-write this section to include that All construction documents and/or other requested documents shall be stamped and **certified by a civil, structural engineer or architect** licensed in the State of Wyoming; (Stamped engineering is required on all structures greater than three hundred (300) square feet in size.)

(c) (11) re-write this section to include that All construction documents and/or other requested documents shall be stamped and **certified by a civil, structural engineer or architect** licensed in the State of Wyoming; (Stamped engineering is required on all structures greater than three hundred (300) square feet in size.)

#### **Section 2-302. Minor Construction Permit**

Addition to this section where a Wyoming Certified Engineered stamped drawing shall be required for all deck construction and deck modifications certified by a civil, structural engineer or architect licensed in the State of Wyoming.

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

A more defined list of inspections in each permit category must be provided at specific stages of construction listed under the type of building permit.

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

(a) Another type of sign must be included – (1) New signs should include freestanding and building mounted.

(4) Free Standing Signs

( c ) (9) a new subsection in c. **Drawing and Details of Sign its construction, attachments, foundation, Dimensions, area calculations proving conformance to Article 4.8 SIGNS**

(d) (e) re-write and add these sections respectively. Basically, two inspections shall exist. one for placement the other a final to verify.

(f) This is a new sub section defining the information the applicant must provide

(g) This is a new sub section defining a time limit if the sign is not erected within 6 months of the issuance of the sign permit will be void. This will place a constraint on the applicant to ensure they go through the installation. Should they decide to forfeit within the 6 month period they can

(h) New sub section – Exempt signs listing

### **Section 3-207. PCF Public and Community Facilities District**

(b), (3) placed structural engineering standards mentioned within the section.

### **Section 4-304. Roads and Streets**

(d) Approval of Design. Needs reviewed and approved by Town Engineer added

### **Section 4-305. Potable Water System**

(a) Added to this section.... The design of the system improvements is subject to review and approval by the Town Engineer including all bonding costs of the subject work of improvements and subsequent connection to the Town's systems.

(b) Hydraulic Capacity. Added to this section.... The developers engineer shall provide a hydraulic analysis of the proposed water demand and system of the proposed subdivision. The developers engineer shall meet with the municipal engineer to determine impacts to the existing capacity of the system and any improvements that are required based upon the Town Engineers review of the analysis.

### **Section 4-306. Wastewater System**

(b) Hydraulic Capacity: added to this section... The developer's engineer shall provide a hydraulic analysis of the proposed wastewater demand and system of the proposed subdivision. The developers engineer shall meet with the municipal engineer to determine impacts to the existing capacity of the system and any improvements that are required based upon the Town Engineers review of the analysis.

### **Section 4-606. Specifications for Development of Vehicular Parking Areas**

Added to this section is (4). A Site Plan of the lighting system for the entire parking area shall be provided, in all districts except for R-1, indicating all site lighting and isocandle contours verifying lighting

system does not exceed overall average illumination and lighting will not project or spill over onto existing adjacent properties.

**ARTICLE 4.7 OUTDOOR LIGHTING**

(a ) Added to this sub section ... To verify that above will be maintained A Site Plan of the lighting system for the entire parking area shall be provided, in all districts with the exception of R-1, indicating all site lighting and isocandle contours verifying lighting system does not exceed overall average illumination and lighting will not project or spill over onto existing adjacent properties.