



Town of Alpine, Wyoming

TOWN OF ALPINE

STAFF REPORT

To: Mayor and Town Council

From: Gina Corson, Planning and Zoning Administrator

Date: 04/09/2026

Re: Emergency Ordinance 2026-009 – Removal of Mandatory Planned Unit Development (PUD) Threshold for Parcels Over One (1) Acre

Meeting Date: April 21, 2026

REQUEST

Staff is requesting that the Town Council adopt **Emergency Ordinance 2026-009**, amending Section 2-204 of the Town of Alpine Land Use and Development Code (LUDC) to remove the provision that requires or implies the use of a Planned Unit Development (PUD) process for parcels exceeding one (1) acre in size.

This amendment is intended to remain in effect until the comprehensive LUDC update currently underway is finalized and adopted.

BACKGROUND

The Town of Alpine is actively engaged in a comprehensive update to the Land Use and Development Code (LUDC), including significant revisions to development processes, zoning standards, and administrative procedures.

As part of this effort, staff and the Planning and Zoning Commission have been evaluating the effectiveness and intent of the existing Planned Unit Development (PUD) provisions.

Section 2-204(b) of the current LUDC states:

“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...”

While this language is permissive, it has been interpreted and applied in practice as a trigger or expectation for PUD review for parcels over one (1) acre.



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PROBLEM STATEMENT

The existing language in Section 2-204(b) creates both **internal inconsistency within the Code** and **practical challenges in administration**.

1. Conflict with Purpose of PUD Process

Section 2-204(a) establishes that the purpose of a Planned Unit Development is to:

- Encourage flexibility and creativity in site design;
- Allow for a mix of land uses not otherwise permitted; and
- Provide enhanced development outcomes that demonstrate a clear public benefit.

Requiring or implying the use of a PUD process based solely on parcel size is inconsistent with this intent. A parcel exceeding one (1) acre does not inherently justify or necessitate deviations from standard zoning regulations or the level of review associated with a PUD.

2. Misapplication of the PUD Process

In practice:

- The PUD process has **not been consistently applied** to parcels over one (1) acre;
- Many developments have proceeded without PUD approval despite exceeding the threshold; and
- The provision has created **confusion for applicants and staff** regarding when a PUD is appropriate or required.

This inconsistency undermines the predictability and enforceability of the Code.

3. Unnecessary Administrative Burden

Treating parcel size as a trigger for PUD consideration:

- Imposes unnecessary review requirements on otherwise compliant developments;
- Increases costs and timelines for applicants; and
- Diverts staff and Commission resources from projects that truly warrant PUD-level review.

PROPOSED SOLUTION

The proposed emergency ordinance removes the one (1) acre threshold language from Section 2-204(b) and clarifies that:



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- The Planned Unit Development (PUD) process is **optional and discretionary**;
- PUDs are to be utilized only when:
 - Flexibility from underlying zoning standards is requested;
 - A mix of uses or innovative design is proposed; or
 - The scale, complexity, or phasing of a project warrants coordinated review;
- Parcel size alone shall not be used as a determining factor for requiring or encouraging a PUD.

BENEFITS

Adoption of the proposed ordinance will:

- Align the Code with the **intended purpose of the PUD process**;
- Eliminate internal inconsistencies within Section 2-204;
- Provide **clarity and predictability** for applicants and staff;
- Reduce unnecessary regulatory burden on straightforward development projects;
- Allow staff and the Planning and Zoning Commission to focus PUD review on projects where it is truly warranted.

EMERGENCY JUSTIFICATION

This ordinance is presented as an emergency measure due to:

- Ongoing confusion and inconsistent application of the PUD requirement;
- Immediate need to align development review practices with the intent of the Code;
- Active development inquiries and applications where this provision is creating uncertainty; and
- The importance of maintaining a clear and defensible regulatory framework during the LUDC update process.

Delaying this amendment would result in continued inconsistency, potential inequity in application, and unnecessary administrative burden.

RECOMMENDATION

Staff recommends that the Town Council adopt **Emergency Ordinance 2026-009** amending Section 2-204 to remove the one (1) acre PUD threshold and clarify the intended use of the Planned Unit Development process.



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ATTACHMENTS

- Emergency Ordinance 2026-009
- Relevant excerpts from Section 2-204 of the LUDC

Sincerely,
Gina Corson
Planning and Zoning Administrator
Town of Alpine, Wyoming