

CHAPTER EIGHT

LAND USE MANAGEMENT



8.1 INTRODUCTION

Municipal land use regulations are adopted and enforced to maintain a reasonable set of community development standards that are traditionally outlined in zoning and subdivision regulations, as well as building, sign, and impact fee ordinances. Land use regulations attempt to balance land use development and investment opportunities with public health, safety and welfare considerations, community development objectives, natural resource conservation issues, and the enhancement of property values.

The examination of municipal land use policies and regulations is an important element of a municipal master plan. Various land use law precedents essentially mandate that the rationale for changes to zoning maps and other land use regulations are based upon findings or recommendations contained in a municipal master plan. In this context, it is essential that land use policies and regulations are generally consistent with the community vision outlined in the municipal master plan. Such consistency strengthens the legal basis of future land use decisions by the Town of Star Valley Ranch.

Chapter Eight examines existing land use regulations and ways to approach future land use management. Recommendations contained in this chapter provide a “road map” for improving the organization and scope of municipal land use regulations, as well as related regulatory processes.

8.2 ORGANIZATION AND SCOPE OF MUNICIPAL LAND USE REGULATIONS

Following the formation of the Town Planning and Zoning Board in November 2007, the Board proceeded with the preparation of significantly expanded zoning and building regulations. Title 6 of the municipal code contains building regulations while Title 9 comprises municipal zoning regulations.

8.2.1 Building Regulations

Chapter 1 of the building regulations outlines the procedures, building and site requirements, fees, and inspections associated with Town’s authorization of the construction, alteration and repair of buildings and other structures within the Town. Section 6.01.015 clarifies that general maintenance and repair activities typically do not require a Building Construction and Alteration Permit, but identifies the type of major repairs which do require permit authorization.

Chapters 4 through 9 adopt several codes that comprise the 2006 edition of the overall International Building Code. Each of the codes are published and periodically revised by the International Code Council. These codes apply to all buildings and temporary structures that are built or located within the Town after January 1, 2009. These include the following:

- International Building Code, excluding all appendices (Chapter 4);
- International Fire Code, including Appendices D and E (Chapter 5);
- International Fuel Gas Code, excluding all appendices (Chapter 6);
- International Mechanical Code, excluding all appendices (Chapter 7);
- International Plumbing Code, excluding all appendices (Chapter 8); and,
- International Residential Code, including Appendix F regarding radon (Chapter 9).

Important exceptions are also identified for each of the preceding codes. For example, in Chapter Four, references in to the International Electric Code are excluded and replaced with provisions of the National Electric Code. Other exceptions include important requirements related to snow loads, depth to footings, under floor space, and building insulation.

The building regulations adopted by the Town of Star Valley Ranch are more extensive and complete when compared to those adopted by other smaller communities in Wyoming. Adopted codes are also wisely accompanied by important exceptions that reflect appropriate consideration of local climatic conditions, the State Fire Marshall's adoption of the National Electrical Code, and other relevant considerations.



8.2.2 Zoning Regulations

8.2.2.1 Zoning Districts

Municipal zoning regulations establish the following zoning districts:

- Single Family Residential Zone
- Multiple Family Residential – 1 Zone
- Multiple Family Residential – 2 Zone
- Rural Residential Zone
- Commercial Zone
- Private Recreation Zone
- Public Facilities Zone
- Planned Development – Residential or Mixed-Use

A review of the Town Zoning Map (Figure 8-1) indicates that virtually all lots in the Town are zoned as a single family residential district. Permitted uses for the single family residential district are consistent with the land uses permitted by the covenants, conditions and restrictions (CC&R) of the Star Valley Ranch Association which, in part, do not authorize land uses other than single family residential except for those commercial facilities owned and operated by SVRA.

The two Multiple Family Residential districts and the Rural Residential zoning district appear to be incorporated into the zoning regulations to accommodate potential future annexations to the Town. Otherwise, such land uses would not be consistent with the covenants, conditions and restrictions of the Star Valley Ranch Association.

The Town Planning and Zoning Board has assigned the Commercial zoning district designation to the five vacant lots along the north side of Vista Drive, as well as the adjacent commercial office building property where the Town Hall is presently located. Cedar Creek Grill, which is situated on a lot in Plat 17, is actually zoned for single family residential use, but the commercial operation on this property was granted a Special Use since it was present on the site prior to adoption of the municipal zoning regulations.

The privately-owned recreational facilities operated and maintained by the Star Valley Ranch Association are the only areas of the Town that have been designated as Private Recreation districts. However, these areas are significant as they include Aspen Hills and Cedar Creek Golf courses, the Barn/Silo complex, and related administrative facilities. The Golf Maintenance building at Cedar Creek Golf Course is actually zoned for single family residential use, but this private recreational facility was granted a Special Use since it was in operation prior to adoption of the municipal zoning regulations.



The Town Planning and Zoning Board has zoned three land parcels as Public Facilities districts. These include:

- the 40-acre property that comprises Fox Run Park and the municipal shop complex;
- the 1.75-acre municipal property along Vista Drive where the Mail Center and First Responder building are located; and,
- the land parcel where the Prater Canyon water storage tank and pump station are located.

The Planned Development zoning district, which permits a combination of residential land uses, is apparently included in the municipal zoning regulations to accommodate the future annexation of lands that are presently not located within the municipal boundary. Similar to the Multiple Family Residential districts, residential land uses other than single family homes are not authorized by the covenants, conditions and restrictions of the Star Valley Ranch Association.



8.2.2.2 Zoning District Overlays

Zoning district overlays are often included in zoning regulations to establish additional zoning requirements that are applied to selected geographical areas, e.g., floodplain, of a community. Zoning district overlays are often included to conserve water supplies, reduce structural risks in floodplain areas, preserve historical buildings, as well as address potential hazards or other site development constraints. But, these additional zoning requirements do not change underlying zoning requirements for each zoning district.

Municipal zoning regulations of the Town also establish Zoning District Overlays for Wellhead Protection, Ground Water Protection, Wildfire Hazard, and Alluvial Fan Flooding. While no additional standards have yet been adopted for any of the four zoning district overlays, the Town Planning and Zoning Board has reserved space in the zoning regulations for the potential inclusion of standards for wellhead protection, ground water protection, wildfire hazard, and alluvial fan flooding.

8.3 REGULATORY NEEDS

8.3.1 Roof Replacement Ordinance

The Town Natural Resources Board completed a *Community Assessment and Wildfire Mitigation Action Plan for the Town of Star Valley Ranch* that was published in August 2014. Among a significant number of conclusions and recommendations, the Town Natural Resources Board noted that some of the homes in the Town have wood shake roofs. These homes were built prior to the Town's adoption of the International Building Code, 2006 Edition. The Natural Resources Board recommended that the Town Planning and Zoning Board draft a roof replacement ordinance that would require the installation of a non-flammable roofing material and meeting the ICC 2006 code when replacing a roof within the Town (Greenhoe and Maes, 2014). The rationale for the roof replacement ordinance is clear: to help reduce the prospects of a wildfire igniting existing wood shingled homes and thereby threatening neighboring structures.

8.3.2 Streamline Building Permit Approval Process

The covenants, conditions and restrictions (CC&R) tied to all subdivisions within the Town require landowners desiring to build or re-model a new home in Star Valley Ranch to submit two sets of building plans and specifications, as well as a related plot plan, to an Architectural Review Committee that is appointed by the Star Valley Ranch Association (SVRA) Board of Directors. Prior to commencement of any site work or building construction, submitted plans must be approved by the Architectural Committee to ensure that the proposed construction is in compliance with subdivision covenants, conditions and restrictions.

With the establishment and organization of the Town, it was necessary to establish a formal building permit process for Star Valley Ranch. This process enabled the adoption of a Building Construction and Alteration Permit application procedure, appropriate building codes, and inspection procedures that help ensure the development of a quality residential community.

As a result, there are two parallel processes that authorize new residential construction and renovations. The Town Planning and Zoning Board and the SVRA Architectural

Review Committee are well aware of this duplication which represents a constraint to potential new investors that seek to develop properties within the Town. At the time of this report, the Planning and Zoning Board and SVRA Architectural Review Committee are working cooperatively to evaluate potential options for streamlining the building permit review and approval process.

8.4 FUTURE PLANNING NEEDS

During the coming decade, it is important that the Town continue to seek greater collaboration with the Star Valley Ranch Association concerning how undeveloped properties owned by the Star Valley Ranch Association, e.g., airstrip property, might be used in the future to support longer term community needs. As discussed in Chapters Three, Four, and Five, future community needs will likely include a combination of improvements associated with public and community facilities, infrastructure, economic development, and recreation.



With a regulatory process firmly in place, the Town Planning and Zoning Board could assist the Town Council by coordinating some informal discussions with the Star Valley Ranch Association. Such discussions could seek to identify potential community development projects that could bring together the combined resources of the Town and SVRA. One or more members of the Town Economic Development Board, Natural Resources Board, Water Board should also participate to facilitate a greater understanding of potential needs, opportunities and solutions. The SVRA Board of Directors might prefer to directly participate in these informal discussions or appoint a committee to work with the Town Planning and Zoning Board.

Both the Town and SVRA do not possess sufficient capital to invest in the planning, design and construction of new improvements to the community. However, the Town has the proven ability to secure some grant and loan funds that are otherwise unavailable to the Star Valley Ranch Association. In turn, SVRA has several undeveloped land parcels that could be used for future community improvement projects. Future prospects for the achievement of various community development objectives outlined in this master plan can be strengthened through cooperative planning between the Town and SVRA.