



FREMONT COUNTY CONDITIONAL USE PERMIT APPLICATION

1. Project Name: _____

2. Applicant: _____ Address: _____

City: _____ State: _____ Zip Code: _____

Telephone #: _____ Facsimile #: _____

Email Address: _____

3. Owner: _____ Address: _____

City: _____ State: _____ Zip Code: _____

Telephone #: _____ Facsimile #: _____

Email Address: _____

4. Consultant: _____ Address: _____

City: _____ State: _____ Zip Code: _____

Telephone #: _____ Facsimile #: _____

Email Address: _____

Please read prior to completion of this application

Property owners and other potential applicants are encouraged to meet informally or communicate with Planning and Zoning Department staff to gain familiarity with the application process prior to formal submittal of an application and to continue the communications throughout the application process. For more details on application meetings, see Section 8.3 of the Fremont County Zoning Resolution (FCZR).

No Conditional Use Permit (CUP) Application which has been denied by the Fremont County Board of County Commissioners (Board) within the past three (3) years can be resubmitted unless there is valid new evidence or a substantial change in circumstances of the original application.

Any application for CUP that has been submitted after the use requiring the permit has been established on the property shall be subject to a penalty fee in addition to the set application fee for such permit. The penalty fee shall be the same amount as the initial application fee for the CUP. In effect a double application fee shall be charged at the time of submittal in such circumstances. As with all land use applications payment of associated fees do not insure approval of the application.

Any application which is not complete or does not include all minimum submittal requirements will not be accepted by the Fremont County Department of Planning and Zoning (Department). Further, any application that is inadequately prepared, or is incomplete, may be subject to postponement (*until an adequate submittal is provided*) of placement on an agenda of the Fremont County Planning Commission (Commission).

The applicant shall provide **one (1) original document, four (4) copies, and an electronic copy (either CD or flash/thumb drive)** of the application and all of its attachments (*copies of deeds, contracts, leases etcetera are acceptable*) at the time of application submittal along with the application fee, set as per Resolution of the Board. Submittals shall be made to the Department no later than 3:00 pm on the submittal deadline date.

After an adequate submittal, the Department will review the application and all attachments and prepare a Department Submittal Deficiency and Comment Letter (D & C Letter), which will state the submittal deficiencies which must be addressed by the applicant, Department comments and/or questions about the application and the number of revised application packets that must be supplied to the Department in order to place the application on an agenda of the Commission.

Attachments can be made to this application to provide expanded narrative for any application item including supportive documentation or evidence for provided application item answers. Please indicate at the application item that there is an attachment and label it as an exhibit with the application item number, a period and the number of the attachment for that item (*as an example, the first attached document providing evidence in support of the answer given at application item number 22 would be marked - Exhibit CUP-22.1, the fifth attached document supporting the narrative provided for application item 22 would be marked - Exhibit CUP-22.5*). Exhibit numbers should be placed in the lower right hand area of the exhibit.

An additional full application fee will be charged to the applicant, as per Resolution approved by the Board, if all deficiencies as per the initial D & C Letter are not adequately addressed or provided. Each subsequent D & C Letter, based on resubmitted items, will result in another full application fee. All such fees shall be paid along with the deficiency submittal, prior to any further review of the application.

If the application is approved by the Board with contingencies the contingencies shall be provided to the Department within six (6) months of the approval date. If not the approval shall be deemed rescinded and the application expired. Re-submittal of the entire application, including fees, and procedural requirements, including public meetings and notices would be required.

If the application is approved by the Board requiring improvements, all such improvements must be completed at the expense of the applicant prior to issuance of the CUP.

In approving an application for CUP, the Board may require higher standards for development than listed for such use in the FCZR.

The Department, The Commission and/or The Board may require additional information at any time during the application process as may be deemed necessary in order to review the application adequately, to determine if the application is in compliance with all applicable regulations and make an informed decision with regard to recommendations, approval or disapproval of the application.

Modifications, major or minor, to the CUP as approved, shall be done only in compliance with requirements of the FCZR.

For specific regulatory requirements the applicant should refer to the appropriate sections of the FCZR. In addition, consideration shall be given to the Fremont County Master Plan, in the review of CUP applications.

For further reference the Fremont County Zoning Resolution (FCZR) may be viewed on the Internet at <http://www.fremontco.com/planningandzoning/zoningresolution.pdf> and the Fremont County Subdivision Regulations may be viewed on the Internet at <http://www.fremontco.com/planningandzoning/forms/subdivisionregulations.pdf> and the Fremont County Master Plan may be viewed on the Internet at <http://www.fremontco.com/planningandzoning/forms/masterplan.pdf>

5. Provide a detailed statement describing the proposed operation. Describe the operation as to what it will be at its start and at full capacity, the general types and numbers of equipment, the number of employees, the number of employee shifts, proposed structures, and all other pertinent operational information. The more information provided, the easier it will be for the Department, Commission, Board and Public to understand and review the request.

6. What is the legal description of the proposed CUP boundary? _____

If the legal description is long an attachment can be made marked as Exhibit CUP-6.1. An exhibit has been attached.

7. Is the property to be contained in the CUP boundary the total property legally described in the current deed of record (*most recent deed of the property recorded in the Fremont County Clerk & Recorder's Office*)? Yes --- No If **no**, please explain: _____

(NOTE: If the property to be contained in the CUP is a portion of the total property in the current deed of record, then a subdivision or exemption process may be required as a contingency item, if this request is approved. All subdivisions or exemptions must comply with the development requirements of the zone district in which the property is located. A contingency item is being requested)

8. A copy of the current deed of record for the subject property shall accompany this application marked as Exhibit CUP-8.1. An exhibit has been attached.

9. What is the total acreage of the property in the CUP boundary? _____

10. What is the total acreage of the property that contains the CUP boundary? _____

11. What is the current zoning of the subject property? _____

12. Will the proposed use require a zoning change of the subject property? Yes --- No

If **yes**, to what district? _____

13. Is the proposed use specifically allowed by CUP in the Zone District? Yes --- No

If **yes**, please provide the FCZR citing that allows the proposed use: _____

If **no**, please provide the FCZR citing for the CUP use that the applicant feels is most similar in use and neighborhood impact to the proposed use and provide a detailed explanation as to why this use is similar. _____

14. What is the current land use of the subject property? _____

Is the current use proposed to remain on the property? Yes --- No

This current land use of the subject property is - conforming - non-conforming with the current zone district requirements. Please explain: _____

If the current land use will remain a non-conforming use after the CUP is approved and proposed to remain on the subject property, an application for “non-conforming use status” shall be filed with the Department and copy shall be attached to this application as Exhibit CUP-14.1. An exhibit has been attached. (**NOTE:** *If this use is determined not to be a non-conforming use, said use shall be removed from the subject property.*)

15. What is the general location of the proposed CUP site? _____

16. What days of the week will the proposed use be in operation? _____

17. What hours of the day will the proposed use be in operation? _____

Will different aspects of the proposed use need to operate at different times of the day?

Yes --- No Please explain: _____

18. What is the estimated duration of the proposed use, in years? _____

19. What is the time frame being requested for the duration of this CUP, if issued? Life of the use ---

Other _____ Please provide justification for the requested duration of permit. _____

20. For operations that may be in temporary cessation for more than six (6) months per year temporary cessation status may be requested at the time of application. No such temporary cessation shall exceed two (2) years without specific formal approval by the Board. Some seasonal operations may have an annual cessation period and should request such at this time. Does the applicant request temporary cessation with this application? Yes --- No If **yes**, please provide an explanation of the cessation, including dates of cessation and justification for such cessation: _____

21. The proposed site and permit area must be of sufficient size to accommodate the proposed use, its accessory uses, structures, fences, parking and loading areas, and open spaces. Address the following items:

a. What percentage of the permit area will be covered with structures? _____

b. What will be the setbacks from any proposed buildings and/or structures to the permit boundary?

Front (*side from which property gains access*): _____

Rear: _____ Side: _____
Side: _____ If more than one building and/or structure is proposed please make an attachment marked as Exhibit CUP-21b.1. An exhibit has been attached.

- c. Is a buffering and landscaping plan required as per Section 5.2.6 of the FCZR? Yes --- No
If **no**, will any buffering, screening and/or landscaping of the permit area be provided?
 Yes --- No If **yes** to either question, then the plan for such shall be attached to this application, and it shall be marked as Exhibit CUP-21c.1. An exhibit has been attached. If **no** to either question, then justification shall be provided as to why no buffering, screening and/or landscaping should be provided. _____

22. The proposed use must comply with the FCZR, concerning the off-street parking and loading (*every proposed use must provide adequate areas for employee, customer, delivery and shipping parking off-street*) requirements. Provide the following information:

- a. How many off-street parking spaces are proposed (total)? _____
- b. What is the proposed number of standard size spaces (9' X 18')? _____
- c. What is the proposed number of compact spaces (7' X 15')? _____
- d. What is the proposed number of spaces for individuals with disabilities? _____
- e. What is the size of all proposed off-street loading areas? _____
- f. Hard surfacing (*concrete or asphalt*) is required for all parking, loading, driveway and entrance areas, unless waived by the Board. Is such a waiver being requested by the applicant?
 Yes --- No If **yes**, the applicant shall provide justification for such waiver: _____

If **no**, please identify the type of hard surfacing being proposed and the proposed thickness: _____

- g. The County may require parking areas to be adequately lighted to protect the safety of individuals using the area while not having off-site impacts. Does this application include a parking area lighting plan? Yes --- No If **yes**, the parking area lighting plan shall be attached marked as Exhibit CUP-22g.1. An exhibit has been attached. If **no**, please provide justification as to why a plan is not needed. _____

- h. The County may require parking areas to be landscaped to break up the expanse of the parking area and/or to provide buffering and screening of the parking area in order to limit off-site impacts. Does this application include a parking area-landscaping plan? Yes --- No
If **yes**, the parking area landscaping plan shall be attached marked as Exhibit CUP-22h.1. An exhibit has been attached. If **no**, please provide justification as to why a plan is not needed. _____

-
-
23. The subject property must be served by roadways adequate to provide acceptable access for the proposed use, not endanger users of the roadway by creating traffic hazards or congestion and not create a maintenance problem. Please provide, with this application, the following:
- a. If the subject property has access via a County Road, a completed Fremont County Roadway Impact Analysis Form, marked as Exhibit CUP-23.1a An exhibit has been attached

or

- b. If the subject property accesses a roadway controlled by the CDOT, an issued Colorado Department of Transportation Access Permit for the specified use marked as Exhibit CUP-23.1b An exhibit has been attached.

24. If the property does not have adequate frontage on a County Road, then proof of access rights to public roads shall be provided marked as Exhibit CUP-24.1. An exhibit has been attached.

25. When access to the subject property is proposed to be via a County Road that accesses a roadway controlled by the CDOT within 500 feet of the intersection of the CDOT road and the County Road, proof of CDOT notification of the proposed Conditional Use Permit and CDOT's comments and requirements shall be provided marked as Exhibit CUP-25.1. An exhibit has been attached.

26. The project site must be served with utilities necessary to adequately accommodate the proposed use. Address the following items:

- a. What utilities will be necessary to accommodate the proposed use?

MARK EACH ITEM THAT APPLIES:

- | | |
|--|---|
| <input type="checkbox"/> Drinking water | <input type="checkbox"/> Water used in the scope of the project |
| <input type="checkbox"/> Water for sanitation purposes | <input type="checkbox"/> Water for fire protection |
| <input type="checkbox"/> Irrigation water | <input type="checkbox"/> Sewage disposal |
| <input type="checkbox"/> Trash collection | <input type="checkbox"/> Electricity |
| <input type="checkbox"/> Telephone | <input type="checkbox"/> Natural gas |
| <input type="checkbox"/> Cable television | <input type="checkbox"/> Other: _____ |

- b. Will the proposed use require service from a public water system? Yes --- No If **yes**, will connection to the system require more than a service line type connection, at the applicant and/or owner's expense? Yes --- No If **yes**, please explain. _____

If water service is to be provided from a public water system, then documentation from the provider evidencing the ability to provide water and commitment to serve the project, including fire protection, shall be attached marked as Exhibit CUP-26b.1. An exhibit has been attached.

In addition, Fremont County's Colorado Division of Water Resources Information Form for Special Use, Zoning, and Other Land Use Actions shall be completed and attached, marked as Exhibit CUP-26b.2. An exhibit has been attached.

c. Is the proposed use to be serviced by an individual well? Yes --- No
If **yes**, then Fremont County's Colorado Division of Water Resources Information Form for Special Use, Zoning, and Other Land Use Actions shall be completed and attached, marked as Exhibit CUP-26c.1. An exhibit has been attached.

d. Will the proposed use necessitate the conversion of agricultural water to non-agricultural uses?
e. Yes --- No Please explain. _____

f. Will the proposed use in any way preserve agricultural water for agricultural purposes?
 Yes --- No Please explain. _____

g. Will the proposed use require service from a public sewer system? Yes --- No
If **yes**, will the connection to the system require more than a service line type connection, at the applicant and/or owner's expense? Yes --- No Please explain. _____

If sewer service is to be provided from a public sewer system, then documentation from the provider evidencing the ability to provide service and commitment to serve the project shall be attached marked as Exhibit CUP-26f.1. An exhibit has been attached.

h. Will the proposed use be serviced by an onsite wastewater treatment system? Yes --- No
If **yes**, then a percolation test and report in conjunction with a system design by a Colorado Registered Professional Engineer adequate to accommodate the proposed use shall be attached for a new system marked as Exhibit CUP-26g.1. An exhibit has been attached. If **yes**, but the intention is to use an existing system then documentation as to the system's adequacy from the Fremont County Environmental Health Office shall be attached marked as Exhibit CUP-26g.2. An exhibit has been attached.

i. Will utility services in the neighborhood (*electricity, natural gas, telephone, cable television, irrigation, trash collection*) be required to be modified in order to provide service adequate for the proposed use? Yes --- No Please explain. _____

j. Will the applicant or owner be covering all costs relating to any utility line extensions and/or upgrades to existing utility service lines required to service the proposed project and limit the utility service impact to the existing neighborhood (*electricity, natural gas, telephone, cable television, irrigation, trash collection*)? Yes --- No Please explain. _____

k. A detailed utility plan showing the proposed location of all utilities (*water, sewer, electric, gas, telephone, cablevision, irrigation structures, horizontal and vertical*), as proposed by the developer shall be attached marked as Exhibit CUP-26j.1. The plan shall include the signatures of all the utility companies noting their approval of the plan. An exhibit has been attached.

27. The project site must be serviced by all community services and facilities adequate to accommodate the proposed use. Address the following items:

a. What community services and facilities will be necessary to accommodate the proposed use?
MARK EACH ITEM THAT APPLIES:

Roadway Maintenance Fire Protection Emergency Medical Response

- | | | |
|--|--|--|
| <input type="checkbox"/> Hospital | <input type="checkbox"/> Search and Rescue | <input type="checkbox"/> Law Enforcement |
| <input type="checkbox"/> Park and Recreation | <input type="checkbox"/> Schools | <input type="checkbox"/> Library |
| <input type="checkbox"/> Airport | <input type="checkbox"/> Other: _____ | |

b. Will service facilities be required to be modified from their current status in order to provide service adequate for the proposed use? Yes --- No If **yes**, provide an explanation (*be specific as to which facilities will require modification and what the modification will be*). _____

Will the applicant or owner be covering all costs relating to any modifications to existing services and/or service facilities required to service the proposed project and limit the impact to the existing community services and facilities within the neighborhood? Yes --- No
Please explain. _____

c. Is the project site located within the boundaries of a service district? Yes --- No
If **yes**, please list all districts that the site is located in. _____

d. Is the project site near (*within a 1/4-mile radius*) the boundary of any service district(s)?
 Yes --- No If **yes**, please identify the service district(s). _____

If **yes**, does the applicant and owners intend to annex to the service district? Yes --- No
If **no**, please explain why not: _____

e. A Fremont County Fire Protection Plan and District Comment Form addressing method of fire protection, location of fire hydrants or other means of fire protection shall be attached marked as Exhibit CUP-27e.1. An exhibit has been attached. If project is located within a fire protection district, the fire protection plan shall be approved by the Fire Protection District having authority over the site.

f. Will the proposed project in any way promote the formation of any new service districts?
 Yes --- No Please explain. _____

g. Will the proposed use in any way promote the utilization of existing service facility improvements?
 Yes --- No Please explain. _____

h. Is the project site located within the boundaries of any taxing district(s)? Yes --- No
If **yes**, please provide a list of all taxing districts in which the subject property is located. _____

i. Would the proposed project be considered an “in-fill” development? Yes --- No
Please explain. _____

j. Has a fiscal impact analysis report been prepared in association with the proposed project?
 Yes --- No If **yes**, the analysis report shall be attached marked as Exhibit CUP-27j.1.
 An exhibit has been attached.

28. The proposed use should have a minimal effect on adjacent uses, the use and its location should be compatible and harmonious with its surrounding neighborhood, should not create undesirable sanitary conditions, should not overburden utilities, should not create adverse environmental influences, should not adversely affect wildlife, should not impact the rural character of the County and should not impair the public health, welfare, prosperity and safety. If the proposed use is anticipated to create any undesirable conditions, provide an explanation of the proposed mitigation procedures. Address the following items:

a. What are the current zone district classifications adjacent to the proposed use site?
Northerly: _____
Southerly: _____
Easterly: _____
Westerly: _____

b. What are the current land uses adjacent to the proposed use site?
Northerly: _____
Southerly: _____
Easterly: _____
Westerly: _____

c. What will be the anticipated impacts of the proposed use on the existing adjacent land uses positive and/or negative?
Northerly: _____
Southerly: _____
Easterly: _____
Westerly: _____

d. What are the approximate distances between the structures, areas of disturbance, off-street parking areas and/or off-street loading areas that will make up the proposed use and adjacent uses?
Northerly: _____
Southerly: _____
Easterly: _____
Westerly: _____

e. Does the proposed site location contain any lands or lie adjacent to any lands designated by the Colorado Division of Wildlife (CDOW) as critical wildlife habitat? Yes --- No If **yes**, has CDOW reviewed the scope of the proposed project? Yes --- No If **yes**, a copy of CDOW’s comments shall be attached marked as Exhibit CUP-28e.1. An exhibit has been attached. If **no**, a notification to CDOW will be required.

- f. The Fremont County Right to Farm and Ranch Policy (Resolution #40, Series of 1998) will be taken into consideration during application review. Please explain how this application meets the spirit of this policy. _____
-
- g. Is the proposed use to be located on or adjacent to land currently used for agriculture, forestry and/or open space land uses? Yes --- No If **yes**, what buffering measures are proposed to minimize conflicts between the proposed use and the existing adjacent land uses? _____
-
- If **yes**, please explain what measures are proposed to protect crops, livestock, improvements and the normal agricultural activities from liability issues, littering, pollution and disruption in general. _____
-
- h. Will the proposed project allow access to land currently used or that could be used for agricultural purposes that currently does not have public access? Yes --- No Please explain: _____
-
- i. In addition to the proposed use will any portion of the site be used for agricultural, forestry, wildlife habitat, parks, trails or open space use? Yes --- No Please explain. _____
-
- j. When the proposed use has ended are there plans to convert the land to an agricultural, forestry, wildlife habitat, parks, trails and/or open space use? Yes --- No Please explain. _____
-
- k. What effect will the proposed use have on property values in the general area (*explain*)? _____
-
- l. Will the proposed use create any safety issues that may affect adjacent uses? Yes --- No Please explain (*include mitigation measures*): _____
-
- m. Will the proposed use create noise, discernible off-site? Yes --- No Please explain (*include mitigation measures*): _____
-
- n. Will the proposed use create vibrations, discernible off-site? Yes --- No Please explain (*include mitigation measures*): _____
-
- o. Will the proposed use and/or its accessory uses (*including signs, parking and loading areas*) or structures create glare off-site? Yes --- No Please explain (*include mitigation measures*): _____
-
- p. Will the proposed use and/or its accessory uses (*including signage, parking and loading areas*) or structures have any off-site visual impacts? Yes --- No Please explain (*include mitigation measures*): _____
-

q. Will the proposed use, its accessory uses (*including parking and loading areas*) and/or structures have the potential to create water pollution either by discharge to a waterway or drainageway, through percolation in the ground or by storm water drainage? Yes --- No Please explain (*include mitigation measures*): _____

r. Will the proposed use, its accessory uses (*including parking and loading areas*) and/or structures create dust and/or other forms of air pollution? Yes --- No Please explain (*include mitigation measures*): _____

s. Will the proposed use contain noxious weed control measures in the scope of the project?
 Yes --- No If **yes**, have the proposed control measures been reviewed by the Fremont County Noxious Weed Control Board? Yes --- No If **yes**, their comments shall be attached marked as Exhibit CUP-28s.1. An exhibit has been attached. If **no**, provide an explanation why such measures are not included. _____

t. Is the project site located on or near land identified as an archaeologically or historically significant site by organizations recognized by County, State and/or Federal agencies?
 Yes --- No If **yes**, please identify the site and provide an explanation as to what effect the proposed project would have and what measures the applicant is proposing to mitigate the effects. _____

If **yes**, has the proposed project been reviewed by the identifying entity? Yes --- No
If **yes**, please attach their comments marked as Exhibit CUP-28t.1. An exhibit has been attached. If **no**, a notification to an appropriate entity shall be required.

u. Does the project require the placement of improvements on or the disturbance of land in any of the following? Yes --- No

(if yes, mark each of the applicable items):

- | | | |
|--|--|---|
| <input type="checkbox"/> Geologic hazard areas | <input type="checkbox"/> FEMA flood area | <input type="checkbox"/> Mine subsidence area |
| <input type="checkbox"/> Tops of ridge lines | <input type="checkbox"/> Prominent landmarks | <input type="checkbox"/> Natural water courses |
| <input type="checkbox"/> Unusual rock formations | <input type="checkbox"/> Scenic vistas | <input type="checkbox"/> Open fields/Meadows |
| <input type="checkbox"/> Wildlife habitat | <input type="checkbox"/> Riparian areas | <input type="checkbox"/> Threatened plant habitat |
| <input type="checkbox"/> Forest | <input type="checkbox"/> Mountain ecosystem | <input type="checkbox"/> Prairie ecosystem |

If **yes**, provide an explanation as to why the placement or disturbance is necessary, what the potential impacts may be and what measures the applicant is proposing to mitigate the impacts.

v. Is the subject property accessed from or located within the view shed of any of the following roadways within Fremont County? Yes --- No

Please mark all that are applicable: FCR (Fremont County Road)

- | | |
|--|--|
| <input type="checkbox"/> US Highway 50, adjacent to the Arkansas River | <input type="checkbox"/> Colorado State Highway #69 |
| <input type="checkbox"/> FCR #2 (<i>aka Tallahassee Road</i>) | <input type="checkbox"/> FCR #3A (<i>aka Royal Gorge Road</i>) |
| <input type="checkbox"/> FCR #6 (<i>aka Hayden Creek Road</i>) | <input type="checkbox"/> FCR #12 (<i>aka Red Gulch Road</i>) |
| <input type="checkbox"/> FCR #28 (<i>aka Copper Gulch Road</i>) | <input type="checkbox"/> FCR #132 (<i>aka Upper Beaver Creek Road</i>) |

The Gold Belt Tour National Back Country Byway (also a Colorado Scenic and Historic Byway)
If answered **yes**, please explain what is proposed to mitigate any visual impacts created by the proposed project. _____

w. Is the proposed project site located adjacent to or within the view shed of the Arkansas River?
 Yes --- No If **yes**, will the proposed project have any effect on the Arkansas River Corridor? Yes-- No If **yes**, please provide an explanation as to what effect the proposed project would have and what measures the applicant is proposing to mitigate the effects. _____

If **yes**, to either of the previous questions, has the project been reviewed by the Arkansas Headwaters Recreation Area State Park (AHRA)? Yes --- No If **yes**, please attach their comments marked as Exhibit CUP-28w.1. An exhibit has been attached. If **no**, a notification to AHRA will be required.

x. Will the proposed project in any way preserve and/or enhance the natural and cultural amenities of the County, and the unique recreational and scenic features of the natural environment?
 Yes --- No Please explain. _____

29. A stormwater drainage plan and report shall be prepared for the project site in accordance with the hydraulic method and design standards of Section 5.10 of the FCZR, taking into consideration the Fremont County Flood Damage Prevention Regulations, Building Code of Fremont County, Colorado Department of Public Health and Environment Regulations, Colorado Revised Statutes, US Army Corp of Engineers and Federal Emergency Management Agency Regulations. A copy of the plan shall be attached marked as Exhibit CUP-29.1. An exhibit has been attached. The property owner shall execute a Quit Claim deed with a deed restriction addressing the maintenance of any required drainage facilities, easements, right-of-ways, related structures and/or facilities. (*County will not accept maintenance of these facilities*) Such deed shall be recorded at the time of recording of the use permit. A copy of the deed shall be attached marked as Exhibit CUP-29.2. An exhibit has been attached.

30. Is the proposed project site located within the Urban Growth Boundaries or other areas of influence of any municipality? Yes --- No If **yes**, please identify the municipality and area(s) of influence. _____

If **yes**, does the proposed use meet the requirements of the municipality influence area, Urban Growth Boundary policies and Master Plan document? Yes --- No Please explain _____

Will the proposed use require any variances to the requirements of the municipality influence area, Urban Growth Boundary policies, requirements of the municipality Master Plan document or any land use regulations of the County? Yes --- No Please explain. _____

31. Does the project site property lie adjacent to a municipal boundary line (*city or town limits*)?
 Yes --- No If **yes**, please identify the municipality. _____
 If **yes**, is this a use that should be annexed inside the municipal boundary? Yes --- No
 If **no**, please explain why not. _____

32. Does the subject property lie within three (3) miles of any municipal boundary line and/or a county boundary line? Yes --- No If **yes**, please identify the entity(s). _____

33. Does the proposed project site adjoin lands currently in public ownership (*BLM, USFS, CDOW, CSFS, municipal ownerships, etcetera*)? Yes --- No If **yes**, is the project landowner willing to provide access from the public roadway that serves the site across the site property for public access to the public lands in question? Yes --- No Please explain. _____

34. Will the proposed project in any way encourage existing small businesses and/or agriculturally related business to remain in Fremont County? Yes --- No Please explain. _____

35. Will the proposed project generate additional local employment opportunities? Yes --- No
 If **yes**, what are the estimated numbers, duration and types of jobs that would be generated? _____

 If **no**, please explain: _____

36. Will the proposed project in any way enhance the community pride felt by residents of Fremont County? Yes --- No Please explain. _____

37. Will the proposed project in any way affect or provide for affordable, diverse and quality housing types for the residents of Fremont County? Yes --- No Please explain. _____

38. Will the proposed use utilize existing buildings and/or structures currently located on the subject property? Yes --- No Please explain. _____

39. Will the proposed use encourage recycling of items used or discarded in the operation of the use? Yes --- No Please explain. _____

40. Will the proposed use generate any items that could be considered "hazardous waste"?
 Yes --- No If **yes**, please explain what the generated waste is and the disposal method for the waste. _____

41. A refuse disposal plan shall be provided to address the storage of, collection of, disposal of refuse and the screening from view of refuse receptacles. This plan, at a minimum, shall be reviewed by the Fremont County Environmental Health Office. The plan shall be attached marked as Exhibit CUP 41.1. An exhibit has been attached.

42. The **intent** of the Fremont County Zoning Resolution is to regulate the use of buildings, structures and land for trade, industry, residence, recreation, public and other purposes; the location, height, bulk and size of buildings and other structures; the lot size and percentage that may be occupied; the size of yards, courts and other open spaces; the density and distribution of population. Provide a statement as to how the proposed use meets this intent: _____

43. The **purpose** of the Fremont County Zoning Resolution is to promote the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Fremont County, including lessening the congestion of the streets or roads, or reducing the waste of excessive amounts of roads; promoting energy conservation, securing safety from fire, floodwater and other dangers; providing adequate light and air; classifying land uses and land development and utilization, protecting the tax base, securing economy in governmental expenditures, fostering the State’s agricultural and other industries and protecting both urban and non-urban development. Please provide a statement explaining how the proposed use complies with this purpose. _____

44. **Fremont County Master Plan Approval Criteria:** The proposed use should comply with the “Goals, Objectives and Implementation Strategies”, in general, of the twelve categories listed in Chapter Four of the Fremont County Master Plan. The applicant is familiar with said document and feels that the proposed project is in compliance with the document. Yes --- No Please explain. _____

45. **MASTER PLAN - PLANNING DISTRICTS** - The Fremont County Master Plan divides the County into six distinctive planning districts, with objectives and strategies for each planning district that will be used in review of all land use applications as a portion of the justification that the proposed project would meet the intent of the Master Plan. An attachment, marked as Exhibit CUP-45.1, that addresses how the proposed CUP will meet the objectives and strategies of the Planning District in which the subject property is located shall be provided.

In which Planning District is the proposed project site located?

- District One - The Urban Growth District District Two - The Penrose/Beaver Park District
 District Three - The Mountain District District Four - The Royal Gorge Impact District
 District Five - The Arkansas Valley District District Six - The Plains District
 An exhibit has been attached.

46. Five (5) full size and five (5) reduced (8½"x11" or 11"x17") copies of a site plan drawing, drawn to professional standards, to include, at a minimum, the following (*the Department, Commission or Board can require additional information*) (*Note 1: At least one (1) copy shall be of adequate size to use for display at public meetings; Note 2: More than one sheet may be used if it is easier to express the required information, provided they are adequately labeled for identification*):
- a. Drawing size: Minimum sheet size 18"X24" to a maximum sheet size of 24"X36";
 - b. Drawing scale, unless a different scale is approved by the Department prior to submittal: minimum scale of 1"=200' to a maximum scale of 1"=50';
 - c. Appropriate title (CONDITIONAL USE PERMIT FOR [name]);
 - d. Appropriate subtitle (*shall contain a brief description of the proposed operation*);
 - e. Boundary drawing of the property with bearings and dimensions which illustrates the legal description of the subject property;
 - f. Legal description of the subject property;
 - g. The total amount of square footage and acreage contained in the subject property;
 - h. The zoning classification for the subject property;
 - i. Zoning classification for all adjoining lots, parcels, or tracts;
 - j. Written and graphic scale;
 - k. North Arrow;
 - l. A vicinity map locating the subject property in relation to surrounding area, streets, major natural features, etcetera.;
 - m. Provide a table on the drawing to indicate relationship between the proposed construction and existing construction to remain on the property in association with the development requirements of the proposed zone district;
 - n. The drawing shall clearly label or show by identified line symbol the boundary of the CUP area;
 - o. The drawing shall illustrate the size, shape and location of all existing buildings, structures and improvements that will remain on the subject property including: (*Note: Typical type drawings and or tables may be used to express the required information if appropriate.*)
 - 1) Each such building, structure and or improvement shall have a label and or note that identifies it and states its existing and or proposed use;
 - 2) Location dimensions from at least two property lines for each such building, structure and/or improvement;
 - 3) Square footage and dimensions of all buildings and structures;
 - 4) Building height of each building and/or structure;
 - p. The drawing shall illustrate the size, shape and location of all proposed buildings, structures and improvements including: (*Note: Typical type drawings and or tables may be used to express the required information if appropriate.*)
 - 1) Each such building, structure and or improvement shall have a label and or note that identifies it and states its proposed use;
 - 2) Location dimensions from at least two property lines for each proposed building, structure or improvement;

- 3) Square footage and dimensions of all buildings and structures;
 - 4) Building height of each building and/or structure;
- q. Identify by label or note all off-street parking areas on the subject property including: *(Note: Typical type drawings and or tables may be used to express the required information if appropriate.)*
- 1) Dimensions of overall size of all off-street parking areas;
 - 2) Proposed surface type for all off-street parking areas. *(See Section 5.3.2 of the FCZR for requirements);*
 - 3) Proposed thickness of the surface materials of the off-street parking areas;
 - 4) Identify by label or note and locate different types of off-street parking spaces. *(Such as full size spaces, compact spaces and spaces for individuals with disabilities). (Map symbol may be used);*
 - 5) Dimension each type of off-street parking space proposed to be used on the subject property. *(A typical drawing for each type of space is acceptable);*
 - 6) A table based on Sections 5.3 and 5.4 of the FCZR specifying the minimum numbers of spaces required for each category in comparison to the numbers proposed by this application;
- r. Identify by label or note all off-street loading areas proposed to be contained on the subject property *(See Section 5.5 of the FCZR for requirements)* including: *(Note: Typical type drawings and or tables may be used to express the required information if appropriate.)*
- 1) Location and size, by dimension, all off-street loading areas;
 - 2) Proposed surface type for all off-street loading areas. *(See Section 5.3.2 of the FCZR for requirements);*
 - 3) Proposed thickness of the surface materials of the off-street loading areas;
- s. Identify by label or note, the specific type and height *(at maturity for vegetation and an estimated time to reach maturity)* and locate, by dimension, all landscaping to be used within the off-street parking and loading areas. *(See Section 5.3.4 of the FCZR) (Note: Typical type drawings and or tables may be used to express the required information if appropriate.)*
- t. Identify by label or note each internal roadway proposed on the subject property after development including: *(Note: Typical type drawings and or tables may be used to express the required information if appropriate.)*
- 1) Dimensions from property lines at the beginning and end of the roadway and centerline information for the entire roadway;
 - 2) Width at the beginning of the roadway and at any points along the roadway where the width changes;
 - 3) All access points from the subject property to the public roadway system. Locate each access point by providing dimensions from property lines;
 - 4) All internal traffic circulation patterns by line symbol;
 - 5) The surface type, width and thickness, of each internal roadway;
- u. Identify by label or note, all pedestrian areas and walkways located outside of buildings and/or structures, on subject property, including: *(Note: Typical type drawings and or tables may be used to express the required information if appropriate.)*
- 1) Dimensions of all pedestrian areas and walkways;
 - 2) Surface type, width, length and thickness of all pedestrian areas and walkways;
- v. Identify by label or note and locate and size, by dimension(s) all service and refuse areas;
- w. Identify and locate all drainageways including FEMA flood areas, by dimensions from property lines;
- x. Identify and locate significant natural features of the subject property by dimensions from the property lines;
- y. Identify and locate all drainage facilities;
- z. All drainage facilities shall be located by dimension and shall be designated as a drainage easement;

- aa. Identify by label or note, and locate by dimension, the specific type of lighting proposed for off-street parking and loading areas (*See Section 5.3.3 of the FCZR*) including: (*Note: Typical type drawings and or tables may be used to express the required information if appropriate.*)
 - 1) The height of light poles and illustrate the lighting coverage area. Proposed lighting shall not direct light onto any public roadways. Lighting shall not be directed toward surrounding properties and shielding of lighting or other methods may be required to mitigate impacts to surrounding properties;
 - bb. Identify by label or note, and locate by dimension, the specific type of on-site identification signage proposed, including: (*Note: Typical type drawings and or tables may be used to express the required information if appropriate.*)
 - 1) Total square footage of all proposed signs along with the width and length of the proposed signs;
 - 2) Total height of proposed signs, including poles and/or pedestals;
 - 3) A statement or note shall be provided to signify whether or not the proposed signs will be illuminated. Illuminated signage shall not direct light onto any public roadways. Illuminated signage shall not direct light onto adjoining properties;
 - cc. Identify by label or note, locate and dimension all open space areas, if provided;
 - dd. Identify by label or note all existing easements located on the subject property including:
 - 1) Dimensions from property lines at the beginning and end of the easement and centerline information for the entire easement;
 - 2) Width at the beginning and the end of the easement and at any points along the easement where the width changes;
 - 3) If existing easements are to be vacated or relocated appropriate information shall be provided by label or note;
 - ee. Identify by label or note all proposed easements to be located on the subject property after the development including:
 - 1) Dimensions from property lines at the beginning and end of the easement and centerline information for the entire easement;
 - 2) Width at the beginning and the end of the easement and at any points along the easement where the width changes;
 - ff. Designate soil type areas. In a table provide a brief description of the soil characteristics;
 - gg. If the drawing requires the use of symbols or lines that cannot or should not be identified by label, then the drawing shall include a legend in which to identify them;
 - hh. If the drawing requires notes in order to understand different aspects of the property and or proposal, then the drawing shall contain a note section in which each note is identified by a numerical or alpha designation;
 - ii. Date of preparation and dates of revision, if necessary.
47. A list identifying all agencies of local, state and/or federal government that will require a permit, license or the like to be issued for all or part of the activity that comprises the proposed use and a summary of the status of all applications, along with copies of such applications, permits, licenses or the like and contact names at the respective agencies, packaged as one item and marked as Exhibit CUP-47.1. An exhibit has been attached. (**NOTE:** *The Owner, Applicant and/or Operator, if granted CUP approval, shall comply with all laws and regulations of the County of Fremont, its agencies or departments, the State of Colorado, its agencies or departments, and the United States of America, its agencies or departments, as now in force and effect or as the same may be hereafter amended. Further, the Owner, Applicant and/or Operator shall obtain and keep in effect all other permits, licenses or the like, required by any other governmental agency and as otherwise may be*

required by Fremont County. Revocation, suspension or expiration of any such other permits, licenses or the like, shall revoke, suspend or terminate the CUP, as the case may be.)

48. Is the application for a mining operation? Yes --- No If **yes**, then at a minimum copies of the mining (Exhibit CUP-48.1) and reclamation (Exhibit CUP-48.2) plans shall be attached and marked appropriately as exhibits. Exhibits have been attached.
49. All Solid Wastes Disposal Sites and Facilities, Hazardous Waste Treatment, Storage or Disposal Sites and Waste to Energy Incineration Systems shall comply with the Solid Waste Disposal Sites and Facilities, Hazardous Waste Treatment, Storage or Disposal Sites and Facilities and Waste-to-Energy Incineration Systems Regulations, Section 6 of the FCZR, and applicable State and Federal laws and regulations. If non-applicable, attach a justification statement as to why such regulations are non-applicable, marked as Exhibit CUP-49.1. An exhibit has been attached.
50. Once a public hearing date has been set by the Board the Applicant shall be responsible for mailing notice (*see FCZR 8.5.5.1*) to all property owners within five-hundred (500) feet of the subject property. A list of names, complete mailing addresses, and Assessor's Parcel Numbers for all property owners within five-hundred (500) feet of the property boundary shall be attached to this application and marked as Exhibit CUP-50.1. An exhibit has been attached.
51. Based on the real estate records of the county, which include the records of the County Assessor, and "requests for notification" filed by a mineral estate owner in the records of the County Clerk and Recorder, have the mineral interests of the subject property been severed? Yes --- No If yes, name of mineral interest owner _____
As per the FCZR Section 8.5.5.2, a notice shall be sent (*certified mail return receipt requested*) to the severed mineral interest owner(s) not less than thirty (30) days before the date of the Commission meeting at which the application is anticipated to be heard. See Zoning – Mineral Interest Owner Notification Form. Evidence of said notice and mail receipt shall be attached to this application, marked as Exhibit 51.1. An exhibit has been attached.
52. If the owner is not the applicant, written authorization from the current property owner specifying the extent to which the representation is authorized shall be attached marked as Exhibit CUP-52.1.
 An exhibit has been attached.
53. In the circumstance of corporate ownership, documentation evidencing whom is eligible to execute documents on behalf of the corporation, shall be attached to this application. Attachments for this application item shall be marked as Exhibit CUP-53.1. An exhibit has been attached.
54. Who will be the designated operator (*person or firm in charge of the on-site operation*) of the CUP?
 Owner --- Applicant --- Other If the operator is other than the Owner or Applicant then contact information for the operator shall be provided marked as Exhibit CUP-54.1. An exhibit has been attached (**NOTE: Board approval shall be required prior to allowing any other person or entity to operate the use allowed by the CUP if granted approval. Further all persons or entities requesting Board approval to operate under this CUP must agree, in writing, to abide by all terms and conditions of this CUP and shall be required to be named as an additional party bound by the terms and conditions of this CUP.**)

55. A submittal fee of \$ _____ is attached to this application (Check # _____ cash)

By signing this Application, the Applicant, or the agent/representative acting with due authorization on behalf of the Applicant, hereby certifies that all information contained in the application and any attachments to the Application, is true and correct to the best of Applicant's knowledge and belief.

Applicant understands that any required private or public improvements imposed as a contingency for approval of the application may be required as a part of the approval process.

Fremont County hereby advises Applicant that if any material information contained herein is determined to be misleading, inaccurate or false, the Board of Commissioners may take any and all reasonable and appropriate steps to declare actions of the Board regarding the Application to be null and void.

Signing this Application is a declaration by the Applicant to conform to all plans, drawings, and commitments submitted with or contained within this Application, provided that the same is in conformance with the Fremont County Zoning Resolution.

Applicant Printed Name Signature Date

Owner Printed Name Signature Date