

FREMONT COUNTY
APPLICATION FOR ZONE CHANGE #2
FINAL DEVELOPMENT PLAN

(Requires Prior Approval of ZC #2 – Use Designation Plan)

1. Project Name: _____
2. Applicant: _____ Address: _____
City: _____ State: _____ Zip Code: _____
Telephone #: _____ Facsimile #: _____
3. Owner: _____ Address: _____
City: _____ State: _____ Zip Code: _____
Telephone #: _____ Facsimile #: _____
4. Consultant: _____ Address: _____
City: _____ State: _____ Zip Code: _____
Telephone #: _____ Facsimile #: _____

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).

The Zone Change #2 classification is for zone changes that change property to multi-family, business or industrial zone districts. (*MDR – Medium Density Residence, HDR – High Density Residence, MHP – Manufactured Home Park (Please see Section 4.10 of the FCZR for other requirements), TTP&CG – Travel Trailer Park & Campground (Please see Section 4.11 of the FCZR for other requirements), NB – Neighborhood Business, RHB – Rural Highway Business, B – Business, A – Airport, IP – Industrial Park, and I – Industrial*).

The zone change classification #2 application process provides two alternatives for applicants. The first alternative allows an applicant to obtain preliminary approval for the zone change through submittal of a Use Designation Plan, together with the appropriate fee. This is the application form for a Final Development Plan. Approval of a Use Designation Plan results in a zone change approval for the use specified in the application, without providing the detailed submittal requirements of the Final Development Plan. Use Designation Plan approval shall expire one year after approval, if an application for Final Development Plan has not been submitted. If the Final Plan is not submitted within the one year time frame, the zoning classification will revert back to the original zone classification.

No zone change (ZC) 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 conditions of the original application.

Any application for ZC that has been submitted after the use requiring the ZC has been established on the property shall be subject to a penalty fee in addition to the set application fee for the ZC. The penalty fee shall be the same amount as the initial application fee for the ZC. 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 does not insure approval of the application.

Any application for ZC where the intention is to house more than one (1) primary use on the property or in a single building will require that the property and or building be subdivided.

In the circumstance of a ZC application that will require a Preliminary Plan/Final Plat or Minor Subdivision application the ZC approval will not go into affect without final approval of the subdivision 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 and four (4) copies** 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 ZC-22.1, the fifth attached document supporting the narrative provided for application item 22 would be marked - Exhibit ZC-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 recording of the ZC.

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.

For specific regulatory requirements the applicant should refer to the appropriate sections of the Fremont County Zoning Resolution (FCZR). In addition, consideration shall be given to the Fremont County Master Plan (FCMP), as the Department will consider it in the review of ZC applications which could result in the need for additional information from the applicant.

For further reference the Fremont County Zoning Resolution may be viewed on the Internet at <http://www.fremontco.com/planningandzoning/zoningresolution.pdf> and the Fremont County Subdivision Regulations (FCSR) 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. 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 ZC-5.1. An exhibit has been attached.

6. 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 ZC-6.1. An exhibit has been attached.

7. What is the current zoning of the property? _____

8. What is the proposed zoning of the property? _____

9. What is the total acreage of the property? _____

10. What is the total acreage of the property to be rezoned? _____

11. What is the legal description of the proposed zone change boundary? _____

_____ If the legal description is long an attachment can be made marked as Exhibit ZC-11.1. An exhibit has been attached.

12. Is the boundary of the property to be rezoned 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 rezoned is a portion of the total property in the current deed of record, then a subdivision or exemption process will be required to be completed, 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 or will be located and appropriate requirements of the FCSR met.* A contingency is being requested.

13. A copy of the current deed of record identifying the current property owner for the subject property shall accompany this application marked as Exhibit ZC-13.1. An exhibit has been attached.

14. What is the general location of the proposed ZC site? _____

15. What is the current land use of the subject property? _____
NOTE: *The current land use must be incorporated into the proposed use, removed from the property or the property shall be subdivided so that each use is contained on a separate property. Please explain how the current land use will be addressed.* _____

16. What is the proposed use of the property? (*explain in detail*) _____

17. Provide the FCZR citing that allows the proposed use of the property: _____

18. Is the proposed land use an --- Allowed use, --- Conditional Use Permit (CUP), --- Special Review Use Permit (SRUP) or --- Temporary Use Permit (TUP) in the proposed zone district? Please explain: _____

If the proposed use is a use allowed through the issuance of a CUP, SRUP or TUP in the proposed zone district then appropriate applications will be required to be --- submitted to coincide with this application or to be submitted as a --- contingency of approval of this application. **NOTE:** *Approval of a ZC application does not guarantee the approval of a use permit application.*

19. Is the proposed use not specifically listed in the FCZR but thought to be a similar use to an allowed use or a use allowed by permit? Yes --- No If **yes**, then an application for similar use designation in accordance with requirements of the FCZR and associated fee, shall be made prior to submittal of this application or submitted in conjunction with this application. Said application shall be attached and marked as Exhibit ZC-19.1. An exhibit has been attached.

20. A written statement of justification for the rezoning, to include references to at least one (1) of the listed conditions, also documentation should be provided to support the justification evidence. Check all boxes thought to be justification for the proposed ZC: (*supportive documentation may be attached marked as Exhibit ZC-20.1* An exhibit has been attached.)

- a. - Evidence that the property was not properly zoned when the existing zoning was imposed.
- b. - Evidence that additional land is needed in the proposed zone district.
- c. - Evidence that there has been a material change in the neighborhood that justifies the requested zone change.
- d. - Evidence that the proposed zone change will be in conformance to the current Fremont County Master Plan in relation to the area.

Please provide a justification statement specifically indicating how each of the conditions marked are applicable for this application: _____

21. Provide evidence that there is a public need for the proposed zone change (*supportive documentation may be attached and marked as Exhibit ZC-21.1* An exhibit has been attached). _____

22. Provide evidence that there will be a County or neighborhood benefit from the proposed zone change, in that it will tend to preserve and promote property values in the neighborhood (*supportive documentation may be attached and marked as Exhibit ZC-22.1* An exhibit has been attached). _____

23. Provide a written description of buildings and uses proposed on the property to be rezoned. _____

24. Provide a written description of land uses, buildings and structures (*and their uses*) within five-hundred (500) feet of the boundary of the proposed area of change, in all directions from the subject property.
 Northerly: _____

 Southerly: _____

 Easterly: _____

 Westerly: _____

25. Explain what effect the proposed rezoning and proposed use would have on adjacent uses. If no positive or adverse effect on adjacent uses is expected, explain why there will be no positive or adverse effect on adjacent uses. _____

26. Provide evidence explaining how the proposed development will be in harmony and compatible with the surrounding land uses and existing development in the neighborhood of the property to be rezoned (*supportive documentation may be attached and marked as Exhibit ZC-26.1* An exhibit has been attached). _____

27. The proposed site 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 property will be covered with structures? _____

b. What will be the setbacks from any proposed buildings and/or structures to the site 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 ZC-27b.1. An exhibit has been attached.

28. 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 ZC-28b.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 ZC-28b.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 ZC-28c.1. An exhibit has been attached.

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

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

f. 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 ZC-28f.1. An exhibit has been attached.

- g. 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 ZC-28g.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 ZC-28g.2. An exhibit has been attached.
- h. 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. _____

- i. 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. _____

29. 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:

- | | | |
|--|--|---|
| <input type="checkbox"/> Roadway Maintenance | <input type="checkbox"/> Fire Protection | <input type="checkbox"/> 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. Will the proposed project in any way promote the formation of any new service districts? Yes --- No Please explain. _____

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

g. 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. _____

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

i. 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 ZC-29i.1.
An exhibit has been attached.

30. 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 ZC-30e.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*): _____

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- 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 ZC-30s.1. An exhibit has been attached. If **no**, provide an explanation why such measures are not included. _____
-

If **no**, a notification to the Noxious Weed Control Board will be required.

- 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 ZC-30t.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 (aka Tallahassee Road) | <input type="checkbox"/> FCR #3A (aka Royal Gorge Road) |
| <input type="checkbox"/> FCR #6 (aka Hayden Creek Road) | <input type="checkbox"/> FCR #12 (aka Red Gulch Road) |
| <input type="checkbox"/> FCR #28 (aka Copper Gulch Road) | <input type="checkbox"/> FCR #132 (aka Upper Beaver Creek Rd) |
| <input type="checkbox"/> 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 ZC-30w.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. _____

31. 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. _____

32. 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. _____

33. 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). _____

34. 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. _____

35. 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. _____

36. 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: _____

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

38. 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. _____

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

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

41. 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.

42. 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 ZC 42.1. An exhibit has been attached.

43. 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: _____

44. 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. _____

45. **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. _____

46. **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 ZC-46.1, that addresses how the proposed ZC 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?

- | | |
|---|--|
| <input type="checkbox"/> District One - The Urban Growth District | <input type="checkbox"/> District Two - The Penrose/Beaver Park District |
| <input type="checkbox"/> District Three - The Mountain District | <input type="checkbox"/> District Four - The Royal Gorge Impact District |
| <input type="checkbox"/> District Five - The Arkansas Valley District | <input type="checkbox"/> District Six - The Plains District |
- An exhibit has been attached.

47. 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 ZC-47.1a 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, to include documented proof of access rights to a public roadway, marked as Exhibit ZC-47.1b An exhibit has been attached.

48. 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 ZC-48.1. An exhibit has been attached.
49. 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 Zone Change and CDOT's comments and requirements shall be provided marked as Exhibit ZC-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 and 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 ZC-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 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. 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 (Owner or Project Name *ZONE CHANGE REQUEST*);
 - d. Appropriate subtitle (_____ *Zone District* to _____ *Zone District*);
 - e. The site plan drawing subtitle shall contain a brief description of the proposed use.
 - f. Boundary drawing of the property with bearings and dimensions which illustrates the legal description of the subject property;
 - g. Legal description of the subject property;
 - h. The total amount (*approximate*) of square footage and acreage contained in the subject property;
 - i. Zoning classification for all adjoining lots, parcels, or tracts;
 - j. The drawing shall clearly label or show by identified line symbol the boundary of the property proposed to be rezoned;

- k. Written and graphic scale;
- l. A North Arrow;
- m. A vicinity map locating the property to be rezoned in relation to the surrounding area, streets, major natural features, etcetera;
- n. 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;
- o. The drawing shall illustrate the size, shape and location of all existing buildings, structures and improvements which will remain 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) 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) Approximate square footage and approximated dimensions of all such buildings and structures.
- p. The drawing shall illustrate the size, shape and location of all proposed buildings, structures and improvements which will be located 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 proposed use.
- q. Identify by label or note, all access points from the subject property to the public roadway system. Locate each access point by providing dimensions from property lines.
- r. Identify by label or note all off-street parking areas on the subject property including:
 - 1) A table based on Sections 5.3 and 5.4 of the FCZR specifying the minimum numbers of spaces required for each use category in comparison to the numbers proposed by this application.
- s. 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.)*
- t. Identify by label or note all existing easements located on the subject property including:
 - 1) If existing easements are to be vacated or relocated appropriate information shall be provided by label or note.
- u. Identify by label or note all proposed easements to be located on the subject property after the zone change including:
 - 1) Dimensions from property lines at the beginning and end of the easement.
- v. Identify and locate all drainageways including FEMA flood areas;
- w. Identify and locate significant natural features of the subject property.
- x. Identify and locate all drainage facilities;
- y. 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.
- z. 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.
- aa. Date of preparation and date of revision, if necessary.

53. The proposed use must comply with the FCZR, concerning the off-street parking and loading area (*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 percentage of the total number of parking spaces that will be compact spaces (*all compact spaces must be marked or signed*)? _____
- e. What is the proposed number of spaces for individuals with disabilities? _____
- f. How many of the proposed spaces for individuals with disabilities are van accessible? _____
- g. Will all off-street parking areas be contained on site? Yes --- No If **no**, then a variance from the Fremont County Board of Zoning Adjustment will be required.
- h. What is the size of all proposed off-street loading areas? _____

- i. 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:

- j. 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 ZC-53j.1. An exhibit has been attached. If **no**, please provide justification as to why a plan is not needed. _____

- k. 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 ZC-53k.1. An exhibit has been attached. If **no**, please provide justification as to why a plan is not needed. _____

54. Is the proposed development to contain multiple businesses, industrial uses or multi-family dwellings in a single building or structure or in separate buildings or structures on the same property? Yes --- No

55. 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 site to 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 ZC-55.1. 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. _____
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56. 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 ZC-56.1. 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.
57. 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 ZC-57.1. An exhibit has been attached.
58. 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 ZC-58.1. An exhibit has been attached.
59. 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