

# FREMONT COUNTY

## APPLICATION FOR COMMERCIAL DEVELOPMENT 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).

A Commercial Development Plan (CDP) will be required to be submitted for any of the following scenarios:

- A. Any proposal to develop vacant property which is currently located in the Medium Density Residence and or High Density Residence Zone Districts. Note: As per Colorado Revised Statute (CRS) any property zoned Medium or High Density residence will be required to make application for an appropriate subdivision process prior to development, if more than one dwelling unit is proposed.
- B. Any proposal to develop vacant property which is currently located in the Neighborhood Business, Rural Highway Business, Business, Airport, Industrial Park and Industrial Zone Districts.
- C. Any substantial change of use (*or occupancy as per the Building Code of Fremont County*) from one use that is allowed in the zone district to another use in the Medium Density Residence, High Density Residence, Neighborhood Business, Rural Highway Business, Business, Airport, Industrial Park and Industrial Zone Districts.
- D. Any substantial expansion or improvements and or enlargement of an existing use in the Medium Density Residence, High Density Residence, Neighborhood Business, Rural Highway Business, Business, Airport, Industrial Park, and Industrial Zone Districts.

A CDP will NOT be required to be submitted for scenarios if any of the following apply:

1. When a Commercial Development Plan has been previously approved and there is no proposed substantial change of use.
2. When a Commercial Development Plan has been previously approved for the subject property and there is no proposed substantial expansion or alteration of the proposed buildings, structures or improvements.

3. When a Commercial Development Plan has been previously approved for the subject property and there is no proposed substantial enlargement of the proposed use.
4. When a Commercial Development Plan has been previously approved for the subject property and not more than three (3) years has passed since the approval of the Commercial Development Plan.
5. When a Preliminary Plan and a Final Plat Application is submitted in conjunction with a zone change application.
6. When a Minor Subdivision Application is submitted in conjunction with a zone change application.
7. When an application for Zone Change of the subject property is necessary to allow the proposed use.
8. When an application for a Special Review Use or Conditional Use Permit is required for the proposed use in zone districts where the use is allowed by the issuance of such a use permit.

If the proposed use is thought to be a similar use to a listed allowed use in the property's zone district, but not specifically listed, then an application for similar use designation should be made prior to making an application for CDP as per Section 2.2.2 of the FCZR if appropriate.

All applications are subject to the FCZR Section 3 GENERAL REGULATIONS, as may be applicable.

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 Fremont County Board of County Commissioners (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). The letter will state the submittal deficiencies, comments and or questions about the application which must be addressed by the applicant 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 or 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 CDP-22.1, the fifth attached document supporting the narrative provided for application item 22 would be marked - Exhibit CDP-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 submitted within six (6) months from the date of approval. If the contingency items are not submitted by the specified date, the CDP approval shall be deemed expired and building permits will not be issued until approval of another CDP has been granted. This would require a complete re-submittal including fees.

The Department, 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 and to determine if the application is in compliance with all applicable regulations and to make an informed decision with regard to recommendations, approval or disapproval of the application.

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 CDP.

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

Modifications, major or minor, to the CDP 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 Subdivision Regulations and the Fremont County Master Plan, in the review of CDP 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. What is the current zoning of the subject property? \_\_\_\_\_

6. What is the current land use of the subject property? \_\_\_\_\_

7. What is the proposed land use of the subject property? \_\_\_\_\_

a) Please provide a detailed description of the proposed use(s) \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

8. Is the proposed use a listed allowed use in the subject property's zone district?  Yes --  No

a) If answered yes, please provide the citing from the FCZR for the use. \_\_\_\_\_

b) If answered no, please explain: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

9. What is the acreage of the CDP property? \_\_\_\_\_

10. What is the legal description of the proposed CDP boundary? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

If the legal description is long an attachment can be made marked as Exhibit CDP-10.1.

An exhibit has been attached.

11. Is the CDP property the total property legally described in the current deed of record (*most recent deed for the property recorded in the Fremont County Clerk & Recorder's Office*)?

Yes ---  No If **no**, please explain: \_\_\_\_\_  
\_\_\_\_\_

*(NOTE: If the proposed CDP application is not intended to cover the entire property described in the current deed of record, then an appropriate subdivision application may be required as a contingency of approval. 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)*

12. A copy of the current deed of record identifying the current property owner of the subject property shall accompany this application marked as Exhibit CDP-12.1.  An exhibit has been attached.

13. What is the general location of the proposed CDP site? \_\_\_\_\_  
\_\_\_\_\_

14. The proposed site must be of sufficient size to accommodate the proposed use, its accessory uses, structures, fences, 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 property boundary? Front yard (*side from which property gains access*): \_\_\_\_\_  
Rear: \_\_\_\_\_ Side: \_\_\_\_\_  
Side: \_\_\_\_\_ If more than one building and/or structure is proposed please make an attachment that identifies each and lists all of the setbacks marked as Exhibit CDP-14b.1.  An exhibit has been attached.

c. What is the "building height" (*see FCZR 1.5.36*) of the tallest structure to remain or proposed to be housed on the property? \_\_\_\_\_

d. What percentage of the property will be uncovered areas? \_\_\_\_\_

e. Provide a written description of all existing buildings and/or structures to remain on the subject property after the proposed development. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

f. Provide a written description of all proposed buildings and/or structures, or expansions of existing buildings and/or structures. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

15. 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 proposed use 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 CDP-15.1.  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. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

16. 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. What listed use(s) was used to determine the required number of parking spaces? \_\_\_\_\_  
\_\_\_\_\_

b. How many off-street parking spaces are proposed (total)? \_\_\_\_\_

c. What is the proposed number of standard size spaces (9' X 18')? \_\_\_\_\_

d. What is the proposed number of compact spaces (7' X 15')? \_\_\_\_\_

e. What is the proposed number of spaces for individuals with disabilities? \_\_\_\_\_

f. What is the size of all proposed off-street loading areas? \_\_\_\_\_  
\_\_\_\_\_

g. What percentage of the site will be devoted to off-street parking and loading areas? \_\_\_\_\_

h. Hard surfacing (*concrete or asphalt*) is required for all parking, loading, driveway and entrance areas, unless waived by the Board (*hard surfacing is required for all spaces for individuals with disabilities as per the Building Code of Fremont County*). 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: \_\_\_\_\_  
\_\_\_\_\_

i. 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 CDP-16i.1.  An exhibit has been attached. If **no**, please provide justification as to why a plan is not needed. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

j. 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 CDP-16j.1.  An exhibit has been attached. If **no**, please provide justification as to why a plan is not needed. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

17. 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 CDP-17.1a  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 CDP-17.1b  An exhibit has been attached.

18. 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 CDP-18.1.  An exhibit has been attached.

19. 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 Commercial Development Plan and CDOT's comments and requirements shall be provided marked as Exhibit CDP-19.1.  An exhibit has been attached.

20. 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 CDP-20b.1.  An exhibit has been attached.

c. Is the proposed use to be serviced by an individual well?  Yes ---  No If **yes**, then documentation from the Colorado Division of Water Resources shall be provided evidencing that the well can be used for the proposed use, including fire protection, marked as Exhibit CDP-20c.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 CDP-20f.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 CDP-20g.1a.  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 CDP-20g.1b.  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. \_\_\_\_\_

j. 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 CDP-20j.1. The plan shall include the signatures of all the utility companies noting their approval of the plan.  An exhibit has been attached.

21. Is the proposed use subject to a fire hazard or have combustible or explosive characteristics?  
 Yes -  No Please explain: \_\_\_\_\_

Note: *Uses that are subject to a fire hazard or have combustible or explosive characteristics are subject to the issuance of a Special Review Use Permit as per the FCZR 3.21.*

22. 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. 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 CDP-22e.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 CDP-22j.1.
  - An exhibit has been attached.

23. 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 CDP-23e.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 CDP-23s.1.  An exhibit has been attached. If **no**, provide an explanation why such measures are not included. \_\_\_\_\_

If **no**, a notification to the Fremont County Noxious Weed Control Board shall 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 CDP-23t.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 areas    | <input type="checkbox"/> Mine subsidence areas    |
| <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)  
 US Highway 50, adjacent to Arkansas River  Colorado State Highway #69

- FCR #2 (aka Tallahassee Road)
- FCR #6 (aka Hayden Creek Road)
- FCR #28 (aka Copper Gulch Road)
- The Gold Belt Tour National Back Country Byway (also a Colorado Scenic and Historic Byway)
- FCR #3A (aka Royal Gorge Road)
- FCR #12 (aka Red Gulch Road)
- FCR #132 (aka Upper Beaver Creek Road)

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 CDP-23w.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. \_\_\_\_\_

24. 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 CDP-24.1.  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 CDP-24.2.  An exhibit has been attached.

25. Is the proposed project site located within the Urban Growth Boundaries or other areas of influence of any municipality?  Yes ---  No

a) If yes, identify the municipality and area(s) of influence: \_\_\_\_\_

b) 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 \_\_\_\_\_

c) Will the proposed use require any variances to the requirements of the municipality influence area, Urban Growth Boundary polices, or requirements of the municipality Master Plan document?  Yes ---  No  
If yes, please explain \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

26. 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. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

27. 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). \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

28. 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. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

29. 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. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

30. 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: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

32. 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. \_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

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

\_\_\_\_\_

35. 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. \_\_\_\_\_

\_\_\_\_\_

36. 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 CDP 36.1.  An exhibit has been attached.

37. 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: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

38. 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. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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39. **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. \_\_\_\_\_

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40. **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 CDP-40.1, that addresses how the proposed CDP 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.

41. Five (5) full sized and five (5) reduced (8½”x11” or 11”x17”) copies of a commercial development plan drawing, drawn to professional standards, as stipulated by the FCZR 8.15.9, 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: Common increment scale, minimum of 1”=200’ to a maximum of 1”=50’;
- c. The site drawing shall contain an appropriate title, which will read: *(NAME) COMMERCIAL DEVELOPMENT PLAN*;
- d. The site drawing shall contain a subtitle that provides a brief description of the proposed use.
- e. The drawing shall contain the total amount of square footage and acreage contained in the subject property.
- f. Zoning classification for the subject property.
- g. Zoning classification for all adjoining lots, parcels, or tracts.

- h. Written and graphic scale.
- i. North arrow.
- j. Legal description of the subject property;
- k. Boundary drawing of the property with bearings and dimensions which illustrate the legal description of the subject property.
- l. A vicinity map locating the subject property in relation to the surrounding area, streets, major natural features, etcetera;
- m. Provide a table on the drawing to indicate the 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 property included in the commercial development plan;
- o. Date of preparation and date of revision, if necessary;
- p. 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 (2) property lines for each such building and or structure and or improvement.
  - 3) Square footage and dimensions of all buildings and structures.
  - 4) Building height of each building and or structure.
- q. 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 (2) property lines for each proposed building and or structure.
  - 3) Square footage and dimensions of all buildings and structures.
  - 4) Building height of each building and or structure.
- r. 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, the width and thickness, of each internal roadway.
- s. 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.
- t. 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.
  - u. 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).*
    - 1) Dimension each type of off-street parking space proposed to be used on the subject property. *(A typical for each type of space is acceptable).*
    - 2) 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.
  - v. 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)*
    - 3) Proposed thickness of the surface materials of the off-street loading areas.
  - w. 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.)*
  - x. 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 heights 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 may be required to mitigate impacts to surrounding properties.
  - y. 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, how light will be directed away from adjoining properties, and how light will be directed away from public roadways.
  - z. Identify by label or note, locate and dimension all open space areas, if provided.
  - aa. 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.
  - bb. Identify by label or note all proposed easements to be 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.
- cc. Identify by label or note and locate and size, by dimension(s) all service and refuse areas.
- dd. Identify and locate all drainageways, including FEMA flood areas by dimensions from property lines;
- ee. Identify and locate, by dimensions, significant natural features of the subject property;
- ff. Identify and locate all drainage facilities, including:
- 1) Dimension all drainage facilities.
  - 2) All drainage facilities shall be designated as a drainage easement.
- gg. Designate soil type areas. In a table provide a brief description of the soil characteristics.
- hh. 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.
- ii. 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.
42. Authorization from the current property owner, if the applicant is other than the current property owner, specifying the extent to which the representation is authorized shall be attached to this application and marked as Exhibit CDP-42.1.  An exhibit has been attached.
43. 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 CDP-43.1.  An exhibit has been attached.
44. 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 Wastes 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, a justification statement as to why such regulations are non-applicable shall be attached to this application and marked as Exhibit CDP-44.1.  An exhibit has been attached.
45. A list of names and complete mailing addresses for all property owners within five-hundred (500) feet of the boundaries of the subject property shall be attached to this application and marked as Exhibit CDP-45.1.  An exhibit has been attached.
46. 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 46.1.  An exhibit has been attached.

47. 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 the Applicant's knowledge and belief.**

**The 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 the Applicant that if any material information contained herein is determined to be misleading, inaccurate or false, the Board of County 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