

October 20, 2008

**Larimer County Planning Dept.  
Procedural Guide for  
1041 PERMITS**



**PLEASE NOTE: A PRE-APPLICATION CONFERENCE IS REQUIRED PRIOR TO SUBMITTING THIS APPLICATION.**

**PURPOSE:**

State Statutes allow local governments to designate certain areas and activities of state interest and require permits for development involving those areas and activities. This is a discretionary approval process by the County Commissioners.

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**APPLICABILITY:**

A 1041 Permit is required prior to conducting any activity that has been designated as a Matter of State Interest, unless the County Commissioners have granted an appeal to the requirement for a Permit or have adopted an intergovernmental agreement such that a Permit is not required.

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**PROCESS:**

All applications for 1041 Permits require a Pre-application Conference, Planning Commission review and Board of County Commissioner review.

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**POST APPROVAL REQUIREMENTS:**

Prior to the issuance of a 1041 permit, the following conditions must be met, if applicable:

- The applicant may be required to obtain a construction permit from the county engineer.
- A development agreement may be required as a condition of approval of the 1041 Permit and may include requirements for performance guarantees.
- An agreement concerning decommissioning, abandonment or reuse of the permitted facility may be required as a condition of approval of the 1041 Permit.

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**SUBMITTAL INSTRUCTIONS:**

- A Pre-Application Conference is required prior to submitting this application.
- The quantities of any required submittal items shall be as determined at the Pre-Application Conference.
- Applications may be submitted before 12:00 p.m. only on the date indicated on the yearly Development Review Calendar. All applications must be complete. Any application, which is not complete, will not be accepted, processed, or scheduled for review. If **all** of the items required to be submitted (as determined at the Pre-Application Conference) are not included in the application, you will be informed to pick up your application materials and re-submit at a later date.

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**BUILDING PERMITS – PLEASE NOTE:**

No building permit shall be issued by the County for an activity or development subject to these regulations without the applicant having first obtained a 1041 Permit.

# SUBMITTAL REQUIREMENTS FOR 1041 PERMITS

**All submitted documents must include the project name, the date of preparation and by whom. All maps must include the scale, a graphic scale bar and north arrow. All documents must fit inside a 9" x 12" envelope. A single full set of application materials must be submitted unbound for the file record; a second full set must be provided as a public review copy.**

**Incomplete submittals, as determined by the Planning Director or designee, will be returned to the applicant and processing will not start until a complete application is received.**

Please Note: Based upon the Planning Staff's understanding of the proposal during the Pre-Application Conference, some of the following submittal information may not be required or the level of detail reduced. Some deviations from the submittal requirements may be required at a later date if requested by a referral department or agency.

1. \_\_\_\_\_ **Application Form** completed and signed by the applicant and property owner (owner signature not required for lineal facilities such as transmission lines).
  
2. \_\_\_\_\_ **Project Description:** A complete, detailed written project description is essential to the timely, effective review of a development proposal. Project review can be delayed if County staff and reviewing agencies are unable to determine what is being requested and how specific standards will be met. The project description can be integrated with the vicinity and site inventory maps to give a complete picture of the proposal. The following features must be addressed in the Project Description:
  - a. General description, including purpose and need for the project;
  - b. Location and total area of the project;
  - c. Description of the site selection process, if applicable;
  - d. Description of other alternatives considered, or explanation of why no reasonable alternatives are available.
  - e. Description of the features of the project that make it consistent with the intent of the Master Plan and any applicable intergovernmental agreements affecting land use and development.
  - f. Description of recent and present uses of the site such as pasture, irrigated or dry land crops, etc.
  - g. Description of the information contained on the Site Inventory Map(s) (see 4. below) and any mitigation measures proposed to address existing hazards or adverse impacts of the project on existing conditions.
  - h. Description of any potential negative impacts of the project to public health and safety and mitigation measures proposed to address the impacts.
  - i. Description of existing and proposed utilities and facilities needed to provide Adequate Public Facilities (See Section 8.1 of the Code), and how adequate facilities will be provided:
    - 1) Sewage Disposal, include the name of the district and a description of any utility extensions needed to serve this project;
    - 2) Water Supply, include the name of the district and a description of any utility extensions needed to serve this project;

- 3) Fire Protection, identify the name of the district and the road travel distance to the nearest fire station;
  - 4) Road, identify access to the site including surface type and functional classification;
  - 5) Site improvements: describe all the public improvements (roads, drainage, etc.) needed to accommodate the project and how these public improvements will be financed;
  - j. Projected development schedule, including:
    - 1) Schedule for permitting and design (include a list of all local, state and federal permits required);
    - 2) Estimated beginning and completion of construction and beginning of operations of the facility;
    - 3) Total number of employees, employees per shift, number of shifts during the construction, operation and maintenance phases of the project.
  - k. Description of the public input process prior to the application, including the comments and concerns raised during the process and how they are addressed in the proposal.
  - l. Any addition explanation detailing how the application meets the applicable review criteria as stated in the Land Use Code.
3. \_\_\_\_\_ **Vicinity Map(s).** The map(s) must include the outline of the perimeter of the parcel proposed for the project site (for linear facilities, the proposed centerline and width of any corridor to be considered for the 1041 Permit), property parcels, location of all residences and businesses, any abutting subdivision outlines and names, the boundaries of any adjacent municipality or Growth Management Area, roads (clearly labeled) and significant natural features in the vicinity of the project. The area to be included on the map(s) will be determined at the pre-application conference and will generally be at least one mile beyond the project perimeter. Vicinity area: \_\_\_\_\_.
4. \_\_\_\_\_ **Site Inventory Map(s):** - Information needed to complete the site inventory is available from the Planning Department and other sources noted in the Technical Supplement. The applicant is responsible for assembling this information and using it to design the proposed project. The application must include this information so the project file is complete and the applicant can demonstrate how the information was used.
- a. The applicant must identify all resources and environmental conditions potentially impacted by the proposed development. The inventory must include the following features on the site and within one half mile of the boundaries of the project perimeter (1,000 feet for linear facilities). If access to adjacent land is not possible the inventory may be completed by using map resources available in the Planning Department. The inventory may include a narrative explanation and/or maps depicting the location of the features. The site inventory may be integrated with the Project Description to give a complete picture of the proposal. The title of the project must appear on each map sheet. If an aerial photo is being used, indicate the date of the photography. The Site Inventory Map(s) may be required to contain the following information:
  - b. Existing buildings, structures, utilities (water transmission lines and sewer collection lines), easements and other features including irrigation facilities, fences, roads, etc.;

- c. Location of all residences, any abutting subdivision outlines and names, and the boundaries of any adjacent municipality or Growth Management Area.
  - d. Existing vegetation, soil types for SCS Soil Survey , water bodies, and other natural features;
  - e. Officially designated 100 year flood plains with Flood Way and Flood Fringe clearly shown;
  - f. Geologic Hazards rated 3 through 7 with location and classification shown, including areas with expansive soils and other moderate hazards;
  - g. Wetlands – area of wetlands (See Section 8.2)
  - h. Drainage patterns and general direction of flows on and through the site;
  - i. Topography with a contour interval sufficient to evaluate the proposal but no greater than 40-foot intervals. Contours must be labeled every 5 to 7 inches and every 5<sup>th</sup> contour line clearly shown by a heavier line. Areas of 20% or greater slope must be clearly shown by shading or other means;
  - j. Wildlife habitat and migration corridors with a description of the ways wildlife use the site and the species involved, with proposed setbacks or other potential mitigation measures;
  - k. Habitat for rare and endangered plants with species clearly indicated;
  - l. Wildfire Hazards with location and classification shown;
  - m. Sites and structures listed on the State and National Register of Historic Places;
  - n. Commercial Mineral Deposits with the type of mineral deposit indicated along with estimates of the quantity and quality of the mineral and the amount of overburden present.
  - o. Other information as necessary to demonstrate how the application meets the applicable review criteria as stated in the Land Use Code.
5. \_\_\_\_\_ **1041 Permit Site Map(s)**: These maps are intended to graphically display the location of existing and proposed development associated with the 1041 permit application. The following information should be included, as applicable:
- a. Project boundary annotated with distances
  - b. Building Setback lines, if applicable
  - c. Easements
  - d. Location of:
    - 1) Existing buildings and structures (indicate which will be retained and which will be removed);
    - 2) Proposed buildings;
    - 3) Proposed structures;
    - 4) Existing vehicular accesses to be retained;
    - 5) Proposed vehicular accesses;
    - 6) Emergency vehicular access;
    - 7) Parking area(s);
    - 8) Landscaping, if proposed – see the Landscape Plans procedural guide;
    - 9) Loading and delivery areas;
    - 10) Refuse areas;
    - 11) Proposed signs (also provide data on height, width, area and method of illumination);
    - 12) Current and proposed width, name, and location of adjacent right-of-ways;

- 13) Location and size of proposed and existing utilities (gas, elec., water, sewer, well and/or septic, etc.);
- 14) Existing and proposed hazardous materials and/or fuel storage;
- 15) Additional site elements, as applicable.

**Note:** The content and format of 1041 Permit Site Maps(s) for linear facilities will be reviewed at the Preapplication conference. Essentially the same information will be required; however format and content may be altered to insure adequate information is provided for evaluation of the facilities.

6. \_\_\_\_\_ **Reduced 1041 Site Permit Map(s):** A copy of the 1041 permit map document(s) submitted on an 8 ½” x 11” sheet.
7. \_\_\_\_\_ **Legal Description** typed on an 8 ½” x 11” paper. This must be a boundary description certified by a licensed surveyor. A specific legal description will not be required for linear facilities; however an accurate and succinct description in layman’s terms of the route alignment must be provided.
8. **Technical Reports:** The following reports and plans may be required for individual permit applications, as specified at the Pre-Application Conference. Information may be required for both construction and operational phases of the proposed project, if applicable.
  - a. \_\_\_\_\_ **Wetland Mitigation Plan** A wetland mitigation plan (see Section 8.2.11) is required when an existing wetland or its buffer area (see Section 8.2.8 Wetland development standards) is altered or is proposed to be altered by the development.
  - b. \_\_\_\_\_ **Wildlife Conservation Plan.** A wildlife conservation plan (see Section 8.4.7) is required if the proposed development will or may have an adverse impact on wildlife and wildlife habitats, and the impact has not been avoided or mitigated (see Section 8.4.6 Wildlife development review criteria).
  - c. \_\_\_\_\_ **Natural Hazard Mitigation Plan.** A hazard mitigation plan is required if the proposed development is determined to be within a wildfire hazard area or a geologic hazard area (see Section 8.3.8 for mitigation plan requirements).
  - d. \_\_\_\_\_ **Traffic Impact Study** –( See Section 8.1.5 of the Land Use Code) – This report shall be prepared by a professional engineer to analyze the short and long term impacts of vehicular traffic associated with new development and shall identify any improvements necessary to mitigate the impacts. If property is within an established GMA, refer to Urban Area Street Standards (Chapter 4). If property is not within an established GMA, refer to the Larimer Rural Area Road Standards (Appendix F). If property is not within an established GMA, refer to the Larimer Rural Area Road Standards (Appendix F).
  - e. \_\_\_\_\_ **Drainage and Erosion Control Report and Plan** –This report and plan shall be prepared by a professional engineer that gauges increased stormwater and water quality impacts associated with the proposed development. It must include a hydrologic analysis for peak flow rates of storm water entering, passing through, and leaving the site for the minor and major storm events (refer to the Larimer County Stormwater Design Standards pages 3-7 for submittal requirements). If approved by the Larimer County Engineering Department, a simplified drainage narrative may be submitted as an alternative to the drainage and erosion control report and plan.

- f. \_\_\_\_ **Floodplain Hydraulic/Hydrologic Modeling Report** – If property is in a floodplain, contact the floodplain administrator in the engineering department to determine if this report is required. This report shall be prepared by a professional engineer to identify impacts associated with new development within identified floodplains and identify any improvements necessary to mitigate the impacts (refer to Section 4.2.2 of the Larimer County Land Use Code )
  - g. \_\_\_\_ **Groundwater Modeling Report** – The potential for groundwater impacts shall be assessed at the early stages of the project. Construction methods can not create new permeable pathways along which groundwater may flow preferentially. The groundwater assessment - which may need to include detailed groundwater modeling - should take into account the nature of the construction (i.e. trenching, piling, etc), the presence, baseline conditions, and vulnerability of aquifers, and the proximity and sensitivity of nearby water sources. Mitigation measures shall be proposed in the Report.
  - h. \_\_\_\_ **Non-Subdivision Water Supply Inquiry** (attached).
  - i. \_\_\_\_ **Simulation of the appearance of the facility** – Generally required for all structures and facilities that are 40 feet in height or greater. Where significant, map or describe the area within view of the project.
  - j. \_\_\_\_ **Computer modeled electromagnetic field measurements** (for electrical transmission lines and substations) and description of measures taken to comply with the concept of prudent avoidance.
  - k. \_\_\_\_ **Noise Analysis** and proposed mitigation measures, if applicable.
  - l. \_\_\_\_ **Air Quality Impact and Mitigation Report** – specific requirements for this report will be discussed at the Pre-Application Conference.
  - m. \_\_\_\_ **Other** information as deemed necessary at the Pre-Application Conference.
9. \_\_\_\_ **Adjacent Property Owners List (3 copies):** The names and addresses of all property owners with a minimum of 500 feet of the property boundaries (the exact distance to be determined at the Pre-Application Conference). Records of the County Assessor must be used to determine the names and mailing addresses of those to be notified. **This list shall include the names and addresses of all meeting attendees at any public input process. These names and addresses must be typed on mailing labels with an affidavit submitted attesting to the accuracy of the mailing list.**
10. \_\_\_\_ **Application Fee** - see the current Fee Schedule in the Planning Department for the amount (Make checks payable to Larimer County Planning).
11. \_\_\_\_ **Signed Pre-Application Conference Form and submittal checklist** by the Planning Department.
12. \_\_\_\_ **Other** – any other or project specific information necessary for the evaluation of the application not specifically noted above shall be noted here as a part of the Pre-application conference:









www.larimer.org

**Planning Department**

200 W. Oak Street  
3<sup>rd</sup> Floor  
Fort Collins, CO 80521  
970-498-7683

**Development Review Process**

What process are you applying for?

- 1041
- Appeal
- Add-on Agreement
- Amended Plat
- Boundary Line Adjustment
- Condominium Map Review
- Extended Family Dwelling
- Farmstead
- Location & Extent
- Lot Consolidation
- Minor Land Division
- Minor Special Review
- Nonconformities
- Plat Vacation
- Rezoning
- ROW or Easement Vacation
- Site Plan Review
- Special Exception
- Special Review
- Variance
- Wireless Facility
- Other:

**Application Phase**

What process phase are you applying for?

- Admin Review
- Sketch Plan Review
- Public Hearing

# Land Use Application

All applications must be complete. To be complete, the application must include all items identified on the submittal requirement checklist. Any application which is not complete will not be accepted, processed, or scheduled for review.

**GENERAL INFORMATION** – Information about people with interest in the project

**Property Owner**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Email: \_\_\_\_\_

**Property Owner**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Email: \_\_\_\_\_

**Applicant**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Email: \_\_\_\_\_

**Contact Person** – will receive correspondence from County staff and referral agencies

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Email: \_\_\_\_\_

**Engineer/Surveyor**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Email: \_\_\_\_\_

**PROJECT IDENTIFICATION** (list all parcels #'s that pertain to the project):

\_\_\_\_\_

**Signatures required by ALL Property Owners and the Applicant**

I hereby certify that I am the lawful owner of the parcel(s) of land that this application concerns and consent to the action. I hereby permit county officials to enter upon the property for the purposes of inspection relating to the application. Building Permits **will not be accepted** while this application is in process.

\_\_\_\_\_ Date: \_\_\_\_\_  
Property Owner(s)

\_\_\_\_\_ Date: \_\_\_\_\_  
Property Owner(s)

In submitting the application materials and signing this application agreement, I acknowledge and agree that the application is subject to the applicable processing and public hearing requirements set forth in the Larimer County Land Use Code (which can be viewed at [www.larimer.org](http://www.larimer.org))

\_\_\_\_\_ Date: \_\_\_\_\_  
Applicant

→ THIS SECTION IS FOR PLANNING STAFF TO COMPLETE AT PRE-APP ←

**PROJECT SITE INFORMATION**

Project Location: Quarter Section \_\_\_\_\_ Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_

Project Address (if available):  
\_\_\_\_\_

Assessor's Parcel Numbers (list all parcels that pertain to the project):  
\_\_\_\_\_

Pre-Application Conference Date: \_\_\_\_\_ Planner: \_\_\_\_\_

Pre-Application Conference attended by: \_\_\_\_\_

Proposed Request: \_\_\_\_\_  
\_\_\_\_\_

Plan Area (if applicable): \_\_\_\_\_ Lot Size(s): \_\_\_\_\_

Related Files: \_\_\_\_\_

Setback Information: \_\_\_\_\_

Utilities: Water: \_\_\_\_\_ Sewer: \_\_\_\_\_ Fire: \_\_\_\_\_

Current Zoning: \_\_\_\_\_ Proposed Zoning (if applicable): \_\_\_\_\_

→ THIS SECTION IS FOR PLANNING STAFF TO COMPLETE FOR SENDOUT ←

**PROJECT SENDOUT INFORMATION**

Project Title: \_\_\_\_\_ File #: \_\_\_\_\_

Project Location Description: \_\_\_\_\_  
\_\_\_\_\_

Request (Project Description): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Site Access: \_\_\_\_\_ Trips Generated by Proposal: \_\_\_\_\_

Proposed Use: \_\_\_\_\_ Notification Area: \_\_\_\_\_

Schedule for Hearing? **Yes** **No** Hearing Date: \_\_\_\_\_ Planner: \_\_\_\_\_

Received By: \_\_\_\_\_ Date: \_\_\_\_\_ Sign Given: \_\_\_\_\_ Paid \$: \_\_\_\_\_ Check #: \_\_\_\_\_