



200 W. Oak Street, 3rd Floor
 Fort Collins, CO 80521
 (970) 498-7683 / larimer.org/planning

NONCONFORMITIES

Uses & Buildings/Structures

The purpose of nonconformities is to govern uses, building and structures (except signs), and lots that were legally established prior to the adoption of Land Use Code but that do not comply with one or more requirements of the code. The provisions of Section 4.8 of the Land Use Code are intended to recognize the interests of property owners in continuing and putting to productive use nonconforming uses, buildings, structures and lots while also encouraging as many aspects of such uses, buildings, structures and lots to be brought into conformance with this code as is reasonably practicable.

The submittal requirements listed in this packet are intended to collect all of the information required for Larimer County staff and review agencies to fully evaluate the land division proposal. Additional information may be requested from the applicant during the review process if necessary to address specific issues that arise.

Please Note: Once submitted to the County, all application materials become a matter of public record.

SUBMITTAL REQUIREMENTS

The following items are required for all Final Plat applications.				
Item #	Description:	Information Provided for:	Copies Required	✓
One Electronic Set Of All Submittal Materials (Flash/Jump Drive or CD)				
1.	Application Form – must be signed by all property owners and the applicant	File	1	
2.	Application Fee – current fee at the time of submittal	File	\$	
3.	Project Description – detailed description of the proposed project, include review criteria from Section 4.8.12 of the Land Use Code Please see page 3 for Project Description requirements	File, All Referral Agencies		
4.	Preliminary Site Plan – size 11” x 17” Please see page 4 for site plan requirements	File, All Referral Agencies		
5.	Vicinity Map - illustrate roads and significant natural features near the project site. County and local roads must be labeled so that the site can be easily found (size should be 8 ½” x 11”)	File	1	
6.	Utility Check Sheet – signed by all applicable utility providers. See check sheet attached	File	1	
7.	Non-Subdivision Water Supply Inquiry Please see attached document	File, Engineering, Health, Division of Water Resources	4	
8.	Legal Description – the legal description of the property(s)	File, Engineering	1	
9	Ownership & Encumbrance* - contact a Title Company for this information.	File	1	

***Ownership and Encumbrance:** A report that identifies the last recorded owner, legal description and recorded deeds of trust or mortgages of a property.

Item #	Reports and Plans: (as applicable)	Information Provided for:	Copies Required	✓
10.	Traffic Impact Report – may be required if additional vehicle trips per day exceed 20.	File, Engineering, Other applicable referral agencies		
11.	Drainage Report – may be required if over 1,600 square feet impervious surface for new buildings. The applicant may request that this requirement be delayed until building permit.	File, Engineering, Health, Other applicable referral agencies		

ADDITIONAL INFORMATION

Building Permits -

Building permits will **NOT** be accepted on the property while the application is pending.

Neighborhood Notice –

Notice of the proposal will be mailed to neighbors in the vicinity of the subject property. The notice will allow 14 days for neighbors to respond with an questions or concerns.

Hearings (if applicable) –

The Planning Director will determine whether a public hearing is needed based upon referral review comments and/or neighbor comments.

Hearings are held with the Board of County Commissioners every Monday of each month (no hearings are held on the 5th Monday of a month). These hearings are typically held in the Commissioner’s Hearing Room, beginning at 3:00 p.m. Notification of the hearing date will be mailed to all parties listed on the application form. *Note:* All proceedings are recorded.

Public Notice (if applicable) –

Notice by first-class mail will also be sent to property owners in the vicinity of the proposal informing them of the hearing.

Conditions of Approval –

The Planning Director or County Commissioners may impose conditions on a request to extend, expand, enlarge or change the character of a nonconforming use, building or structure to accomplish the purposes and intent of this code and the master plan; prevent or mitigate adverse effects on the public, neighborhoods, utilities and county facilities; and ensure compatibility of land uses. These conditions may include a requirement that some or all elements of the nonconforming use and/or that some or all areas of a nonconforming building, structure or site be brought into compliance with the standards in Section 8 of the Larimer County Land Use Code.

ITEM# 3 DETAILS – PROJECT DESCRIPTION

Element	Description	Include (but not limited to):
Summary	The project description is the applicant's opportunity to explain what is being proposed. The project description should be a narrative.	How the proposal meets the development standards, existing conditions, and to explain any unusual or unique circumstances about the property or proposal.
Existing Conditions	A written detailed description of the existing conditions.	<ul style="list-style-type: none"> • Zoning • Size of the property • Current type of use, buildings, or structures on the property • Size (outer dimensions and area in square feet) of all <u>existing</u> buildings • Current site lighting • Use of surrounding properties
Proposed Changes and Improvements	List any proposed changes or improvements.	<ul style="list-style-type: none"> • Proposed type of use, buildings, or structures on the property • Size (outer dimensions and area in square feet) of all <u>proposed</u> buildings • Proposed site lighting • Landscaping (how it will be used to mitigate potential adverse impacts on surrounding land uses_
Infrastructure (Utilities)	A written detailed description of the current and proposed infrastructure.	<ul style="list-style-type: none"> • Sewage disposal • Water supply • Fire Protection <p>(For all of the above include the name of district if applicable and a description of any utility extensions needed to serve the project)</p> <ul style="list-style-type: none"> • Roads (include surface type and access to the site) • Existing and proposed utilities, easements, irrigation facilities, etc.
Other Information	Any other pertinent information about the proposed project	<ul style="list-style-type: none"> • Unique features of the project • Other
Appeals	If the applicant would like to request a deviation from a Land Use Code standard, a written request must be incorporated into the project description.	How the appeal will comply with the applicable review criteria (see Section 22 of the Land Use Code).
Review Criteria Section 4.8.12	<p>How the proposal meets the applicable review criteria listed in Section 4.8.12 of the Land Use Code (see below):</p> <p>To approve a request to extend, expand, enlarge or change the character of a nonconforming use, building or structure, the planning director or county commissioners must consider the following criteria and find that each has been met or determined to be inapplicable:</p> <ol style="list-style-type: none"> A. The extended, expanded, enlarged or changed use, building or structure is not more than 50% larger or more intense than the initial use, building or structure as measured by indoor area and/or outdoor use area or as measured by other means deemed applicable by the planning director or board of county commissioners; B. The request to extend, expand, enlarge or change the character of a nonconforming use, building or structure complies with all applicable requirements of this code and any applicable supplementary regulations to the maximum extent practicable; C. The request to extend, expand, enlarge or change the character of a nonconforming use, building or structure complies with all conditions of approval imposed by the county commissioners, the board of adjustment or floodplain review board under another approval process authorized by this code; D. The proposed use will be compatible with existing and allowed uses in the surrounding area and be in harmony with the neighborhood; E. The proposed use will not result in a substantial adverse impact on other property in the vicinity of the subject property. 	

ITEM# 4 DETAILS – PRELIMINARY SITE PLAN

Site Plans should be legible and large enough to see the scope of the project.
Size 11"x17" paper is preferred.

The following information should be included if applicable.		
1.	Drawing Title and Project Name	Example: Site Plan for Joe's Barbeque
2.	Applicant Information	Name, Address, Phone Number
3.	Owner Information	Name, Address, Phone Number
4.	North Arrow and Scale	
5.	Site Data	<ul style="list-style-type: none"> • Gross and net square footage of the lot/parcel • Square footage of addition(s) • Square footage of existing structure(s) • Building area use date (including office, warehouse, etc. If residential include the # of bedrooms, etc.) • Number of parking spaces • Distance between property lines and all existing and proposed buildings & structures • Project boundary annotated with distances and size of parcel • Setbacks
6.	Existing and Proposed Location of: (if applicable)	<ul style="list-style-type: none"> • Building(s), structure(s), and/or addition(s) • Vehicular access & Emergency vehicle access • Loading and delivery areas • Easements • Location and size of utilities (gas, elec., water, sewer, well and/or septic system, etc.) • Signs (provide data on height, width, area and method of illumination) • Landscape areas, fences • Existing and proposed hazardous materials and/or fuel storage

**Larimer County Non-Subdivision Water Supply Inquiry
(for land development applications which do not create
a new parcel or lot)**

Date: _____	
Property Address: _____	City: _____
Parcel Number(s): _____	
Legal Description (including Section, Township and Range): _____	

Property Owner Name _____	Phone #: _____
Property Owner Address: _____	City: _____ Zip: _____
Contact Person: _____	Phone: _____
Contact Person Address: _____	City: _____ Zip: _____

Proposed Land Use Description: (Please circle one): Agricultural; Business, Commercial, Equestrian, Lodging, Public Use or Other (if other, please explain) _____
Type of Business (include the type of business, hours/days of operation, area irrigated and # of people served): _____

Proposed Source of Water Supply: _____
Estimated Water Use (gallons per day): _____
If on a Well: How well water will be used: _____
Current Well Permit #: _____ Permitted Use: _____
If Well Permit # unknown, please list owners names (past and present). (Locating the current well permit # is strongly encouraged): _____

of Users of the Well: _____
Sewage Disposal System: Existing: _____ Proposed: _____

If the applicant would like to have an initial evaluation from the State Engineer regarding the well and use, please send this information to:

State of Colorado, Office of the State Engineer
Attn: Jeff Deatherage
1313 Sherman Street Room 818
Denver CO 80203
Phone: 303-866-3581
Fax: 303-866-3589

Otherwise, please see the pre-application checklist for submittal instructions.

ATTACHMENT B

WATER SUPPLY EVALUATION GUIDELINES FOR LAND USE ACTIONS THAT DO NOT INVOLVE A SUBDIVISION

The SEO will not provide a comprehensive opinion for land use actions that do not involve a Subdivision. In these cases the developer must rely on an engineering consultant or use the guidelines included below. In any case, the decision to issue a well permit will not be evaluated until a well permit application has been submitted to the SEO. In situations where the land use action will be creating a parcel of land (for example, recorded exemption), the SEO cannot accept well permit applications until the land use action is final.

These guidelines may be used by your staff or the developer to make a preliminary determination of the availability of a well permit for parcels addressed in land use actions that do not involve a subdivision of land and which rely on a well as a water supply. The SEO will evaluate well permits according to the criteria described below using rules and statutes in place at the time of application. Well permits of the types described below can often be approved under the 2004 statutes when the land involved meets the respective parcel definition and the proposed well will meet the water use and return flow conditions stated below. Note the SEO's evaluation process may find that there is a well on the subject parcel or on a neighboring parcel that may 'encumber' the land on the parcel and prevent the SEO from issuing a well permit.

Below are the possible categories of land use actions that do not involve a subdivision and the types of well permit for which the SEO may evaluate an application:

1. **a) 'Pre June 1, 1972' Parcels; b) Parcels created after June 1, 1972 to which the statutory definition of a subdivision does not apply; or c) Parcels that the County has "Exempted" from the subdivision process**

Description

- a. A parcel that was created prior to June 1, 1972 (the date on which SB72-35 was enacted). A well permit applicant will need to submit proof that the parcel existed prior to June 1, 1972. This may be in the form a plat or deed of transfer dated before June 1, 1972. The documentation must include a legal description of the parcel. Or,
- b. A parcel that was created after June 1, 1972 and satisfies the criteria in C.R.S. 30-28-101(10)(c). Or,
- c. A parcel that was created after June 1, 1972 and has been exempted from the "subdivision process" by the County as described in C.R.S. 30-28-101(10)(d). A well permit applicant will need to submit proof that the parcel has been exempted from the "subdivision process" in the form a county resolution or plat with the proper documentation.

Well Permit Evaluation for Areas Outside a Designated Basin

- a. The SEO will evaluate this type of parcel for a Household Use Only well permit.
- b. If the applicant requests, the SEO will evaluate this type of parcel for a 'Commercial Exempt' well permit (Drinking and Sanitary uses only in a single business, not to exceed 0.33 acre-feet annually and not to be used for any outside purposes.)

- c. If the parcel overlies a nontributary Denver Basin aquifer or a not nontributary Denver Basin aquifer with a "four-percent replacement" requirement, the landowner has the potential to get a well permit for additional dwellings and outside domestic uses.
- d. If the parcel overlies a nontributary Denver Basin aquifer, the landowner has the potential to get a well permit for commercial uses beyond Drinking and Sanitary uses and 0.33 acre-feet annually.

Well Permit Evaluation for Areas Inside a Designated Basin

- a. The SEO will evaluate this type of parcel for a residential well permit for no more than three single-family dwellings, including the normal operations associated with such dwellings including the irrigation of not more than one acre of land; subject to all applicable Ground Water Management District Rules if the parcel is located within such a district.
- b. If the applicant requests, the parcel may be evaluated for small-capacity commercial use subject to all applicable Ground Water Management District rules.

2. "35-acre" Parcels

Description

A parcel that is 35 acres or larger and not composed of multiple subdivided parcels. A well permit applicant must submit a legal description of the parcel.

Well Permit Evaluation for Areas Outside a Designated Basin

- a. For most areas of the state, the SEO will evaluate this type of parcel for household use and outside uses. Unless the applicant specifically requests livestock uses only, the SEO will evaluate the well permit for use in up to three single-family dwellings, one acre of home lawn and garden irrigation, domestic animal watering and livestock watering.
- b. If the applicant requests, the SEO will evaluate this type of parcel for a 'Commercial Exempt' well permit (Drinking and Sanitary uses only in a Single business, not to exceed 0.33 acre-feet annually)
- c. If the parcel overlies a nontributary Denver Basin aquifer or another aquifer determined to be nontributary, the landowner has the potential to get a well permit for commercial uses beyond Drinking and Sanitary uses and 0.33 acre-feet annually.

Well Permit Evaluation for Areas Inside a Designated Basin

- a. The SEO will evaluate this type of parcel for a residential well permit for no more than three single-family dwellings, including the normal operations associated with such dwellings including the irrigation of not more than one acre of land; subject to all applicable Ground Water Management District Rules if the parcel is located within such a district.

- b. If the applicant requests, the parcel may be evaluated for small-capacity commercial use subject to all applicable Ground Water Management District rules.

3. 'Cluster Development' Parcels

Description:

A parcel that satisfies the statutory provisions of C.R.S. 30-28-401, 30-28-402, 30-28-403, and 30-28-404, as amended in 2001. The County may approve cluster developments in accordance with a rural land use planning process enacted and adopted by the County. At least two-thirds of the total tract area must be reserved for preservation of open space. The number of residential lots may not exceed one lot for each seventeen and one-half acres of total tract area.

No later than ten days after County approval of a cluster development, the County shall notify the SEO of such approval and shall provide a copy of the approved rural land use plan that includes the cluster development. For administrative purposes, the plan must include a copy of a survey plat that describes the entire land area associated with the plan, identifies the set aside open space area, and describes the residential lots within the land area..

Well Permit Evaluation for Areas Outside a Designated Basin

The SEO will evaluate this type of parcel for household use and outside uses. The uses of the well will be limited by a permitted maximum annual amount. One well permit may be obtained for each residential lot. The total amount of water available to all lots in the cluster development is equal to one acre-foot for each full 35-acre-parcel, with no consideration for any additional fraction of a 35-acre parcel. The total amount available will be divided equally between each of the lots.

For example, a Cluster Development with seven lots on 150 acres has four full 35-acre parcels. Therefore four acre-feet of water is available to the lots in the development. Split evenly among the seven lots, the four acre-feet allows for 0.57 acre-feet annually per lot.

Parcels that are approved as a part of a cluster development are not eligible for consideration for uses greater than those described above. For example, a 35-acre lot that is part of a cluster development, will not be eligible for use beyond those allowed by the parcel's allotment of the one acre-foot per full 35-acre parcel.

Well Permit Evaluation for Areas Inside a Designated Basin

The SEO will evaluate applications for a residential well permit for no more than one single-family dwelling, including the normal operations associated with such dwelling including the irrigation of not more than one acre of land; subject to all applicable Ground Water Management District Rules if the parcel is located within such a district.

UTILITIES CHECK SHEET

PLEASE NOTE THAT YOU WILL BE ASKED TO PROVIDE THE UTILITY COMPANIES WITH A SITE PLAN AND A PROJECT DESCRIPTION.

Applicant Name & Address: _____

Landowner's Name & Address: _____

Engineer/Surveyor Name & Address: _____

WATER DISTRICT: _____

Comments:

Signed: _____ Date: _____

SANITATION DISTRICT: _____

NOTE: This is for lots which are served by public sewer only. If on-lot sewage disposal is proposed, this blank is not applicable. DO NOT CONTACT THE HEALTH DEPARTMENT.

Comments:

Signed: _____ Date: _____

CENTURYLINK: Contact Business Office for the service area in which the property is located (See next page for info).

Comments:

Signed: _____ Date: _____

POUDRE VALLEY REA: Contact the Engineering Department, 7649 REA Parkway, Fort Collins

Comments:

Signed: _____ Date: _____

PUBLIC SERVICE COMPANY: Contact Steve Roth, 1901 East Horsetooth Road, Fort Collins

Comments:

Signed: _____ Date: _____

DITCH COMPANY: _____

Comments:

Signed: _____ Date: _____

DISTRICT NAME	CONTACT	ADDRESS	PHONE
WATER:			
Bald Mountain Water Association	Chuck McAfee	419 Green Mtn. Drive, Loveland	667-7278
East Larimer County (ELCO)	Mike Scheid	232 Link Lane, Fort Collins	493-2044
Ft. Collins/Loveland	Mike Ditullio	5150 Snead Drive, Fort Collins	226-3104
Little Thompson Water	Michael Cook	835 East Highway 56, Berthoud	532-2096
North Carter Lake Water	Barry Dykes		303-517-9982
North Weld County Water	Don Posselt	33247 Highway 85, Lucerne	356-3020
Northern Colorado Water	Rich Patterson	4389 E CR 70, Wellington	568-3975
Pinewood Springs Water	Gabi Benson	183 Cree Court, Lyons	303-823-5345
Spring Canyon Water	Kevin Barricklow	4908 Shoreline, Fort Collins	226-5605
Sunset Water District	Willard Wright	1556 Riverside, Fort Collins	484-0764
West Fort Collins Water	Doug Biggee	2711 N. Overland, LaPorte PO Box 426, LaPorte	484-4881
WATER/SANITATION:			
Berthoud Water & Sanitation - S. Loveland Sanitation also	Town Clerk	328 Massachusetts, Berthoud	532-2643
Estes Park Water & Sanitation	Bob Goehring	170 MacGregor, Estes Park	586-5331
Fort Collins Water & Sewer - LaPorte & Mtn. View San. also	Jim Hibbard	700 Wood Street, Fort Collins	221-6681
Loveland Water & Sanitation	Steve Adams	200 North Wilson, Loveland	962-3000
Wellington Water & Sewer	Bill Bodkins	3735 Cleveland, Wellington	568-3381
Boxelder Sanitation	Rabi Srivastava	3201 E Mulberry # Q, Fort Collins	498-0604
Cherry Hills Sanitation	Charles R. Vessey	512 North Link Lane, Fort Collins	493-6130
Estes Park Sanitation	Jim Duell	1201 Graves Ave, Estes Park	586-2866
Upper Thompson Sanitation	Jeffery Hodge	2196 Mall Road, Estes Park	586-4544
CENTURY LINK:			
Fort Collins/Wellington/Lyons	Engineering Dept. Terry Speer	3702 Automation Way, Ste 106 Fort Collins, CO	490-7500
Allenspark/Berthoud/Estes Park/Loveland	Engineering Dept. Jason Garcia	2505 1 st Ave, Greeley, CO 80634 (by appointment only)	392-4838
Longmont	Tiffany Landon	12121 Grant Street, 5 th Floor, Thorton, CO 80241	303-451-2983
Red Feather	Barb Davis	PO Box 570 Eagle CO 81631	970-328-8288
MISCELLANEOUS:			
Poudre Valley REA	Engineering Dept.	7649 REA Parkway, Fort Collins	226-1234
Public Service Company	Steve Roth	1901 E. Horsetooth, Fort Collins USE THE NORTH DOOR	225-7840
Colorado Division of Highways	Gloria Hice-Idler	1420 2nd Street, Greeley	353-1232
Poudre Fire Authority	Ron Gonzales	102 Remington, Fort Collins	221-6570
Loveland Fire Prevention Bureau	Romeo Gervais	450 North Jefferson, Loveland	962-2481
Berthoud Fire Protection District	Stephen Charles	410 E 5 th St, Berthoud	532-2264
Estes Park Fire Department	Scott Dorman	170 MacGregor, Estes Park	577-0900
Division of Water Resources	Jim Hall	810 9 th Street, Greeley	352-8712
Estes Park Light and Power	Reuben Bergsten	170 MacGregor, Estes Park	577-3583



Planning Department

200 W. Oak Street, 3rd Floor
 Fort Collins, CO 80521
 (970) 498-7683

larimer.org/planning

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.

Development Review Process
<input type="checkbox"/> 1041 <input type="checkbox"/> Appeal <input type="checkbox"/> Add-on Agreement <input type="checkbox"/> Amended Plat <input type="checkbox"/> Boundary Line Adjustment <input type="checkbox"/> Condominium Map Review <input type="checkbox"/> Extended Family Dwelling <input type="checkbox"/> Farmstead <input type="checkbox"/> Location & Extent <input type="checkbox"/> Lot Consolidation <input type="checkbox"/> Minor Land Division <input type="checkbox"/> Minor Special Review <input type="checkbox"/> Nonconformities <input type="checkbox"/> Plat Vacation <input type="checkbox"/> Public Site Plan <input type="checkbox"/> Rezoning <input type="checkbox"/> ROW or Easement Vacation <input type="checkbox"/> Site Plan Review <input type="checkbox"/> Special Exception <input type="checkbox"/> Special Review <input type="checkbox"/> Variance <input type="checkbox"/> Wireless Facility <input type="checkbox"/> Other:
Application Phase What process phase are you applying for?
<input type="checkbox"/> Admin Review <input type="checkbox"/> Sketch Plan Review <input type="checkbox"/> Public Hearing

REQUIRED INFORMATION

Property Owner
 Name: _____
 Mailing Address: _____
 City/State/Zip: _____
 Phone: _____
 Email (required): _____

Property Owner
 Name: _____
 Mailing Address: _____
 City/State/Zip: _____
 Phone: _____
 Email (required): _____

Applicant Company (if applicable)
 Name: _____
 General Company Email (required): _____

Applicant Contact Info
 Name: _____
 Mailing Address: _____
 City/State/Zip: _____
 Phone: _____
 Email (required): _____

Engineer/Surveyor
 Name: _____
 Mailing Address: _____
 City/State/Zip: _____
 Phone: _____
 Email (required): _____

PROJECT IDENTIFICATION (list all parcel #'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.

 Property Owner(s) Printed Name Date: _____

 Property Owner(s) Signature Date: _____

 Property Owner(s) Printed Name Date: _____

 Property Owner(s) Signature Date: _____

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 larimer.org)

 Applicant Signature Date: _____

→ **THIS SECTION IS FOR PLANNING STAFF TO COMPLETE AT** ←
THE PRE-APPLICATION CONFERENCE

PROJECT SITE INFORMATION

Project Case Number: _____

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:

Zoning Setbacks: _____

Highway or County Road Setback(s): _____

Streams, Creeks or Rivers Setback(s): _____

Other Setbacks: _____

Building Envelope? _____

Utilities: Water: _____ Sewer: _____ Fire: _____

Current Zoning: _____

Any Additional Information: _____

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