



FREMONT COUNTY – COLORADO

DEPARTMENT OF PLANNING AND ZONING

615 MACON AVE., CANON CITY, COLORADO

719-276-7360 PH / 719-276-7374 FAX

Email: Planning@fremontco.com

STAFF REPORT

Project Name: Rewrite – Chapter 9 Zone Changes

Name(s) Planning and Zoning Director- Daniel Victoria

Request: Rewrite Chapter 9 Zone Changes

Planning and Zoning has recognized the need for a review and update to the regulations. Staff has removed some regulations to the Zone Change 1, to make the application process more efficient and effective by simplifying the application process. Staff has removed the Final Development Plan for Zone Change 2, added new regulations that require a land use permit approval, to efficiently be able to continue the yearly inspections on these permits. We have also changed the format to match the format of the new Fremont County Zoning Resolution.

~~Strikethrough~~ show what is being proposed to be removed.

Yellow Highlighted items show proposed additions to this section.

Proposed Timeline:

Proposed rewrite if viewed as favorable will have an adoption date of April 2024. If any substantial changes are made to this draft, these sections will be presented to this commission for further recommendations.

Table of Contents

Chapter 9 Zone Change.....	1
9.1 Zone Change #1:.....	1
9.1.1 Application:	1
9.1.2 Site Plan.....	2
9.2 Zone Change #2:.....	4
9.2.1 Use Designation Plan Application	4
9.2.2 Use Designation Site Plan.....	6
9.2.3 Final Development Plan Application	8
9.2.4 Site Plan.....	8
9.2.3 Zone Change #2 Application with Land Use Permit.....	10

Chapter 9 Zone Change

9.1 Zone Change #1:

For zone change applications that change property to Residential Zone Districts (Residential One – R1, Residential Two – R2, Residential Three – R3, & Low Density Residential - LDR) The application packets shall contain the following:

9.1.1 Application:

On a form provided by the Department and the following:

1. A statement of justification for the rezoning, including at least one of the following conditions:
 - ~~a. Evidence that the property was not properly zoned when existing zoning was imposed.~~
 - b. Evidence that additional land is needed in the proposed zone district.
 - c. Evidence that there has been a material change in the neighborhood that justifies the requested zone change.
 - d. Evidence that the proposed zone change will be in conformance to the current Fremont County Master Plan in relation to the area. <https://www.fremontco.com/files/planning-and-zoning/masterplan2015.pdf>
 - e. Explain what effects the proposed zoning and proposed use would have on adjacent uses. If there is an adverse effect on adjacent uses include mitigation measures.
2. Written description of the types of buildings and or uses proposed.
3. Written description of land and building uses within five-hundred (500) feet of the boundary of the proposed area of change in all directions from the subject property.
- ~~4. Evidence that there is a public need for the zone change.~~
- ~~5. Evidence that the zone change will be a County and/or neighborhood benefit, in that it will tend to preserve and promote property values in the neighborhood.~~
6. Right to Occupy
 - a. A copy of the current deed of record indicating ownership and the legal description
 - b. A letter authorizing an occupant to make application.

7. Proof of Access

- ~~a. A detailed impact analysis prepared by a professional engineer licensed to work in Colorado, unless all vehicular traffic enters and exits the site onto a Federal or State Highway where the Colorado Department of Transportation has issued an access permit for the specified use.~~
- b. A Fremont County Driveway Access Permit, if applicable.
- c. A Colorado Department of Transportation access permit, if applicable.
- d. Proof of notification and comments from the Colorado Department of Transportation if access stems from a Fremont County Road that access a roadway controlled by CDOT located within five-hundred (500) feet
- e. Proof of access rights to public roads when the property does not have adequate frontage on a County Road.

~~8. A statement how the proposal meets the intent and purpose of this resolution.~~

9. A statement how the proposed use meets the intent, purpose, and applicable goals and objectives of the current Fremont County Master Plan <https://www.fremontco.com/files/planning-and-zoning/masterplan2015.pdf>

~~10. Evidence that the proposed zone change will be in harmony and compatible with the surrounding land uses and development in the area~~

11. A list of names and mailing addresses for all property owners within five-hundred (500') of the boundaries of the subject property.

12. A list of names and complete mailing address of all severed mineral interests' owners of the subject property, if applicable.

~~13. Proof of water~~

- ~~a. A letter from a Water district indicating that service can be provided for the use or that existing service is adequate for the proposal.~~
- ~~b. A letter or copy of a well permit from the Colorado Division of Water Resources indicating that well use can occur or is adequate for the proposal.~~

~~14. Proof of sanitation~~

- ~~a. A letter from a public sanitation district committing to provide service for the proposed use or that existing service is adequate for the use.~~
- ~~b. A copy performed on the subject property, or documented proof that the existing individual sewage disposal system is functioning properly and is adequate for the proposed use.~~

15. Such other and additional information as required by the Department, the Commission, or the Board.

9.1.2 Site Plan

Two (2) copies of a drawing, drawn to professional standards, minimum size of 24" x 36", drawn at a common increment scale between or including 1" = 50' and 1" = 200' unless otherwise approved by the department prior to submittal of the application; and two (2) reduced to 11" x 17" copies, all of which shall include the following:

- ~~1) At least one (1) copy shall be of adequate size to use for display at public meetings.~~
- 2) More than one sheet may be used if it is easier to express the required information, provided that are adequately labeled for identification.

A site plan shall contain the following:

- 1. Titles (Name) Zone Change Request from _____ Zone District (existing) to

_____ Zone District (proposed)

2. Boundary drawing of the property with bearings and dimensions which illustrates the legal description of the subject property.
3. Legal Description of the property.
4. Property size acreage or square footage
5. Zoning classification for all adjoining lots, parcels or tracts.
6. Written and graphic scale.
7. North Arrow
8. Vicinity map locating the property in relation to the surrounding area, streets, major natural features, etcetera.
9. The drawing shall illustrate the size, shape, and location of all existing and proposed buildings, structures, and improvements including: *(Note: Typical type drawings and or tables may be used to express the required information if appropriate.)*
 - a. 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.
 - b. Location dimensions from at least two property lines for each building, structure and/or improvements.
 - c. Square footage and dimensions of all buildings and structures.
10. The drawing shall contain tables or notes that will provide the following:
 - a. The maximum number of lots that could be created from the subject property taking into consideration the minimum lot size allowed in the proposed zone district and the available potable water and sewage disposal source for the property, with a comparison to the amount allowed in the current zone district.
 - b. The potential maximum amount of the land, in square feet and acres that would be allowed to be covered on the subject property in the proposed zone district, with a comparison to the amount allowed in the current zone district.
11. Location and dimension(s) of all access points from the subject property to the public roadway system. Locate each access point by providing dimensions from property lines.
- ~~12. Identify and locate, by dimensions from property lines:
 - a. All drainageways including FEMA flood areas,
 - b. Significant natural features.~~
- ~~13. Identify by label or note all existing, and proposed easements to be located on the subject property, including:
 - a. Dimensions from property lines at the beginning and end of the easement and centerline information for the entire easement.
 - b. Width at the beginning and the end of the easement and at any points along the easement where the width changes.
 - c. If existing easements are to be vacated or relocated appropriate information shall be provided by note or label.~~
14. If 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.
15. 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.

16. ~~Such other additional information on the drawing required by the Department, Commission, or the Board.~~ Revisions shall be made to the drawing as deemed necessary by the Department, Commission, or Board.

9.2 Zone Change #2:

For zone changes that change property to multi-family, business or industrial zone districts. (*HDR – High Density Residence, MHP – Manufactured Home Park (Please see Section 4.6.1 for other requirements), RHB – Rural Highway Business, B - Business, A - Airport, IP – Industrial Park, and I - Industrial*):

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

Applications for the Use Designation Plan must adhere to all submittal, review, and notice requirements (Sections 6.4) of this Resolution. The application will be reviewed by the Planning Commission at a regular meeting and by the Board at a public hearing. A contingency of approval for any Use Designation Plan shall require the applicant to obtain final approval of a ~~Final Development Plan~~ subdivision application prior to any division of property.

If the applicant is ready to develop the property, the Applicant may elect to submit an application for ~~the Final Development Plan~~, a Special Review Use, Conditional Use, or Commercial Development Plan, together with the appropriate fee, and forego the Use Designation Plan process.

Applications for ~~the Final Development Plan~~ a Special Review Use, Conditional Use, or Commercial Development Plan, must adhere to all submittal, review and notice requirements (Sections 6.4) of this Resolution. The application will be reviewed by the Commission at a regular Commission meeting and by the Board at a public hearing. Approval of a ~~Final Development Plan~~ Special Review Use, Conditional Use, or Commercial Development Plan, allows the Applicant to proceed with development, subject to compliance with any contingencies of approval

The application packets shall include the following:

9.2.1 Use Designation Plan Application

1. A statement of justification for the rezoning, including at least one of the following conditions:
 - ~~a. Evidence that the property was not properly zoned when existing zoning was imposed.~~
 - b. Evidence that additional land is needed in the proposed zone district.
 - c. Evidence that there has been a material change in the neighborhood that justifies the requested zone change.
 - d. Evidence that the proposed zone change will be in conformance to the current Fremont County Master Plan in relation to the area.
2. Written description of the types of buildings and or uses proposed.
3. Written description of land and building uses within five-hundred (500) feet of the boundary of the proposed area of change in all directions from the subject property.
4. Provide Evidence that:
 - a. There is a public need for the zone change.

- b. The zone change will be a County and or neighborhood benefit, in that it will tend to preserve and promote property values in the neighborhood.
 - c. The proposed zone change and proposed use will be in harmony and compatible with the surrounding land uses and development in the area.
5. Explain what effect the proposed zoning and proposed use would have on adjacent uses. If no positive or adverse effect on adjacent uses is expected, explain why there will be no positive or adverse effect on adjacent uses.
6. Right to Occupy
 - a. A copy of the current deed of record indicating ownership and the legal description.
 - b. Written 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.
 - c. If the proposed zone change 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 condition of approval.
7. Proof of water
 - a. A letter from a Water district indicating that service can be provided for the use or that existing service is adequate for the proposal.
 - b. A letter or copy of a well permit from the Colorado Division of Water Resources indicating that well use can occur or is adequate for the proposal.
8. Proof of sanitation
 - a. A letter from a public sanitation district committing to provide service for the proposed use or that existing service is adequate for the use.
 - b. A copy of an individual percolation test performed on the subject property, accompanied by a design for an individual sewage disposal system adequate for the specified use; or documented proof that the existing individual sewage disposal system is functioning properly and is adequate for the proposed use.
9. Refuse Disposal Plan
 - a. The storage, collection, and disposal of refuse shall be so located and managed as not to create a health hazard, rodent harborage, insect breeding, accidents, hazards, or air pollution. Trash collection receptacles shall be provided and properly screened from view. (A review by the Fremont County Environmental Health Office shall be required).
10. Proof of Access
 - a. A detailed roadway impact analysis prepared by a professional engineer licensed to work in Colorado, unless all vehicular traffic enters and exits the site onto a Federal or State Highway where the Colorado Department of Transportation has issued an access permit for the specified use.
 - b. A Fremont County Driveway Access Permit
 - c. A Colorado Department of Transportation access permit
 - d. Proof of notification and comments from the Colorado Department of Transportation if access stems from a Fremont County Road that access a roadway controlled by CDOT located within five-hundred (500) feet
 - e. Proof of access rights to public roads when the property does not have adequate frontage on a County Road.
11. Drainage Plan and Report as per **Chapter 10** of this Resolution.
12. Buffering and Landscaping Plan
 - a. Shall be in accordance with section **5.4** of this Resolution, if required
 - b. Buffering and landscaping shall be completed prior to recording of the zone change.
 - c. If non-applicable, provide a justification statement as to why such regulations are non-applicable.

13. A Fire Protection Plan addressing method of fire protection, location of fire hydrants or other means of fire protection. If the 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.
14. All Solid Wastes Disposal Sites and Facilities, Hazardous Waste Treatment, Storage or Disposal Sites and Waste to Energy Incineration Systems shall comply with the Solid Waste Disposal Sites and Facilities, Hazardous Waste Treatment, Storage or Disposal Sites and Facilities and Waste-to-Energy Incineration Systems Regulations, Section 8.2.8 of this Resolution, and applicable State and Federal laws and regulations. If non-applicable, provide a justification statement as to why such regulations are non-applicable.
15. A statement describing the proposed uses.
16. Statement that the proposal complies with the intent, purpose of this Resolution (Section 1.3)
17. A statement how the proposed use meets the intent, purpose, and applicable goals and objectives of the current Fremont County Master Plan <https://www.fremontco.com/files/planning-and-zoning/masterplan2015.pdf>
18. A list of names and mailing addresses for all property owners within five-hundred (500') of the boundaries of the subject property.
19. A list of names and complete mailing address of all severed mineral interests' owners of the subject property
20. Such other and additional information as required by the Department, the Commission, or the Board.

9.2.2 Use Designation Site Plan

Two (2) copies of a drawing, prepared to professional standards, of 24" X 36", drawn at a common increment scale between or including 1" = 50' and 1" = 200' unless otherwise approved by the Department prior to submittal of the application; and two (2) reduced to 11"x 17" copies, all of which shall include the following:

- 1) At least one (1) copy shall be of adequate size to use for display at public meetings;
- 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 site plan shall contain the following:

1. Titles
 - a. Main Title: _____(name) "Type" _____(permit) Conditional Use, Special Review Use, or Commercial Development Plan
 - b. Sub Title: Brief Description of the Use
2. Boundary drawing of the property with bearings and dimensions which illustrates the legal description of the subject property.
3. Legal description of the subject property;
4. The total amount of (approximate) square footage and acreage contained in the subject property.
5. Zoning classification for all adjoining lots, parcels, or tracts.

6. Written and graphic scale.
7. North arrow.
8. Vicinity map locating the property in relation to the surrounding area, streets, major natural features etcetera;
9. 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.
 - a. Minimum lot size;
 - b. Maximum lot coverage;
 - c. Maximum building height;
 - d. Minimum lot width;
 - e. Minimum setbacks requirements
 - a) Front yard;
 - b) Side yards (two);
 - c) Rear yard;
10. The drawing shall illustrate the size, shape, and location of all existing and proposed buildings, structures, and improvements including: *(Note: Typical type drawings and or tables may be used to express the required information if appropriate.)*
 - a. 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.
 - b. Square footage and dimensions of all buildings and structures.
 - c. Building height of each building and/or structure.

Identify by label or note the following: (Note: Typical type drawings and or tables may be used to express the required information if appropriate.)

11. All access points from the subject property to the public roadway system. Locate each access point by providing dimensions from property lines.
12. All off-street parking areas on the subject property.
 - a. A table based in Sections 5.4.3 of this Resolution specifying the minimum numbers of spaces required for each use category.
13. All off-street loading areas proposed to be contained on the subject property. (See Section 5.4.3.6 of this Resolution for requirements).
14. All existing easements located on the subject property.
 - a. If existing easements are to be vacated or relocated appropriate information shall be provided by label or note.
15. All proposed easements to be located on the subject property after the zone change including:
 - a. Dimensions from property lines at the beginning and end of the easement.
16. Identify and locate by dimensions from property lines:
 - a. All drainageways
 - b. FEMA Flood areas
 - c. Significant Natural Features
 - d. Drainage Facilities
17. 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.

18. 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.
19. Such other additional information on the drawing required by the Department, Commission, or the Board.

9.2.3 Final Development Plan Application

- ~~1. Requires all of section 9.2.1.~~
- ~~2. Property owner shall execute a Quit Claim deed to the County with a deed restriction addressing the maintenance of any required drainage facilities, easements, right-of-ways, related structures and/or facilities. (The County will not accept maintenance of these facilities). Such deed shall be recorded at the time of recording of the Zone Change.~~
- ~~3. A detailed utility plan showing the location of all utilities (water, sewer, electric, gas, cablevision lines, irrigation ditches and lines, horizontal and vertical), as proposed by the developer. Plan shall be accompanied by documentation from the utility providers that service can be provided, and any necessary upgrades as determined by the utility provider.~~
- ~~4. A statement as to the existing zoning district of the land to be used.~~
- ~~5. Designate soil types and descriptions.~~

9.2.4 Site Plan

Two (2) copies of a drawing, prepared to professional standards, of 24" X 36", drawn at a common increment scale between or including 1" = 50' and 1" = 200' unless otherwise approved by the Department prior to submittal of the application; and two (2) reduced to 11"x 17" copies, all of which shall include the following:

- ~~1. At least one (1) copy shall be of adequate size to use for display at public meetings;~~
- ~~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 site plan shall contain the following:

1. Titles
 - c. Main Title: _____ (name) "Type" _____ (permit) Conditional Use, Special Review Use, or Commercial Development Plan
 - d. Sub Title: Brief Description of the Use
2. Boundary drawing of the property with bearings and dimensions which illustrates the legal description of the property;
3. Legal Description of the property.
4. Property size in acreage and square footage
5. Zoning of the subject property and adjacent parcels
6. Written and graphic scale
7. North Arrow

8. Vicinity map locating the subject property in relation to surrounding area, streets, major natural features, etcetera.

9. 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.

- f. Minimum lot size;
- g. Maximum lot coverage;
- h. Maximum building height;
- i. Minimum lot width;
- j. Minimum setbacks requirements
 - d) Front yard;
 - e) Side yards (two);
 - f) Rear yard;

10. Identify and locate by dimensions from property lines:

- e. All drainageways
- f. FEMA Flood areas
- g. Significant Natural Features
- h. Drainage Facilities
 - a) Dimensions of all drainage facilities.
 - b) All drainage facilities shall be designated as a drainage easement.

11. The drawing shall illustrate the size, shape, and location of all existing and proposed buildings, structures, and improvements including: *(Note: Typical type drawings and or tables may be used to express the required information if appropriate.)*

- d. 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.
- e. Location dimensions from at least two property lines for each building, structure and/or improvements.
- f. Square footage and dimensions of all buildings and structures.
- g. Building height of each building and/or structure.

Identify by label or note the following: (Note: Typical type drawings and or tables may be used to express the required information if appropriate.)

12. Off street parking areas to include:

- a. Dimensions of overall size of all off street parking areas.
- b. Proposed surface type, and thickness of the surface materials, for all off street parking areas. *(See section 5.4.3 of this Resolution for requirements.)*
- c. 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).*
 - a) Dimensions for each type of off street parking space proposed to be used on the subject property. *(A typical drawing for each type of space is acceptable.)*
 - b) A table based on section 5.4.3 of this Resolution specifying the minimum numbers of spaces required for each category in comparison to the numbers proposed by this application.

13. Off street loading areas to include: *(See section 5.4.3.6 of this Resolution for requirements)*

- a. Location and size, by dimension, all off street loading areas.
- b. Proposed surface type, and thickness of materials, of the off street loading areas.

14. Landscaping to be used within the off street parking and loading areas to include: *(See section 5.4.3.3 of this resolution for requirements.)*

- a. Specific type and height (at maturity for vegetation and an estimated time to reach maturity) and locate by dimension.

15. Interior roadways to include:

- a. ~~Dimensions from property lines at the beginning and end of the roadway and centerline information for the entire roadway.~~
 - b. ~~Width at the beginning of the roadway and at any points along the roadway where the width changes.~~
 - c. ~~All access points from the subject property to the public roadway system. Locate each access point by providing dimensions from property lines.~~
 - d. ~~All internal traffic circulation patterns by line symbol.~~
 - e. ~~The surface type, width, and thickness, of each internal roadway.~~
16. ~~Pedestrian areas and walkways located outside of buildings and/or structures to include:~~
- a. ~~Dimensions of all pedestrian areas and walkways.~~
 - b. ~~Surface type, width, length and thickness of all pedestrian areas and walkways.~~
17. ~~Lighting for off street parking & loading areas to include: (See section 5.4.3.2 of this Resolution for requirements.)~~
- a. ~~The height of light poles and illustrate the lighting coverage area.~~
 - a) ~~Proposed lighting shall not direct light onto any public roadways.~~
 - b) ~~Lighting shall not be directed toward surrounding properties. Shielding of lighting, or other methods may be required to mitigate impacts to surrounding properties.~~
18. ~~On-site identification signage to include:~~
- a. ~~Total square footage of all proposed signs along with width and length of proposed signs.~~
 - b. ~~Total height of proposed signs, including poles and/or pedestals.~~
 - c. ~~A statement or note shall be provided to signify whether or not the proposed signs will be illuminated.~~
 - a) ~~Illuminated signage shall not direct light onto any public roadways.~~
 - b) ~~Illuminated signage shall not direct light onto adjoining properties.~~
19. ~~Open space areas by dimension if provided.~~
20. ~~Existing & Proposed Easements to include:~~
- a. ~~Dimensions from property lines at the beginning and end of the easement and centerline information for the entire easement.~~
 - b. ~~Width at the beginning and the end of the easement and at any points along the easement where the width changes.~~
 - c. ~~If existing easements are to be vacated or relocated appropriate information shall be provided by label or note.~~
21. ~~Designate soil type areas.~~
- a. ~~In a table provide a brief description of the soil characteristics.~~
22. ~~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.~~
23. ~~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 to identified by a numerical or alpha designation.~~
24. ~~Such other additional information on the drawing required by the Department, Commission, or the Board.~~

9.2.3 Zone Change #2 Application with Land Use Permit

1. A statement of justification for the rezoning, including at least one of the following conditions:
 - a. Evidence that the property was not properly zoned when existing zoning was imposed.
 - b. Evidence that additional land is needed in the proposed zone district.
 - c. Evidence that there has been a material change in the neighborhood that justifies the requested zone change.
 - d. Evidence that the proposed zone change will be in conformance to the current Fremont County Master Plan in relation to the area.

2. Written description of the types of buildings and or uses proposed.
3. Written description of land and building uses within five-hundred (500) feet of the boundary of the proposed area of change in all directions from the subject property.
4. Provide Evidence that:
 - a. There is a public need for the zone change.
 - b. The zone change will be a County and or neighborhood benefit, in that it will tend to preserve and promote property values in the neighborhood.
 - c. The proposed zone change and proposed use will be in harmony and compatible with the surrounding land uses and development in the area.
5. Explain what effect the proposed zoning and proposed use would have on adjacent uses. If no positive or adverse effect on adjacent uses is expected, explain why there will be no positive or adverse effect on adjacent uses.
6. Provide a complete application for a Special Review Use, Conditional Use Permit, or Commercial Development Plan see Chapter 8 of this resolution.

8.12 ZONE CHANGE REQUIREMENTS FOR CLASSIFICATION #1: For zone change applications that change property to Agricultural and or Single-family Residential zone districts. (~~AF – Agricultural Forestry, AF & R – Agricultural Farming & Ranching, AL – Agricultural Living, AR – Agricultural Rural, AE – Agricultural Estates, AS – Agricultural Suburban and LDR – Low Density Residence~~) The application packets shall contain the following: **Added the new zone districts**

8.12.1 ~~Three (3) copies of a drawing, drawn to professional standards, minimum size of 11" X 17", maximum size of 24" X 36", drawn at a common increment scale between or including 1" = 50' and 1" = 200' unless otherwise approved by the Department prior to submittal of the application; and three (3) reduced (to 8 1/2" x 11" or 11" x 17") copies, all of which shall include the following: (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.)~~

8.12.1.1 The drawing shall contain a title, (Name) Zone Change Request from _____ Zone District (*existing*) to _____ Zone District (*proposed*);

8.12.1.2 Boundary drawing of the property with bearings and dimensions which illustrates the legal description of the subject property.

8.12.1.3 Legal description of the subject property;

8.12.1.4 The total amount of square footage and acreage contained in the subject property.

8.12.1.5 Zoning classification for all adjoining lots, parcels or tracts;

8.12.1.6 Written and graphic scale;

8.12.1.7 North arrow;

8.12.1.8 Vicinity map locating the property in relation to the surrounding area, streets, major natural features, etcetera;

8.12.1.9 The drawing shall illustrate the size, shape and location of all existing buildings, structures and improvements that will remain on the subject property after development including: (*Note: Typical type drawings and or tables may be used to express the required information if appropriate.*)

8.12.1.9.1 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.

8.12.1.9.2 Location dimensions from at least two (2) property lines for each such building, structure or improvement.

8.12.1.9.3 Square footage and dimensions of all such buildings and structures.

8.12.1.10 The drawing shall contain tables or notes that will provide the following:

8.12.1.10.1 The maximum number of lots that could be created from the subject property taking into consideration the minimum lot size allowed in the proposed zone district and the available potable water and sewage disposal source for the property, with a comparison to the amount allowed in the current zone district.

8.12.1.10.2 The potential maximum amount of the land, in square feet and acres that would be allowed to be covered on the subject property in the proposed zone district, with a comparison to the amount allowed in the current zone district.

8.12.1.11 Location and dimension(s) of all access points from the subject property to the public roadway system. Locate each access point by providing dimensions from property lines.

~~**8.12.1.12** Identify and locate all drainageways including FEMA flood areas, by dimensions from property lines.~~

~~**8.12.1.13** Identify and locate, by dimensions, significant natural features of the subject property.~~

~~**8.12.1.14** Identify by label or note all existing easements located on the subject property including:~~

~~**8.12.1.14.1** Dimensions from property lines at the beginning and end of the easement and centerline information for the entire easement.~~

~~**8.12.1.14.2** Width at the beginning and the end of the easement and at any points along the easement where the width changes.~~

~~**8.12.1.14.3** If existing easements are to be vacated or relocated appropriate information shall be provided by note or label.~~

8.12.1.15 Identify by label or note all proposed easements to be located on the subject property after the zone change including:

8.12.1.15.1 Dimensions from property lines at the beginning and end of the easement and centerline information for the entire easement.

8.12.1.15.2 Width at the beginning and the end of the easement and at any points along the easement where the width changes.

8.12.1.16 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.

8.12.1.17 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.

~~**8.12.1.18** Such other additional information on the drawing required by the Department, Commission, or the Board.~~ **Reworded this section for clarification**

8.12.2 OTHER APPLICATION REQUIREMENTS: *(Most items will be addressed in the appropriate application form)*

8.12.2.1 A statement of justification for the rezoning, including at least one (1) of the following conditions: *(Please explain answer)*.

~~**8.12.2.1.1** Evidence that the property was not properly zoned when existing zoning was imposed.~~

8.12.2.1.2 Evidence that additional land is need in the proposed zone district.

8.12.2.1.3 Evidence that there has been a material change in the neighborhood that justifies the requested zone change.

8.12.2.1.4 Evidence that the proposed zone change will be in conformance to the current Fremont County Master Plan in relation to the area.

8.12.2.2 Written description of the types of buildings and or uses proposed if rezoning is granted.

8.12.2.3 A written description of land and building uses within five-hundred (500) feet of the boundary of the proposed area of change in all directions from the subject property.

~~**8.12.2.4** Evidence that there is a public need for the zone change.~~

~~**8.12.2.5** Evidence that the zone change will be a County and / or neighborhood benefit, in that it will tend to preserve and promote property values in the neighborhood.~~

8.12.2.6 Copy of the current deed of record identifying the current property owner of the subject property including:

- 8.12.2.6.1** Written 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.
- 8.12.2.6.2** If the proposed zone change application is not intended to rezone the entire property described in the current deed of record then an appropriate subdivision application may be required as a condition of approval.
- ~~**8.12.2.7** A detailed roadway impact analysis (on a form obtained from the Department) prepared by a professional engineer licensed to work in Colorado as per Section 5.11 of this Resolution, unless all vehicular traffic enters and exits the site onto a Federal or State Highway where the Colorado Department of Transportation has issued an access permit for the specified use.~~
- 8.12.2.8** Explain what effect the proposed zoning and proposed use would have on adjacent uses. If no positive or adverse effect on adjacent uses is expected, explain why there will be no positive or adverse effect on adjacent uses.
- 8.12.2.9** Evidence that the proposed zone change and proposed use will be in harmony and compatible with the surrounding land uses and development in the area.
- 8.12.2.10** List of names and complete mailing addresses for all property owners within five-hundred (500) feet of the boundaries of property to be rezoned.
- 8.12.2.11** A list of names and complete mailing addresses of all severed mineral interest owners of the subject property.
- ~~**8.12.2.12** Proof of water, which may be a letter from a public water district indicating that the proposed use can be provided water service, or a letter or a copy of a well permit from the Colorado Division of Water Resources, or other appropriate entity that notes that the proposed use can be serviced by a well.~~
- ~~**8.12.2.13** Proof of sewage disposal, which may be a letter from a public sanitation district committing to provide service to the subject property for the proposed use or a copy of soil percolation test, by a Colorado Registered Professional Engineer performed on the subject property indicating that an individual sewage disposal system can adequately serve the proposed use on the property, or documented proof that the existing individual sewage disposal system is functioning properly and is adequate for the proposed use.~~
- ~~**8.12.2.14** A statement as to how the proposal complies with the intent and purposes of this Resolution.~~
- ~~**8.12.2.15** A statement as to how the proposal meets the intent, purpose and applicable goals and objectives of the current Fremont County Master Plan.~~

8.12.2.16 Proof of access rights to public roads when the property does not have adequate frontage on a County Road.

8.12.2.17 When access to the subject property is proposed to be directly to a roadway controlled by the Colorado Department of Transportation (CDOT) a copy of an approved access permit for the proposed use shall be provided.

8.12.2.18 When access to the subject property is proposed to be via a County Road that accesses a roadway controlled by the CDOT within five hundred (500) feet of the intersection of the CDOT road and the County Road proof of CDOT notification of the proposed zone change and CDOT's comments and requirements shall be provided.

8.12.2.19 Such other and additional information as required by the Department, the Commission or the Board.

8.13 ZONE CHANGE REQUIREMENTS FOR CLASSIFICATION #2: For zone changes that change property to multi-family, business or industrial zone districts. (MDR – Medium Density Residence, HDR – High Density Residence, MHP – Manufactured Home Park (Please see Section 4.10 for other requirements), ~~FTP & CG – Travel Trailer Park & Campground (Please see Section 4.11 for other requirements)~~, ~~NB – Neighborhood Business~~, RHB – Rural Highway Business, B - Business, A - Airport, IP – Industrial Park, and I - Industrial):

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

Applications for the Use Designation Plan must adhere to all submittal, review and notice requirements (~~Sections 8.4 and 8.5~~) of this Resolution. The application will be reviewed by the Commission at a regular Commission meeting and by the Board at a public hearing. A contingency of approval for any Use Designation Plan shall require the applicant to obtain final approval of a Final Development Plan prior to any development of the property.

If the applicant is ready to develop the property, the Applicant may elect to submit an application for the ~~Final Development Plan~~, together with the appropriate fee, and forego the Use Designation Plan process.

Applications for the ~~Final Development Plan~~ must adhere to all submittal, review and notice requirements (~~Sections 8.4 and 8.5~~) of this Resolution. The application will be reviewed by the Commission at a regular Commission meeting and by the Board at a public hearing. Approval of a ~~Final Development Plan~~ allows the Applicant to proceed with development, subject to compliance with any contingencies of approval.

The application packets shall include the following:

8.13.1 USE DESIGNATION PLAN APPLICATION: ~~Three (3)~~ copies of a drawing, prepared to professional standards, ~~minimum size of 18" X 24"~~, ~~maximum~~ size of 24" X 36", drawn at a common increment scale between or including 1" = 50' and 1" = 200' unless otherwise approved by the Department prior to submittal of the application; and ~~three (3)~~ reduced (~~to 8 1/2" x 11" or 11" x 17"~~) copies, all of which shall include the following: (~~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.)

8.13.1.1 The drawing shall contain a title, (Name) Zone Change Request from _____ Zone District (*existing*) to _____ Zone District (*proposed*);

8.13.1.2 The drawing shall contain a subtitle that provides a brief description of the proposed use.

8.13.1.3 Boundary drawing of the property with bearings and dimensions which illustrates the legal description of the subject property.

8.13.1.4 Legal description of the subject property;

8.13.1.5 The total amount of (*approximate*) square footage and acreage contained in the subject property.

8.13.1.6 Zoning classification for all adjoining lots, parcels, or tracts.

8.13.1.7 Written and graphic scale.

8.13.1.8 North arrow.

8.13.1.9 Vicinity map locating the property in relation to the surrounding area, streets, major natural features etcetera;

8.13.1.10 Provide a table on the drawing to indicate relationship between the proposed construction and existing construction to remain on the property in association with the development requirements of the proposed zone district.

8.13.1.10.1 Minimum lot size;

8.13.1.10.2 Maximum lot coverage;

8.13.1.10.3 Maximum building height;

8.13.1.10.4 Minimum lot width;

8.13.1.10.5 Minimum setback requirements;

8.13.1.10.5.1 Front yard;

8.13.1.10.5.2 Side yards (*two*);

8.13.1.10.5.3 Rear yard;

8.13.1.11 The drawing shall illustrate the size, shape and location of all existing buildings, structures and improvements that will remain on the subject property after development including: *(Note: Typical type drawings and or tables may be used to express the required information if appropriate.)*

8.13.1.11.1 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.

8.13.1.11.2 Approximate square footage and approximated dimensions of all such buildings and structures.

8.13.1.12 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.)*

8.13.1.12.1 Each such building, structure and or improvement shall have a label and or note that identifies it and states its proposed use.

8.13.1.13 Identify by label or note, all access points from the subject property to the public roadway system. Locate each access point by providing dimensions from property lines.

8.13.1.14 Identify by label or note all off-street parking areas on the subject property.

8.13.1.14.1 A table based on Sections 5.3 and 5.4 of this Resolution specifying the minimum numbers of spaces required for each use category.

8.13.1.15 Identify by label or note all off-street loading areas proposed to be contained on the subject property. *(See Section 5.5 of this Resolution for requirements).*

8.13.1.16 Identify by label or note all existing easements located on the subject property.

8.13.1.16.1 If existing easements are to be vacated or relocated appropriate information shall be provided by label or note.

8.13.1.17 Identify by label or note all proposed easements to be located on the subject property after the zone change—including:

8.13.1.17.1 Dimensions from property lines at the beginning and end of the easement.

8.13.1.18 Identify and locate all drainageways including FEMA flood areas.

8.13.1.19 Identify and locate significant natural features of the subject property.

8.13.1.20 Identify and locate all drainage facilities.

8.13.1.21 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.

8.13.1.22 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.

8.13.1.23 Such other additional information on the drawing required by the Department, Commission, or the Board.

8.13.2 OTHER APPLICATION REQUIREMENTS: (Most items will be addressed in the appropriate application form)

8.13.2.1 A statement of justification for the rezoning, including at least one (1) of the following conditions: (*Please explain answer*).

~~**8.13.2.1.1** Evidence that the property was not properly zoned when existing zoning was imposed.~~

8.13.2.1.2 Evidence that additional land is needed in the proposed zone district.

8.13.2.1.3 Evidence that there has been a material change in the neighborhood that justifies the requested zone change.

8.13.2.1.4 Evidence that the proposed zone change will be in conformance to the current Fremont County Master Plan in relation to the area.

- 8.13.2.2** Written description of the types of buildings and or uses proposed if rezoning is granted.
- 8.13.2.3** A written description of land and building uses within five-hundred (500) feet of the boundary of the proposed area of change in all directions from the subject property.
- 8.13.2.4** Evidence that there is a public need for the zone change.
- 8.13.2.5** Evidence that the zone change will be a County and or neighborhood benefit, in that it will tend to preserve and promote property values in the neighborhood.
- 8.13.2.6** Explain what effect the proposed zoning and proposed use would have on adjacent uses. If no positive or adverse effect on adjacent uses is expected, explain why there will be no positive or adverse effect on adjacent uses.
- 8.13.2.7** Evidence that the proposed zone change and proposed use will be in harmony and compatible with the surrounding land uses and development in the area.
- 8.13.2.8** A copy of the current deed of record identifying the current property owner of the subject property including:
 - 8.13.2.8.1** Written 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.
 - 8.13.2.8.2** If the proposed zone change 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 condition of approval.
- 8.13.2.9** Proof of water, which may be a letter from a public water district indicating that the proposed use can be provided water service, or a letter or a copy of a well permit from the Colorado Division of Water Resources, or other appropriate representative, which indicates that the proposed use can be serviced by a well.
- 8.13.2.10** Proof of sewage disposal, which may be a letter from a public sanitation district committing to provide service for the proposed use or a copy of an individual percolation test performed on the subject property, accompanied by a design for an individual sewage disposal

system adequate for the specified use; or documented proof that the existing individual sewage disposal system is functioning properly and is adequate for the proposed use.

- 8.13.2.11** Refuse disposal plan: The storage, collection, and disposal of refuse shall be so located and managed as not to create a health hazard, rodent harborage, insect breeding, accidents, hazards, or air pollution. Trash collection receptacles shall be provided and properly screened from view. *(A review by the Fremont County Environmental Health Office shall be required).*
- 8.13.2.12** A detailed roadway impact analysis *(on a form obtained from the Department)* prepared by a professional engineer licensed to work in Colorado as per Section 5.11 of this Resolution, unless all vehicular traffic enters and exits the site onto a Federal or State Highway where the Colorado Department of Transportation has issued an access permit for the specified use.
- 8.13.2.13** Drainage Plan and Report as per ~~Section 5.10~~ of this Resolution.
- 8.13.2.14** Buffering and landscaping plan shall be in accordance with Section ~~5.2.6~~, of this Resolution, if required. Buffering and landscaping shall be completed prior to recording of the zone change. If non-applicable, provide a justification statement as to why such regulations are non-applicable.
- 8.13.2.15** A fire protection plan addressing method of fire protection, location of fire hydrants or other means of fire protection. 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.
- 8.13.2.16** All Solid Wastes Disposal Sites and Facilities, Hazardous Waste Treatment, Storage or Disposal Sites and Waste to Energy Incineration Systems shall comply with the Solid Waste Disposal Sites and Facilities, Hazardous Waste Treatment, Storage or Disposal Sites and Facilities and Waste-to-Energy Incineration Systems Regulations, Section ~~6~~ of this Resolution, and applicable State and Federal laws and regulations. If non-applicable, provide a justification statement as to why such regulations are non-applicable.
- 8.13.2.17** A statement describing the proposed uses.

- 8.13.2.18 A statement as to the existing zoning district of the land to be used.
- 8.13.2.19 Statement that the proposal complies with the intent and purposes of this Resolution. *(See Fremont County Zoning Resolution 1.1 & 1.3)*
- 8.13.2.20 A statement as to how the proposal meets the intent, purpose and applicable goals and objectives of the current Fremont County Master Plan.
- 8.13.2.21 Proof of access rights to public roads when the property does not have adequate frontage on a County Road.
- 8.13.2.22 When access to the subject property is proposed to be directly to a roadway controlled by the Colorado Department of Transportation (CDOT) a copy of an approved access permit for the proposed use shall be provided.
- 8.13.2.23 When access to the subject property is proposed to be via a County Road that accesses a roadway controlled by the CDOT within 500 feet of the intersection of the CDOT road and the County Road proof of CDOT notification of the proposed zone change and CDOT's comments and requirements shall be provided.
- 8.13.2.24 A list of names and complete mailing addresses for all property owners within five-hundred (500) feet of the boundaries of the subject property.
- 8.13.2.25 A list of names and complete mailing addresses of all severed mineral interest owners of the subject property.
- 8.13.2.26 Such other and additional information as required by the Department, the Commission or the Board.

~~8.13.3 FINAL DEVELOPMENT PLAN APPLICATION: Three (3) copies of a drawing, prepared to professional standards, minimum size of 18" X 24", maximum size of 24" X 36", drawn at a common increment scale between or including 1" = 50' and 1" = 200' unless otherwise approved by the Department prior to submittal of the application; and three (3) reduced (to 8 1/2" x 11" or 11" x 17") copies, all of which shall include the following: (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.)~~

~~8.13.3.1 The drawing shall contain a title, (Name) Zone Change Request from _____ Zone District (existing) to _____ Zone District (proposed);~~

~~8.13.3.2 The drawing shall contain a subtitle that provides a brief description of the proposed use.~~

~~8.13.3.3 Boundary drawing of the property with bearings and dimensions which illustrates the legal description of the subject property.~~

~~8.13.3.4 Legal description of the subject property;~~

~~8.13.3.5 The total amount of square footage and acreage contained in the subject property.~~

~~8.13.3.6 Zoning classification for all adjoining lots, parcels, or tracts.~~

~~8.13.3.7 Written and graphic scale.~~

~~8.13.3.8 North arrow.~~

~~8.13.3.9 Vicinity map locating the property in relation to the surrounding area, streets, major natural features etcetera;~~

~~8.13.3.10 Provide a table on the drawing to indicate relationship between the proposed construction and existing construction to remain on the property in association with the development requirements of the proposed zone district.~~

~~8.13.3.10.1 Minimum lot size;~~

~~8.13.3.10.2 Maximum lot coverage;~~

~~8.13.3.10.3 Maximum building height;~~

~~8.13.3.10.4 Minimum lot width;~~

~~8.13.3.10.5 Minimum setback requirements;~~

~~8.13.3.10.5.1 Front yard;~~

~~8.13.3.10.5.2 Side yards (two);~~

~~8.13.3.10.5.3 Rear yard.~~

~~8.13.3.11 The drawing shall illustrate the size, shape and location of all existing buildings, structures and improvements that will remain on~~

~~the subject property after development including: (Note: Typical type drawings and or tables may be used to express the required information if appropriate.)~~

~~8.13.3.11.1 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.~~

~~8.13.3.11.2 Location dimensions from at least two (2) property lines for each such building, structure and or improvement.~~

~~8.13.3.11.3 Square footage and dimensions of all such buildings and structures.~~

~~8.13.3.11.4 Building height of each building and/or structure.~~

~~8.13.3.12 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.)~~

~~8.13.3.12.1 Each such building, structure and or improvement shall have a label and or note that identifies it and states its proposed use.~~

~~8.13.3.12.2 Location dimensions from at least two (2) property lines for each proposed building and/or structure.~~

~~8.13.3.12.3 Square footage and dimensions of all buildings and structures.~~

~~8.13.3.12.4 Building height of each building and/or structure.~~

~~8.13.3.13 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.)~~

~~8.13.3.13.1 Dimensions from property lines at the beginning and end of the roadway and centerline information for the entire roadway.~~

~~8.13.3.13.2 Width at the beginning of the roadway and at any points along the roadway where the width changes.~~

- ~~8.13.3.13.3 All access points from the subject property to the public roadway system. Locate each access point by providing dimensions from property lines.~~
- ~~8.13.3.13.4 All internal traffic circulation patterns by line symbol.~~
- ~~8.13.3.13.5 The surface type, the width and thickness, of each internal roadway.~~
- ~~8.13.3.14 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.)~~
- ~~8.13.3.14.1 Dimensions of all pedestrian areas and walkways.~~
- ~~8.13.3.14.2 Surface type, width, length and thickness of all pedestrian areas and walkways.~~
- ~~8.13.3.15 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.)~~
- ~~8.13.3.15.1 Dimensions of overall size of all off street parking areas.~~
- ~~8.13.3.15.2 Proposed surface type for all off street parking areas. (See Section 5.3.2 of this Resolution for requirements).~~
- ~~8.13.3.15.2.1 Proposed thickness of the surface materials of the off street parking areas.~~
- ~~8.13.3.15.3 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 symbols may be used)~~
- ~~8.13.3.15.3.1 Dimension each type of off street parking space proposed to be used on the subject property. (A typical drawing for each type of space is acceptable).~~
- ~~8.13.3.15.3.2 A table based on Sections 5.3 and 5.4 of this Resolution specifying the minimum numbers of spaces required for each use category. in~~

~~comparison to the numbers proposed by this application.~~

~~**8.13.3.16** Identify by label or note all off street loading areas proposed to be contained on the subject property (See Section 5.5 of this Resolution for requirements) including: (Note: Typical type drawings and or tables may be used to express the required information if appropriate.)~~

~~**8.13.3.16.1** Location and size, by dimension, all off street loading areas.~~

~~**8.13.3.16.2** Proposed surface type for all off street loading areas. (See Section 5.3.2 of this Resolution for requirements)~~

~~**8.13.3.16.2.1** Proposed thickness of the surface materials of the off street loading areas.~~

~~**8.13.3.17** 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 this Resolution for requirements). (Note: Typical type drawings and or tables may be used to express the required information if appropriate.)~~

~~**8.13.3.18** 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 this Resolution for requirements) including: (Note: Typical type drawings and or tables may be used to express the required information if appropriate.)~~

~~**8.13.3.18.1** The heights of light poles and illustrate the lighting coverage area.~~

~~**8.13.3.18.1.1** Proposed lighting shall not direct light onto any public roadways.~~

~~**8.13.3.18.1.2** Lighting shall not be directed toward surrounding properties.~~

~~**8.13.3.18.1.2.1** Shielding of lighting, or other methods, may be required to mitigate impacts to surrounding properties.~~

~~8.13.3.19 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.)~~

~~8.13.3.19.1 Total square footage of all proposed signs along with the width and length of proposed signs.~~

~~8.13.3.19.2 Total height of proposed signs, including poles and/or pedestals.~~

~~8.13.3.19.3 A statement or note shall be provided to signify whether or not the proposed signs will be illuminated.~~

~~8.13.3.19.3.1 Illuminated signage shall not direct light onto any public roadways.~~

~~8.13.3.19.3.2 Illuminated signage shall not direct light onto adjoining properties.~~

~~8.13.3.20 Identify by label or note, locate and dimension all open space areas, if provided.~~

~~8.13.3.21 Identify by label or note all existing easements located on the subject property including:~~

~~8.13.3.21.1 Dimensions from property lines at the beginning and end of the easement and centerline information for the entire easement.~~

~~8.13.3.21.2 Width at the beginning and the end of the easement and at any points along the easement where the width changes.~~

~~8.13.3.21.3 If existing easements are to be vacated or relocated appropriate information shall be provided by label or note.~~

~~8.13.3.22 Identify by label or note all proposed easements to be located on the subject property after the zone change including:~~

~~8.13.3.22.1 Dimensions from property lines at the beginning and end of the easement and centerline information for the entire easement.~~

~~8.13.3.22.2 Width at the beginning and the end of the easement and at any points along the easement where the width changes.~~

~~8.13.3.23 Identify by label or note and locate and size, by dimension(s) all service and refuse areas.~~

~~8.13.3.24 Identify and locate all drainageways including FEMA flood areas, by dimensions from property lines.~~

~~8.13.3.25 Identify and locate, by dimensions, significant natural features of the subject property.~~

~~8.13.3.26 Identify and locate all drainage facilities, including:~~

~~8.13.3.26.1 Dimension all drainage facilities.~~

~~8.13.3.26.2 All drainage facilities shall be designated as a drainage easement.~~

~~8.13.3.27 Designate soil type areas.~~

~~8.13.3.27.1 In a table provide a brief description of the soil characteristics.~~

~~8.13.3.28 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.~~

~~8.13.3.29 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.~~

~~8.13.3.30 Such other additional information on the drawing required by the Department, Commission, or the Board.~~

8.13.4 OTHER APPLICATION REQUIREMENTS: (Most items will be addressed in the appropriate application form)

8.13.4.1 A statement of justification for the rezoning, including at least one (1) of the following conditions: *(Please explain answer)*.

~~8.13.4.1.1 Evidence that the property was not properly zoned when existing zoning was imposed.~~

8.13.4.1.2 Evidence that additional land is needed in the proposed zone district.

- 8.13.4.1.3 Evidence that there has been a material change in the neighborhood that justifies the requested zone change.
- 8.13.4.1.4 Evidence that the proposed zone change will be in conformance to the current Fremont County Master Plan in relation to the area.
- 8.13.4.2 Written description of the types of buildings and or uses proposed if rezoning is granted.
- 8.13.4.3 A written description of land and building uses within five-hundred (500) feet of the boundary of the proposed area of change in all directions from the subject property.
- 8.13.4.4 Evidence that there is a public need for the zone change.
- 8.13.4.5 Evidence that the zone change will be a County and or neighborhood benefit, in that it will tend to preserve and promote property values in the neighborhood.
- 8.13.4.6 Explain what effect the proposed zoning and proposed use would have on adjacent uses. If no positive or adverse effect on adjacent uses is expected, explain why there will be no positive or adverse effect on adjacent uses.
- 8.13.4.7 Evidence that the proposed zone change and proposed use will be in harmony and compatible with the surrounding land uses and development in the area.

These requirements are the same as a SRU, CUP, & CDP, which will now be required.

- ~~8.13.4.8 A copy of the current deed of record identifying the current property owner of the subject property including:~~
 - ~~8.13.4.8.1 Written 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.~~
 - ~~8.13.4.8.2 If the proposed zone change 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 condition of approval.~~
- ~~8.13.4.9 Proof of water, which may be a letter from a public water district indicating that the proposed use can be provided water service, or a letter or a copy of a well permit from the Colorado Division of Water~~

~~Resources, or other appropriate representative, which indicates that the proposed use can be serviced by a well.~~

~~**8.13.4.10** Proof of sewage disposal, which may be a letter from a public sanitation district committing to provide service for the proposed use or a copy of an individual percolation test performed on the subject property, accompanied by a design for an individual sewage disposal system adequate for the specified use; or documented proof that the existing individual sewage disposal system is functioning properly and is adequate for the proposed use.~~

~~**8.13.4.11** Refuse disposal plan: The storage, collection, and disposal of refuse shall be so located and managed as not to create a health hazard, rodent harborage, insect breeding, accidents, hazards, or air pollution. Trash collection receptacles shall be provided and properly screened from view. (A review by the Fremont County Environmental Health Office shall be required).~~

~~**8.13.4.12** A detailed roadway impact analysis (on a form obtained from the Department) prepared by a professional engineer licensed to work in Colorado as per Section 5.11 of this Resolution, unless all vehicular traffic enters and exits the site onto a Federal or State Highway where the Colorado Department of Transportation has issued an access permit for the specified use.~~

~~**8.13.4.13** Property owner shall execute a Quit Claim deed to the County 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 Zone Change.~~

~~**8.13.4.14** Drainage Plan and Report as per Section 5.10 of this Resolution.~~

~~**8.13.4.15** Buffering and landscaping plan shall be in accordance with Section 5.2.6, of this Resolution, if required. Buffering and landscaping shall be completed prior to recording of the zone change. If non-applicable, provide a justification statement as to why such regulations are non-applicable.~~

~~**8.13.4.16** A fire protection plan addressing method of fire protection, location of fire hydrants or other means of fire protection. 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.~~

~~**8.13.4.17** A detailed utility plan showing the location of all utilities (*water, sewer, electric, gas, cablevision lines, irrigation ditches and lines, horizontal and vertical*), as proposed by the developer. Plan shall be accompanied by documentation from the utility providers that service can be provided, and any necessary upgrades as determined by the utility provider~~

~~**8.13.4.18** All Solid Wastes Disposal Sites and Facilities, Hazardous Waste Treatment, Storage or Disposal Sites and Waste to Energy Incineration Systems shall comply with the Solid Waste Disposal Sites and Facilities, Hazardous Waste Treatment, Storage or Disposal Sites and Facilities and Waste to Energy Incineration Systems Regulations, Section 6 of this Resolution, and applicable State and Federal laws and regulations. If non applicable, provide a justification statement as to why such regulations are non applicable.~~

8.13.4.19 A statement describing the proposed uses.

~~**8.13.4.20** A statement as to the existing zoning district of the land to be used.~~

~~**8.13.4.21** Statement that the proposal complies with the intent and purposes of this Resolution. (*See Fremont County Zoning Resolution 1.1 & 1.3*)~~

~~**8.13.4.22** A statement as to how the proposal meets the intent, purpose and applicable goals and objectives of the current Fremont County Master Plan.~~

~~**8.13.4.23** Proof of access rights to public roads when the property does not have adequate frontage on a County Road.~~

~~**8.13.4.24** When access to the subject property is proposed to be directly to a roadway controlled by the Colorado Department of Transportation (CDOT) a copy of an approved access permit for the proposed use shall be provided.~~

~~**8.13.4.25** When access to the subject property is proposed to be via a County Road that accesses a roadway controlled by the CDOT within 500 feet of the intersection of the CDOT road and the County Road proof of CDOT notification of the proposed zone change and CDOT's comments and requirements shall be provided.~~

~~**8.13.4.26** Designate soil types and descriptions.~~

~~8.13.4.27 A list of names and complete mailing addresses for all property owners within five hundred (500) feet of the boundaries of the subject property.~~

~~8.13.4.28 A list of names and complete mailing addresses of all severed mineral interest owners of the subject property.~~

~~8.13.4.29 Such other and additional information as required by the Department, the Commission or the Board.~~

