



MORGAN COUNTY PLANNING,
 ZONING & BUILDING DEPT.
 231 Ensign, P.O. Box 596
 Fort Morgan, Colorado 80701
 PHONE (970)542-3526
 FAX (970)542-3509

EMAIL permits_licensing@co.morgan.co.us

PERMIT # MAJ _____ - _____

Date Received _____ / _____ / _____	Received By _____
Application Fee: \$ _____ Ck/CC #: _____	Paid _____ / _____ / _____
Recording Fee \$ _____ Ck/CC #: _____	Paid _____ / _____ / _____
PC Date: _____ / _____ / _____	BOCC Date: _____ / _____ / _____
100 Year Floodplain? <u>Y/N</u>	Taxes _____

MAJOR SUBDIVISION APPLICATION
 Landowner MUST Sign Application and Right to Farm Policy

APPLICANT

LANDOWNER

Name _____

Name _____

Address _____

Address _____

Phone (_____) _____

Phone (_____) _____

Email _____

Email _____

SURVEYOR

Name _____ Email _____

Address _____ Phone (_____) _____

PROPERTY LEGAL DESCRIPTION AND TECHNICAL INFORMATION

Address of Property to be divided (or general location if not yet addressed): **Attach extra pages if needed*

Parcel #: _____ - _____ - _____ - _____ Zone District: _____

S: _____ T: _____ R: _____ $\frac{1}{2}$ _____ $\frac{1}{4}$ _____ $\frac{1}{4}$

Total acreage in parcel: _____ Number of lots to be created: _____

Is property located within 1320' (1/4) of a livestock confinement facility? Y/N

Distance and Direction to Nearest Community: _____

PRESENT USE OF PROPERTY _____

PROPOSED USE OF PROPERTY _____

***Applicant shall attend a pre-application conference prior to actual submission of preliminary plan per section 6-120 of Morgan County Zoning Regulations**

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED OR PROCESSED

MAJOR SUBDIVISION REQUIRED ATTACHMENT LIST

Additional information may be required by staff

Application Fee:

- Non-Refundable Application Fee due with application as determined by staff:
**Additional fees and charges may be required pursuant to Section 2-160 of Morgan County Zoning Regulations. Applicant will be responsible for any legal fees after the first 5 hours.*
- Up to 10.9 acres \$725.00
- 11-20.9 acres \$800
- 21-30.9 acres \$875
- 31-40.9 acres \$950
- 41+ acres \$1,025
- 60 acres + \$1,025 plus \$20 per 40 acres or fraction thereof in excess of 60 acres

*For example: 99 acres would be $99-60=39$ acres in excess so: $\$1,025+20=\$1,045$

101 acres would be $101-60=41$ acres in excess so: $\$1,025+40=\$1,065$

**Fees may be subject to change per section 2-160 of Morgan County Zoning Regulations*

Project Narrative

- Narrative to include:
 - Project Description
 - Purpose of Request
 - Additional information to show the projects intent
 - The total land area to be subdivided
 - Current zoning of property; current use of property; use of surrounding properties
 - The total number of lots and proposed use by lot
 - The residential density and/or estimated nonresidential floor area
 - The total number of proposed off-street parking spaces, excluding those associated with single-family development
 - The total land area to be preserved as open space, parks and other public facilities
 - Roads (including proposed surface type)
 - Existing and proposed utility and easements; irrigation facilities
 - Flood or drainage impacts and mitigation
 - Land dedications for schools, if applicable
 - Provision of water and sewer services
 - Provision of fire protection
 - Is proposed subdivision located within a Fire District?
 - Phasing of the proposed subdivision, if any
 - Proposed zoning change, if applicable
 - All off-site impacts including impacts on public services; and proposed mitigation measures
 - Development or implementation schedule of project
 - Any information necessary to address the Subdivision Design Standards and requirements of Chapters 4 and 5 of the Morgan County Subdivision Regulations

Site Plans/Maps:

- Plat (Survey)** Map per requirements set forth in Morgan County Subdivision Regulations Section 6-170 **(SUBMIT ELECTRONICALLY)** containing:
 - Cover sheet showing title of P.D., signature blocks, legal description, and County Clerk recording information
 - Existing site conditions including contours, floodplain, and any unique natural features or vegetation
 - Subdivision plat showing lots, streets, alleys, easements, parks, common areas
 - Outline of building envelopes, if known at this time, and parking plans
 - Subdivision plat building setbacks
 - Improvement location certificate, including setbacks of existing structures, wells and septic system **(SUBMIT ELECTRONICALLY)**
 - Include any easements required for the project-widths and other pertinent information
- Engineered Drainage Plan** showing runoff patterns and drainage control
- Utilities Plan** showing all on site utilities and utilities easements
- Revegetation and Erosion Control Plan**
- Wildlife Impact Mitigation Plan** if applicable
- Traffic Impact Study** if applicable
- Proposed Infrastructure Plan**

Ownership

- Current Title Insurance Commitment** (within 6 months)
- Names, addresses, and phone numbers of all property owners
- A notarized letter of authorization from the landowner permitting a designated representative to process the application if applicable
- Statement of Authority** if applicable

Utilities / Access:

- Water** – Must have “Will Serve Letter” for lots being subdivided
- Septic System**
 - Existing Septic System – Evaluation of adequacy in terms of today’s regulations from local Health Department
 - Percolation test for septic systems conducted by the Northeast Colorado Health Department
 - Private system – “Will Serve Letter”
 - Public system – “Will Serve Letter”
 - Proposed Septic System “Will Serve Letter”
- Electric and Telephone Service Plan** – Letters of Commitment to Serve
- Driveway Permit** from CDOT or Morgan County Road and Bridge (If required by staff)
- Ditch Company** – Proof of contact if there is a ditch on or next to the property

Technical:

- Proposed Development Phases** including:
 - Completion timeline of each development phase
 - Estimated costs by each phase of the Infrastructure Plan

- Notification to all Mineral Rights Owners and/or Lessees** *Per C.R.S 24-65.5-103(1)*
 - Provide names and addresses as well as a copy of a letter sent 30 days prior to submission or if unable to locate, submit a list of owners/lessees showing 3 sources of attempts to locate.

- Impact Statements** from the following locations concerning the development
 - Municipality
 - Fire District
 - School District
 - Law Enforcement
 - Irrigation Companies
 - Morgan County Extension (determination of the number of animal units this land can sustain)

- Right to Farm Policy** signed by Landowner (Attached)

- Soil Map** from Morgan County Conservation District

- Covenant(s), Homeowners Association, Bylaws, and Articles of Incorporation** (*See Ch. 6 Section 3-465 {f}*), INCLUDING BUT NOT LIMITED TO
 - Adequate means of funding and enforcement
 - Provisions for routing safety inspection and follow-up
 - Process for receiving and processing complaints
 - Notification of the County prior to dissolution or major changes to the Bylaws
 - Provisions for regular maintenance of roads, parks, drainage facilities or common areas

- Financial Surety** of 110% of infrastructure cost

- _____# Paper Application Sets Digital Copy of Complete Application
One sided only please

- Sign Posting Verification:**
 - Notarized affidavit with photographs from a distance & close-up
 - This will take place AFTER Planning Commission hearing & 3 weeks PRIOR to Morgan County Board of Commissioners hearing*

*Title to any or all of the Planned Development **cannot** be transferred until all required documents have been recorded in the Morgan County Clerk and Records Office.

Recording Fees: *All recording fees will be collected at the **conclusion** of all hearings Made payable to Morgan County Clerk & Recorder*

Plat map recording fee

\$13.00 first page

\$10.00 per page thereafter

 # Additional pages x 10=\$ + \$13= \$ Total Recording Cost

Covenants recording fee

\$13.00 first page

\$5.00 per page thereafter

Additional Information Required by Staff:

LANDOWNER AND APPLICANT STATEMENTS

I hereby certify that to the best of my knowledge, the information contained within this application package is true and correct.

Application must be signed by applicant and landowner as it appears in title insurance.

Applicant Signature

Date

Landowner Signature

Date

Applicant Signature

Date

Landowner Signature

Date

MORGAN COUNTY RIGHT TO FARM POLICY / NOTICE

Morgan County is one of the most productive agricultural counties in Colorado. Ranching, farming, animal feeding, and all other manner of agricultural activities and operations in Morgan County are integral and necessary elements of the continued vitality of the county's economy, culture, landscape and lifestyle. Morgan County specifically recognizes the importance of agricultural operations as necessary and worthy of recognition and protection.

Landowners, residents and visitors must be prepared to accept as normal the effects of agriculture and rural living. These may include noise from tractors, equipment, and aerial spraying sometimes at night or in the early morning; dust from animal pens, field work, harvesting, and gravel roads; odor from animal confinement operations, silage and manure; smoke from ditch burning; flies and mosquitoes; the use of pesticides and fertilizers, including aerial spraying; and movement of livestock or machinery on public roads. Under the provisions of the State of Colorado's "Right to Farm" law (Section 35-3.5-101 and following, C.R.S.), all normal and non-negligent agricultural operations may not be considered nuisances.

Also public services in a rural area are not at the same level as in an urban or suburban setting. Road maintenance may be at a lower level, mail delivery may not be as frequent, utility services may be nonexistent or subject to interruption, law enforcement, fire protection and ambulance service will have considerably longer response times, snow may not be removed from county roads for several days after a major snow storm. First priority for snow removal is that school bus routes are normally cleared first.

Children are exposed to different hazards in a rural setting than they are in an urban or suburban area. Farm and oilfield equipment, ponds, and irrigation ditches, electrical service to pumps and oil field operations, high speed traffic, noxious weeds, livestock, and territorial farm dogs may present real threats to children. It is necessary that children's activities be properly supervised for both the protection of the children and protection of the farmer's livelihood.

All rural residents and property owners are encouraged to learn about their rights and responsibilities and to act as good neighbors and citizens of Morgan County. This includes but is not limited to obligations under Colorado State law and Morgan County Zoning Regulations regarding maintenance of fences, controlling weeds, keeping livestock and pets under control. There may be provisions of which you are unaware. For example, because Colorado is a Fence Law State, owners of property may be required to fence livestock out.

Information regarding these topics may be obtained from the Colorado State University Cooperative Extension Office, the County Planning and Zoning Department, and the County Attorney.

RECEIPT AND STATEMENT OF UNDERSTANDING

I hereby certify that I have received, read, and understood the Morgan County Statement of Policy and Notice regarding Right to Farm.

I further state that I am aware that the conditions of living in an unincorporated area are different than living in a town or city and that the responsibilities of rural residents are different from urban or suburban residents. I understand that under Colorado law that a pre-existing, non-negligent agricultural operation may not be considered a public or private nuisance.

To Be Signed by Landowner

Signature

Date

Printed Name

Address

MORGAN COUNTY EXTENSION
914 E. RAILROAD AVE
FORT MORGAN, CO 80701
970-542-3540
FAX: 970-542-3541

_____ is applying for a Minor Subdivision or Planned
(landowner)

Development consisting of _____ lots totaling _____ acres. Landowner is

Proposing to allow _____ animal units per acre, or _____ animal units per lot.

Location and/or address of site: _____

Driving direction from Fort Morgan: _____

Date application is due in Planning Dept.: _____

Copy of soils map must accompany this request.

Copy of site plan must accompany this request.

It is the landowners/applicants responsibility to provide a stamped, self-addressed envelope.

For return of this form or make arrangements to pick it up at the Extension Office.

EXTENSION AGENT USE ONLY:

Approval of animal units as proposed: _____ Recommended maximum animal units: _____

Comments: _____

Signature: _____ Date: _____



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Fort Morgan, CO. 80701
970-542-3526 or Fax 970-542-3509
Email: permits_licensing@co.morgan.co.us

MINERAL RIGHTS NOTICE REQUIREMENTS

Pursuant to Colorado Revised Statutes (C.R.S) 24-65.5-103(1), applicants for development are required to notify all owners and lessees that hold a mineral interest on the subject property, of a pending application for proposed development.

What Are Mineral Rights?

Mineral rights are ownership rights that allow the owner the right to exploit minerals from underneath a property. The rights refer to solid and liquid minerals, such as silver, gold, copper, salt, clay, oil, natural gas, sand and gravel or any other material below the surface. Mineral rights can be separate from surface rights and are not always possessed by the property owner.

Mineral Rights Lessee

A mineral right's lessee is a person who has entered into a lease with the mineral rights owner to explore for, develop, and produce the leased minerals.

How can I find the mineral rights owner?

There are several options to help guide you in your search:

- Examine the records in the office of the county tax assessor and clerk and recorder of the county in which the real property is located. Notice shall be sent to the last-known address of the mineral estate owner as shown by such records.
- Hire an attorney to perform the research.
- Hire a title company to perform the research.
- Hire a Landman to run your title. – An individual who researches title and mineral rights on behalf of a company wishing to exploit the minerals beneath the surface of the privately owned land.
- BLM databases for public research are also available at: gloreCORDS.blm.gov

How do I notify the mineral rights owners?

State law requires that notice of the hearing be provided to the mineral owners and lessees by certified mail, return receipt requested, or by a nationally recognized overnight courier, no later than 30 days prior to the initial hearing date. For applications that do not require a hearing, notice should include the proposed date a decision will be made by the Planning and Zoning Department.

The notice must contain the date, time and place of the hearing, the nature of the hearing, the location and legal description by section, township, range of the property that is the subject of the hearing, and the name of the applicant. COPY OF LETTER AND RECEIPT OF IT BEING DELIVERED SHALL BE PROVIDED TO THE MORGAN COUNTY PLANNING AND ZONING DEPARTMENT WITHIN 14 DAYS OF PLANNING COMMISSION HEARING OR DATE OF DECISION BY PLANNING DIRECTOR AND SHALL INCLUDE THE NAMES AND ADDRESSES OF MINERAL OWNERS AND LESSEES. IF UNABLE TO LOCATE, SUBMIT A LIST OF MINERAL OWNERS/LESSEES SHOWING 3 SOURCES OF ATTEMPTS TO LOCATE.

Sample Notice

[Insert Date]

[Insert mineral interest owner's/ lessee's address]

Sent via Certified Mail

Notice to Mineral Rights Owners and/or Lessees:

As required by Colorado State Statute 24-65.5-103, I am notifying you that I have submitted an [type of application] application to the Morgan County Planning and Zoning Department for [Insert name of proposed project], located in the [Insert location and legal description by section, township, and range] of the 6th P.M., Morgan County, Colorado.

- APPLICATIONS REQUIRING PLANNING COMMISSION AND BOARD OF COUNTY COMMISSIONERS HEARINGS:

The application will be heard by the Morgan County Planning Commission in a public hearing on [Insert date] at 6:00 PM in the assembly room, 231 Ensign Street, Fort Morgan, Colorado. The Planning Commission will review the application and recommend approval or disapproval to the Board of County Commissioners.

Final approval or disapproval of the application will be considered by the Morgan County Commissioners on [Insert date] at [Insert time] in the assembly room, 231 Ensign Street, Fort Morgan, Colorado.

- APPLICATIONS APPROVED ADMINISTRATIVELY (NO HEARINGS REQUIRED):

Final approval or disapproval of the application will be determined by the Morgan County Planning and Zoning Director on [Insert date].

Sincerely,

(applicant/landowner)