



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.us

PERMIT # _____ - _____

Date Received	____/____/____	Received By	_____
App Fee \$	_____	Ck/CC #:	_____
		Paid	____/____/____
Minor Amend Fee: \$	_____	CK/CC #:	_____
		Paid	____/____/____
Recording Fee \$	_____	Ck/CC #:	_____
		Paid	____/____/____
PC Date:	____/____/____	BOCC Date:	____/____/____
100 Year Floodplain?	<u>Y/N</u>	Taxes Current?	<u>Y/N</u>

SPECIAL USE PERMIT APPLICATION

(Also to be used as application for Amendments to Existing Special Use Permits)

Landowner **MUST** Sign Application and Right to Farm Policy

APPLICANT

LANDOWNER

Name _____

Name _____

Address _____

Address _____

Phone (____) _____

Phone (____) _____

Email _____

Email _____

BRIEF DESCRIPTION OF APPLICATION

PROPERTY LEGAL DESCRIPTION

Address (if available):

S:____ T:____ R:____ _____ 1/2 _____ 1/4 _____ 1/4

Property Size _____ (sq. ft. or acres)

Parcel #: _____ - _____ - _____ - _____

Zone District: _____

Subdivision: _____

Lot #(s): _____

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

SEE REQUIRED ATTACHMENT LIST ON BACK OF THIS PAGE.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED OR PROCESSED.

SPECIAL USE PERMIT REQUIRED ATTACHMENT LIST

Fee:

Non-Refundable Application Fee

**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.*

Project Narrative:

Narrative– Including the following:

- Project Description
- Purpose of request
- How this proposal complies with the Morgan County Comprehensive Plan
See: <https://morgancounty.colorado.gov/sites/morgancounty/files/Comprehensive-Plan-2008.pdf>
- How this project/proposed use meets the criteria for Special Use Permit pursuant to Sec. 2-395 of the Zoning Regulations
- How the project/proposed use meets any specific criteria related to the project/proposed use. *See Morgan County Zoning Regulations Chapter 4-Supplementary Regulations, including but not limited to: Campgrounds, Livestock Confinement, Kennels, Outdoor Shooting Ranges, Home Occupations, Oil and Gas, Mobile Home Parks, Wireless Service Facilities, Solar, Wind and BESS*
- How project will relate to or impact existing adjacent uses
- All off-site impacts and proposed mitigation measures
- Development or implementation schedule of project
- Proposed length of time the permit, if applicable
- Discussion of any public improvements required to complete the project

Environmental Impacts:

- Discuss any environmental impacts the Special Use will have on the following and the proposed mitigation measures:

- | | | | |
|--------------------------------------|-----------------------------------|--|--|
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Dust | <input type="checkbox"/> Existing Vegetation | <input type="checkbox"/> Land Forms |
| <input type="checkbox"/> Noise | <input type="checkbox"/> Odor | <input type="checkbox"/> Storm Water Runoff | <input type="checkbox"/> Water Resources |
| <input type="checkbox"/> Wetlands | <input type="checkbox"/> Wildlife | <input type="checkbox"/> Visual Amenities | <input type="checkbox"/> Other _____ |

- Map & Plans:**
- Special Use Map** meeting the requirements of Sec. 2-420 and any specific map requirements for the proposed use including but not limited to: *Campgrounds, Livestock Confinement, Kennels, Outdoor Shooting Ranges, Home Occupations, Oil and Gas, Mobile Home Parks, Wireless Service Facilities, Solar, Wind and BESS. Sample Map attached to application for reference*
 - Drainage/Run-Off Control Plan** may be required if the Planning Administrator determines that the use or building meets one of the following criteria:
 - (1) The accessory use or building may have a drainage impact on adjacent properties;
 - (2) The accessory use or building may have a drainage impact on adjacent right of ways;
 - (3) The accessory structure is 5000 square feet or larger.
 - Decommissioning Plan** [Wind, Solar, BESS]
 - Geotechnical Report** [Wind, Solar]
 - Maintenance Statement** [Wind, Solar, BESS]
 - Water and/or Wind Erosion Control Plan** [Wind, Solar]
 - Fire Mitigation Plan** [BESS]
 - Specification Sheet** [BESS]
 - Emergency Operation Plan** [BESS]

- Ownership:**
- Current title insurance commitment (last 6 months)**
 - Mineral Rights Holders Notification**
 - Notice to FFA & Approval Letter** [Wind]
 - Notice to Operator of Communication Link (if applicable)** [Wind]
 - Proof of current paid taxes**

- Utilities/Access:**
- Water tap (Engineering Report from Quality Water or proof of access to a well)**
 - Sewer (Septic Permit, Will Serve Letter from NCHD or proof of other public system)**
 - Electric (Electric bill or letter of commitment from electricity provider)**
 - Driveway Permit from CDOT or Morgan County Road & Bridge (If required by staff)**
 - Ditch Company- Proof of contact if there is a ditch on or next to subject property**
 - Architecture Control Approval (if applicable)**
 - Utility Interconnection or Crossing Certification** [Wind, Solar]
 - Road Agreement** [Wind, Solar]
 - Electrical Diagram** [BESS]

Vested Rights: **Vesting Rights** (Optional). If applying for vested rights with special use application, the following must be submitted:

- Period of time Vesting Rights are requested
- Development schedule including timeline and phases
- Reason for request
- Other pertinent factors concerning the development
- Additional application fee for vesting rights application

Miscellaneous: **Right to Farm Policy** signed by Landowner(attached)

Liability Insurance for Solar, Wind and/or BESS projects

____# **Paper Application sets**

____ **Digital Copy of Application** (One sided only)

Posted Public Notice Verification:

Notarized affidavit with photographs from a distance & close-up

This must be submitted PRIOR to Planning Commission hearing and PRIOR to Morgan County Board of Commissioners hearing

Additional Information required by staff:

APPLICANT & LANDOWNERS **MUST** SIGN APPLICATION ON NEXT PAGE



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

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 and the County Planning and Zoning Department, and 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.

Signature	Date
Printed Name	
Address	

To Be Signed by Landowner

Adopted by the Morgan County Board of County Commissioners by Resolution #96BCC41 on July 23, 1996 and amended by Resolution 2008 BCC 34 on September 2, 2008.



Application for Driveway Access Permit
Morgan County, Colorado

Instructions for Completing and Submitting Application

1. Property Owner (Permittee): Please provide the full name, mailing address, telephone number and email address (*if available*) of the legal property owner. The provided telephone number should be one where the Permittee can be reached during business hours Monday through Friday, 8:00 a.m. to 4:00 p.m. MDT.
2. Agent of Permittee: If the applicant (*person or company completing this application*) is different from the legal property owner (*Permittee*), provide entity name (*if applicable*), the full name of the person serving as the agent, mailing address, telephone number, and email address (*if available*). The provided telephone number should be one where the Agent can be reached during business hours Monday through Friday, 8:00 a.m. to 4:00 p.m. MDT. *Please provide documentation you are an agent of property owner.*
3. Legal Description of property: Provide the legal description to the full extent that applies for the property to be accessed by the requested driveway. Include the Assessor parcel number. This information is available through the County Assessor or Clerk and Records office or on your property deed(s).
4. Road Access: Complete the information on the County Road that will be accessed by this proposed driveway.
5. New or Existing Driveway: Complete the information for the driveway type.
New Driveways:
 - In determining location for the proposed driveway, take into account: line of site distances, relationship to road intersections, and relationship to crests of hills.
 - Please indicate the desired width of the new requested driveway.
 - If possible, provide a map showing the desired location of the proposed driveway.
 - ***The proposed area for the new driveway must be clearly marked with flagged stakes on each side of the proposed area. Please have the location marked as indicated prior to submitting application.***
6. Initial the bottom of page two (2) in the provided location indicating that you have read and understand the terms and conditions.
7. Signature Section must be signed and dated by the property owner or agent. *Applications will not be processed until they are fully completed, initialed, signed and submitted, along with any additional required documents.*
8. Submittal of Application: Please submit application and all corresponding paperwork to:
By mail or in person: Morgan County Road and Bridge Department
P.O. Box 516
17303 County Road S
Fort Morgan, CO 80701
By Email to: rbmorganc@co.morgan.co.us

Application for Driveway Access Permit
Morgan County, Colorado

Terms and Conditions

1. The granting of this permit application is for one (1) property access across the county right of way onto a county road. The access must not exceed the approved width defined on the approved permit. Additional accesses crossing the right of way must be applied for separately.
2. If this access is to be onto an access/travelling easement, then a copy of the easement, recorded plat or use agreement must accompany this application.
3. The granting of a driveway access permit by Morgan County is only for the purpose of crossing the right of way under the counties jurisdiction. It is the permittee's responsibility to identify and obtain permissions to cross any other easements, covenants, right of ways or private agreements that may exist.
4. If the access request is onto any Federal or State lands, you must provide the names and contact information for the relevant agencies and attach a copy of the authorization for the property use.
5. All property owners/agents are responsible for any damages that may occur to the county road or right of way during installation of said driveway.
6. The construction and all costs associated with the construction of the driveway are the responsibility of the property owner/agent. The construction cannot exceed the defined width and must include any specified culverts required as defined in the approved permit. Culverts may be purchased from anywhere, however they must be approved by the county prior to installation. Culverts may also be purchased from Morgan County Road and Bridge.
7. If a culvert is required, it is for use by Morgan County to protect the road and right of way. Morgan County retains the right to utilize the culvert in any way it deems necessary.
8. If a culvert is not required at the time of permit issuance, however, in the future a culvert is deemed necessary, the cost of said culvert may be at the property owner's expense.
9. Inside the county right of way, the driveway may only consist of the travelling surface to access the property. No other structures or appurtenances may be placed in the right of way (*examples: columns, walls, fencing, large rocks, etc.*). The only exception to this requirement is mailboxes.
10. During the construction of an approved driveway, it is the responsibility of the property owner/agent and/or their contractor to insure safety to the travelling public. This could include the use of signs, cones and/or traffic control as necessary.
11. All repairs, maintenance and costs associated with said driveway are the responsibility of the property owner/agent.
12. Morgan County is not responsible for any damages to the driveway caused by normal maintenance operations, including but not limited to mowing, grading, and snowplowing.
13. The property owner/agent agrees to hold harmless, indemnify, and defend Morgan County from any claim of any person arising from the installation, use, maintenance, or removal of the driveway in the county right of way.
14. The terms, conditions and requirements defined in this application and subsequent approved permit will remain valid through any future sales, transfer of ownership or assignments of the property defined in this driveway application.

_____ Please Initial that you have read and understand the terms and conditions outlined on this page.

Application for Driveway Access Permit
Morgan County, Colorado

1. Property Owner (Permittee):

Name: _____
Address: _____
City/State/Zip Code: _____
Phone () _____ Email: _____

2. Agent of Property Owner (If Applicable)

Company/Individual Name _____
Contact Name (If Applicable) _____
Address: _____
City/State/Zip Code: _____
Phone () _____ Email: _____

3. Legal Description:

Parcel Number: _____

4. Road Access:

Access onto County Road _____ (Circle Direction) North / South / East / West of County Road _____

5. Driveway Type: (Check One) ****New Driveway** _____ **Existing Driveway** _____

Desired width of New Driveway _____ Feet.

****If this is a new driveway location, please place flagged stake marker on each side of the requested driveway location.**

I have read the instructions, terms and conditions outlined in this Driveway Access Permit Application, and agree to all terms and conditions outlined therein, furthermore, I understand no liability is assumed by the County of Morgan, Colorado or its agents by issuance of a permit for this application and all costs, present and future, associated with the access provided by an Approved Driveway Access Permit are the responsibility of the property owner/agent and or any future assignees. The applicant declares the information provided are true and complete to the best of their knowledge.

Property Owner/Agent Signature

Date

Submit Completed Application and All Supporting Documents to:

Morgan County Road and Bridge Department
P.O. Box 516
17303 County Road S
Fort Morgan, CO 80701
Or by Email to: rbmorganc@co.morgan.co.us
Phone: (970) 542-3560 Fax: (970) 542-3569

For Office Use only below this line

Determination: _____ Approved _____ Denied (Reason for Denial): _____

GPS Coordinates, Centerline of Driveway in relation to road: Latitude: _____

Maximum Width of Driveway: _____ Feet Longitude: _____

Culvert Required: YES / NO If Yes, Size: _____

Closest Intersecting Road _____ Measurement from Closest Intersecting Road _____ Feet

Driveway Access Code: _____

Completed By: _____ Date: _____



Planning and Zoning Department
231 Ensign St.
PO Box 596
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: glorerecords.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)

SPECIAL USE MAP EXAMPLE

