



1041 PERMIT PROCESS

COMMUNITY DEVELOPMENT | PLANNING

Purpose of a 1041 Permit:

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

Applicability:

A 1041 Permit is required prior to conducting any activity that has been designated as a Matter of State Interest, unless the County Commissioners have granted an appeal to the requirement for a Permit or have adopted an intergovernmental agreement such that a Permit is not required. Prior to application, a Director's Determination of Eligibility as provided in Article 10.4 is recommended.

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

Process Overview:

1. Pre-application Conference and Director's Determination of Applicability (30 days)

2. Pre-submittal Conference and Electronic Application Submittal:

Please email all submittal materials to planningCIRT@co.larimer.co.us as separate PDFs attached to the same email. Following your complete submittal, CIRT will contact you for application fee payment options. See page 3 for application submittal requirements.

3. Staff Review and Determination of Complete Application (28 or 60 days)

4. Staff & Referral Agency Review

21 day referral period after the project has been deemed complete.

5. Review and Decision

Planning Commission Hearing (60 days after complete application) followed by a Board of County Commissioner Hearing.

Community Development Mission:

We provide quality service to our customers and the community - residents and visitors of Larimer County. Using public and private partnerships we protect health, safety and welfare, enhance quality of life, maintain property values, find creative development solutions, and plan for the future.

Contact Information:

- Assessors Office - 970.498.7050
- Building Division - 970.498.7660
- Clerk and Recorder - 970.498.7860
- Division of Water Resources (Wells) - 970.352.8712
- Engineering Dept. - eng-devrev@larimer.org
- Flood - eng-floodplain@larimer.org
- Health Dept. (Septic) - 970.498.6775
- On Call Planner - planning@larimer.org



THINGS TO CONSIDER

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Customer Responsibilities:

The submittal requirements listed in this packet are intended to collect all of the information required for Larimer County staff and review agencies to fully evaluate the proposal. Additional information may be requested from the applicant during the review process if necessary to address specific issues that arise. For certain application types, a resubmittal fee may apply. In the event you are unfamiliar with any submittal requirements and need assistance, please seek the help of a third party consultant.

Please Note:

All surrounding property owners within a minimum of 500 feet of the property boundary lines will be notified of this request. Once submitted to the County, all application materials become a matter of public record.

Water Verification:

It is the applicant's responsibility to verify an adequate water source is available. If water is to be obtained from a public water supply, contact the appropriate water district. A cistern is not an adequate water source. Refer to the Land Use Code for specific requirements to this proposal.

Sanitary Sewer or Septic Verification:

It is the applicant's responsibility to verify an adequate sewage disposal is available. If an on-lot septic system is to be used, contact the Larimer County Department of Health and Environment. If a public sewage system is to be used, contact the appropriate sanitation district. Refer to the Land Use Code for specific requirements to this proposal.

Floodplain:

If the property is within or partially within a FEMA and/or locally designated floodplain, additional standards and restrictions may apply. Contact the floodplain administrator for more information.

Expiration of Pre-Application Meeting Packet:

Pre-applications expire six months from the date of the meeting. If you have not submitted an application within six months of the pre-application meeting, check with the planner to see if a new meeting will be required. This is only applicable for project types that require pre-application meetings.

Land Use Code:

Please view the Land Use Code here:

<https://www.larimer.org/planning/regulations>

Mineral Interest Notification:

Only applicable to Rezoning, Zoning, Special Review, Minor Land Division, Preliminary Plat, Administrative Subdivision Thirty (30) days prior to the first public hearing, notification must be provided to Mineral Interest Owners and Lessees as required by State Statute 24-65.5 notifying them of the proposed development.

Furthermore, a signed certification must be received by the Larimer County Planning Department prior to the hearing that such notification was provided (click [here](#) to download the form).

Failure to receive this certification will result in the hearing being rescheduled to a later date.

Pre-Submittal Meeting:

Depending on the complexity of the case and the application type, a pre-submittal meeting may be required prior to submitting an application. Submitting an application without a presubmittal meeting may result in substantial delays in application processing or application rejection. Application types that may require a pre-submittal meeting are: Special Review, 1041, L&E, Rezoning, Variance, Site Plan Review, Preliminary Plat, Final Plat

Use Specific Standards:

In addition to review criteria, refer to the Land Use Code for use-specific standards applicable to the proposed use. Use specific standards may be found in Article 3.0 or Article 13 for the Estes Valley.



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SUBMITTAL REQUIREMENTS

Please submit each item as a separate PDF to planningCIRT@co.larimer.co.us.
All PDFs should be named as listed below and attached to the same email.

Item	Description:	Required	pre-submittal sign-off
1.	Application Form – Completed and signed by the public official or the authorized representative of the governing body of the entity or utility making the application. https://www.larimer.gov/sites/default/files/land_use_application_form.pdf		
2.	Application Fee - current fee at time of submission.		
3.	Project Description – see following pages for requirements		
4.	Vicinity Map(s) - see following pages for requirements		
5.	Site Inventory Map - see following pages for requirements		
6.	1041 Permit Site Map(s) - These maps are intended to graphically display the location of existing and proposed development associated with the application. See following pages for more details.		
7.	Legal Description – typed on an 8 ½” x 11” pdf. This must be a boundary description certified by a licensed surveyor. A specific legal description will not be required for linear facilities; however an accurate and succinct description in layman’s terms of the route alignment must be provided.		
8.	Non-Subdivision Water Supply Inquiry - https://www.larimer.gov/sites/default/files/nonsubdivision_water_supply_inquiry_form.pdf		
9.	Reduced 1041 Site Permit Map(s) - 8 1/2” x 11” pdf.		
TECHNICAL REPORTS & PLANS			
10.	Wetland Mitigation Plan - see page 7 and LUC Article 4.4.2.		
11.	Wildlife Mitigation Plan - see page 7 and Article 4.4.4.		
12.	Hazard Mitigation Plan - see page 7 and Article 4.4.3		
13.	Traffic Impact Report - see page 7 and Article 4.3.3.		
14.	Drainage & Erosion Control Report & Plan - Article 4.3.4		
15.	Geo-technical Report		
16.	Floodplain Hydraulic/Hydrologic Modeling Report		
17.	Groundwater Modeling Report		
18.	Simulation of the appearance of the facility		
19.	Computer Modeled Electromagnetic Field Measurements		
20.	Noise Analysis		
21.	Air Quality Impact and Mitigation Report		
22.	List of Adjacent Property Owners List - see following pages for requirements		
23.	Signed pre-application form, pre-submittal form and submittal checklist		
24.	Other - Any other or project-specific information necessary for the evaluation of the application not specifically noted above shall be included and noted within the application.		



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PROJECT DESCRIPTION REQUIREMENTS

Detailed project description of the following (additional notes are in current packet submittal requirements):

- A. General description, including purpose and need for the project.
- B. Location and total area of the project.
- C. Projected development schedule, including:
 - a. Schedule for permitting and design (include a list of all local, state, and federal permits required).
 - b. Estimated beginning and completion of construction and beginning of operations of the facility; and
 - c. Total number of employees, employees per shift, number of shifts during the construction, operation, and maintenance phases of the project.
- D. Description of the public input process prior to the application, including the comments and concerns raised during the process and how they are addressed in the proposal.
- E. Description of the site selection process, if applicable.
- F. Description of other alternatives considered, or explanation of why no reasonable alternatives are available.
- G. Description of the features of the project that make it consistent with the intent of the Comprehensive Plan and any applicable intergovernmental agreements affecting land use and development.
- H. Description of recent and present uses of the site such as pasture, irrigated or dry land crops, etc.
- I. Description of the information contained on the Site Inventory Map(s) (see 4. below)
 - a. Description of any mitigation measures proposed to address existing hazards or adverse impacts of the project on existing conditions.
 - b. Description of foreseeable benefits of natural, agricultural, recreational, range, or industrial resources within the County and opportunities to develop those resources in the future.
 - c. Description of foreseeable losses of natural, agricultural, recreational, range, or industrial resources within the County and loss of opportunities to develop those resources in the future.
 - d. Proposed buffers to sensitive areas.
- J. Description of any potential negative impacts of the project to public health and safety and mitigation measures proposed to address the impacts.
- K. Description of existing and proposed utilities and facilities needed to provide Adequate Public Facilities as defined in the Land Use Code Article 4.3, and how adequate facilities will be provided:
 - a. Sewage Disposal, include the name of the district and a description of any utility extensions needed to serve this project.
 - b. Water Supply, include the name of the district and a description of any utility extensions needed to serve this project.
 - c. Fire Protection, identify the name of the district and the road travel distance to the nearest fire station.
 - d. Road, identify access to the site including surface type and functional classification.
 - e. Site improvements: describe all the public improvements (roads, drainage, etc.) needed to accommodate the project and how these public improvements will be financed.
- L. Description of the impacts and net effect of the project on sites of paleontological, historic, or archaeological interest.
- M. Any addition explanation detailing how the application meets the applicable review criteria as stated in the Land Use Code.



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VICINITY MAP REQUIREMENTS

The map(s) must include the outline of the perimeter of the parcel proposed for the project site (for linear facilities, the proposed centerline and width of any corridor to be considered for the 1041 Permit), property parcels, location of all residences and businesses, any abutting subdivision outlines and names, the boundaries of any adjacent municipality or Growth Management Area, roads (clearly labeled) and significant natural features in the vicinity of the project. The area to be included on the map(s) will be determined at the pre-application conference and will generally be at least one mile beyond the project perimeter.

SITE INVENTORY MAP REQUIREMENTS

Information needed to complete the site inventory is available from the Community Development Department and other sources. The applicant is responsible for assembling this information and using it to design the proposed project. The application must include this information so the project file is complete, and the applicant can demonstrate how the information was used. The Site Inventory Map should include the following:

The applicant must identify all resources and environmental conditions potentially impacted by the proposed development. The inventory must include the following features on the site and within one half mile of the boundaries of the project perimeter (1,000 feet for linear facilities). If access to adjacent land is not possible the inventory may be completed by using map resources available in the Community Development Department. The inventory may include a narrative explanation and/or maps depicting the location of the features. The site inventory may be integrated with the Project Description to give a complete picture of the proposal. The title of the project must appear on each map sheet. If an aerial photo is being used, indicate the date of the photography.

The Site Inventory Map(s) may be required to contain the following information:

- a. Existing buildings, structures, utilities (water transmission lines and sewer collection lines), easements and other features including irrigation facilities, fences, roads, etc.
- b. Location of all residences, any abutting subdivision outlines and names, and the boundaries of any adjacent municipality or Growth Management Area.
- c. Existing vegetation, soil types for SCS Soil Survey, water bodies, and other natural features.
- d. Officially designated 100-year flood plains with Flood Way and Flood Fringe clearly shown.
- e. Geologic Hazards rated 3 through 7 with location and classification shown, including areas with expansive soils and other moderate hazards.
- f. Wetlands – area of wetlands (See Article 4.4.2.).
- g. Drainage patterns and general direction of flows on and through the site.
- h. Topography with a contour interval sufficient to evaluate the proposal but no greater than 40-foot intervals. Contours must be clearly, adequately labeled and every 5th contour line clearly shown by a heavier line. Areas of 20% or greater slope must be clearly shown by shading or other means.
- i. Wildlife habitat and migration corridors with a description of the ways wildlife use the site and the species involved, with proposed buffers or other potential mitigation measures.



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SITE INVENTORY MAP REQUIREMENTS CONTINUED

- j. Habitat for rare and endangered plants with species clearly indicated.
- k. Wildfire Hazards with location and classification including in the Wildfire Urban Interface.
- l. Sites and structures listed on the State and National Register of Historic Places.
- m. Commercial Mineral Deposits with the type of mineral deposit indicated along with estimates of the quantity and quality of the mineral and the amount of overburden present.
- n. A list of sites of historic or archaeological interest and how they will be avoided.
- o. Description, photos, or maps of view sheds, scenic vistas, unique landscapes, or land formations.
- p. Other information as necessary to demonstrate how the application meets the applicable review criteria as stated in the Land Use Code.

1041 PERMIT SITE MAP REQUIREMENTS

These maps are intended to graphically display the location of existing and proposed development associated with the 1041 permit application.

Site maps should include the following information, if applicable:

- A. Project boundary annotated with distances
- B. Building Setback lines, if applicable
- C. Easements
- D. Location of:
 - a. Existing buildings and structures (indicate which will be retained and which will be removed).
 - b. Proposed buildings.
 - c. Proposed structures.
 - d. Existing vehicular accesses to be retained.
 - e. Proposed vehicular accesses.
 - f. Emergency vehicular access.
 - g. Parking area(s).
 - h. Landscaping, if proposed (see Section 4.7 of LUC).
 - i. Loading and delivery areas.
 - j. Refuse areas.
 - k. Proposed signs (also provide data on height, width, area, and method of illumination--must meet requirements of Article 8.
 - l. Current and proposed width, name, and location of adjacent rights-of-way.
 - m. Location and size of proposed and existing utilities (gas, elec., water, sewer, well and/or septic, etc.).
 - n. Existing and proposed hazardous materials and/or fuel storage.
 - o. Additional site elements, as applicable.
- E. The content and format of 1041 Permit Site Maps(s) for linear facilities will be reviewed at the Pre-application conference. Essentially the same information will be required; however, format and content may be altered to ensure adequate information is provided for evaluation of the facilities.

REPORTS AND PLANS

Hazard Mitigation Plan	See Article 4.4.3.G. of the Land Use Code
Traffic Impact Memo	<p>See Article 4.3.3. of the Land Use Code. A report prepared by a professional engineer to analyze the short and long term impacts of vehicular traffic associated with new development and identification of any improvements necessary to mitigate the impacts.</p> <ul style="list-style-type: none"> • If property is within an established Growth Management Area (GMA), refer to Urban Area Street Standards, Chapter 4. • If property is not within an established Growth Management Area (GMA), refer to the Larimer Rural Area Road Standards.
Drainage and Erosion Report and Plan	<p>See Article 4.3.4. of the Land Use Code. A report prepared by a professional engineer that gauges increased storm water and water quality impacts associated with new development. Include a hydrologic analysis for peak flow rates of storm water entering, passing through, and leaving the site for the minor and major storm events (refer to the Larimer County storm water Design Standards pages 3-7 for submittal requirements). If approved by the Larimer County Engineering Department, a simplified drainage narrative may be submitted as an alternative to the drainage and erosion control report and plan.</p>
Wildlife Conservation	See Article 4.4.4. of the Land Use Code.
Soils Report	<p>A report prepared by a professional engineer to analyze soils and groundwater conditions for the design of individual on-site sewage disposal and pavement design for on-site and off-site improvements.</p> <ul style="list-style-type: none"> • If property is within an established GMA, refer to Chapters 5 and 10 of the Urban Area Street Standards. • If property is not within an established GMA, Refer to Chapter 5 of the Larimer County Rural Area Road Standards.
Wetland Mitigation	See Article 4.4.2. of the Land Use Code.
Floodplain Hydraulic/ Hydrologic Modeling Report	If property is in a floodplain, contact the floodplain administrator in the engineering department to determine if this report is required. This report shall be prepared by a professional engineer to identify impacts associated with new development within identified floodplains and identify any improvements necessary to mitigate the impacts
Groundwater Modeling Report	The potential for groundwater impacts shall be assessed at the early stages of the project. Construction methods can not create new permeable pathways along which groundwater may flow preferentially. The groundwater assessment - which may need to include detailed groundwater modeling - should take into account the nature of the construction (i.e. trenching, piling, etc), the presence, baseline conditions, and vulnerability of aquifers, and the proximity and sensitivity of nearby water sources. Mitigation measures shall be proposed in the Report.
Simulation of the appearance of the facility	Generally required for all structures and facilities that are 40 feet in height or greater. Where significant, map or describe the area within view of the project.
Computer modeled electromagnetic field measurements	(for electrical transmission lines and substations) and description of measures taken to comply with the concept of prudent avoidance.
Noise Analysis	Proposed mitigation measures, if applicable.
Air Quality Impact and Mitigation Report	Specific requirements for this report will be discussed at the Pre-Application Conference.
Monitoring and Mitigation Plan	Description of all mitigation for the project. Describe how and when mitigation will be implemented and financed. Describe impacts that are unavoidable that cannot be mitigated. Description of methodology used to measure impacts of the project and effectiveness of proposed mitigation measures. Description, location, and intervals of proposed monitoring to ensure that mitigation will be effective.



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ADDITIONAL INFORMATION & REQUIREMENTS

Adjacent Property Owners List (electronic)

The names and addresses of all property owners within a minimum of at least 500 feet of the property boundaries (the exact distance to be determined at the Pre-Application Conference). Records of the County Assessor must be used to determine the names and mailing addresses of those to be notified. **This list shall include the names and addresses of all meeting attendees at any public input process. These names and addresses must be typed on mailing labels with an affidavit submitted attesting to the accuracy of the mailing list.**

Additional Submission Information for New Collector and Arterial Highways and Interchanges

In addition to the general submittal requirements, provide a narrative describing the proposed site selection of the arterial highways or interchange or collector highway, and any proposed mitigation. For the proposed location and all reasonable alternative corridor locations and designs or all reasonable alternative interchange locations and designs, the narrative shall address the following:

Section 11.0 Project Information

- A general description of the proposed corridor location or interchange location and design, with a discussion of the advantages and disadvantages of this alternative.
- Identification of major traffic generators in the impact area.
- Describe alternatives that may be utilized by Larimer County, and any municipalities within the impact area, in planning for and controlling adjacent land use.
- Describe the costs and benefits to the community resulting from the land use commitment necessitated or facilitated by the proposed construction compared to alternative projected land uses in terms of land suitability, community services, utilities, and revenues.

Section 12.0 Maps

- A location map showing the corridor or interchange location and general area.
- A map of the impact area showing planned, proposed, or expected land use at each year of population projection, with and without the impacts of the project.
- A map illustrating the anticipated noise levels resulting from the project, including noise levels expressed through 8-hour and 24-hour Equivalent Sound Level metrics, as well as single event noise metrics.

Section 13.0 Corridor Location Study

The corridor location study shall describe the following:

- Type, scale, and appearance of the project;
- Cost estimate and funding source;
- Financing plan and tolling feasibility study, where appropriate;
- Approximate timetable for right-of-way acquisition and construction;
- Plan and profile for the project;
- Elevation drawings for any proposed structures.

Section 14.0 Traffic Demand Modeling Study

- Describes the increased demand that the proposal will place on other arterial highways, collector highways, frontage roads and interchanges, and showing consistency with the most current Northern Front Range Regional Transportation Plan, the Colorado Department of Transportation (CDOT) Statewide Transportation Improvement Program (STIP) and the Northern Front Range Transportation Improvement Program (TIP).
- The existing level of service (LOS), the planned LOS in relationship to projected user demand in five (5) year increments for fifty (50) years, and the capacity of impacted transportation facilities before and after the project is completed.
- Describe the approximate number of users of the proposed Highway or Interchange in terms of existing County residents, projected County residents, and non-County persons.
- Describe plans for promoting the use of alternative modes of transportation.
- Describe impacts of the project on accessibility to and from existing public facilities, commercial and industrial facilities, and residential areas.



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Section 15.0 Environmental, Cultural, and Historic Resource Impacts

- a. Describe the local and regional air quality impacts of the project, including the risk to human health and the environment posed by air pollutants, including, but not limited to, formaldehyde, benzene, 1,3-butadiene, diesel particulates and other fuel combustion by-products.
- b. Describe impacts resulting from any highway surface application, such as chemicals, sand, etc.
- c. If the Director determines that the nature or extent of the project involves the potential for significant harmful to cultural or historic resources, significant environmental harmful, or significant socioeconomic harm, and warrants examination of one or more specific, less harmful alternatives, or appropriate mitigation, the Director may request that the County Commissioners require the applicant to evaluate and present information on such alternatives or mitigation as part of the application. Required information on alternatives or mitigation measures may include, but shall not be limited to, information on the impacts, effectiveness of mitigation and the cost-effectiveness of the alternative or mitigation measure in relationship to the project.
- d. Provide a Class 1 Cultural Resource Survey for any non-federal (non-106) project that disturbs 10 or more acres for a confined project site or 2 or more miles for a liner site.
- e. Anticipated noise levels resulting from the arterial highway, interchange or collector highway using Federal Highway noise study criteria, Title 23 (Highways); Part 772 - Procedures for Abatement of Highway Traffic Noise and Construction Noise.

Section 16.0 Traffic Operations and Safety Study

Provide a Traffic Operations and Safety Study.

Section 17.0 Identification of Mitigation Alternatives

Provide a report that identifies all feasible alternatives for mitigating adverse effects of the project including, but not limited to, effects on the level of public services, access to public services, division of existing communities, water quality, air quality, noise levels, and scenic, historical, recreational, archaeological, and natural resources. Mitigation alternatives to be considered include, but are not limited to:

- a. Alternative locations, configurations and access, including but not limited to, grade separated interchanges and complete or partial construction below grade with cover and landscaping suitable for recreational use or for construction of streets, bike paths or pedestrian walkways;
- b. Alternative pavement types;
- c. Alternative Highway maintenance and snow removal methods;
- d. Sound walls and other sound mitigating structures, such as transparent noise barriers;
- e. Berms and/or landscaping;
- f. Speed limits;
- g. Speed control devices;
- h. Limits on the use of compression brakes, including but not limited to jake brakes;
- i. Wildlife crossings and pedestrian bridges.

Section 18.0 Additional Submission Information for Site Selection and Construction of Major Facilities of a Public Utility

1. A sketch or map showing the following:
 - a. If a power plant is proposed, the area within 10 miles from the site.
 - b. For transmission lines or pipelines, provide a map showing all existing transmission lines or pipelines for a distance of two miles beyond any reasonable alternative studied.
2. For upgrades of existing transmission lines, provide a sketch showing all existing transmission lines and pipelines within one mile on either side of the proposed alignment.
3. For all other major facilities of a public utility, provide a sketch showing the area within five miles of the site if another major facility is proposed.



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4. Type of facility - specify where applicable:

- a. The voltages and lengths of transmission lines.
- b. Power source and generating capacity.
- c. The functions and sizes of substations.
- d. For pipeline projects, the diameters and lengths of pipelines.
- e. The capacities of the storage tanks and types of petroleum derivative to be stored.
- f. Corridor locations.
- g. Service area.
- h. Resource area (e.g., source of power being generated or transmitted, source of petroleum derivative being transported).
- i. Describe applicable support facilities (e.g., pollution control, parking areas, landscaping, etc.) to be provided.

5. Analysis of nonstructural alternatives to the project such as conservation of energy use, no development or management (different scheduling, conservation programs, facility design, land trades, etc.), if applicable.

6. Analysis of reasonable structural alternatives to the project such as alternate locations and routes, alternative types of facilities, use of existing rights-of-way, joint use of rights-of-way with other utilities and upgrading of existing facilities.

Section 19.0 Additional Submission Information for Water and Sewer Projects

1. Description of demands that this project expects to meet and basis for projections of that demand.
2. Description of efficient water use, recycling, and reuse technology that will be incorporated into the project.
3. Description of how the project may affect adjacent communities and users on well water.
4. Map and description of other municipal and industrial water projects in the vicinity of the project, including their:
 - a. Capacity and existing service levels,
 - b. Location of intake and discharge points,
 - c. Service fees and rates,
 - d. Debt structure and service plan boundaries, and
 - e. Reasons for and against consolidating with those facilities.