

OIL & GAS FACILITIES

Public Hearing Application Submittal Requirements

Special Review Process

Revised July 2022

**LARIMER COUNTY COMMUNITY DEVELOPMENT
PLANNING DEPARTMENT**

CONTACT INFO:

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Special Review Process

Community Development Department 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.

Purpose: The Special Review procedure provides a mechanism for the county to evaluate proposed development and land uses that have unique or widely varying operating characteristics or unusual site development features to ensure compatibility with surrounding areas. The procedure considers the location, design, configuration, intensity, density, natural hazards, and other relevant factors pertaining to the proposed use to evaluate the potential impacts of such uses on surrounding properties, including the environment and wildlife, and to ensure that such uses are compatible with surrounding properties and that adequate mitigation is provided to minimize potential impacts on those surrounding properties and/or the county.

Applicability: Special Review is required for land uses in certain zoning districts as specified in §3.2, Table of Allowed Uses of the Land Use Code. Special Review approval is also required for modification or expansion of an existing Special Review use.

Special Review Procedure

1	Pre-Application Conference	<i>Required</i>	
2	Sketch Plan	<i>Required</i>	
3	Neighborhood Meeting	<i>Director may waive meeting requirement based on response to neighbor referral</i>	Neighborhood Notice and Application Processing
	Application Submittal and Processing (additional pre-application conference required)	<i>–Submit to Director –Neighbor referral required</i>	
5	Staff Review	<i>Review by Staff</i>	
6	Scheduling and Notice of Public Hearings	<i>–Planning Commission hearing –County Commissioners hearing</i>	Hearing and Decision-making
7	Review and Decision	<i>–Planning Commission review and recommendation –County Commissioners review and decision</i>	
8	Post-Decision Actions	<i>Special review expires if not commenced within 3 years of approval</i>	

Public Hearing Submittal

One (1) PDF formatted version of ALL submittal materials shall be required.
(Please use form names as listed below)

Item	Description:	Required	Staff sign-off
General Application Materials			
1.	Application Form - must be signed by all property owners and the applicant.		
2.	Application Fee(s) - see Development Review Fees handout for current fees. Note: fees are based upon the current fee(s) at time of submission		
3.	Other Associated Fees - see Development Review Fees handout for current fees. (Note: separate checks are required for each fee)		
4.	Project Description - detailed project description based on criteria found on page 6 of this packet.		
5.	Site Plan		
6.	Vicinity Map(s): The map(s) must include the outline of the perimeter of the parcel proposed for the project site including lease area and for linear elements (on-site and off-site to be considered for the application.		
7.	Revised Site Analysis: Required only if changes have been made since Sketch Plan Review. See page 7 of this packet for additional details.		
8.	Revised Location Analysis: Required only if changes have been made since Sketch Plan Review. See page 8 of this packet for additional details.		
9.	Proposed Buildings Project Information Sheet - Required for each building on the site. Use required form attached to this packet		
10.	Legal Description - A boundary description of the property and lease area 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.		
11.	Development Construction Plans - See Article 4.13 of the Land Use Code <ul style="list-style-type: none"> • For properties not within an established GMA, refer to the Rural Area Road Standards. • For properties located in a GMA, refer to the Urban Area Street Standards. 		
12.	Deed of Dedication(s) for any new right-of-way required		

Public Hearing Submittal Requirements (Cont.)

Item	Description:	Required	Staff sign-off
13.	List of Adjacent Property Owners List - The names and addresses of all property owners within the minimum distances as required by Article 11.2.5 of the Land Use Code.		
Technical Plans & Reports			
14.	Air Quality Management Plan - see pages 9 & 10 of this packet, and Articles 4.11 and 11.3.3 of the Land Use Code.		
15.	Leak Detection and Repair Plan - see pages 9 & 10 of this packet, and Article 11.3.4 of the Land Use Code.		
16.	Odor Mitigation Plan - see pages 9 & 10 of this packet, and Article 11.3.5 of the Land Use Code.		
17.	Water Quality Report and Plan - see page 9 of this packet pages 9 & 10 of this packet, and Article 11.3.6 of the Land Use Code.		
18.	Risk Management Plan - see pages 9 & 10 of this packet, and Article 11.3.7 of the Land Use Code.		
19.	Emergency Response Plan - see pages 9 & 10 of this packet, and Article 11.3.8 of the Land Use Code.		
20.	Spill Prevention and Containment Plan - pages 9 & 10 of this packet, and Article 11.3.10 of the Land Use Code.		
21.	Nose Report and Mitigation Plan - see pages 9 & 10 of this packet, and Article 11.3.11 of the Land Use Code.		
22.	Fugitive Dust Control Plan - see pages 9 & 10 of this packet, and Articles 4.11.5 and 11.3.12 of the Land Use Code.		
23.	Traffic Impact Analysis and Routing Plan - see pages 9 & 10 of this packet, and Articles 4.3.3 and 11.3.13 of the Land Use Code.		
24.	Wildlife Conservation Plan - see pages 9 & 10 of this packet, and Articles 4.4.4 and 11.3.14 of the Land Use Code.		
25.	Chemical and Hazardous Material Report and Handling Plan - pages 9 & 10 of this packet, and Article 11.3.15 of the Land Use Code.		
26.	Lighting and Visual Impacts Plan - see pages 9 & 10 of this packet, and Articles 4.10 and 11.3.17 of the Land Use Code.		
27.	Reclamation Plan - see pages 9 & 10 of this packet, and Article 11.3.18 of the Land Use Code.		
28.	Waste Management and Disposal Plan - see pages 9 & 10 of this packet, and Articles 11.3.16 and 11.3.21 of the Land Use Code.		
29.	Interim Reclamation Plan - see pages 9 & 10 of this packet, and Articles 4.7 and 11.3.22 of the Land Use Code.		

Public Hearing Submittal Requirements (Cont.)

Item	Description:	Required	Staff sign-off
Technical Plans & Reports (cont.)			
30.	Wetland Mitigation Plan - see pages 9 & 10 of this packet, and Articles 4.4.2 and 11.3.14 of the Land Use Code.		
31.	Other information as determined at Pre-Application Meeting		

Additional Information

REQUIRED PRIOR TO HEARING

Mineral Interest Notification – Certification Regarding Notification of Mineral Interest Owners and Lessees – Thirty (30) days prior to the Planning Commission 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. A signed certification must be received by the Larimer County Planning Department prior to the hearing that such notification was provided (see attached certification form). Failure to receive this certification will result in the hearing being rescheduled to a later date (see attached form).

Final Submittal Requirements (for closure of application)

The following items shall be submitted for the closure of the application. **All plans and reports prepared by a professional engineer, architect, landscape architect, etc., shall be sealed and signed by such professional.**

****Please include the following stamp on each page of the Site Plan, Development Construction Plans and Interim Reclamation Plan:**

Project # _____

Reviewed by _____
Engineering Date

Planning Date

Approved by _____
Date

Item	Description:	Required	Staff sign-off
1.	Final Project Description		
2.	Final Site Plan		
3.	Final Development Construction Plans		
4.	Final Signed and Executable Road Deed of Dedications or Deed of Easements (access and/or utility easements)		
5.	Final Executable Drainage Agreement - Provided by Larimer County Engineering (must include applicant signature)		
6.	Annexation Agreement (if applicable form is provided by the County and requires property owner signature)		
7.	All Required Technical Plans and Reports (final version)		
8.	Development Agreement (including final collateral)		
9.	Any Required Financial Assurances (bonds, etc.)		
10.	Other information as determined necessary by the project planner:		

Submittal Item #4 - Project Description

Element	Description	Include (but not limited to)
Review Criteria	A written response describing how the proposal meets the applicable review criteria of the Land Use Code.	Refer to Land Use Code Articles: 11.2.4 - Oil and Gas Application Review Criteria 6.3.8.D - General Review Criteria 6.4.2.D - Review Criteria (Special Review)
Summary	A written description of the proposal, specifically addressing the information outlined herein, as well as and all standards or requirements of articles 4.0 and 11.0 that are not being addressed by a specific plan or report.	<p>The following features must be addressed in the Project Description:</p> <ul style="list-style-type: none"> a. General description, including purpose and need for the project. b. Location and total area of the project, c. Description of other alternatives considered, or explanation of why no reasonable alternatives are available, d. Description of recent and present uses of the site such as pasture, irrigated or dry land crops, etc., e. Description of any mitigation measures proposed to address existing hazards or adverse impacts of the project on existing conditions or features addressed in the Item #5 Preliminary Site Analysis (below), f. Description of any potential negative impacts of the project to health and safety and welfare of the public, environment and Wildlife including mitigation measures proposed to address the impacts. g. Description of existing and proposed utilities and facilities needed to provide Adequate Public Facilities (See Section 8.1 of the Code), and how adequate facilities will be provided: <ul style="list-style-type: none"> 1) Sewage Disposal, include the name of the district and a description of any utility extensions needed to serve this project, 2) Water Supply, include the name of the district and a description of any utility extensions needed to serve this project, 3) Fire Protection, identify the name of the district and the road travel distance to the nearest fire station, 4) Road, identify roadways and accesses points to the site including surface type and functional road classifications, 5) Site improvements: describe all the public improvements (roads, drainage, etc.) needed to accommodate the project and how these public improvements will be financed, h. Projected development schedule, including: <ul style="list-style-type: none"> 1) Schedule for permitting and design (include a list of all local, state, and federal permits required), 2) Estimated beginning and completion of construction and beginning of operations of the facility, 3) Total number of employees, employees per shift, number of shifts during the construction, operation, and maintenance phases of the project. i. 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, j. Any addition explanation or maps detailing how the application meets the applicable review criteria.

Submittal Item #7 - Preliminary Site Analysis

The applicant is responsible for assembling a preliminary site analysis and using it to inform the design of the proposed project. The application must include this information so the project file is complete, and the applicant shall demonstrate the source of the information and how the information was utilized.

The preliminary site analysis shall include both mapped and written descriptions of the following information:

- a. Drilling and Spacing units proposed by the applicant within 1 mile of the County's boundaries,
- b. Proposed locations or routes of flowlines for the oil and gas facility and all features defined below, including those completely contained as part of and within ¼ mile of all drilling and spacing units proposed by the applicant,
- c. All existing residential, platted residential, or property(s) currently entitled for residential use, not including properties zoned or utilized for agricultural purposes over five (5) acres in area,
- d. All facilities classified as high occupancy buildings by the Colorado Oil and Gas Conservation Commission (COGCC),
- e. All schools and nursing facilities as defined in § 25.5-4-103(14), C.R.S., hospitals and life care institutions as defined in § 12-13-101, C.R.S., or correctional facilities as defined in § 17-1-102(1.7), C.R.S.,
- f. All operating child/elderly care centers or child/elder care homes as defined on the Land Use Code,
- g. All identified disproportionately impacted communities,
- h. All community Park Land, Public Parks, Regional Park Land as defined in the Land Use Code, including all publicly maintained trails and trailheads,
- i. All FEMA 10-year Flood Plain boundaries, with Flood Way and Flood Fringe boundaries clearly illustrated,
- j. The centerline on all USGS perennial and intermittent streams and all surface water features downgradient from the proposed facilities,
- k. All public and private reservoirs and water supply wells,
- l. All wetlands (see Land Use Code Article 4.4.2. Wetlands)
- m. High priority wildlife habitat and migration corridors with a description of the ways wildlife utilize the areas and the species involved. Include proposed setbacks and other proposed mitigation measures to be utilized,
- n. 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 Planning 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:

- o. Existing buildings, structures, utilities (water transmission lines and sewer collection lines), easements and other features including irrigation facilities, fences, roads, etc.,
- p. Location of all residences, any abutting subdivision outlines and names, and the boundaries of any adjacent municipality or Growth Management Area.
- q. Drainage patterns and general direction of flows coming onto, through and away from the development site,
- r. Topography with a contour interval sufficient to evaluate the proposal but no greater than 40-foot intervals. Contours must be labeled every 5 to 7 inches 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 illustrative means,
- s. Habitat for rare and endangered plants with species clearly indicated,
- t. Wildfire Hazards with location and classification shown,
- u. Sites and structures listed on the State and National Register of Historic Places, and
- v. Any other information necessary to demonstrate how the application meets the applicable review criteria as stated in the Land Use Code.

Submittal Item #8 - Alternative Site Analysis

The applicant is responsible for assembling a preliminary site analysis and using it to inform the design of the proposed project. The application must include this information so the project file is complete, and the applicant shall demonstrate the source of the information and how the information was utilized.

The alternative location analysis will include, at a minimum, the following information:

A map depicting the following elements within three (3) miles of the proposed surface location. (This requirement may be limited to one (1) mile for a proposed single vertical or directional well): or pipeline route:

All mineral rights held or controlled by the applicant,

All drilling and spacing units proposed by the applicant; and

The location of all features listed in the "Preliminary Site Analysis."

Unless waived by the Community Development Director, the analysis shall evaluate a minimum of three potential locations or routes that can reasonably access the mineral resources within the proposed drilling and spacing unit(s), including the following information for each site or pipeline route:

General narrative description of each location or pipeline route,

Any location restrictions that the site does not satisfy,

Off-site impacts that may be associated with each site or route,

Proposed truck traffic routes and access roads for each location; and v. Any information pertinent to the applicable review criteria that will assist the Community Development Director in evaluating the locations or routes. B. Neighborhood Meeting Submittal Requirements and Guidelines for Oil and Gas Facilities.

Submittal Items #14-30 Reports & Plans

Air Quality Management Plan	A plan outlining how a specific proposal will achieve regional air quality standards and healthier air. This shall be a comprehensive analysis of emission, meteorology, regional air quality modeling, regional growth projections and the impact of existing and proposed control measures. See Articles 4.11. and 11.3.3. of the Land Use Code
Leak Detection and Repair	A plan disclosing the techniques, methods and protocols that will be utilized with a specific proposal to identify, prevent, contain, document, repair, and report leaks. See Article 11.3.4. of the Land Use Code for standards and additional details.
Odor Mitigation Plan	A plan for a specific proposal indicating how odors will be prevented from adversely impacting the public and wildlife. See Article 11.3.5. of the Land Use Code for standards and additional details.
Water Quality Report/Plan	A plan demonstrating how a specific proposal will avoid adverse impacts to surface and ground waters. The plan will identify all private and community permitted water wells within ½ mile (2,640 feet) of the proposed use. See Article 11.3.6. of the Land Use Code for standards and additional details.
Risk Management Plan	A plan identifying potential risks associated with the activities of a specific proposal. The Plan shall include risk identification, frequency, responsibilities, assessment, response, Planning and mitigation, and methods of risk avoidance and control. Protocols and strategies implementing techniques to prevent accidents/loss and reduce impact after an incident occurs shall be a key component of the plan. See Article 11.3.7. of the Land Use Code for standards and additional details.
Emergency Response Plan	A plan that provides documentation of how emergency response will be employed for a specific proposal. Said plan shall be prepared in in consultation with the emergency response providers serving the site and shall document the communication and coordination with the county plans for evacuation of schools and persons within ½ mile (2,640 feet) of the oil and gas facility. See Article 11.3.8. of the Land Use Code for standards and additional details.
Spill Prevention and Containment Plan	A Plan disclosing techniques, methods, and protocols to be utilized at a proposes oil and gas facility to prevent, contain, document, and report any spills or releases. See Article 11.3.10. of the Land Use Code for standards and additional details.
Noise Report and Mitigation Plan	A plan demonstrating how operations of a oil and gas facility will mitigate noise and vibration impacts. See Article 11.3.11. of the Land Use Code for standards and additional details.
Fugitive Dust Control Plan	A plan disclosing techniques and methods to be utilized at a oil and gas facility to prevent or mitigate fugitive dust generated from the construction and operations of the proposed facility. See Articles 4.11.5 and 11.3.12. of the Land Use Code for standards and additional details.
Traffic Impact Analysis and Routing Plan	<p>A report prepared by a professional engineer to analyze the short-term and long-term impacts of vehicular traffic associated with new development and identification of any improvements necessary to mitigate the impacts. See Articles 4.3.3 and 11.3.13. of the Land Use Code for standards and additional details.</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.

Submittal Items #14-30 Reports & Plans (cont.)

Wildlife Conservation Plan	A plan documenting wildlife and wildlife habitat that may be affected by a proposal for an oil and gas facility. Said plan shall provide documentation of techniques or methods to be utilized to ensure that identified wildlife is avoided and protected from the construction and operations of an oil and gas facility. <i>See Articles 4.4.4. and 11.3.14. of the Land Use Code for standards and additional details.</i>
Wetland Mitigation Plan	A plan documenting all wetland habitat that may be affected by a proposal for an oil and gas facility. Said plan shall provide documentation of techniques or methods to be utilized to ensure that identified wetlands are avoided and protected from the construction and operations of an oil and gas facility. <i>See Articles 4.4.2. of the Land Use Code for standards and additional details.</i>
Chemical and Hazardous Material Report and Handling Plan	A plan disclosing the type of hazardous and non-hazardous materials and chemicals proposed to be used on the site of a oil and gas facility, including how such materials will be handled to prevent spills, leaks of releases. <i>See Article 11.3.15. of the Land Use Code for standards and additional details.</i>
Lighting and Visual Impacts Plan	A plan identifying how all phases of the development and operations of an oil and gas facility will manage light and the visual effects of the facility on the surrounding area. <i>See Articles 4.7. and 11.3.17. of the Land Use Code for standards and additional details.</i>
Reclamation Plan	A plan disclosing how the site of an oil and gas facility, after plugging will be returned to a natural/or native condition. <i>See Articles 11.3.18. of the Land Use Code for standards and additional details.</i>
Waste Management and Disposal Plan	A plan disclosing the techniques and methods to manage wastes generated on the site of the proposed oil and gas facility. <i>See Articles 11.3.21. of the Land Use Code for standards and additional details.</i>
Interim Reclamation Plan	A plan disclosing how the site of an oil and gas facility will be vegetated, screened and visual managed during the construction and operations of the facility. <i>See Articles 4.7. and 11.3.22. of the Land Use Code for standards and additional details.</i>
Drainage and Erosion Control Plan	A report that gauges increased storm water and water quality impacts associated with new development. The plan shall 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. <i>See Article 4.3.4 of the Land Use Code and pages 3-7 of the Larimer County Storm Water Design Standards for additional details.</i>

Proposed Building Project Information Sheet

Occupancy Classification of Proposed Structure: (Per International Building Code.)
 (Check all that apply and list approximate square footage of each Occupancy Classification.)
Submit one form for each Structure!

	<u>Occupancy</u>	<u>Sq. Ft.</u>
A – (Assembly Occupancy, such as; Church or Restaurant)	_____	_____
B – (Business Occupancy, such as; Offices, Banks)	_____	_____
E – (Educational Occupancy, such as; Schools)	_____	_____
F – (Factory Occupancy, such as Manufacturing)	_____	_____
H – (Hazardous Occupancy, such as Hazardous Materials Manufacturing & Storage)	_____	_____
I – (Institutional Occupancy, such as Hospitals, Jails)	_____	_____
M – (Mercantile Occupancies, such as Retail Stores)	_____	_____
R – (Residential Occupancies, such as Hotels, Apartments)	_____	_____
S – (Storage Occupancies, such as Warehouses)	_____	_____
U – (Utility Occupancies, such as Private Garages, Barns)	_____	_____

Proposed Type of Construction for your Proposed Structure (Check one)

- Type I – Noncombustible _____
- Type II - Noncombustible _____
- Type III – Noncom. Exterior walls _____
- Type IV – Heavy Timber _____
- Type V – Combustible _____

Number of Stories for your proposed structure: _____ (1, 2, 3, etc..)

Other Information about your proposed structure: (Circle one, please)

Will the structure be fully sprinkled? Yes or No

Will the structure be 1-hour fire rated or of Fire Resistive Construction? Yes or No

Please Attach this form to the Site Plan for your project.



LAND USE APPLICATION

Entity Information		
COGCC Operator Number:		Primary Contact:
Company Name:		
Address:		
City:	State:	ZIP Code:
Primary Contact Telephone (required):		Email Address(required):

Surface Property Owner Information		
Property Owner Name:		
Property Owner Address:		
City:	State:	ZIP Code:
Telephone:		Email Address (required):

Surface Property Owner Information		
Property Owner Name:		
Property Owner Address:		
City:	State:	ZIP Code:
Telephone:		Email Address (required):

Engineer/Surveyor Information (please list which profession)		
Name:		
Company:		
Address:		
City:	State:	ZIP Code:
Telephone:		Email Address (required):

Assessor's Parcel Number(s): _____

SIGNATURES REQUIRED BY ALL PROPERTY OWNERS AND THE APPLICANT

I hereby certify that I am the lawful owner of the parcel(s) of land that this application concerns and consent to the action. I hereby permit county officials to enter upon the property for the purposes of inspection relating to the application. Building Permits will not be processed while this application is in process.

	Date:
Property Owner(s) Printed Name	
	Date:
Property Owner(s) Signature	
	Date:
Property Owner(s) Printed Name	
	Date:
Property Owner(s) Signature	

In submitting the application materials and signing this application agreement, I acknowledge and agree that the application is subject to the applicable processing and public hearing requirements set forth in the Larimer County Land Use Code (which can be viewed at larimer.org)

	Date:
Applicant Signature (Authorized Company Representative)	

PRE-APPLICATION WORKSHEET

Project Case Number: _____

Project Address (if available): _____

Assessor's Parcel Numbers (list all parcels that pertain to the project): _____

Pre-Application Conference Date: _____ Planner: _____

Pre-Application Conference attended by: _____

Proposed Request: _____

Plan Area (if applicable): _____

Lot Size(s): _____

Related Files: _____

Current Zoning: _____

Setback Information:

Zoning Setbacks: _____

Highway or County Road Setback(s): _____

Streams, Creeks, or River Setback(s): _____

Building Envelope: _____ Flood: _____

Plat Notes: _____

Utilities: Water: _____ Sewer: _____ Fire: _____

Any Additional Information: _____

Development Review Process: _____ Application Review Phase: _____

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