

REZONING - PUBLIC HEARING PHASE SUBMITTAL REQUIREMENTS

Revised 3/1/2022

**LARIMER COUNTY COMMUNITY DEVELOPMENT
PLANNING DEPARTMENT**

CONTACT INFO:

LARIMER.ORG/PLANNING
200 W. OAK ST., 3RD FLOOR
(970) 498-7683

REZONING - PUBLIC HEARING PHASE



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.

Purpose: The purpose is to provide the method for changing boundaries of zoning districts or overlay zoning districts and for changing the zone designation of a parcel as shown on the official zoning map.

1. Neighborhood Meeting - completed prior to submittal
2. Application Submittal & Processing (pre-application meeting required & Sketch Plan should be completed)
3. Staff & Referral Agency Review- minimum 21-day referral period
4. Scheduling and Notice of Public Hearings - (Planning Commission & Board of County Commissioners)
5. Review and Decision
6. Post- Decision Action

The submittal requirements listed in this packet are intended to collect all of the information required for Larimer County staff, review agencies, the Planning Commission, and the Board of County Commissioners to fully evaluate the Rezoning proposal. Additional information may be requested from the applicant during the review process if necessary to address specific issues that arise.

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.

THINGS TO CONSIDER



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 see the attached “Road Map to Process Time” for more information.

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.

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 pre-submittal 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*

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.

THINGS TO CONSIDER



Mineral Interest Notification:

Only applicable to Rezoning, Zoning, Special Review, Minor Land Division, Preliminary Plat, Administrative Subdivision

Thirty (30) days prior to the Board of County Commissioner 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 (see attached notification form). Failure to receive this certification will result in the hearing being rescheduled to a later date.

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.

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.

O&E Expiration:

An Ownership and Encumbrance Report (O&E) is valid for six months.

Land Use Code:

Please view the Land Use Code here: <https://www.larimer.org/planning/regulations>

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Submittal Requirements

Separate Electronic PDFs of ALL Submittal Materials
(must be in PDF format and named as listed below)

Item	Description:	Required	Staff sign- off
1.	Application Form – must be signed by all property owners and the applicant		
2.	Application Fee- Current fee at time of submission		
3.	Other Associated Fees - Fire District Fee (separate checks)		
4.	Project Description – detailed description of the proposed project, with updated information based upon the comments from Sketch Plan Please see following pages for Project Description requirements. Include criteria from Article 6.6.1. of the Land Use Code.		
5.	Zoning Exhibit - See following pages for Zoning Exhibit Requirements		
6.	Vicinity Map - illustrate roads and significant natural features near the property site. County and local roads must be labeled so the site can be easily found (size should be 8.5 x 11).		
7.	Legal Description - legal descriptions of all properties/each parcel subject to the request (should be on a separate page)		
8.	Neighborhood Meeting Report- see Neighborhood Meeting packet		
9.	Ownership & Encumbrance - contact a Title Company for this information.		
10.	Other - information as deemed necessary by the project planner		
11.	GMA Form 1 Annexation Eligibility – completed and signed by the applicant and City Planning Staff if the project is located within a Growth Management Area		
12.	Pre-Submittal Checklist		
13.	Pre-application Form - last page of packet		

Please email the complete set of final submittal documents to our Community Information Resources Team (CIRT) at planningCIRT@larimer.org.

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)

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ADDITIONAL RESOURCES

For additional process information and handouts references in this guide, please refer to the following:

1. Development Review Fee Schedule
2. Neighborhood Meeting Packet
3. Larimer County Land Use Code or view it online at <https://www.larimer.org/planning/regulations>

Item# 4 Project Description

A Rezoning application is reviewed for type of use, the level of intensity proposed, and compatibility with the surrounding area. The applicant's request should not only reflect initial operation but should also take into account long-term goals for growth.

The written narrative of the project description is the applicants opportunity to explain what is being proposed. In this narrative, please address how this proposal meets the development standards, existing conditions, and to explain any unusual or unique circumstances about the property or proposal.

*** See next page for all items to include in your project description.**

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Item# 3 Project Description Cont.

Element	Description	Include
Summary	The project description should be a narrative.	How the proposal meets the development standards, existing conditions, and to explain any unusual or unique circumstances about the property or proposal.
Rezoning Criteria	Article 6.6.1.D of the Land Use Code and the Comprehensive Plan	<ol style="list-style-type: none"> 1. Compatible with Surrounding Uses: The proposed change in zoning is compatible with the type, intensity, character, and scale of existing and permissible land uses surrounding the subject property. Dimensional limitations of the proposed zoning district, when applied, should result in development that will be consistent with the physical character of existing or permissible uses surrounding the subject property. The proposed change shall result in a logical and orderly development pattern in the neighborhood. 2. Community Need or Public Benefit: The proposed change in zoning addresses a demonstrated community need or otherwise results in one or more particular public benefits that offset the impacts of the proposed uses requested, including but not limited to: affordable and senior housing; childcare facilities; medical facilities; transportation efficiencies; public recreational opportunities; infrastructure improvements; and preservation of lands of high conservation value. 3. Change of Circumstances: The proposal change in zoning addresses or responds to a beneficial material change that has occurred to the immediate neighborhood or to the greater Larimer County community. 4. Adequate Infrastructure The property subject to the proposed change in zoning is, or may be served by adequate roads, water, sewer, and other public use facilities. 5. Natural Environment: The proposed change does not result in significant adverse impacts on the natural environment. 6. Additional Review Criteria in Growth Management Area (GMA) Districts <ol style="list-style-type: none"> a. To establish or enlarge a GMA district, the County Commissioners must also find that the criteria in §4.2.1.B.3 have been met; and b. The County Commissioners may exclude or remove an area from an established GMA district boundary if they find one or more of the review criteria in §4.2.1.B.3 can no longer be met. <p><i>4. Approval Criteria for Preliminary and Final PD Plans</i> In considering an application to rezone to the PD district, the Planning Commission in their review and recommendation, and the County Commissioners in their decision, shall consider whether and the extent to which the proposed PD meets the general approval criteria for Zoning Map Amendments in §6.6.1.D, and also the following:</p> <ol style="list-style-type: none"> a. Whether the proposed PD plan addresses a unique situation, provides substantial benefit to the County, or incorporates innovative design, layout, or configuration resulting in quality over what could have been accomplished through strict application of a base zoning district or other standards of this Code; and b. Whether the proposed PD plan meets the other standards of this Code not expressly modified by the PD plan or development agreement
Existing Conditions	A written detailed description of the existing conditions.	<ul style="list-style-type: none"> • Current use of the property • Size (outer dimensions and area in square feet) of all existing buildings • Existing uses of all buildings • Use of surrounding prop
Infrastructure	A written detailed description of the current infrastructure.	<ul style="list-style-type: none"> • Storm water retention ponds and easements • Existing and proposed utilities and easements
Other		Any other pertinent information about the proposal.

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Item# 4 Zoning Exhibit Requirements

Zoning Exhibit – Zoning Exhibits should be drawn to a legible and appropriate scale.

A drawing that clearly depicts the boundary of the property or area being rezoned with metes and bounds dimensions. The exhibit shall also illustrate the boundaries of other properties and zone districts within 200 feet of the area being rezoned, and shall include the roads in the same area. Supporting information on the exhibit shall include:

- Title "Zoning Exhibit – File # (File # to be determined by the Planning Department)
- Existing and Proposed zoning designations
- North Arrow and Scale
- Written Legal Description of the area to be rezoned



GMA Form

GMA FORM 1 - Annexation Eligibility

ANNEXATION ELIGIBILITY FOR PROPOSED NEW DEVELOPMENTS IN
GROWTH MANAGEMENT AREAS
(BERTHOUD, FORT COLLINS,
LOVELAND, TIMNATH)

1. Prior to submittal to Larimer County of any development review application in a growth management area, this form must be completed and signed by the applicant and a member of the Planning Staff at the appropriate municipality/town.

2. Application Name: _____

Property Address: _____

Property Owners Name: _____

Applicant's Name/Address/Phone Number: _____

3. This section is to be completed by the appropriate municipality

Yes

No

A. Is the property eligible for annexation? _____

ADDITIONAL COMMENTS:

Signature of Applicant/Date

Signature of City Planning Staff/Date

CERTIFICATION RE: NOTIFICATION OF
MINERAL INTEREST OWNERS AND LESSEES

The undersigned applicant certifies that he/she has complied with the requirements of §24-65.5-103(1) C.R.S. by providing to the surface owner(s), mineral estate owner(s), and lessee(s) of mineral estate owner(s) listed on Exhibit "A" attached hereto, and to the Larimer County Planning Commission thirty days prior written notice of the Larimer County Planning Commission hearing scheduled for _____ (date) for the _____ (name of project). Applicant further certifies that notice was provided by first class mail and that the notice contained the time and place of the hearing, the nature of the hearing, the location of the property that is the subject of the hearing, the name of the applicant, and, as to the notice provided to the Larimer County Planning Commission, the name and address of the mineral estate owner(s) and lessee(s) of the mineral estate owner(s).

APPLICANT:

STATE OF _____
COUNTY OF _____

Subscribed and sworn to before me this _____ day of _____, 200__ by
_____.

Notary Public

Note: This Certification must be **received** by the Larimer County Planning Department prior to the hearing. Failure to receive this notice will result in the hearing being rescheduled to a later date.



LAND USE APPLICATION

Applicant Information

Applicant Name:

Applicant Company:

Address:

City:

State:

ZIP Code:

Telephone:

Email Address (required):

Property Owner Information

Property Owner Name:

Property Owner Address:

City:

State:

ZIP Code:

Telephone:

Email Address (required):

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.

Property Owner(s) Printed Name

Date: _____

Property Owner(s) Signature

Date: _____

Property Owner(s) Printed Name

Date: _____

Property Owner(s) Signature

Date: _____

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)

Applicant Signature

Date: _____

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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