



DELTA COUNTY

PLANNING & COMMUNITY DEVELOPMENT

CONDITIONAL USE APPLICATION

CONDITIONAL USE PERMIT FEE: \$500

Applicants must submit a complete application, which includes applicable fees and proof of ownership. **Proof of ownership shall show how Title is held on the property, while demonstrating the legal authority to apply for this application. Proof of ownership include: Deeds, Title Reports, Proof of Authority (Company-owned/Trust-owned lands, etc.).** When filling out the application please use **blue** or **black** ink. Incomplete applications are not considered filed; meaning the application is incomplete. The following documents are **required** to be submitted with the application:

- ☐ **Concept/Development Plan.** An illustrative summary of the project, including information provided in other documents, such as: property boundary lines and dimensions, location and arrangement of screening, buffer zones, fencing location and design (designed with wildlife movement in mind), existing/proposed structures, driveways and entrances, existing road edges and Rights-of-Way abutting the project site, irrigation systems, existing/proposed easements (utility, irrigation, conservation, etc.), wildlife corridors, floodplain considerations, and existing/proposed electrical lines.
- ☐ **Project Narrative/Business Plan.** Provide contact information for the owner and operator of the proposed operation, as well as the applicant or representative. Legal description of the subject parcel(s), location and description of physical characteristics and current land use, zoning, and soil type including NRCS classification for agricultural lands. Include project size in acres and percentage of site coverage. Describe the project and each phase of development, including the approximate number of structures for each phase. Identify baseline conditions, assess potential effects that the project may have on County services and/or capital facilities from the proposed construction and operation. Describe site maintenance during and after construction, and recognize the ability for County to inspect the site upon notification. Also, address any direct or indirect impacts to forests, parks, wildlife management areas, conservation easements, or recreational areas.
- ☐ **Traffic Study.** Illustrate desired routes (primary and secondary) on County Roads and State Highways. Describe characteristics of loaded vehicles (max. load capacity and frequency) and impacts construction will have upon transportation patterns in the area. Include assessment of road segments/intersections for the number of average daily vehicle trips and accident rates, determined by the County Engineer. Include a construction traffic mitigation plan for public road, including truck haul routes, off site park-and-ride, and traffic controls (e.g., signage, lane closure, flagging, etc.).
- ☐ **Construction Schedule.** Provide an estimated timeline for each step of the project.

NOTE: Additional fees may be required for referral agencies and/or professional services (consultants) related to the application should they be deemed necessary.

We accept Cash, Check and all major Debit/Credit Cards (service fee applied at check out)

Please make checks payable to **DELTA COUNTY**

If you wish to pay online, you can do so [here](#). Please include the term “Conditional Use” in the Payment Notes.



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ACKNOWLEDGEMENT AND AUTHORIZATION

I certify that the information provided herein is complete and accurate to the best of my knowledge. I certify that I am the property owner of record, or that I, the undersigned, am authorized to act on the property owner's behalf. I certify that I have read and understand the requirements of this application, including that all materials required by Delta County must be submitted prior to the application being processed. I understand that if deemed necessary, a pre-application conference may be scheduled and/or additional information/materials may be required to help understand the project. I understand that plans, supplemental information, reports and/or additional fees may be required to process the application accordingly. I understand that by signing below, I am consenting to allow Delta County Staff involved in this application, or their designees, to come onto and inspect the subject property at any reasonable time, without obtaining any prior consent.

Applicant Signature: _____ DATE: _____

Owner Signature: _____ DATE: _____

GENERAL INFORMATION

SITE ADDRESS: _____

ASSESSOR'S ACCOUNT (R#123456) OR PARCEL ID (Ex: 999999999999):

DESCRIPTION (Please describe what you are proposing to do with this property): _____

PROPERTY OWNER(S): _____

MAILING ADDRESS: _____

PHONE: _____

E-MAIL: _____

☐ Check here if property owner is same as applicant.

APPLICANT(S): _____

MAILING ADDRESS: _____

PHONE: _____

E-MAIL: _____

NOTE: If Applicant is not the owner, authorization (e.g., Power of Attorney), from owner(s) of all properties associated with this permit is **REQUIRED**



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GENERAL QUESTIONS

Following Site Plan Review, Conditional Uses are subject to public hearing review for compliance with specific standards that pertain to the use, the general standards for all Conditional Uses, and the general requirements of the Land Use Code. Applications for Conditional Use Permits will be referred to referral agencies. The Planning Commission makes recommendations to approve, conditionally approve, or deny an application. The Planning Commission recommendation is forwarded to the Board of County Commissioners for final action.

Conditional Use means a use that is permitted in a particular zoning district upon showing that such use in a specific location will comply with all the conditions and standards for the location or operation of the use as specified in this Land Use Code and authorized by the Board of County Commissioners.

Please answer the following questions to the best of your ability. [Contact Delta County Planning if you are unsure how to answer a question.]

1. Are there any existing residences on the property? ☐ YES ☐ NO If yes, how many? _____
2. Will new structures be developed or installed? ☐ YES ☐ NO
3. Are any Recreational Vehicles (RV's) or Mobile Homes used as a residence onsite? ☐ YES ☐ NO
4. Are the RV's or Mobile Homes intended for permanent residency? ☐ YES ☐ NO
5. Is the proposed access for the development existing? ☐ YES ☐ NO If yes, how many access points exist? _____
6. Do you intend to install a NEW OWTS (septic) on the property? ☐ YES ☐ NO If no, what type of wastewater system services the property? _____
7. Does the proposal include grading, soil importation, soil removal, and/or drainage modifications greater than one (1) acre? ☐ YES ☐ NO If yes, please provide approximate dimensions of the area to be disturbed (width, length, depth): _____

A Construction Stormwater Discharge permit may be required and can be obtained from The Colorado Department of Public Health and Environment (CDPHE).

8. Is the property part of a prior subdivision? ☐ YES ☐ NO If yes, please provide a copy of the recorded Plat and/or the recording information: _____
9. Does the property currently include lands used for agriculture? ☐ YES ☐ NO
10. Are any irrigation ditches and/or infrastructure (pipes, headgates, etc.) located within or adjacent to the property? ☐ YES ☐ NO
11. Does the proposed development take any land out of cultivation? ☐ YES ☐ NO
12. Does the project propose development on steep slopes (over 25% or 45-degree slope)? ☐ YES ☐ NO



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13. Is the proposed development located on a slope or near the top of a hill? ☐ YES ☐ NO
14. Would development be visible from a public road, scenic byway (West Elk Loop, Grand Mesa) designated vista point, or public park? ☐ YES ☐ NO
15. Is domestic water provided? ☐ YES ☐ NO If yes, who is the water purveyor (service provider)?

16. Is there an existing well located on the property? ☐ YES ☐ NO
17. Does the project include construction, enlargement, alteration, or removal of a well? ☐ YES ☐ NO
18. Does the project include construction, enlargement, or alteration of a cistern? ☐ YES ☐ NO
19. Will the proposed development affect any agricultural uses adjacent to the subject property?
☐ YES ☐ NO
20. Is the proposed access for the development existing? ☐ YES ☐ NO If yes, how many access points exist? _____
21. Main road in which access is being proposed? _____
22. What is the name of the nearest intersecting County Road? _____
23. Where is the County Road intersection located in relation to the proposed access?
☐ North ☐ South ☐ East ☐ West
24. What is the proposed use of the access being used for?
☐ Agriculture ☐ Residential ☐ Commercial ☐ Other: _____
25. How many residential units will be using the proposed access? _____
26. Are there other access points besides the proposed access entering the property? ☐ YES ☐ NO
27. Does the proposed access cross another property (different owner) or entity (City/Government)?
☐ YES ☐ NO If yes, please explain _____
28. Are you planning any change or intensification from the existing use of the property? ☐ YES ☐ NO
Is an address being applied for? ☐ YES ☐ NO If yes, is the address being used for an existing or proposed structure? ☐ Existing (already built) ☐ Proposed (not built)



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LAND USE DISCLAIMER

ACKNOWLEDGEMENTS - Please initial each of the following acknowledging that you have read, understand and agree with these terms:

_____ In order to obtain a Conditional Use Permit, the proposed project must comply with Chapter 2, Section 4; Use Specific Standards. The project must also be in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any applicable provisions of the Land Use Code and any zoning violation abatement costs have been paid. The design, operation, location and buffering of the use appropriately mitigates its impacts with regard to: irrigation facilities, sensitive lands, agricultural operations, risks associated with the use and storage of hazardous materials or potentially hazardous conditions, such as projectiles leaving the subject property, and odors, dust, lighting, vibration, and noise.

_____ The proposed project, in its proposed location will not tend to frustrate the implementation of the Master Plan, any special area plans adopted by the County or any Intergovernmental Agreement where the project is located within the Urban Growth area of a municipality.

_____ Conditional Use Permits require public hearings with the Planning Commission and the Board of County Commissioners. Public notice signs are provided by the County and required to be posted by the applicant.

_____ A neighborhood meeting shall be required for the project. Where a neighborhood meeting is required, the applicant shall: 1) provide the Director a draft copy of any letter or notice prior to sending out to the public to ensure information is complete and correct, 2) Inform, in writing, all owners of land located adjacent to the property (includes properties separated only by a right-of-way) of the date, time, and location of the meeting. Said notice shall be provided no less than seven (7) but no more than fourteen (14) days in advance of the meeting date. A copy of said notice shall be provided to the Director, 3) Conduct the meeting within the County, preferably in/near the applicable neighborhood at a facility with adequate parking and seating. Said meeting shall be open to the public, 4) Provide members of the public the opportunity to review application materials, ask questions of the applicant, and provide feedback, and 5) Provide the Director a summary of any input received from members of the public at the meeting and a copy of the mailing list used for notification in Item (2), above.

_____ Conditions will be applied to ensure continuing compliance with the applicable standard of the Land Use Code.

_____ The Director may require additional information (Environmental Assessments) to assess environmental impacts.

_____ Referral to applicable agencies pursuant to Chapter 7, Section 4(A) of the Land Use Code is required.



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_____ A Traffic Impact Study is required; said study shall be completed by a Colorado registered Professional Engineer.

_____ A Geologic and Soils Reports may be required; said report shall be provided by a qualified person, which may include a site observation, regarding the site characteristics outlined in Colorado Geological Survey, SP-06 Guidelines and Criteria for Identification and Land-Use Controls of Geologic Hazard and Mineral Resource Areas.

_____ Fire protection facilities may be reviewed and approved by the appropriate Fire Protection District. An improvements agreement and appropriate collateral shall be required for all fire improvements.

_____ If the County determines that a permit (Limited Use, Conditional Use) fails to comply with any applicable conditions of approval, or constitutes a danger to person or property, then, upon written notice, the owner shall have thirty (30) days to bring such property/facility into compliance or mitigate the danger. If the owner fails to bring such property/facility into compliance or mitigate the danger within said thirty (30) days, the County may revoke the permit and/or abate the violation at the owner's expense.

_____ The location of my requested access point may be approved, disapproved, or modified for public safety.

_____ County Engineering will review the proposed/existing access(es) for the property and issue a Notice to Proceed (NTP) to the applicant to build the access to County Standards.

_____ Driveways and road (public and private) must be built to Delta County Road Standards (Dated 12/21/2005) and meet the Access Code (Resolution No. 2014-R-009). After constructing the access, the applicant must contact County Engineering to request a final inspection and receive an Access Permit.

_____ I agree to construct my access at the approved location. If, for any reason, I wish to construct or have the access built in another location from the one approved, I will, if requested by Delta County, remove, relocate, or rebuild the access and I understand my address may change as a result.

_____ There shall be no gate blocking a public Right-of-Way. Gates must be installed at least 35 feet from the edge of the traveled surface to avoid vehicles blocking any County Roadway.

_____ Access Permits will indicate if the access has been approved, approved with conditions, or denied.

_____ **▶ Access onto a State Highway requires proof of an approved Access Permit issued by the Colorado Department of Transportation (CDOT) before the County will issue a Limited Use Permit (LUP).**



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Permittee hereby assumes, releases and agrees to indemnify, defend, and protect and save the County of Delta harmless from and against any loss of and/or damage to the property of the County of Delta, third parties or the Permittee's facilities, and all loss and/or damage on account of injury to or death of any person whomsoever, arising at the time, caused by or growing out of the occupation of Delta County Road Right-of-Way to Permittee's facilities or any part thereof, including, but not limited to, installation, adjustment, relocation, maintenance or operation, or removal of existing facilities, unless such loss and/or damage arising from the sole negligence or willful conduct of the County of Delta or its employees or agents.

If the construction of an access does not commence within one (1) year of the application approval date, the application shall become null and void. If the access cannot be constructed within the one (1) year period, an extension may be applied for.

For public safety (911) an address must be assigned when developing a habitable or commercial structure; such as a residence, business, temporary residential facility, or airplane hangar.

When three or more (3+) addresses are assigned to a single access driveway, the access road is required to be named. This will trigger a readdressing for the other addresses located on that access road, even if the access is private.

The Addressing Official can modify the assignment at any point to accommodate public safety. If this occurs, landowners will be notified.

The GIS Department has up to ten (10) business days from the date a complete address request is received to assign an address.

The GIS Department orders red address signs (house number, fire marker) quarterly, and they may take up to six (6) months to install. Landowners may install a temporary sign if they choose.

I agree to place the assigned address number on the structure in a visible location.

If, for any reason, my access is moved and thus causes readdressing, I will notify Delta County and I will assume responsibility for the required readdressing fees.

Receipt of this address does not guarantee access to your property. Please ensure you have proper permission and easements if you need to cross private property to access your property.

(OFFICE USE ONLY)

CUP#: _____ R&B DISTRICT: _____ DATE RECEIVED: _____



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NOTARY

COLORADO NOTARY ACKNOWLEDGMENT

State of Colorado
County of Delta

This record was acknowledged before me on this _____ day of _____, 20 _____,

by _____

Notary's Official Signature

(seal)

Title of Office: _____

My Commission Expires: _____



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295 W 6th Street
Delta, Colorado 81416
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970.874.2110

SITE PLAN EXAMPLES

