

Department of Planning Services
1402 N 17th Ave, P.O. Box 758, Greeley, CO 80632
Phone (970) 400-6100 | Fax (970) 304-6498

Site Specific Development Plan Use by Special Review Procedural Guide Solid Waste Disposal Sites

The purpose of this packet is to provide information to an applicant about the Solid Waste Disposal Sites Use by Special Review application process.

Application Fee

\$20,000.00

Hearings/Meetings

Weld County Planning Commission
Board of County Commissioners

Fees are non-refundable and due at time of application submittal. Fees are set by the Board of County Commissioners. County Staff is not authorized to negotiate fees and cannot, under any circumstance, change, reduce, or amend the fees set forth in the Weld County Planning Fee Schedule.

*The application will be referred to any municipality or County governing body within a three-mile radius of the parcel under consideration for a use by special review permit.

An additional investigation fee shall be added to the cost of the permit application when specific land, uses, buildings, manufactured homes, mobile homes, and structures that require a permit by the Weld County Code, Chapter 23, are located, moved, operated, or constructed prior to obtaining a permit. The investigation fee shall be fifty percent of the fee established by separate action by the Board of County Commissioners for land-use applications. The payment of such investigation fee shall not relieve any persons from fully complying with the requirements of the Weld County Code, Chapter 23, nor from any other penalties

Certificate of Designation Requirement

Certificates of Designation for solid or hazardous waste disposal sites and facilities as required by Colorado Revised Statutes and Code of Colorado Regulations shall not be deemed approved until or unless a Special Review Permit has been approved by the Planning Commission or the Board of County Commissioners where required by the Weld County Code, Chapter 23. The Board shall be guided in its review of a Certificate of Designation by state statutes and regulations contained in Colorado Revised Statutes and Code of Colorado Regulations.

Intent and Applicability

Uses by Special Review are uses which have been determined to be more intense or to have a potentially greater impact than the Uses Allowed by Right in a particular zone district. Therefore, Uses by Special Review require additional consideration to ensure that they are established and operated in a manner which is compatible with existing and planned land uses in the neighborhood. The additional consideration or regulation of Uses by Special Review is designed to protect and promote the health, safety, convenience, and general welfare of the present and future residents of Weld County.

It is necessary for the applicant to meet and address the minimum requirements outlined in the use by special review procedural guide packet for the following reasons:

1. The purpose of the application is to give the applicant an opportunity to demonstrate through written and graphic information how the proposal complies with the adopted policies of the Weld County Code Chapters 22 and 23.
2. A completed application form and supporting materials will enable the Planning staff to process and develop staff comments within the time frame established for the use by special review

application procedure.

An applicant proposing a use reviewed pursuant to Chapter 23, Article II, Division 4, and Section 23-4-380 of the Weld County Code, for any Solid Waste Disposal sites and facilities shall have the burden of proof to demonstrate there is a need for the facility within the proposed area of service. The Board of County Commissioners shall be satisfied that a need exists as part of the determination for any such permit.

Use by Special Review

The applicant shall submit the following:

1. One packet of the required use by special review application materials
2. One copy of the Use by Special Review plan map
3. Use by Special Review application fee
4. Use by special review recording plat fee

The Department of Planning Services shall be responsible for processing all Use by Special Review applications in the unincorporated areas of Weld County in accordance with Sections 23-2-210 and 23-4-380 of the Weld County Code.

The Department of Planning Services staff shall prepare comments for use by the Planning Commission addressing all aspects of the application, including; conformance with Chapter 22 of the Weld County Code, master plans of affected municipalities and counties, comments received from referral agencies and interested persons.

The Planning Commission shall hold a hearing to consider the application for a use by special review permit in accordance with Sections 23-2-220 and 23-2-240 of the Weld County Code. The Planning Commission shall provide a recommendation to the Board of County Commissioners concerning the use by special review permit request.

The Board of County Commissioners shall hold a public hearing to consider the application for a use by special review and to take final action thereon in accordance with Sections 23-2-230 and 23-4-380 of the Weld County Code.

It is recommended that the applicant attend all hearings scheduled for consideration of the use by special review application in order to present the proposal and answer questions from the involved governing bodies. The applicant is also encouraged to maintain a working relationship with the Department of Planning Services staff once an application has been submitted in order to keep up-to-date with any developments pertaining to the application.

Application Requirements

The application requirements are outlined in Section 23-2-260 of the Weld County Code. The following items shall be submitted with an application for a use by special review permit:

1. A completed application form (form attached).
2. A detailed description of the proposed operation and use shall be supplied. Details for the following items, when applicable, are required.
 - A. Explain proposed use
 - B. Explain need for use
 - C. Explain the types of existing uses on surrounding properties
 - D. Distance of the proposed use to residential structures in each direction
 - E. Maximum number of users, patrons, members, and buyers
 - F. Number of employees, number of shifts, and hours of operation
 - G. Type of water source for the proposed use. If using a well, please complete the attached Water Supply Information Summary.
 - H. Explain the access route(s) to be utilized for the proposed use
 - I. Explain type, size, weight and frequency of vehicular traffic associated with the proposed use
 - J. Type of sewage facilities for the proposed use
 - K. Description of the proposed fire protection measures associated with the proposed use
 - L. Types and maximum number of animals to be concentrated on the Use by Special Review area at any one time
 - M. Type and size of any waste, stockpile or storage areas associated with the proposed use.
 - N. Type of storm water retention facilities associated with the proposed use.
 - O. Time schedule and method of removal and disposal of debris, junk and other wastes associated with the proposed use.
 - P. Explain proposed landscaping plans and erosion control measures associated with the proposed use.
 - Q. Reclamation procedures to be employed upon cessation of the Use by Special Review activity.
 - R. Time table showing the periods of time required for construction and start-up of the proposed use.
3. The following written materials and supporting documents shall be submitted as a part of the application:
 - A. Statement demonstrating there is a need for the facility within the proposed area of service.
 - B. Statement explaining how the proposal is consistent with the Weld County Code, Chapter 22.
 - C. Statement explaining how the proposal is consistent with the intent of the district in which the use is located.

- D. If applicable, a statement explaining what efforts have been made, in the location decision for the proposed use, to conserve productive agricultural land in the agricultural zone district.
- E. Statement explaining there is adequate provision for the protection of the health, safety and welfare of the inhabitants of the neighborhood and the county.
- F. Statement explaining the uses permitted will be compatible with the existing surrounding land uses (include a description of existing land uses of all properties adjacent to the property).
- G. Statement explaining the proposed use will be compatible with the future development of the surrounding area as permitted by the existing zone and with future development as projected by the comprehensive plan of the county or the adopted master plans of affected municipalities.
- H. Statement explaining the use by special review area is not located in a flood plain, geologic hazard and Weld County Airport overlay district area; or that the application complies with Chapter 23, Article V, overlay district regulations as outlined in the Weld County Code.
- I. Proof that a water supply will be available which is adequate in terms of quantity, quality, and dependability (e.g., a well permit or letter from a water district).
- J. A copy of the deed or legal instrument identifying the applicant(s) interest in the property under consideration. If an authorized agent signs the application for the fee owner(s), a letter granting power of attorney to the agent from the property owner(s) shall be provided.
- K. Two copies of a noise report, unless waived by the Department of Planning Services, documenting the methods to be utilized to meet the applicable noise standards.
- L. Two copies of a soil report of the site prepared by the Soil Conservation Service or by a soils engineer or scientist. In those instances when the soil report indicates the existence of moderate or severe soil limitations for the uses proposed, the applicant shall detail the methods to be employed to mitigate the limitations.
- M. One copy of affidavit and certified list of the names, addresses and the corresponding Parcel Identification Number assigned by the Weld County Assessor of the owners' of property (the surface estate) within 500 feet of property being considered. This list shall be compiled from the records of the Weld County Assessor, the Weld County Website, www.weld.gov, or a person qualified to do the task, and shall be current as of a date no more than thirty (30) days prior to the date the application is submitted to the Department of Planning Services.
- N. Drainage Report
- O. Traffic Study
- P. Waste Handling Plan
- Q. Dust Abatement Plan
- R. Flood Hazard Development Permit (FHDP)
- S. Geologic Hazard Development Permit (GHDP)

Use by Special Review Permit Plan Map

A Use by Special Review permit plan map shall be delineated on reproducible mylar material approved by the Department of Planning Services. The dimensions of the map shall be twenty-four (24) inches by thirty-six (36) inches. The map shall contain a vicinity map and plot plan which are described below:

1. Vicinity Map - a vicinity map shall be drawn on the Use by Special Review Permit Plan Map.
 - A. The scale of the vicinity map shall be one (1) inch equals 2000 feet or at another suitable scale if approved by the Department of Planning Services.
 - B. The vicinity map shall delineate all of the required information within a one-half mile radius of the property proposed for the Use by Special Review.
 - C. The following information shall be shown on the vicinity map:
 - D. Section, township, and range.
 - E. Scale and north arrow.
 - F. Outline of the perimeter of the parcel proposed for the Use by Special Review.
 - G. The general classifications and distribution of soils over the parcel under consideration. Soil classification names and agricultural capability classifications must be noted in the legend. Information is available from a soil conservation service or the Department of Planning Services.
 - H. Locations and names of all roads, irrigation ditches, and water features.
 - I. Location of all residences within a one-half mile radius, existing and proposed accesses to the property proposed for the Use by Special Review, any abutting subdivision outlines and names, and the boundaries of any adjacent municipality.
 - J. Any other relevant information within a one-half mile distance of the perimeter property proposed for the Use by Special Review as may be reasonably required by the county to meet the intent and purpose of the Weld County Code, Chapter 23.
2. A plot plan of the Use by Special Review area shall be drawn on the Special Review Permit Plan Map.
 - A. The scale of the plot plan shall be one inch equals one-hundred feet or at another suitable scale if approved by the Department of Planning Services.
 - B. The plot plan shall outline the boundaries of the property being considered for the Use by Special Review.
 - C. The plot plan shall include the location and identification of all of the following items which may exist within a two-hundred foot radius of the perimeter of the property and the use by special review area located within the perimeter of the property.
 - D. All public rights-of-way of record (including names)
 - E. All existing and proposed structures
 - F. All utility easements or rights-of-way for telephone, gas, electric, water and sewer lines
 - G. Irrigation ditches (including names)
 - H. Adjacent property lines and respective owners' names (may be shown on vicinity map instead of the plot plan)
 - I. All hydrographic features including streams, rivers, ponds, and reservoirs (including names)

- J. Topography at two foot contour intervals or at intervals as determined necessary by the Department of Planning Services.
 - K. Location of areas of moderate or severe soil limitations as defined by the Soil Conservation Service or by a soil survey and study prepared by a soils engineer or scientist for the use and associated structures proposed for the parcel.
 - L. Location and design of storm water management devices or structures
 - M. Complete traffic circulation and parking plan showing locations and sizes
 - N. Location, amount, size and type of any proposed landscaping, fencing, walls, berms, or other screening
 - O. The use by special review plan map shall include certificates for the property owner's signature, the Planning Commission's signature, and the Board of County Commissioners' signature. The required content of the certificates are shown on page eight of this procedural guide.
 - P. Such additional information as may be reasonably required by the Department of Planning Services, the Planning Commission or the Board of County Commissioners in order to determine the application meets the requirements of the Weld County Code, Chapter 23 and the policies of the Weld County Code, Chapter 22.
3. No Use by Special Review Permit application shall be assigned a case number or have a hearing date set until:
- A. All required items have been completed and submitted to the Department of Planning Services staff
 - B. The required number of drawings in the proper format have been submitted
 - C. The required application and recording fees have been paid
 - D. A recommendation has been received from the Colorado Department of Health regarding the Certificate of Designation application
 - E. All Use by Special Review Permit applications to be heard by the Board of County Commissioners shall be advertised once in the official County newspaper at least ten days prior to the established hearing date. This advertising is handled by the Clerk to the Board's Office. The advertising fee is paid by the applicant on billing from the official County newspaper.
4. An applicant for a use by special review permit shall demonstrate compliance with the design standards outlined in Section 23-2-240 of the Weld County Code and shall continue to meet these standards if approved for development.
5. An applicant for a use by special review permit shall demonstrate conformance with the operation standards outlined in Sections 23-2-250 and 23-4-380 of the Weld County Code to the extent that the standards affect location, layout and design of the use by special review prior to construction and operation. Once operational, the operation of the uses permitted shall conform to these standards.
6. The Department of Planning Services will be responsible for posting a sign on the property under consideration in a location readily visible from the adjacent roadway(s). The sign will be posted at least ten days preceding the hearing date, both for the Planning Commission hearing and again for the Board of County Commissioners' hearing. The sign will be provided by the Department of Planning Services. The sign will be posted adjacent to and visible from a publicly maintained road right-of-way. In the event the property under consideration is not adjacent to a publicly maintained road right-of-way, second sign at the point at which the driveway (access drive) intersects a publicly maintained road right-of-way will be posted.

7. In the event of an unfavorable recommendation by the Planning Commission, the office of the Clerk to the Board shall send a first class letter to all applicants who receive an unfavorable recommendation from the Weld County Planning Commission. The letter will give the applicant thirty days to notify the Clerk to the Board as to whether they wish to proceed with an application hearing before the Board of County Commissioners.

Vested Property Right

A form of vested property right will be established for a three-year period upon the effective date of the Board of County Commissioners' final or conditional approval of a Special Review permit. The vested right runs with the property and gives the landowner the right to undertake and complete development of the Special Review permit. Weld County may attach terms and conditions to the Special Review permit as may be reasonably necessary to protect the public health, safety, and welfare. Failure by the landowner, to abide by any of the terms and conditions will result in a forfeiture of the vested property right. Approval of a vested property right shall not constitute an exemption from or waiver of any provisions of Weld County's regulations pertaining to the development and use of property.

Contact Information and Office Locations

Weld County Planning, Building and Development Review

1402 N 17th Avenue
PO Box 758
Greeley, CO 80632
(970) 400-6100
www.weld.gov/Government/Departments/Planning-and-Zoning
www.weld.gov/Government/Departments/Building

Weld County Department of Public Health and Environment

Weld County Septic Permits
On Site Waste Water Systems (OWTS)
1555 N 17th Avenue
Greeley, CO 80631
(970) 304-6415
www.weld.gov/Government/Departments/Health-and-Environment

Colorado Department of Transportation (CDOT)

10601 W. 10th Street
Greeley, CO 80634
(970) 353-1232
www.codot.gov/

Division of Water Resources

Water Wells
1313 Sherman St. Ste. 821
Denver, CO 80203
(303) 866-3581 ext. 0

1809 56th Avenue
Greeley, CO 80634
(970) 352-8712
<https://dwr.colorado.gov/>

Well Permitting Information:
<https://dwr.colorado.gov/services/well-permitting>

Soil Conservation Districts

Boulder Valley and Longmont – (303) 776-4034
Brighton & Southeast Weld – (303) 659-0525
Centennial – (970) 522-7440 ext. 3
Greeley – (970) 356-6506
Larimer (Big Thompson & Ft. Collins) – (970) 295-5658
Morgan – (970) 867-9659 ext. 4
Platte Valley – (303) 857-6721
Southeast Weld – (303) 659-7004 ext. 101
West Adams – (303) 659-2080
www.coloradoacd.org

Colorado Geological Survey

Division of Minerals and Geology

1313 Sherman Street
Room 715
Denver, CO 80203
(303) 384-2643
www.coloradogeologicalsurvey.org

Examples of Certificates to be displayed on the Use by Special Review Permit Plan Map.

Board of County Commissioners Certificate

This is to certify that the Board of County Commissioners, Weld County, Colorado does hereby confirm, adopt, and approve this Site Specific Development Plan and Use by Special Review and Development Standards as shown and described hereon this ____ day of _____, 20____

Chair, Board of County Commissioners

ATTEST:

Weld County Clerk to the Board

BY: _____
Deputy Clerk to the Board

Property Owner's Approval

The undersigned major property owner(s) do hereby agree to the Site Specific Development Plan and Use by Special Review Development Standards as described hereon this ____ day of _____, A.D., 20 ____.

Signature

Signature

**Solid Waste Disposal Sites
Use by Special Review Application**
Department of Planning Services
1402 N 17th Ave, P.O. Box 758, Greeley, CO 80632
Phone (970) 400-6100 | Fax (970) 304-6498

Planning Department Use: _____	Date Received: _____
Amount \$ _____	Case # Assigned: _____
Application Received By: _____	Planner Assigned: _____

Parcel Number _____ - _____ - _____ - _____ - _____
(12 digit number - found on Tax I.D. information, obtainable at the Weld County Assessor's Office, or www.weld.gov)
(Include all lots being included in the application area. If additional space is required, attach an additional sheet)

To Be Completed By Applicant: (please print or type, except for necessary signature).

I (we), the undersigned, hereby request a hearing before the Weld County Planning Commission and Weld County Board of County Commissioners concerning the proposed Use by Special Review Permit on the following described unincorporated area of Weld County, Colorado:

Legal Description of Special Review Permit Area: _____ Section _____ T _____ N, R _____ W.

Legal Description of contiguous property owned which Special Review Permit is
proposed: _____ Section _____ T _____ N, R _____ W.

Property Address (if available) _____
Present Zone _____ Overlay Zones _____ Total acreage _____
Proposed Land Use _____ Existing Land Use _____

Surface Fee (Property Owners) of area proposed for the Use by Special Review Permit:

Name: _____
Address: _____ City: _____ Zip: _____
Home Telephone: _____ Business Telephone: _____

Name: _____
Address: _____ City: _____ Zip: _____
Home Telephone: _____ Business Telephone: _____

APPLICANT OR AUTHORIZED AGENT (if different than above):

Name: _____
Address: _____ City: _____ Zip: _____
Home Telephone: _____ Business Telephone: _____

List the owner(s) and/or lessees of mineral rights on or under the subject properties of record.

Name: _____
Address: _____ City: _____ Zip: _____

I hereby depose and state under the penalties of perjury that all statements, proposals and/or plans submitted with or contained within the application are true and correct to the best of my knowledge.

Signature: Owner or Authorized Agent



Departments of Planning
Building and Development Review
1402 N 17th Avenue, P.O. Box 758
Greeley, CO 80632

Authorization Form

I, (We), _____, give permission to _____
(Owner – please print) (Authorized Agent/Applicant–please print)

to apply for any **Planning, Building, Access or Grading** permits on our behalf, for the property located at
(address or parcel number) below:

Legal Description: _____ of Section _____, Township _____ N, Range _____ W

Subdivision Name: _____ Lot _____ Block _____

Property Owners Information:

Address: _____

Phone: _____ E-mail: _____

Authorized Agent/Applicant Contact Information:

Address: _____

Phone: _____ E-Mail: _____

Correspondence to be sent to: Owner _____ Authorized Agent/Applicant _____ by: Mail _____ Email _____

Additional Info: _____

I (We) hereby certify, under penalty of perjury and after carefully reading the entire contents of this document, that the information stated above is true and correct to the best of my (our) knowledge.

_____ Date _____ _____ Date _____
Owner Signature Owner Signature

Subscribed and sworn to before me this _____ day of _____, 20 _____ by
_____.

My commission expires _____

Notary Public

Solid Waste Disposal Sites

Affidavit of Interest Owners
Surface Estate

Legal Description: _____

THE UNDERSIGNED, being first duly sworn, states that to the best of his or her knowledge the attached list is a true and accurate list of the names, addresses, and the corresponding Parcel Identification Number assigned by the Weld County Assessor of the owners of property (the surface estate) within five hundred feet of the property being considered. This list was compiled from the records of the Weld County Assessor, or a person qualified to do the task, and shall be current as of a date no more than thirty days prior to the date the application is submitted to the Department of Planning Services.

Signatures of all fee owners of property must sign this application. If an Authorized Agent signs, a letter of authorization from all fee owners must be included with the application. If a corporation is the fee owner, notarized evidence must be included indicating the signatory has the legal authority to sign for the corporation.

I (We) hereby depose and state under the penalties of perjury that all statements, proposals and/or plans submitted with or contained within the application are true and correct to the best of my (our) knowledge.

_____ Signature	_____ Date	_____ Signature	_____ Date	_____ Signature	_____ Date
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Drainage Report Checklist



Project Name:

The purpose of this checklist is to assist the applicant's Engineer with developing a drainage report that supports the intent of the Weld County Code using commonly accepted engineering practices and methodologies.

Is the project in the **MS4**? ☐ Yes ☐ No If yes, the following requirements in blue apply. See Chapter 8, Article IX of the Weld County Code.

Report Content

- ☐ Weld County Case Number
- ☐ Certificate of Compliance signed and stamped by a Colorado Licensed PE
- ☐ Description/Scope of Work
- ☐ Location (County Roads, S-T-R)
- ☐ Nearby water features and ownership
- ☐ Total acres vs. developed acres
- ☐ Hydrological soil types/maps
- ☐ FEMA Flood Zones
- ☐ Urbanizing or non-urbanizing
- ☐ Methodologies used for report & analysis (full spectrum is not accepted)
- ☐ Base Design Standard used for permanent control measure design in the MS4
- ☐ Discussion of offsite drainage routing
- ☐ Conclusion statement indicating that the design will adequately protect public health, safety, and general welfare and have no adverse impacts on public rights-of-way or offsite properties

Hydrology and Hydraulic Analysis

- ☐ Design Storm / Rainfall Information (NOAA Atlas or Local Data)
- ☐ Release Rate calculations
- ☐ Post construction site imperviousness
- ☐ Hydrologic calculations (historic & developed basins)
- ☐ Hydraulic calculations for proposed drainage improvements (swales, culverts, riprap, pond, outlet, spillway, WQCV outlet, etc.)
- ☐ Detention/WQCV calculations

Construction Drawings

- ☐ Stamped by PE
- ☐ Engineering scale & north arrow
- ☐ Property lines, rights-of-way, and easements
- ☐ 1' Contours & elevations (existing & proposed)
- ☐ Pre- and post-development drainage basins
- ☐ Arrows depicting flow direction
- ☐ Time of concentration critical path
- ☐ Drainage design points
- ☐ Improvements labeled
- ☐ Permanent control measure and associated drainage features labeled 'No Build/No Storage', include design volume
- ☐ Cross sections for open channels, profiles for pipes
- ☐ Elevations for inverts, flow lines, top of grates, orifice(s), etc.
- ☐ Pipe specs (size, material, length, slope)
- ☐ Outlet and spillway details

Maintenance Plan

- ☐ Frequency of onsite inspections
- ☐ Repairs, if needed
- ☐ Cleaning of sediment and debris
- ☐ Vegetation maintenance
- ☐ Manufacturer maintenance specifications, if applicable

Other Required Documents (If Applicable)

- ☐ Variance Request and documentation– explain hardship, applicable code section, and proposed mitigation. Variances will not be granted for the Base Design Standard requirement in the MS4.

Comments: