



FREMONT COUNTY APPLICATION FOR CONDITIONAL USE PERMIT

1. Project Name: _____

2. Applicant: _____ Address: _____

City: _____ ST: _____ Zip Code: _____

Telephone #: _____ Facsimile #: _____

E-mail: _____

3. Owner: _____ Address: _____

City: _____ ST: _____ Zip Code: _____

Telephone #: _____ Facsimile #: _____

E-mail: _____

4. Consultant: _____ Address: _____

City: _____ ST: _____ Zip Code: _____

Telephone #: _____ Facsimile #: _____

E-mail: _____

Please read prior to completion of this application.

No Conditional Use Permit (CUP) Application which has been denied by the Fremont County Board of County Commissioners (Board) within the past three (3) years can be resubmitted unless there is valid new evidence or a substantial change in circumstances of the original application.

Any application for CUP that has been submitted after the use requiring the permit has been established on the property shall be subject to a penalty fee in addition to the set application fee for such permit. The penalty fee shall be the same amount as the initial application fee for the CUP. In effect a double application fee shall be charged at the time of submittal in such circumstances. As with all land use applications payment of associated fees do not insure approval of the application.

Any application which is not complete or does not include all minimum submittal requirements will not be accepted by the Fremont County Department of Planning and Zoning (Department). Further, any application that is inadequately prepared, or is incomplete, may be subject to postponement (*until an adequate submittal is provided*) of placement on an agenda of the Fremont County Planning Commission (Commission).

The applicant shall provide **one (1) original document and four (4) copies** of the application and all of its attachments (*copies of deeds, contracts, leases etcetera are acceptable*) at the time of application submittal along with the application fee, set as per Resolution of the Board. Submittals shall be made to the Department no later than 3:00 pm on the submittal deadline date.

After an adequate submittal, the Department will review the application and all attachments and prepare a Department Submittal Deficiency and Comment Letter (D & C Letter), which will state the submittal deficiencies which must be addressed by the applicant, Department comments and/or questions about the application and the number of revised application packets that must be supplied to the Department in order to place the application on an agenda of the Commission.

Attachments can be made to this application to provide expanded narrative for any application item including supportive documentation or evidence for provided application item answers. Please indicate at the application item that there is an attachment and label it as an exhibit with the application item number, a period and the number of the attachment for that item (*as an example, the first attached document providing evidence in support of the answer given at application item number 22 would be marked - Exhibit CUP-22.1, the fifth attached document supporting the narrative provided for application item 22 would be marked - Exhibit CUP-22.5*).

Exhibit numbers should be placed in the lower right hand area of the exhibit.

An additional full application fee will be charged to the applicant, as per Resolution approved by the Board, if all deficiencies as per the initial D & C Letter are not adequately addressed or provided. Each subsequent D & C Letter, based on resubmitted items, will result in another full application fee. All such fees shall be paid along with the deficiency submittal, prior to any further review of the application.

If the application is approved by the Board with contingencies the contingencies shall be provided to the Department within six (6) months of the approval date. If not the approval shall be deemed rescinded and the application expired. Re-submittal of the entire application, including fees, and procedural requirements, including public meetings and notices would be required.

If the application is approved by the Board requiring improvements, all such improvements must be completed at the expense of the applicant prior to issuance of the CUP.

In approving an application for CUP, the Board may require higher standards for development than listed for such use in the Fremont County Zoning Resolution (FCZR).

The Department, The Commission and/or The Board may require additional information at any time during the application process as may be deemed necessary in order to review the application adequately, to determine if the application is in compliance with all applicable regulations and make an informed decision with regard to recommendations, approval or disapproval of the application.

Modifications, major or minor, to the CUP as approved, shall be done only in compliance with requirements of the Fremont County Zoning Resolution.

For specific regulatory requirements the applicant should refer to the appropriate sections of the FCZR. In addition, consideration shall be given to the Fremont County Master Plan, in the review of CUP applications.

For further reference the Fremont County Zoning Resolution (FCZR) may be viewed on the Internet at

<http://www.fremontco.com/planningandzoning/zoningresolution.shtml>

and the Fremont County Subdivision Regulations may be viewed on the Internet at

<http://www.fremontco.com/planningandzoning/subdivisionregulations.shtml>

and the Fremont County Master Plan may be viewed on the Internet at

<http://www.fremontco.com/planningandzoning/masterplan.shtml>

5. Provide a detailed statement describing the proposed operation. Describe the operation as to what it will be at its start and at full capacity, the general types and numbers of equipment, the number of employees, the number of employee shifts, proposed structures, and all other pertinent operational information. The more information provided, the easier it will be for the Department, Commission, Board and Public to understand and review the request.

6. What is the legal description of the proposed CUP boundary?

7. Is the property to be contained in the CUP boundary the total property legally described in the current deed of record (most recent deed of the property recorded in the Fremont County Clerk & Recorder's Office)? ☐ Yes ☐ No If no, please explain:

(NOTE: If the property to be contained in the CUP is a portion of the total property in the current deed of record, then a subdivision or exemption process may be required as a contingency item, if this request is approved. All subdivisions or exemptions must comply with the development requirements of the zone district in which the property is located. ☐ A contingency item is being requested)

8. A copy of the current deed of record for the subject property shall accompany this application marked as Exhibit CUP-8.1. ☐ An exhibit has been attached.

9. What is the total acreage of the property in the CUP boundary? _____

10. What is the total acreage of the property that contains the CUP boundary? _____

11. What is the current zoning of the subject property? _____

12. Will the proposed use require a zoning change of the subject property? ☐ Yes ☐ No
If yes, to what district? _____

13. Is the proposed use specifically allowed by CUP in the Zone District? ☐ Yes ☐ No

If yes, please provide the FCZR citing that allows the proposed use: _____

If no, please provide the FCZR citing for the CUP use that the applicant feels is most similar in use and neighborhood impact to the proposed use and provide a detailed explanation as to why this use is similar.

14. What is the current land use of the subject property?

Is the current use proposed to remain on the property? ☐ Yes ☐ No

This current land use of the subject property is ☐ conforming ☐ non-conforming with the current zone district requirements.

Please explain: _____

If the current land use will remain a non-conforming use after the CUP is approved and proposed to remain on the subject property, an application for "no-conforming use status" shall be filed with the Department and copy shall be attached to this application as Exhibit CUP-14.1 ☐ An exhibit has been attached. (**NOTE:** if this use is determined not to be a non-conforming use, said use shall be removed from the subject property.)

15. What is the general location of the proposed CUP site? _____

16. What days of the week will the proposed use be in operation? _____

17. What days of the week will the proposed use be in operation? _____

Will different aspects of the proposed use need to operate at different times of the day? ☐ Yes ☐ No

If **yes**, please explain:

18. What is the estimated duration of the proposed use, in years? _____

19. What is the time frame being requested for the duration of this CUP, if issued?

☐ Life of the use ☐ Other _____

Please provide justification for the requested duration of permit.

20. For operations that may be in temporary cessation for more than six (6) months per year temporary cessation status may be requested at the time of application. No such temporary cessation shall exceed two (2) years without specific formal approval by the Board. Some seasonal operations may have an annual cessation period and should request such at this time. Does the applicant request temporary cessation with this application? ☐ Yes ☐ No

If **yes**, please provide an explanation of the cessation, including dates of cessation and justification for such cessation:

21. The proposed site and permit area must be of sufficient size to accommodate the proposed use, its accessory uses, structures, and fences, parking and loading areas, and open spaces. Address the following items:

a. What percentage of the permit area will be covered with structures? _____

b. What will be the setbacks from any proposed buildings and/or structures to the permit boundary?

Front (side from which property gains access): _____ Rear: _____

Side _____ Side _____

If more than one building and/or structure is proposed please make an attachment marked as Exhibit CUP-21b.1. ☐ An exhibit has been attached.

c. Is a buffering and landscaping plan required as per Section 5.2.6 of the FCZR? ☐ Yes ☐ No

If **no**, will any buffering, screening and/or landscaping of the permit area be provided? ☐ Yes ☐ No

If **yes** to either question, then the plan for such shall be attached to this application, and it shall be marked as Exhibit CUP-21.c.1. ☐ An exhibit has been attached.

If **no** to either question, then justification shall be provided as to why no buffering, screening and/or landscaping should be provided.

