

# CHEYENNE COUNTY LAND USE WIND ENERGY FACILITY CONDITIONAL USE PERMIT APPLICATION

Form Adopted April 19, 2011

**DATE:** \_\_\_\_\_

- Application for Wind Energy Development Conditional Use Permit
- Fees: \$.50/acre of overall acres (minimum fee is \$7,500 and maximum fee is \$15,000 with Additional Costs charged for technical or legal consultants or additional staff time- see below)

**Section 104- Additional Costs.** If the County decides that technical or legal consultants, or additional staff time, will be necessary to determine whether an application conforms with this Land Use Resolution, the costs of such consultant(s) shall be paid by the applicant. All estimated additional fee shall be paid at the time of permit application.

**LOCATION:**

(Attach Legal Description- Exhibit B- See Instructions Below)

**OWNER(S):**

NAME: \_\_\_\_\_  
ADDRESS (Street, City, Zip): \_\_\_\_\_  
PHONE: \_\_\_\_\_

**APPLICANT NAME** (If different from above):

NAME: \_\_\_\_\_  
ADDRESS (Street, City, Zip): \_\_\_\_\_  
PHONE: \_\_\_\_\_

**SUMMARY OF PROPOSED DEVELOPMENT:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**SIGNATURE OF APPLICANT:**

I have read the requirements in the land use resolution for Cheyenne County, Colorado. I have included attachments in order to comply with the type of development conditional use permit I am seeking. I also understand that the fee is non-refundable upon submission of this application for consideration of development, and that receipt of the fee and review of requirements by the Cheyenne County staff does not constitute implied approval or disapproval of this permit application.

**FOR ADMINISTRATIVE USE ONLY:**

FEE RECEIVED: AMOUNT\$ \_\_\_\_\_  
SUBMITTED ALL PROPER DOCUMENTS: INITIAL \_\_\_\_\_ MISSING OR INCOMPLETE DOCUMENTS: EXHIBIT(S) A B C D E F G H I J K L  
ADDITIONAL REQUIREMENTS SUBMITTED: INITIAL \_\_\_\_\_ MISSING OR INCOMPLEMENT DOCUMENTS:  
NOTES: \_\_\_\_\_  
RECOMMENDATION OF STAFF: SEE ATTACHED  
APPROVE: INITIAL \_\_\_\_\_ DISAPPROVE: \_\_\_\_\_

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## APPROVAL/DISAPPROVAL

### CHEYENNE COUNTY STAFF RECOMMENDATION:

- Approval of the Proposed Development
- Disapproval of the Proposed Development

Remarks: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Land Use Administrator: \_\_\_\_\_ Date: \_\_\_\_\_

### PLANNING COMMISSION RECOMMENDATION:

- Approval of the Proposed Development
- Disapproval of the Proposed Development

Remarks: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Chairman Planning Commission: \_\_\_\_\_ Date: \_\_\_\_\_

### BOARD OF COUNTY COMMISSIONERS ACTION:

- Approval of the Proposed Development
- Disapproval of the Proposed Development

Remarks: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Chairman: \_\_\_\_\_ Date: \_\_\_\_\_

#### FOR ADMINISTRATIVE USE ONLY:

FEE RECEIVED: AMOUNT\$ \_\_\_\_\_

SUBMITTED ALL PROPER DOCUMENTS: INITIAL \_\_\_\_\_

MISSING OR INCOMPLETE DOCUMENTS: EXHIBIT(S) A B C D E F G H I J K L

ADDITIONAL REQUIREMENTS SUBMITTED: INITIAL \_\_\_\_\_  
NOTES: \_\_\_\_\_

MISSING OR INCOMPLEMENT DOCUMENTS: \_\_\_\_\_

RECOMMENDATION OF STAFF: SEE ATTACHED

APPROVE: INITIAL \_\_\_\_\_

DISAPPROVE: \_\_\_\_\_

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## Section 104 Submission of Application

- A. Applicability.** Any wind energy facility land use activity not expressly exempted from these application and review procedures must obtain a Conditional Use Permit before it can be developed.
- B. Eligibility to Apply.** A Conditional Use Permit application may only be submitted by, or on behalf of, the owners of real property proposed for the use.
- 1. Applicant is Not the Owner.** If the applicant is not the owner of the property, or is a contract purchaser of the property, a letter signed by the owner consenting to the submission of the application shall be submitted.
  - 2. Applicant is Not the Sole Owner.** If the applicant is not the sole owner of the property, a letter signed by the other owner(s) or an association representing the owner(s) consenting to or joining in the Conditional Use Permit application.
- C. Form.** The Conditional Use Permit application shall be submitted in the form provided by the County and shall include the information and materials specified for that particular type of application.
- 1. Application Fee.** The correct processing fee for the application shall be submitted. The fees for the processing of applications are established by Resolution of the Board of County Commissioners.

**EXHIBIT A - Name, Address, Telephone Number and Power of Attorney.** Applicant's name, address and telephone number. If Applicant is to be represented by an agent, a letter signed by Applicant granting power of attorney to the agent shall be submitted, authorizing the agent to represent Applicant and stating the representative's name, address and telephone number.

**EXHIBIT B - Legal Description. Location Map and Site Plan.** Applicant shall follow all requirements as outlined in 104-1 of the Wind Energy Facilities resolution including submission of a location map and site plan, to scale, setting forth in reasonable detail the requisite information regarding the proposed Wind Energy Development.

**EXHIBIT C - Project Details.** Applicant shall follow all requirements as outlined in 104-2 of the Wind Energy Facilities resolution including submission in reasonable detail Site Control showing Applicant has secured development rights for all real property including Ownership Summary, Proof of Site Control, Project Description including project development phases, Certification of Applicant's intent to enter into interconnection and crossing agreement to applicable utilities and its decommissioning plan.

**EXHIBIT D - Impact Analysis.** Applicant shall follow all requirements as outlined in 104-3 of the Wind Energy Facilities resolution including submission of a description of the impacts that the proposed Wind Energy Facility may cause including a description of baseline conditions and the impacts that the proposed use may cause as well as how Applicant will mitigate impacts and show documentation that applicable standards will be satisfied and the payment of impact fees, if applicable.

**The above are minimum application requirements. Additional materials may be required dependent upon the circumstances.**

**FOR ADMINISTRATIVE USE ONLY:**

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MISSING OR INCOMPLETE DOCUMENTS: EXHIBIT(S) A B C D E F G H I J K L

ADDITIONAL REQUIREMENTS SUBMITTED: INITIAL \_\_\_\_\_  
NOTES: \_\_\_\_\_

MISSING OR INCOMPLET DOCUMENTS: \_\_\_\_\_

RECOMMENDATION OF STAFF: SEE ATTACHED  
APPROVE: INITIAL \_\_\_\_\_

DISAPPROVE: \_\_\_\_\_

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## POLICY STATEMENT

In making a decision on any Conditional Use Permit application submitted in Cheyenne County, the Cheyenne County Planning Commission must be guided by the general policies for land use and development within the county as described in Section 100 of the Cheyenne County Wind Energy Facilities Land Use Resolution. Those general policies are to protect the public health, safety, welfare and the environment of Cheyenne County; to encourage growth that is compatible with maintaining or expanding the agricultural economy; to guide non-agricultural development toward existing growth centers; and to ensure that no land use change will detract from the environmental, historical, recreation or aesthetic character of the County.

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MISSING OR INCOMPLETE DOCUMENTS: EXHIBIT(S) A B C D E F G H I J K L

ADDITIONAL REQUIREMENTS SUBMITTED: INITIAL \_\_\_\_\_

MISSING OR INCOMPLEMENT DOCUMENTS:

NOTES: \_\_\_\_\_

RECOMMENDATION OF STAFF: SEE ATTACHED

APPROVE: INITIAL \_\_\_\_\_

DISAPPROVE: \_\_\_\_\_