



Guide to Natural Gas and Oil Regulations & Development Projects in Mesa County

I. Purpose

The purpose of this document is to provide guidance on navigating the [Mesa County Land Development Code as amended](#) (Code). The Code contains the County's and use regulations for operators, contractors, and consultants involved in pursuing projects related to the development of natural gas/oil in Mesa County. More specifically, this guide categorizes typical natural gas/oil development activities pursued in Mesa County and maps them to the appropriate land uses defined by the Code as well as outlines the level of review required. While this is an overview, the specific and required regulations are contained in the CODE. The Code and additional information on natural gas/oil development can be found at the Mesa County Website:

<http://www.mesacounty.us/planning/land-development-code.aspx>

II. Land Uses & Where they are permitted in Mesa County

All land in Mesa County is zoned, and certain uses are allowed to occur subject to the Land Use [Table 5.1](#). The Code details the uses allowed in each zone district and the review process applicable to each use. Note: if a use is not listed in these matrices, it is prohibited. These matrices, as applicable to the natural gas/oil industry, are summarized in the table below. The majority of natural gas/oil activity currently occurs in the AFT zoning district.

III. County's Permitting Process for Allowed and Conditional Uses

The following describes the typical permitting process for natural gas/oil related activities:

1. Determine if proposed use is allowed in the Zoning District. See [Online Zoning Map](#).
2. Use Code [Table 5.1](#) to determine applicable project type.
3. **Administrative Review:** Site Plan Review process where the Planning Division Director is the decision maker. The process is intended for developments which generally have minimal impact to the surrounding community and environment and are allowed uses in the zone district. Site plan reviews are either Minor or Major.
 - a. Uses marked with an "A" indicate an Allowed use. Administrative Review Application processes require either Minor or Major Site plan approval where the Planning Division Director and not the Board of County Commissioners is the decision maker. The process is intended for developments that generally have minimal impact to the surrounding community and environment. Site Plan reviews are classified as either Minor (Section 3.5.11.1) or Major (Section 3.5.11.2).

- b. **Applications for permits to drill** ([Code Section 3.5.11.1](#)) are submitted as oil and gas **Minor Site Plans** (5.2.16) or are minor changes to previously approved Conditional Use Permits CUPs or Major Site Plans.
 - i. Generally take 3 weeks to review.
 - ii. Minor site plans may be approved for temporary uses.
 - iii. Expansion of an existing uses requires minor site plan approval.
 - iv. A pre-application meeting may be required.
 - c. **Major Site Plans** ([Code Section 3.5.11.2](#)) are generally associated with larger, complex construction projects that are allowed uses in the zone district.
 - i. Generally take 6 weeks to review.
 - ii. A pre-application meeting is required prior to application submittal.
4. **Conditional Use Permit** are uses marked with a “C” indicate a (CUP) is required (Code Section 3.8). The CUP process is intended for developments that are more complex and may have some impact to the surrounding community and environment. Conditional Use Permits require a public hearing and recommendation from the Mesa County Planning Commission and a public hearing and approval by the Mesa County Board of County Commissioners.
- i. Generally take 12 weeks for review including Planning Commission and Board of County Commissioners Public Hearings.
 - ii. A pre-application meeting is required prior to application submittal.
 - iii. Following approval of the Conditional Use Permit, site plan approval is required.

5. **Application Process**

- a. The applicant shall set up a pre-application meeting ([Code Section 3.5.2](#)) with the Mesa County Planning Division. The Planner will provide a pre-application packet noting the applicable documentation and review process.
- b. The applicant shall prepare the applicable project documents listed in the application checklist and application instructions concerning project document submittals, noticing, and timeframes.
- c. The Applicants submits project to the Mesa County Planning Division for review using the electronic submittal and review process. [SIRE Active Review Portal](#) Instructions for the electronic submittal and review process can be found at: <http://www.mesacounty.us/planning/eps/>
- d. Once the permit is issued, operations may begin if all local, State, and Federal permits have been obtained and appropriate conditions are met. The applicant, developer or operator is responsible for complying with all conditions of approval.

Operation Type	Applicable Section Code Or MC Public Works Permit	Type of Application
Application for Permit to Drill	Code 5.2.16	Oil and Gas Minor Site Plan SIRE Active Review Portal
Driveway Permits	Mesa County Public Works	Driveway Permit Form
Access Permit to County Roadways)	Mesa County Public Works	Access location Permit (NOI)
Oversize/overweight vehicles	Mesa County Public Works	Extra-Legal Load Permit
Extra Legal Divisible Load Vehicles	Mesa County Public Works	Divisible Load Permit
Utility Cut within right-of-way	Mesa County Public Works	Underground and Utility Permit Application
Pipelines (gas gathering)	Not regulated, must obtain permit for Utility and/or Surface Alteration Permit if in Roadway	N/A
Pipelines (water, co-located with gas gathering)	Not regulated, must obtain permit for Utility and/or Surface Alteration Permit if in Roadway	N/A
Pipelines (temporary water management)	Not regulated, must obtain permit for Utility and/or Surface Alteration Permit if in Roadway	N/A
Pipelines (transmission lines, FERC)	Code 12.4.10 Utility Corridors	CUP Electronic Permit Submittal (EPS)
Temporary Water Pump Stations	Code 3.5.11.1 (Temporary Use)	Minor Site Plan (EPS)
Compressor Station (collection from several pads)	Code 12.4.10 (defined in Utility Corridors)	CUP (EPS)
Wellpad Compression (single well)	Code 3.5.11	Minor Site Plan (EPS)
Salt Water Disposal Well (Non-Commercial)	Code 5.2.16	Minor Site Plan (Piped and no truck delivery) (EPS)
Exploration and Production Waste Disposal Well (Commercial)	MCLD Table 5.1 Solid Waste Disposal Sites	CUP (EPS)
Landfarm (Non-commercial)	MCLD Table 5.1 Solid Waste Disposal Sites	CUP (EPS)
Centralized Water Storage (produced water)	Defined as all other waste-related activity, Table 5.1 Code	CUP (EPS)
Field Office Headquarters For Oil And Gas Field Operators	Code 5.2.25	CUP (EPS)
Temporary Employee Housing greater than 18 employees on single pad or	Code 5.2.23	CUP (EPS)
Support Services up to one Year	Code 5.2.22	Major Site Plan (EPS)
Support Services up to 3 Years (renewable)	Code 5.2.22	CUP (EPS)
Communication Facilities	Code 5.2.18	CUP (EPS)
Gas Plant	Code 12.4.10 (defined in Utility Corridors)	CUP (EPS)

IV. ZONING

Almost all the areas involved in oil and gas exploration and development are zoned Agricultural Forestry Transitional (AFT) and are located in the rural areas of Mesa County. AFT uses include agriculture, timber, ranching, low density residential, mining, recreational, wildlife and conservation uses. Because oil and gas exploration requires industrial type uses close to the location of the oil and gas resource, Mesa County has created the [Support Services Section of the Code \(5.2.22\)](#) to address these industrial-type uses and to mitigate their impacts on the rural character and environment. Support Services review applies to those activities not located on the well pad that are regulated through the COGCC APD Form 2 approval process.

Typical Support Services may include parking, storage and maintenance of exploration, production or work over equipment, pipe and production equipment, equipment and storage yards for road and pipeline construction contractors and production unit set-up and maintenance contractors, and non-permanent field offices used by production-related personnel.

Support Services that are located on site for less than one year are reviewed through the Major Site Plan application process. If the need is for more than one year, a 3-year (renewable) term may be approved through the Conditional Use Permit application process. Impacts of Support Services are mitigated by limiting their visibility from major roadways, limiting the distance between support services and from residences, and addressing the criteria in Section 5.2.22.

Temporary Employee Housing (TEH) for Oil and Gas workers ([Section 5.2.23](#)) is approved through the CUP application process. **Exemption** - Employee housing on an active drill pad to serve just the active pad is exempt from this permit requirement; it is considered accessory to the activities that regularly occur with drilling and are covered under the COGCC regulations. The exemption is for 16 workers and up to 20 may be allowed with demonstration of need.

Field Office Headquarters For Oil And Gas Field Operators ([Section 5.2.25](#)) include central oil and gas field office facilities for operators of oil and gas wells, gathering lines, and gas processing and compression facilities that are subject to CUP review. The use allows offices to be located close to oil and gas drilling activities in more rural parts of Mesa County. Field Office Headquarters are not allowed close to municipalities or rural communities where suitable Industrial zoning is otherwise available. Examples include buildings with offices for employees, day rooms for unexpected overnight stays by personnel caused by unforeseen weather and operational circumstances (not for routine occupancy), temporary office space for employees and contractors, warehouses, outdoor storage of equipment, supplies, fuel and chemicals necessary for oil and gas field operations on the site, lay down yards, maintenance shops for vehicles, equipment and prefabrication of oil and gas facilities, and private communication towers and satellite dish communications equipment.

This section has provisions for landscaping and screening to mitigate visual impacts to the rural character.

V. Policies and Plan:

Mineral & Energy Resources Master Plan

The [Mesa County Mineral and Energy Resources Master Plan](#) was adopted in 2011 by the Planning Commission and the Board of County Commissioners. The purpose of the Plan is to ensure that mineral and energy resources in Mesa County can be developed in a way that minimizes potential negative impacts to local quality of life. In addition to being the County's "Energy Master Plan," the Plan applies to all mineral and energy resources ("Resources" in the document) and updates and replaces the 1985 Mineral Extraction Policies.

Energy Policy Opportunity Map (EPOM):

- On-line interactive map
- Existing and proposed natural gas facilities, drilling pads, and wells
- Sensitive landscapes
- Transportation routes
- Emergency services
- Residential structures

Mitigation Measures Required and Recommended for Oil and Gas Drilling in Mesa County

Energy Resource Atlas: Opportunities/Constraints for development of Coal, Coalbed Methane, Natural Gas, Oil Shale, Uranium, Biomass, Solar, Wind and Geothermal.

Mesa County Master Plan: Future land use policies and guidelines managing growth within Mesa County

Mesa County Road Access Policy: provides the procedures and standards necessary to protect the public health, safety, and welfare, maintain smooth traffic flow, maintain road right-of-way drainage both present and future, protect the capacity of the public roads and the public investment while meeting state, regional, local and private transportation needs and interests.

VI. Other Related Mesa County Permitting Requirements

In addition to the land-use requirements described in this document and detailed in the Code, there are permitting requirements from other Mesa County divisions/departments that may apply to natural gas/oil projects. Some of these requirements are described below (this list is not inclusive of all possible requirements because each project is based on site specific factors):

- a) **Building Permits**: Any project that involves the construction of structures that are subject to the County's Building Code will require approval of building permits in addition to the appropriate land-use permit. All structures over 200 square feet require a Building Permit. The following are natural gas/oil associated buildings that typically require a permit: compressors, generator boxes, storage sheds, housing, offices, and any structures that require electrical or plumbing.
- b) **Individual Sewage Disposal System (ISDS) Permits** (Mesa County Environmental Health): Any project that involves a system for the collection, treatment and or disposal of sewage will require approval of an ISDS or a vault-and-haul permit. Vault-and-haul disposal is not allowed for operations that will last for more than one year.
- c) **Road Access Permits** (Mesa County Planning): Any project that involves the construction of a new access to a County road will require approval of an access (driveway) permit by the County Road and Bridge Division.
- d) **Surface Alteration Permit** (Mesa County Public Works): If you are going to be doing work that will impact the surface of a Mesa County right-of-way, a Surface Alteration Permit will be required.
- e) **Underground and Utility Permit** (Mesa County Public Works): Any project that involves the placement of pipelines or other utilities within the right-of-way for a County road will require approval of a utility cut by the Mesa County Public Works Department.
- f) **Stormwater Construction Permit** (Mesa County Public Works): A Stormwater Construction Permit is required within the urbanized area for all land disturbance activities equal to or greater than one (1) acre or for land disturbance activities less than one (1) acre that are part of a larger common plan of development or sale that would disturb one (1) acre or more.

VII. Relationship to Permitting Requirements with Other Agencies

Mesa County requires all applicable Local, State and Federal permits be obtained before operations may begin. COGCC and BLM permits are commonly associated with natural gas/oil development.