

CHAPTER 4. PERMIT APPLICATION APPROVAL CRITERIA

A. PERMIT APPLICATION APPROVAL CRITERIA FOR MATTERS OF STATE INTEREST

A Permit to conduct a designated activity of state interest or to engage in development in a designated area of state interest shall be approved if the Project complies with the following general criteria and any additional applicable criteria in chapters related to a particular Project. If the Project does not comply with any one or more of these criteria, the Permit shall be denied or approved with conditions which will ensure compliance. In determining whether the Project complies with these criteria, or if conditions should be imposed, the Permit Authority may utilize the considerations of Appendix "A".

1. Documentation that prior to site disturbance for the Project the applicant will have obtained all necessary property rights, permits, and approvals. The Board may, at its discretion, defer making a final decision on the application until outstanding property rights, permits, and approvals are obtained.
2. The applicant has the necessary expertise and financial capability to develop and operate the Project consistent with all requirements and conditions.
3. The Project is technically and financially feasible.
4. The Project will not impair property rights held by others.
5. The Project, or the location of the Project, will not have a significant adverse effect on the capability of local governments affected by the Project to provide services, or exceed the reasonable capacity of service delivery systems and public utilities.
6. The Project will not create an undue financial burden on existing or future residents of the County.
7. The benefits accruing to the County and its citizens from the Project outweigh the losses of any natural, agricultural, recreational, grazing, commercial or industrial resources within the County, or the losses of opportunities to develop such resources.
8. The Project will not significantly degrade any current or foreseeable future sector of the local economy.
9. The Project will not have significant adverse effect on the quality or quantity of recreational opportunities and experience.
10. Master Planning/Vision/Direction
 - a. The Project will not have a significant adverse effect on desired local and community land use patterns.
 - b. The Project is consistent with applicable local, regional, and state master/comprehensive plans, including, but not limited to transportation plans, the Clear Creek County Master Plan 2030, and the Intercounty Non-Motorized Routes Master Plan.
11. Natural Hazards

The Project should avoid areas subject to natural hazards. Natural hazards include geologic hazards, wildfire hazards, and flood. If such hazards exist, they must be eliminated or adequately mitigated. If hazards cannot be adequately mitigated, such areas shall be reserved where development is prohibited.
12. Air Quality

The Project will not significantly degrade air quality (see Chapter 9(B)(19) for additional

standards).

13. Water Quality and Aquatic Life

- a. The Project will not increase water pollution levels in violation of applicable federal, state, and local surface water and groundwater quality control standards and will result in no net loss of wetland values and functions.
- b. The Project will not significantly degrade terrestrial or aquatic animal life or its habitats.
- c. The Project will not significantly degrade terrestrial plant life or plant habitat.

14. Wildlife

The Project will avoid or mitigate significant adverse impacts on critical wildlife habitat, including breeding grounds, nesting areas, migration routes, and wintering areas. Rare and endangered species habitat protection shall also be addressed.

15. Cultural/Historical Resource Considerations

- a. The Project will not significantly degrade areas of paleontological, historic or archaeological importance.
- b. The Project will have no unmitigated significant adverse impact on cultural resources.

16. The Project will not significantly degrade soils or geologic conditions.

17. Design Standards

- a. The planning, design and operation of the Project shall reflect principals of resource conservation, energy efficiency and recycling or reuse (see Chapter 7(B)(1) for additional standards).
- b. The Project will not significantly degrade existing visual quality (see Chapter 9(B)(21) for additional standards).
- c. Exterior building design materials used in constructing buildings or structures in commercial centers shall complement the county's mountain environment or historic mining heritage. Natural materials should be used such as wood siding, native stone, masonry, or glass. Materials that complement the County's historic mining heritage are also encouraged. Variations in roof lines and in building facades are encouraged. Architectural designs shall complement and coordinate with one another, and shall create interest through varied roof lines, treatment of building facades, and use of covered walkways and entrances.

18. Landscaping/Erosion Control

- a. Landscaping shall demonstrate water conservation by requiring xeriscaping concepts. The use of native species should be maximized so that native species continue to dominate the County's mountain environment. Plant species that the County has determined are invasive, noxious, or otherwise a nuisance are prohibited. The impacts of site development shall be mitigated with landscape designs that will buffer or screen the development from abutting properties and from public rights-of-way. Buffering and screening features shall complement the existing natural character and context of the site and blend with the setting. Landscaping shall demonstrate the long term health and success of required landscaping through appropriate maintenance practices, including replacing landscaping that may have perished and keeping irrigation systems operable.
- b. The Project will meet the standards of the County's Best Management Practices for

control of stormwater runoff.

19. Nuisances/Hazards
 - a. The Project will not cause a nuisance.
 - b. The Project will not result in unreasonable risk of releases of hazardous materials.
20. Mineral Resources

The Project will not impede or interfere with existing mining operations, nor will there be a significant adverse impact on mineral resources in the County.
21. Roads/Access

Adequate legal and physical access shall be demonstrated, and the applicant shall demonstrate it has secured, or can secure, all necessary access approvals from the County, the Colorado Department of Transportation, and other applicable government agencies. The applicant agrees to confine construction traffic to agreed-upon routes.

B. ADDITIONAL PERMIT APPLICATION APPROVAL CRITERIA

In addition to meeting the Permit Application Approval Criteria in this Chapter, certain Projects must meet the additional Permit Application Approval Criteria set forth in Chapters 7 - 10 of these Regulations.