

BLUE RIVER 1041 PERMIT APPLICATION

APPLICATION TO CONDUCT A DESIGNATED ACTIVITY OF STATE AND LOCAL INTEREST



Blue River, Colorado
0110 Whispering Pines Circle
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970-547-0545
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This application form is for proposed projects that meet criteria requiring review under the Blue River Municipal Code Chapter 22, Areas and Activities of State Interest. The Blue River 1041 Regulations are available online [here](#):

<https://townofblueriver.colorado.gov/blue-river-1041-regulations>

| | |
|---|--|
| Applicant: | |
| Project Title: | |
| Brief Project Description: | |
| Name and Title of Applicant Representative: | |
| Address: | |
| Telephone: | |
| Email: | |
| List Other Person(s) Authorized to Act as Agent for the Applicant: | |

Signature of Applicant: _____

Date: _____

Prior to applying for a permit, an applicant must meet with the Town Manager for a preapplication conference.

Applicant shall submit the application to the Town Manager at the address above. The materials and information required for each application are described below. The Town may request additional materials depending on the type of proposed project. A permit application will not be considered or processed unless it is complete.

The Applicant is required to pay the actual costs incurred by the Town to review the application including any consultant costs. The Town Manager will set the deposit amount following the preapplication conference.

Notice: All information, including emails, submitted to the Town of Blue River is considered public record and is therefore available for public review.

BLUE RIVER 1041 PERMIT APPLICATION

Permit Application Submittal Requirements for All Projects:

- Application fee.
- Written description of the development or activity, including any capital improvements plan, facilities plan, or other planning document which the applicant has prepared for its use, covering at a minimum a period of five years from the date of the application.
- If applicable, written certification of compliance with the provisions of Article 65.5 of Title 24, C.R.S., that require examination of the public records to determine the existence and identity of owners and lessees of severed mineral interests in the property covered by the application. Inform the Town of the results of such examination. If such examination reveals the existence of any such owners or lessees, include a complete list of the names and addresses of such persons and describe the severed mineral interests owned or leased by each.
- The applicant shall furnish a detailed description of the need for the proposed development or activity, including but not limited to:
 - the present and projected population of the area to be served
 - the predominant types of users or communities to be served by the proposal
 - the percentage of the design capacity at which the current system is now operating,
 - the relationship of the proposal to the applicant's long-range planning and capital improvements programs, including specific reference to the plan(s) required to be submitted pursuant to 22-3-10(d) and 22-3-50(a)(3) above.
- A complete report, evaluation, and impact analysis of the proposed development or activity including all the documents and information set forth below:
 - Ownership and control:
 - Specify whether the applicant owns in fee simple or controls (e.g., lease, license, easement) all or any portion of the property on which the proposed development or activity will be conducted, including any areas proposed for mitigation, management, utility services, and access.
 - For property not owned or controlled by the applicant, specify how the applicant proposes to obtain necessary ownership or control and a timeline or proposal to acquire ownership or control.
 - Provide documentation to support the statements and conclusions made in the report, evaluation, or analysis concerning ownership and control.
 - Land use:
 - Specify whether, in the applicant's opinion, the proposal conforms to the Town's zoning and subdivision regulations, planning policies, and comprehensive plan or, where the applicant identifies a conflict or potential conflict, how the applicant proposes to address the conflict by rezoning the property, obtaining subdivision approval, or proposing or accepting certain conditions of approval that will address the conflict(s).
 - If the applicant asserts that the proposed development or activity is exempt from any prohibition or restrictions imposed by the existing Town zoning of the property, or exempt from any Town subdivision requirement, provide written legal authority and analysis supporting such exemption prepared by an attorney licensed to practice in the state of Colorado.
 - Specify how the proposed development will utilize existing easements or rights-of-way for any associated transmission, distribution or collector networks.
 - Specify any additional right-of-way or easements for new or expanded transportation facilities
 - Identify residential properties (whether occupied or vacant) that may perceive or be impacted by reasonably anticipated noise, odor, smoke, exhaust, and fumes associated with the proposed development or activity.
 - Identify residential properties (whether occupied or vacant) that will be exposed to a view of the proposed development or activity, both during construction and when completed or commenced. The submission of photo simulations is highly recommended and may be required as the result of

BLUE RIVER 1041 PERMIT APPLICATION

application reviewed where the proposed development or activity will present significant or substantial visual impacts on adjacent or neighboring properties.

- Water resources:
 - On the same, or another appropriate map, indicate any flood hazard area associated with the proposal. Documentation of historical flooding activity on the parcel where the activity or development will be located, and on other property affected by the activity or development, should be included. Detail potential, adverse impacts related to the associated flood hazard area.
 - Map and describe all surface waters, including applicable state water quality standards, to be affected by the project.
 - Describe the immediate and long-term impact and net effects that the activity would have on the quantity and quality of surface water under both average and worst-case conditions.
 - Map and describe all groundwater, including any aquifers. Describe the impacts and net effect of the activity on groundwater. At a minimum, the description should include:
 - Seasonal water levels in each subdivision of the aquifer affected by the activity.
 - Artesian pressure in aquifers.
 - Groundwater flow directions and levels.
 - Existing aquifer recharge rates and methodology used to calculate recharge to the aquifer from any recharge sources.
 - For aquifers to be used as part of a water storage system, methodology and results of tests used to determine the ability of aquifer to impound groundwater and aquifer storage capacity.
 - Seepage losses expected at any subsurface dam and at stream-aquifer interfaces and methodology used to calculate seepage losses in the affected streams, including description and location of measuring devices.
 - Existing groundwater quality and classification.
 - Location of all water wells and their uses.
 - Describe the impacts and net effect of the activity on wetlands and riparian areas.
 - Map and describe wetlands, and riparian areas to be affected by the activity, including a description of each type of wetlands, species composition, and biomass.
 - Describe the source of water interacting with the surface systems to create each wetland (i.e., side-slope runoff, over-bank flooding, groundwater seepage, etc.).
 - Describe impacts and the net effect that the project would have on the wetlands and riparian areas.
- Terrestrial and Aquatic Animals and Habitat.
 - Map and describe terrestrial and aquatic animals including the status and relative importance of game and non-game wildlife, livestock and other animals; a description of stream flows and lake levels needed to protect the aquatic environment; description of threatened or endangered animal species and their habitat.
 - Map and describe critical wildlife habitat and livestock range to be affected by the activity including migration routes, calving areas, summer and winter range, and spawning beds.
 - Describe the impacts and net effect that the activity would have on terrestrial and aquatic animals, habitat and food chain.
- Threatened and endangered species.
 - Map and describe terrestrial and aquatic plant life including the type and density and threatened and endangered plant species and habitat.
 - Describe the impacts and net effect that the activity would have on terrestrial and aquatic plant life.
- Air quality:
 - Detail how many average daily trips will be generated by the proposal.
 - Explain any other adverse impacts on air quality anticipated from the proposal.

BLUE RIVER 1041 PERMIT APPLICATION

- Describe how any state or federal air quality standards will be impacted and if the proposed transportation facility has been included in the region's air quality models to verify conformity with the air quality plan.
- Describe the airsheds to be affected by the activity, including the seasonal pattern of air circulation and microclimates.
- Describe the impacts and net effect that the activity would have on air quality during both construction and operation under both average and worst-case conditions.
- Significant environmentally sensitive factors. Identify and locate on a map of appropriate scale the juxtaposition of any of the following features present in the proposed development or activity and its environs and detail the potential impact of the proposal upon each feature.
 - Potential natural hazards.
 - Public outdoor recreation and open space areas.
 - Unique areas of geologic, historic and archaeological importance.
- Visual aesthetics and nuisance factors:
 - Identify viewsheds, scenic vistas, unique landscapes or land formations.
 - Identify and describe any structures, excavations and embankments that will be visible as a result of this project.
 - Identify any impact to, or deterioration of, the existing natural aesthetics, the creation of visual blight, noise pollution, smoke, exhaust fumes, or odors which may result from the proposal. Where the proposal anticipates new surface development, the identification of impact to or deterioration of natural aesthetics and the creation of visual blight shall be presented by photographic simulations of views taken from various vantage points outside the development as such views will be expected to appear after full build-out and under full or maximum operation of the proposed development. Although the applicant may propose the vantage points for the photographic simulations, vantage points to be used will be confirmed and selected by the Town following the Preapplication Conference.
 - Identify any proposed use of artificial lighting including images or drawings of all proposed lighting fixtures, design specifications including proposed lamp types, proposed lamp shielding or other design to minimize light trespass and impact on views, and how all proposed lighting will comply with Town-adopted lighting standards. Upon direction of the Town following the Preapplication Conference, the applicant may be required to submit a photometric light study/photometric analysis or plan illustrating in detail the location and type of each lighting fixture and the illumination levels at grade.
- Transportation impacts. Describe what impacts the proposal will have upon transportation patterns in the Town intended to be served or affected by the proposal through the submittal of a traffic impact analysis of the proposed transportation facilities. The traffic impact analysis should include but not be limited to the following:
 - Identify the facilities required to support the existing and future land uses being served by the proposed transportation facility.
 - Furnish the traffic model data verifying consistency with the most current Colorado Department of Transportation (CDOT) Statewide Transportation Improvement Program (STIP).
 - Provide the existing and proposed traffic volume impacts to the adjacent road system, including local roads.
 - Provide the existing and future Level of Service (LOS) and capacity of the transportation facilities before and after the proposed transportation project is completed.
 - All transportation access information as required by the most current edition of the CDOT State Highway Access Code.
 - Submittal of a benefit/cost analysis of the proposed transportation improvements and identify the distribution of the burden of the cost for the proposed improvements to the project as well as the adjacent state or local road system.
- Less damaging alternatives:

BLUE RIVER 1041 PERMIT APPLICATION

- If the Town Manager determines that the nature or extent of the proposal involves the potential for significant damage to cultural or historic resources, or for significant environmental damage and warrants examination of one or more specific, less environmentally damaging alternatives, or appropriate mitigation, the Town Manager may request that the Board of Trustees require the applicant to evaluate and present information on such alternatives or mitigation as part of the application.
- Required information on alternatives or mitigation measures may include, but shall not be limited to, information on the environmental impacts or adverse impacts upon historic or cultural resources, and cost-effectiveness of the alternative or mitigation measure in relationship to the proposal presented.
- **Map Requirements**. The following are general requirements for any map or plan required as part of the application. Minimum requirements include:
 - The name of the proposed development or use and total number of acres under consideration.
 - Because all maps and plans may be used for public presentation, the map scale and size should be large enough for effective presentation and should accurately illustrate the application.
 - Name, address, and telephone number of the applicant, designer, engineer, surveyor, and any other consultants of the applicant.
 - Date of preparation, revision box, written scale, graphic scale, and north arrow for each map
 - Name of specific project or file.
- **Professional Qualifications**
 - A professional consultant may not be necessary for all applications. Only the following will require professional assistance.
 - Improvement plans and reports for water supply, sanitation, drainage, utilities, soils, grading, roads, structures, transportation modeling, transportation planning, transit planning, air quality planning or modeling, floods and floodplains, and other civil engineering work must be certified by a registered Colorado Professional Engineer, or other qualified professional engineer exempted from licensing requirements by state statute.
 - All documents containing land survey descriptions must be certified by a registered Colorado Professional Land Surveyor, or other qualified professional surveyor exempted from licensing requirements by state statute.
 - Geology reports shall be prepared by either a member of the American Institute of Professional Geologists, a member of the Association of Engineering Geologists, an individual registered as a geologist by a state, or other qualified professional geologist exempted from licensing requirements by state statute.
 - All documents described above submitted for review must show the formal education and relevant experience of the individual in charge of the work.

BLUE RIVER 1041 PERMIT APPLICATION

Application Submittal Requirements for Arterial Highway or Interchange or Collector Highway Projects Shall Include and be Accompanied by the Following Documents and Information:

- A list of all reasonable alternative corridor locations for the proposed arterial highway or interchange or collector highway; and
- For the proposed and each alternative corridor location considered, including the no action alternative, the information specified below:
 - A general description of the proposal, with a discussion of the advantages and disadvantages of the alternative;
 - A discussion of social, economic, and environmental impacts whose significance is uncertain. The level of analysis should be sufficient to adequately identify the impacts and appropriate mitigation measures, and address known and foreseeable public concerns;
 - A location map showing the corridor and general area;
 - Any corridor location proposal, study, or other documentation which includes:
 - type, scale and appearance of the improvement;
 - cost estimate, including mitigation costs; and
 - approximate timetable for construction and right-of-way acquisition;
 - Demographic information in the impact area and within the Town, including:
 - estimated current population and density;
 - total employment, occupation types, and major employer locations;
 - average family income; and
 - population projections in five-year increments over the next twenty (20) years;
 - The need for the proposed arterial highway or interchange or collector highway;
 - Major traffic generators in the impact area and the Town;
 - The planned level of service in relationship to projected user demand within the Town;
 - A map(s) and description of existing land use in the impact area within the Town in relationship to the existing circulation system and the proposed arterial highway or interchange or collector highway;
 - A map(s) of the impact area within the Town showing planned, proposed, or expected land use at each year of population projection provided above, with and without the proposed arterial highway or interchange or collector highway;
 - The approximate number of users of the proposed corridor or interchange location in terms of existing Town residents, new Town residents, and non-Town residents;
 - Plans for promoting the use of alternative modes of transportation;
 - Anticipated noise levels resulting from the arterial highway or interchange or collector highway including noise levels expressed through 8-hour and 24-hour Equivalent Sound Level metrics, as well as single event noise metrics;
 - A description of noise abatement measures that are proposed for each alternative, including for each alternative the estimated construction costs and costs of operations and maintenance, decibel reduction effectiveness, and height, length and material-type for barriers;
 - A description of resulting net shade and shadow impacts, after mitigation measures;
 - The local air quality impacts of the proposed arterial highway or interchange or collector highway including attainment of federal and state ambient air quality standards and risks to human health and the environment posed by air pollutants including, but not limited to, nitrogen oxides (NOx), ozone, PM-10, benzene, 1, 3-butadiene, and other fuel combustion by-products;
 - The impacts of the proposed arterial highway or interchange or collector highway on accessibility to and from existing public facilities, commercial and industrial facilities, and residential areas within the Town;
 - Any health and safety hazards, including exposure to hazardous materials, which may result from locating the proposed arterial highway or interchange or collector highway;
 - How the proposed arterial highway or interchange or collector highway and its impacts will conform to the Town comprehensive plan goals, objectives and policies;

BLUE RIVER 1041 PERMIT APPLICATION

- How the proposed arterial highway or interchange or collector highway and its impacts will conform to any applicable state plans, goals, objectives, and policies;
- The development potential that would result in the impact area and within the Town with and without the completion of the proposed arterial highway or interchange or collector highway, measured in terms of: land values, land availability, land use controls, vacancy rates, tax revenues, public expenditures, and indices of accessibility to school/education, utility service, other public and quasi-public services, local and regional amenities and employment opportunities and the demographic indices identified above;
- The increased demand that the potential development described above will place on the following public services within the Town: other roadways, mass transit, trail, bike paths and other transportation, housing, employment, schools, commercial services, health services, police and fire protection, solid waste disposal, water supply systems, wastewater collection and disposal systems, storm water collection and release systems, power, communications, parks, open-space and recreation, other public and quasi-public utilities, and other planned public services;
- The costs and benefits to the Town resulting from the land use commitment necessitated or facilitated by the proposed arterial highway or interchange or collector highway compared to alternative projected land uses in terms of land suitability, transportation, community services, utilities, and revenues;
- Alternatives which may be utilized by the Town in planning for and controlling adjacent land use;
- Local impacts of the proposed arterial highway or interchange or collector highway on water quality and water resources, including effects on floodplains and wetland values and functions;
- The impact of the proposed arterial highway or interchange or collector highway on historic properties and districts or other historic resources in the Town;
- The impact, including but not limited to the impact on property values and other economic indicators, of the proposed arterial highway or interchange or collector highway on sensitive, key commercial tourist or visitor areas or districts within the Town and the region;
- Impacts of the proposed arterial highway or interchange or collector highway on wildlife and fisheries, sensitive, endangered or threatened species and scenic, parks, recreational, archeological, paleontological, or other natural resources, including, but not limited to, the mountain backdrop;
- Impacts of the proposed arterial highway or interchange or collector highway on the character of adjacent or nearby neighborhoods or development, as well as the impacts of increased division or separation of neighborhoods caused by the proposed arterial highway or interchange or collector highway;
- All feasible alternatives for mitigating adverse effects of the proposed arterial highway or interchange or collector highway described above including, but not limited to, effects on the level of public services, access to public services, division of existing communities, water quality, air quality, noise levels, and scenic, historical, recreational, archeological or natural resources. Mitigation alternatives to be considered include, but are not limited to:
 - alternative locations, configurations, and access for the highway or interchange, including, but not limited to, grade separated interchanges and complete or partial construction below grade with cover and landscaping suitable for recreational use or for construction of Town streets, bike paths or pedestrian walkways;
 - alternative pavement types;
 - alternative highway maintenance and snow removal methods;
 - sound walls and other sound mitigating structures, such as transparent noise barriers;
 - berms;
 - landscaping;
 - speed limits;
 - speed control devices;
 - limits on the use of compression brakes; and
 - wildlife crossings and pedestrian bridges.