

LAND USE AND NATURAL RESOURCES

LAND USE

CCI supports local control over the various uses of land and their impacts, while recognizing that activities relative to growth, development, natural resources and environmental management, and the public response to those activities, vary from one community to another. CCI will oppose any efforts to supersede, override or preempt local land use authority. Land that has a reduced value by virtue of being open space or having a conservation easement should be valued at no less than the original value if condemned by another entity.

LAND USE TOOLS

CCI supports coordinating planning activities with state, federal and other local governments. CCI supports mechanisms that mitigate the costs of growth and redevelopment. Impact fees, real estate transfer taxes and other growth-financing tools should be available to counties. CCI also supports the ability of counties to engage in transferable/ purchase development right programs, conservation easements/leases, and fee simple acquisitions of open space properties. CCI supports reasonable legislative action to provide better tools allowing counties to address the impacts from 35-acre or larger parcels of land.

CCI supports any effort to maintain or strengthen the statutory powers granted to counties under article 65.1 of title 24, Colorado Revised Statutes, referred to as “1041 powers.” CCI believes 1041 powers must be broadly and liberally construed to ensure maximum flexibility and authority for counties.

CCI encourages member counties to participate in the creation of master plans and comprehensive plans between municipalities and counties. CCI adamantly supports strong public involvement in the development of comprehensive plans and master plans. CCI opposes requiring the submission of a comprehensive plan or master plan to the electorate, which lacks legislative liability for enforcement. CCI supports the current format of comprehensive plan or master plan approval. CCI will not support the expansion of standing to allow unaffected parties to sue local governments beyond the tests established by the United States and Colorado Supreme Courts for standing.

PRIVATE PROPERTY RIGHTS

CCI strongly supports preserving private property rights and government responsibility to provide just compensation for the taking of private property as defined by the Colorado Constitution and the United States Constitution. CCI recognizes the necessary balance between private property and the public interest.

AFFORDABLE HOUSING

CCI holds that affordable housing is an important local issue, and the question of what constitutes affordable housing will vary from jurisdiction to jurisdiction, but CCI supports a broad range of affordable housing opportunities. CCI supports giving counties the authority to enter into agreements with property owners and developers for affordable housing as part of site-specific land use approvals.

CONSTRUCTION

Counties have a public safety responsibility to ensure code-abiding construction. CCI opposes efforts to reduce county construction review and oversight authority. CCI supports the timely adjudication, including appropriate penalties, of building code violations. CCI supports efforts to enforce "green construction", recycling efforts, and wildlife and wildfire safe construction.

NATURAL RESOURCES

CCI supports adequate local and state regulation of extractive industries. CCI opposes any state or federal efforts to preempt or limit local government regulatory authority over any extractive industry. CCI encourages coordination among industry, local governments and state agencies regarding current and future development.

It is crucial local governments have the funds necessary to address the impacts of the energy industry and increase their economic viability. Therefore, CCI supports the continued allocation of severance tax and federal mineral lease revenues to areas of the state that are socially and economically impacted by the development, processing or energy conversion of minerals and mineral fuels. CCI is strongly opposed to any diversion or taking of the local government severance and or mineral lease tax funds by the Governor or General Assembly.

WATER

CCI recognizes water is one of Colorado's most precious natural resources, and an adequate, dependable supply of water is crucial to all areas of the state. Therefore, increased yields and conservation measures are paramount to insuring the future of Colorado's water supply. The enhancement/development of existing local water supplies in the pursuit of additional storage should consider improvements to and rehabilitation of existing structures as well as the development of new structures. The securing and improving of the storage of local water supplies is deemed necessary and prudent for the protection and security of the state's water supply. These endeavors should seek to benefit both the area of origin and the area of use. CCI supports Colorado's doctrine of prior appropriation, and pursuant to the Colorado Constitution and state statutes, water rights are private property rights to use for decreed beneficial purposes. CCI also supports necessary water conservation and reuse efforts, efforts to seek and maintain state primacy and county control, the application of 1041 powers to water projects to address local impacts, and protection of Colorado's water supply. Therefore, future water supply solutions, water conservation and reuse measures should respect and not injure existing water rights. In addition, such measures and solutions shall seek to increase Colorado's ability to capture and put to beneficial use that water which the state is entitled to under existing and any future water compacts. Furthermore, the State of Colorado should provide incentive-based solutions and when possible funding mechanisms to assist local governments in achieving these goals. As all Coloradoans have a vested interest in solving Colorado's water resource/supply problems there must be a concerted effort to educate all Coloradoans on the importance of water, the need to conserve and manage this vital yet limited resource in order to provide for the needs of the future generations of Coloradoans. CCI opposes attempts by the federal government to usurp the system of prior appropriation in the issuance of necessary federal permits and opposes federally reserved water rights.

ENVIRONMENT

CCI supports appropriate efforts to preserve Colorado's natural environment while managing its resources in a responsible manner. CCI encourages state and federal mitigation of the impacts and

burdens imposed upon local governments when forced to implement unfunded environmental mandates. CCI supports efforts to seek state and local primacy when appropriate.

CCI supports the establishment of appropriate health-related standards for emissions and discharges based on sound scientific data and the use of risk/cost-benefit and economic impact analyses. In regard to Wetlands, CCI believes the public-at-large, not individual property owners, must bear the burden to protect vital wetlands. CCI urges Congress and the states to review practices, statutes and policies in order to protect and preserve agricultural interests.

CCI opposes any designation of wild and scenic rivers or any designation in Colorado where the impacted counties have not participated in the designation, or where the designation would conflict with local land use policies.

CCI supports responsible county authority to mitigate and manage impacts from solid and hazardous waste facilities and will oppose efforts to preempt or limit local authority.

CCI supports voluntary conservation measures that enhances or protects local community values and public goals and that are consistent with applicable laws and regulations.