

Special Use Permit

Permit No. PL20220085

Project Name: Peabody Temporary Workforce Housing

Permittee: Peabody Coal Company

Property Owner: SAGE CREEK HOLDINGS, LLC

Type of Use: Special Use Permit - General

Property Address: 12793 COUNTY ROAD 51B, ROUTT, CO 81639

Legal Description: TRS IN SW4 SEC 17-6-87; N2SE4, SW4SE4, TR
IN SE4SE4, PT OF LOT 4 SEC 18-6-87; TRS IN N2
SEC 19-6-87 ALL LYING N'LY OF HAUL ROAD
TOTAL: 336 63 AC

Expiration Date: November 01, 2025

Conditions of Approval:

General Conditions:

1. The SUP is contingent upon compliance with the applicable provisions of the Routt County Zoning Regulations including but not limited to Sections 4, 5, 6, and 8.
2. The SUP is limited to uses and facilities presented in the approved project plan. Any additional uses or facilities must be applied for in a new or amended application.
3. Any complaints or concerns that may arise from this operation may be cause for review of the SUP, at any time, and amendment or addition of conditions, or revocation of the permit if necessary.
4. In the event that Routt County commences an action to enforce or interpret this SUP, the substantially prevailing party shall be entitled to recover its costs in such action including, without limitation, attorney fees.
5. Permits will be assessed an Annual Fee in accordance with the Fee Schedule in Appendix B of the Routt County Zoning Regulations.
6. No junk, trash, or inoperative vehicles shall be stored on the property.
7. This approval is contingent upon the acquisition of and compliance with any required federal, state and local permits. The operation shall comply with all federal, state and local

laws. Copies of permits or letters of approval shall be submitted to the Routt County Planning Department prior to the commencement of operations.

8. Fuel, flammable materials, or hazardous materials shall be kept in a safe area and shall be stored in accordance with state and local environmental requirements.
9. All exterior lighting shall be downcast and opaquely shielded.
10. All trash and wildlife attractants shall be stored either inside a garage or inside Interagency Grizzly Bear Committee (IGBC) certified receptacles.
11. Prior to the issuance of the permit, the permittee shall provide evidence of liability insurance in compliance with the County's Insurance and Surety Requirements policy then in effect. The certificate of insurance shall include all permit numbers associated with the activity and Routt County shall be named as an additional insured. Permittee shall notify the Routt County Planning Department of any claims made against the policy.
12. Accessory structures/uses associated with this permit may be administratively approved by the Planning Director, without notice.
13. Transfer of this SUP may occur only after a statement has been filed with the Planning Director by the transferee guaranteeing that they will comply with the terms and conditions of the permit. If transferee is not the landowner of the permitted area, transferee shall submit written consent for the transfer by the landowner. Failure to receive approval for the transfer shall constitute sufficient cause for revocation of the permit if the subject property is transferred. Bonds, insurance certificates or other security required in the permit shall also be filed with the Planning Director by the transferee to assure the work will be completed as specified. Any proposal to change the terms and conditions of a permit shall require a new permit.
14. The Permittee shall prevent the spread of weeds to surrounding lands and comply with the most current version of the Colorado Noxious Weed Act and Routt County regulations for noxious weeds.

SPECIFIC CONDITIONS:

15. The Special Use Permit (SUP) is valid for three years, including the reclamation phase, from the date of Board approval provided it is acted upon within one year of approval. The SUP shall be deemed to have automatically lapsed if the uses permitted herein are discontinued for a period of one (1) year. Extensions shall only be approved by the Board of County Commissioners.
16. This permit allows for:
 - a. 16 structures with 3 bedrooms each,
 - b. Maximum of 48 residents at any one time
17. All housing structures and associated infrastructures shall be removed and the land shall be reclaimed to the satisfaction of the Planning Director.
18. TWH units or rooms shall be for workers and families employed by Twentymile Mine and shall not be available for general rental.
19. Fire extinguishers shall be placed in each unit.

20. All disturbed area(s) must be reclaimed within one growing season as nearly as practicable to the original condition and shall be maintained to control dust, weeds and minimize erosion. A seed mix approved by CPW shall be utilized.
21. Topsoil piles to be used during reclamation shall not be stored in piles more than 1.5 meters tall.
22. No pets are allowed on site.
23. Routt County has the authority to close any county road at its sole discretion if damage to the road may occur by its use. To the extent that a road closure may affect Permittee's operations, Routt County will cooperate with Permittee to allow operations to be continued in a safe and practicable stopping point.
24. Routt County roads shall not be completely blocked at any time. If traffic regulation is deemed necessary, the Permittee shall notify the Routt County Road and Bridge Director, or designee thereof, in advance (if possible), who may then require a method of handling traffic in accordance with the Manual on Uniform Traffic Control Devices and approved by the Road and Bridge Director.
25. Routt County roads affected by this SUP will be inspected by the Routt County Road and Bridge Department at intervals determined by same. Any road damage repair or maintenance needs above and beyond typical maintenance, attributable to this use, shall be made by the County, or a third-party contractor as selected by the Routt County Road and Bridge Department and on a schedule determined by same. Road and Bridge shall inform permittee of such maintenance or repair activities prior to work being performed. Permittee shall solely bear the costs of repairs.
26. Permittee shall use and maintain the existing access to the property to minimize impacts to the County road system during the life of the Operations. No additional accesses will be granted. If another access is desired, an amendment to the permit shall be required.
27. There shall be no parking on County Road 51B or the corresponding right-of-way at any time. Parking shall be onsite only.
28. All trucks and equipment accessing from CR51B shall be able to exit and be located on private property and off of County road right of way before encountering a fence, gate or cattleguard. At a minimum, the distance from the County road right of way to any gate, fence or cattleguard shall be 1.5 times of the length of the longest vehicle.
29. In order not to create an upset situation at the wastewater treatment plant, a maximum of 6,400 gallons of waste per day shall be hauled off of the site. If an upset condition at the wastewater treatment plant occurs from the waste, an alternate facility shall be utilized until the upset condition has been resolved. If the permittee is not able to utilize the City of Craig for wastewater disposal, wastewater shall be deposited at the Twentymile Mine's wastewater treatment plant.
30. The applicant shall furnish surety in the amount of 150% of the cost of restoration of the site to guarantee site restoration. Such surety shall be in compliance with Routt County's Insurance and Surety Requirements Policy. An engineered cost estimate shall be provided for basis of the bond.
31. No outdoor storage of personal items shall be allowed.

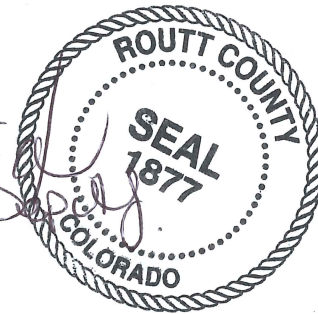
Permit Issued by the Routt County Board of Commissioners:

Tim Redmond
~~M. Elizabeth Melton~~, Chair
Tim Redmond

2/23/2023
Date

ATTEST:

Jenny L. Thomas
Jenny L. Thomas, Routt County Clerk and Recorder



ACCEPTED:

Pat Sollars
Pat Sollars, Permittee

11/8/22
Date