

AGENDA
OURAY COUNTY PLANNING COMMISSION
REGULAR MEETING & WORKSHOP

April 5, 2016, 6 – 8:00 p.m.
Meeting to be held at the Ouray County Land Use Office
111 Mall Road, Ridgway, Colorado

*If all agenda items are not covered in this time frame they may be continued until the next regular meeting. ***Times are approximate and subject to change***. If an item is finished early the Planning Commission will move directly to the next agenda item. If not a Public Hearing, public comment may or may not be taken during the meeting. Action may be taken at the conclusion of public hearings.*

I. Call to Order – Workshop of the Ouray County Planning Commission

1. The Planning Commission will continue their review of a potentially new section of the land use code pertaining to communication facilities.

II. Call to Order - Regular Meeting of the Ouray County Planning Commission

1. Request for approval of minutes; 3/15/2015
2. New business
3. Adjourn Regular Meeting

Copies of land use applications or workshop materials can be obtained at the Land Use Office at 111 Mall Road, Ridgway, CO; by calling 970.626.9775 or e-mailing mcastrodale@ouraycountyco.gov. Comments on the agenda items may be sent to Mark Castrodale, County Planner, P.O. Box 28, Ridgway, CO 81432

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COMMUNICATIONS FACILITIES

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MEMO

TO: Planning Commission
FROM: Mark Castrodale – Planning Director
DATE: March 29, 2016
SUBJ: New Code Section – Communications Facilities

Attached is the current/revised and formatted draft of the “Communications Facilities” code section. All changes from the last Planning Commission work session have been incorporated into the draft. The redline document displaying the suggested changes from the last work session is also attached for your reference. The formatted document contains proposed revisions (*shown as new red-lines*) that are not shown in the red-line/non-formatted document. These proposed revisions were made by Staff after the formatting of the draft document was completed.

Draft permit applications are attached to show the complete picture of the application/permitting process. These documents will not be included or approved as part of the public hearing process as codification is not required.

Also attached are drafts of revised sections **2** and **3** showing proposed changes that will be required subsequent to the adoption of the new section on communications facilities. The public hearing will be noticed to reflect the consideration of adoption of a new code section and modifications to 2 existing code sections.

This item is tentatively scheduled for public hearing on: **May 17, 2016**

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COMMUNICATIONS FACILITIES

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CODE

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SECTION 23
COMMUNICATIONS FACILITIES

23.1 PURPOSE AND LEGISLATIVE INTENT:

The purpose of this Code section is to establish guidelines for the siting of wireless, broadcast, wireless internet, digital television, and amateur (ie. *ham*) radio towers, antennas, ground equipment, and related structures.

Specifically, the purpose of this Code section is to:

- A. Allow sufficient and current communication in the County.
- B. Encourage co-location of facilities and avoid a proliferation of towers where possible.
- C. Locate communication towers, antennas, and related equipment and shelters, whereby adverse impacts on the County are minimized.
- D. Encourage design and construction of towers, antennas, and related facilities to minimize adverse visual impacts.
- E. Encourage communications providers to deliver services to the County effectively and efficiently.
- F. Promote the health, safety, and general welfare of the public by regulating the siting of wireless communications facilities.
- G. Establish predictable and balanced regulations governing the construction and location of wireless communications facilities, within the confines of permissible local regulations consistent with Federal law and regulations.
- H. Protect the character of the County while meeting the needs of its citizens to enjoy the benefits of communications services.
- I. To complete County permitting within the time frames established by Federal law and regulation.

23.2 PERMITTING AND ZONING:

- A. Communications facilities are permitted in all zoning districts, subject to the provisions of this Section with a Communications Facilities Permit (CFP) as provided for in this Section.
- B. All new communications facilities and modifications to existing facilities shall obtain approval and/or permitting as provided for in this Section. Approval shall be initiated by submittal to the Land Use Department of a Communications Facility Permit Application.
- C. A separate Special Use Permit is not required.
- D. The County may approve permits for new communications towers and facilities for a period of up to 20 years.

- E. Applications will be processed within the timeframes established by Federal law and regulation.

23.3 **DEFINITIONS:**

Words not defined herein shall be construed to have the meaning given by common and ordinary use, and shall be interpreted within the context of the sentence, Section, and Subsection in which they occur.

The word(s) “**map**” or “**zoning map**” means the Zoning Map of Ouray County.

ABANDONED – No longer in use and has not been in use for more than 365 days.

ALTERNATIVE TOWER STRUCTURE – Light/power poles, electric transmission towers, and similar natural or man-made alternative design mounting structures that camouflage or conceal the presence of antennas or towers.

ANTENNA – Any exterior apparatus designed for wireless telecommunication, radio or television communications through the sending and/or receiving of electromagnetic waves.

BLEND – That which does not stand in stark contrast to the immediate surroundings.

CO-LOCATION – The placement of the antennas of two or more service providers upon a single tower or alternative tower structure.

C.O.W. – Acronym for “*Carrier On Wheels*”. Communications equipment mounted on a vehicle, trailer, or other similar apparatus, intended to provide temporary service during maintenance or outage.

DEPARTMENT – The Ouray County Land Use Department.

EQUIPMENT SHELTER – A permitted structure, built to house communications and associated equipment, that supports a communications installation.

EXISTING STRUCTURES – Those communications related structures which were in place prior to the adoption of this Code section.

F.A.A. – The Federal Aviation Administration.

F.C.C. – The Federal Communications Commission.

FACILITIES / SUPPORT STRUCTURES – Something designed, built, installed, etc. related to a communications equipment installation.

GOVERNING AUTHORITY – The Board of County Commissioners, of Ouray County.

HEIGHT – When referring to a tower or other structure, the term *height* shall mean the distance measured from the ground level to the highest point on the tower structure or appurtenance.

MONOPINE TOWER – See “Stealth Tower”.

MONOPOLE TOWER – Any structure designed to support antennae and which consists solely of a stand-alone ground mounted support pole or pipe, without guy or other supporting wires.

NON-SUBSTANTIAL (change) – As defined in §4225 of the Middle Class Tax Relief and Job Creation Act of 2012 as may be amended or superseded.

PHOTO-SIMULATION – A facsimile of a building or structure, superimposed on to an actual photo of a proposed site, area, or location, typically produced in a software package such as Adobe Photoshop.

PUBLIC OFFICER – Shall mean the Planning Director or other representative of the Land Use Department.

R.F. – Electromagnetic wave frequencies that lie in the range extending from around 3khz to 300Ghz.

REPLACEMENT – A substitution of an existing item for a new, different, or revised item.

STEALTH TOWER – A communications structure consisting of a tower and antennae that have been designed to effectively blend in with the existing environment by use of camouflaging techniques, such as a faux tree or similar.

SUBSTANTIAL (change) - As defined in §4225 of the Middle Class Tax Relief and Job Creation Act of 2012 as may be amended or superseded.

TEMPORARY EQUIPMENT – Items installed at or in a communications facility for a particular purpose, but not intended or approved by the County to be part of the permanent structure or overall facility installation.

TOWER – Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telecommunication towers, man-made trees (with accessory buildings/structures) and other similar structures.

23.4 REQUIREMENTS FOR COMMUNICATIONS FACILITIES APPLICATIONS:

A. Federal Requirements

All towers must meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the Federal government with the authority to regulate towers and antennas. If these Federal laws and regulations are changed, the owners of the towers and antennas governed by these regulations shall bring such towers and antennas into compliance with such revised Federal laws and regulations, as provided by the controlling Federal agency.

B. Planned Unit Developments/Subdivisions

New communications towers and their associated support facilities are prohibited in County-approved PUD's and subdivisions. New tower structures to be located within 1 mile of a PUD or subdivision are limited to a maximum height of 50 feet. Amateur Radio (HAM) towers and facilities are allowed in PUDs/Subdivisions, as provided for in this Section.

C. Inventory of Existing Sites

To facilitate the co-location of antennas, each applicant seeking to locate a new tower, alternative tower structure/antenna, or proposing a substantial modification of any such existing structure, shall provide to the Department an inventory of any existing towers or alternative tower structures within the same functional RF area or region.

- (1) The inventory shall include all such structures that are within the jurisdiction of the County; within a municipality located, in whole or in part, within the County; and shall include specific information about the location (latitude and longitude coordinates), height, design, tower type and general suitability for antenna co-location of each tower, and other pertinent information as may be required by the Department.
- (2) The Department may share such information with other applicants for a cellular communications structure under this regulation or other organizations seeking to locate towers or antennas within the jurisdiction of the governing authority; provided, however that the Department is not, by sharing such information, in any way representing or warranting that such sites are available or suitable.

D. Co-location; Design Requirements

In addition to all applicable building and the County Land Use regulations, all towers, except amateur radio towers, shall be designed and installed to accommodate the co-location of additional cellular communications equipment.

E. Co-location; Availability of Suitable Existing Structures

No new tower, except amateur radio towers, shall be permitted unless the applicant demonstrates to the satisfaction of the Department that no existing tower or existing alternative tower structure can accommodate the applicant's proposed communications equipment/antenna(s). All evidence submitted shall be signed by appropriate licensed professionals or qualified industry experts. Evidence submitted to demonstrate that no existing tower or structure can accommodate the proposed equipment/antenna(s) shall consist of one or more of the following:

- (1) Existing towers or suitable alternative tower structures are not located within the area required to meet the applicant's technical requirements.
- (2) Existing towers or structures are not of sufficient height to meet the applicant's technical requirements.
- (3) Existing towers or structures do not have sufficient structural strength to support the applicant's antenna and related equipment.
- (4) The applicant's proposed equipment/antenna(s) would cause electromagnetic interference with ~~the~~ equipment/antenna(s) on the existing towers or structures, or the equipment/antenna(s) on the existing towers or structures would cause interference with the applicant's proposed equipment/antenna(s).
- (5) The cost or contractual provisions that would be imposed on the applicant to share an existing tower or structure or to adapt an existing tower or structure exceed the costs of new tower development.
- (6) The applicant adequately demonstrates that there are other limiting factors that render existing towers and structures unsuitable.

F. Tower Height Restrictions

- (1) Communications towers and related facilities are presumed to have a maximum height of 50-feet.
- (2) Proposals for towers at a height of greater than 50 feet must include RF analysis or other technical data that supports the requirement for an extended tower height.
- (3) Applicants must also demonstrate that a multi-tower approach is not technically feasible; cost alone is not determinative of feasibility.
- (4) Applicants proposing towers at a height of greater than 50 feet may be required to reimburse the County for additional costs related to review by a qualified engineer.
- (5) No towers shall be allowed at a height greater than 180 feet.

G. Aesthetics

The guidelines set forth in this Section shall govern the design and construction of all towers, and the installation of all antennas:

- (1) All new or total replacement tower/antenna structures shall be designed as alternative tower structures or stealth towers unless otherwise approved by the County. Proposed tower stealth or camouflage design and elements must be approved by the BOCC.
- (2) All towers or antennas other than those designed as stealth, or amateur radio towers, shall be a matte, dark, durable finish to reduce visual obtrusiveness.
- (3) For tower sites, the design of all buildings and related structures shall use materials, colors, textures, screening, and landscaping that will blend the tower facilities to the natural setting and building environment.
- (4) For antennas installed on a structure other than a tower, the antenna and supporting electrical and mechanical ground equipment shall be of a dark color so as to make the antenna and related equipment visually unobtrusive.
- (5) Towers shall not be artificially lighted, unless required by the FAA or other applicable authority. If lighting is required, the governing authority shall review the available lighting alternatives and approve the design that would cause the least disturbance to the surrounding views.
- (6) No signage or other identifying markings of a commercial nature shall be permitted upon any tower or alternative tower structure within the County, unless otherwise required by a governmental authority.
- (7) For alternative tower structures, the co-location design requirement may be waived by Staff.
- (8) In addition to approval as set forth in this Section, all wireless concealment structures require issuance of a building permit.

H. Setbacks

The following setbacks shall apply to all communication towers:

- (1) Tower setbacks from property lines shall be a distance equal to the height of the tower, or, must meet the minimum setback requirement for the zoning district, whichever is greater.
- (2) Guywires, accessory buildings and facilities shall meet the minimum building setback requirements as set forth in this Code.
- (3) All structures shall meet the setback, screening, and buffer requirements contained herein.
- (4) Structures and towers shall be located a minimum distance of two (2) times the height of the tower from any residential or commercial structure including homes, businesses, garages, and greenhouses.

I. Fencing

Fencing proposed by Applicant and approved by the County shall be of materials that blend with the surroundings. Any installed fencing shall be properly maintained.

J. Landscaping

- (1) The BOCC shall have the authority to impose landscaping requirements related to any proposed antenna/tower site, ~~with the exception of amateur radio installations.~~
- (2) Required landscaping shall be consistent with surrounding vegetation and shall be properly maintained by the facility owner or leased tenant.
- (3) The BOCC may choose to not require landscaping for sites that are not visible from the public right-of-way or adjacent property or in instances where in the judgement of the BOCC landscaping is not appropriate or necessary.
- (4) The BOCC shall consider wildfire implications when imposing requirements for landscaping.

K. Additional Requirements

- (1) Applicant must submit evidence that demonstrates the proposed facility or facility modification does not create undue impacts to surrounding areas. Potential impacts include, but are not limited to: water pollution, offensive noise, vibration, smoke, dust, odors, heat, glare, or other objectionable impacts beyond the boundaries of the property where the facility is located.
- (2) Applicant must submit evidence that demonstrates that legal access and all utilities required to serve the proposed use are available.
- (3) Applicant must submit evidence that demonstrates the proposed facility will not unreasonably impact wildlife or significant wildlife habitat.
- (4) Applicant must submit evidence that demonstrates the proposed facility will not alter, restrict, inhibit, or interfere with historic irrigation practices, headgates, ditches, and ditch rights-of-way.

- (5) Applicant must submit evidence that demonstrates the proposed facility is not located within any area subject to potential geo-hazards, including, but not limited to: rockfall areas, avalanches, landslide, potential unstable slopes, slopes greater than 30%, alluvial/colluvial fans, talus slopes, shale, faults, expansive soils, or ground subsidence.
- (6) Applicant must submit evidence that demonstrates the proposed facility has no chemical or other contamination. If the property is contaminated, a mitigation plan must be presented that would satisfactorily resolve the contamination.
- (7) Applicant must submit evidence that demonstrates the proposed facility would not have a material adverse effect on the surrounding area.
- (8) Applicant must submit evidence that demonstrates the proposed facility will not create impacts on existing infrastructure beyond what would be created by a use-by-right, or, evidence that such impacts will be sufficiently mitigated.
- (9) Applicant must submit a weed management/mitigation plan if required by the County Weed Manager.

Note: The County may require qualified professional geologic or engineering certification that the proposed tower facility and associated structures ~~and use~~ can be located ~~or~~ developed in a safe manner.

L. Pre-Existing Towers and Facilities

Towers and facilities in existence prior to the adoption of this Section may be allowed to continue in their current state, provided however that any modification to a pre-existing communications tower and/or facility must be in substantial conformance with this Code. Pre-existing towers and facilities are allowed to conduct typical maintenance and upkeep of such facilities.

M. Change of Ownership Notification

Upon the transfer of ownership of any tower, alternative tower structure, or lot upon which such a structure has been erected, the tower permittee shall notify the Department of the transaction in writing within 30 days.

N. Written Notification of Denial

- (1) Within thirty (30) days of the receipt of an application, the Department shall either:
 - a) send written notice to the Applicant that the application is complete and shall be processed according to this Section; or
 - b) send written notice informing the Applicant that the application does not meet submittal requirements, stating the specific deficiencies.
- (2) If the Department informs an Applicant of an incomplete application within thirty (30) days of submittal, the overall timeframe for review is suspended until such time that the Applicant provides the requested information.

23.5 HEARINGS, NOTICE, AND SCHEDULING:

- A. If the request for a Communications Facilities Permit is located within an Urban Growth Management Area or an Area of Influence, the request shall also be submitted to the adjacent municipality for review and comment. Any such comments shall be provided to the Department within thirty (30) days of transmittal of the application to the municipality.
- B. After the receipt of a complete application for a Communications Facility Permit by the Land Use Department, the permit application shall be considered at the next available Planning Commission agenda or, if the request is located within an Urban Growth Management Area or Area of Influence the appropriate Joint Planning Board shall review the request.
 - (1) The Planning Commission or Joint Planning Board shall review the application and shall recommend approval, recommend approval with conditions, or recommend denial of the application if it does not meet the requirements of this Code and the action shall be in the form of a motion as noted in the minutes.
 - (2) Staff shall forward such recommendation to the BOCC.
 - (3) If the Planning Commission or the Joint Planning Board is unable to make a recommendation on the Permit application within 14 days of the scheduled public hearing, the application shall be forwarded to the BOCC for a public hearing.
- C. Before granting a Communications Facility Permit, the County Commissioners shall hold a public hearing on the matter.
 - (1) Notice of such hearing shall be published at the expense of the Applicant, in a newspaper of general circulation within Ouray County at least fourteen (14) days prior to the hearing date.
 - (2) Written notice of the hearing shall be provided by the Applicant at least fourteen (14) days prior to the hearing date to all properties within 500 feet of the subject lot or parcel.
 - (3) On-site notice of any pending Communications Facility Permit application, in a form approved by the Department, shall be posted on the property where the use is proposed at least thirty (30) days prior to the BOCC hearing date.

Note: Such notice shall be maintained on the property by the Applicant until final action on the application has been made and the notice shall be visible from each road frontage of the property. Proof of proper posting of the notice shall be verified as determined by Staff.
 - (4) At the public hearing, the BOCC shall review the Communications Facility Permit application and any supporting materials or referrals from the Planning Commission or the Joint Planning Board, in accordance with this Section. The BOCC shall, by resolution, approve, approve with conditions or modifications, or deny the application.

23.6 EXCEPTIONS / VARANCE:

- A. For applications proposing a new tower/facility, rather than co-location on an existing tower, see Section ~~12X.X~~ for additional information regarding a variance or exception.

- B. For an Applicant seeking ~~to appeal an exception or variance based upon~~ Staff's denial of an application ~~to the Board of Adjustment, due to Land Use/Zoning issues,~~ refer to Section ~~12~~ ~~X-X~~ for process and requirements.

23.7 FEES FOR COMMUNICATION FACILITY APPLICATIONS:

Application fees for Communications Facilities Permits, or renewal fees of Communications Facilities Permits, will be in accordance with the County's current fee schedule.

Note: If it is determined by the County that it is necessary to consult with a third-party in considering the factors listed in this Section, all reasonable costs and expenses associated with such consultation shall be borne by the Applicant.

23.8 PERMIT TERMS AND RENEWAL:

- A. After a Communications Facility Permit has been issued, it shall be effective for a term of up to twenty (20) years, as determined by the BOCC. The Applicant shall be responsible for contacting the Department regarding the renewal of the Communications Facility Permit.
- B. In the event that the Applicant shall fail to contact the Department for renewal of a Special Use Permit within one-hundred eighty (180) days of the expiration of the permit, such permit may be revoked or suspended. If the permit is revoked, the Applicant shall be allowed to re-apply for a new permit according to the then existing requirements of this Code.

23.9 EVALUATION – SUBSTANTIAL VS. NON-SUBSTANTIAL MODIFICATIONS:

Staff may administratively approve tower modifications that are deemed to be non-substantial under Federal guidelines (Federal Statutes, Regulations, and FCC Interpretation).

23.10 BUILDING PERMIT REQUIRED:

- A. All new towers, new structures, new support facilities, and new equipment shelters require issuance of a building permit prior to commencing construction.
- B. In addition to a completed Building Permit Application form, all submittals for building permits must include at a minimum, the following elements:
- (1) Scaled Site Plan – Showing location and dimensions of all improvements including:
 - (2) Topography (minimum 2-foot contours)
 - (3) Tower or structure height
 - (4) Setbacks, access driveways, related easements
 - (5) Parking

- (6) Fencing
- (7) Landscaping
- (8) Adjacent uses (including any residential structures)
- (9) Scaled elevation view and supporting drawings
- (10) Calculations including wind and pole calculations
- (11) Warranty deed and lease agreement
- (12) Footing design stamped by a licensed professional engineer

Note: Modifications to existing communications facilities deemed to be non-substantial by Staff do not require issuance of a building permit.

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23.11 MAINTENANCE AND TEMPORARY EQUIPMENT:

- A. Owners, manager, and lessee of communications facilities may conduct maintenance of such facility with prior approval from Staff.
- B. Typical maintenance may include the repair of a tower, antenna, communications equipment, or other repair of any existing facility component(s).
- C. Maintenance may also include the replacement of tower or facility equipment or components, providing the replacement is the same number of components and of equal or smaller dimensions of the item being replaced.
- D. Maintenance of communications facilities may also include the temporary use of COWs or other temporary equipment for a period not to exceed 90 days.

Notes: The use of temporary equipment for a period exceeding 90-days requires prior approval by Staff. The use of equipment for emergency repairs requires notification to Staff within 72 hours of implementation.

23.12 AMATEUR RADIO (HAM) TOWERS AND FACILITIES:

- A. Amateur radio towers and antennas are limited to a maximum height of 35 feet except as otherwise provided by Federal law or regulation, and do not require prior approval from the County.

~~B. All amateur radio towers and antennas must be non-reflective in color/finish.~~

~~B.~~ All amateur radio towers must be set back from any property line, at a minimum, a distance equal to the height of the tower, or a minimum of 25 feet, whichever is greater.

~~D-C.~~ Amateur radio operators wishing to erect a tower at a height greater than 35 feet may apply to the Department for approval prior to erecting such tower. Applications for variance in amateur radio tower height restrictions must include sufficient justification. Variance applications must show proof of notification to any applicable home owners association(s).

~~F.~~ D. Modifications to existing amateur radio towers require prior approval by Staff.

Notes: Staff may at their discretion forward any such requests to the BOCC for final approval. Also, amateur radio operators are strongly encouraged to research possible homeowners association covenants and regulations that may affect the installation of radio equipment and towers in their area.

23.13 REMOVAL OF ABANDONED ANTENNAS OR TOWERS:

- A.** Any tower or antenna that is not operated for twelve (12) consecutive months shall be considered abandoned, and the owner of such antenna or tower shall remove the structure within ninety (90) days of receipt of notice from the Department notifying the owner of such abandonment.
- B.** If said tower or antenna is not removed within ninety (90) days, it may be subject to enforcement action.

23.14 CONFLICT WITH OTHER LAWS:

If the Ouray County codes or regulations are in conflict with Federal law or regulations, Federal law or regulations shall control.

Note: Where HOA covenants/CCRs are more restrictive, they may control to the extent they are not inconsistent with State law or Federal laws or regulations, but such covenants may be enforced by an HOA. The County does not enforce HOA covenants.

23.15 SEVERABILITY:

- A.** In the event any article, section, sentence, clause or phrase of this Section shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect the other articles, sections, sentences, clauses or phrases of this Section, which shall remain in full force and effect, as if the article, section, sentence, clause, or phrase so declared or adjudged invalid or unconstitutional were not originally a part thereof.
- B.** The BOCC hereby declares that it would have adopted the remaining parts of this Section if it had known that such part or parts thereof would be declared or adjudged invalid or unconstitutional.

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COMMUNICATIONS FACILITIES

SECTION

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Section 2 - DRAFT

DEFINITIONS

Words and terms used in this Code shall be interpreted in accordance with the following definitions:

COMMUNICATIONS FACILITY. A fixed structure, including a) all installed electrical and electronic wiring, cabling, and equipment and b) all supporting structures, such as towers, utilities, ground network, electrical supporting structures, and equipment shelters.

PUBLIC UTILITY. Transmission, generation and storage and treatment facilities of providers of electrical, water, gas, ~~telephone and cable TV services~~ and other like services.

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COMMUNICATIONS FACILITIES

SECTION

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SECTION 3

ZONING

3.1 PURPOSE AND INTENT

- A. The zoning provisions that follow have been adopted to achieve the purposes set forth in Section 1.
- B. To allow gradual, long-term population and economic growth in Ouray County in a manner that does not harm the County's irreplaceable scenic beauty, wildlife, air and water resources, and other environmental qualities and that does not unduly burden the County's residents or its governments.
- C. The intent of the County zones is to achieve across the zones, the overall goal of the Master Plan. This goal includes, in alphabetical order, specific goals for agricultural lands, county/municipal relationships, economic development, housing, natural resources, rural character, tourism, transportation, utilities, visually significant areas, and wildlife and plant habitats.
- D. The specific intent of each of the zones that follow shall be read in conjunction with the combination of the Master Plan's overall and specific goals, and provide general guidance with regard to specific uses within each zone.

3.2 ZONING DISTRICTS, MAPS AND BOUNDARIES

- A. The zones established by the Code are identified on the basis of the physical character of the County combined with the pertinent information about existing land use and ownership patterns and the needs of a stable and growing economy.
- B. All Zones shall be designated on the "Official Zoning Map of Ouray County" which is on file in the records of the County Clerk and Recorder. A copy of the map is attached to this Code and, in the event of any conflict between the copy and the map on file in the County records, the latter shall be conclusively deemed to prevail.

3.3 USES BY RIGHT AND SPECIAL USES

- A. In each zone there are uses permitted by right and special uses which may be allowed on a site specific basis though a permitting process. These uses have been determined in each zone according to the unique characteristics of the zone.
- B. Uses allowed by right are allowed automatically, although construction of new structures may require a Site Development Permit and a building permit pursuant to Section 19 of this Code.
- C. Permits for special uses may be requested according to the procedures in Section 5. The criteria for approval of a special use are more specifically explained in Section 5.2.

3.4 USES NOT LISTED.

- A. Upon application, or by its own initiative, the BOCC may, in accordance with Section 14.5, by resolution add to either the uses by right or by special permit listed for a zoning district based on these criteria:
- (1) Such use is appropriate to the physiographic and general environmental character of the zone to which the use is added.
 - (2) Such use is compatible with other permitted uses in the zone and does not create any more offensive noise, vibration, dust, heat, smoke, odor, glare, or other objectionable influences, or more traffic, hazards, or alterations to the zone than the minimum amount normally resulting from the other uses permitted in the zone.

3.5 ESTABLISHMENT OF ZONES

- A. The County is hereby divided into eight (8) zones, as follows:
- (1) Alpine
 - (2) Colona
 - (3) High Mesa
 - (4) North Mesa
 - (5) Public Lands
 - (6) South Mesa
 - (7) South Slope
 - (8) Valley

3.6 RESIDENTIAL DENSITY

- A. Maximum residential densities for each Zone shall be as follows:
- | | |
|----------------------|------------------------------|
| (1) Alpine Zone | 1 Dwelling Unit per 35 Acres |
| (2) Colona Zone | 7 Dwelling Units per Acre |
| (3) High Mesa Zone | 1 Dwelling Unit per 35 Acres |
| (4) North Mesa Zone | 1 Dwelling Unit per 6 Acres |
| (5) South Mesa Zone | 1 Dwelling Unit per 6 Acres |
| (6) South Slope Zone | 1 Dwelling Unit per 6 Acres |
| (7) Valley Zone | 1 Dwelling Unit per 35 Acres |

3.7 CONSTRUCTION, MAXIMUM BUILDING AND STRUCTURE HEIGHT

In all zones, the maximum height of a building or other structure shall not exceed thirty-five (35) feet, unless a height of less than thirty-five (35) feet is required within an approved PUD, or as otherwise provided in a Special Use Permit or **Communications Facility Permit**. (See Definitions – Section 2 **and Communications Facilities – Section 23** for more information)

Construction of structures in all zones may have additional requirements, including setbacks, as provided elsewhere in this Code. Property owners should consult with Land Use staff concerning applicability of other requirements before commencing design or construction.

3.8 ZONES.

A. Alpine Zone:

The intent of the Alpine Zone is to preserve the natural beauty, wildlife habitat, and recreational, historic and archeological values of high altitude areas and manage the County's natural resources in a manner that is both environmentally sound and protects private property rights, while allowing mining, agriculture, forestry, recreation, and limited low density residential and resort/conference center development.

(1) Uses Allowed by Right:

- (a) Underground mining subject to state and federal permitting
- (b) Accessory uses and structures to any other use by right and any permitted use
- (c) Farming/Ranching
- (d) Home occupation
- (e) Non-commercial camping
- (f) Non-commercial logging
- (g) Single-family dwelling unit (maximum density of one unit per 35 acres) on parcels not previously approved by the County as part of a Planned Unit Development (PUD).

(2) Uses Allowed by Special Use or other County-Issued Permit:

- (a) Bed and breakfast
- (b) Cemetery
- (c) Church
- (d) Commercial camping

Revised: Communications Facilities 03/29/2016

- (e) Commercial equestrian activity
 - (f) Commercial logging
 - (g) Commercial outdoor recreation use – day use
 - (h) Governmental facility
 - (i) Guest ranch
 - (j) Home business
 - (k) Livery or horse rental operation
 - (l) All mineral extraction and processing operations except those allowed by right
 - (m) Oil and gas exploration and facilities pursuant to Section 21 of this Code
 - (n) Public park or wildlife preserve
 - (o) Public utility
 - (p) Public service facility
 - (q) Sand and gravel operation
 - (r) School
 - (s) Temporary use
 - (t) Wildlife Rehabilitation Facility
 - (u) Communications facilities**
- (3) Planned Unit Development:**
- (a) Resort/Conference Center PUD
 - (b) Regular PUD – as established by Section 6 of this Code
- (4) Minimum Lot Size:**
- (a) All uses, except as otherwise provided for in this Code - thirty-five (35) acres
 - (b) Special uses – as established by Section 5 of this Code
- (5) Required Setbacks:**
- (a) All structures shall be located at least twenty-five (25) feet from any property lines unless approved otherwise in a PUD
 - (b) For lots and parcels that have an area of two (2) acres or less, the minimum setback for structures shall be ten (10) feet from the side and back property lines and twenty-five (25) feet from the front property line

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- (c) No structure may be closer than one hundred (100) feet from the centerline of U.S. Highway 550 or Colorado Highway 62, if visible from such highways

B. Colona Zone:

The intent of the Colona Zone is to maintain an area of high-density residential development (one unit per 6,000 square feet) and commercial activity.

(1) Uses Allowed by Right:

- (a) Single-family dwelling units
- (b) Accessory uses and structures to any other use by right and any permitted use
- (c) Home Occupation

(2) Uses Allowed by Special Use or other County-Issued Permit:

- (a) Church
- (b) Commercial use
- (c) Government facility
- (d) Home Business
- (e) Multi-family dwelling
- (f) Oil and gas exploration and facilities pursuant to Section 21 of this Code
- (g) Public service facility
- (h) Public utility
- (i) School
- (j) **Communications facilities**

(3) Planned Unit Development: Regular PUD (maximum density of 7 units per acre).

(4) Minimum Lot Size: Lot size shall not be less than fifty (50) feet by one hundred twenty (120) feet. Larger lot sizes may be required to meet requirements for adequate sewage disposal.

(5) Floor-to-Lot Ratio: For all uses, maximum floor-to-lot ratio shall not exceed 1:1.

- (6) Required Setbacks:** All structures shall be at least twenty (20) feet from any street or highway right-of-way (except alleys) and at least ten (10) feet from all other property lines.

C. High Mesa Zone:

The intent of the High Mesa Zone is to encourage agricultural production, preserve areas for wildlife migration and habitat, and scenic, historical and archeological values, and to allow low density residential development that does not adversely impact the significant vegetative, wildlife, historic, archeological and scenic values of the Zone.

(1) Uses Allowed By Right:

- (a) Farming/ranching
- (b) Single family dwelling unit (maximum density of one unit per 35 acres) on parcels not previously approved by the County as part of a PUD
- (c) Non-commercial logging
- (d) Accessory uses and structures that are accessory to any other use by right and any permitted use
- (e) Home occupation
- (f) Non-commercial camping

(2) Uses Allowed by Special Use or other County-Issued Permit:

- (a) Bed and breakfast
- (b) Cemetery
- (c) Church
- (d) Commercial camping
- (e) Governmental facility
- (f) Guest ranch
- (g) Home Business
- (h) Mineral Operation
- (i) Oil and gas exploration and facilities pursuant to Section 21 of this Code
- (j) Public park or wildlife preserve
- (k) Public service facility
- (l) Public utility

- (m) Sand and gravel operation
- (n) School
- (o) Temporary use
- (p) Wildlife rehabilitation facility
- (q) **Communications facilities**

(3) Minimum Lot Size:

- (a) Single family dwellings – thirty-five (35) acres
- (b) Special uses – as established by Section 5 of this Code
- (c) Regular PUD – as established by Section 6 of this Code

(4) Required Setbacks: All structures shall be located at least twenty-five (25) feet from any property lines, unless a greater setback is required within an approved PUD.

D. North Mesa Zone:

The intent of the North Mesa Zone is to preserve areas for wildlife mitigation and habitat and allow up to six acre residential density (medium density) that is not impacted by geological hazards.

(1) Uses Allowed by Right:

- (a) Single family dwelling units (maximum density of 1 unit per 35 acres)
- (b) Accessory uses and structures that are accessory to any other use by right and any permitted use
- (c) Home occupations
- (d) Farming/ranching
- (e) Non-commercial camping

(2) Uses Allowed by Special Use or other County-Issued Permit:

- (a) Bed and breakfast
- (b) Cemetery
- (c) Church
- (d) Governmental facility
- (e) Guest ranch

- (f) Home business
- (g) Oil and gas exploration and facilities pursuant to Section 21 of this Code
- (h) Public park or wildlife preserve
- (i) Public service facility
- (j) Public utility
- (k) Sand and gravel operation
- (l) School
- (m) Temporary use
- (n) Wildlife rehabilitation facility
- (o) Communications facilities**

(3) Planned Unit Development:

- (a) Limited PUD (maximum - one unit per 13 acres)
- (b) Regular PUD (maximum - one unit per 6 acres)

(4) Minimum Lot Size:

- (a) Single family dwelling (outside of a PUD) thirty-five (35) acres
- (b) Planned unit developments – as established by Section 6 of this Code
- (c) Special uses – as established by Section 5 of this Code

(5) Required Setbacks: All structures shall be located at least twenty-five (25) feet from any property lines unless a greater setback is required within an approved PUD.

E. Public Lands Zone:

Only lands that are NOT owned by Federal or State entities are subject to this Zone and regulations. The intent of the Public Lands Zone is to preserve and protect private lands that are not publicly owned and managed by Federal or State entities in the Zone from future development, thereby providing visual and recreational enjoyment for the County's present and future residents as well as for visitors.

(1) Uses Allowed by Right:

- (a) Farming/ranching
- (b) Non-commercial camping

(c) Underground mining

(2) Uses Allowed by Special Use or other County-Issued Permit:

(a) Commercial camping

(b) Commercial logging

(c) Governmental facility.

(d) Oil and gas exploration and facilities pursuant to Section 21 of this Code

(e) Public park and wildlife preserve

(f) Public service facility

(g) Public utility

(h) Wildlife rehabilitation facility

(i) Communications facilities

(3) Minimum Lot Size: Thirty-five (35) acres

(4) Required Setbacks: All structures shall be located at least twenty-five (25) feet from any property lines

F. South Mesa Zone:

The intent of the South Mesa Zone is to allow medium density and, where appropriate, high density (including commercial) development if all appropriate infrastructure is available. The purpose is to meet the overall Master Plan goal of allowing gradual, long-term population and economic growth without harming the County's irreplaceable environmental qualities and unduly burdening the County residents or governments.

(1) Uses Allowed by Right:

(a) Single-family dwelling units (maximum density of one unit per thirty-five (35) acres)

(b) Accessory uses and structures that are accessory to any other use by right and any permitted use

(c) Home occupations

(d) Non-commercial camping

(2) Uses Allowed by Special Use or other County-Issued Permit:

Revised: Communications Facilities 03/29/2016

- (a) Bed and breakfast
- (b) Church
- (c) Commercial uses (as allowed in approved planned unit developments)
- (d) Governmental facility
- (e) Home business
- (f) Oil and gas exploration and facilities pursuant to Section 21 of this Code
- (g) Public park
- (h) Public service facility
- (i) Public utility
- (j) Sand and gravel operation
- (k) School
- (l) Temporary use
- (m) Communications facilities**

(3) Planned Unit Development:

- (a) Limited PUD (maximum - one unit per 13 acres)
- (b) Regular PUD (maximum - one unit per six acres)

(4) Minimum Lot Size:

- (a) Single-family Dwellings (outside a PUD) – thirty-five (35) acres
- (b) Planned unit developments – as established by Section 6 of this Code
- (c) Special uses – as established by Section 5 of this Code

(5) Required Setbacks: All structures shall be located at least twenty-five (25) feet from any property line unless otherwise approved in a PUD or subdivision. For lots and parcels that have an area of two (2) acres or less, the minimum setback for structures shall be ten (10) feet from the side and back property lines and twenty-five (25) feet from the front property line.

G. South Slope Zone:

The intent of the South Slope Zone is to preserve areas for wildlife migration and allow up to six acre residential development (medium density) that is not impacted by geologic hazards.

(1) Uses Allowed by Right:

- (a) Single-family dwelling units (maximum density one unit per thirty-five (35) acres (Unless otherwise approved in a County PUD process)
- (b) Accessory uses and structures that are accessory to any other use by right and any permitted use
- (c) Farming/ranching
- (d) Home occupation
- (e) Non-commercial camping

(2) Uses Allowed by Special Use or other County-Issued Permit:

- (a) Bed and breakfast
- (b) Governmental facility
- (c) Home business
- (d) Oil and gas exploration and facilities pursuant to Section 21 of this Code
- (e) Public park and wildlife preserve
- (f) Public service facility
- (g) Public utility
- (h) Temporary use
- (i) Communications facilities**

(3) Planned Unit Development:

- (a) Limited PUD (maximum - one unit per 13 acres)
- (b) Regular PUD (maximum - one unit per 6 acres)

(4) Minimum Lot Size:

- (a) Single-family dwellings (outside a PUD) thirty-five (35) acres
- (b) Planned unit developments – as established by Section 6 of this Code
- (c) Special uses – as established by Section 5 of this Code

(5) Required Setbacks:

All structures shall be located at least twenty-five (25) feet from any property lines unless a greater setback is required within an approved PUD.

H. Valley Zone:

The intent of the Valley Zone is to protect and preserve visually significant and sensitive areas of the County, maintain its overall rural character, and/or encourage the continued use of the lands for agricultural productivity.

(1) Uses Allowed by Right:

- (a) Farming/ranching
- (b) Single-family dwelling units (maximum density of one unit per 35 acres)
- (c) Accessory uses and structures that are accessory to any other use by right and permitted use
- (d) Home Occupation
- (e) Non-commercial camping

(2) Uses Allowed by Special Use or other County-Issued Permit:

- (a) Bed and breakfast
- (b) Cemetery
- (c) Church
- (d) Commercial equestrian activity
- (e) Commercial outdoor recreation – day use
- (f) Governmental facility
- (g) Guest ranch
- (h) Home business
- (i) Livery or horse rental operation
- (j) Oil and gas exploration and facilities pursuant to Section 21 of this Code
- (k) Public service facility
- (l) Public utility
- (m) Sand and gravel operation
- (n) School
- (o) Temporary use
- (p) Wildlife rehabilitation facility
- (q) Historical museum
- (r) Communications facilities**

(3) Minimum Lot Size:

- (a) Regular PUD – as established by Section 6 of this Code
- (b) All uses except as otherwise provided for in this Code – thirty-five (35 acres)
- (c) Special uses – as established by Section 5 of this Code

(4) Required Setbacks: All structures shall be located at least fifty (50) feet from any property lines unless otherwise approved in a PUD. For lots and parcels that have an area of two (2) acres or less, the minimum setbacks for structures shall be ten (10) feet from the side and back property lines and twenty-five (25) feet from the front property line. No structure may be closer than one hundred (100) feet from the centerline of U.S. Highway 550 or Colorado Highway 62.

3.9 OVERLAY DISTRICTS

A. Intent and purpose: Due to continued growth pressures, there is an increased desire for coordination between the Municipalities and the County to promote the efficient use of services and protection of open lands, agricultural lands, alpine lands and community identities. It is therefore the intent and purpose of the Overlay Districts to establish districts and create a process to jointly review development on unincorporated property surrounding the Town of Ridgway and the City of Ouray.

B. Definitions:

- (1) Area of Influence (“AOP”).** An area of unincorporated land wherein development or use of land has an impact upon the adjoining municipality.
- (2) Urban Development.** Development that conforms to the standards of moderate and high density residential, commercial/industrial or tourist land use categories, which is typical to urbanized areas. Urban development also includes the types of services that are generally required to support that development such as central potable water, storm water systems, central sanitary sewer systems, quick-response fire and police protection, urban level street design and maintenance, parks and recreation programs, open space and undeveloped parks, urban level retail and commercial development and other similar services that are typically provided by cities and towns.
- (3) Urban Growth Management Area (“UGMA”).** An area of unincorporated land adjacent to a municipality in which urban development may be allowed when annexed by the municipality. The Urban Growth Management Area includes an area sufficient to provide for ten to twenty-five years of anticipated and desirable urban growth and development for the adjacent municipality.

C. **Establishment of Overlay Districts.** The following Overlay Districts are hereby established:

- (1) The Ridgway UGMA
- (2) The Ridgway AOI
- (3) The Ouray UGMA
- (4) The Ouray AOI

D. **Overlay Districts:** All Overlay Districts shall be designated on the “Official Zoning Map of Ouray County” which is on file in the records of the County Clerk and Recorder. A copy of the map is attached to this Code and in the event of any conflict between the copy and the map on file in the County records, the latter shall be conclusively deemed to prevail.

E. **District Uses and Requirements.**

- (1) Within the Ridgway AOI and the Ouray AOI, the following uses are allowed:
 - (a) All uses allowed by right shall be permitted within the underlying Zone(s), as stated under Section 3 of this Code.
 - (b) Uses allowed by special use permit and PUD’s within the underlying Zone, as stated under Section 3 of this Code, may be permitted, upon review and approval of the BOCC. Said uses shall follow the process as contained herein.
- (2) Within the Ridgway UGMA and the Ouray UGMA, the following uses are allowed:
 - (a) All uses allowed by right shall be permitted within the underlying Zone(s), as stated under Section 3 of this Code.
 - (b) Uses allowed by special use permit within the underlying Zone, as stated under Section 3 of this Code, except Home Businesses, may be permitted, upon review and approval of the BOCC. Said uses shall follow the process as contained herein.

F. **Development Review – Urban Growth Management Area.**

Applications for planned unit developments, special use permits, exemptions from the definition of subdivision, variances and rezoning shall first be considered for annexation by the adjoining municipality prior to submittal of an application to the County Land Use Office.

- (1) The municipalities will consider all petitions for annexation of lands within the adjoining UGMA and will not decline to annex such property except for good cause. For the purposes of this Section, good cause includes, without limitation, the following:

- (a) Extension of one or more municipal services to the area would place an unreasonable economic burden on the existing users of such service or upon the future residents or owners of property in the area itself.
 - (b) The area is not contiguous to the municipality's existing boundaries.
 - (c) The development proposal fails to meet the criteria for inclusion and annexation in the initial growth boundary outlined within the municipality's master or comprehensive plan.
- (2) If the municipality declines an annexation proposal within the UGMA, the Applicant/Developer may then submit a completed application to the County Land Use Office. Depending upon the request, the application shall include all information and documentation as set forth and outlined under the various sections of this Code. In addition, the application shall also include a written denial of annexation from the respective municipality.

G. Development Review – Area of Influence.

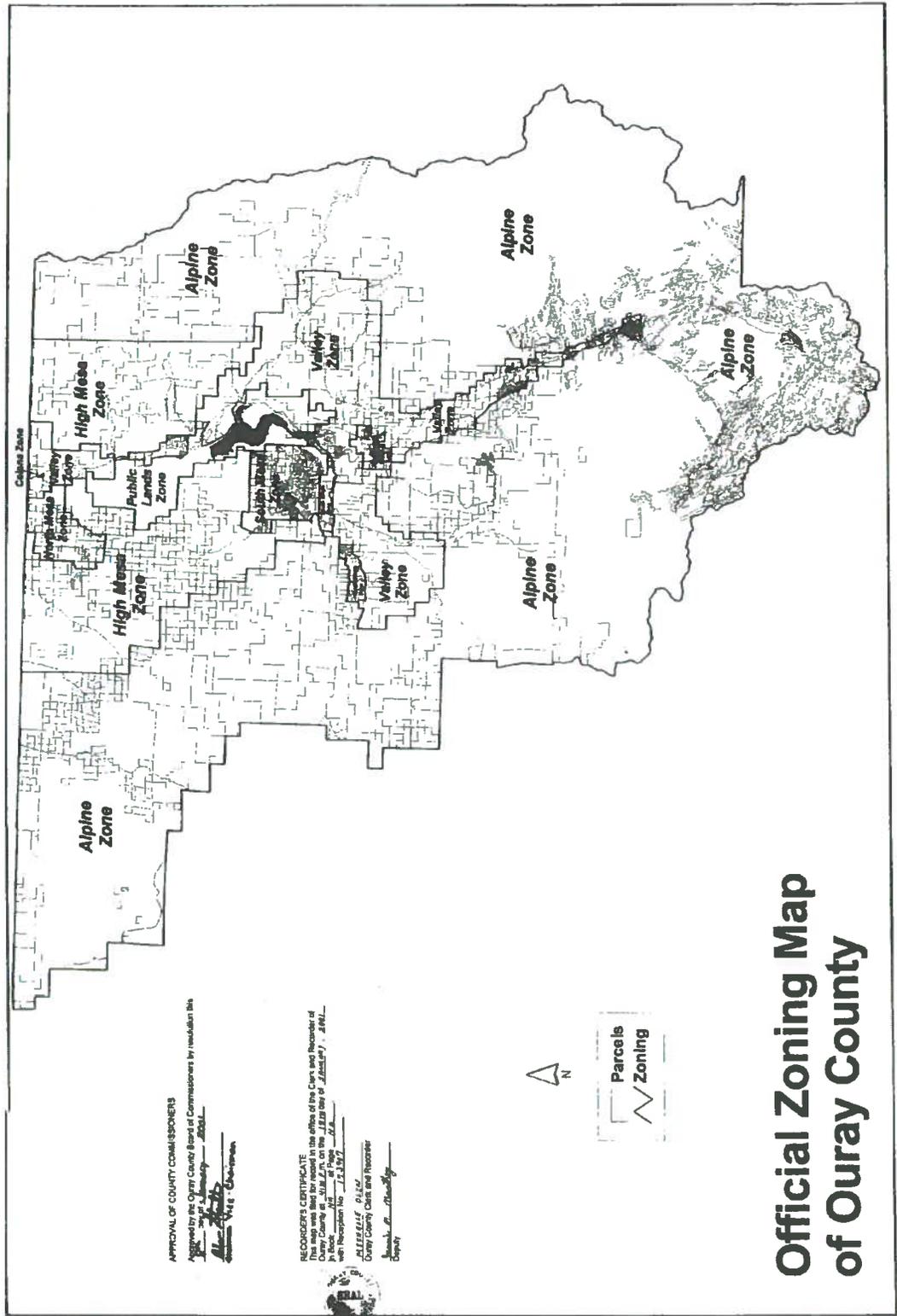
Applications for planned unit developments, special use permits, exemptions from the definition of subdivision, variances and rezoning shall be submitted to the County Land Use Office and shall follow the requirements, standards and processes as set forth and outlined under the various sections of this Code.

H. Joint Planning Boards.

Applications for planned unit developments, special use permits, exemptions from the definition of subdivision, variances and rezoning located within an UGMA or an AOI shall be reviewed by a Joint Planning Board, rather than the Ouray County Planning Commission, and the Joint Planning Board shall make a recommendation to the BOCC.

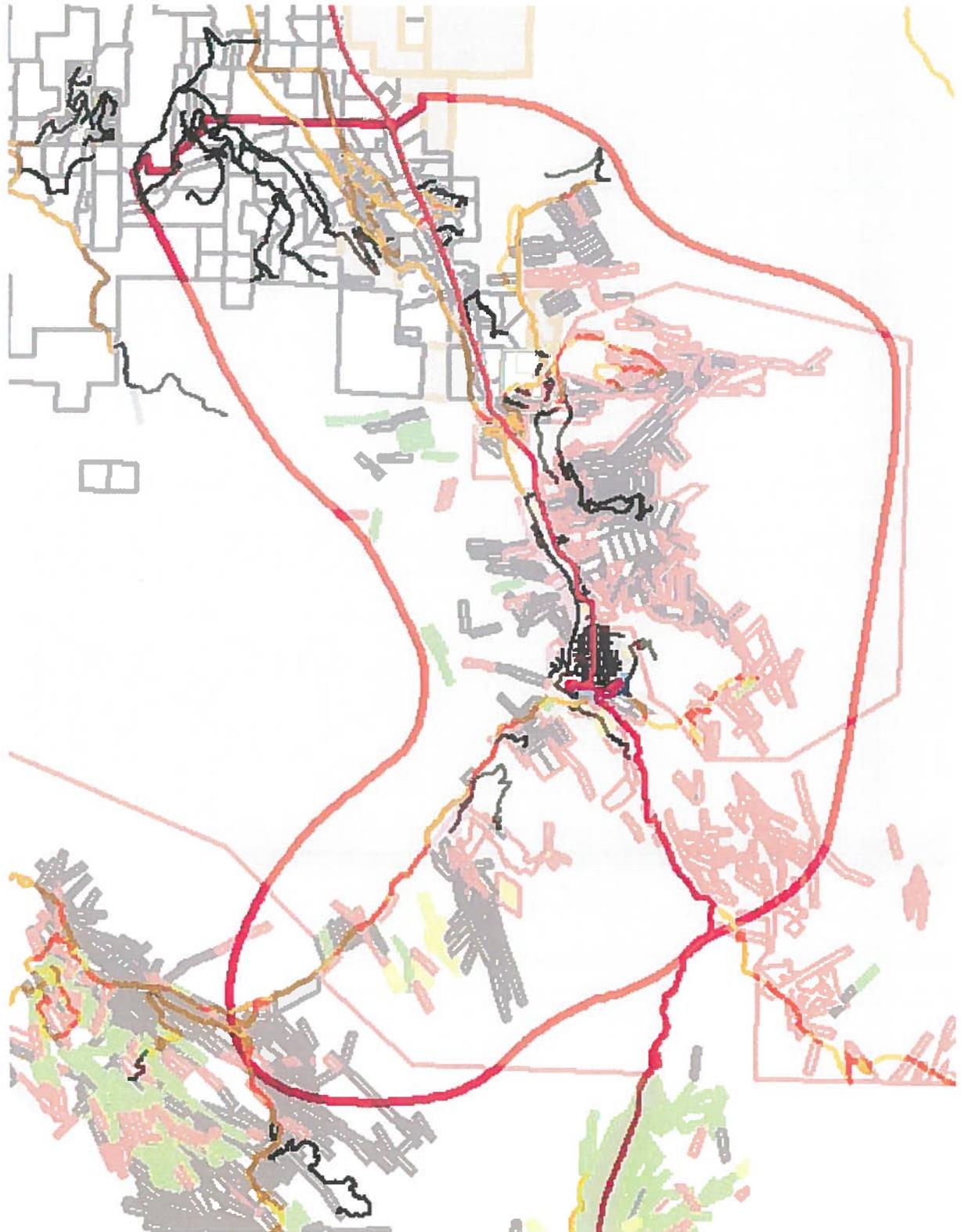
- (1) When a request is located within the Ridgway UGMA or the Ridgway AOI, the Ridgway Area Joint Planning Board shall review the application.
- (2) When a request is located within the Ouray UGMA or the Ouray AOI, the Ouray Area Joint Planning Board shall review the application.

Official Zoning Map – Filed under reception #173907



1-18-2016
 OFFICIAL MAP
 173907
 OURAY COUNTY

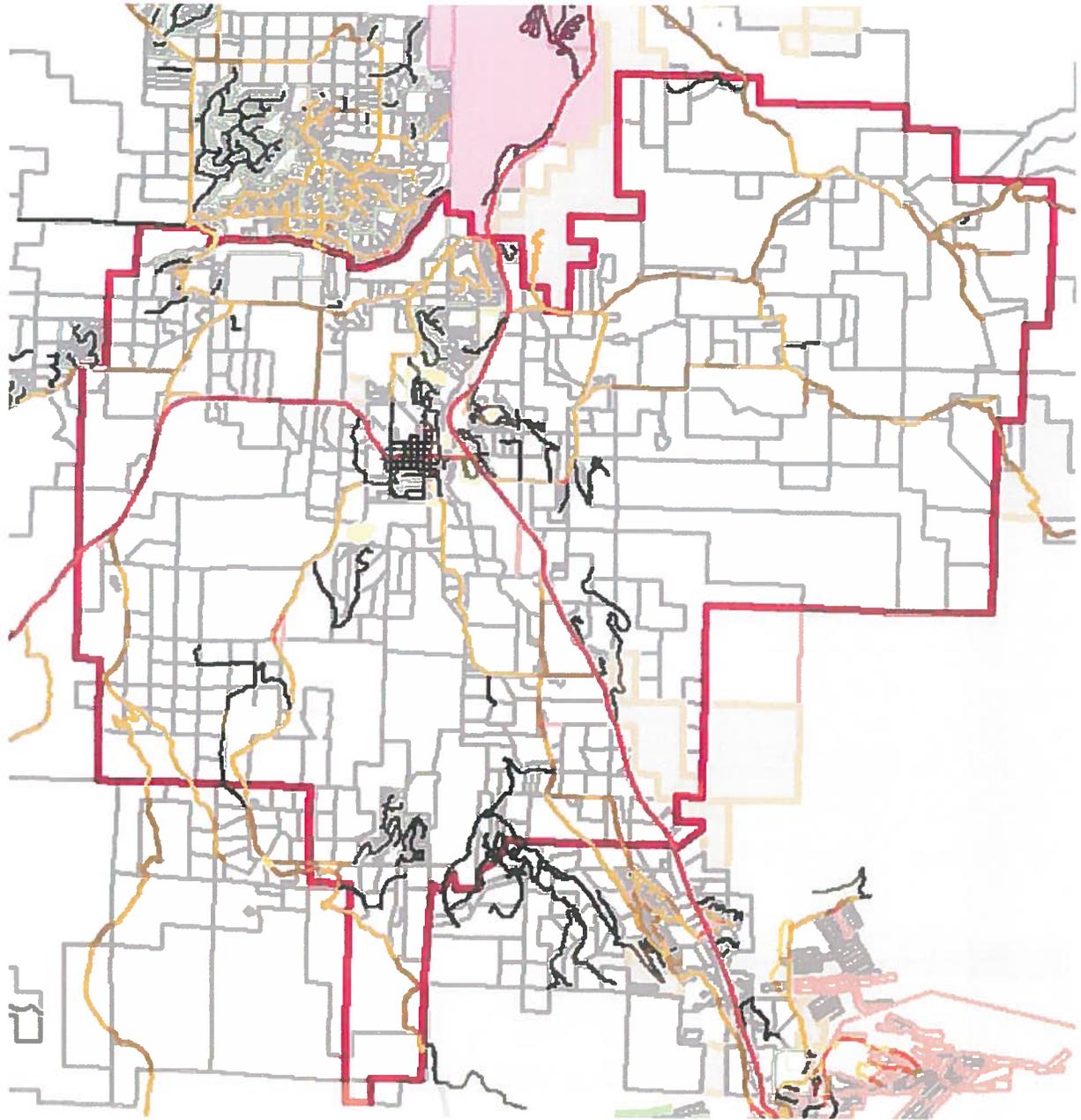
Ouray Area of Influence:



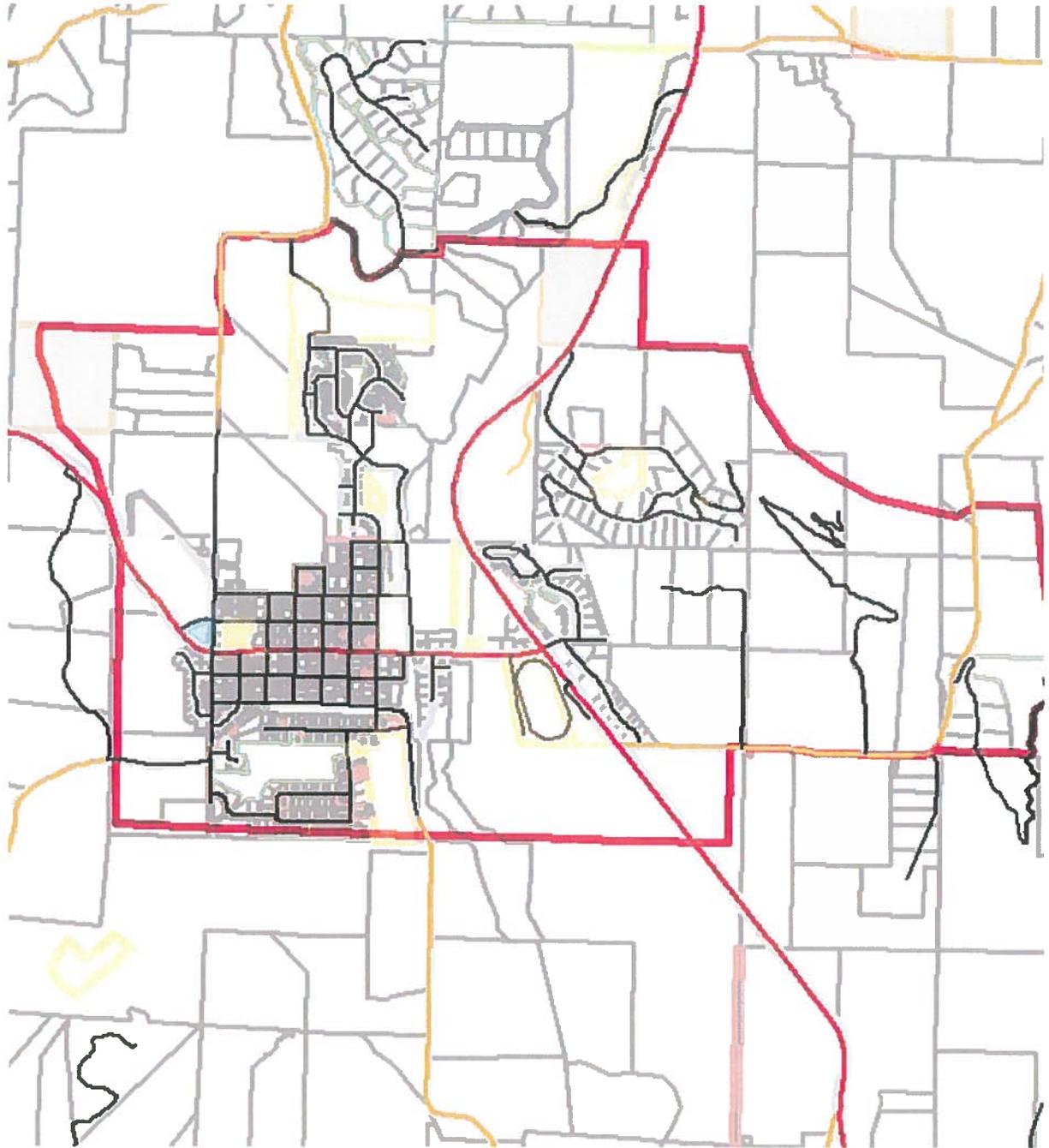
Ouray Urban Growth Management Area:



Ridgway Area of Influence:



Ridgway Urban Growth Management Area:



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COMMUNICATIONS FACILITIES

COMMUNICATIONS

FACILITIES

PERMIT

APPLICATION

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COMMUNICATIONS FACILITY PERMIT APPLICATION

Land Use Department; 111 Mall Road, Ridgway CO – 970.626.9775

In order to submit a Communications Facility Permit (CFP) application in Ouray County for a new communications tower/facility, seven items are required. These items satisfy the *basic* application requirements, i.e. those required of all TFP applications. Additional submittal requirements may be required as identified by Land Use Staff during the processing of the application. The required items are:

- A. Completed TFP permit application;
- B. Legal description;
- C. Account or Parcel number(s);
- D. Written statement;
- E. Site Plan, Design Elevations, Site Photos, Photo Simulations;
- F. TFP application filing fee;
- G. Technical Review and/or Radiofrequency Engineering Analysis

County Pre-Application Meeting. In addition to the seven items listed above, an informal meeting prior to making application is recommended to allow Staff to explain the County's TFP approval process. As with all Land Use applications, County Staff is available to assist applicants through the entire process.

The following sections outline the details of each of the required application items listed above.

A. COMPLETED TFP PERMIT APPLICATION

Submittal of the attached application form, complete with all information and signatures as required. Signature of the property owner or a signed Agent Authorization Form, is required. **Form is available at the Land Use Department or online at: <http://ouraycountyco.gov/DocumentCenter/Index/40>**

B. LEGAL DESCRIPTION

A legal description of the land for which the permit is requested. This may be a lot or lots identified in a survey map or plat map, recorded with the Ouray County Clerk and Recorder's Office, showing the exact metes and bounds description of the property.

C. ACCOUNT OR PARCEL NUMBER(S)

Account and parcel number available from the Ouray County Assessor's Office, 421 6th Avenue, Ouray. Or online at: <http://ouraycountyco.gov/139/Assessor>

D. WRITTEN STATEMENT

1. Project Description. Thoroughly articulate the proposed project, clearly describing such things as the existing uses of the property, proposed use(s), time and schedule for development, and detailed reasons why the property and subject location was chosen. Two RF propagation plots must accompany the project description; one that shows the carrier's current service (highlighting the existing area void), and one that shows the service to be gained by the proposed facility. Plots shall be prepared in accordance with industry accepted standards and shall be accompanied by a clear and simply written description by an RF engineer explaining the plots and how to read them.

Both plots should also include and identify the location of any existing communications towers as well as any other possible structures that could be used to support the requester's antenna equipment within a 1.5 mile radius.

2. Collocation. Section X.X of the Ouray County Land Use Code requires that no new telecommunications tower/facility shall be permitted unless the Applicant demonstrates to the satisfaction of the Land Use Department, that no existing alternative tower structure can accommodate the Applicant's proposed antenna(s). Evidence establishing a reasonable degree of certainty that no alternative tower structure is available shall include at least one or more of the following factors:

- (a) Existing towers or suitable alternative tower structures are not located within the area required to meet the applicant's technical requirements.
- (b) That existing towers or structures are not of sufficient height to meet the applicant's technical requirements.
- (c) That existing towers or structures do not have sufficient structural strength to support the applicant's antenna and related equipment.
- (d) That the applicant's proposed antenna(s) would cause electromagnetic interference with the antenna(s) on the existing towers or structures, or the antenna(s) on the existing towers or structures would cause interference with the applicant's proposed antenna(s).
- (e) That the cost or contractual provisions that would be imposed on the applicant to share an existing tower or structure, or, to adapt an existing tower or structure, exceed the costs of new tower development.
- (f) That the applicant adequately demonstrates that there are other limiting factors that render existing towers and structures unsuitable.

E. SITE PLAN, DESIGN ELEVATIONS, SITE PHOTOS, AND PHOTO SIMULATIONS

Site Plan. A complete site plan, including design elevations is required for every TFP permit application. The site plan should be drawn to a scale large enough to show sufficient detail on 11 x 17 sheets and shall include the following:

1. Small vicinity map, clearly identifying the sites location in relation to adjacent properties and roads.
2. Location of the subject property and parcel number or account number.
3. Scale and north arrow.
4. Date of the last revision of the plan.
5. Existing property lines and dimensions.
6. Proposed or existing lease area.
7. Proposed TFP area.
8. All current and proposed improvements including structures with and utilities.
9. Setbacks for current and proposed structures.
10. Location and width of interior roads or driveways.
11. Known easements.
12. Existing natural features, including two-foot contours, lakes, ponds, streams, significant drainage, general area of slopes in excess of 20 percent, flood zones, and wetlands.
13. Other significant features.
14. Possible future expansion areas. (if anticipated)

Design Elevations. The design elevation drawings should be stamped by a registered professional engineer (P.E.), and show, at a minimum:

1. A scaled elevation drawing of the proposed tower and the location and elevation (ft., AGL) of each proposed antenna array, any future anticipated arrays, and any anticipated lighting.
2. The location and height of all ancillary ground equipment and structures and any anticipated landscaping or berming.
3. A schematic showing the primary antenna orientation/downtilts.

Site Photos and Photo Simulation. The application should include two sets of 4 x 6 inch photographs and one set of photosimulations. The first set should be comprised of four photographs from the proposed base of the tower looking out toward the horizon into four cardinal directions – north, south, east, and west. Each photograph should be clearly identified in terms of what direction is being viewed.

The second set of photographs should be comprised of four photographs of the subject site from adjacent properties, taken from each of the four cardinal directions – north, south, east, and west. Again, each photograph should be clearly identified in terms of what perspective is being provided. Applicants may either indicate on the site plan or attach a separate map to show where each of the photos was taken.

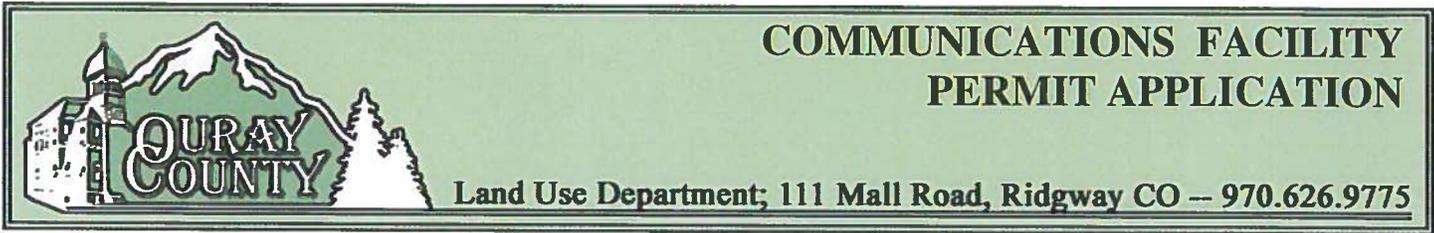
Lastly, one set of photo simulations providing a depiction of how the proposed tower, or stealth tower, will look should be included in the application materials. The simulations should include a scaled representation of the tower, superimposed on each of the four photos in the second set described above, i.e. those taken from adjoining properties looking toward the subject site. The tower or stealth tower should be shown as complete and/or painted as proposed.

F. TFP PERMIT APPLICATION FEE

The current fee for a TFP application is \$1000(?) and is payable at the time the application is made (check or cash only). Additional fees may be required as identified by Land Use Staff to offset potential costs for required engineering analysis.

G. TECHNICAL REVIEW AND/OR RADIOFREQUENCY ENGINEERING ANALYSIS

Ouray County reserves the right to consult with objective, third-party technical resources at the expense of the Applicant. If such technical review is deemed necessary, the Applicant may provide to Staff, names of consultants which the Applicant believes are qualified to assist in resolving the questions or issues.



Parcel or Account #*: _____ Job Site Address: _____

City: _____ Zip Code: _____

Legal Description of Property: Qtr. Sections: _____ Section: _____ Zone: _____

Section: _____ Town: _____ Range: _____

Directions to job site from nearest County Road:

**Parcel number is available from the Ouray County Assessor's Office - (970) 325-4371 or online at www.ouraycountyassessor.org*

Property Owner(s) Name: _____

Mailing Address: _____ City/ST/Zip: _____

Phone: _____ Email Address: _____

Applicant/Authorized Agent's Name: _____ Representing: _____

Mailing Address: _____ City/ST/Zip: _____

Phone: _____ Email Address: _____

Brief Description of Request (see requirements on reverse of this form):

I certify that I am the landowner or an agent authorized by the landowner and am hereby making application for approval of the above request. I further understand that if there are extenuating circumstances concerning this application, there may be additional fees required to process my application, and that the County will advise me of additional fees and receive my approval before proceeding with my application. I hereby certify that I have read this application completely and that all information provided is correct to the best of my knowledge. All laws, regulations, and ordinances governing the scope of the project contemplated by this application will be complied with, whether or not specifically described within this application. I understand that providing false or misleading information may result in any permit(s) issued being revoked. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating the scope of the project contemplated by this application. I understand that this application may be open for public inspection as required by the Colorado Open Records Law (C.R.S. 24-72-202, et seq.) and that my personal information contained on this application may be available to the public for review.

Signature of Owner(s) or Agent _____ **Date** _____

COMMUNICATIONS FACILITIES

**MODIFICATION OF
EXISTING
COMMUNICATIONS
FACILITY
PERMIT
APPLICATION**

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MODIFICATION OF AN EXISTING COMMUNICATIONS FACILITY

Land Use Department; 111 Mall Road, Ridgway CO – 970.626.9775

SUBSTANTIAL VS NON-SUBSTANTIAL CHANGE (HR 3630)

HR-3630 states - “Notwithstanding Section 704 of the Telecommunications Act of 1996 or any other provision of law, a State or local government may not deny, and shall approve, any eligible facilities request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station.”

PROCESS:

1. Applicant/agent completes application form (attached)
2. If proposed change is designated as an *emergency repair* that immediately affects critical emergency services communication (such as pagers, VHF repeater, etc.)
 - a. Proposed change reviewed by: Sheriff, Under Sheriff, EMS Coordinator
 - b. If confirmed as emergency repair, ***no further action required by Applicant***
 - c. Land Use Staff sends Applicant/Agent letter or notice of approval and authorization to proceed with proposed modification.
3. If not an emergency repair, application process proceeds as follows -
4. Applicant confirms in writing that the proposal does not exceed the limitations of what is considered to be a “substantial change”, as stated in FCC document FCC 14-153. (see below)
5. Land Use Staff refers application to the County Attorney for review and comment.
6. Land Use Staff, based upon a review of the application and input from the County Attorney makes a determination and notifies the Applicant accordingly.
7. If tower site is within an existing PUD or county approved subdivision, Applicant confirms that application materials have been forwarded to appropriate HOA or ACC for comment.
8. If proposed work is deemed by Staff to be a *substantial change*, applicant will be notified in writing that an approved Communications Facility Permit (CFP) will be required prior to commencing with the project.
9. If proposed work is deemed by Staff to be a *non-substantial change*, Staff will notify the Applicant in writing that the project has been approved to proceed and no other approvals or permits are required.

**** Applicant’s will receive a response from Staff within a maximum of 60-days.***

The following information must accompany ALL applications: *(where applicant did not sign above)*

- [] Current copy of any required lease or easement documentation
- [] Elevation Drawing: Showing the profile of the existing tower vs. the proposed modification (inc. colors/materials)
- [] Purpose/Function: Documentation explaining the purpose and/or function of the existing tower vs. the proposed.
- [] Site plan showing location of all existing and proposed improvements.
- [] If proposed modification is declared by the Applicant to be an emergency, or, directly affects the Health/Safety/ Welfare of the Citizens of Ouray County, written justification from Applicant must be attached to this application.

If Applicant declares modification to be “not a substantial change” per the FCC document FCC 14-153, detailed information must be provided affirming that the following criteria are not exceeded:

Substantial Change. A modification substantially changes the physical dimensions of an eligible support structure if it meets any of the following criteria:

- (i) for towers other than towers in the public rights-of-way, it increases the height of the tower by more than 10% or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed twenty feet, whichever is greater; for other eligible support structures, it increases the height of the structure by more than 10% or more than ten feet, whichever is greater;*
 - (A) Changes in height should be measured from the original support structure in cases where deployments are or will be separated horizontally, such as on buildings’ rooftops; in other circumstances, changes in height should be measured from the dimensions of the tower or base station, inclusive of originally approved appurtenances and any modifications that were approved prior to the passage of the Spectrum Act.*
- (ii) for towers other than towers in the public rights-of-way, it involves adding an appurtenance to the body of the tower that would protrude from the edge of the tower more than twenty feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater; for other eligible support structures, it involves adding an appurtenance to the body of the structure that would protrude from the edge of the structure by more than six feet;*
- (iii) for any eligible support structure, it involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four cabinets; or, for towers in the public rights-of-way and base stations, it involves installation of any new equipment cabinets on the ground if there are no pre-existing ground cabinets associated with the structure, or else involves installation of ground cabinets that are more than 10% larger in height or overall volume than any other ground cabinets associated with the structure;*
- (iv) it entails any excavation or deployment outside the current site;*
- (v) it would defeat the concealment elements of the eligible support structure; or*
- (vi) it does not comply with conditions associated with the siting approval of the construction or modification of the eligible support structure or base station equipment, provided however that this limitation does not apply to any modification that is noncompliant only in a manner that would not exceed the thresholds identified in §1.40001(b)(7)(i)-(iv).*

Signature of Owner(s) or Agent

Date

APPLICATION REVIEW BY DEPARTMENT STAFF

All required materials/information submitted with application.

Date of Application Acceptance by Staff: ___/___/_____

Application materials sent to any applicable HOA/ACC.

Date Sent: ___/___/_____

Application materials submitted to County Attorney for review and comment.

Date of Submission: ___/___/_____

Staff finds proposed modification to be:

Substantial Change

An approved communications Facility Permit is required PRIOR to commencing with the project. Please contact the Land Use Department for information on application requirements, fees, and permit process.

Not a Substantial Change

Applicant is approved to proceed with the project. No further approvals or permitting are required.

Signed (Land Use Staff) : _____ **Date:** _____

Staff Member Title: _____

Notes/Comments:

MINUTES
OURAY COUNTY PLANNING COMMISSION
REGULAR MEETING

March 15, 2016 7:00 – 9:00 p.m. (appx)

Meeting held at the Land Use/Road & Bridge Offices, Conference Room
111 Mall Road, Ridgway, Colorado

Attending:

PC: Miller, Jackman, Williams, Carr, Baskfield, Currin, Peters
Staff: Castrodale, Sampson, Whitmore
Absent: Parker

Note: These minutes are not intended to be a *transcription* of the hearing. Comments are abbreviated and paraphrased. Every intention is made to capture the intent and meaning of the comments made during the hearing.

**I. Call to Order – Regular Meeting of the Ouray County Planning Commission
(8:00 P.M.)**

1. **Public Hearing** (7:00 PM): The purpose of the hearing is to review and make a recommendation to the Board of County Commissioners on an application by Del-Mont Consultants, Inc., authorized agent for the Law Family Trust and the Owners Association of Elk Meadows Estates, Inc. on a proposed final plat amendment of the Elk Meadows Estates Subdivision No. 2 - Lot 222, to correct an encroachment by the house on Lot 222 on to the greenbelt (open space).

A. Staff Presentation

- Castrodale explained the application
 - Lot 222 (owned by the Laws) and green belt Elk Meadows
 - Law Parcel is 1.066 acre, open space parcel is 7.18 acres
 - Castrodale showed a map of the location
 - Castrodale explained the history of the subdivision and the construction of the home.
 - Assessor lists home as being built in 1981
 - No permit on file
 - 2015 ILC discovered the encroachment
 - Application seeks to exchange land between the private parcel and the green belt
 - Explained why a boundary adjustment process wasn't used for this application
 - Explained a condition that will require a signature by a lien holder on the green belt

- When property lines are adjusted, the existing home will then comply with setbacks
- Castrodale read his conclusion from the staff report:

It is Staff's opinion that the proposed plat amendment of Elk Meadows Estates Subdivision No. 2 is in compliance with the standards and regulations found in Section 6.12 of the Ouray County Land Use Code. Therefore, Staff recommends the Planning Commission forward the subject application to the Board of County Commissioners, with a recommendation of approval, with the following conditions:

1. The Applicant shall make any revisions to the plat, as noted by the Staff and the Planning Commission and shall provide a new/revised plat to Staff to be included with the packet for the Board of County Commissioners.
 2. The BOCC will not sign the application until all other required signatures are obtained, including signature by the open space lienholder (USDA).
 3. The Applicant shall record the approved plat within 7-days from the final approval and signature from the Board of County Commissioners.
 4. Any future construction on either affected lot shall require prior issuance of a building permit by the Land Use Department.
- Peters disclosed that he had worked with Delmont before and had done some work with Danica Gilbert, but that there is no conflict.
 - Carr disclosed that he had also done work with Delmont, but did not have a conflict.
 - Jackman also disclosed that he had known Bill for many years, but did not have a conflict.

B. Applicant Presentation

- Owner selling property
- Lien on open space was a result of getting a loan through the USDA to make infrastructure improvements.
- Property is under contract
- No survey done when purchased by Laws, and it was not disclosed to them.
- Does not see any issues with meeting the conditions, including the signature from the USDA.

C. Questions from Planning Commission

- Carr asked how it made it through title
 - No survey done, original owner carried note

- Jackman asked if there had been any public comment
 - 3 responses to notice and they were all in favor of approving the application
- Peters asked about septic systems
 - No septic system, Elk Meadows is on sewer system
- Williams asked why condition #4 is on there, does it apply to all buildings
 - Safety plat note, all buildings would require a building permit
- Miller asked what the structure was in the green-belt
 - Water treatment plant
- Carr asked if they asked the applicant if they have building permit records
 - Staff has not asked them. Bill offered to send an email to the Law's to see if they happen to have them
- Baskfield asked what happens if the BOCC doesn't approve
 - Property owner wouldn't be able to sell
- Peters asked about the grammar in condition #4
 - It was decided to remove the word "prior"
 - Any future construction on either subject lot will require a building permit issued by the County
- Carr suggested waiving the fee

D. Public Comment (open at 7:20)

- James Cammack; owns adjacent lot. Is fine with the proposal, but asked if it was unreasonable to ask for a stipulation that the home is restricted to its current height
 - Jackman clarified that Cammack wanted the restriction to not allow the height to get higher. Jackman noted that the Planning Commission could discuss during their deliberations
- Close at 7:24

E. Planning Commission Deliberation

- Currin stated that he seemed that it was a reasonable request, but did not see the need to restrict height
- Whitmore noted that it would be inappropriate to spot zone the parcel to limit the building height
- Williams; applicants bear some responsibility, would not be in support of waiving the fee
 - A straw vote was taken and it was not the recommendation of the PC to waive the application fee
- Jackman asked if restricting the home on the portion that is in green space would still be spot-zoning

- Whitmore stated that she would need to research the subject further
 - It was clarified that the new lot lines are 25' from the existing home
 - Baskfield speculated that the building location was chosen because it was a spectacular setting. Asked if it would be a challenge to add a plat note, to deal with height
 - Bill noted that if approved, the home would no longer be on the green-belt property
 - Williams; noted that the PUD was from 1971, and also that the new subdivisions have building sites established. And given the legal opinion, she would not be in favor of adding a plat note for height
 - **MOTION:** Currin moved that the Planning Commission forward the subject application to the Board of County Commissioners with a recommendation of approval with the following conditions:
 1. The BOCC will not sign the application until all other required signatures are obtained, including signature by the open space lienholder (USDA).
 2. The Applicant shall record the approved plat within 7-days from the final approval and signature from the Board of County Commissioners.
 3. Any future construction on either affected lot shall require a building permit by the land use department.
 - **SECOND:** Miller seconded motion
 - **DISCUSSION:** No discussion was had
 - **VOTE:** A vote was taken and the motion passed unanimously.
2. **Public Hearing** (7:45 PM, or immediately following the previous item): The purpose of the hearing is to review and make a recommendation to the Board of County Commissioners on an application by Masters & Viner, P.C., authorized agent for the Elk Mountain Resort, LLC, on a proposed final plat amendment of the Elk Mountain Resort PUD – Phase 1A, for the purpose of the construction and use of a modified on-site waste water treatment system (OWTS) and to allow caretaker/maintenance use of the property while prohibiting any commercial use.
- Called to order at 7:34
 - Peters and Carr disclosed again that he had worked with Delmont, but did not have a conflict
 - Peters, Carr, and Currin disclosed that they had worked with Mr. Masters before, but had no conflict
- A. **Staff Presentation**
- Castrodale introduced the topic
 - Showed a vicinity map of the area

- Discussed the history of the development
- Development is no longer active, and is currently in “maintenance mode”
- CDPHE has new standards that the existing sewage system will not meet those new standards
 - Elevation does play a role in that
- New full system (over 2,000 gallon) would cost 0.5 -1.5 million
- Sub 2000 gallon would then come under county review, and not state review, and is what the application seeks to accomplish
- Reviewed which structures would be served by the new system. 28 other buildings would no longer be served
- New system would be limited to 8 persons/day
- Commercial use suspended until a new full (2000 gal+) system was installed that did comply with the state requirements
- Castrodale finished with his conclusion:

Reasonable to support the owners desire to maintain and market the property

Cost to upgrade the system is probably not cost effective for a resort that has not operated in approximately 9 years

In Staff’s opinion the request complies with the Land Use Code section 6.12, and is not in conflict with the County Master Plan.

Therefore, Staff is recommending the Planning Commission forward the subject application to the Board of County Commissioners, with a recommendation of approval with the following conditions:

1. Final approval by the BOCC is subject to issuance of a revised septic permit, issued per the information and materials provided with the application.
2. The authority of the Elk Mountain Resort to conduct commercial and resort-conference center operations is suspended as long as the revised OWTS system remains in use.
3. Any application to re-open the resort facility and commence with the original approved commercial operation is conditioned upon the approval of an OWTS, or other wastewater treatment facility, in compliance with current Colorado Department of Public Health and Environment regulations for such use.
4. Use of the Elk Mountain Resort property and facilities is restricted to those operations necessary for maintenance of the infrastructure, and marketing of the facility to prospective purchasers.

5. All structures shall remain in a *winterized*, non-functioning status and shall not be serviced by the OWTS system, with the exception of the following:

- a. Main Lodge
- b. Valhalla Shooting Club
- c. Maintenance Shop
- d. Fresh Water Plant
- e. Housekeeping, Shipping/Receiving
- f. Porters Cottage
- g. Aspens Cottage

6. Final approval by the BOCC is subject to approval and recordation of an Amended Plat of the Elk Mountain Resort – Phase IA. The recorded plat shall include all necessary plat notes, including, but not necessarily limited to the following:

a. Ouray County has approved the construction of a modified on-site wastewater treatment system (OWTS), requiring issuance of a Septic Permit issued by the Ouray County Land Use Department, to serve the following structures only:

- i. Main Lodge
- ii. Valhalla Shooting Club
- iii. Maintenance Shop
- iv. Fresh Water Plant
- v. Housekeeping, Shipping/Receiving
- vi. Porters Cottage
- vii. Aspens Cottage

b. The authority of the Elk Mountain Resort to conduct commercial operations has been suspended by the Ouray County Board of County Commissioners as long as the revised OWTS system remains in use.

c. The use of the resort and the seven (7) structures served by the OWTS system shall not exceed an average monthly usage of eight (8) persons per day.

d. Any application to re-open the resort facility and commence with the original approved commercial operation is conditioned upon the approval of an OWTS, or other wastewater treatment facility, in compliance with current Colorado Department of Public Health and Environment regulations for such use.

B. Applicant Presentation

- Mr. Masters introduced Greg Tokasetak (spelling may not be accurate) as a representative to the owners of Elk Mountain Resort

- Has worked with owner since 1997
- Waste water facility was built to regulations in place at the time, and then the regulations changed
- Does not make economic sense when the property is not currently active
- Talked with Delmont and Land Use Staff during the process
- The reason to maintain septic for these buildings is because they have sprinklers
- They have care-takers using two buildings
- Two cottages that may be used by the owner or potential buyers
- It is not actively being marketed
- PUD conference center, only one in the county
 - Conditions are restrictive
 - Difficult to market
 - Had discussions about potentially amending LUC to operate as a facility other than Motel use
- Looking for resolution to allow continuance of property maintenance

C. Questions from Planning Commission

- Williams noted a redundancy in the Staff Reports
- Williams – how is the maximum use going to be monitored?
 - Larry (Engineer) explained how the new systems work
 - Ponds and liners are still in good condition
 - Determined the maximum capacity with mathematical equations, and a conservative number was 8 person/day as a year round average. You could have 100 people there for 2 or 3 days and then 2 people there for 2 or 3 months
 - Castrodale noted that they would not be monitoring on a daily basis – rather complaint enforcement
 - Larry noted that in order to satisfy OWTS permitting process a head count was required
 - Williams asked if the goal is to stop discharge, then would it be better to modify the condition to monitor discharge
 - Larry: currently monitor and could ask them to continue monitor, or request a log book
 - Jackman, would you still have a discharge point.
 - Larry – no
 - Any discharge from the pond would not be legal
 - Jackman – asked if it would be unreasonable to require notice if pumping is required?

DRAFT – SCHEDULED TO BE APPROVED ON 4/5/2015

- Masters – wouldn't be unreasonable, and it's very unlikely that discharge will occur
- Masters – so little water going through that the meter typically doesn't read
- Williams just wants to ensure that records are maintained
- Miller asked if care-takers stay on-site
 - i. Masters – one of the care takers may stay one or two nights a week to avoid snowmobiling out, but there are no regular overnight stays
- Asked if the one empty pond in the aerial photo was functional
 - Engineer stated that it was functional, but must not have had water on the day that the picture was taken
- Peters; ponds seem to have more capacity than you probably every need?
 - Larry; that is very likely
- Peters; Liners installed in 2000, would you estimate how much longer will last?
 - Guaranteed for 20 years, due to elevation they will probably last longer than 20 years, and will probably be good for another 10-15 years
- Baskfield; are you planning to use treatment system with existing ponds, but permitted for a smaller capacity, or excavate for a new system
 - Larry; there are several things allowed by the OWTS regulations. They will now install tank and then effluent would then go to the existing ponds
 - Masters; solids will collect in the tank and the ponds will serve the purpose of the leach field
 - Masters; plan calls for a 2,000 gallon tank, but they're difficult to locate
- Baskfield; are you maintaining the ponds for future use?
 - Larry; not likely utilization of the ponds will be allowed for a large system in the future because of State regulations
- Williams asked if they should add a condition that notification is required when pumping is required
 - Jackman asked to readdress this issue during planning commission deliberation
- Jackman asked the county attorney if the application complies with state law
 - Whitmore; yes

D. Public Comment (Opened at 8:03)

- No public comments were stated
- Public comment closed at 8:03

E. Planning Commission Deliberation

- Currin; comfortable that it's been engineered and is fine with it.
- Williams asked if condition about pumping should be added?
 - Castrodale said that would be reasonable.
 - Wanted to note that the building inspector has reviewed the application and is comfortable issuing a septic system for the design as proposed
- **MOTION:** Peters moved to forward the application to the BOCC with a recommendation of approval with the following conditions.
 1. Final approval by the BOCC is subject to issuance of a revised septic permit, issued per the information and materials provided with the application.
 2. The authority of the Elk Mountain Resort to conduct commercial and resort-conference center operations is suspended as long as the revised OWTS system remains in use.
 3. Any application to re-open the resort facility and commence with the original approved commercial operation is conditioned upon the approval of an OWTS, or other wastewater treatment facility, in compliance with current Colorado Department of Public Health and Environment regulations for such use.
 4. Use of the Elk Mountain Resort property and facilities is restricted to those operations necessary for maintenance of the infrastructure, and marketing of the facility to prospective purchasers.
 5. All structures shall remain in a *winterized*, non-functioning status and shall not be serviced by the OWTS system, with the exception of the following:
 - a. Main Lodge
 - b. Valhalla Shooting Club
 - c. Maintenance Shop
 - d. Fresh Water Plant
 - e. Housekeeping, Shipping/Receiving
 - f. Porters Cottage
 - g. Aspens Cottage
 6. Final approval by the BOCC is subject to approval and recordation of an Amended Plat of the Elk Mountain Resort – Phase IA. The recorded plat shall include all necessary plat notes, including, but not necessarily limited to the following:

DRAFT – SCHEDULED TO BE APPROVED ON 4/5/2015

a. Ouray County has approved the construction of a modified on-site wastewater treatment system (OWTS), requiring issuance of a Septic Permit issued by the Ouray County Land Use Department, to serve the following structures only:

- i. Main Lodge
- ii. Valhalla Shooting Club
- iii. Maintenance Shop
- iv. Fresh Water Plant
- v. Housekeeping, Shipping/Receiving
- vi. Porters Cottage
- vii. Aspens Cottage

b. The authority of the Elk Mountain Resort to conduct commercial operations has been suspended by the Ouray County Board of County Commissioners as long as the revised OWTS system remains in use.

c. The use of the resort and the seven (7) structures served by the OWTS system shall not exceed an average monthly usage of eight (8) persons per day.

d. Any application to re-open the resort facility and commence with the original approved commercial operation is conditioned upon the approval of an OWTS, or other wastewater treatment facility, in compliance with current Colorado Department of Public Health and Environment regulations for such use.

7. The owner notify the county for any need for pumping the OWTS.

- **SECOND:** Williams seconded motion
- **DISCUSSION:**
 - The Planning Commission discussed the condition regarding discharge
 - Whitmore noted that the application is not to further regulate OWTS, but rather to amend a plat in a fashion that will allow the applicant to install an OWTS system that will comply with the State and County OWTS regulations.

DRAFT – SCHEDULED TO BE APPROVED ON 4/5/2015
Could add plat note that the applicant shall follow the OWTS regulations

- The Planning Commission discussed the condition further, and it was decided to make a friendly amendment to strike condition #7

- **VOTE:** A vote was taken and the motion passed unanimously

3. Request for approval of minutes; 3/1/2015

- **MOTION:** Williams moved to approve
- **SECOND:** Miller seconded motion
- **DISCUSSION:** None
- **VOTE:** A vote was taken and the motion passed unanimously
 - Currin; abstained but questioned if they needed 4 members
 - Whitmore; clarified that fewer members could approve
 - The Planning Commission discussed the meeting on March 15, 2016

4. New business

- Castrodale; Tamara is working up a cost estimate of implementing the new point system for wildfire
- Next meeting will be a workshop on telecomm – April 5th 6-8pm
- Williams asked about public comment regarding Ham radios
 - Castrodale will verify that those comments were addressed

5. Adjourn Regular Meeting

- **MOTION:** Peters moved to adjourn
- **SECOND:** Carr seconded motion
- **DISCUSSION:** None
- **VOTE:** A vote was taken and the motion passed unanimously

Submitted By:

Approved By:

Bryan Sampson
Associate Planner

Randy Parker
Chair