AGENDA
OURAY COUNTY PLANNING COMMISSION
PUBLIC HEARING/REGULAR MEETING

April 19, 2022 4:00 – 6:00 pm
Meeting to be held at the Ouray County Land Use Office
111 Mall Road, Ridgway, Colorado

Zoom Log In Info:

On the web:  https://us02web.zoom.us/j/82387148056

Via telephone:  1-346-248-7799

Meeting ID:  823 8714 8056

A. 4:00 Public Hearing
   The Ouray County Planning Commission will conduct a public hearing to review and
make a recommendation to the Board of County Commissioners regarding an
application by Cornerstone Owners Association, Inc., through their Authorized Agent
Tom Walker (on behalf of AT&T) for a Communications Facility Permit to construct
a 50’ telecommunications tower at 3555 Cornerstone Trail.

   Formal action will be taken at the conclusion of the hearing.

B. Adjourn Public Hearing

C. 10-Minute Recess to Approve Minutes

D. Reconvene

E. Regular Meeting Open:
   a. Approve Minutes
   b. Old Business
   c. New Business

F. Adjourn
Application: Communications Facility Permit
Owner of Property(s): Cornerstone Owners Association, Inc.
Zoning: Alpine
Case Manager: Bryan Sampson

Request
This application seeks approval to install a new telecommunications tower at 3555 Cornerstone Trail (the golf course maintenance parcel in Filing 1 of the Cornerstone Development).

Background/History:
The final development plan/final plat for Cornerstone, Filing 1, was recorded on May 9, 2006, and the parcel has been utilized as the golf course maintenance parcel since that time.

County Referrals and Outside Agency Referrals:

County Administrator Referral:
The County Administrator did not express any concerns with the application.

County Attorney Referral:
The County Attorney did not have any concerns with the application.

Notification Requirements:

Written Property Owner Notice
All property owners within a 1-mile radius were mailed notice of the application on April 1, 2022, satisfying the requirement of Section 23.5C2

On-site Notice
The Applicant must post on-site notice at least 30-days prior to the Board of County Commissioner hearing.

Published Notice
Public Notice of the Planning Commission Public Hearing was published in the Ouray County Plaindealer on March 31, 2022, satisfying Section 23.5C1.
Land Use Code Section 23 – Review Requirements

23.1 PERMITTING AND ZONING:

A. Communications facilities are permitted in all zoning districts, subject to the provisions of this Section with a Communications Facility 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 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 with a duration not exceeding a period of up to 20 years.

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

STAFF RESPONSE: Due to the utility-like nature of Communication Facilities, Staff would support a 20 year term for this permit.

23.2 REQUIREMENTS FOR COMMUNICATIONS FACILITIES APPLICATIONS:

A. 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 that would produce a similar and acceptable coverage area, as indicated by an industry accepted coverage model for the frequency band or bands in use.

(1) Applicant shall provide desired coverage area map*, including the reference signal level value which defines the edge and end-of-coverage boundary on the map. Map shall also include any interference based, FCC, or other agency required coverage keep out areas where coverage reference level or other specified level is forbidden for interference or other regulatory reasons.

(2) Applicant shall demonstrate that the requirements of the coverage areas of the reference map are not met by any existing antenna site that are within the desired coverage area. Applicant shall also provide any information regarding possible tower exclusions due to other possible restrictions, including but not necessarily limited to RF exposure limits.

(3) The inventory shall include all such structures that lie within the desired coverage area per the provided coverage area map. Such map shall include specific information about the location (latitude and longitude coordinates), height, design, tower type, including any site transmitter power restrictions, site separation distance requirements...
from other stations, site human RF exposure limits, general suitability for co-location, and any other pertinent information as may be required by the Department.

(4) The Department may share such information with other applicants for a 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.

**Note:** Ouray County will accept any industry-standard coverage model as long as the same model is used for the entire proposed site.

**STAFF RESPONSE:** The Applicant has submitted the coverage area map & the Applicant has stated that the closest three towers will not provide the coverage area desired.

B. **Planned Unit Developments/Subdivisions:**

New communications towers and their associated support facilities may be permitted in County-approved PUDs and subdivisions, and subdivisions filed prior to 1974.

**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.

**STAFF RESPONSE:** This proposal is within the Cornerstone development, and according to the Applicant’s narrative, the project location was agreed to by the Cornerstone Owners Association.

C. **Co-location; Design Requirements:**

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

**STAFF RESPONSE:** The Applicant has stated that this tower has been designed to allow for the co-location of additional similar communications equipment.

D. **Co-location; Availability of Suitable Existing Structures:**

No new cellular communication towers, shall be permitted unless the applicant demonstrates to the satisfaction of the Department that no existing tower or existing alternative tower structure, within the coverage area as detailed in the coverage area map provided by the Applicant, 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) Site separation distance requirements from other stations.

(5) Site RF human exposure limits.

(6) 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.

(7) Site transmitter power restrictions that conflict with the applicant’s proposed equipment/antenna(s).

(8) The applicant adequately demonstrates that the existing site is not generally suitable for co-location or there are other limiting factors that render existing towers and structures unsuitable.

**STAFF RESPONSE:** As shown on the coverage map, it appears that the nearest three towers are not located within the area required to meet the applicant’s technical requirements (#1 above).

**E. Tower Height Restrictions:**

(1) Communications towers and related facilities are presumed to have a maximum height of 80 feet.

(2) Proposals for towers at a height of greater than 80 feet must include a Longley-Rice or similar industry standard coverage area map, supporting 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 80 feet may be required to reimburse the County for additional costs related to review by a qualified engineer.

**STAFF RESPONSE:** The tower height being proposed is 50’ – well below the 80’ maximum.

**F. 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 may be required to be designed as alternative tower structures or camouflaged/stealth towers. Tower location, height, design, and overall visibility will be considered in determining the extent of camouflage elements required. Proposed tower stealth or camouflage design and elements must be approved by the BOCC.

(2) Unless otherwise required by FCC regulation, 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. Applicants may propose alternatives to these
requirements based upon specific technical requirements, maintenance concerns, or potential anodization issues.

(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 County 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 the FCC or other 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.

**STAFF RESPONSE:** The proposed tower is a “stealth” design, and the photo-simulations that were submitted show a tan structure with a “canister” over the actual antennas. This site is not visible from any Visual Impact Corridor listed in Section 9, so it is Staff’s opinion that the Cornerstone Owners Association should be the party that reviews/approves the aesthetics of this facility.

G. **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) Guy wires, 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.

**STAFF RESPONSE:** This proposal meets or exceeds all of the setback standards listed in this section.

H. **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.

**STAFF RESPONSE:** A wooden fence has been proposed and should achieve ‘blending’ with the surroundings.

I. **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 judgment of the BOCC landscaping is not appropriate or necessary.

(4) The BOCC shall consider wildfire implications when imposing requirements for landscaping.

(5) Tree or shrub based landscaping will not be required where the applicant demonstrates that ground radial or lightning protection/mitigation system ground lines might be adversely effected by tree roots.

**STAFF RESPONSE:** Staff is not recommending that any landscaping be installed at this time. The Cornerstone Owners Association may, however, require landscaping at their discretion.

J. **Additional Requirements:**

(1) Along with all information required on the County application, Applicant shall provide information regarding any overall site power limit, if applicable.

**STAFF RESPONSE:** A power limit has not been provided by the Applicant.

(2) 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.

**STAFF RESPONSE:** Staff does not anticipate that the proposed facility will create any undue impacts to the surrounding areas.

(3) Applicant must submit evidence that demonstrates that legal access and all utilities required to serve the proposed use are available.

**STAFF RESPONSE:** Legal access exists by way of Cornerstone Trail, and there are already utilities present on the subject parcel to serve the golf course maintenance facility.

(4) Applicant must submit evidence that demonstrates the proposed facility will not unreasonably impact wildlife or significant wildlife habitat.

**STAFF RESPONSE:** The proposed site is a lot within the Cornerstone Development that has already been built upon. It is not an open space parcel & the size of the disturbed area (lease area is 30x40) is relatively small. There are no wetlands or water sources within the lease area. For these reasons, it is Staff’s opinion the proposed tower will not unreasonably impact wildlife.

(5) Applicant must submit evidence that demonstrates the proposed facility will not alter, restrict, inhibit, or interfere with historic irrigation practices, head gates, ditches, and ditch rights-of-way.

**STAFF RESPONSE:** There does not appear to be any irrigation improvements on the property, and therefore it is Staff’s opinion that the proposed facility will not/cannot impact them.

(6) Applicant must submit a geo-hazard mitigation report for any proposed facility located within any area subject to potential geo-hazards, including, but not limited to: rock-fall areas, avalanches, landslide, potential unstable slopes, slopes greater than 30%, alluvial/colluvial fans, talus slopes, shale, faults, expansive soils, or ground subsidence. Such report must be prepared by a Colorado Licensed Geo-Technical Engineer and approved by the County.

**STAFF RESPONSE:** The Applicant has stated that a geo-technical report is being prepared for the site. Staff does not, however, anticipate any major issues to be present at the proposed site.

(7) 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.

**STAFF RESPONSE:** There is no evidence of contamination, chemical or otherwise, at the proposed site, nor does staff anticipate contamination.
occurring as a result of installing/utilizing a communications facility on the subject property.

(8) Applicant must submit evidence that demonstrates the proposed facility would not have a material adverse effect on the surrounding area.

**STAFF RESPONSE:** Staff does not anticipate any material adverse effects resulting from the installation or utilization of the communications facility.

(9) 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.

**STAFF RESPONSE:** Staff does not anticipate impacts to existing infrastructure – traffic will be minimal (much less than the average SFD) and all utilities required to operate the facility exist on the site today.

(10) Applicant must submit a weed management/mitigation plan if required by the County Weed Manager.

**STAFF RESPONSE:** Staff is recommending a condition to approval that the Applicant shall consult with the County Weed Manager to conduct a site visit and develop a weed management plan, if necessary.

23.3 **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.

**STAFF RESPONSE:** Staff is recommending a 20 year term for this permit and the Applicant is aware of the renewal process/regulations.

23.4 **BUILDING PERMIT AND AS-BUILT DRAWINGS REQUIRED:**

A. All new towers, new structures, new support facilities, and new equipment shelters require issuance of a building permit prior to commencing construction. Refer to application form for specific submittal requirements.
B. As-built drawings and photographs of the completed tower, site, or approved modification must be submitted to the Land Use Department within 30-days from the date of the completion of the project. Final sign-off and Certificate of Completion will not be issued until drawings are submitted.

**STAFF RESPONSE:** The Applicant is aware of these provisions.

**Planning Commission Review:**
Pending review by the Planning Commission on April 19, 2022.

**Staff Conclusions and Recommendations:**
It is the determination of Staff that this application, for a Communications Facility Permit, has met the requirements and standards set forth in Section 23 of the Ouray County Land Use Code. Therefore, Staff is recommending that the Planning Commission forward the application to the Board of County Commissioners with a recommendation of **APPROVAL**, with the following conditions:

1. The permit for this facility shall expire 20-years from the date of approval.
2. Applicant shall consult with the County Weed Manager to conduct a site visit and develop a weed management plan, if necessary.
EXHIBIT LIST

EXHIBIT A – VICINITY MAP
EXHIBIT B – APPLICATION MATERIALS SUBMITTED
EXHIBIT C – PUBLIC NOTICE
EXHIBIT D – AFFECTED PROPERTY OWNER RESPONSES (IF ANY)
EXHIBIT E – OTHER PUBLIC COMMENT RECEIVED (IF ANY)
EXHIBIT B

APPLICATION MATERIALS SUBMITTED
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 CFP 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 CFP permit application;
B. Legal description;
C. Account or Parcel number(s);
D. Written statement;
E. Site Plan, Design Elevations, Site Photos, Photo Simulations;
F. CFP 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 CFP 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 CFP 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](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](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. **Co-Location.** Section 23.4 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 CFP 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 CFP 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. CFP PERMIT APPLICATION FEE**

The fee for a CFP application is listed on the current Land Use Fee Schedule 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 #*: 425914399002  Job Site Address: 3555 Cornerstone Trail
City: Montrose  Zip Code: 81403
Legal Description of Property: Qtr. Sections: _______  Section: _______  Zone: Alpine Zone
(Town: _______  Range: _______  Subdivision Name: CORNERSTONE PHASE I GOLF COURSE MAINTENANCE PARCEL
Filing: _______  Lot Name/Number: _______  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

Land Owner(s) Name: Cornerstone Owners Association Inc
Mailing Address: ____________________________
Authorized Agent’s Name: Tom Walker - Smartlink on behalf of AT&T
Mailing Address: ____________________________

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

AT&T is proposing to install a new 50' monopole tower with antennas concealed within a canister. The pole and ground equipment will be installed within a 40' x 30' fenced compound.

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

2/1/2022
Communications Facility Permit – Requirements and Procedures

The following information must be submitted with any application for a Communications Facility Permit. For complete submittal requirements refer to Section XX of the Ouray County Land Use Code.

- Site Plan – Showing lot lines, roads, access, existing or proposed driveways, existing or proposed parking areas, structures, areas of significant vegetation, all water features including ditches, ponds, waterways.
- Signature(s) of all owner(s) of all property authorizing application and acceptable evidence of ownership.
- Copy of the current lease agreement. *(All proprietary or confidential information may be redacted.)*
- If the operator of the proposed Telecommunications Facility Permit is other than the Owner of the property or the Applicant, the proposed operator shall be identified within this application.
- A detailed explanation *(narrative)* of the proposed operation or use.

As required by Federal Regulations, all applications for Communications Facilities Permits will be processed per the following timelines:

- Determination of substantial vs non-substantial modification of a communications facility: 60 – Days
- Applications for approval of co-location of a communications facility: 90 – Days
- Application for a new communications tower or facility: 180 – Days

**COMMUNICATIONS FACILITY PERMIT - APPLICATION REFERRAL:**

| [ ] | Assessor | [ ] | Attorney | [ ] | Building | [ ] | EMS / Sheriffs |
| [ ] | Public Health | [ ] | Road / Bridge | [ ] | Weeds | [ ] | Administration |

**APPLICATION INFORMATION**

Applicant’s name:____________________________ Agency:______________________________________

Location: ______________________________________________________________________________

Application Acceptance Date: ____/___/_______

Time allowed to process Application: [ ] - 60 Days  [ ] - 90 Days  [ ] - 180 Days

Tentative Hearing Dates - Planning Commission: ____/___/_______  BOCC: ____/___/_______

**COUNTY DEPARTMENT COMMENTS**

[ ] This department *does not* have any concerns regarding this application

[ ] This department *does* have a concern(s) with this application. Please provide concerns below:

____________________________________________________________________________________

Please attach additional sheets if necessary

Dept. Head/Elected Off. Signature:______________________________________ Date:____________________
I/we, the undersigned owner(s) of the following described real property located in Ouray County, Colorado hereby authorize:

**Agent:**

Name: Tom Walker  
Phone: 303-868-6866

E-Mail: tom.walker@smartlinkgroup.com

Name of Business or Entity: Smartlink on behalf of AT&T

Address: 7670 S. Chester Street

City: Englewood  
State: CO  
Zip: 80112

to act in my/our behalf in applying for permits from the County of Ouray.

**Legal Property Description:**

Parcel or Account Number: 425914399002

Section:  
Township:  
Range:  
Quarter Section(s): 

Permit(s) Applied For: Communications Facility Permit Application

**Signature(s) of Property Owners of Record:**

By my signature I hereby certify that I have read any applications and other materials 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.

I understand that Ouray County is overall a rural county located in rough and difficult terrain with a limited transportation network and County services may be unavailable or service may be untimely in some or all areas of the County. I am aware that approval of a site development permit or any other permit does not constitute and shall not be considered as conferring any guarantee or expectation of the provision of any County service (including emergency services).

Signature:  
Date: 2/1/22

Printed Name: Robert A. Smith

Signature:  
Date: 

Printed Name: 

Form Rev. 3/2018
Ouray County  
Land Use Department  
111 Mall Road  
Ridgeway, CO 81432  

RE: Communications Facility Permit Application / 3555 Cornerstone Trail, Montrose, CO 81403  

To Ouray County Land Use Department:  

AT&T is proposing to install a new wireless communications facility on the property owned by Cornerstone Owners Association at 3555 Cornerstone Trail in Montrose (Parcel 425914399002). The details of this proposal are provided below:  

- A new 50’ concealed monopole tower within a 40’ x 30’ fenced compound  
- On the tower, the initial installation with include (three) panel antennas, within a stealth canister  
- On the ground level, two equipment cabinets are to be installed on a 7’ x 8’ concrete pad. Two (2) utility H-frames are to be installed. New 200A electrical service will also be added.  

Existing and Proposed Use  

The parcel that is being used for this proposed Communications Facility currently houses maintenance buildings that are used by the Cornerstone Owners Association for their golf course and community. The new Communications facility would occupy a 40’ x 30’ lease area located in the northeast corner of the parcel  

Time and Schedule for Development  

AT&T is eager to install the facility as soon as possible upon receiving approval from Ouray County. Currently they would like to being the installation process in June of 2022 so that they can provide service by the summer and fall.  

Location Reasoning  

This location was agreed upon by the Cornerstone Owners Association as well as AT&T because it is currently developed as a maintenance property and its location would provide the community with new, reliable service. This location provides for the least viable intrusive design for the community.  

Co-Location  

The new site design can accommodate an additional carrier co-location with similar equipment.
Existing towers or suitable alternative tower structures are not located within the area required to meet the applicant’s technical requirements. **The below photos show the three nearest existing poles to the proposed new site location. They are not viable for the coverage objective.**
For review, the below documents have been provided:

- Written Statement
- Completed CFP Application including:
  - Legal Description
  - Parcel Number
- Site Plan and Design Elevations
- Site Photos and Photo Simulations
- CFP Application Filing Fee
- RF Propagation Plots
- Inventory of Existing AT&T Site within Ouray County

Please contact me with any questions, concerns, or additional information that you may need to accept and review this application.

Best regards,

Tom Walker
Real Estate Project Manager

www.smartlinkgroup.com
K. Additional Requirements:

(1) Along with all information required on the County application, Applicant shall provide information regarding any overall site power limit, if applicable. Not applicable

(2) 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. The proposed facility will not create undue impacts to the surrounding areas. The site will not affect any water source, will not produce a noticeable amount of noise, vibrations, smoke, dust, odors heat, or glare.

(3) Applicant must submit evidence that demonstrates that legal access and all utilities required to serve the proposed use are available. New Cingular Wireless, PCS (AT&T) is in the process of completing a Lease Agreement with the Land Owner. This will include legal access to the site as well as the inclusion of utilities to the site. This information can be found on pages LS-1 and LS-2 of the Zoning Drawings.

(4) Applicant must submit evidence that demonstrates the proposed facility will not unreasonably impact wildlife or significant wildlife habitat. The new facility will not negatively affect wildlife. It is to be located within a parcel that has an existing fence.

(5) Applicant must submit evidence that demonstrates the proposed facility will not alter, restrict, inhibit, or interfere with historic irrigation practices, head gates, ditches, and ditch rights-of-way. The proposed site will not alter, restrict, inhibit, or interfere with these items. The Site Survey, Pages LS-1 and LS-2, can be used to confirm.

(6) Applicant must submit a geo-hazard mitigation report for any proposed facility located within any area subject to potential geo-hazards, including, but not limited to: rock-fall areas, avalanches, landslide, potential unstable slopes, slopes greater than 30%, alluvial/colluvial fans, talus slopes, shale, faults, expansive soils, or ground subsidence. Such report must be prepared by a Colorado Licensed Geo-Technical Engineer and approved by the County. AT&T is currently working on completing a Geo-
Technical report for this location and will provide the Engineer stamped document upon completion.

(7) 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. There is no evidence of any chemical or other contamination at this site.

(8) Applicant must submit evidence that demonstrates the proposed facility would not have a material adverse effect on the surrounding area. The site design and location will not have a material adverse effect on the surrounding area. The parcel is used as a maintenance facility and the site is to be located in the far Northeast corner.

(9) 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. There will be no change to any existing infrastructure. The site location is on a vacant section of the property.

(10) Applicant must submit a weed management/mitigation plan if required by the County Weed Manager. No requirement has been requested from the County Weed Manager at this time.

Note: The County may require qualified professional geologic or engineering certification that the proposed tower facility and associated structures can be located and developed in a safe manner.
COL04349: TurfCare Facility - Cornerstone Golf Course

Desired Service Area Map
PROPOSED AT&T VERITEX
NETSURE 512 POWER PLANT

PROPOSED AT&T GPS ANTENNA

PROPOSED AT&T (12) 7/8" COAX
CABLES FROM WC TO
TOWER MOUNTED EQUIPMENT.
APPROX. LENGTH: 700'

PROPOSED AT&T 20'-0" ICE BRIDGE

PROPOSED AT&T H-FRAME
MOUNTED TO H-FRAME

PROPOSED CONCRETE PAD

PROPOSED AT&T UNIVERSAL FIBER SERVICE
FROM FIBER VAULT TO PROPOSED H-FRAME
(APPROX. LENGTH: 45')

PROPOSED TELCO BOX

PROPOSED AT&T 200A ELECTRICAL SERVICE
WITH MULTIPLE METER BANKS AND DISCONNECT

PROPOSED AT&T UNIVERSAL FIBER SERVICE
FROM PROPOSED H-FRAME TO AT&T EQUIPMENT
(APPROX. LENGTH: 30')

PROPOSED AT&T UNIVERSAL ELECTRIC SERVICE
FROM ELECTRIC VAULT TO PROPOSED H-FRAME
(APPROX. LENGTH: 70')

PROPOSED AT&T UNIVERSAL ELECTRIC SERVICE
FROM PROPOSED H-FRAME TO AT&T EQUIPMENT
(APPROX. LENGTH: 30')
SITE ID: COL04349
SITE NAME: CORNERSTONE CLUB
EXHIBIT C
PUBLIC NOTICE
ears of employment. Applicant irado driver’s license and the ismission. Compensation: on is: $47,829.60 (commen-bles benefits. This is a full Resumes shall be addressed urces, PO Box C, Ouray, Co. County is an equal opportu-

Ridgway, CO 81432
Published: Ouray County Plaindealer: March 17, 22, 31, 2022
Legal Notice No. 48391

PUBLIC HEARING NOTICE

The Ouray County Board of Adjustment has scheduled a public hearing beginning at 10:00 a.m. on April 13, 2022 at the Ouray County 4-H Event Center, 22739 Hwy 550, Ridgway, CO, 81432.

The purpose of this hearing is to review a request by NDTCO, Trustee, FBO, James D Worrell, IRA, for approval of a variance from the requirement that an Accessory Dwelling Unit (ADU) must be 800 square feet or less on parcels that are 3-acres or less, found in Section 2 of the Ouray County Land Use Code. If approved, the Applicant will be allowed to construct an ADU, on Lot 5 of the Last Stand Subdivision, which would be approximately 1,130 square feet in size. At the conclusion of the hearing the Board of Adjustment may take formal action on the application.

The application and associated documentation may be reviewed at the Land Use Office, 111 Mall Road, Ridgway, Colorado. Comments may be submitted in writing prior to the hearing and should be received no later than April 12, 2022. Mail comments to: Ouray County - Clerk of the Board, P.O. Box C, Ouray, CO 81427 or email to: hhollenbeck@ouraycountyco.gov. Alternatively, written and/or oral testimony will be taken at the hearing. Action may be taken on this application following the hearing.

Published: Ouray County Plaindealer: March 31, 2022
Legal Notice No. 48392

NOTICE OF HEARING

Notice is hereby given that the Ouray County Planning Commission will hold a public hearing beginning at 4:00 pm on April 19, 2022 at the Ouray County Land Use Office, located at 111 Mall Road, Ridgway CO and via Zoom. (Zoom info published later in the Plaindealer under the PC Agenda.)

The purpose of the hearing is to review and make a recommendation to the Board of County Commissioners regarding an application by Cornerstone Owners Association, Inc. through their Authorized Agent Tom Walker (on behalf of AT&T) for a Communications Facility Permit to construct a 50’ telecommunications tower at 3555 Cornerstone Trail.

Application materials may be may be reviewed during regular business hours (Mon-Thurs, 8:00 am to 4:30 pm) at the Land Use Office, 111 Mall Road, Ridgway, Colorado. Comments may be submitted prior to the hearing and should be received no later than April 12, 2022. Comments may be mailed to: Land Use Office, P.O. Box 28, Ridgway, CO 81432 or emailed to: bsampson@ouraycountyco.gov. Alternatively, written and/or oral testimony may be taken from the public during the hearing. Action may be taken on this application following the hearing.

Published: Ouray County Plaindealer: March 31, 2022

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EXHIBIT D

AFFECTED PROPERTY OWNER RESPONSES (IF ANY)
EXHIBIT E

OTHER PUBLIC COMMENT RECEIVED (IF ANY)