

**TOWN OF MOUNTAIN VILLAGE
DESIGN REVIEW BOARD REGULAR MEETING
THURSDAY FEBRUARY 2, 2017 10:00 AM
2nd FLOOR CONFERENCE ROOM, MOUNTAIN VILLAGE TOWN HALL
455 MOUNTAIN VILLAGE BLVD, MOUNTAIN VILLAGE, COLORADO
AGENDA**

	Time	Min.	Presenter	Type	
1.	10:00		Chair		Call to Order
2.	10:00	30	Mahoney	Executive Session	Executive Session for the Purpose of Receiving Legal Advice Pursuant to C.R.S. 24-6-402(b)
3.	10:30	5	Van Nimwegen	Action	Reading and Approval of Summary of Motions of the January 5, 2017 Design Review Board Meeting.
4.	10:35	45	Van Nimwegen	Public Hearing Quasi-Judicial Action	An amendment to a previously approved conditional use permit for a 100 foot communication tower to be located in Tract OSP 49-R (Resolution No. 2015-0423-08) to remove the condition that prohibited the tower from including lights. The request is to allow a red beacon as required by the Federal Aviation Administration
5.	11:20	5	Van Nimwegen	Public Hearing Quasi-Judicial Action	Review and recommendation to the Town Council regarding the following proposed actions for Lot 640A, 306 Adams Ranch Road: A. The proposed rezoning of the southern .55 acres of Lot 640A (2.56 Acres) from Multi-Family Zone District to Class 2 Active Open Space and the remaining 2.01 acres to Class 3 Active Open Space; and B. The transfer of 15 units of Employee Apartment or Condominium units (45 person equivalent density) from the Density Bank to Lot 640A for a total of 45 units of Employee Apartment or Condominium units (135 person equivalent density); and C. The approval of a Conditional Use Permit for 45 Employee Apartment or Condominium units on the central 1.41 acres of Lot 640A; and D. Approval of the Replat of 640A (TABLED - APPLICATION WILL HAVE TO BE RE-NOTICED FOR A FUTURE AGENDA)
6.	11:25	15	Bangert	Public Hearing Quasi-Judicial Action	An amendment to the design of the driveway and retaining walls for a previously approved single-family home on Lot 912R, located at 132 Victoria Drive.
7.	11:40	30			LUNCH

Please note that this Agenda is subject to change. (Times are approximate and subject to change)
455 Mountain Village Blvd., Suite A, Mountain Village, Colorado 81435
Phone: (970) 369-8242 Fax: (970) 728-4342

**DESIGN REVIEW BOARDMEETING
AGENDA FOR FEBRUARY 2 2017**

8.	12:10	30	Van Nimwegen	Public Hearing Action	Review for a recommendation to the Town Council proposed amendments to Chapter 17.4 <u>Development Review Procedures</u> of the Community Development Code regarding establishing a two-step Design Review process.
9.	12:40	5	Van Nimwegen	Discussion	Other Business
10.	12:45				Adjourn

Please note that this Agenda is subject to change. (Times are approximate and subject to change)
 455 Mountain Village Blvd., Suite A, Mountain Village, Colorado 81435
 Phone: (970) 369-8242 Fax: (970) 728-4342

Individuals with disabilities needing auxiliary aid(s) may request assistance by contacting Town Hall at the above numbers or email: cd@mtnvillage.org. We would appreciate it if you would contact us at least 48 hours in advance of the scheduled event so arrangements can be made to locate requested auxiliary aid(s).

**SUMMARY OF MOTIONS
TOWN OF MOUNTAIN VILLAGE
DESIGN REVIEW BOARD MEETING
THURSDAY, JANUARY 5, 2017**

Agenda Item 3

Call to Order

Vice-Chairman Banks Brown called the meeting of the Design Review Board of the Town of Mountain Village to order at 10:01 a.m. on Thursday, January 5, 2017 in the Conference Room at 455 Mountain Village Boulevard Mountain Village, CO 81435.

Attendance

The following Board/Alternate members were present and acting:

Banks Brown (Vice-Chair)
Phil Evans
Keith Brown
Luke Trujillo
Dave Craige
Greer Garner
Liz Caton (Alternate)

The following Board members were absent:

Dave Eckman (Chair)
Jean Vatter (Alternate)

Town Staff in attendance:

Glen Van Nimwegen, Director of Planning and Development Services
Dave Bangert, Senior Planner/Forester
Sam Starr, Planner

Public in attendance:

Michael Chandler	mc@chandlerhomes.biz
Mike Mayer	mike@teamkashmir.com
Merry Mayer	Mikemerryastra@comcast.net
Beth Bailis	cariboudesign@gmail.com
Bronwen Spielman	bronwen@onearchitects.com
Jodi Wright	Jodi@onearchitects.com
Jolan Vanek	
Tommy Hein	tommy@tommyhein.com
Stacy Lake	stacy@tommyhein.com
Mike Balser	mike@tommyhein.com
Chris Hawkins	Alpineplanningllc@gmail.com
Jack Schultz	
Finn Kjome	Fkjome@mtnvillage.org
Ryan Vugteveen	Ryan@liftstudiolandscapenet
Stefono Cancuni	
Paolo Cancuni	
Kim Bartosiak	
Harper Meek	

Reading and Approval of Summary of Motions of the December 1, 2016 Design Review Board Regular Meeting

On a **Motion** made by David Craige and seconded by Keith Brown , the DRB voted 7-0 to approve the Summary of Motions from the December 1, 2016 Design Review Board Meeting

Review and recommendation to the Town Council regarding the following proposed actions for Lot 640A, 306 Adams Ranch Road: A. The proposed rezoning of the southern .55 acres of Lot 640A (2.56 Acres) from Multi-Family Zone District to Class 2 Active Open Space and the remaining 2.01 acres to Class 3 Active Open Space; and B. The transfer of 15 units of Employee Apartment or Condominium units (45 person equivalent density) from the Density Bank to Lot 640A for a total of 45 units of Employee Apartment or Condominium units (135 person equivalent density); and C. The approval of a Conditional Use Permit for 45 Employee Apartment or Condominium units on the central 1.41 acres of Lot 640A; and D. Approval of the Replat of 640A.

Glen Van Nimwegen requested that this item be continued until the February 2, 2017 DRB meeting subject to the applicant notifying staff by January 19th if they wanted to move forward with the existing application and if so, new notice letters shall be sent out by the applicant by January 20th.

On a Motion made by Phil Evans and seconded by Greer Garner, the DRB voted 7-0, to continue this application till the February 2, 2017 Design Review Board Meeting, subject to the recommended stipulation above.

Consideration of a Design Review Process Development Application for new construction of a single-family residence on Lot 233A, 103 Gold Hill Court.

Board Member Phil Evans recused himself from this item due to a conflict of interest.

Dave Bangert presented the Design Review Process Development Application for new construction of a single-family residence on Lot 233A, 103 Gold Hill Court. Bronwen Stielman from One Architects presented on behalf of the owner.

On a **Motion** made by Greer Garner and seconded by Luke Trujillo, the DRB voted **6-0**, to approve the application for a single family home on Lot 233A, 103 Gold Hill Court subject to the following conditions:

1. Prior to CO the owners of Lot 233A will enter into a General Easement encroachment agreement with the Town for the address monument in the southern GE.
2. A survey of the footers will be provided prior to pouring concrete to determine that there are no encroachments into the GE.
3. A ridge height survey will be provided during the framing inspection to determine the building height is in compliance.
4. The residence shall have a monitored fire sprinkler system; and the numbers on the address monument shall be coated or outlined with material to cause them to be reflective.
5. Prior to the issuance of a building permit, the applicant shall field verify all utilities and submit a revised utility plan to the public works director identifying the location of utilities and connection points.

Glen Van Nimwegen requested that agenda item 8 Design Regulations amendments and agenda item 7 for Lot 165R are moved up on the agenda to be heard next consecutively.

Review for a recommendation to the Town Council of proposed amendments to Sections 17.5 Design

Regulations and 17.4 Development Review Procedures of the Community Development Code.

Mr. Van Nimwegen presented the latest amendments to Section 17.5 to the Board. Staff recommended approval of this draft for Town Council's review January 19, 2017. He explained that Section 17.4 needs additional review by the Town Attorney and staff is recommending this item be continued until February 2, 2017.

The Board discussed the issues of separating the two items. Direction was given to staff to highly recommend applicants hold a Work Session with the Board prior to final approval until the process amendments are finalized.

A **Motion** was made by Phil Evans, seconded by Greer Garner and the DRB voted **7-0** to recommend to Town Council to approve amendments to Section 17.5 Design Regulations as presented by staff; and continue the proposed amendments to Section 17.4 Development Review Procedures to the February 2, 2017 DRB meeting.

Conceptual Work Session application for a new single family home on Lot 165R, Unit 22 of the Second Amendment to the Map of the Cortina Land Condominiums, 155 Cortina Drive.

Sam Starr presented the Conceptual Work Session application for a new single family home on Lot 165R, Unit 22 Second Amendment to the Map of the Cortina Land Condominiums, 155 Cortina Drive. Architect Tommy Hein presented for the owner.

Board Member Luke Trujillo left the meeting prior to discussion at 11:40 a.m. due to another commitment.

Consideration of a Design Review Process Application for Sunset Plaza Paving and Lighting Redevelopment Project on OS3V

Board Member Keith Brown recused himself from this item due to a conflict of interest.

Sam Starr presented the Design Review Process Application for Sunset Plaza Paving and Lighting Redevelopment Project on OS3V.

On a **Motion** made by Phil Evans and seconded by Greer Garner, the DRB voted **5-0**, to approve the application for Sunset Plaza Paving and Lighting Redevelopment Project on OS3V with the request that the people in charge of the project examine the possibility of extending the lights in all directions.

Other Business

Glen Van Nimwegen reminded the Board that letters of interest and resumes for 3 DRB regular board seats and the 2 DRB alternate seats were due in by January 31, 2017

On a **Motion** made by Phil Evans and seconded by Greer Garner the DRB voted 6-0 to adjourn the January 5, 2017 meeting of the Mountain Village Design Review Board at 1:30 pm.

Respectfully Submitted,

Glen Van Nimwegen
Director



**PLANNING AND DEVELOPMENT SERVICES
DEPARTMENT**

455 Mountain Village Blvd.
Mountain Village, CO 81435
(970) 728-1392

Agenda Item #4

TO: Design Review Board
FROM: Glen Van Nimwegen, Director
FOR: February 2, 2017 Meeting
DATE: January 23, 2017
RE: An Amendment to Previously Approved Conditional Use Permit for a Telecommunication Tower Located on OSP49R to Add FAA Mandated Red Beacon

PROJECT GEOGRAPHY

Legal Description: OSP-49R
Address: No Address Assigned
Applicant/Agent: Mark McGarey of Marken Telecom Services
Owner: Telluride Ski and Golf, LLC (TSG)
Zoning: Full Use Active Open Space Zone District
Existing Use: Existing 90 foot Tower (Approved but not Constructed 100 foot Tower)
Proposed Use: Addition of Red Beacon to Approved 100 foot Tower
Adjacent Land Uses:

- o **North:** USFS
- o **South:** The Ridge Development
- o **East:** The Ridge Development
- o **West:** USFS/Full Use Active Open Space

ATTACHMENTS

Exhibit A: Applicant Narrative
Exhibit B: Communication Tower Plans
Exhibit C: Resolution No. 2015-0423-08
Exhibit D: FAA Memos and Red Obstruction Light cut sheet
Exhibit E: Press Release and Feedback on Red Light Demonstration
Exhibit F: Letter from TSG to Sheriff's Office
Exhibit G: Letter to DRB from SMETSA
Exhibit H: Pictures of Red Light Story Pole

BACKGROUND

The proposed site includes the existing 90 foot tower constructed around 1988, that was approved by San Miguel County prior to the Town's incorporation. The existing tower is owned and managed by TSG. The existing tower provides vital community service and public safety functions, with KOTO radio; and shared facilities that provide emergency dispatch functions for

the San Miguel County Sherriff, Mountain Village Police and State Patrol. In addition, the FAA has an antenna on the tower to assist with flight safety for the area.

In April of 2015 the Town Council approved a variance and conditional use permit for a new 100 foot high communication tower located approximately 20 feet from the existing tower (Exhibit C). This application was referred to San Miguel County and Town of Telluride because it is located on Coonskin Ridge and subject to a covenant that regulates height and visibility of structures. The approval carried the condition that:

1. The tower shall not include a light beacon or be brightly painted to stand out to aircraft. If the Federal Aviation Administration (FAA) requires either a light beacon or bright paint for the tower to stand out, the antenna shall be lowered to a height where these FAA requirements do not apply.”

In May of 2016 the FAA notified the applicant that a red beacon would be required atop the new tower (Exhibit D). The following steps were taken to increase awareness of the proposed change:

October 27 to November 7, 2016: The applicant erected a 100 foot high “story pole” on the ridge with the required red beacon which was lit from dusk to dawn. Mountain Village promoted the demonstration and solicited feedback (Exhibit E).

November 14, 2016: The applicant presented the proposed change for discussion at the Intergovernmental Work Session that includes elected officials from the county, Telluride and Mountain Village.

January 17, 2017: Mountain Village hosted a demonstration of possible light reduction actions that could be taken at the San Sophia gondola station to reduce lights that are visible on the ridge from Telluride. This was prompted by feedback received at the above IGA meeting regarding light emanating from the station.

On January 16, 2017, the owner of the existing tower, Telluride Ski and Golf (TSG), notified the San Miguel Sheriff’s office that their lease for communication equipment on the existing tower has expired and that the structural carrying capacity of the tower is compromised. Therefore, TSG advised the Sheriff’s Department to remove all equipment and cables from the existing tower (Exhibit G).

CRITERIA FOR DECISION

Decisions regarding use permits must meet the criteria contained in Section 17.4.14 (D). Staff believes the findings approved for the original tower still apply:

1. The proposed conditional use is in general conformity with the principles, policies and actions set forth in the Comprehensive Plan because adequate cellular communication is critical to the town’s economic development and for maintaining a world class resort destination;
2. The proposed conditional use is in harmony and compatible with surrounding land uses and the neighborhood and will not create a substantial adverse impact on adjacent properties or on services and infrastructure;

3. The design, development and operation of the proposed conditional use will not constitute a substantial physical hazard to the neighborhood, public facilities, infrastructure or open space;
4. The design, development and operation of the proposed conditional use shall not have significant adverse effect to the surrounding property owners and uses, and visual mitigation will minimize visual impacts;
5. The design, development and operation of the proposed conditional use shall not have a significant adverse effect on open space or the purposes of the facilities owned by the Town;
6. The design, development and operation of the proposed conditional use shall minimize adverse environmental and visual impacts to the extent possible considering the nature of the proposed conditional use;
7. The design, development and operation of the proposed conditional use shall provide adequate infrastructure, with the antenna users providing crucially needed community service and public safety functions;
8. The proposed conditional use does not potentially damage or contaminate any public, private, residential or agricultural water supply source; and
9. The proposed conditional use permit meets all applicable Town regulations and standards.

In addition, the approval must meet standards of the Community Development Code regarding telecommunication antenna regulations:

Antenna Design Requirements from Telecommunication Antenna Regulations, CDC Section 17.6.5 (D) General Standards for Review:

1. Freestanding Antenna Design Standards. Freestanding antennas not mounted to a building or structure shall meet the following requirements.
 - a. Visual impacts shall be mitigated to the extent practical;
 - i. Visual mitigation techniques such as coloring, screening, stealth antennas and landscaping shall be used to the extent practicable.
 - ii. The level of mitigation required will depend on the location of the proposed facility in relation to topographic features, important visual features, major public thoroughfares, public recreational areas, residential neighborhoods and other sensitive visual areas.
 - iii. Implementation of a visual mitigation plan shall be included as a condition of any conditional use permit approval.
 - b. Antenna height shall be minimized to the extent practical with the acceptable height permitted determined by the review authority. In no event shall an antenna exceed the maximum height permitted in the underlying zone district unless approved by a variance or PUD development review process;
 - c. The antenna shall be made available for the collocation of other telecommunication providers as a condition of approval with the goal to reduce the number of antennas in the town to the extent practical; and
 - d. There are no other alternative antenna sites currently in existence in the Telluride/town region that provide for collocation and the desired telecommunication service, service area and telecommunication service provider's technical needs.

3. Consideration of Radio Frequency Emissions. The environmental effects of radio frequency emissions shall not be considered an appropriate concern of an adjacent lot owner provided the antenna complies with the regulations of the Federal Communications Commission regarding such concern.
4. No Signal Interference. Evidence shall be submitted to demonstrate that a proposed communication antenna complies with all specifications of the Federal Communications Commission with respect to preventing signal interference with other systems, facilities, towers or antennas in the area. After operation of the antenna commences, the antenna operator shall be required to investigate any electrical disturbances affecting operation of equipment beyond the boundaries of the antenna site and to resolve such disturbances if the disturbances are attributable to the use of the antenna.
5. Federal and State Regulations. Communication antennas shall comply with all applicable federal and state regulations. At the time application is made for a conditional use permit, site-plan or final plat approval, the applicant shall submit evidence showing he has obtained any required approvals or permits for commercial communication antennas from these agencies.
6. Reclamation and Abandonment. Notwithstanding the foregoing, any communication antenna that is not operated for a continuous period of twelve (12) months shall be considered abandoned, and the owner of the lot where such antenna is located shall remove the same within ninety (90) calendar days of the issue date of the notice to remove the antenna.

ANALYSIS

It is important for the Board to note that the tower has been approved in its location at the 100 foot height. The proposed amendment is only to modify condition #1 to allow the mandated red beacon. All other conditions will remain. Therefore staff is limiting our analysis to the impacts of the light, the ridgeline covenant; expected response from San Miguel County and public comments.

Mitigation of Visual Impacts

When the tower was proposed in 2015, it was believed the tower would not require bright colors or lighting due to its proximity to Telluride Airport. Per the tower CUP conditions #2 and 3, the county approved the color scheme for the tower to help it blend with the trees and sky. But after the applicant made a formal application to the FAA, their answer was the tower needs to be lit by the prescribed red beacon.

The second part of condition #1 infers that the tower could be reduced in height to a point where the lighting would not be the required. However, the FAA's analysis indicates any tower above ground level in this location would have to be lit (Exhibit D). The applicant has not found a site outside of the FAA's purview (within five miles of airport) that would be satisfactory for their needs.

The County has suggested that Mountain Village consider other ways to reduce light impacts on the ridge, namely by reducing light spillage from the San Sophia gondola station. As mentioned above we hosted a demonstration of the ways to reduce light from the station. The demonstration indicated substantial reduction in the light spillage could be achieved by turning off upper level lights. .

Ridge Covenant, Public Safety, San Miguel County and Telluride Reviews

The site of the proposed tower is subject to the First Amended and Restated Development Covenant for Lots 161A, 161A-1, 161B, 161D and Adjacent Active Open Space, Town of Mountain Village, Colorado, simply referred to here as the covenant. These requirements are also echoed in the CDC Ridge Regulations. The covenant sets appropriate heights for structures and lights within the prescribed area. The covenant also requires the referral of any design review application to San Miguel County and the Town of Telluride. If the County believes any development violates the covenant they may take direct court proceedings within 60 days after final approval.

The existing tower is an important link to providing public safety in the county, however it is structurally compromised. One of the tenants on the existing tower is the San Miguel County Sheriff's Office, though this equipment serves many of the community and public safety agencies of the region including the Telluride Marshal's Office; Mountain Village Police; Telluride Fire Protection District; Telluride Medical Center and the Colorado State Patrol and Department of Transportation. The San Miguel Emergency Telephone Service Authority Board (SMETSA) represents many of these entities through receiving and processing 911 calls. TSG has done a structural analysis of the existing tower and the findings were it was seriously overloaded. TSG has notified the Sheriff's Office that they must vacate the existing tower (Exhibit F). SMETSA has provided a letter to the DRB which outlines the history of the existing Coonskin Ridge tower and its vital role in providing emergency response to the region (Exhibit G).

Staff referred the application to the County and Telluride as prescribed by the covenant. We agreed to extend the review time to February 1, 2017, to allow the Board of County Commissioners to review the application at their regular meeting of January 25, 2017. At this meeting the Board directed their staff to prepare a letter to Mountain Village which will detail the conditions in which the County will not take legal action against the town if the proposed light is added to the tower. The letter is scheduled to be formally approved by the Board at their February 1 meeting. Staff expects the conditions will be related to assuring the Sheriff's office antennas will have a home on the new tower; the Town will reduce light emanating from the St. Sophia gondola station; and requiring the applicant to petition the FAA for consideration of adding a shield underneath the beacon. We will update the DRB of the County's response and any concerns raised by the Town of Telluride.

Public Response

Staff received four emails regarding the demonstration tower that was lit from October 27 to November 7 last year (Exhibit E). In addition we spoke with representatives of The Ridge development and HOA regarding access issues and construction easements that will be necessary to build the tower. The original CUP conditions #6 and #7 require the applicant to gain the appropriate easements for access and utilities (Exhibit C).

RECOMMENDATION

The proposed amendment is asking the Town to balance the intent of the long standing Ridge Covenant with the safety requirements of the flying public as well as the safety of our residents

and visitors. We expect San Miguel County and the Town of Telluride will propose conditions that will help strike this balance which we will present to the DRB at your meeting.

Staff recommends that the DRB pass a motion to recommend the Town Council approve the amendment to the conditional use permit with the following motion:

"I move to recommend the Town Council approve the proposed amendment to the conditional use permit recorded as Resolution No. 2015-0423-08 with the findings contained in the staff memo and the following amended conditions:

1. *The tower ~~shall not~~ MAY include a light beacon IF REQUIRED BY ~~or be brightly painted to stand out to aircraft.~~ If the Federal Aviation Administration ("FAA") requires either a light beacon or bright paint for the tower to stand out, the antenna shall be lowered to a height where these FAA requirements do not apply.*
2. *The proposed towers and antennas shall be painted to match the surrounding tree color below the tree line and a blue gray above the tree line to mitigate visual impacts. The applicant shall provide color samples to the Town and San Miguel County for review and approval prior to or concurrent with submitting for a building permit.*
3. *New antennas or equipment placed on the existing tower shall be painted to match the surrounding tree color below the tree line and a blue gray above the tree line to mitigate visual impacts, with the color reviewed and approved by the Town and San Miguel County.*
4. *The new tower shall be designed to co-locate the number of antennas shown on the Proposed Site Elevations plan, Sheet C-3.1 dated 4/15/15.*
5. *The current and proposed towers shall be made available for colocation of new telecommunication equipment so long as: (A) there is enough room on the tower for the new equipment (given the vertical & horizontal separation requirements of the current users), (B) there is enough structural capacity for the new equipment, and (C) the new equipment will not cause interference to the current users.*
6. *Prior to issuing a building permit, the applicant shall submit long-term easements from The Ridge, TSG and any other intervening property owner for (1) the access road to the tower site; (2) the tower site; and (3) utility routes for existing and new utilities to the site. Prior to executing such easements, the Town shall review and approve the easements to ensure long-term vehicular and utility access across intervening land and long term tower siting.*
7. *Prior to issuing a building permit, the applicant shall submit a composite utility plan to show the planned routes for power, fiber and any other necessary utilities to the site.*
8. *The approved conditional use permit application is for the benefit of the existing tower that is owned by Telluride Ski and Golf, LLC ("TSG") and the proposed new tower on TSG owned land. Therefore the conditional use permit is hereby granted to TSG and any successors or assigns.*
9. *The conditional use permit shall be valid for a period of twenty (20) years from the Effective Date subject to meeting the conditions specified herein.*
10. *(Place holder for possible additional condition)*
11. *(Place holder for possible additional condition)*
12. *(Place holder for possible additional condition)*

Marken Telecommunications Services, LLC

November 21, 2016

Mr. Glen Van Nimwegen
Planning and Development Services Director
Town of Mountain Village
Mountain Village, CO 81435

RE: Crown Castle Use Permit Amendment Request, TSG Tower

Dear Mr. Van Nimwegen:

Marken Telecom Services, on behalf of Crown Castle and TSG Ski & Golf, respectfully submits this Conditional Use Permit amendment application requesting changes to lighting stipulations required under Resolution 2015-0423-08. The resolution, approved on April 23, 2015, allows Crown Castle to install a 100' guyed tower on TSG property.

Subject Property:

The subject parcel, OSP 49R, is owned by TSG Ski and Golf, LLC and is zoned OS – Open Space. The parcel is largely undeveloped mountain/forest property and is a portion of the larger ski hill operation, housing ski lift #7 and an existing 90' guyed tower and associated communications equipment.

Request:

Crown Castle, respectfully request the Town of Mountain Village amend Resolution 2015-0432-08 by removing the condition of approval #1 preventing the installation of beacon lighting on the tower.

Background:

-On April 23, 2015, the Mountain Village Town Council, under Resolution 2015-0423-08, approved the installation of a 100' guyed tower on TSG property near ski lift #7. The tower will provide opportunities for expanded phone coverage and data capacity for wireless providers and their customers, including AT&T. It will allow for improved E911 calling and will accommodate future communication providers.

-The existing 90' tower, owned by TSG and located near the proposed Crown Castle tower, is over capacity and not able to support additional equipment.

-The resolution included nine conditions of approval, including condition 1 which states:

“The tower shall not include a light beacon or be brightly painted to stand out to aircraft. If the Federal Aviation Administration (“FAA”) requires either a light beacon or light paint for the tower to stand out, the antenna shall be lowered to a height where these FAA requirements do not apply.”

3308 Birch Road, Longmont Colorado 80504
Marken.co@comcast.net
303-485-0912 - 602-432-1736

-On May 27, 2015, the FAA issued a determination (Aeronautical Study 2015-ANM-760-OE) requiring beacon lighting for the tower. Based upon the ground elevation of the site and its proximity to the Telluride Airport, it was determined that lighting would be an FAA requirement for a tower structure of any height at this location. This makes it impossible to lower antenna/tower heights to remove need for the beacon light. As a result, Crown is unable to meet the condition of approval.

-Ridgeline covenants protect the Coonskin ridgeline, including the subject parcel, from installation of new lighting. The Town of Telluride, San Miguel County and the Town of Mountain Village, are all parties to this covenant.

-In preparation for this application, Crown notified the community of the need for the beacon and installed a temporary light to gather community input.

-On November 14, 2016 Crown met with the Intergovernmental Study Session to review the findings from the test lighting.

-Findings from the test were mixed with some opposed to the new light and some finding no concern with the addition of the beacon.

Summary:

Crown and TSG are eager to provide expanded wireless coverage for the Town of Telluride and the Town of Mountain Village. The approved 100' guyed tower will help to alleviate the overburdened tower at this location, will provide expanded wireless capacity and coverage for town residents and visitors and will provide growth opportunities for future communication providers.

Due to the proximity of the site to the airport, the FAA will require beacon lighting on the tower. This requires the removal of Condition of Approval #1 under the ordinance. Crown has no wish to violate the spirit and intent of the ridgeline covenant or of the stipulations of approval. As such, an amendment to the ordinance is required in order for the tower development to proceed.

Please let me know if you require additional information. Marken Telecom Services, TSG and Crown Castle appreciate your assistance.

Best Regards,

Mark McGarey

Mark McGarey
Crown Castle Zoning Consultant

Attachments:

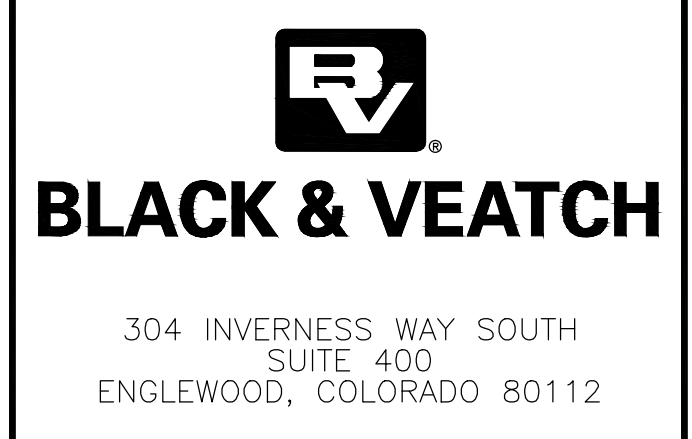
CUP Application Form
AT&T Guyed Tower Plan Set
Ordinance 2015-0423-08
FAA Determination
FAA Lighting Spec Sheet
TSG Letter of Authorization

FAR COONSKIN COL06244 10139834



LTE - 1ST CARRIER & MW UPGRADE GUYED TOWER

C.U.P. & VARIANCE SUBMITTAL SET

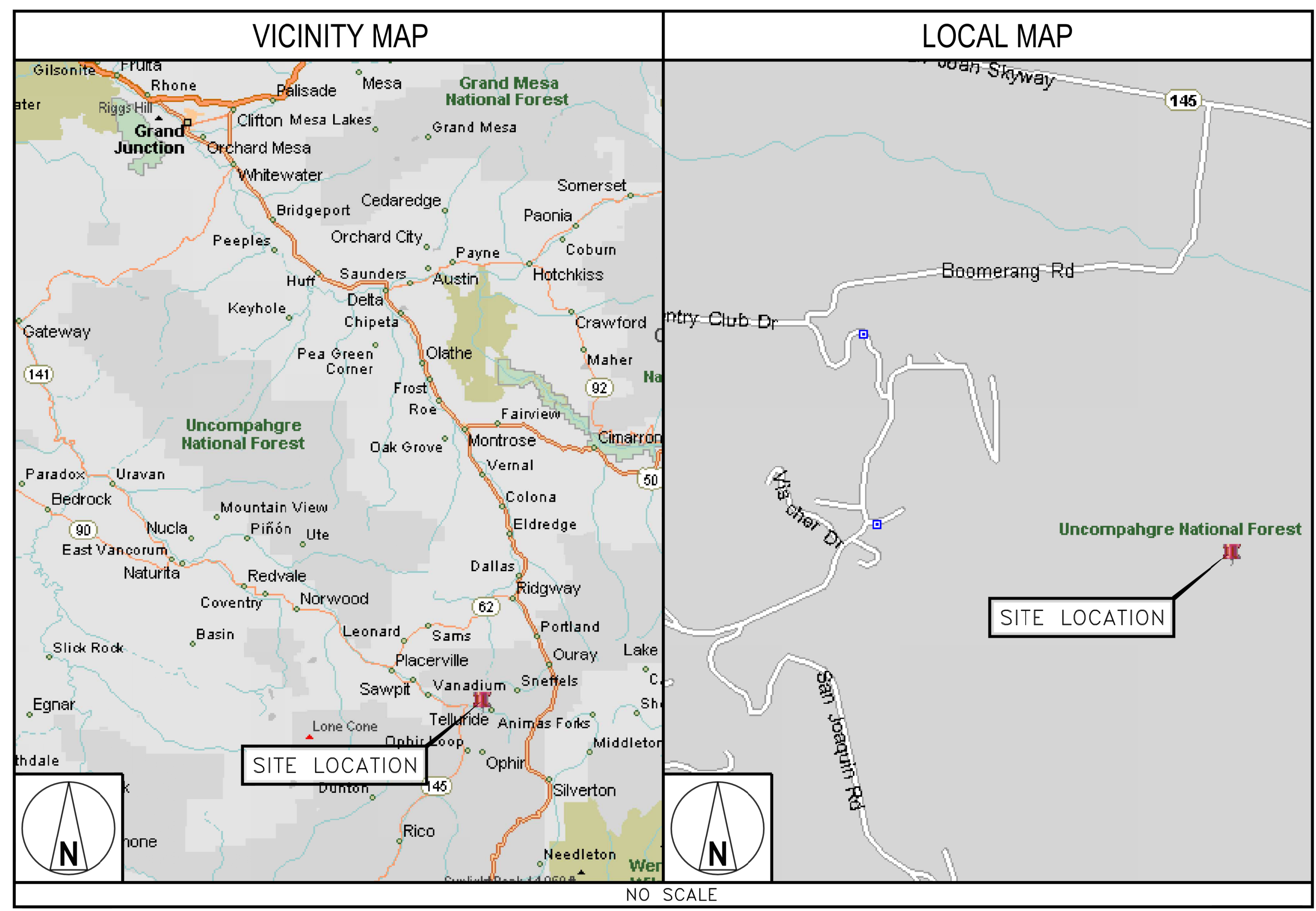


ENGINEERING
2009 INTERNATIONAL BLDG. CODE OR LATEST ADOPTED EDITION
2011 NATIONAL ELECTRIC CODE OR LATEST ADOPTED EDITION
TIA/EIA-222-G OR LATEST EDITION

PROJECT DESCRIPTION
THE PROJECT CONSISTS OF THE INSTALLATION AND OPERATION OF ANTENNAS AND ASSOCIATED EQUIPMENT CABINETS FOR THE AT&T WIRELESS TELECOMMUNICATIONS NETWORK.

SITE INFORMATION

PROPERTY OWNER:	TSG SKI & GOLF LLC
ADDRESS:	565 MOUNTAIN VILLAGE BLVD. TELLURIDE, CO 81435
TOWER OWNER:	TSG SKI & GOLF LLC
SITE CONTACT:	970-728-6900
COUNTY:	SAN MIGUEL
LATITUDE (NAD 83):	37° 56' 1.71" N (EXISTING TOWER)
LONGITUDE (NAD 83):	107° 50' 5.64" W
JURISDICTION:	UNITED STATES FOREST SERVICE
OCCUPANCY GROUP:	U
CONSTRUCTION TYPE:	V-B
POWER COMPANY:	SAN MIGUEL POWER
TELEPHONE COMPANY:	CENTURYLINK
SITE ACQUISITION MANAGER:	DEVIN MORRIS (303) 264-0512
SITE ACQUISITION CONTACT:	MIKE MCCREEDY (303) 332-1212
CONSTRUCTION MANAGER:	PATRICK DOYLE (720) 834-4260
RF ENGINEER:	ERICSON FELICIANO (469) 450-7910



GENERAL NOTES
THE FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. A TECHNICIAN WILL VISIT THE SITE AS REQUIRED FOR ROUTINE MAINTENANCE. THE PROJECT WILL NOT RESULT IN ANY SIGNIFICANT DISTURBANCE OR EFFECT ON DRAINAGE, NO SANITARY SEWER SERVICE, POTABLE WATER, OR TRASH DISPOSAL IS REQUIRED AND NO COMMERCIAL SIGNAGE IS PROPOSED.

DRAWING INDEX

SHEET NO.	SHEET TITLE
T-1	TITLE SHEET
LS 1	LAND SURVEY
LS 2	LAND SURVEY
C-1	EXISTING SITE PLAN
C-1.1	PROPOSED SITE PLAN
C-2	EXISTING AND PROPOSED EQUIPMENT LAYOUTS
C-3	EXISTING SITE ELEVATIONS
C-3.1	PROPOSED SITE ELEVATIONS
C-4	ANTENNA LAYOUTS

PROJECT/PHASE NO: 122061/8623

DRAWN BY: BTS

CHECKED BY: DDM

T.I.D. 1.86

REV	DATE	DESCRIPTION
0	02/23/15	ISSUED FOR ZONING C.U.P.

IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

FAR COONSKIN
COL06244
GRANITE RIDGE DRIVE
TELLURIDE, CO 81435
LTE - 1ST CARRIER AND MW UPGRADE

SHEET TITLE
TITLE SHEET

SHEET NUMBER
T-1

CONTACT INFORMATION

ENGINEER: BLACK & VEATCH CORPORATION
304 INVERNESS WAY SOUTH, SUITE 400
ENGLEWOOD, CO 80112

CONTACT: JEREMY MIRONAS

PHONE: (720) 834-4388

DRIVING DIRECTIONS

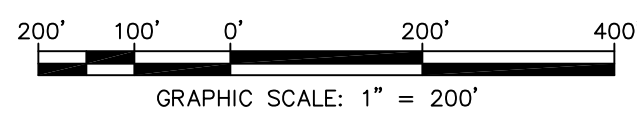
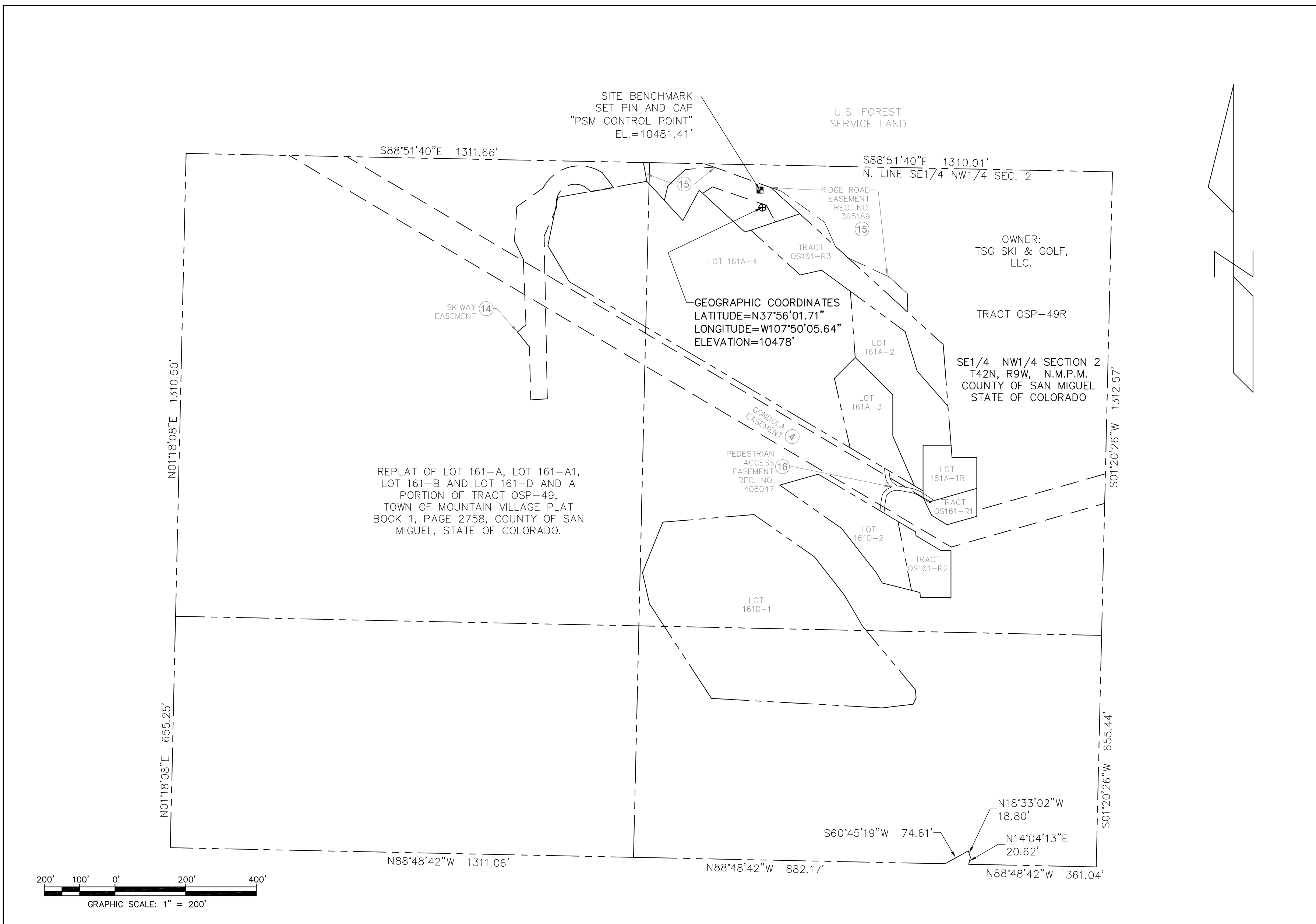
DIRECTIONS FROM AT&T OFFICE:
HEAD SOUTH TOWARD INVERNESS DRIVE WEST. TURN SOUTHEAST ONTO INVERNESS DRIVE WEST. TURN WEST ONTO EAST COUNTY LINE ROAD. TURN NORTH TO MERGE ONTO I-25 NORTH. TAKE EXIT 209B TO MERGE ONTO 6TH AVENUE TOWARD LAKEWOOD. TAKE EXIT ONTO I-70 WEST TOWARD GRAND JUNCTION. TAKE EXIT 37 SOUTH ONTO I-70 BUSINESS LOOP. TURN SOUTH ONTO SR-141/32 ROAD. TURN SOUTH EAST ONTO US-50. IN MONTROSE US-50 TURNS INTO US-550. TURN WEST ONTO CO-62. TURN SOUTH EAST ONTO CO-145. FOLLOW CO-145 TO MOUNTAIN VILLAGE. TURN EAST ONTO MOUNTAIN VILLAGE BOULEVARD. FOLLOW MOUNTAIN VILLAGE BOULEVARD UP TO THE GONDOLA PARKING. PARK THERE AND CONTINUE UP ON THE GONDOLA TO THE TOP OF THE SKI SLOPE.

11"x17" PLOT WILL BE HALF SCALE UNLESS OTHERWISE NOTED

CONTRACTOR SHALL VERIFY ALL PLANS, EXISTING DIMENSIONS, AND CONDITIONS ON THE JOB SITE, AND SHALL IMMEDIATELY NOTIFY THE ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK.

UNDERGROUND SERVICE ALERT
UTILITY NOTIFICATION CENTER OF COLORADO
(800) 922-1987
WWW.UNCC.ORG

3 WORKING DAYS UTILITY NOTIFICATION PRIOR TO CONSTRUCTION



GEOGRAPHIC COORDINATES

LATITUDE=N37°56'01.71"
 LONGITUDE=W107°50'05.64"
 GROUND ELEV.=10478'
 HIGHEST POINT ON TOWER ELEV.=10573'

BENCHMARK

SITE BENCHMARK--CAPPED PIN "PSM CONTROL POINT" GROUND ELEVATION=10481.41' (NAV88) UTILIZING GEOD 12A

BASIS OF BEARINGS

COLORADO STATE PLANE SOUTH ZONE (NAD83)
 CLASSIFICATION--THIRD
 MINIMUM GEOMETRIC ACCURACY STANDARD: 5.0cm + 1:10,000

NOTES

- 1.) THIS SURVEY AND ACCOMPANYING DESCRIPTION(S) ARE NOT INTENDED FOR PURPOSE OF TRANSFER OF TITLE OR SUBDIVISION OF LAND.
- 2.) THIS IS NOT A BOUNDARY SURVEY, LAND SURVEY PLAT OR IMPROVEMENT SURVEY PLAT.
- 3.) THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY PRECISION SURVEY & MAPPING, INC. TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD.
- 4.) THIS SURVEY DOES NOT PROVIDE ANY DETERMINATION CONCERNING WETLANDS, FAULT LINES, TOXIC WASTE OR ANY OTHER ENVIRONMENTAL ISSUES. SUCH MATTERS SHOULD BE DIRECTED TO AN EXPERT CONSULTANT.
- 5.) THERE MAY BE ADDITIONAL BURIED OR UNDERGROUND UTILITIES IN THE AREA WHICH THE SURVEYOR IS UNAWARE OF AND NO LIABILITY FOR SUCH IS ASSUMED HEREIN. ALL UNDERGROUND UTILITIES SHOULD BE FIELD LOCATED BY THE APPROPRIATE UTILITY COMPANY PRIOR TO ANY CONSTRUCTION OR DIGGING ON OR ADJACENT TO THE SUBJECT PROPERTY.
- 6.) THIS SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE OF THE SURVEYOR.

SURVEYOR'S CERTIFICATION

I, THE UNDERSIGNED, A REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THIS SITE PLAN WAS PREPARED BY ME, OR UNDER MY SUPERVISION AND ARE TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE. THIS IS NOT A BOUNDARY SURVEY.

Christina P. Juliana
 CHRISTINA P. JULIANA, P.L.S. NO. 31158 DATE 12/1/14
 FOR AND ON BEHALF OF PRECISION SURVEY & MAPPING, INC.

LEGAL DESCRIPTION--PARENT PARCEL

TRACT OSP-49R, TELLURIDE MOUNTAIN VILLAGE, ACCORDING TO THE REPLAT OF LOT 161-A, LOT 161-A1, LOT 161-B AND LOT 161-D AND A PORTION OF TRACT OSP-49, RECORDED JULY 14, 2000 IN PLAT BOOK 1 AT PAGE 2758, COUNTY OF SAN MIGUEL, STATE OF COLORADO.

TITLE REPORT

PREPARED BY: LAND TITLE GUARANTEE COMPANY
 COMPANY ORDER NUMBER: ABC 86004347
 EFFECTIVE DATE: NOVEMBER 19, 2014 AT 5:00 P.M.

THE FOLLOWING DOCUMENTS AFFECT THE LAND:

- #1 - TELLURIDE MOUNTAIN VILLAGE, FILING 1 RECORDED MARCH 9, 1984 IN PLAT BOOK 1 AT PAGE 476, AND TECHNICAL AMENDMENT CONCERNING DENSITY RECORDED FEBRUARY 12, 1990 IN BOOK 462 AT PAGE 759. BLANKET IN NATURE, NOT PLOTTABLE
- #2 - PLAT OF THE TOWN OF MOUNTAIN VILLAGE RECORDED OCTOBER 6, 1995 IN PLAT BOOK 1 AT PAGE 1918 AND OFFICIAL LAND USE AND DENSITY ALLOCATION FOR ALL LAND WITHIN THE TOWN OF MOUNTAIN VILLAGE, COLORADO RECORDED OCTOBER 6, 1995 IN BOOK 551 AT PAGE 485 AND AS AMENDED IN INSTRUMENT RECORDED JUNE 25, 2009 UNDER RECEPTION NO. 407544. BLANKET IN NATURE, NOT PLOTTABLE
- #3 - TOWN OF MOUNTAIN VILLAGE RECORDED JULY 24, 1996 IN PLAT BOOK 2 AT PAGE 2073, AND BLANKET IN NATURE, NOT PLOTTABLE
- #4 - THE TOWN OF MOUNTAIN VILLAGE OFFICIAL TOWN PLAT RECORDED SEPTEMBER 8, 1997 IN PLAT BOOK 1 AT PAGE 2281 AND THE TOWN OF MOUNTAIN VILLAGE OFFICIAL LOT LIST RECORDED SEPTEMBER 8, 1997 IN BOOK 586 AT PAGE 548. BLANKET IN NATURE, NOT PLOTTABLE
- 2) RESTRICTIVE COVENANTS, FOR MOUNTAIN VILLAGE, WHICH DO NOT CONTAIN A FORFEITURE OR REVERTER CLAUSE, BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW, AS CONTAINED IN INSTRUMENT RECORDED MARCH 9, 1984 IN BOOK 409 AT PAGE 714, AS AMENDED OR SUPPLEMENTED, AMENDED AND RESTATED GENERAL DECLARATION RECORDED DECEMBER 11, 2002 UNDER RECEPTION NO. 353668. FIRST AMENDMENT TO THE AMENDED AND RESTATED GENERAL DECLARATION RECORDED DECEMBER 09, 2009 UNDER RECEPTION NO. 410160. SECOND AMENDMENT TO THE AMENDED AND RESTATED GENERAL DECLARATION RECORDED MARCH 19, 2012 UNDER RECEPTION NO. 422188. BLANKET IN NATURE, NOT PLOTTABLE

NOTE: UNDER THE GENERAL NOTES ON THE PLAT OF TELLURIDE MOUNTAIN VILLAGE RECORDED MARCH 9, 1984 IN PLAT BOOK 1 AT PAGE 476 THE TELLURIDE COMPANY RESERVES THE RIGHT TO IMPOSE ADDITIONAL RESTRICTIVE COVENANTS ON ALL LOTS IN ADDITION TO THE ONES DESCRIBED HEREIN. NOTE: NOTICE BY THE TELLURIDE MOUNTAIN VILLAGE OWNERS ASSOCIATION REGARDING CONTACT INFORMATION AND REAL ESTATE TRANSFER ASSESSMENT RECORDED MAY 25, 2011 UNDER RECEPTION NO. 418209. BLANKET IN NATURE, NOT PLOTTABLE

3) TERMS, CONDITIONS AND PROVISIONS OF NOTICE OF WATER AND SEWER TAP FEE PAYMENT RECORDED APRIL 14, 1987 IN BOOK 435 AT PAGE 603, TAP FEE AGREEMENT RECORDED MAY 29, 1992 IN BOOK 492 AT PAGE 991, AND BY FIRST AMENDMENT TO TAP FEE AGREEMENT RECORDED DECEMBER 18, 1996 IN BOOK 573 AT PAGE 237, AND AS ASSIGNED BY TAP FEE ASSIGNMENT AND ASSUMPTION AGREEMENT RECORDED APRIL 29, 1999, UNDER RECEPTION NO. 326037. BLANKET IN NATURE, NOT PLOTTABLE

4) TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN EASEMENT AGREEMENT RECORDED MARCH 30, 1992 IN BOOK 489 AT PAGE 1007. SHOWN HEREON

5) TERMS, CONDITIONS AND PROVISIONS OF FACILITIES, WATER RIGHTS AND EASEMENT AGREEMENT RECORDED APRIL 27, 1992 IN BOOK 491 AT PAGE 359 AND AS AMENDED IN INSTRUMENT RECORDED NOVEMBER 13, 1992 IN BOOK 501 AT PAGES 433 AND 437 AND AS AMENDED IN INSTRUMENT RECORDED APRIL 26, 1993 IN BOOK 510 AT PAGE 8 AND AS AMENDED IN INSTRUMENT RECORDED APRIL 26, 1993 IN BOOK 510 AT PAGE 11 AND AS AMENDED IN INSTRUMENT RECORDED OCTOBER 24, 1996 IN BOOK 569 AT PAGE 668. NOT APPLICABLE TO SURVEY AREA/ NOT SHOWN HEREON



VICINITY MAP -- NTS

6) EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF TRACT OSP-49, TELLURIDE MOUNTAIN VILLAGE RECORDED APRIL 13, 1994 IN PLAT BOOK 1 AT PAGE 1675 AND REPLAT OF LOT 161-A, LOT 161-A1, LOT 161-B, AND LOT 161-D AND A PORTION OF TRACT OSP-49, TELLURIDE MOUNTAIN VILLAGE RECORDED JULY 14, 2000 IN PLAT BOOK 1 AT PAGE 2758. SHOWN HEREON

7) TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN RESOLUTION #1994-12 RECORDED APRIL 13, 1994 IN BOOK 527 AT PAGE 803. BLANKET IN NATURE/NOT PLOTTABLE

8) TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN AGREEMENT REGARDING GENERAL EASEMENTS RECORDED MAY 21, 1996 IN BOOK 562 AT PAGE 97 AND AS AMENDED IN INSTRUMENT RECORDED OCTOBER 24, 1996 IN BOOK 569 AT PAGE 670. BLANKET IN NATURE/NOT PLOTTABLE

9) TERMS, CONDITIONS AND PROVISIONS OF NOTICE FILED BY SAN MIGUEL POWER ASSOCIATION, INC. RECORDED MARCH 18, 1999 UNDER RECEPTION NO. 325020. BLANKET IN NATURE/NOT PLOTTABLE

10) TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN RESOLUTION #1999-0223-04 RECORDED JULY 14, 2000 UNDER RECEPTION NO. 335479. BLANKET IN NATURE/NOT PLOTTABLE

11) TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN UTILITY SERVICE LINE EASEMENT AGREEMENT RECORDED JULY 14, 2000 UNDER RECEPTION NO. 335495 AND AS AMENDED IN INSTRUMENT RECORDED JULY 15, 2003 UNDER RECEPTION NO. 358715. NO MEASUREMENTS, BEARINGS OR DISTANCES/NOT PLOTTABLE

12) TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN SKIWAY EASEMENT AGREEMENT RECORDED JULY 14, 2000 UNDER RECEPTION NO. 335496. BLANKET IN NATURE/NOT PLOTTABLE

13) TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN TOWN OF MOUNTAIN VILLAGE RESOLUTIONS #2002-07 AND #2002-1210-31 AMENDING AND RESTATING THE TOWN OF MOUNTAIN VILLAGE DESIGN REGULATIONS RECORDED DECEMBER 18, 2002 UNDER RECEPTION NOS. 353852 AND 353853. BLANKET IN NATURE/NOT PLOTTABLE

14) TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN RIDGE SKIWAY EASEMENT AGREEMENT RECORDED JULY 15, 2003 UNDER RECEPTION NO. 358714. SHOWN HEREON

15) TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN RIDGE ROAD EASEMENT AGREEMENT RECORDED JULY 15, 2003 UNDER RECEPTION NO. 358716 AND AS AMENDED IN INSTRUMENT RECORDED APRIL 5, 2004 UNDER RECEPTION NO. 365189 AND AS AMENDED IN INSTRUMENT RECORDED JULY 27, 2009 UNDER RECEPTION NO. 408053 AND AS AMENDED IN INSTRUMENT RECORDED JULY 19, 2011 UNDER RECEPTION NO. 418967. SHOWN HEREON

16) TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN PEDESTRIAN ACCESS EASEMENT TO LOT 161D-2 RECORDED JULY 27, 2009 UNDER RECEPTION NO. 408047. SHOWN HEREON

17) TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN BUILDING MAINTENANCE EASEMENT RECORDED JULY 27, 2009 UNDER RECEPTION NO. 408050. BLANKET IN NATURE/NOT PLOTTABLE

18) TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN RESOLUTION #2011-1117-26 RECORDED DECEMBER 12, 2011 UNDER RECEPTION NO. 420866. BLANKET IN NATURE/NOT PLOTTABLE

19) TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN RESOLUTION #2013-0117-01 RECORDED FEBRUARY 15, 2013 UNDER RECEPTION NO. 426870. BLANKET IN NATURE/NOT PLOTTABLE

20) DEED OF TRUST DATED JULY 10, 1998 FROM TELLURIDE SKI & GOLF COMPANY AND THE TELLURIDE COMPANY AND THE MOUNTAIN VILLAGE, INC. TO THE PUBLIC TRUSTEE OF SAN MIGUEL COUNTY FOR THE USE OF U.S. BANK NATIONAL ASSOCIATION, F/K/A COLORADO NATIONAL BANK TO SECURE THE SUM OF \$25,000,000.00, AND ANY OTHER AMOUNTS PAYABLE UNDER THE TERMS THEREOF, RECORDED JULY 10, 1998, UNDER RECEPTION NO. 319935. BLANKET IN NATURE/NOT PLOTTABLE

AMENDMENT IN CONNECTION WITH SAID DEED OF TRUST WAS RECORDED JULY 14, 2000, UNDER RECEPTION NO. 335511. BLANKET IN NATURE/NOT PLOTTABLE

MODIFICATION AGREEMENT IN CONNECTION WITH SAID DEED OF TRUST WAS RECORDED OCTOBER 18, 2012, UNDER RECEPTION NO. 425196. BLANKET IN NATURE/NOT PLOTTABLE

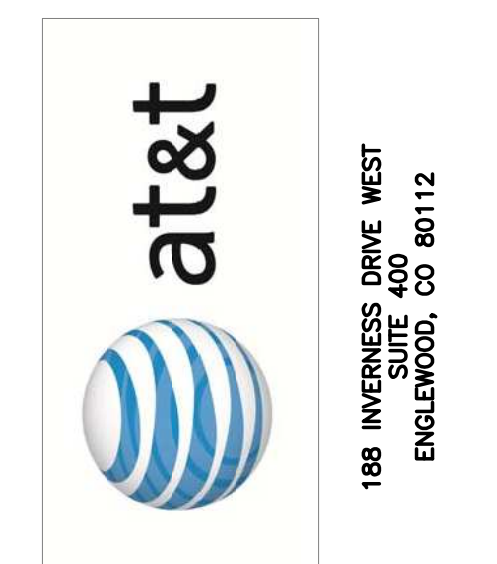
NOTE: ADDITIONAL UPDATES TO THE EFFECTIVE DATE OF THE BINDER MAY BE REQUESTED BY THE PROPOSED INSURED. ONE UPDATE IS INCLUDED WITH THIS BINDER AT NO ADDITIONAL COST. ANY ADDITIONAL UPDATES WILL BE ISSUED AT THE COST OF \$125 PER UPDATE. FOR EACH UPDATE PROVIDED, A REVISED BINDER WILL BE ISSUED SHOWING A NEW EFFECTIVE DATE AND ANY MATTERS RECORDED SINCE THE EFFECTIVE DATE OF THE PREVIOUS BINDER.

NOTE: THIS BINDER DOES NOT REFLECT THE STATUS OF TITLE TO WATER RIGHTS OR REPRESENTATION OF SAID RIGHTS, RECORDED OR NOT. NOTE: THIS BINDER IS NOT A REPORT OR REPRESENTATION AS TO MINERAL INTERESTS, AND SHOULD NOT BE USED, OR RELIED UPON, IN CONNECTION WITH THE NOTICE REQUIREMENTS THAT ARE SET FORTH IN CRS 24-65.5-103.

DRAWINGS

Drawings and Specifications as Instruments of service are and shall remain the property of the Architect, whether the Project for which they are made is awarded or not. The Owner shall be permitted to retain copies, including reproducible copies, of Drawings and Specifications for information and reference in connection with the Owner's use and occupancy of the Project. The Drawings and Specifications shall not be used by the Owner on other projects, for additions to this Project or for the completion of this Project by others provided the Architect is not in default under this Agreement, except by agreement in writing and with appropriate compensation to the Architect.

PROJECT FOR



DATE ISSUED

DEC. 1, 2014

DATE	ISSUED AS
----	ZD APPROVAL
----	CD PRELIMINARY / REVIEW
----	BID SETS
----	PERMIT SUBMITTED

DATE	REVISIONS
12/1/14	ZD APPROVAL
12/3/14	REVISED LATITUDE
----	----
----	----
----	----
----	----
----	----
----	----
----	----

PROJECT NAME

FAR COONSKIN

SITE ADDRESS
 GRANITE RIDGE DRIVE
 TELLURIDE, CO 81435
 SAN MIGUEL COUNTY

PSM JOB NO.
 R11224

LS 1

U.S. FOREST
SERVICE LAND

N. LINE SE1/4 NW1/4 SEC. 2

REPLAT OF LOT 161-A, LOT 161-A1,
LOT 161-B AND LOT 161-D AND A
PORTION OF TRACT OSP-49,
TOWN OF MOUNTAIN VILLAGE PLAT
BOOK 1, PAGE 2758, COUNTY OF SAN
MIGUEL, STATE OF COLORADO.

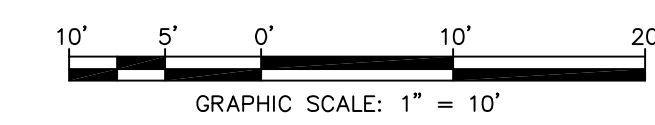
TRACT OSP-49R

OWNER:
TSG SKI &
GOLF, LLC.

TRACT
05161-R3

NOTE:
ON DATE OF SURVEY AS SHOWN
HEREON, THE SITE WAS COVERED WITH
SNOW. CAN NOT GUARANTEE ALL
EXISTING FEATURES AND OR UTILITIES
OBSTRUCTED BY SNOW WILL BE SHOWN.

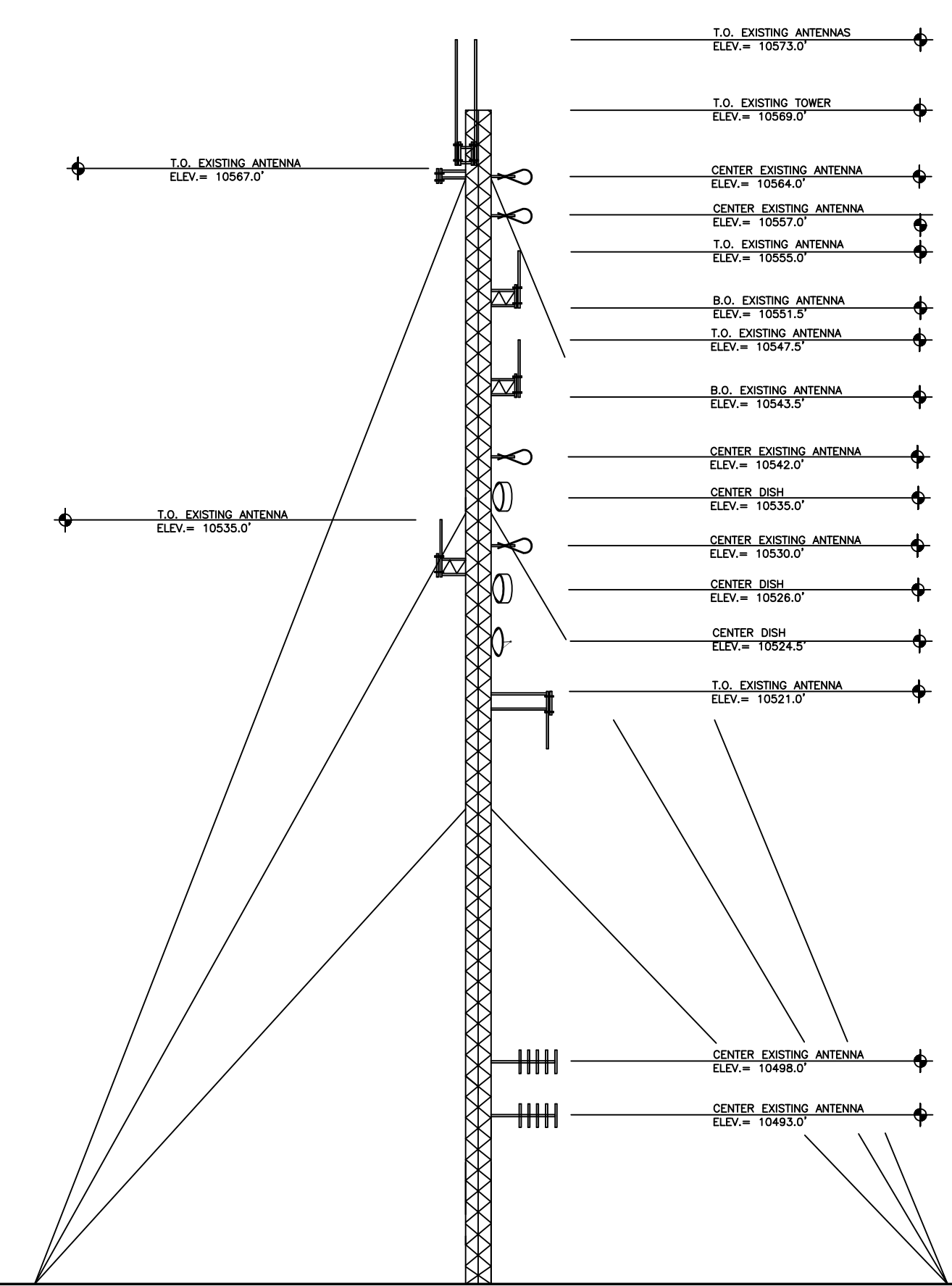
SITE BENCHMARK
SET PIN AND CAP
"PSM CONTROL POINT"
EL.=10481.41'



LEGEND:

- MONUMENT FOUND AS DESCRIBED
- SCHEDULE B2 EXCEPTION
- SITE BENCHMARK
- INDEX CONTOUR
- INTERMEDIATE CONTOUR
- ELECTRIC LINE
- EVERGREEN TREE
- BOLLARD/POST
- ELECTRIC METER
- GUY WIRE
- LIGHTPOST

**TOWER DETAIL
N.T.S**



BLACK & VEATCH
10950 GRANDVIEW DRIVE
OVERLAND PARK, KANSAS 66210
(913) 458-2000

PLANS PREPARED BY:
PRECISION SURVEY & MAPPING, INC.
PROFESSIONAL LAND SURVEYING CONSULTANTS
9145 E. KENYON AVE., SUITE 101
DENVER, COLORADO 80237
OFFICE: (303) 753-9799
FAX: (303) 753-4044

DRAWINGS
Drawings and Specifications as Instruments of service are and shall remain the property of the Architect, whether the Project for which they are made is awarded or not. The Owner shall be permitted to retain copies, including reproducible copies, of Drawings and Specifications for information and reference in connection with the Owner's use and occupancy of the Project. The Drawings and Specifications shall not be used by the Owner on other projects, for additions to the Project or for the completion of this Project by others provided the Architect is not in default under this Agreement, except by agreement in writing and with appropriate compensation to the Architect.

PROJECT FOR

188 INVERNESS DRIVE WEST
SUITE 400
ENGLEWOOD, CO 80112

DATE ISSUED
DEC. 1, 2014

DATE	ISSUED AS
----	ZD APPROVAL
----	CD PRELIMINARY / REVIEW
----	BID SETS
----	PERMIT SUBMITTED

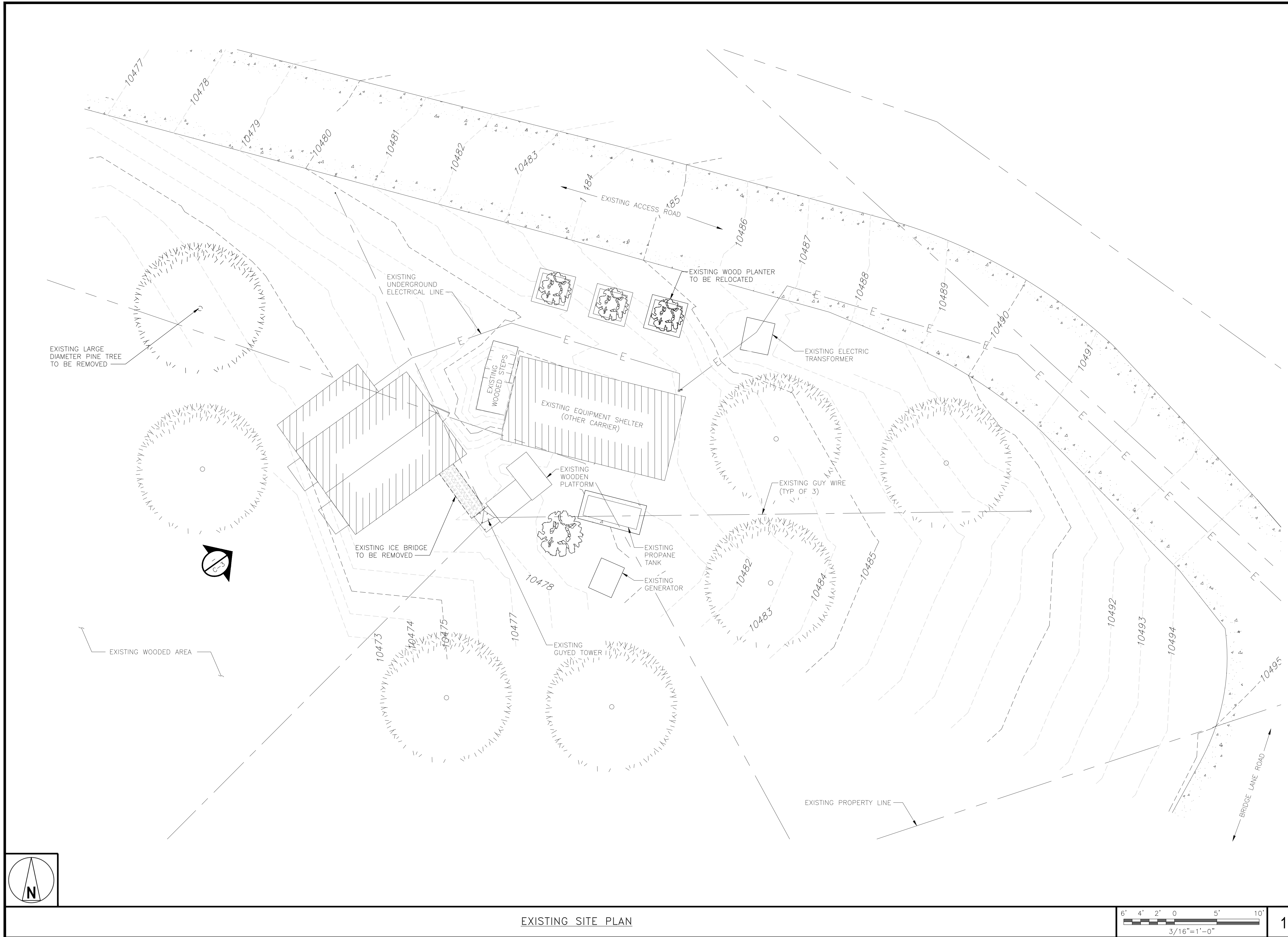
DATE	REVISIONS
12/1/14	ZD APPROVAL
12/3/14	REVISED LATITUDE
----	----
----	----
----	----
----	----
----	----
----	----
----	----

PROJECT NAME
FAR COONSKIN

SITE ADDRESS
GRANITE RIDGE DRIVE
TELLURIDE, CO 81435
SAN MIGUEL COUNTY

PSM JOB NO.
R11224

LS 2



188 INVERNESS DRIVE WEST
SUITE 400
ENGLEWOOD, CO 80112



BLACK & VEATCH

304 INVERNESS WAY SOUTH
SUITE 400
ENGLEWOOD, COLORADO 80112

PROJECT/PHASE NO: 122061/8623

DRAWN BY: BTS

CHECKED BY: DDM

T.I.D. 1.86

REV	DATE	DESCRIPTION
0	02/23/15	ISSUED FOR ZONING C.U.P.

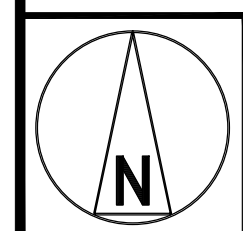


IT IS A VIOLATION OF LAW FOR ANY PERSON,
UNLESS THEY ARE ACTING UNDER THE DIRECTION
OF A LICENSED PROFESSIONAL ENGINEER,
TO ALTER THIS DOCUMENT.

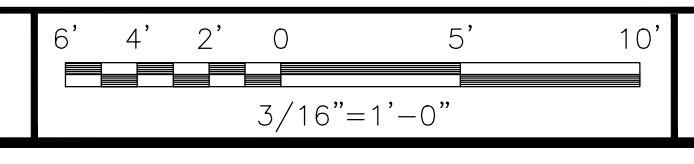
FAR COONSKIN
COL06244
GRANITE RIDGE DRIVE
TELLURIDE, CO 81435
LTE - 1ST CARRIER AND MW UPGRADE

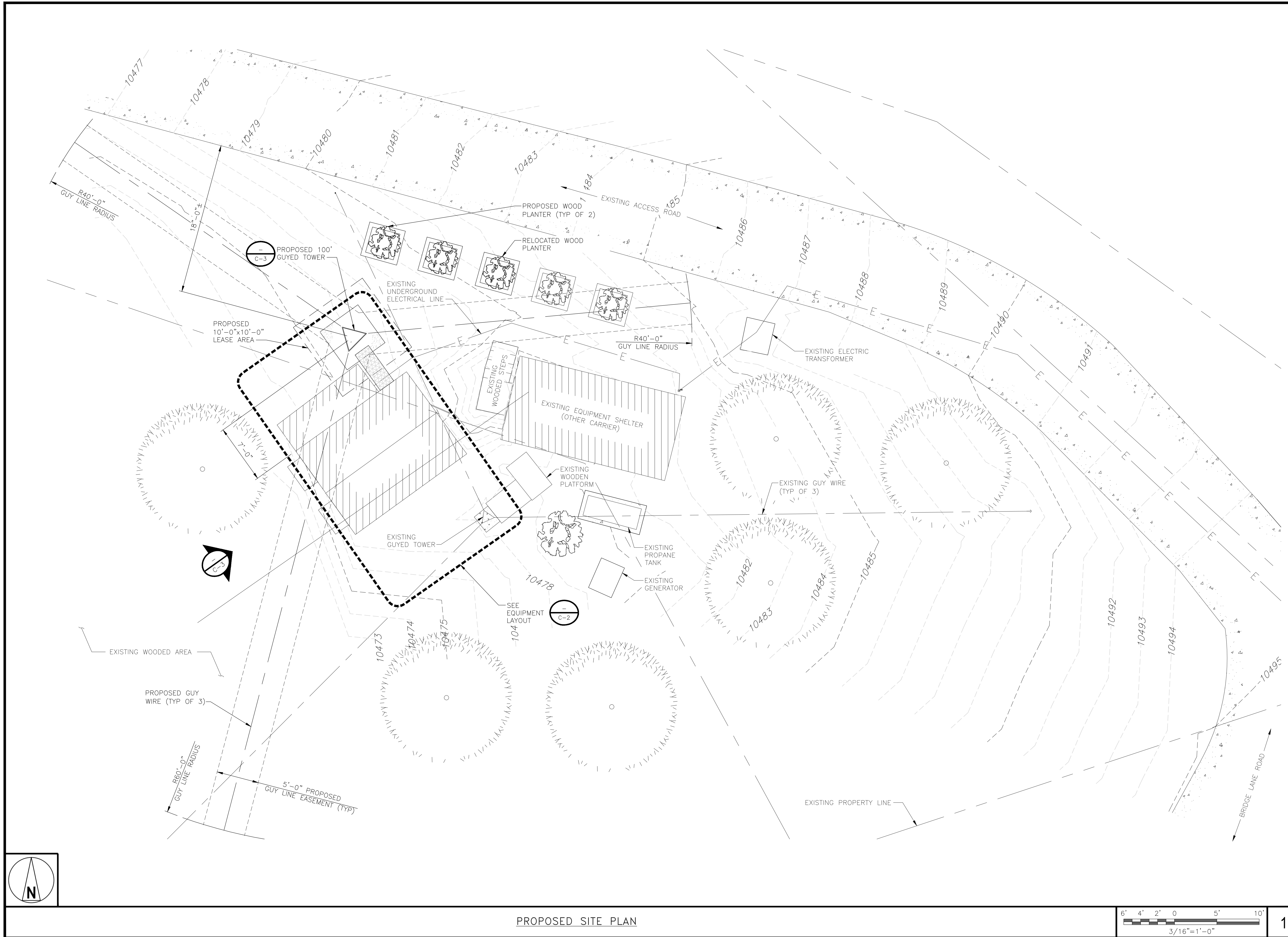
SHEET TITLE
EXISTING SITE PLAN

SHEET NUMBER
C-1



EXISTING SITE PLAN





188 INVERNESS DRIVE WEST
SUITE 400
ENGLEWOOD, CO 80112



BLACK & VEATCH

304 INVERNESS WAY SOUTH
SUITE 400
ENGLEWOOD, COLORADO 80112

PROJECT/PHASE NO: 122061/8623

DRAWN BY: BTS

CHECKED BY: DDM

T.I.D. 1.86

REV	DATE	DESCRIPTION
0	02/23/15	ISSUED FOR ZONING C.U.P.



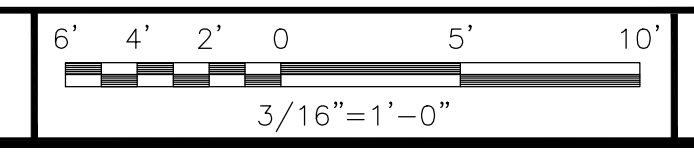
IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

FAR COONSKIN
COLO6244
GRANITE RIDGE DRIVE
TELLURIDE, CO 81435
LTE - 1ST CARRIER AND MW UPGRADE

SHEET TITLE
PROPOSED SITE PLAN

SHEET NUMBER
C-1.1

PROPOSED SITE PLAN



NOTES

1. CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS.
2. CONTRACTOR SHALL MAINTAIN A 10'-0" MINIMUM SEPARATION BETWEEN THE PROPOSED LTE GPS UNIT AND TRANSMITTING ANTENNAS.
3. ANTENNAS AND MOUNTS OMITTED FOR CLARITY.



188 INVERNESS DRIVE WEST
SUITE 400
ENGLEWOOD, CO 80112



BLACK & VEATCH

304 INVERNESS WAY SOUTH
SUITE 400
ENGLEWOOD, COLORADO 80112

PROJECT/PHASE NO: 122061/8623

DRAWN BY: BTS

CHECKED BY: DDM

T.I.D. 1.86

REV	DATE	DESCRIPTION
0	02/23/15	ISSUED FOR ZONING C.U.P.

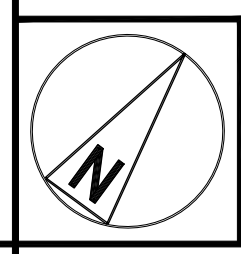
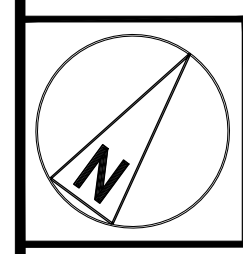
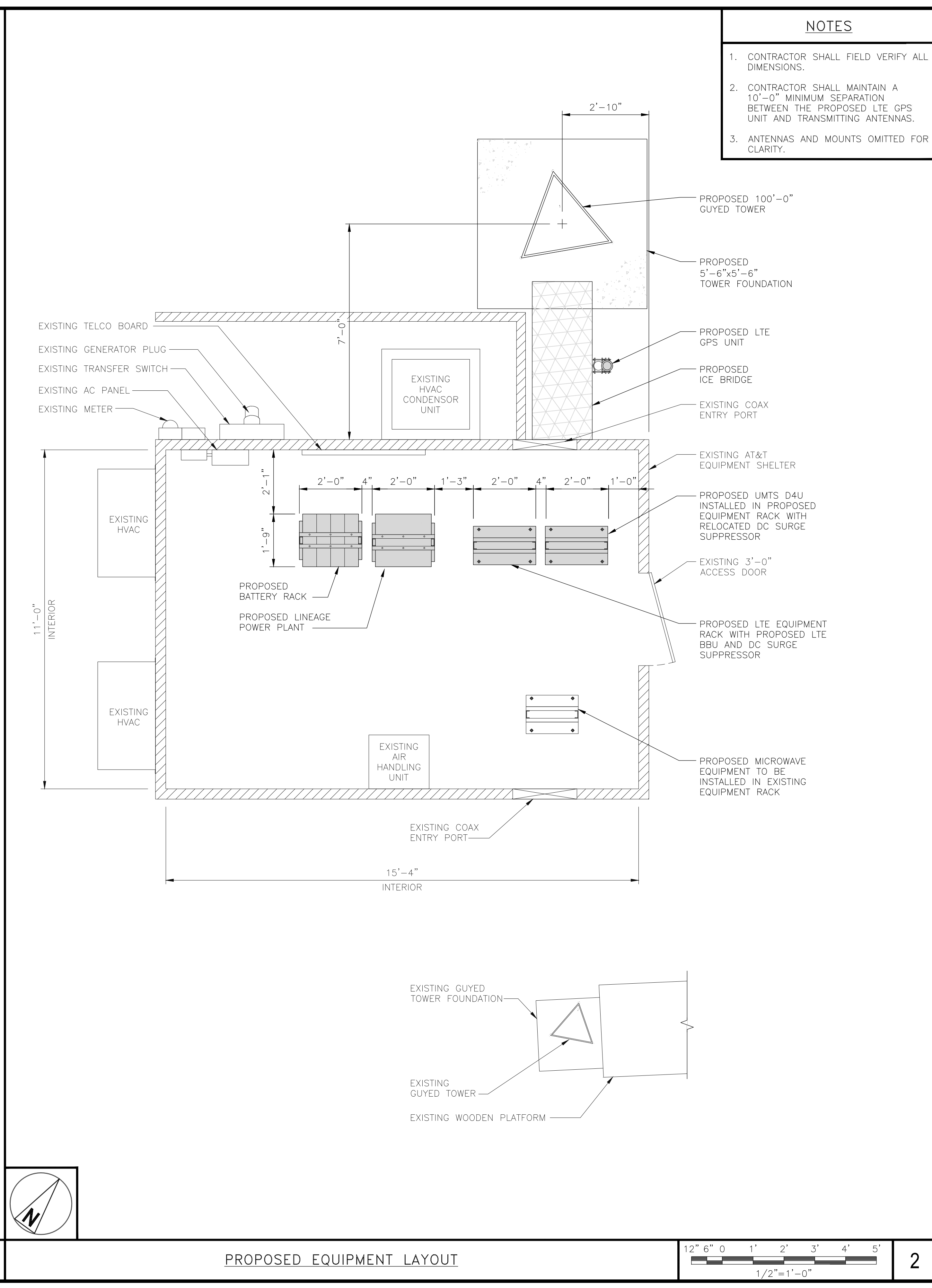
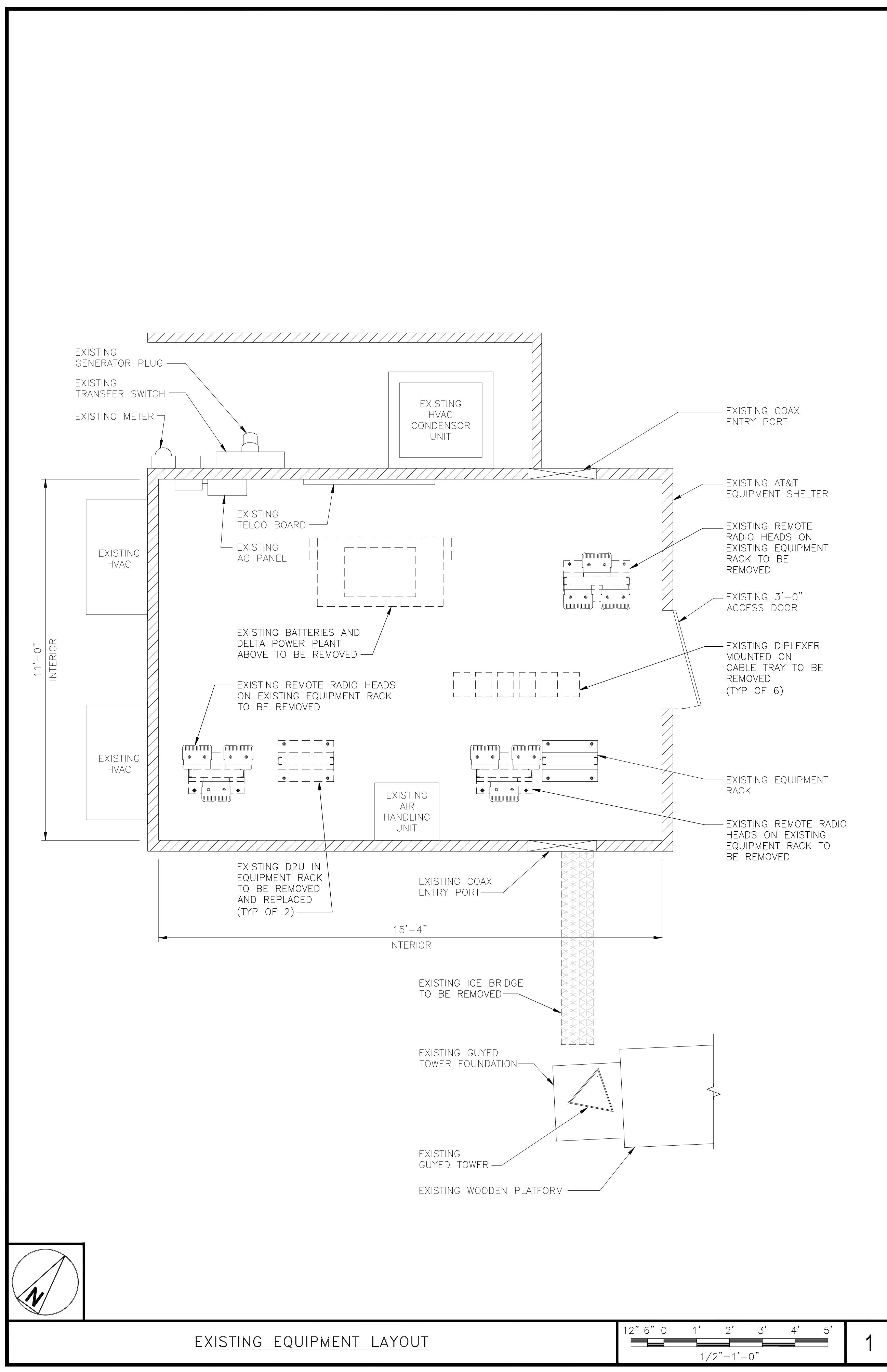


IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

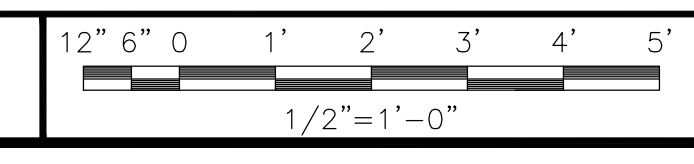
FAR COONSKIN
COL06244
GRANITE RIDGE DRIVE
TELLURIDE, CO 81435
LTE - 1ST CARRIER AND MW UPGRADE

SHEET TITLE
EXISTING AND PROPOSED EQUIPMENT LAYOUTS

SHEET NUMBER
C-2

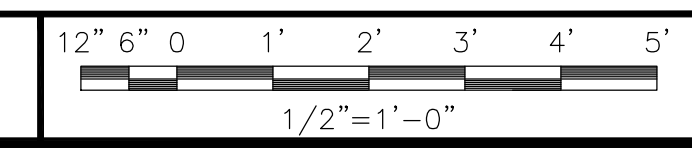


EXISTING EQUIPMENT LAYOUT



1

PROPOSED EQUIPMENT LAYOUT



2

NOTE

CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS.



188 INVERNESS DRIVE WEST
SUITE 400
ENGLEWOOD, CO 80112



BLACK & VEATCH

304 INVERNESS WAY SOUTH
SUITE 400
ENGLEWOOD, COLORADO 80112

PROJECT/PHASE NO: 122061/8623

DRAWN BY: BTS

CHECKED BY: DDM

T.I.D. 1.86

REV	DATE	DESCRIPTION
0	02/23/15	ISSUED FOR ZONING C.U.P.



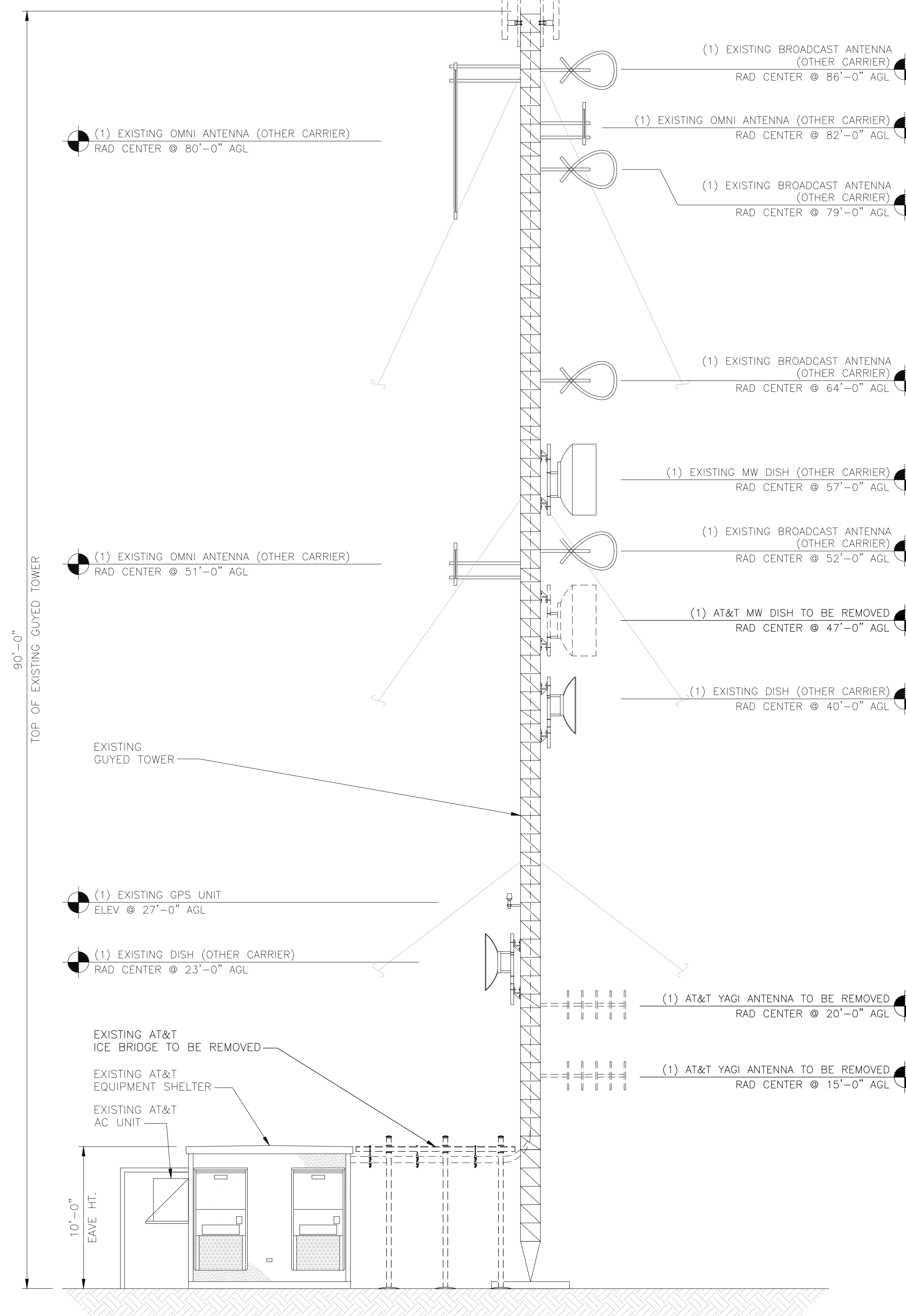
IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

FAR COONSKIN
COL06244
GRANITE RIDGE DRIVE
TELLURIDE, CO 81435
LTE - 1ST CARRIER AND MW UPGRADE

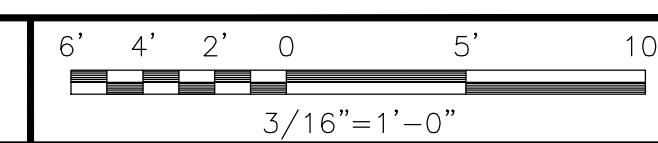
SHEET TITLE
EXISTING
SITE ELEVATIONS

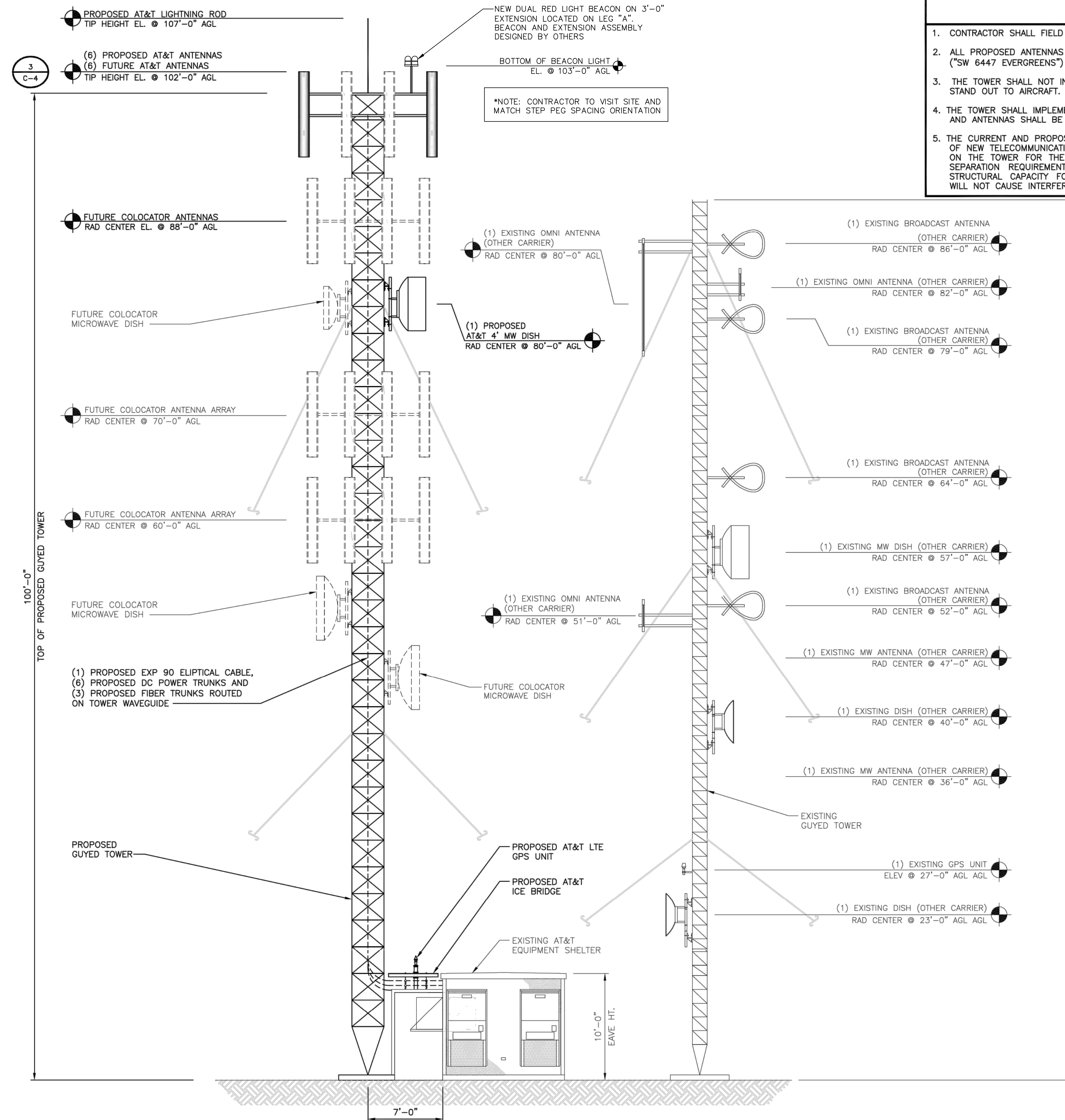
SHEET NUMBER
C-3

2
C-4
(3) EXISTING AT&T ANTENNAS
TO BE REMOVED
TIP HEIGHT EL. @ 97'-0" AGL



EXISTING SOUTHWEST ELEVATION





- NOTES**
- CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS.
 - ALL PROPOSED ANTENNAS SHALL BE PAINTED A NEUTRAL, NON-REFLECTIVE COLOR ("SW 6447 EVERGREENS") OR APPROVED EQUIVALENT.
 - THE TOWER SHALL NOT INCLUDE A LIGHT BEACON OR BE BRIGHTLY PAINTED TO STAND OUT TO AIRCRAFT.
 - THE TOWER SHALL IMPLEMENT THE FOLLOWING VISUAL MITIGATION PLAN: THE TOWERS AND ANTENNAS SHALL BE PAINTED TO MATCH THE SURROUNDING TREE COLOR.
 - THE CURRENT AND PROPOSED TOWERS SHALL BE MADE AVAILABLE FOR COLOCATION OF NEW TELECOMMUNICATION EQUIPMENT SO LONG AS: A) THERE IS ENOUGH ROOM ON THE TOWER FOR THE NEW EQUIPMENT (GIVEN THE VERTICAL AND HORIZONTAL SEPARATION REQUIREMENTS OF THE CURRENT USERS), B) THERE IS ENOUGH STRUCTURAL CAPACITY FOR THE NEW EQUIPMENT, AND C) THE NEW EQUIPMENT WILL NOT CAUSE INTERFERENCE TO THE CURRENT USERS.

188 INVERNESS DRIVE WEST
SUITE 400
ENGLEWOOD, CO 80112

304 INVERNESS WAY SOUTH
SUITE 400
ENGLEWOOD, COLORADO 80112

PROJECT/PHASE NO: 122061/8623

DRAWN BY: BDJ

CHECKED BY: DDM

T.I.D. 1.86

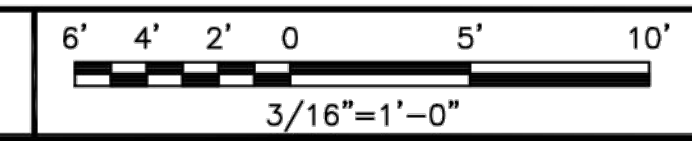
REV	DATE	DESCRIPTION
2	04/15/15	ISSUED FOR ZONING C.U.P.
1	04/14/15	ISSUED FOR ZONING C.U.P.
0	02/23/15	ISSUED FOR ZONING C.U.P.

IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

FAR COONSKIN
COL06244
GRANITE RIDGE DRIVE
TELLURIDE, CO 81435
LTE - 1ST CARRIER AND MW UPGRADE

SHEET TITLE
PROPOSED
SITE ELEVATIONS

SHEET NUMBER
C-3.1



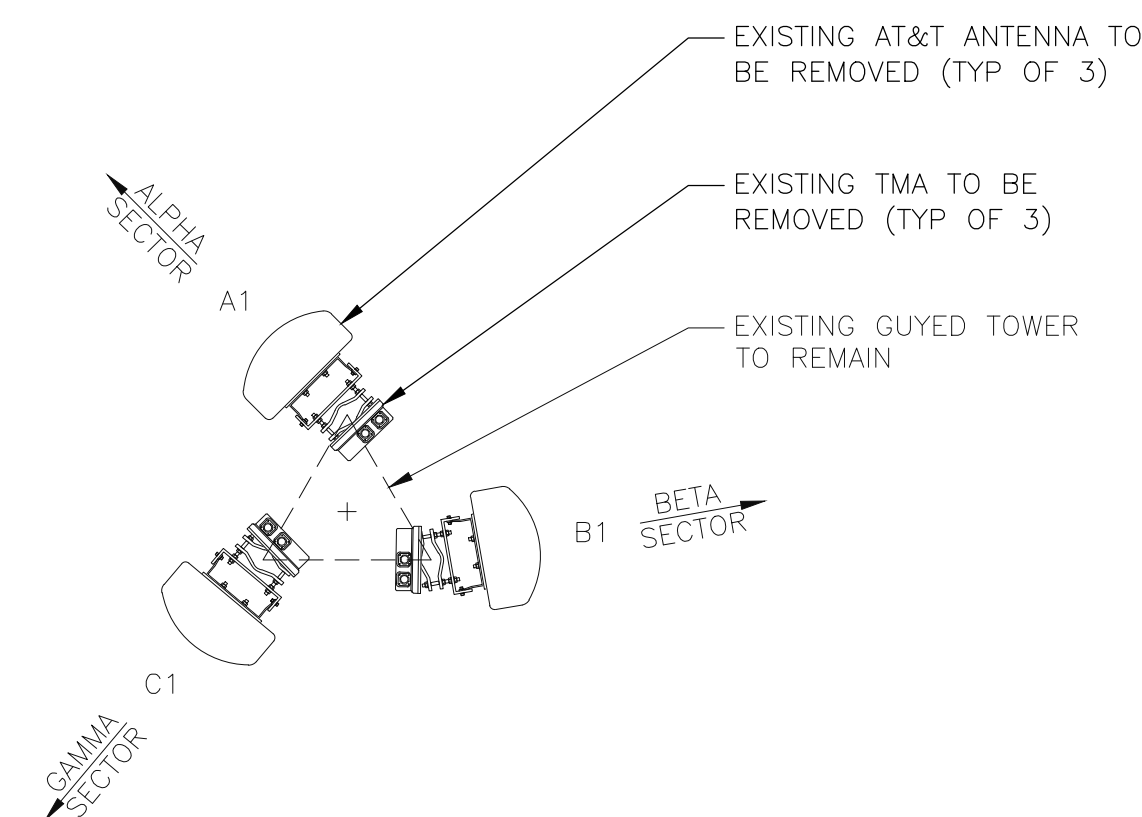
PROPOSED SOUTHWEST ELEVATION

SECTOR	ANTENNA TYPE	TECHNOLOGY	TRANSMISSION CABLE		DC JUMPERS NEEDED	FIBER JUMPERS NEEDED
			QTY.	TYPE		
A1	PROPOSED ANTENNA	UMTS	-	SEE CHANGES BELOW*	YES	YES
A2	FUTURE ANTENNA	LTE	-	SEE CHANGES BELOW*	YES	YES
A3	FUTURE ANTENNA	LTE	-	SEE CHANGES BELOW*	YES	YES
A4	PROPOSED ANTENNA	LTE	-	SEE CHANGES BELOW*	YES	YES
B1	PROPOSED ANTENNA	UMTS	-	SEE CHANGES BELOW*	YES	YES
B2	FUTURE ANTENNA	LTE	-	SEE CHANGES BELOW*	YES	YES
B3	FUTURE ANTENNA	LTE	-	SEE CHANGES BELOW*	YES	YES
B4	PROPOSED ANTENNA	LTE	-	SEE CHANGES BELOW*	YES	YES
C1	PROPOSED ANTENNA	UMTS	-	SEE CHANGES BELOW*	YES	YES
C2	FUTURE ANTENNA	LTE	-	SEE CHANGES BELOW*	YES	YES
C3	FUTURE ANTENNA	LTE	-	SEE CHANGES BELOW*	YES	YES
C4	PROPOSED ANTENNA	LTE	-	SEE CHANGES BELOW*	YES	YES
MW	PROPOSED ANTENNA	MICROWAVE	1	EWP90-105	-	-

*(6) PROPOSED DC POWER TRUNKS AND (3) PROPOSED FIBER TRUNKS SUPPLY ALL LTE AND UMTS ANTENNAS

NOTES

CONTRACTOR TO REFER TO FINAL CONSTRUCTION RFDS FOR ALL RF DETAILS.



188 INVERNESS DRIVE WEST
 SUITE 400
 ENGLEWOOD, CO 80112



BLACK & VEATCH

304 INVERNESS WAY SOUTH
 SUITE 400
 ENGLEWOOD, COLORADO 80112

PROJECT/PHASE NO: 122061/8623

DRAWN BY: BTS

CHECKED BY: DDM

T.I.D. 1.86

REV	DATE	DESCRIPTION
0	02/23/15	ISSUED FOR ZONING C.U.P.



IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

FAR COONSKIN
 COLO6244
 GRANITE RIDGE DRIVE
 TELLURIDE, CO 81435
 LTE - 1ST CARRIER AND MW UPGRADE

SHEET TITLE
 ANTENNA LAYOUTS

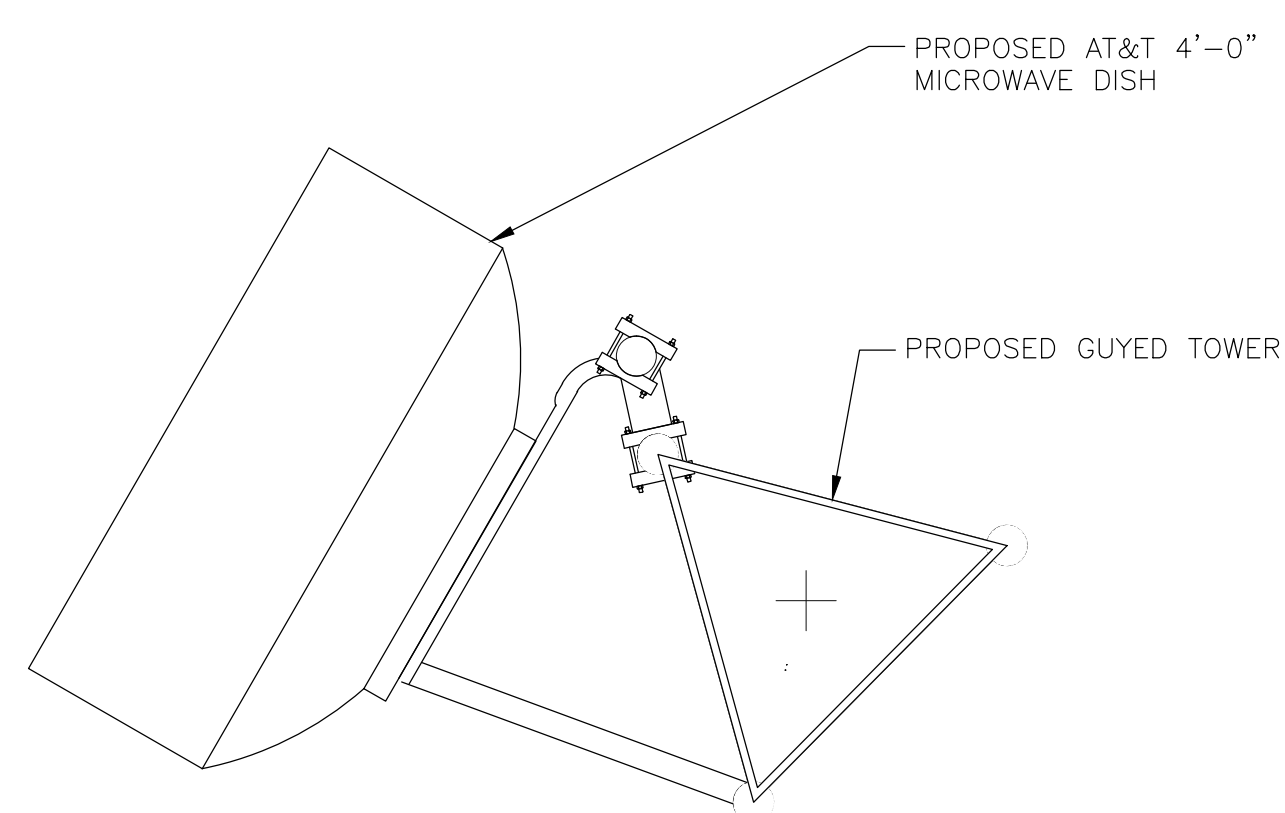
SHEET NUMBER

C-4

PROPOSED ANTENNA AND TRANSMISSION CABLE REQUIREMENT

NO SCALE

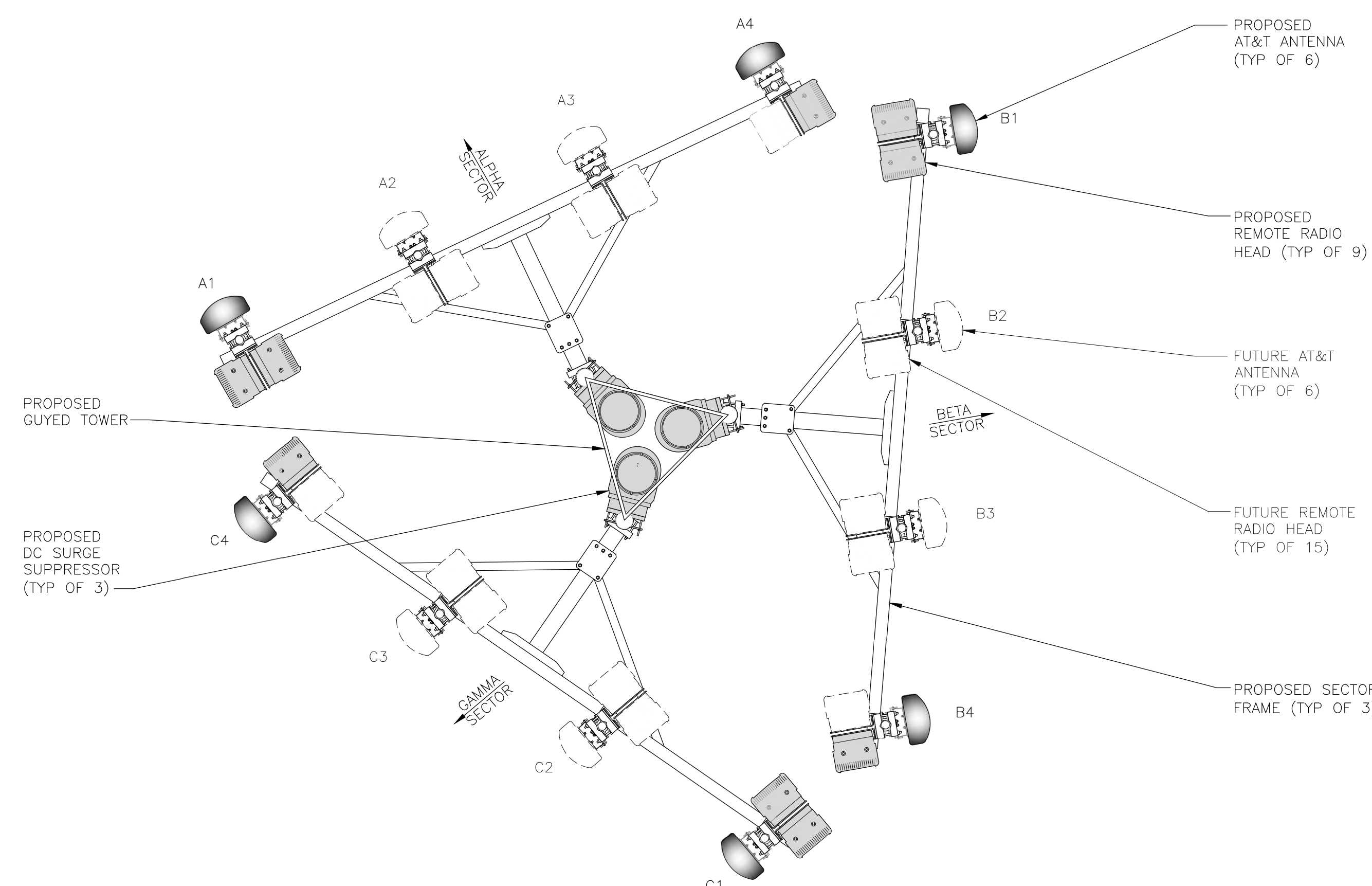
1



EXISTING ANTENNA LAYOUT

NO SCALE

2



PROPOSED ANTENNA LAYOUT

NO SCALE

3

PROPOSED ANTENNA LAYOUT

NO SCALE

4

**RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR A NEW 100' TALL
TELECOMMUNICATIONS TOWER LOCATED NEXT TO THE EXISTING TOWER AND A
VARIANCE TO ALLOW FOR THE PROPOSED 100' TOWER STRUCTURE HEIGHT ON
OSP-49R**

Resolution No. 2015-0423-08

- A. TSG Ski & Golf, LLC ("Owner") is the owner of record of real property described as OSP-49R ("Property").
- B. The Owner has authorized AT&T and its agent, Black and Veatch, to submit applications for (1) a conditional use permit for the installation of a new 100 foot tall freestanding telecommunications tower on the Property located by the existing tower; and (2) a height variance to allow for the proposed 100 foot tower ("Applications").
- C. The proposed development is in compliance with the provisions of sections 17.4.14 and 17.4.16 of the Community Development Code ("CDC").
- D. The Design Review Board ("DRB") considered the Application, along with evidence and testimony, at a public meeting held on April 2, 2015. Upon concluding their review, the DRB recommended approval of the Applications by a unanimous vote of 7 to 0 to the Town Council subject to certain conditions.
- E. The Town Council considered and approved the Applications, along with evidence and testimony, at a public meeting held on April 23, 2015.
- F. The public hearings referred to above were preceded by publication of public notice of such hearings on such dates and/or dates from which such hearings were continued on the Town website, and by mailing of public notice to property owners within four hundred feet (400') of the Property, as required by the public hearing noticing requirements of the CDC.
- G. After the public hearings referred to above, the DRB and the Town Council each individually considered the Applications' submittal materials, and all other relevant materials, public letters and public testimony, and approved the Applications with conditions as set forth in this Resolution.
- H. The Owner and AT&T have addressed, or agreed to address, all conditions of approval of the Applications imposed by Town Council.
- I. The Town Council finds the Applications meets the conditional use permit criteria for decision contained in CDC Section 17.4.14(D) and the variance criteria for decision contained in CDC Section 17.4.16(D) as follows:

Variance Findings:

- 1. The strict application of the CDC building height regulations would result in exceptional and undue hardship upon the property owner in the development of the property because an antenna must have adequate height to clear surrounding trees, provide adequate cellular coverage and meet the Town's colocation requirement;
- 2. The variance can be granted without substantial detriment to the public health, safety and welfare due to visual mitigation, and will actually will help protect the public health, safety and welfare by ensuring the provision of critically needed cellular infrastructure;

3. The variance can be granted without substantial impairment of the intent of the CDC, with the proposed use meeting the Telecommunication Antenna Regulations;
4. Granting the variance does not constitute a grant of special privilege in excess of that enjoyed by other property owners in the same zoning district;
5. Reasonable use of the property for a telecommunications antenna is not otherwise available without granting of a variance, and the variance being granted is the minimum necessary to allow for reasonable use;
6. The lot for which the variance is being granted was not created in violation of Town regulations or Colorado State Statutes in effect at the time the lot was created;
7. The variance is not solely based on economic hardship alone; and
8. The proposed variance meets all applicable Town regulations and standards unless a variance is sought for such regulations or standards.

Conditional Use Permit Criteria:

1. The proposed conditional use is in general conformity with the principles, policies and actions set forth in the Comprehensive Plan because adequate cellular communication is critical to the town's economic development and for maintaining a world class resort destination;
2. The proposed conditional use is in harmony and compatible with surrounding land uses and the neighborhood and will not create a substantial adverse impact on adjacent properties or on services and infrastructure;
3. The design, development and operation of the proposed conditional use will not constitute a substantial physical hazard to the neighborhood, public facilities, infrastructure or open space;
4. The design, development and operation of the proposed conditional use shall not have significant adverse effect to the surrounding property owners and uses, and visual mitigation will minimize visual impacts;
5. The design, development and operation of the proposed conditional use shall not have a significant adverse effect on open space or the purposes of the facilities owned by the Town;
6. The design, development and operation of the proposed conditional use shall minimize adverse environmental and visual impacts to the extent possible considering the nature of the proposed conditional use;
7. The design, development and operation of the proposed conditional use shall provide adequate infrastructure, with the antenna users providing crucially needed community service and public safety functions;
8. The proposed conditional use does not potentially damage or contaminate any public, private, residential or agricultural water supply source; and
9. The proposed conditional use permit meets all applicable Town regulations and standards.

NOW, THEREFORE, BE IT RESOLVED THAT THE TOWN COUNCIL HEREBY APPROVES A CONDITIONAL USE PERMIT FOR A NEW 100' TALL TELECOMMUNICATIONS TOWER LOCATED NEXT TO THE EXISTING TOWER AND A VARIANCE TO ALLOW FOR THE PROPOSED 100' TOWER STRUCTURE HEIGHT ON OSP-49R AND AUTHORIZES THE MAYOR TO SIGN THE RESOLUTION SUBJECT TO CONDITIONS SET FORTH IN SECTION 1 BELOW:

Be It Further Resolved that OS-3U may be developed as submitted in accordance with Resolution No. 2015-0423-08

Section 1. Conditions of Approval

1. The tower shall not include a light beacon or be brightly painted to stand out to aircraft. If the Federal Aviation Administration ("FAA") requires either a light beacon or bright

- paint for the tower to stand out, the antenna shall be lowered to a height where these FAA requirements do not apply.
2. The proposed towers and antennas shall be painted to match the surrounding tree color below the tree line and a blue gray above the tree line to mitigate visual impacts. The applicant shall provide color samples to the Town and San Miguel County for review and approval prior to or concurrent with submitting for a building permit.
 3. New antennas or equipment placed on the existing tower shall be painted to match the surrounding tree color below the tree line and a blue gray above the tree line to mitigate visual impacts, with the color reviewed and approved by the Town and San Miguel County.
 4. The new tower shall be designed to co-locate the number of antennas shown on the Proposed Site Elevations plan, Sheet C-3.1 dated 4/15/15.
 5. The current and proposed towers shall be made available for colocation of new telecommunication equipment so long as: (A) there is enough room on the tower for the new equipment (given the vertical & horizontal separation requirements of the current users), (B) there is enough structural capacity for the new equipment, and (C) the new equipment will not cause interference to the current users.
 6. Prior to issuing a building permit, the applicant shall submit long-term easements from The Ridge, TSG and any other intervening property owner for (1) the access road to the tower site; (2) the tower site; and (3) utility routes for existing and new utilities to the site. Prior to executing such easements, the Town shall review and approve the easements to ensure long-term vehicular and utility access across intervening land and long term tower siting.
 7. Prior to issuing a building permit, the applicant shall submit a composite utility plan to show the planned routes for power, fiber and any other necessary utilities to the site.
 8. The approved conditional use permit application is for the benefit of the existing tower that is owned by Telluride Ski and Golf, LLC ("TSG") and the proposed new tower on TSG owned land. Therefore the conditional use permit is hereby granted to TSG and any successors or assigns.
 9. The conditional use permit shall be valid for a period of twenty (20) years from the Effective Date subject to meeting the conditions specified herein.

Section 2. Resolution Effect

- A. This Resolution shall have no effect on pending litigation, if any, and shall not operate as an abatement of any action or proceeding now pending under or by virtue of the resolutions repealed or amended as herein provided and the same shall be construed and concluded under such prior resolutions.
- B. All resolutions, of the Town, or parts thereof, inconsistent or in conflict with this Resolution, are hereby repealed, replaced and superseded to the extent only of such inconsistency or conflict.

Section 3. Severability

The provisions of this Resolution are severable and the invalidity of any section, phrase, clause or portion of this Resolution as determined by a court of competent jurisdiction shall not affect the validity or effectiveness of the remainder of this Resolution.

Section 4. Effective Date

This Resolution shall become effective on April 23, 2015 (the "Effective Date") as herein referenced throughout this Resolution.

Section 5. Public Hearing

A public meeting on this Resolution was held on the 23rd day of April, 2015 in the Town Council Chambers, Town Hall, 455 Mountain Village Blvd, Mountain Village, Colorado 81435.

Approved by the Town Council at a public hearing held on April 23, 2015.



Town of Mountain Village, Town Council

By: _____
Dan Jansen, Mayor

Attest:

By: _____
Jackie Kennefick, Town Clerk

Approved as to Form:

James Mahoney, Assistant Town Attorney



Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2015-ANM-760-OE

Issued Date: 05/27/2016

John Monday (MS)
AT&T Mobility
3300 E Renner Rd
Richardson, TX 75082

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Antenna Tower Far Coonskin
Location: Telluride, CO
Latitude: 37-56-01.91N NAD 83
Longitude: 107-50-05.84W
Heights: 10476 feet site elevation (SE)
 110 feet above ground level (AGL)
 10586 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 L, Obstruction Marking and Lighting, red lights - Chapters 4,5(Red),&12.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
 Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

This determination expires on 11/27/2017 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates , heights, frequency(ies) and power . Any changes in coordinates , heights, and frequencies or use of greater power will void this determination. Any future construction or alteration , including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

A copy of this determination will be forwarded to the Federal Communications Commission (FCC) because the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (907) 271-5863. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2015-ANM-760-OE.

Signature Control No: 245438248-293694613

(DNE)

Robert van Haastert
Specialist

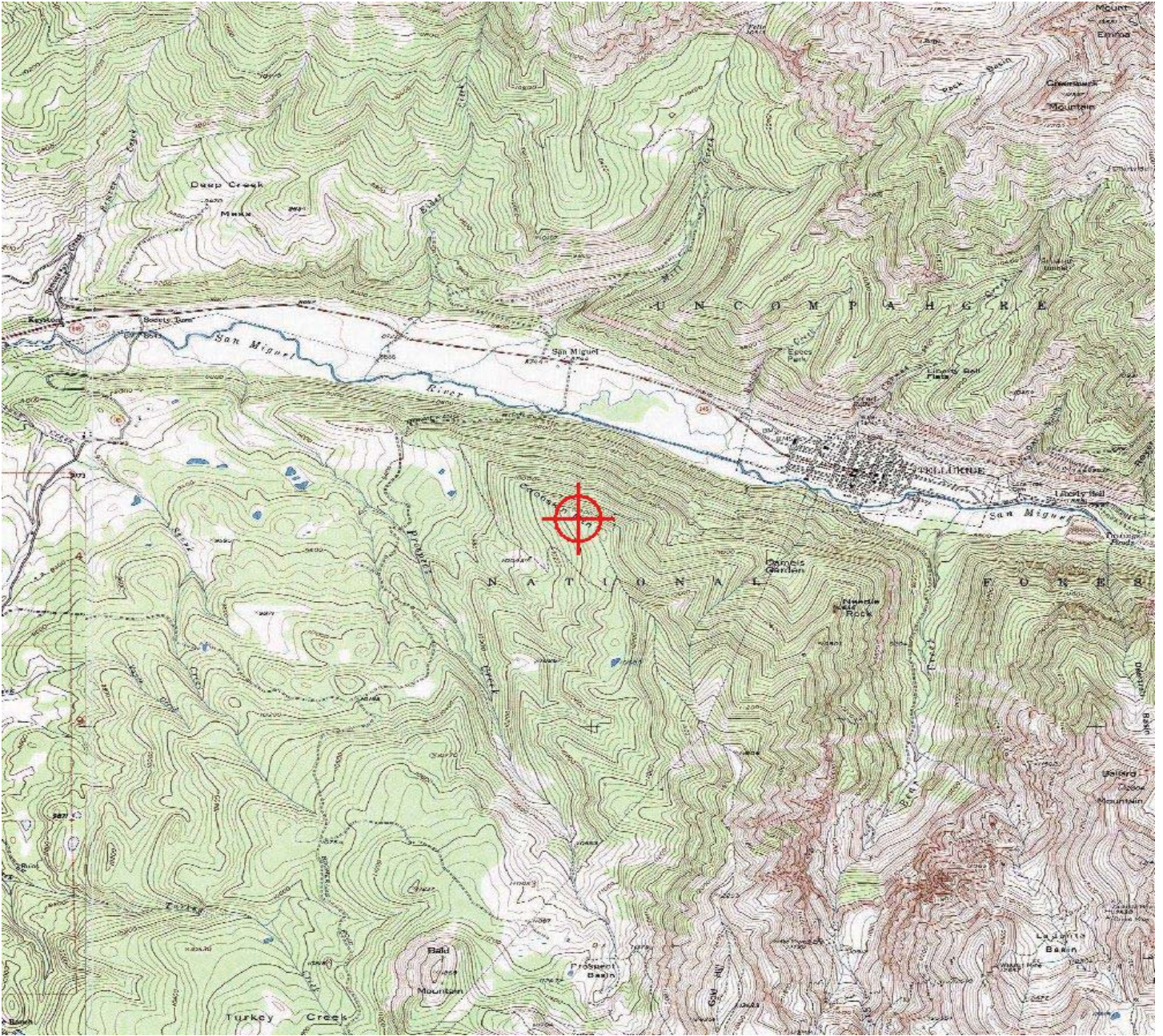
Attachment(s)
Frequency Data
Map(s)

cc: FCC

Frequency Data for ASN 2015-ANM-760-OE

LOW FREQUENCY	HIGH FREQUENCY	FREQUENCY UNIT	ERP	ERP UNIT
698	806	MHz	1000	W
806	824	MHz	500	W
824	849	MHz	500	W
851	866	MHz	500	W
869	894	MHz	500	W
896	901	MHz	500	W
901	902	MHz	7	W
930	931	MHz	3500	W
931	932	MHz	3500	W
932	932.5	MHz	17	dBW
935	940	MHz	1000	W
940	941	MHz	3500	W
1850	1910	MHz	1640	W
1930	1990	MHz	1640	W
2305	2310	MHz	2000	W
2345	2360	MHz	2000	W

TOPO Map for ASN 2015-ANM-760-OE







Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2015-ANM-761-OE

Issued Date: 05/27/2016

John Monday (MS)
AT&T Mobility
3300 E Renner Rd
Richardson, TX 75082

****DETERMINATION OF NO HAZARD TO AIR NAVIGATION FOR TEMPORARY STRUCTURE****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Crane Far Coonskin Crane
Location:	Telluride, CO
Latitude:	37-56-01.91N NAD 83
Longitude:	107-50-05.84W
Heights:	10476 feet site elevation (SE) 150 feet above ground level (AGL) 10626 feet above mean sea level (AMSL)

This aeronautical study revealed that the temporary structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is (are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 L, Obstruction Marking and Lighting, flags/red lights - Chapters 3(Marked),4,5(Red),&12.

This determination expires on 05/27/2017 unless extended, revised, or terminated by the issuing office.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed within 5 days after the temporary structure is dismantled.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates and heights. Any changes in coordinates and/or heights will void this determination. Any future construction or alteration, including increase to heights, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of a structure. However, this equipment shall not exceed the overall heights as

indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this temporary structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

A copy of this determination will be forwarded to the Federal Aviation Administration Flight Procedures Office if the structure is subject to the issuance of a Notice To Airman (NOTAM).

If you have any questions, please contact our office at (907) 271-5863. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2015-ANM-761-OE

Signature Control No: 245438281-293694730

(TMP)

Robert van Haastert
Specialist

Attachment(s)

Map(s)

cc: FCC

TOPO Map for ASN 2015-ANM-761-OE







Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
2601 Meacham Boulevard
Fort Worth, TX 76193

Aeronautical Study No.
2015-ANM-760-OE

Issued Date: 07/27/2015

John Monday (MS)
AT&T Mobility
3300 E Renner Rd
Richardson, TX 75082

**** NOTICE OF PRESUMED HAZARD ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Antenna Tower Far Coonskin
Location:	Telluride, CO
Latitude:	37-56-01.91N NAD 83
Longitude:	107-50-05.84W
Heights:	10476 feet site elevation (SE) 110 feet above ground level (AGL) 10586 feet above mean sea level (AMSL)

Initial findings of this study indicate that the structure as described exceeds obstruction standards and/or would have an adverse physical or electromagnetic interference effect upon navigable airspace or air navigation facilities. Pending resolution of the issues described below, the structure is presumed to be a hazard to air navigation.

If the structure were reduced in height so as not to exceed 0 feet above ground level (10476 feet above mean sea level), it would not exceed obstruction standards and a favorable determination could subsequently be issued.

Any height exceeding 0 feet above ground level (10476 feet above mean sea level), will result in a substantial adverse effect and would warrant a Determination of Hazard to Air Navigation.

See Attachment for Additional information.

NOTE: PENDING RESOLUTION OF THE ISSUE(S) DESCRIBED ABOVE, THE STRUCTURE IS PRESUMED TO BE A HAZARD TO AIR NAVIGATION. THIS LETTER DOES NOT AUTHORIZE CONSTRUCTION OF THE STRUCTURE EVEN AT A REDUCED HEIGHT. ANY RESOLUTION OF THE ISSUE(S) DESCRIBED ABOVE MUST BE COMMUNICATED TO THE FAA SO THAT A FAVORABLE DETERMINATION CAN SUBSEQUENTLY BE ISSUED.

IF MORE THAN 60 DAYS FROM THE DATE OF THIS LETTER HAS ELAPSED WITHOUT ATTEMPTED RESOLUTION, IT WILL BE NECESSARY FOR YOU TO REACTIVATE THE STUDY BY FILING A NEW FAA FORM 7460-1, NOTICE OF PROPOSED CONSTRUCTION OR ALTERATION.

If we can be of further assistance, please contact our office at (816) 329-2508. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2015-ANM-760-OE.

Signature Control No: 245438248-258906450

(NPH)

Vee Stewart

Specialist

Attachment(s)

Additional Information

Additional information for ASN 2015-ANM-760-OE

Abbreviations:

AGL, Above Ground Level
AMSL, Above Mean Sea Level
ANM, Northwest Mountain Region
ASN, Aeronautical Study Number
FED, Federal
LHA, Lamp Housing Assembly
NM, Nautical Mile
OCS, Obstacle Clearance Surface
OE, Obstruction Evaluation
PAPI, Precision Approach Path Indicators
RWY, Runway
TBD, To Be Determined
VASI, Visual Approach Slope Indicator
VFR, Visual Flight Rules
VGSI, Visual Glide Slope Indicator
VISAID, Visual Aid

The proposed structure (ASN 2015-ANM-760-OE) and proposed temporary structure (ASN 2015-ANM-761-OE) would be located approximately 3.77 NM east of the Airport Reference Point for the Telluride Regional Airport, Telluride, CO (TEX).

The proposed construction would be objectionable based on impacts identified by the FAA's Operations Engineering Support Group, Technical Services, as follows:

In accordance with FAA Order 6850.2B, Visual Guidance Lighting Systems (FAA's siting order for the PAPI):

The proposed 150 foot AGL (10,626 feet AMSL) crane (ASN 2015-ANM-761-OE) to be utilized to construct a 110 foot AGL (10,586 feet AMSL) antenna tower (ASN 2015-ANM-760-OE) is situated on a mountain ridge approximately 3.7 NM east of TEX RWY 27 and offset 4.6 degrees left of extended runway centerline. The mountain ridge where the tower/crane will be located penetrates the OCS associated with the non-FED TEX PAPI RWY 27 serving this runway. Therefore, the temporary crane, as well as the proposed permanent cellular tower, will both completely penetrate the associated PAPI OCS. Although TEX PAPI RWY 27 is set to the maximum allowable elevation angle of 4.00 degrees, this is insufficient to alleviate terrain illumination by the PAPI light pattern. FAA policy dictates that no VASI/PAPI may illuminate an obstruction within the service volume of the facility. In this case, this facility does not meet that requirement primarily due to terrain. Therefore, any structure placed on that terrain within the PAPI service volume will also present as an obstruction and a hazard to air navigation. Although it is common practice by air traffic utilizing the approach to land on TEX RWY 27 to fly along the valley approach adjacent to and north of the ridge under VFR conditions, this rationale is not sufficient to alleviate the siting requirement associated with VGSI: PAPI/VASI facilities. From the standpoint of maintaining PAPI service on TEX RWY 27, one probable mitigation measure available to address the hazard is to sufficiently restrict the PAPI light pattern such that illumination of the offending terrain no longer occurs. This would be accomplished by installing visaid baffling hardware on each PAPI LHA. PAPI baffling hardware has been developed and tested by the FAA Technical Center and is available for most types of PAPI LHAs. This hardware must be installed by a qualified installation crew based on survey measurements of the identified obstruction relative to the PAPI on site. Flight Inspection is also required to inspect, verify, and approve of any adjustments to the PAPI light pattern made possible by facility

modification and mainly checks for sufficient blanking of the light pattern in proximity to the obstructing terrain. Upon successful installation and Flight Inspection, the PAPI facility may be re-commissioned with an amendment in the Airport Remarks section of the Airport Facilities Directory for TEX PAPI RWY 27 noting the PAPI to be unusable beyond a certain azimuth (TBD) left-of-course. This project may be completed with FAA engineering/technical assistance by means of a Reimbursable Agreement to allow recovery of agency costs associated with modification of a non-Fed visaid facility. For questions, contact Edward Vey, FAA Technical Operations at 907-271-3056.

Please advise Vee Stewart via e-mail (vee.stewart@faa.gov) of your intentions for this aeronautical study.



« OE/AAA

Proposed Case for : 2015-ANM-760-OE

For information only.
 This proposal has not yet been studied. Study outcomes will be posted at a later date.
 Public comments are not requested, and will not be considered at this time.

Overview				
Study (ASN): 2015-ANM-760-OE	Received Date: 03/12/2015			
Prior Study:	Entered Date: 03/12/2015			
Status: Work In Progress	Map: View Map			
Construction Info	Structure Summary			
Notice Of: CONSTR	Structure Type: Antenna Tower			
Duration: PERM (Months: 0 Days: 0)	Structure Name: Far Coonskin			
Work Schedule:	FCC Number:			
Structure Details	Height and Elevation			
Latitude (NAD 83): 37° 56' 01.91" N	Site Elevation: Proposed 10476			
Longitude (NAD 83): 107° 50' 05.84" W	Structure Height: 110			
Datum: NAD 83	Total Height (AMSL): 10586			
City: Telluride				
State: CO				
Nearest County: San Miguel				
Frequencies				
Low Freq	High Freq	Unit	ERP	Unit
698	806	MHz	1000	W
806	824	MHz	500	W
824	849	MHz	500	W
851	866	MHz	500	W
869	894	MHz	500	W
896	901	MHz	500	W
901	902	MHz	7	W
930	931	MHz	3500	W
931	932	MHz	3500	W
932	932.5	MHz	17	dBW
935	940	MHz	1000	W
940	941	MHz	3500	W
1850	1910	MHz	1640	W
1930	1990	MHz	1640	W
2305	2310	MHz	2000	W
2345	2360	MHz	2000	W

[← Previous](#)
[Back to Search Result](#)
[Next →](#)



Federal Aviation Administration

« OE/AAA

Proposed Case for : 2015-ANM-761-OE

For information only.

This proposal has not yet been studied. Study outcomes will be posted at a later date. Public comments are not requested, and will not be considered at this time.

Overview	
Study (ASN): 2015-ANM-761-OE	Received Date: 03/12/2015
Prior Study:	Entered Date: 03/12/2015
Status: Work In Progress	Map: View Map
Construction Info	Structure Summary
Notice Of: CONSTR	Structure Type: Crane
Duration: TEMP (Months: 18 Days: 0)	Structure Name: Far Coonskin Crane
Work Schedule:	FCC Number:
Structure Details	Height and Elevation
Latitude (NAD 83): 37° 56' 01.91" N	Site Elevation: Proposed 10476
Longitude (NAD 83): 107° 50' 05.84" W	Structure Height: 150
Datum: NAD 83	Total Height (AMSL): 10626
City: Telluride	
State: CO	
Nearest County: San Miguel	
	Frequencies
	Low Freq High Freq Unit ERP Unit

[« Previous](#)
 [Back to Search Result](#)
 [Next](#)



Features

- Available as a single or dual unit
- Available in 12 VDC, 24 VDC, 48 VDC, 120 VAC & 220 VAC (50 or 60 Hz)
- Earth grounding provisions provided
- Unique optically designed lens to enhance LED operation and provide 360° visibility
- State-of-the-art high-flux LED technology
- Estimated service life 12-15 years
- Weather/corrosion resistant lamp assembly and housing
- Self-contained wiring compartment eliminates additional boxes
- Threaded 1" and 3/4" bottom hub for mounting
- Can be operated steady or flashed (*controller not supplied*)
- 5 year warranty
- Resistant to shock and vibration
- IP65 / IP66 / NEMA 4X rated

Meets:

FAA AC NO: 150/5345-43F
 FAA Engineering Brief No. 67
 ICAO (Annex 14 - Fourth Edition, July 2004)
 ICAO Aerodromes Design Manual, Chapter 18
 Canadian Aviation Regulation CAR 621.19
 Nachrichten für Luftfahrer Teil I Langen, 6. January 2005
 German Air Traffic Control Notices for Pilots Part I 6, January 2005

Qualified By:

Intertek ETL
 Lighting Sciences Canada

Application

The 860 Series is the FAA type L-810 red LED obstruction light. Designed for steady burning, this fixture is used to mark any obstacle that may present hazards to aircraft navigation. The U.S. patent office has issued patent number 6,425,678 B1 for this series.

Operating Conditions

Temperature: -67° F to +131° F
 (-55° C to +55° C)

Materials/Finish

- Cast Aluminum housing
- Stainless steel hardware

Ordering Information

Single Units

Part Number	Cert	Volts
860-1R01-001	FAA	120 VAC
860-6R01-001	TC	120 VAC
860-1R02-001	--	220 VAC
860-1R03-001	FAA	12 VDC
860-3R03-001 (Low wattage)	--	12 VDC
860-1R05-001	FAA	24 VDC
860-6R05-001	TC	24 VDC
860-1R04-001	FAA	48 VDC
860-5R02-001	ICAO	220 VAC (10cd)
860-1R02-001-EU	Eur. Ver.	220 VAC
860-4R02-001-EU	Eur. Ver.	220 VAC (50 cd)

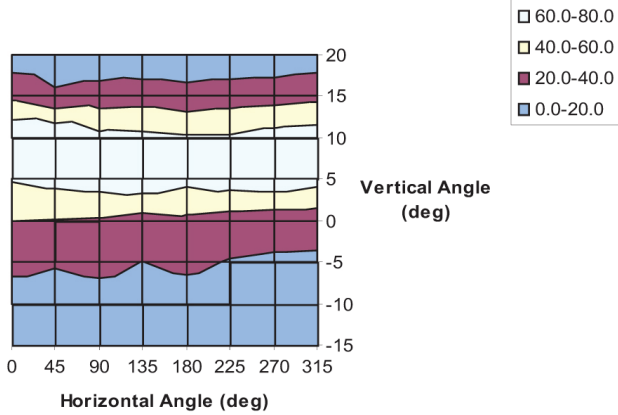
Dual Units

Part Number	Cert	Volts
860-1R01-002	FAA	120 VAC
860-6R01-002	TC	120 VAC
860-1R02-002	--	220 VAC
860-1R03-002	FAA	12 VDC
860-3R03-002 (Low wattage)	--	12 VDC
860-1R05-002	FAA	24 VDC
860-6R05-002	TC	24 VDC
860-1R04-002	FAA	48 VDC
860-7R02-002	CASA	220 VAC (100cd)
860-1R02-002-EU	Eur. Ver.	220 VAC
860-4R02-002-EU	Eur. Ver.	220 VAC (50 cd)

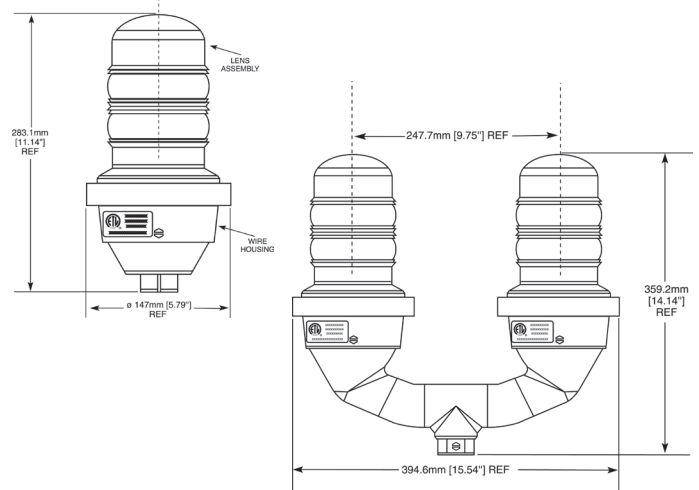


Photometric Data

L810 Isotropic Intensity Chart



Mechanical Dimensions



Dimensions in inches (mm)

Electrical Specifications

	PF	VA	Operating Voltage			Watts (W)			Amps
			Min	Typ	Max	Min	Typ	Max	
120 VAC Units	.3	46.5	92	120	132	10	15	18	0.120
240 VAC Units (60Hz)	.17	72	198	240	264	11	15	18	0.120
240 VAC Units (50Hz)	--	--	198	240	264	12	14	17	--
12 VDC Units (Standard)	--	--	10	12	14	20	25	29	2.000
24 VDC Units	--	--	21	24	27	17	22	29	0.920
48 VDC Units	--	--	43	48	53	11	14	16	0.275

Weights and Measurements

Model	Shipping Weight	Container Dimensions
Single Unit	7.1 lbs	16" x 9" x 8" (406mm x 229mm x 203mm)
Dual Unit	16.1 lbs	22" x 17" x 9" (559mm x 432mm x 229mm)



FOR IMMEDIATE RELEASE

FEEDBACK REQUESTED FOR THE RED LIGHT DEMONSTRATION ON THE RIDGE

MOUNTAIN VILLAGE, COLO. – October 27, 2016 – For the last five years, many residents and visitors have experienced an interruption in cell phone service, specifically during peak times when the overall destination population increases dramatically. In an effort to combat cell service interruptions, the Telluride Ski & Golf Company (TSG), in association with a tower company, is planning to construct and operate a communications tower which would serve multiple cell carriers and could include equipment for public safety communications in accordance with the approved Mountain Village conditional use permit.

This proposed new lattice communication tower would be located on TSG open space on the Ridge near the top of Station St. Sophia, and next to the existing 90-foot KOTO tower. After obtaining the conditional use permit from the Town of Mountain Village, which does not allow lights on the tower, the tower company learned that the Federal Aviation Administration (FAA) requires an eight-inch red light affixed to the tower due to its proximity to the Telluride Regional Airport. In aviation terms, the tower is considered a hazard since it would sit within a certain radius to the airport, so it must be marked appropriately.

But before this new requirement is considered, officials with Mountain Village and San Miguel County have requested a demonstration. Between October 26 and November 7, a temporary story pole standing at 100 feet on the Ridge will include a lighted red light device, satisfying the applicable FAA hazard lighting requirements as to its size and intensity, from dusk to dawn in order to gauge any impacts the light may have on the neighboring communities.

“This tower is about more than communications; it is about the safety of our residents and visitors, which is why Mountain Village Town Council granted TSG the conditional use permit for the tower in August of 2015. This permit included a condition that a light could not be affixed to the tower. Now that it is a requirement of the FAA, TSG informed us for the need to modify their conditional use permit; however, given the impacts and Ridgeline Covenant on this piece of property a lot more information is needed prior to moving forward,” explained Town Manager Kim Montgomery.

Before granting such a modification and after the demonstration period ends, Mountain Village Town Council, Telluride Town Council, and the San Miguel County Board of Commissioners will hold a joint public worksession, date to be determined, to discuss the matter and the findings of the story pole demonstration. San Miguel County enforces the Ridgeline Covenant, which is intended to prevent lighting

-more-

or buildings from extending into the Coonskin View Plane where such improvements would be seen from the Town of Telluride and portions of the Telluride Valley. If it is agreed to move forward, TSG will have to apply and go through the public hearing process to amend the conditional use permit to allow the safety light.

To provide comments about the temporary story pole, please email Planning and Development Services Director Glen Van Nimwegen at gvannimwegen@mtnvillage.org.

###

Mountain Village Media Contact:

Nichole Zangara Riley

970.369.6430 · 970.729.2179 · nzangara@mtnvillage.org

townofmountainvillage.com · facebook.com/townofmountainvillage · twitter.com/mountainvillage

ABOUT MOUNTAIN VILLAGE

Situated in the heart of the breathtaking San Juan Mountains, Mountain Village was incorporated in 1995 as a home rule municipality. Its founders envisioned a European-style ski-in/ski-out, pedestrian-friendly destination resort that would complement the historic mining town of Telluride. A three-stage gondola transportation system connects the Town of Mountain Village with the Town of Telluride. Situated at 9,500 feet, Mountain Village is comparably a world apart from other resorts: it is innately spectacular, beautifully orchestrated and planned, and overflowing with style, charm and sophistication. For more information, please visit us on the Web at townofmountainvillage.com.

From: [Tobin Brown](#)
To: [Glen Van Nimwegen](#)
Subject: communications tower
Date: Sunday, October 30, 2016 10:46:39 AM

Hi Glen:

I'm writing to express my strong support for moving ahead as quickly as possible with the communications tower on Coonskin. I have lived in the Telluride area for 27 years and worked in the Mountain Village for the last 25 years. I was here when cellular service first became available, and as that service expanded over time, along with the internet, championed the idea that you could live in a remote area and be connected to the wider world. A great premise for the Telluride area-one that allows many of us to stay and manage our lives here.

Yet, over the last few years, communications have gone downhill quickly. Internet speeds have slowed and cell service is now really lame. Calls drop on the way up Lawson Hill into the entrance of Mountain Village. Coverage on the ski hill has gone from adequate to largely unavailable on many areas of the mountain. And if you're an AT&T subscriber, forget it! I know we locally can't control some of these issues, but it is time for our communities to get moving on and/or advocating for more robust communications in this region.

Please move this project along.

Thanks,

Toby Brown

Tobin Brown
Vice President
Telluride Real Estate Corp.

EXCLUSIVE AFFILIATE OF
CHRISTIE'S
INTERNATIONAL REAL ESTATE

o | 970.728.6655
c | 970.729.0456
f | 970.728.5480
e | tobinbrown5@gmail.com
www.telluriderealestatecorp.com

567 Mountain Village Blvd, Suite 106A
Telluride, CO 81435

From: [Frank Hensen](#)
To: [Glen Van Nimwegen](#)
Subject: Cell Tower Comment
Date: Tuesday, November 01, 2016 5:32:55 PM

To Whom it may Concern:

I have been looking at the red light on the story pole that represents the location of the new cell tower. As much as the red light is not welcome the new tower and improved cell service is welcome. Please put me on the list of people in favor of the new tower and improved cell service. We can live with the light.

Thanks,

Frank

Frank Hensen

President

Hensen Construction & Development Inc.

970-729-0056

hensen0056@hotmail.com

From: [Rick Joos](#)
To: [Glen Van Nimwegen](#)
Subject: Temporary Story Pole with Red Light
Date: Tuesday, November 01, 2016 1:39:39 PM

Hi Glen,

I first noticed the red light on the ridge the day before I heard what it was on the KOTO news.

My wife and I live on the east end of Telluride, and can see the light from our house.

It is quite understandable why a new communications tower would benefit the community, though we are not pleased with the light on the ridge. It seems like light from all aspects of the ridge have continued to creep in to the valley in the 17 years that I've lived in Telluride.

We hope that it's possible for the tower to be moved to the south so that the light is not visible from the town of Telluride.

Thank you for your time.

Rick Joos

Sefra Maples

From: [Kelly McGinty](#)
To: [Glen Van Nimwegen](#)
Subject: New Cell Tower
Date: Wednesday, November 02, 2016 3:38:38 PM
Attachments: [image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)

Hello,

We desperately need improved Verizon cell service in our area via an additional tower. Thank you for your attention to helping facilitate this matter.

Kelly

Kelly C. McGinty
Broker Associate
Telluride Real Estate Corp.
c | **970.708.0936**
w | www.TellurideRealEstateCorp.com



EXCLUSIVE AFFILIATE OF
CHRISTIE'S
INTERNATIONAL REAL ESTATE





January 16, 2017

San Miguel County Sheriff's Department
William S. Masters, Sheriff
684 County Road 63L
Telluride, CO 81435

Bill:

As you may know, the Agreement to allow San Miguel County Sheriff's Department to erect, operate and maintain communications equipment on the cell phone Tower at Coonskin Ridge expired on November 30, 2014.

It has also come to our attention that the Tower is over the structural carrying capacity for communications equipment that has been installed. It is my understanding Jeff Proteau has sent you the structural capacity reports for the existing Tower and that you understand the urgency of this situation.

TSG Ski & Golf, as the owner of the Site upon which the Tower is located, is hereby advising you that the Tower will need to be vacated by the Sheriff's Department and associated parties, including the removal of all equipment and cables. Jeff Proteau will be out of Town until January 26, 2017, and he would like to meet with you upon his return to discuss reasonable time-lines for the removal of the equipment and related cables.

As you may also know, TSG is negotiating with Crown Castle for the construction of an additional tower. It is our understanding that this new tower can be designed to accommodate the Sheriff's Department and associated parties' equipment and cables. It is our hope that the Sheriff's Department will begin conversations with Crown Castle to ensure that if Crown Castle's tower is approved, it will be able to accommodate your equipment needs for Coonskin Ridge.

Sincerely,

TSG Ski & Golf

By: 

Bill Jensen, CEO

SAN MIGUEL EMERGENCY TELEPHONE SERVICE AUTHORITY BOARD

January 25, 2017

Mountain Village Design Review Board,

The San Miguel Emergency Service Authority (SMETSA) is tasked with receiving and processing 911 calls. This includes radio dispatching for public safety for all of San Miguel County.

As you may know SMETSA recently engaged a tower company to build a tower on Specie Mesa to greatly improve and expand the state wide Digital Trunked Radio System (DTRS) for public safety communications in the Norwood Canyon area, the Highway 62 corridor and other areas within the county.

Today we would like to discuss the Coonskin tower that currently serves public safety agencies in the east end of San Miguel County.

These agencies include: San Miguel County Sheriff's Office, San Miguel County Road & Bridge, San Miguel County Public Health, San Miguel County Building Department; Telluride Marshal's Department, Telluride Medical Center; Telluride Fire Protection District (including Emergency Medical Services), Mountain Village Police Department; Colorado State Patrol and Colorado Department of Transportation.

On January 16, 2017, Sheriff Masters received a letter from Telluride Ski and Golf CEO Bill Jensen, who is the owner of the site upon which the current tower is located on Coonskin Ridge. This letter outlines two points. First, the Agreement for the San Miguel County Sheriff's Department to operate and maintain communications equipment on the Coonskin tower expired on November 30, 2014.

Second, based on a recent structural analysis, the Coonskin tower is over the structural carrying capacity for communications equipment that has been installed on it over the years. Mr. Jensen requested the tower needs to be vacated by the Sheriff's Department and associated parties (please refer to list above) including the removal of all equipment and cables.

The equipment and cables that Mr. Jensen is referring to is part of the DTRS 800 radio system, which is used by all public safety in eastern San Miguel County. We currently have an opportunity to move this equipment, as requested, to a new proposed tower at the same location on Coonskin Ridge. This site is the most cost effective and efficient location to cover the greatest area possible. If we were able to remain on the current tower, it would require significant cost to upgrade the 35 year old tower to current building code standards. We can also assume that any refurbishment of the existing tower would require notification to the FAA since it is within range of the Telluride Airport, which would in turn trigger an FAA requirement for a red light on the existing tower.

The other piece of this proposed tower is increased cellular phone coverage for the region, which allows citizens to reach 911 services and benefits public safety response to emergencies.

Based on the above information, SMETSA would request you approve the application to modify the previously approved tower to allow the FAA mandated red beacon.

Thank you for your consideration in this matter.

Respectfully,



Chris Broady
Chair-person

***SAN MIGUEL COUNTY, TOWN OF MOUNTAIN VILLAGE, TOWN OF TELLURIDE,
TOWN OF NORWOOD, TOWN OF SAWPIT, TOWN OF OPHIR, TELLURIDE FIRE PROTECTION
DISTRICT, NORWOOD FIRE PROTECTION DISTRICT, EGNAR/SLICKROCK FIRE DISTRICT***

EMERGENCY 911

View from Aldasoro



Photos of Lights at Proposed Facility Location and Height

Photo from Downtown Telluride



Photos of Lights at Proposed Facility Location and Height

Photo from Gondola Parking



Photos of Lights at Proposed Facility Location and Height

Photo from Roundabout





**PLANNING & DEVELOPMENT SERVICES
PLANNING DIVISION**

455 Mountain Village Boulevard
Mountain Village, CO 81435
(970) 728-1392

TO: Design Review Board
FROM: Dave Bangert, Senior Planner
FOR: Meeting of February 2, 2017
DATE: January 26, 2017
RE: Design Review approval of a new driveway alignment for a previously approved single family home and accessory dwelling unit on Lot 912R (132 Victoria Drive)

PROJECT GEOGRAPHY

Legal Description: Lot 912R
Agent: Lea Sisson, Architect
Applicant/Owner: McCarthy Properties, LLC
Zoning: Single-family
Existing Use: Vacant
Proposed Use: Single-family
Lot Size: 1.73 acres
Adjacent Land Uses: **North:** Single-family and Open Space
South: Single-family and vacant Single-family
East: Single-family
West: Single-family

ATTACHMENTS

Exhibit A: Narrative
Exhibit B: Design Review Plans

BACKGROUND

In accordance with 17.4.3 of the Community Development Code (CDC), the applicant has submitted an application for a Class 1 Design Review for a new driveway alignment for a previously approved single-family home and accessory dwelling unit on Lot 912R. The change to the driveway alignment was precipitated by objections from the owners of an adjoining home. Because the new driveway alignment has new proposed variations that will require specific approval of the Board, this application has been raised to a Class 3.

Driveway Standards

17.6.6. B.4. Maximum Grade.

Driveway grade shall not exceed eight percent (8%) except:

- a. Garage entrances, parking and required fire apparatus turnaround areas shall not exceed five to six percent (5% - 6%) grades without specific approval from the review authority in consultation with the Telluride Fire Protection District and Public Works Department.
 - i. If driveways grades for such areas are approved greater than five to six percent (5% - 6%), then the review authority may require that a snowmelt system be incorporated into the driveway design.
- b. The maximum driveway grades shall not exceed five percent (5%) for the first twenty feet (20') from the edge of the public roadway or access tract.
- c. Transitional sections not exceeding 500 feet may be allowed a maximum of ten percent (10%) if approved by the Town in consultation with the Fire Marshal. Transitional sections exceeding eight percent (8%) shall not be within 500 feet of each other. Curves with a centerline radius of less than 250 feet shall not exceed eight percent (8%).
- d. Transitional sections may be allowed a maximum grade up to twelve percent (12%) providing all residences are equipped with an approved fire sprinkler system meeting the Fire Code.
- e. Curves with a centerline radius of less than 250 feet shall not exceed eight percent (8%) grade.

The proposed project is located at the end of an access tract and the applicant is proposing a 440-foot long driveway with a total width of 16 feet and two- 2 foot v-pan shoulders on each side. The first 20 feet of the driveway exceed the 5% maximum at 8% and the new maximum grade associated with the proposed driveway is 10.5%, thereby requiring specific approval from the DRB.

The Telluride Fire Protection District will allow this grade with the condition that both the accessory dwelling unit and main house be sprinklered. The curve on the driveway has a centerline radius of 32 feet and a grade of 10.5%. The TFPD has a list of conditions to allow this grade on a curve with a centerline radius less than 250 feet:

- A new fire hydrant and valve along the access tract directly below the main house must be added;
- The addition of a two way free standing fire pump test connection by this new hydrant with a two way free standing inlet by the main house;
- Construction of a 8' x 40' fire truck pullout with 8" of 1-1/2" compacted road base along the access tract below the main house with a 4 foot wide path for fire department personnel to be maintained year round (cleared of snow); and
- The relocation of existing fire hydrant to below the access tract by existing hammerhead. The existing hammerhead shall remain.

Retaining Walls

17.6.6. B.7. Grading

The maximum cut and fill slope shall be 3:1 without a soils report prepared by a Colorado professional engineer that shows steeper slopes are warranted. Slopes steeper than 2:1 shall

require retaining walls that are designed by a Colorado professional engineer. Notwithstanding the foregoing, a maximum slope of 1.5:1 may be approved by the review authority based on a soils report prepared by a Colorado professional engineer if the aesthetic of such slope is determined to be appropriate.

- a. The maximum retaining wall height shall be five feet (5'), with a minimum "step" in between walls of four feet (4') to allow for landscaping to soften the walls.
- b. Retaining walls shall be setback from driveways at least five (5) feet, where practicable, to allow proper room for drainage, snow plowing and snow storage.

The applicant is proposing retaining walls along the driveway with heights ranging from two feet to nine feet. There is no proposed stepping of the walls due to the proximity of the ski access trail. The walls are proposed to be faced with stone "fascia" but no details have been provided. There is a section of retaining wall and a column for the porte cochere that seems to encroach on the platted ski access trail. The applicant will need to explain how this will be constructed without adversely affecting the ski access trail. There also seems to be a roof overhang on the southeast section of the main home that overhangs the driveway. The applicant will need to show that there is adequate clearance for vehicles to safely pass under this roof area.

POTENTIAL VARIATIONS AND SPECIFIC APPROVALS

- A driveway grade exceeding a five percent (5%) grade for the first twenty feet (20') from the edge of the access tract as outlined in CDC Section 17.6.6;
- Driveway grade greater than 10% as outlined in CDC Section 17.6.6;
- Driveway curve with grade greater than 8% as outlined in CDC Section 17.6.6;
- Retaining walls in excess of 5' height without "stepping" of the walls as outlined in CDC Section 17.6.6.

RECOMMENDATION

Staff recommends the DRB approve the development application for Lot 912R with the following motion:

"I move to approve the development application for a new driveway alignment for a previously approved single-family home and accessory dwelling unit on Lot 912R with the variations listed above, subject to the previously approved conditions and the following conditions:

1. *The applicant shall enter into an agreement with the TFPD assuring maintenance of the fire fighter access walk and record such agreement with San Miguel County.*
2. *The approval shall be subject to the additional conditions of the TFPD as shown on the attached exhibits.*
3. *All representations of the applicant/agent, whether within the submittal or at the DRB hearing, are conditions of this approval.*

1.20.2017

Lot 912R Modification of Driveway

NARRATIVE

About a month after receiving DRB final approval, the owners received a call from the neighbors regarding concern for the driveway design. They felt that in its location it would shine lights into their master bedroom and there was no area for screening possible as designed. Although they were noticed and did not say anything during the DRB process, we met with them to see what could be done.

At that time they produced a document stating that they had right to approve/disapprove the driveway and were consequently rejecting it, even as it was already approved by the DRB. Without wanting to delay the project by entering litigation to prove whether their document was legal or not the owners opted to compromise and redesign the driveway to provide a screening barrier between the lot and the drive. These changes were engineered by David Ballode and were reviewed by the Fire department to meet their recommendations. The drive now as designed meets everyone's approval, owners, engineers, fire department, and neighbors. There is little variation in this design from the original approval. The driveway entrance is still on a private road, it's entrance has been moved 40' to the west. It now leaves the hammer head as is, it still does not affect the utility box. It has lowered the building f.f. some but not significantly, it still does not affect the ski trail. It has not affected the building designs nor locations. We will be submitting for permit this month and await your approval of this minor modification. Thank you very much for your time.

Regards,



Lea Sisson Architect, Principal

Lea Sisson (lea@leasissonarchitects.com) - Thu, 01/26/2017 12:41:49 -0700

[Show Full Headers](#) | [Print](#) | [Close Printer View](#)

From: James Hughes <jameshughes_1975@yahoo.com>
Reply-To: James Hughes <jameshughes_1975@yahoo.com>
To: "lea@leasissonarchitects.com" <lea@leasissonarchitects.com>
Subject: Re: McCarthy drive revised
Date: Mon 01/09/2017 09:54 AM

Hi Lea-
Cynthia and I have reviewed the revised plan and approve. Let me know when plans have been submitted.
Thanks!
-Jim

From: "lea@leasissonarchitects.com" <lea@leasissonarchitects.com>
To: jameshughes_1975@yahoo.com
Sent: Monday, January 9, 2017 8:03 AM
Subject: McCarthy drive revised

Jim and Cynthia,

Attached is the revised plan per our discussion last year on site. It moves the drive over to allow for screening between the drive and the hammer head.
It moves the entrance to the drive down to the start of the hammerhead. I hope this finds you well.
Drawings attached are the site plan, landscape plan and the civil drawing. I am available today to discuss, thank you for your time.

Regards,

Lea Sisson

Lea Sisson Architect LLC
Aspen-Telluride

Mailing:
p.o.box4471
Aspen, CO 81612

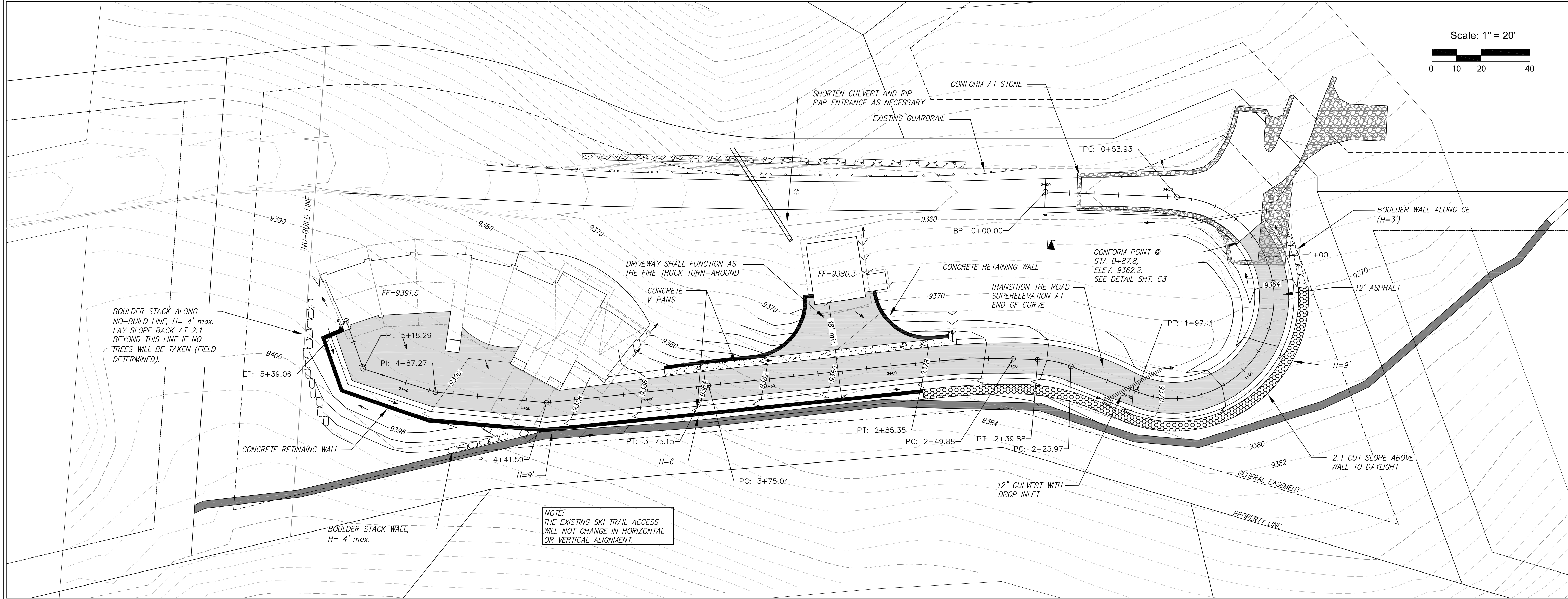
Physical - Aspen:
300 s. spring st. ste. #301
Aspen, CO 81611

Physical - Telluride
The Centrum Building
Suite 200B
618 Mountain Village Boulevard
Town of Mountain Village, CO 81435

www.leasissonarchitects.com
lea@leasissonarchitects.com
970.925.1224

Lea Sisson (lea@leasissonarchitects.com) - Thu, 01/26/2017 12:41:49 -0700

[Privacy Policy](#).



Uncompahgre Engineering, LLC

P.O. Box 3945
Telluride, CO 81435
970-729-0683

SUBMISSIONS:
DRB 2016-04-25
REVISE FOR LOT 1004AR 2016-07-22

Lot 912R
Mtn. Village, CO



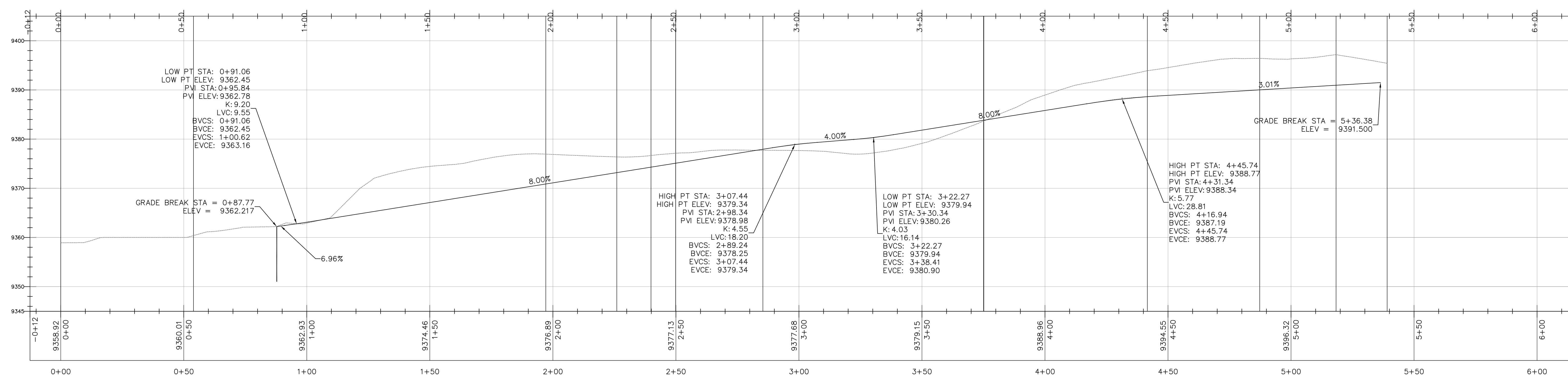
CONTRACTOR TO REVIEW AND COMPARE ALL CHAPTERS AND INTERDISCIPLINARY DRAWINGS AND REPORT ANY DISCREPANCIES TO THE ARCHITECT PRIOR TO ANY FIELD WORK BEING DONE IN ACCORDANCE WITH AIA DOCUMENT A201

Site Grading and Drainage including Driveway Plan & Profile

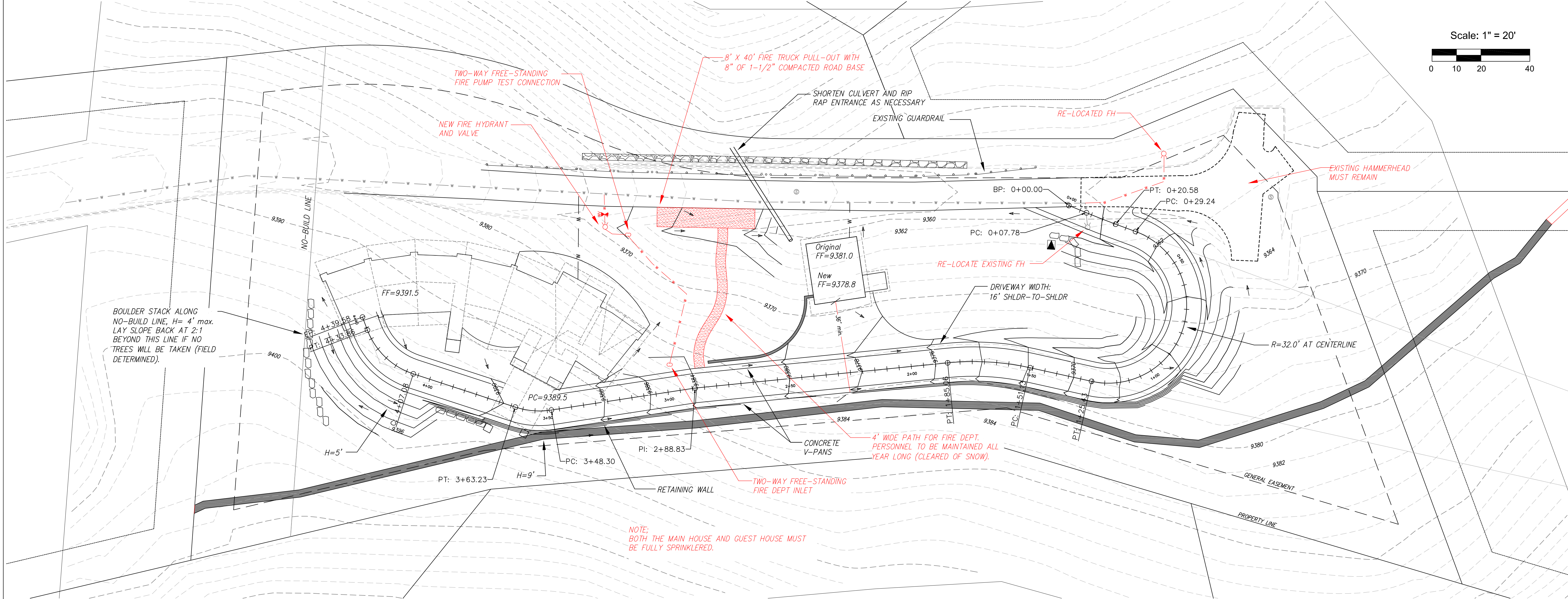
C1

Main Driveway

Station



Horiz. Scale: 1" = 20'
2x Vertical Exaggeration



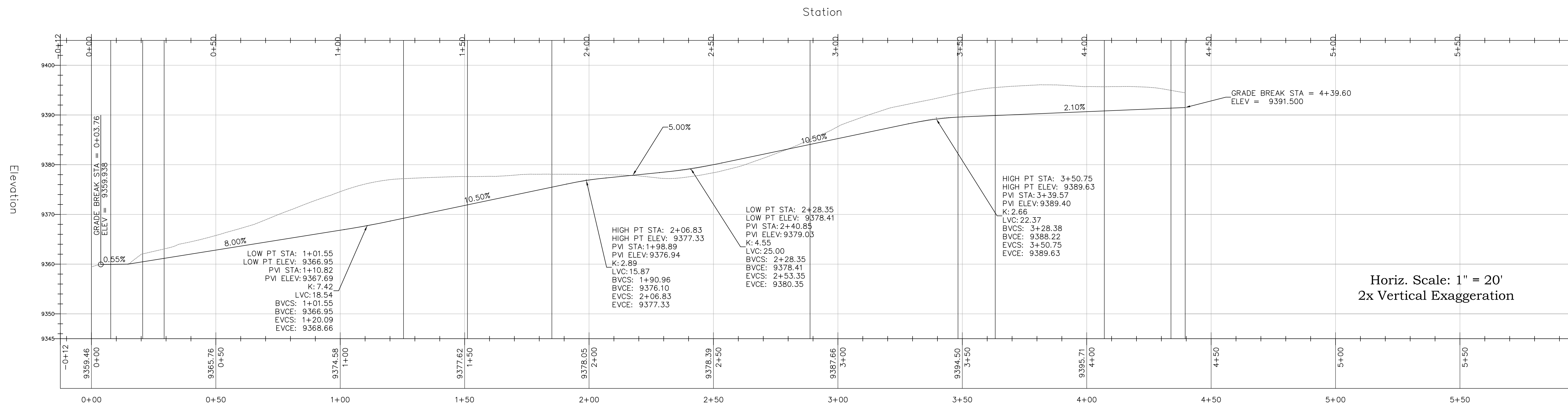
Uncompahgre Engineering, LLC

P.O. Box 3945
Telluride, CO 81435
970-729-0683

SUBMISSIONS:
REVIEW 2016-10-19

Lot 912R
Mtn. Village, CO

912 Revised Alignment



CONTRACTOR TO REVIEW AND COMPARE ALL CHAPTERS AND INTERDISCIPLINARY DRAWINGS AND REPORT ANY DISCREPANCIES TO THE ARCHITECT PRIOR TO ANY FIELD WORK BEING DONE IN ACCORDANCE WITH AIA DOCUMENT A201

Site Grading and Drainage including Driveway Plan & Profile

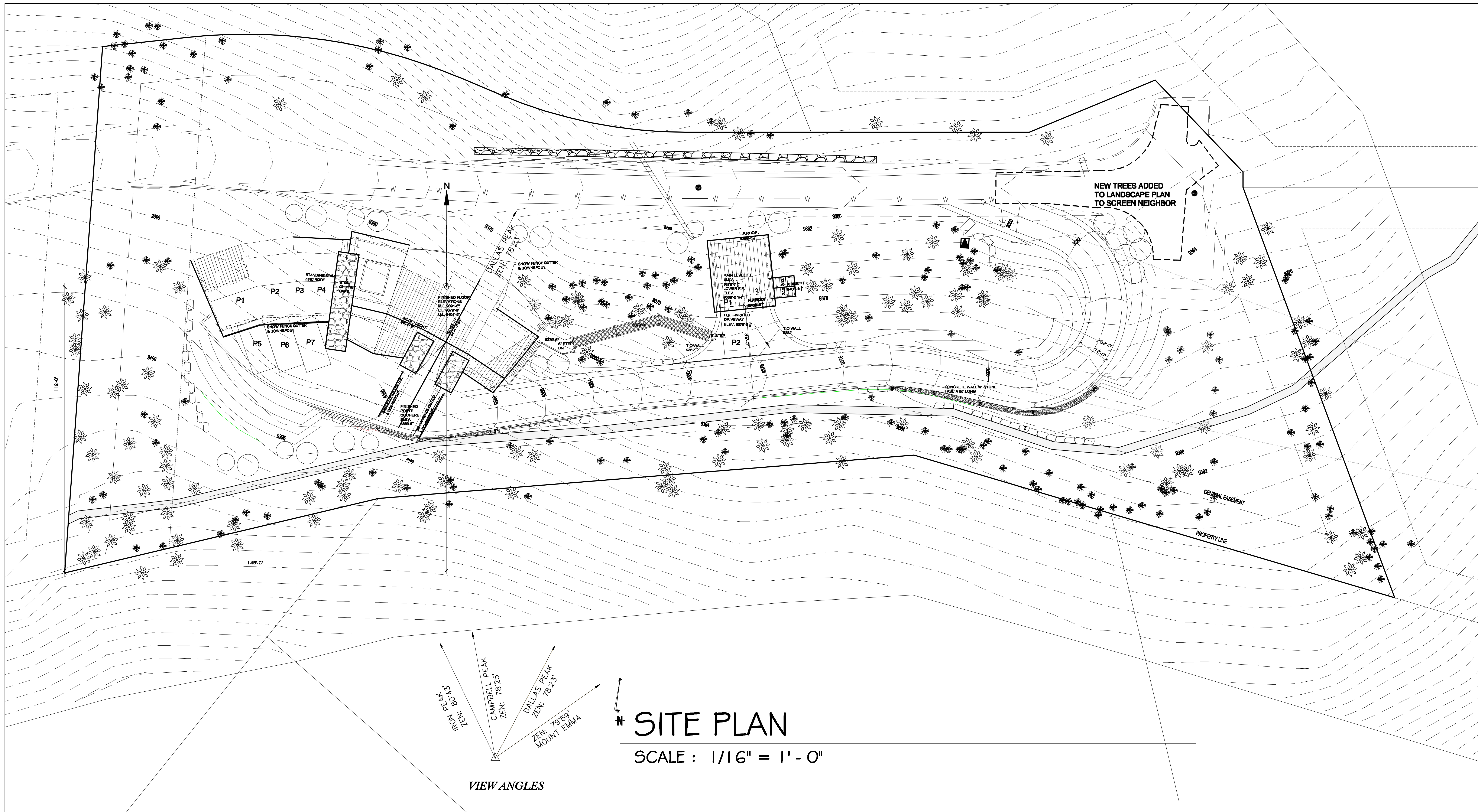
C1

GENERAL NOTES:

1. PROPOSED SINGLE FAMILY RESIDENTIAL
8503 GROSS SQUARE FEET, 6 BEDROOMS PLUS OFFICE
- PARKING REQUIREMENT - 7 PARKING SPACES INCL. OFFICE
- LOT SIZE 1.733 ACRE:
SITE IS > 1 ACRE THUS 30% = 22,641 SF MAXIMUM
ACCESSORY MAY BE DETACHED

2. FLOOR AREA TOTALS	
MAIN HOUSE :	8503 GROSS sf
LIVING:	7203 SF
GARAGE/MECH:	1310 SF
DECK:	2057 SF
GUEST HOUSE :	1500 GROSS sf
LIVING:	1164 SF
GARAGE/MECH:	336 SF
DECK:	126 SF

3. HEIGHT CALCULATIONS REFER TO A3.1#2, A4.1
- | MAIN HOUSE | |
|------------------|----------------|
| - H.P. OF ROOF | 35'-0" + 3'-8" |
| - AVERAGE HEIGHT | 26'-0" |
- | GUEST HOUSE | |
|------------------|--------|
| - H.P. OF ROOF | 30'-3" |
| - AVERAGE HEIGHT | 23'-4" |



SITE PLAN

SCALE : 1/16" = 1' - 0"

L E A S I S S O N A R C H I T E C T
 200 B/C CENTRUM BLDG. MOUNTAIN VILLAGE : P.O. BOX 4471 ASPEN, CO 81612 TEL: (970) 925-1224 EMAIL: LEA@LEASISSONARCHITECTS.COM
 SUBMISSIONS 4.12.2016 DRB-REAPPLICATION 4.21.2016 DD1 4.26.2016 DRB 6.29.2016 DRB-REV1 8.1.2016 PRE-PERMIT/CD 8.29.2016 DRB-REV1 10.31.2016 REV/BID SET NEW DRIVE 12.15.2016 PERMIT

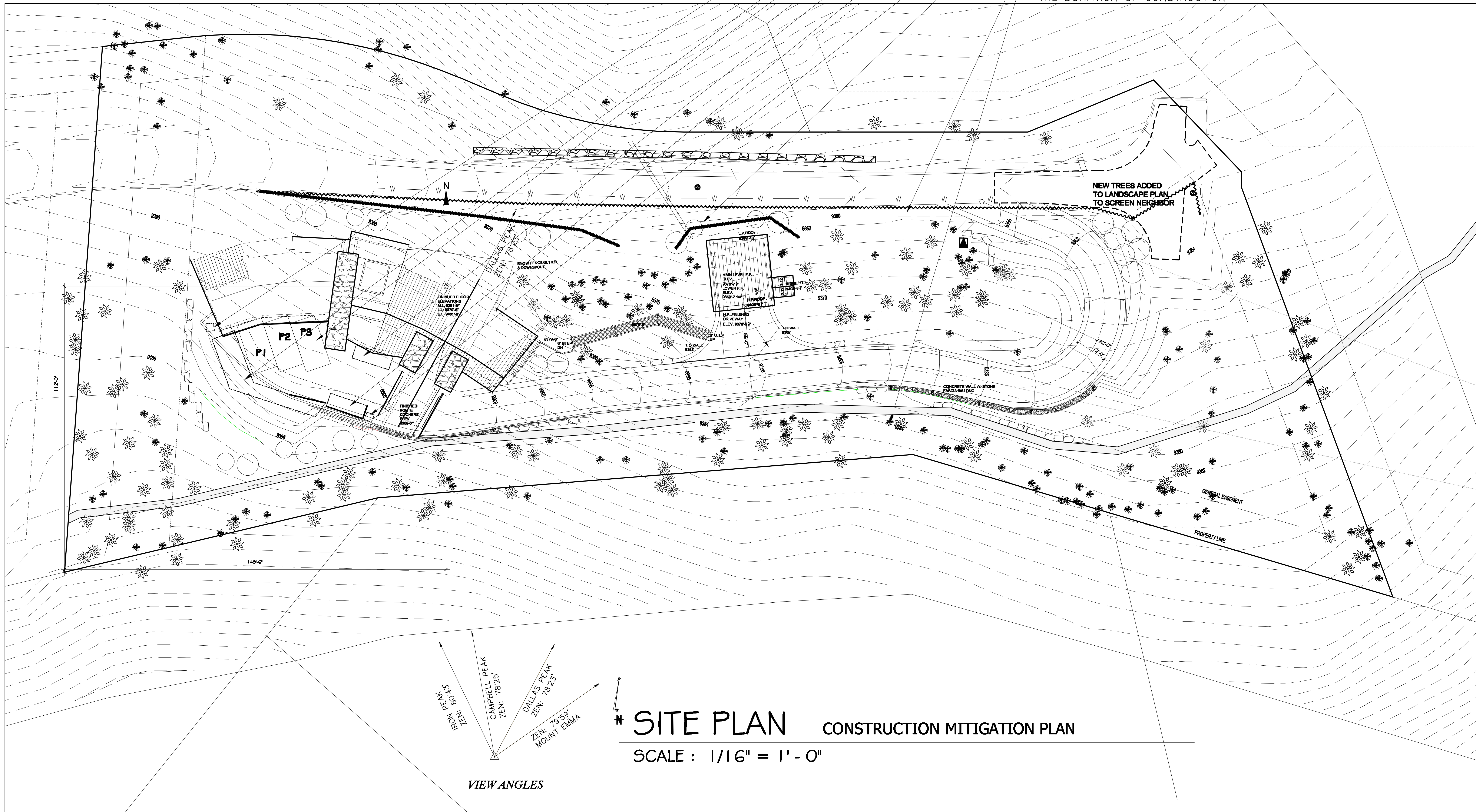
A1.1

MCCARTHY TELLURIDE RESIDENCE
 LOT 912R TELLURIDE MOUNTAIN VILLAGE . CO.

STAGING NOTES

1. CONTOUR INTERVAL IS 2'-0"
2. EXCAVATED MATERIAL TO BE REMOVED FROM SITE VIA DRIVE CLEARING.
3. CUT AND SLASH TO BE REMOVED FROM SITE
4. PEDESTRIAN PROTECTION TO BE IMPLEMENTED WITH PROPER SIGNAGE AND HARD HAT REQUIREMENTS.
5. BEAR-PROOF CONTAINER FOR FOOD
6. RECYCLING CONTAINERS FOR ALL RECYCLABLE MATERIALS.
7. HEAVY CONSTRUCTION NOISE IS LIMITED TO MON-SAT 7AM-6PM

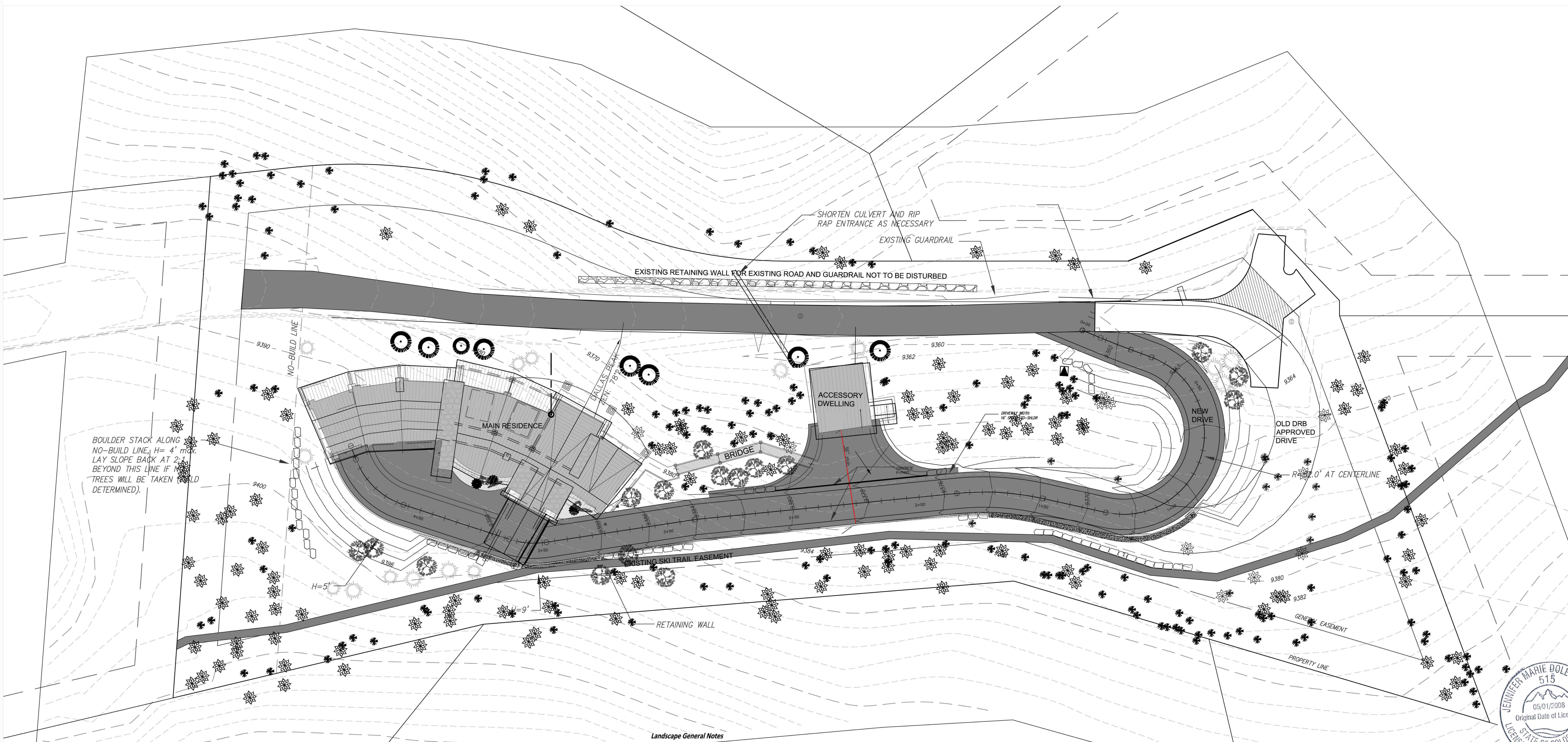
- PORTA TOILET
- MATERIAL STORAGE
- PARKING AREAS
- JOB TRAILER
- GENERAL CONSTRUCTION WASTE DUMPSTER
- BEAR-PROOF FOOD WASTE DUMPSTER
- SILT FENCING/ STRAW BALES.
- LIMITS OF CONSTRUCTION ACTIVITY-JOB SITE FENCE
- TREES IN G.E. TO BE PROTECTED FOR THE DURATION OF CONSTRUCTION



SITE PLAN CONSTRUCTION MITIGATION PLAN

SCALE : 1/16" = 1' - 0"

VIEW ANGLES



JENNIFER MARIE DOLECK-SMITH
515
05/01/2008
Original Date of Licensure
STATE OF COLORADO
LICENSED LANDSCAPE ARCHITECT
J. Doleck-Smith

Landscape General Notes

- All trees and shrubs shall be field located by project Architect
- All trees and shrubs shall be back filled with a topsoil / organic compost mixture at a 2:1 ratio.
- Necessary trees shall be staked with 4 foot metal posts. Trees shall be guyed with 12 gauge galvanized wire and polypropylene tree race straps.
- Perennial planting beds shall be tilled to a depth of 1' and amended with topsoil and organic compost at a 2:1 ratio, or filled to a minimum depth of 12" with new topsoil.
- Mulch all perennial beds with a cotton burr compost or soil conditioner.
- All plant material to meet the American standard for nursery stock.
- All planted materials shall be a non-noxious species as specified within the Mountain Village noxious weed list Section 9-109 and The San Miguel County noxious weed list.

Landscape Maintenance Notes

- Turf shall be aerated 2 to 3 times per year to increase the water absorption rates. Necessary organics fertilization and amendment shall be incorporated at the same time. (N/A)
- Weekly weed maintenance, or as required to control weeds during seed establishment. Once seed is established, weeding as needed.
- Annual composting or soil conditioning of perennial beds.
- Weekly irrigation testing/inspection to assure proper functioning.

Revegetation Notes

- Subsoil surface shall be tilled to a 4" depth on non filled areas.
- Topsoil shall be spread at a minimum depth of 4" over all areas to be revegetated (except on slopes greater than 3:1) and amendments rototilled at a rate of three cubic yards per thousand square feet.
- Broadcasting of seed shall be done immediately after topsoil is applied (within ten days) to minimize erosion and weeds.
- Areas which have been compacted, or are relatively undisturbed, needing seeding, shall be scarified before broadcasting of seed.
- Broadcast with specified seed mix and follow with dry mulching. Straw or hay shall be uniformly applied over seeded area at a rate of 1.5 tons per acre for hay and 2 tons per acre for straw, crimp in.
- On slopes greater than 3:1 erosion control blanket shall be applied in place of straw mulch and pinned.
- All utility cuts shall be revegetated within two weeks after installation of utilities to prevent weed infestation.
- Seed all areas labeled native grass seed with the following mixture at a rate of 12 pounds per acre.

Native Grasses Seed Mix- to be checked for altitude- may be supplemented with species from the approved Mtn. Village Mix

Scientific Name	Common Name	%
Elymus trachycalyx	Prairie Dropseed	20
Festuca Idahoensis	Idaho Fescue	30
Bouteloua gracilis	Blue Gramma Grass	15
Muhlenbergia montana	Mountain Muhly	15
Achnatherum hymenoides	Indian Ricegrass	10
Koeleria macrantha	Prairie Junegrass	10
		100

Perennial (Seeded in Native revegetation Areas and planted in garden spaces. Some or all of the following shall be used)

Achillea Millefolium	White Yarrow
Anemone Multifida	Wind Flower
Antennaria Dioca	Pussytoes
Antennaria Parvifolia	Dwarf Pussytoes
Blue Columbine	Aquilegia caerulea
Ergonum Umbellatum	Buckwheat
Harebell	Campanula rotundifolia
Penstemon glaber alpinus	Smooth Penstemon
Silver Lupine	Lupinus argenteus
White Yarrow	Achillea lanulosa

Trees and Shrubs

Scientific Name	Common Name	Qty.	Size
Abies Concolor	White Fir		8-12"
Picea Englemanni	Englemann Spruce		8-12"
Picea Pungens	Blue Spruce	14	8-12"
Picea Pungens Specialty	Specialty Blue Spruce	3	2-6'
Pinus aristata	Bristlecone Pine	8	5-6'
Populus Tremuloides	Quaking Aspen	16	2.5-3" cal.
Ribes Aureum	Golden Current	#5	
Rosa Woodsii	Woods Rose	#5	
Arctostaphylos uva-ursi	Kinnikinnick	#1	

KEY

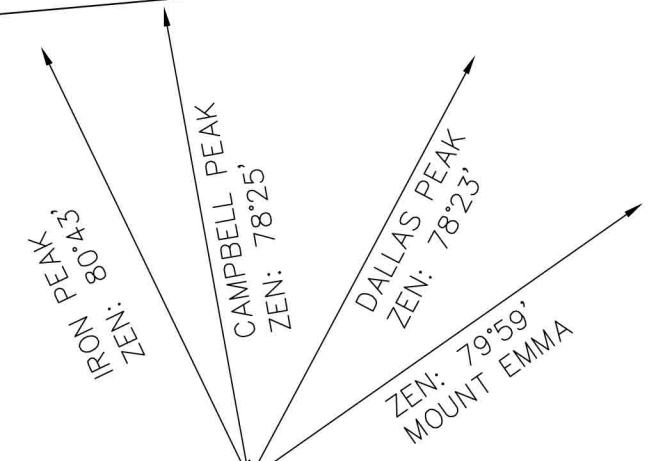
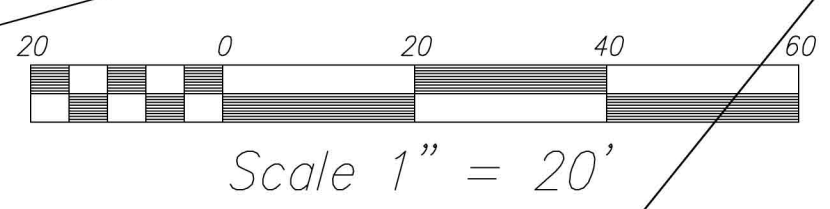
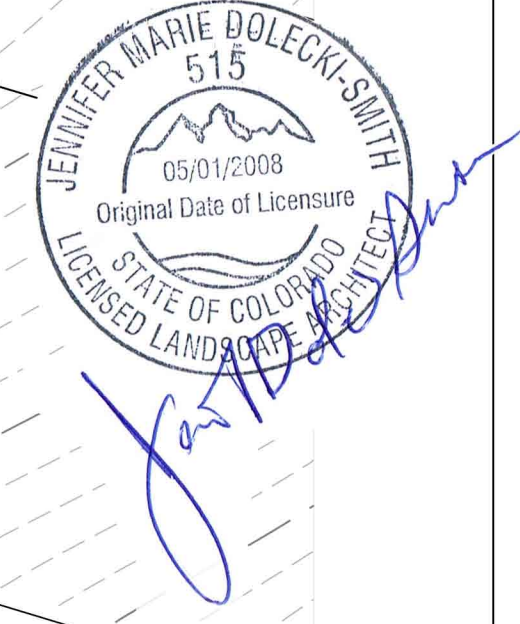
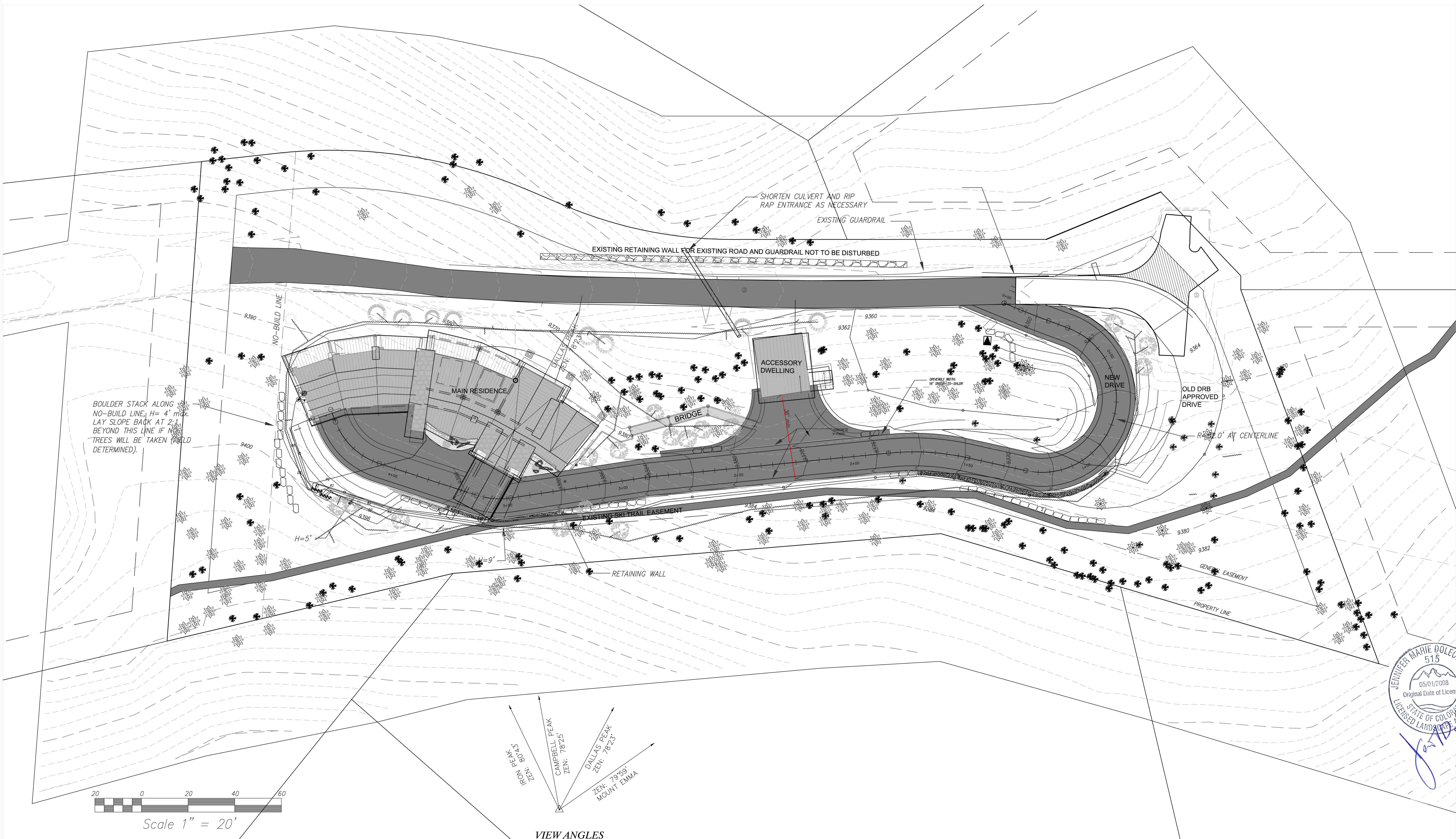
- Existing Deciduous To Remain
- Existing Evergreen To Remain
- Aspen (Typ.)
- Picea Pungens -Spruce (Typ.)
- Pinus Aristata -Bristlecone Pine (Typ.)
- Picea pungens Specialty- Specialty Spruce (Typ.)
- Perennial Flowers and Ground Covers

Irrigation Plan

Lot 912 R
Mountain Village, Colorado

Date: 4/25/16
Revisions:
12/8/16

Drawing
L2



Area	Zone	Head	Qty	
Perennial Bed	P1	Pop up Emitters	12	
Perennial Bed	P2	Pop up Emitters	10	
Trees and Shrubs	D1	Drip Emitters	13	
Trees and Shrubs	D2	Drip Emitters	9	
Re-veg	R1	Rotors	6	20 gpm
Re-veg	R2	Rotors	4	20 gpm
Re-veg	R3	Rotors	5	20 gpm
Re-veg	R4	Rotors	6	20 gpm

**Revegetation Area = all disturbed and re-graded areas Approx. 8,000 sf

Perennial (Seeded in Native revegetation Areas and planted in garden spaces. Some or all of the following shall be used)				Total Use
Achillea Millefolium	White Yarrow		5 gal/sf/season for 245 sf	1225
Anemone Multifida	Wind Flower			
Antennaria Dioca	Pussytoes			
Antennaria Parvifolia	Dwarf Pussytoes			
Blue Columbine	Aquilegia caerulea			
Ergonium Umbellatum	Buckwheat			
Harebell	Campanula rotundifolia			
Penstemon glaber alpinus	Smooth Penstemon			
Silver Lupine	Lupinus argenteus			
White Yarrow	Achillea lanulosa			

Trees and Shrubs			
Scientific Name	Common Name	Monthly Water Use	Total Use
Abies Concolor	White Fir		
Picea Englemanni	Englemann Spruce		
Picea Pungens	Blue Spruce	20 Gal/sf/season	100
Picea Pungens Specialty	Specialty Blue Spruce	20 Gal/sf/season	60
Pinus aristata	Bristlecone Pine	20 Gal/sf/season	120
Populus Tremuloides	Quaking Aspen	20 Gal/sf/season	220
Ribes Aureum	Golden Current		
Rosa Woodsii	Woods Rose		
Arctostaphylos uva-ursi	Kinnikinnick		

Irrigation Key

- ⊕ TAP WITH RAINBIRD PVB-075 BACKFLOW PREVENTER
- ⊠ RAINBIRD RCH-12 ELECTROMECHANICAL CONTROLLER
- ⊞ 1 1/2" WILKINS MODEL 500 PRESSURE REGULATOR
- ⊙ RAINBIRD 150 ELECTRIC REMOTE CONTROL VALVE
- 1" CLASS 200 PVC MAINLINE
- 1" NSF POLYLATERAL LINE
- ⊕ WATER SENSOR-RAIN SHUT OFF SENSOR
- Rotor (Distance to be adjusted based on pressure)



**PLANNING AND DEVELOPMENT SERVICES
DEPARTMENT**

455 Mountain Village Blvd.
Mountain Village, CO 81435
(970) 369-8250

Agenda Item #8

TO: Design Review Board

FROM: Glen Van Nimwegen, AICP
Director

FOR: Meeting of February 2, 2017

DATE: January 26, 2017

RE: **Review for a Recommendation to the Town Council of Proposed Amendments to Chapter 17.4 Development Review Procedures of the Community Development Code Regarding Establishing a Two-Step Design Review Process.**

The major points of the proposed draft are:

- Requires the DRB to approve Sketch Review plans before moving forward to the Final Review step for approval of all Class 3 applications. The Final Review must occur on a subsequent agenda from the Sketch Review.
- The Sketch and Final Review meetings must be noticed by mailing letters to property owners within 400 feet of the site; and a sign must be posted on the site.
- Staff has changed the notice time to 15 days from 30 days. Therefore every project will have at least a thirty day notice. We are also allowing an applicant to provide notice for both steps at one time, which would mean the notice period will be approximately 45 days.
- Extended the time for staff to send written outcomes of Class 3 applications from seven days to 14 days. This not only helps us complete this step, but it also coincides with the timeframe of when we are completing the minutes of the previous meeting.
- Established the intent of the Sketch Review as an opportunity for the DRB to consider the overall composition of the design; determine whether it fits the Design Theme; fits within the context of the neighborhood and identify the appropriateness of potential variations.
- Added an additional criterion for approval of a variation that it must support the Design Theme tenets.

PROPOSED MOTION

“The Design Review Board recommends the Town Council approve amendments to Section 17.4 Development Review Procedures of the Community Development Code as presented.”

Attachments:

- Redline version of Section 17.4 Development Review Procedures

CHAPTER 17.4 DEVELOPMENT REVIEW PROCEDURES AMENDMENTS

Formatted

<u>17.4.1</u>	<u>Purpose</u>	1
<u>17.4.2</u>	<u>Overview of Development Review Processes</u>	1
<u>17.4.3</u>	<u>Development Review Procedures</u>	2
<u>17.4.4</u>	<u>General Provisions Applicable to All Development Application Classes</u>	14
<u>17.4.5</u>	<u>Appeals</u>	22
<u>17.4.6</u>	<u>Conceptual Worksession Process</u>	24
<u>17.4.7</u>	<u>Minor Revision Process</u>	25
<u>17.4.8</u>	<u>Renewals</u>	26
<u>17.4.9</u>	<u>Rezoning Process</u>	27
<u>17.4.10</u>	<u>Density Transfer Process</u>	30
<u>17.4.11</u>	<u>Design Review Process</u>	31

Sections shown in red have proposed revisions.

CHAPTER 17.4 DEVELOPMENT REVIEW PROCEDURES

17.4.1 PURPOSE

The purpose of the Development Review Procedures is to provide a clear, transparent, consistent, predictable and efficient review process for certain development activities within Mountain Village that are governed by this CDC.

17.4.2 OVERVIEW OF DEVELOPMENT REVIEW PROCESSES

- A. There are five (5) development review processes that are used for evaluating land use development applications governed by the CDC:
1. **Class 1 application:** Staff development application review process;
 2. **Class 2 application:** Staff-DRB chair development application review process;
 3. **Class 3 application:** DRB development application review process;
 4. **Class 4 application:** DRB-Town Council development application review process; and
 5. **Class 5 application:** Town Council development application review process.
- B. Table 4-1 summarizes the types of development applications that fall under each class of application and associated review authority:

Table 4-1, Development Application Classes

Development Application Type	Application Class	Review Authority
Minor revision Process	Class 1	Planning Division Staff
Renewals	Class 1	Planning Division Staff
Rezoning Process	Class 4	DRB Recommendation & Town Council Action
Density Transfer Process		
From lot, or density bank, to a lot	Class 4	DRB Recommendation & Town Council Action
Within the density bank	Class 1	Planning Division Staff
Design Review Process		
	Class 1	Planning Division Staff
	Class 2	DRB Chair
	Class 3	DRB
Site Specific PUD (SPUD)	Class 4	DRB Recommendation & Town Council Action
Conceptual PUD	Class 4	DRB Recommendation & Town Council Action
Sketch PUD	Class 3	DRB
Final PUD	Class 4	DRB Recommendation & Town Council Action
Master PUD (MPUD)		
Outline PUD	Class 5	Town Council
Final PUD	Class 4	DRB Recommendation & Town Council Action
Subdivision		
Major Subdivisions	Class 4	DRB Recommendation & Town Council Action
Minor Subdivisions	Class 5	Town Council
Staff Subdivisions	Class 1	Planning Division Staff
Conditional Use Permits	Class 4	DRB Recommendation & Town Council Action
Variance Process	Class 4	DRB Recommendation & Town Council Action
Vested Property Right	Class 4	DRB Recommendation & Town Council Action
Special Events	Class 1	Planning Division Staff
Vending Permits	Class 1	Planning Division Staff

Development Application Type	Application Class	Review Authority
Home Occupations	Class 1	Planning Division Staff
Telecommunication Regulation		
New Freestanding Antenna	Class 4	DRB Recommendation & Town Council Action
Attached to structure	Class 1	Planning Division Staff
Cell on Wheels (COW)	Class 1	Planning Division Staff
Busking Permits	Class 1	Planning Division Staff

- C. Certain development applications are not associated with an application class, and have their Alternative Review Process outlined in a specific section of the CDC, such as the Alternative Review Process for governmental projects, appeals and worksessions.
- D. In the event a development application is submitted and can be processed pursuant to the provisions of this CDC, but the application class is not listed in the development application table or set forth in the CDC as a development application class or alternative review, the Director of Community Development shall determine the application class such application shall follow.

17.4.3 DEVELOPMENT REVIEW PROCEDURES

The following Development Review Procedures shall apply to all classes of development applications except where a section of this CDC has a unique development process contained therein. The following Development Review Procedures shall be in addition to any specific review procedures that may be required for a specific type of development application outlined in this CDC.

A. Step 1: Presubmittal Meeting

The purpose of a presubmittal meeting is to provide an applicant with a list of required information and plans that must be submitted with a development application and to discuss potential opportunities and issues with CDC regulations prior to a formal submittal.

1. **Class 1 and 2 Applications.** Presubmittal meetings are not required for class 1 or 2 development applications; however, an applicant or the Planning Division may request such a meeting based on the nature and scope of a development application.
2. **Class 3, 4 or 5 Applications.** Prior to submitting a class 3, 4 or 5 development application, a presubmittal meeting shall be scheduled with the Planning Division to review the submittal documents, information and studies that must be submitted and to discuss potential issues with CDC regulations. This meeting may, at the discretion of the Planning Division, require a conceptual site plan showing key plan elements (building layout, parking area layout, access, lot layout, etc.). The applicant will be provided with a development application submittal information packet and a checklist of submittal requirements at the presubmittal meeting.
3. **Waiver of Presubmittal Meeting.** The Planning Division may waive the presubmittal meeting requirement based upon the nature and scope of a proposed development application.

B. Step 2: Development Application Submittal for All Application Classes. A development application may be submitted to the Planning Division following the presubmittal meeting for class 3, 4 and 5 development applications unless a presubmittal meeting was waived by the Planning Division, in which case the application may be submitted at any time. A development application for class 1 and 2 applications may be submitted at any time unless a presubmittal meeting was required by the Planning Division. The application shall include all the submittal requirements of the development application submittal form, including but not limited to all applicable fees, required plans and other submittal documents required by the CDC.

C. Step 3: Development Application Completeness Check

1. **Completeness and Compliance Review.** The Planning Division shall determine the completeness of a development application according to the submittal requirements of this CDC within seven (7) calendar days following the submittal of an application ("Completeness Check Deadline").
2. **Advisement of Development Application Status.** If an application is determined to be complete, it shall be accepted by the Planning Division as a complete development application and the formal review process shall commence. If the application is determined incomplete, the applicant shall be notified in writing of the specific deficiencies and the review process shall not commence until all noted deficiencies are corrected. [No public notice shall be issued for a public hearing as required below until an application has been deemed complete.](#) The Planning Division shall provide written notification of either the acceptance or rejection due to incompleteness of an application by the Completeness Check Deadline. An incomplete application may be returned to an applicant if an application is not made complete within twenty-one (21) calendar days following the original submission date.

D. Step 4: Development Application Referral and Review

1. **Class 1 and 2 Applications.** The formal review process for a development application shall commence with the Referral and Review Process. The Referral and Review Process shall be a fifteen (15) calendar day process from the date of a complete development application. The Referral and Review Process may be compressed by the Planning Division if responses to all referrals are received and the Planning Division also completes its development application review prior to the end of the fifteen (15) day review period.
 - a. Referral agency comments shall be forwarded to the applicant.
 - b. Within the first five (5) calendar days of the review period a referral agency may request an extension of time to review a development application for good cause. The Planning Division shall determine if any requested extension is warranted and notify the referral agency and applicant of its decision and the number of days allowed for the extended review time, if any, within three (3) business days of such request.
2. **Class 3, 4 and 5 Applications.** The formal review process for a development application shall commence with the Referral and Review Process. The Referral and Review Process shall be a twenty-one (21) calendar day process from the date of a complete development application.
 - a. Within the first ten (10) calendar days of the review period a referral agency may

request an extension of time to review a development application for good cause. The Planning Division shall determine if any requested extension is warranted and notify the referral agency and applicant of its decision and the number of days allowed for the extended review time, if any, within three (3) business days of such request.

b. Referral agency comments shall be forwarded to the applicant.

3. **Additional Review Time for All Development Application Classes.** The Planning Division has the authority to determine, based on the complexity of a development application and staffing demands related thereto, if additional review time is required for the Referral and Review Process for all development application classes. The Planning Division shall inform an applicant if additional time is required within seven (7) calendar days from the date of a complete development application for class 1 and 2 applications, and within fourteen (14) calendar days for class 3, 4 and 5 applications.

4. **Referral Agencies.** The Planning Division shall be responsible for referring development applications to the agencies listed in the referral agency table, Table 4-2, below unless the Planning Division determines a referral is not necessary based on the nature of the development application.

a. **No Comment.** If a referral agency fails to respond by the date requested on the referral form, its failure to respond shall be interpreted as “no comment” in which case it shall be presumed that such referral agency does not take issue with the development application.

b. **Use of Referral Agency Comments.** Concerns raised by referral agencies related to specific regulatory requirements shall be considered by the review authority in making a decision. Referral agency recommendations not related to specific regulatory requirements of an agency may be addressed provided such recommendations are within the criteria for decision used by the review authority when considering a development application.

Referral Agency Table 4-2

Referral Agency	Class 1	Class 2	Class 3	Class 4	Class 5
Town Public Works	X	X	X	X	X
Town Plazas and Environmental Services Dept.	XEP	XEP	XEP	XEP	XEP
Town Attorney	XL	XL	XL	XL	XL
Mountain Village Cable	X	X	X	X	X
Transportation Department	XT	XT	XT	XT	XT
Recreation Department	XR	XR	XR	XR	XR
Telluride Fire Protection District	X	X	X	X	X
San Miguel Power Association	X	X	X	X	X
Source Gas	X	X	X	X	X
Qwest	X	X	X	X	X
Colorado Geologic Survey					X
San Miguel County				XMR	XMOS
Town of Telluride				XMR	
San Miguel Regional Housing Authority					
Colorado State Forest Service					
United States Army Corps of Engineers					
United States Forest Service					

XEP: Mandatory referral for a determination of the existence of wetlands on or adjacent to the site or lot related to development applications that involve grading or exterior construction activity and comments if there are wetlands in the area of the site or lot.

XL: Referrals for development applications with legal agreements or issues.
XT: Referrals for development applications with transportation impacts.
XR: Referrals for development applications with recreation impacts.
XMR: Mandatory referral for Design Review Process development applications on ridgeline lots.
XMOS: Mandatory referral for rezonings, subdivisions and lot line vacations that affect active or passive open space.

E. Step 5: Planning Division Follow-up Communication

All Development Application Classes. Within seven (7) calendar days following the completion of the Referral and Review Process in step 4, the Planning Division shall provide the applicant with a written communication summarizing the comments of the referral agencies received by the Planning Division during, and, if warranted by the conclusions of the review, may provide guidance and suggestions to the applicant regarding staff's analysis of measures necessary to attain compliance with the applicable criteria for decision and requirements of the CDC. The Planning Division's written correspondence to an applicant represents only an administrative review of the development application through the Referral and Review Process. Staff may identify additional issues at any time prior to final approval.

F. Step 6: Applicant Plan Revisions

1. **Plan Revisions.** If upon conclusion of the Referral and Review Process in step 4 it is determined that revisions to a development application are necessary in order to comply with the requirements of the CDC, the applicant shall be provided with an opportunity to revise the development application.
 - a. **Required Plan Revisions.** An applicant shall revise the development application to address the requirements of the CDC unless a variance or a PUD is being requested as a part of the development application (required plan revisions). Examples of such requirements include but are not limited to setbacks, general easements, building height, lot coverage and permitted uses. [The subsequent public hearing shall not be scheduled until required plan revisions are made and submitted to the planning division.](#)
 - b. **Discretionary Plan Revisions.** Certain requirements and criteria of the CDC are more discretionary and subject to individual opinion and judgment, such as the need to provide adequate buffering, minimize visual impacts or minimize wetland impacts (discretionary plan revisions). An applicant will be encouraged by the Planning Division to amend the development application to address the discretionary plan revisions in order to be compliant with the requirements and criteria of the CDC.
2. **Progression to Step 7.** A development application shall not progress to step 7 or other subsequent steps until all the required plan revisions have been addressed by an applicant, and the applicant has either revised the plans to address the required discretionary plan revisions, or provided a written narrative on why the development application either does not need to be amended to address a discretionary requirement of the CDC, or a written explanation of how the development application meets the discretionary requirements.

G. Step 7: Schedule Review Authority Public Hearing

1. **Class 1 and Class 2 Applications.** Class 1 and 2 development applications do not

require a formal public hearing with the review authority. Therefore, no public hearing is required.

2. Class 3, 4 and 5 Applications.

a. A public hearing shall be scheduled with the review authority in accordance with this section if the Planning Division determines that a class 3, 4 or 5 development application has met the following public hearing threshold requirements:

- i. The development application has addressed any required plan revisions;
- ii. The applicant has amended the development application to address any discretionary plan revisions or provided a written narrative why the development application does not need to be amended to address such discretionary requirements; and
- iii. The development application contains sufficient detail to allow a thorough review of the proposal by the review authority per the applicable requirements of this CDC and the applicable criteria for decision.
- iii.iv. For Class 3 applications, a Sketch Review process has been completed hearing has been scheduled prior to the scheduled date for the Final Review public hearing.-

Formatted: Indent: Hanging: 0.38"

b. Certain class 5 applications are exempt from the need to conduct a public hearing as outlined in step 10 and the public hearing noticing requirements.

b-c. Class 3 applications will require a two-step process consisting of an initial Sketch Review process hearing, followed by a public hearing for formal approval at a subsequent Design Review Board meeting agenda.

Formatted: List Paragraph, Indent: Left: 1", Hanging: 0.5", Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 3 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"

3. Scheduling Development Application on Agenda. A development application shall be scheduled before the review authority at its next regular meeting, considering the required notice period, where adequate time is available on the agenda to conduct a public meeting or hearing, as applicable. Notwithstanding the foregoing, scheduling of the meeting or public hearing, whichever situation applies, shall occur within 60 calendar days after the Planning Division determines that the public hearing threshold requirements have been met.

H. Step 8: Public Noticing

1. Class 1 and 2 Applications. Class 1 and 2 development applications do not require public noticing.

2. Class 3, 4 and 5 Applications. Noticing of class 3, 4 and 5 development application public hearings shall be in accordance with the public hearing noticing requirements.

a. Certain class 5 development applications as outlined in step 10 are exempt from the public noticing requirements because a public hearing is not required.

a-b. The Sketch Review hearing of the Class 3 Design Review process are exempt from the public noticing requirements because a public hearing is not required may be noticed concurrently with the Final Review public hearing on a Class 3 Design Review application.

Formatted: List Paragraph, Indent: Left: 1", Hanging: 0.5", Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 2 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"

Comment [J1]: This worries me a bit as I think the public will want to know about these sketch meetings as I believe most of the major issues will be hashed out at Sketch and that is when people will want to get their input in.

I. Step 9: Preparation of Staff Report

1. **Class 1 and 2 Applications.** Class 1 and 2 development applications do not require the preparation of a formal staff report. Notwithstanding the foregoing, the Planning Division may elect to prepare a report on such development applications.
2. **Class 3, 4 and 5 Applications.** The Planning Division shall prepare a staff report for the review authority for class 3, 4 and 5 development applications that analyzes the development application as per the applicable requirements and criteria for decision of this CDC. Such staff report shall be included as part of the application packet materials for the review authority.

J. Step 10: Review Authority Public Hearing or Meeting

1. **Class 1 and 2 Applications.** No public hearing or meeting is required for class 1 or 2 development applications prior to taking action.
2. **Class 3 Applications.** Prior to taking any action on a class 3 development application, the DRB shall hold at least one (1) initial Sketch Review hearing and at least one (1) Final Review public hearing held at a subsequent DRB agenda for the purpose of considering recommendations from the Planning Division, the Design Review Board, other agencies and testimony from the applicant and the public.
3. **Class 4 Applications.** A class 4 development application shall first be reviewed by the DRB, which shall make a recommendation to the Town Council. Thereafter, the Town Council shall render a final decision on such development applications.
 - a. Prior to taking any action and making a recommendation on a class 4 development application, the DRB shall hold at least one (1) public hearing for the purpose of considering recommendations from the Planning Division, other agencies and testimony from the applicant and the public.
 - b. Prior to taking any action on a class 4 development application, the Town Council shall hold at least one (1) public hearing for the purpose of considering recommendations from the Planning Division, DRB, other agencies and testimony from the applicant and the public.
4. **Class 5 Applications That Require a Public Hearing.** Prior to taking any action on the following class 5 development application, the review authority shall hold at least one (1) public hearing for the purpose of considering recommendations from the Planning Division, other agencies and testimony from the applicant and the public:
 - a. Outline MPUD development applications;
5. **Other Class 5 Applications.** Minor subdivision and other class 5 development applications do not require a public hearing.

K. Step 11: Review Authority Action on a Development Application

1. **Class 1 or Class 2 Applications.**
 - a. The Planning Division shall issue a written decision on class 1 or 2 development applications within seven (7) calendar days after the Planning Division determines a development application can proceed to step 7 as outlined under step 6 above.
 - b. The Planning Division's action on class 1 or 2 development applications shall be

based on a finding of compliance with the specific requirements of this CDC for the type of development application under review and shall be for approval, conditional approval or denial.

- c. Approval of class 1 or class 2 development applications may include conditions of approval.

2. **Class 3, 4 and 5 Applications.** The following options are available to the review authority when acting on class 3, 4 or 5 development applications:

a. **Sketch Review.** ~~The Design Review Board shall review and approve a S~~Sketch Review application before the application is allowed to proceed to a subsequent agenda for a public hearing and Formal Review. However, the public hearing and formal review may be noticed concurrently with the Sketch Review application and such public hearing shall be continued in the event the Sketch Review application hearing is not approved before the noticed date for the Final Review public hearing

Formatted: List Paragraph, Indent: Left: 1", Hanging: 0.5", Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.9" + Indent at: 1.15", Hyphenate, Tab stops: 1", Left + Not at 0.9" + 1.2"

b. **Final Review/Public Hearing.** ~~After the DRB approves the Sketch Review application a public hearing shall be held on a subsequent agenda. The DRB shall have the following options for action:~~

Comment [GVN2]: Can DRB "approve" Sketch without it being a public hearing. Can we take public input? Should the same options listed below be repeated here? I think this would be much like the first reading of an ordinance at Town Council. It isn't a public hearing technically, but is conducted as one.

a-i. **Approval.** ~~The review authority~~DRB shall approve a proposed Class 3, 4 or 5 development applications if it determines that it meets the applicable requirements and criteria of the CDC.

Formatted: Font: Not Bold

~~i. The review authority's approval of a class 3, 4 or 5 development application shall be made by resolution, and such resolution may be recorded in the records of the San Miguel County Clerk and Recorder at the discretion of the Town Attorney.~~

Formatted: Heading 7, Outline numbered + Level: 7 + Numbering Style: i, ii, iii, ... + Start at: 1 + Alignment: Right + Aligned at: 1.5" + Tab after: 2" + Indent at: 2"

ii-(a) The DRB's recommendation of approval of a class 4 ~~3~~ development application shall be made by motion, approved by a majority vote of the DRB and recorded in the DRB summary of motions.

Formatted: Heading 8

iii-(b) The review authority may attach conditions of approval.

Comment [GVN3]: Does this mean CA has discretion over approval by resolution and recording, or just recording? Just recording. We could make it CD Director, not really sure why it was this way.

b-ii. **Denial.** ~~The review authority~~DRB shall deny a proposed class 3, 4 or 5 development application if it determines that it does not meet the applicable requirements and criteria of the CDC.

Formatted: Font: Bold

Formatted: Heading 7

i-(a) ~~The review authority~~DRB's denial of a class 3, 4 or 5 Final Review development application shall be made by resolution.

ii-(b) ~~The DRB's recommendation of denial of a class 4~~3 development application shall be made by motion, approved by a majority vote of the DRB and recorded in the DRB summary of motions.

Comment [J4]: I added this back in as I think it is helpful.

e-iii. **Continuance.**

Formatted: Font: Bold

Formatted: Heading 7

i-(a) The public hearing may identify additional issues that relate to applicable requirements or criteria for decisions set forth in this CDC, and the applicant may be required by the review authority to address such new issues prior to taking formal action on a development application. Where development application revisions are required by the review authority, the review

Formatted: Heading 8

authority shall determine, at its public hearing or meeting, the timeline for submitting such revisions or new information to the Planning Division and continue the public hearing or meeting to a date certain, which will allow sufficient time for proper analysis and preparation of a supplemental staff report by the Planning Division.

ii.(b) If a hearing is continued, the applicant shall submit, at least ~~30~~ 14 calendar days prior to the continued hearing (unless otherwise specified by the review authority provided there is enough time to review the revised plans and prepare a staff report), any additional required submittal documents or new information to address the review authority's concerns per the applicable requirements and criteria for decision set forth in this CDC. Failure to address such requirements in the required timeframe shall result in a further continuance of the application.

Comment [GVN5]: In this case, every continuance would have to be for greater than 30 days. Good point. Let's think this through.

iii.(c) A public hearing continued to a certain date, time and location is not required to be noticed.

iv. **Tabling.** If continuance is not appropriate or if more than two months are needed to address development issues or questions, the ~~review authority~~ DRB may table a development application for good cause or to allow additional information and materials to be submitted that will allow for a comprehensive review. Tabled development applications require noticing in accordance with the public hearing noticing requirements prior to recommending the public hearing process.

Formatted: Heading 7

d.

3. Class 4 and 5 Applications. The following options are available to the review authority when acting on Class 4 or 5 development applications:

a. **Approval.** The review authority shall approve a proposed Class 4 or 5 development applications if it determines that it meets the applicable requirements and criteria of the CDC.

i. The review authority's approval of a Class 4 or 5 development application shall be made by resolution, and such resolution may be recorded in the records of the San Miguel County Clerk and Recorder at the discretion of the Town Attorney.

ii. The DRB's recommendation of approval of a Class 4 development application shall be made by motion, approved by a majority vote of the DRB and recorded in the DRB summary of motions.

iii. The review authority may attach conditions of approval.

b. **Denial.** The review authority shall deny a proposed Class 4 or 5 development application if it determines that it does not meet the applicable requirements and criteria of the CDC.

i. The review authority's denial of a Class 4 or 5 development application shall be made by resolution.

ii. The DRB's recommendation of denial of a Class 4 development application shall be made by motion, approved by a majority vote of the DRB and recorded in the DRB summary of motions.

c. Continuance.

- i. The public hearing may identify additional issues that relate to applicable requirements or criteria for decisions set forth in this CDC, and the applicant may be required by the review authority to address such new issues prior to taking formal action on a development application. Where development application revisions are required by the review authority, the review authority shall determine, at its public hearing or meeting, the timeline for submitting such revisions or new information to the Planning Division and continue the public hearing or meeting to a date certain, which will allow sufficient time for proper analysis and preparation of a supplemental staff report by the Planning Division.
- ii. If a hearing is continued, the applicant shall submit, at least 30 calendar days prior to the continued hearing (unless otherwise specified by the review authority provided there is enough time to review the revised plans and prepare a staff report), any additional required submittal documents or new information to address the review authority's concerns per the applicable requirements and criteria for decision set forth in this CDC. Failure to address such requirements in the required timeframe shall result in a further continuance of the application.
- iii. A public hearing continued to a certain date, time and location is not required to be renoticed.

d. **Tabling.** If continuance is not appropriate or if more than two months are needed to address development issues or questions, the review authority may table a development application for good cause or to allow additional information and materials to be submitted that will allow for a comprehensive review. Tabled development applications require noticing in accordance with the public hearing noticing requirements prior to recommending the public hearing process.

L. Step 12: Notice of Action

1. **Class 1 and 2 Applications.** With respect to Class 1 and 2 applications, the Planning Division shall send written notice of its decision to the applicant within five (5) calendar days after the date action is taken. Notice to the applicant shall include any conditions of approval or findings for denial. Failure to send written notice within five (5) calendar days shall not invalidate the action taken, but shall extend the period in which the applicant may submit an appeal by the number of days that giving of notice is delayed beyond five (5) calendar days.
2. **Class 3 Applications.** The Planning Division shall send written notice of the DRB's decision to either approve or deny a **Final Review** development application to the applicant within ~~seven-fourteen~~ (7-14) calendar days after the date action is taken. Notice to the applicant shall include any conditions of approval or findings for denial. Failure to give notice within seven (7) calendar days shall not invalidate the action taken, but shall extend the period in which the applicant may submit an appeal by the number of days that giving of notice is delayed beyond seven (7) calendar days.
3. **Class 4 and 5 Applications.** The Planning Division shall send written notice of the Town Council's decision to either approve or deny a development application to the applicant within ~~seven-fourteen~~ (7-14) calendar days after the date action is taken. Notice to the applicant shall include any conditions of approval or findings for denial.

Comment [GVN6]: This is rather onerous for staff; and is redundant to the approved minutes. In fact it is required prior to the minutes being approved. I think we need to provide this letter but we can work on timing. Applicants want it ASAP, but I understand about it being onerous for staff.

Comment [GVN7]: This is closer to when minutes are being drafted.

M. Step 13: Effective Date and Appeal

1. **Class 1 and 2 Applications.** Action on class 1 and 2 applications shall become effective on the date a decision is rendered unless an appeal is filed within seven (7) calendar days.
2. **Class 3 Applications.** Action on class 3 applications shall become effective seven (7) calendar days from the date a decision is rendered unless an appeal is filed in accordance with the appeal procedures within this seven (7) day period.
3. **Class 4 and 5 Applications.** The Town Council's action on Class 4 and 5 applications shall become effective on the date a decision is rendered.
 - i. In certain instances which require the recording of a legal instrument, the Town Council action shall not be effective until any required resolution or other required legal instruments are recorded. Recording shall occur as soon as practicable after the Council hearing approving the development application.
 - b. Decisions of the Town Council shall be final, subject only to judicial review by a court of competent jurisdiction in accordance with the Colorado Rules of Civil Procedure.
4. **Appeal and No Issuance of Permits**
 - a. Appeals to the Town Council on Class 1, 2 and 3 applications shall be filed, and hearings thereon shall be conducted in accordance with the appeal procedures.
 - i. If a decision to approve a class 1, 2 or 3 application is appealed pursuant to the appeal procedures, building permits or other development permits shall not be issued until the appeal is heard by the Town Council and it takes action to uphold or modify the approval.
 - ii. If the appeal results in a denial of a development application, a new and substantially modified development application must be submitted if an applicant desires to continue pursuing the development of a property absent a change in the CDC regulations or Comprehensive Plan policies.
 - b. The Town Council's approval or denial of class 4 or 5 development applications, or appeals of class 1, 2 or 3 development applications shall constitute final administrative Town action on a development application.
 - i. If the Town Council denies a development application, a new and substantially modified development application shall be submitted if an applicant desires to continue pursuing the development of a property absent a change in the CDC regulations or Comprehensive Plan policies.
 - (a) An applicant cannot submit the same development application that was denied by the Town Council for a period of three (3) years from the date of denial.

N. Step 14: Length of Validity

1. **Class 1, 2 and 3 Applications.** Approval of class 1, 2 and 3 applications shall lapse eighteen (18) months from the effective date of the approval (except for renewals as outlined below) unless a development permit is issued by the Town and either: (a) a

building permit is issued, and the Director of Community Development determines substantial construction has occurred on the project; (b) a certificate of occupancy or certificate of completion is obtained; or (c) the development application resulted in a final action that does not expire, such as a density transfer. If a certificate of occupancy or certificate of completion is obtained on a class 1, 2 or 3 development application, the approval shall remain valid for the life of the project provided the use continues to comply with the requirements of the CDC in effect when the project was completed, unless the development application is amended or revoked in accordance with the procedures outlined in this CDC.

- a. An applicant may seek one (1), six (6) month renewal prior to lapse of the approval in accordance with the renewal procedures. If a renewal development application is approved by the Town, the approval shall lapse six (6) months after the expiration date of the original approval.
- b. Class 1, 2 or 3 development applications that have lapsed shall be required to submit a new development application, which shall be governed by the requirements of this CDC in effect at the time of the new submittal.
- c. If construction ceases on a development leaving a partially finished project, the Town may initiate the revocation procedure.
 - i. During the revocation procedure, the Town may apply conditions to mitigate adverse impacts in conjunction with relief provided by the CDC and the Building Codes.

2. Class 4 Applications.

- a. **Class 4 Applications General.** The Town Council's approval of a class 4 application shall lapse after eighteen (18) months from the date of approval unless one (1) of the following actions occurs within said time period:
 - i. Any required plat, development agreement or other legal instruments are executed and recorded; or
 - (a) A PUD development agreement shall set forth the length of validity for such agreement and any associated vested property rights according to the PUD Process.
 - ii. The activity and/or use described in the development application has substantially commenced or been constructed, whichever situation applies in accordance with development application and the associated approval.

Once one of these actions occurs, the class 4 application shall remain valid for length stated in the approving resolution or associated development agreement unless it is amended or revoked in accordance with the procedures outlined in this CDC.

- b. **Length of Validity for Conditional Use Permits.**
 - i. If no time period is stated in a resolution approving a conditional use permit, the permit shall be valid for five (5) years unless a development

- agreement or resolution has been approved in accordance with the CDC, which may specify a longer period of approval.
- ii. The Town Council may limit the maximum length of validity for all conditional use permits to allow for periodic reviews of such uses per the requirements and criteria for decision of this CDC.
 - iii. If activities allowed by a conditional use permit have ceased for at least one (1) year, such permits shall expire and these activities cannot resume unless a development application is filed and approved in accordance with the procedures for review of new conditional use permits.
 - iv. A conditional use permit shall remain valid for length stated in the approving resolution or associated development agreement unless the approval is amended or revoked in accordance with the procedures outlined in this CDC.

3. Class 4 or 5 Applications.

- a. Approval of a class 4 or 5 application shall lapse after eighteen (18) months unless one of the following have occurred:
 - i. The required legal instruments have been executed and recorded, such as the required resolution, ordinance, density transfer, subdivision plat, PUD development agreement, development agreement or any other legal instruments required by the Town as a part of the development application approvals; or
 - (a) A PUD development agreement shall set forth the length of validity for such agreement and any associated vested property rights according to the PUD Process.
 - ii. The approving ordinance is subject to a petition and referendum and is revoked by a vote in accordance with the Town Charter.
- b. Once the required actions occur, the approval shall remain valid as stated in the legal instruments unless the approval is amended or revoked in accordance with the procedures outlined in this CDC.
 - i. Subdivision plats and associated resolutions, and rezoning and ordinances shall be valid in perpetuity unless the approvals are amended or revoked in accordance with the procedures outlined in the CDC.

17.4.4 GENERAL PROVISIONS APPLICABLE TO ALL DEVELOPMENT APPLICATION CLASSES

A. Merits of Each Development Application

Every development application as set forth in the CDC shall be reviewed on its individual merits in relation to the criteria for decision and the applicable requirements of the CDC. Therefore, no precedence is set by the approval of a development application.

B. Authority to Initiate a Development Application

Any owner or anyone who has written permission from an owner in a form deemed acceptable by the Planning Division may submit a development application. Special rules apply to submitting a PUD development application and for PUD amendments.

C. Communication

Written notice or communication of any matters as provided for in this CDC for any purpose, including without limitation notice of action, and follow up communication on a development application shall adhere to the standards as set forth in this section. Communication may be provided by either surface mail, e-mail or other electronic communication. The time period for any such notice process shall be as set forth in the provisions of this CDC related to such particular process, and receipt of such notice shall be presumed to be the date of such electronic transmission unless conclusively established to the contrary.

D. Conditions of Approval

1. The review authority may impose or attach any reasonable conditions to the approval of a development application to ensure a project will be developed in the manner indicated in the development application and will be in compliance with the standards and criteria established within this CDC.
 - a. Conditions for class 1 and 2 applications shall be related to outstanding technical requirements of this CDC or referral agency comments not adequately addressed by the initial development application.
 - b. Class 3, 4 and 5 applications may also include, in addition to technical conditions to address specific requirements of this CDC, conditions to ensure that a development application meets the criteria for decision, mitigates adverse impacts of the use or protects public health, safety and welfare.
2. Conditions shall be tied to the applicable criteria for decision, applicable legal requirements and may consist of one (1) or more but are not limited to the following:
 - a. **Development Schedule.** If the review authority determines that a development schedule is warranted, the conditions may place a reasonable time limit on any activities associated with the proposed development or any portion thereof. Upon good cause shown by the applicant, the Town may allow for administrative amendments to any development schedule and the associated legal instruments. Notwithstanding the foregoing, some development schedules are integral to the review authority's approval, and, if so determined by the Planning Division with respect to a proposed amendment to a development schedule, only the review authority that took action on the original approval may approve an amendment to

- such development schedule.
- b. **Use.** The conditions may restrict the future use of the proposed development to that indicated in the development application and other similar uses.
- c. **Dedications.** The conditions may require conveyances of title or easements to the Town, public utilities, a homeowners association or other appropriate entity for purposes related to ensuring general conformance with the Comprehensive Plan and the public health, safety and welfare, which may include but not be limited to land and/or easements for parks, utilities, pedestrian/bikeways, schools, trails, roads, transportation and other similar uses. The Town may also require construction of all facilities to public standards and the dedication of public facilities necessary to serve the development.
- d. **Homeowner's Association.** A condition may require the creation of a homeowners association to hold and maintain common property or common improvements in a condominium community.
- e. **Public Improvements, Improvements Agreement and Public Improvements Guarantee.** When public improvements are involved in a development application, conditions shall require the public improvements, an improvements agreement consistent with the public improvements policy, and a financial guarantee in an amount to be determined by the Town to ensure that all public improvements and related infrastructure are completed as approved.
- f. **Indemnification/Covenants.** The conditions may require the recording of covenants and/or deed restrictions on the subject property or the indemnification of the Town in certain instances.
- g. **Additional Plans.** The conditions may require that additional plans or engineered revisions to site, drainage or utility plans be submitted to the Town and approved prior to issuance of building permits or issuance of a certificate of occupancy, whichever is applicable.
- h. **Other Conditions.** Other conditions may be required, as determined by the Town to be necessary to ensure that the development is constructed in compliance with applicable Town regulations and standards.

E. Revocation of Approval

Class 1, 2, 3, 4 and 5 Applications. The Planning Division, in consultation with the Town Attorney's Office, may revoke a class 1, 2, 3, 4 or 5 application approval if construction or activities authorized by a development application cease for at least eighteen (18) months or for failure to comply with conditions of approval, or for a threat to the public health safety or welfare provided, however, prior to any such revocation, the developer shall receive a thirty (30) day written notice of the pending revocation stating the grounds for revocation, during which time the developer shall have the opportunity to either cure the violation to the satisfaction of the Town, default or appeal the administrative decision. The Revocation Process in this section shall not apply to a legally recorded PUD development agreement, plat or executed rezoning ordinance.

F. Maximum Time Limits for Development Application Processing

1. **Class 1, 2, 3, 4 and 5 Applications.** Unless an extension is granted, class 1, 2, 3, 4 and 5 applications shall receive a final decision from the review authority within one (1) year from the date such an application is filed and accepted by the Planning Division as a complete development application unless the development application is withdrawn.
2. **Failure to Amend Development Application.** If an applicant fails to amend the application to address required plan revisions, discretionary plan revisions or to address a

review authority's continuance or tabling conditions, the Planning Division shall schedule the development application for review and action by the appropriate review authority and provide the appropriate notice as required by this CDC.

3. **Extension.** The Director of Community Development may extend the one (1) year review period for any development application upon a determination that good cause exists for such extension due to: 1) the complexity, size or other extraordinary physical characteristics of the proposed development, or 2) other exceptional circumstances applicable to the particular development application.

G. Revisions

1. Certain class 1, 2, 3, 4 or 5 application approvals may be granted an administrative minor revision or modification by the Planning Division subject to the Revision Process.
2. Revisions or modifications that are found by the Planning Division to not be minor per the Revision Process shall be considered a new proposal and be evaluated in accordance with the applicable development review process outlined in this CDC.

H. Expiration of Preexisting Approvals and Development Applications

1. **Expired Development Applications.** Development application approvals that have expired shall have to resubmit a new development application following the requirements of this CDC and be subject to the applicable requirements of this CDC in effect at the time of submittal or as otherwise provided for by law.
2. **Preexisting, Inactive Development Applications.** Inactive development applications that were submitted prior to March 25, 2012, that have not had final action by the review authority are considered null and void.

I. Public Hearing Noticing Requirements

This section sets forth the public hearing noticing requirements for various public hearings as provided for in this CDC.

1. General Provisions

- a. Adjacent property owner address lists and PUD owner address lists for PUD amendments shall be obtained from either San Miguel County's Geographic Information System ("GIS") or from the records of the San Miguel County Clerk and Recorder within thirty (30) calendar days of the date of the required mailing. If more than sixty (60) calendar days have passed after the date an adjacent property owner list was provided to the Planning Division as required by this section, an applicant shall provide an updated list to the Planning Division based on the most recent GIS records.
- b. Adjacent property owner lists shall be compiled by measuring a set radial distance from all the property boundaries of a project as set forth in the public noticing requirements set forth below.
- c. Where there are multiple owners of a property, such as a timeshare, notification shall only be required to be sent to the manager of the timeshare or to the primary contact of record according to the GIS records.
- d. Notice of public hearings shall be deemed given and effective upon substantial compliance with the requirements for notice as set forth in this section, including without limitation the procedural requirements for mailing notice and the

substantive requirements regarding the information to be contained in such notices. Upon substantial compliance with the requirement for notice as set forth in this section, any failure of the Town, applicant or other party to strictly comply with the noticing requirement set forth in this section for any public hearing shall not deprive the review authority of jurisdiction to hear the matter at such public hearing or in any other manner invalidate actions taken by such review authority at such meeting.

- e. Notwithstanding the foregoing, the requirements for the timing of the notice and for specifying the time, date and place of a hearing or other public review shall be strictly construed. The description of the property shall be sufficiently accurate to allow a reasonable person to determine the location of the property in question.
- f. If questions arise at a review authority's hearing regarding the adequacy of notice in relationship to specific requirements of this CDC, the review authority shall make a formal finding regarding whether there was substantial compliance with the notice requirements of the CDC before proceeding with the hearing or other public review. All objections to such noticing provisions shall be made at the commencement of any such hearing or else shall be deemed waived.
- g. Failure of a party to receive written notice after it is mailed in accordance with the provisions of this CDC shall not invalidate any subsequent action taken by a review authority.
- h. The required legal notice of a vested property right may be combined with the notice for any other required, concurrent hearing to be held on the site-specific development plan for the subject site or lot.

2. **Public Noticing Requirements.** Notice as required by this section shall be given at least thirty (30) calendar days as prescribed below prior to the initial public hearing held by the review authority. Development applications shall be noticed in substantial compliance with the following provisions:

- a. **Class 1 and 2 Applications.** No legal notice of these administrative development application processes is required.
- b. **Class 3 and 4 Applications.** Notice of the Sketch Review hearing and Final Review public hearing(s) shall be: 1) sent to all property owners within 400 feet of the property boundaries in accordance with the public hearing noticing requirements and the mailing notice details at least fifteen (15) days prior to the Sketch Review hearing and Final Review public hearing with such notices able to be noticed concurrently; 2) posted in accordance with the posted notice details, and 3) listed on the review authority agenda.
~~b. No mailed or posted notice is required for Sketch Review.~~
- i. ~~If the Director of Community Development determines that a final MPUD or major PUD amendment development application affects only a portion of the property within a MPUD, SPUD or PUD, then, notwithstanding any other provisions of this section, notice shall be mailed to owners within 400 feet of the affected site or to those owners that are determined to be potentially affected.~~
- c. **Class 4 Applications.** Notice of the public hearing(s) shall be: 1) sent to all property owners within 400 feet of the property boundaries in accordance with the public hearing noticing requirements and the mailing notice details at least thirty (30) days prior to the initial public hearing, 2) posted in accordance with

Comment [J8]: For the reasons stated above I don't think it is good practice to not notice Sketch.

Formatted: List Paragraph, Indent: Left: 1.5", Hanging: 0.5", Numbered + Level: 1 + Numbering Style: i, ii, iii, ... + Start at: 1 + Alignment: Right + Aligned at: 1.25" + Indent at: 1.5"

the posted notice details, and 3) listed on the review authority agenda.

- i. If the Director of Community Development determines that a final MPUD or major PUD amendment development application affects only a portion of the property within a MPUD, SPUD or PUD, then, notwithstanding any other provisions of this section, notice shall be mailed to owners within 400 feet of the affected site or to those owners that are determined to be potentially affected.

e-d. **Class 5 Applications.** Notice of the following development application public hearing(s) shall be: 1) sent to all property owners within 400 feet of the property boundary in accordance with the public noticing requirements and the mailing notice details, 2) posted in accordance with posted notice details, and 3) listed on the review authority agenda:

- i. Outline MPUD development applications;
- ii. No legal notice is required for the following class 5 development applications:
 - (a) Minor subdivisions.
 - (b) Other class 5 applications.

e-e. **Mineral Estate Notification:** An applicant, for any application outside of the Original PUD Boundary, shall provide notice to mineral estate owners as required by C.R.S. § 24-65.5-100, et seq., as currently enacted or hereinafter amended.

3. **Additional Public Notice Requirements for Specific Development Review Applications**

- a. **Vested Property Right.** Notice of the review authority's public hearing for a vested property right may be combined with the notice for any other required, concurrent hearing to be held on the site-specific development plan for the subject site or lot.
- b. **CDC Amendments.** Notice of the review authority's public hearing for the proposed CDC amendment shall be: 1) listed on the review authority agenda, and 2) listed as a public notice on the Town's website at least fifteen (15) calendar days prior to the initial public meeting.
- c. **Adoption or Amendments to Master Plans.** Notice of the Town Council's public hearing for the proposed adoption of or amendments to the Comprehensive Plan shall be: 1) listed on the Council's agenda, and 2) published as a legal advertisement at least once in a newspaper of general circulation in the town at least fifteen (15) calendar days prior to the initial public meeting.

4. **Mailing Notice Details**

- a. Mailing of the property owner notice is the responsibility of the applicant who shall obtain a copy of the adjacent property owner letter form from the Planning Division.
- b. The mailing of all notices shall be by first-class mail, postage prepaid.
- c. If a condominium development is located within the prescribed distance of the

subject property, the applicant shall provide notice to the condominium association and every condominium unit property owner or part owner who owns at least a fifty percent (50%) interest in a condominium unit.

- d. Prior to the mailing of notice, the applicant shall deliver to the Planning Division a copy of the notice for review and approval.
- e. If for any reason a development application is not placed on the agenda for the date noticed, the applicant shall re-notice the revised scheduled meeting date at least fifteen (15) days prior to the revised meeting date.
- f. The applicant shall execute an affidavit of mailing in a form provided by the Planning Division with a copy of the notice and the property owner mailing list attached thereto.
- g. If notice required by this section is determined to be improper or incomplete, the applicant shall be required to re-notice adjacent owners at least thirty (30) days prior to a revised scheduled meeting date.
- h. Notices shall be deemed delivered when deposited for delivery with the United States Postal Service.
- i. Notices shall include, at a minimum, the following information:
 - i. Name and address of the applicant;
 - ii. Type of development application(s);
 - iii. Address and legal description of the subject property;
 - iv. Date, time and place of the DRB and/or Town Council meeting;
 - v. Detail summary of the development application under consideration;
 - vi. Description of any requested variations to the standard requirements of the CDC;
 - vii. Vicinity map;
 - viii. Identification of the review authority that will conduct the public hearing; and
 - ix. Such other information deemed necessary by the Planning Division in order to inform the public of the nature of the development application.

5. Posted Notice Details

- a. At least ~~fifteen-fifteen-fifteen~~ (1515) days prior to the meeting date, the applicant shall post a public notice sign on the property that is the subject of the development application.
- b. The public notice sign shall be provided by the Planning Division and shall be posted on the property by the applicant in a visible location adjacent to public rights-of-way or public space.
- c. The posted notice shall only indicate that the property is the subject of a pending land use development application before the Town and shall provide a contact phone number with the Town to obtain information regarding the development application.
- d. More than one notice may be required to be posted on the property affected by the development application if the Planning Division determines that because of the size, orientation or other characteristics of the property additional posted notice is necessary.
- e. The applicant shall be responsible for returning the sign to the Planning Division following the meeting date.
- f. The Planning Division may require a security deposit for the sign.
- g. The applicant shall execute an affidavit of posting the notice in a form provided

Comment [J9]: I like 15 as it sets up well with the sketch noticing as I have changed it.

by the Planning Division.

J. Submittal Requirements

1. The Planning Division shall publish submittal requirements for each type of development review process as provided for by this CDC. Submittal requirements shall be based on the requirements of this CDC and criteria for decision.
 - a. The Planning Division may amend the submittal requirements from time to time by publishing new submittal requirements.
2. Situations will occur when all of the listed submittal requirements will not be needed and situations when items not listed as submittal requirements will be needed in order for the Town to have sufficient information to fully evaluate the impacts of a development application. The Planning Division is therefore authorized to determine, based on the nature of a development application, whether to waive submittal requirements or require additional submittal requirements that are not addressed in the published submittal requirements.

K. Concurrent Processing

Applicants with developments that require the submittal of more than one (1) type of development application may request concurrent processing. A determination on a request for concurrent processing shall be made by the Director of Community Development based on administrative efficiency and the complexity of the development proposal. In the instance of concurrent processing, the applicant's submittal shall meet the submittal requirements for each class of development application submitted. Fee adjustments in the case of a concurrent submittal may be authorized by the Director of Community Development.

L. Fees

1. **Fee Schedule.** The Town Council shall, from time to time, adopt a fee resolution setting forth all development application fees and associated permit fees. Fees for submittals not listed in the fee schedule resolution shall be determined by the Director of Community Development on a case-by-case basis determined by the similarity between the submittal and the development applications listed on the fee schedule together with the estimated number of hours of staff time the review of the submittal will require. No development application shall be processed, nor any development or building permits shall be issued until all outstanding fees or moneys owed by the applicant, lot owner, developer or related entity, as defined by the Municipal Code, to the Town, in any amount for any purpose, including but not limited to any fees, delinquent taxes, required Town licenses, permit fees, court fines, costs, judgments, surcharges, assessments, parking fines or attorney's fees are paid to the Town.
2. **Town Attorney Fees.** The applicant shall be responsible for all legal fees incurred by the Town in the processing and review of any development application or other submittal, including but not limited to any Town Attorney fees and expenses incurred by the Town in the legal review of a development application together with the legal review of any associated legal documents or issues. Legal expenses so incurred shall be paid for by the applicant prior to the issuance of any permits.
3. **Property or Development Inquiries.** The Town requires that Town Attorney legal fees and expenses be paid for all development or property inquiries where a legal review is

deemed necessary by the Town. The developer or person making the inquiry, whichever the case may be, shall be informed of this obligation and execute a written agreement to pay such legal expenses prior to the Town Attorney conducting any legal review. A deposit may be required by the Director of Community Development prior to the commencement of the legal review.

4. **Other Fees.** The applicant shall be responsible for all other fees associated with the review of a development application or other submittal conducted by any outside professional consultant, engineer, agency or organization and which are deemed necessary by the Town for a proper review.
5. **Recordation Fees.** The Community Development Department will record all final plats, development agreements and other legal instruments. The applicant shall be responsible for the fees associated with the recording of all legal instruments.

M. Requirement and Cost for Special Studies

The Town Council, DRB or Director of Community Development shall have the authority to require special studies, as deemed necessary, to be prepared for all development applications to address a requirement or a criteria for decision under this CDC. Examples of such studies include, but are not limited to analyses for traffic impacts, wetlands, steep slopes or visual impacts. The applicant may cause such studies to be prepared by a third-party consultant engaged directly by the applicant; however, the Director of Community Development may require in his or her sole discretion that an independent third-party consultant be hired by the Town to conduct or review the required studies. The cost of said independent study shall be paid for by the applicant proposing the project.

17.4.5 APPEALS

A. Purpose and Intent

The purpose and intent of this section is to provide a process for the appeal of class 1, 2 and 3 applications and for certain administrative decisions as set forth in the CDC.

B. Applicability

The Appeals Process is applicable to an administrative decision on class 1 or 2 applications, administrative decisions as authorized by this CDC (excepting the Building Codes that have a specific appeal procedure), and for DRB action on class 3 applications.

C. Standing to Appeal

The following persons shall be deemed to have standing to appeal a decision:

1. The applicant or the owner of the property of the subject development application;
2. Any party in interest who testified at any required public hearing on the development application;
3. Any party in interest who submitted written comments on the application before final action was taken, excluding persons who only signed petitions or form letters;
4. Any person who was entitled to receive the required public notice, if any;

D. Appeal Procedures

1. **Deadline to File Appeal.** In order to initiate an appeal pursuant to this section, a “notice of appeal” shall be filed with the Planning Division within seven (7) calendar days following one of the following events, as applicable:
 - a. **Administrative Decisions.** The appeal of a final, administrative decision as authorized by the CDC, including but not limited to action on class 1 and 2 applications and zoning violations, shall be made within seven (7) calendar days of the date of receiving notice of the written decision. A written decision shall be deemed to have been delivered when it is either emailed or deposited in the U.S. mail.
 - b. **DRB Decisions.** The appeal of a final decision of the DRB shall be made within seven (7) calendar days of the date the DRB made the final decision.
2. **Required Contents of the Notice of Appeal.** The notice of appeal shall describe the

contested action, contain the appellant's name, address and telephone number; and specify the grounds for the appeal as it relates to the applicable criteria for decision and/or requirements of this CDC. Failure to specify a ground for appeal in the notice of appeal shall bar consideration of the appeal by Town Council. The notice of appeal shall be accompanied by a fee as set forth in the fee resolution.

3. **Effect of Appeal.** The proper and timely filing of a notice of appeal shall temporarily stay the subject administrative decision or decision of the DRB, pending the determination of the appeal, unless the Town administrative official or the DRB, as applicable, certifies in writing to the Town Manager that a stay will pose an immediate threat to the health, safety or welfare of persons or property or defeat the lawful purpose of the decision; in which event, a stay shall not enter, and such order shall be subject to immediate enforcement according to its terms. Notwithstanding the foregoing, the timely filing of a notice of appeal shall under no circumstances stay a stop work order.
4. **Scheduling Hearing.** Upon receipt of a notice of appeal, the Planning Division shall schedule a hearing before the Town Council on the appeal within a reasonable period of time but not more than sixty (60) days following receipt of the notice of appeal and the required fee. Public notice of the appeal shall be done in accordance with the public hearing noticing requirements.
5. **Disclosure.** In order to ensure adequate notice to all parties to an appeal and for the efficient presentation of evidence, the parties to the appeal shall exchange a list of witnesses who may be called upon to offer testimony at the hearing, with copies thereof delivered to the Planning Division at least twenty (20) days prior to the hearing date. This disclosure shall include the name, address and telephone number of each witness and a brief summary of the subject matter of each witness's testimony. Also, at least twenty (20) days prior to the hearing date, the parties to the appeal shall exchange a brief which outlines the legal basis such party relies upon for their appeal and list of documents that may be offered into evidence to support such appeal and shall deliver copies thereof to the Town. Not less than ten (10) days prior to the hearing date, the parties may update their respective list of witnesses and documents by exchanging such updates with each other and delivering such updated list to the Community Development Department. The failure to make the required disclosure of a witness or document shall exclude the testimony of the undisclosed witness and the introduction into evidence of the undisclosed document at the hearing.
6. **Appellant Notice.** The Town Council shall hear all appeals at a public meeting with no less than thirty (30) days' prior written notice to the appellant and any other affected party.
7. **Town Council Hearing.** The burden shall be on the appellant to demonstrate by clear and convincing evidence that the action of the DRB, the building Official or the Town administrative official was in error, unjustified, an abuse of discretion or otherwise not in accordance with the terms of the CDC.
 - a. Unexcused failure on the part of the appellant or the appellant's representative to appear at the scheduled hearing shall result in a dismissal of the appeal and an affirmation of the decision.
 - b. Any appeal heard pursuant to this section shall be an evidentiary hearing with appellant and appellee being given an opportunity to present oral and documentary evidence previously disclosed in accordance with the CDC. Unless otherwise extended by the Town Council, appellant shall have thirty (30) minutes for the presentation of evidence and may reserve ten (10) minutes of the allotted thirty (30) minutes for rebuttal. Likewise, unless otherwise extended by the Town Council, the appellee shall have thirty (30) minutes for the presentation of

evidence and may reserve ten (10) minutes of the allotted thirty (30) minutes for rebuttal. Town Council shall then be permitted to examine the appellant and appellee for such period of time as it deems reasonable and necessary and shall thereafter discuss the evidence presented amongst themselves.

- c. The appellant shall be responsible for securing the attendance of a court reporter at the hearing at appellant's sole cost and expense. The transcript prepared by the court reporter, the documents introduced into evidence by appellant and appellee and the findings of fact and conclusions of law rendered by the Town Council shall constitute the record on appeal from this final administrative decision. Any party wishing to obtain a copy of the transcript shall do so at their own expense.

8. Town Council Decision. Not more than thirty (30) days following the conclusion of the hearing, the Town Council shall issue written findings of fact and conclusions of law.

- a. The Town Council may reverse, affirm or modify the appealed decision, and Town Council shall have all powers vested in the DRB or Town administrative officials to impose reasonable conditions to be complied with by the appellant as part of the decision. A copy of the Town Council's decision shall be mailed to the appellant.
- b. Decisions of the Town Council shall be final, subject only to judicial review by a court of competent jurisdiction in accordance with the Colorado Rules of Civil Procedure.

17.4.6 CONCEPTUAL WORKSESSION PROCESS

A. Purpose and Intent

The purpose and intent of this section is to provide a process for both the DRB and the Town Council to have an informal, non-binding review of a conceptual development proposal. The conceptual worksession is further intended to provide venue for the analysis of potential issues, areas of concern and to evaluate possible development alternatives.

B. Applicability

The Conceptual Worksession Process is applicable to any developer who desires to present conceptual plans to the DRB or Town Council. The Conceptual Worksession Process is also a required step in certain development review processes prior to submitting a formal development application.

C. Review Process

- 1. The Conceptual Worksession Process shall consist of the following steps:
 - a. Pre-submittal meeting;
 - b. Conceptual worksession submittal;
 - c. Planning Division completeness check;
 - d. Referral and review;
 - e. Planning Division follow-up communication;
 - f. Applicant plan revisions;
 - g. Schedule public meeting;
 - h. Publish review authority agenda; and
 - i. Conduct public conceptual worksession(s)

2. The steps outlined above shall generally follow the similar steps outlined in the Development Review Procedures.

D. Criteria for Decision

The review authority for a conceptual worksession shall evaluate the proposed concept plans based on the applicable criteria for decision for the future, formal development application(s) that will need to be submitted.

E. General Standards

1. **Legislative Process.** The Conceptual Worksession Process is not considered a land use development application under the CDC, since this process is to evaluate a conceptual development proposal prior to a developer or owner submitting a formal development application. As such, conceptual worksessions are considered a legislative matter and not a pending land use development application, with the DRB and the Town Council free to discuss the conceptual worksession development application outside of the public meetings.
2. **Action.** No formal action is taken by the DRB or the Town Council on conceptual worksessions because such provide informal opportunities for developers to obtain input.
3. **Worksession Disclaimer.** Any comments or general direction by the DRB or the Town Council shall not be considered binding or represent any promises, warranties, guarantees and/or approvals in any manner or form. A conceptual worksession shall not be construed as a comprehensive review of the proposal under discussion, and as such, additional issues and/or concerns will most likely arise as part of the formal development review process.

17.4.7 MINOR REVISION PROCESS

A. Purpose and Intent

The purpose and intent of this section is to provide an administrative process for minor plan revisions for approved class 1, 2, 3, 4 and 5 development applications.

B. Applicability

The Minor Revision Process is applicable to any approved class 1, 2, 3, 4 and 5 development application where the developer requests a minor revision of the approved plans.

C. Review Process

Minor Revision Process development applications shall be processed as class 1 applications.

D. Criteria for Decision

1. The following criteria shall be met for the review authority to approve minor revisions to an approved development application:
 - a. The proposed revision does not increase the amount of originally approved, gross building floor area more than ten percent (10%) of the total approved by the

- review authority;
 - b. The proposed revision does not materially alter the bulk and massing of buildings, increase the visual impact of the development or materially alter a project's design;
 - c. The proposed revision does not significantly change the location of uses, the layout of streets or driveways, parking areas, trails or pathways or other improvements;
 - d. The proposed revision does not significantly increase the level of environmental impact caused by the proposed development, including but not limited to increasing the amount of slope disturbance or impact wetlands;
 - e. The proposed revision does not significantly alter the development application or plans reviewed and approved by the review authority or any conditions or findings made by such review authority in approving the development application; and
 - f. The proposed revision meets all applicable Town regulations and standards.
2. It shall be the burden of the applicant to demonstrate that submittal material and the proposed development substantially comply with the revision review criteria.
 3. If the Planning Division is unable to find that the proposed revision meets the applicable criteria listed above, such revision shall be considered a new proposal and shall be evaluated in accordance with the applicable development review process outlined in this CDC.
 4. A proposed revision may not be approved by the Planning Division if it seeks to revise: 1) PUD text or exhibits, excepting scrivener's errors; 2) a development agreement, excepting scrivener's errors; 3) a site-specific development plan; 4) a rezoning; 5) an official plat approved by the Town Council, or other revisions that are determined by the Director of Community Development to be significant.

17.4.8 RENEWALS

A. Purpose and Intent

The purpose and intent of this section is to provide an administrative process for renewals of approved class 1, 2, 3, 4 and 5 development applications.

B. Applicability

The Renewal Process is applicable to any approved class 1, 2, 3, 4 or 5 development application that has not yet lapsed and the developer seeks to extend the approval.

C. Review Process

Renewal of development applications shall be processed as a class 1 development application.

D. Criteria for Decision and Related Requirements

1. The following criteria shall be met for the review authority to approve the renewal of an approved development application:
 - a. The renewal is for a currently valid review authority approval, and the approval will expire within three (3) months. Renewals shall not be granted for

- development applications that have more than three (3) months until their expiration unless good cause is shown to warrant an early renewal;
- b. If new CDC provisions applicable to the project have been adopted since the original approval or new issues are found per CDC regulations, the Planning Division may impose additional conditions at the time of renewal necessary to satisfy such new requirements and criteria for decision of the CDC. If such CDC regulations require plan revisions, then such revisions shall be evaluated in accordance with the minor Revision Process; and
 - c. The proposed renewal meets all applicable Town regulations and standards.
2. It shall be the burden of the applicant to demonstrate that submittal material and the proposed development substantially comply with the renewal review criteria.
 3. If the Planning Division is unable to find that the proposed revision meets the applicable criteria listed above, such revision shall be considered a new proposal and shall be evaluated in accordance with the applicable development review process outlined in this CDC.

E. General Standards

1. **Number of Renewals.** Only one (1), six (6) month renewal shall be permitted. Upon expiration of the renewal, the applicant must submit a new development application and follow the required development review process as provided for by this CDC.
2. **Length of Validity.** If a renewal development application is approved by the Town, the approval shall lapse six (6) months after the expiration date of the original approval.

17.4.9 REZONING PROCESS

A. Purpose and Intent

The purpose and intent of this section is to provide procedures and policies for a rezoning development application to change either the zone district or the zoning designation(s) of a lot.

B. Applicability

The Rezoning Process is applicable to any development application that proposes to change the zone district, zoning designation and/or the density allocation assigned to a lot.

C. Review Process

1. **Step 1: Conceptual Worksession.** A conceptual worksession application shall be submitted prior to submitting a formal rezoning development application.
 - a. The Director of Community Development may waive the requirement to submit a conceptual worksession due to limited size, scale or other matters that limit the issues associated with a rezoning development application.
2. **Step 2: Rezoning Development Application.** Rezoning development applications shall be processed as class 4 applications.

D. Criteria for Decision

1. The following criteria shall be met for the review authority to approve a rezoning development application:
 - a. The proposed rezoning is in general conformance with the goals, policies and provisions of the Comprehensive Plan;
 - b. The proposed rezoning is consistent with the Zoning and Land Use Regulations;
 - c. The proposed rezoning meets the Comprehensive Plan project standards;
 - d. The proposed rezoning is consistent with public health, safety and welfare, as well as efficiency and economy in the use of land and its resources;
 - e. The proposed rezoning is justified because there is an error in the current zoning, there have been changes in conditions in the vicinity or there are specific policies in the Comprehensive Plan that contemplate the rezoning;
 - f. Adequate public facilities and services are available to serve the intended land uses;
 - g. The proposed rezoning shall not create vehicular or pedestrian circulation hazards or cause parking, trash or service delivery congestion; and
 - h. The proposed rezoning meets all applicable Town regulations and standards.
2. It shall be the burden of the applicant to demonstrate that submittal material and the proposed development substantially comply with the rezoning review criteria.

E. General Standards

1. **Ordinance Required for Zone District Amendment.** Any change to the zone district, on a lot shall be by duly adopted ordinance.
 - a. All ordinances for a rezoning shall include a map reflecting the new zoning and associated boundaries.
 - b. A rezoning shall not become effective until thirty (30) days following the adoption of the rezoning ordinance.
2. **Ordinance Required for Change in Density or Zoning Designation.** Any change to the density or zoning designation assigned to a lot shall be by duly adopted ordinance that shall be recorded in the records of the San Miguel County Clerk and Recorder.
 - a. To the extent multiple recorded resolutions and/or ordinances exist with respect to the zoning designation of a lot, the most recently recorded resolution or ordinance shall prevail and shall have the effect of voiding all prior recorded resolutions and ordinances.
 - b. **Zoning on Plats.** If the current, recorded plat for the lot(s) affected by the rezoning lists either the zone district, zoning designation and/or associated density, the rezoning ordinance shall include a statement that the zoning set forth in the rezoning ordinance shall prevail over any inconsistent plat notations on all validly recorded plats for the lots affected by such rezoning.
3. **Official Zoning Map Amendment.** Rezoning affecting the zone district boundaries shall be shown by the Town on the Official Zoning Map as soon as reasonably practicable following the effective date of a rezoning. The Official Zoning Map, as amended by the rezoning, shall be signed by the Town Mayor and attested by the Town

Clerk.

4. **Official Land Use and Density Allocation List Amendment.** Rezoning that change the zoning designations or density allocations on a lot shall be reflected on the official land use and density allocation list as soon as reasonably practicable following the effective date of a rezoning.

5. **Density Transfer**

- a. Density may be transferred from one lot to another within the Town, provided that the existing or proposed zone district of both lots allows for the increase or decrease in density, and provided that the density transfer is approved pursuant to the Rezoning Process, PUD Process or the MPUD Process.
- b. Density may be increased or decreased on a lot by transferring density to or from the density bank, or by transferring density to or from another lot if such transferor lot is made a part of the Rezoning Process, PUD Process or the MPUD Process.

6. **Rezoning Limitations**

- a. Zoning designations assigned to density within the density bank may be changed to another zoning designation during the Rezoning Process when it is being transferred to a lot.
- b. Workforce housing density may not be rezoned to free market units except when the WHR is lost as provided for in the Zoning and Land Use Regulations.
- c. Workforce housing density assigned to a lot or property has specific requirements as set forth in the workforce housing requirements.
- d. Lots or units subject to the workforce housing restriction may only request a rezoning to change the zoning designation to either: (1) employee apartment, employee single-family, employee condominium or employee dorm; or (2) for whole lots only, the PUD Zone District to allow for a mix of workforce housing and free-market dwellings.
- e. Single-family zoning designations within the density bank may be rezoned to any zoning designation as a part of a rezoning and density transfer development application where the density is being transferred from the density bank to a lot.
- f. Lodge, efficiency lodge, hotel and hotel efficiency zoning designations may not be rezoned to condominium zoning designations.
- g. Rezoning of a condominium unit from residential to commercial, or vice-versa, whether or not there is any change to the exterior of the building, requires a rezoning of the affected unit(s).
- h. Lots outside the Village Center rezoning to any zoning designation with multi-family dwellings may be required to have a transportation plan and may be required to provide certain amenities on site, such as outdoor spa facilities, playgrounds, fitness facilities and/or a common area gathering place as conditions of approval.
- i. In development applications that propose removing density from a Village Center and multi-family lot, the applicant must prove the existence of a practical difficulty that prohibits the build out of the platted density. Financial hardship or expense shall not be considered a practical difficulty for the purpose of this section.
- j. Commercial and industrial density and/or zoning designations shall not be rezoned or converted to any other density since such a change would increase the Density Limitation.

7. Town Initiated Rezonings

The Town Council may initiate the rezoning of private property by passing a motion directing staff to prepare and process a rezoning development application for specifically identified lots, following the Rezoning Process established by this section as a class 4 application.

17.4.10 DENSITY TRANSFER PROCESS

A. Purpose and Intent

The purpose and intent of this section is to provide procedures and policies for a density transfer development application to transfer density from:

1. A lot to another lot in the town;
2. A lot to the density bank;
3. The density bank to a lot; or
4. Within the density bank, from one entity to another entity.

B. Applicability

The density transfer process is applicable to any owner or developer that proposes to conduct one of the activities outlined above.

C. Review Process

Density transfers shall be processed as follows:

1. **Class 1 Application.** A density transfer within the density bank, from one entity to another entity, shall be processed as a class 1 application.
2. **Class 4 Application.** Density transfers from a lot to another lot, a lot to the density bank or the density bank to a lot shall be processed as class 4 applications, concurrent with the required Rezoning Process.

D. Criteria for Decision

1. **Class 1 Applications.** The following criteria shall be met for the review authority to approve a transfer within the density bank:
 - a. The applicant has submitted a copy of the effective and valid official density bank certificate;
 - b. The density bank certificate contains the density sought to be transferred;
 - c. The applicant has provided a copy of the properly recorded density conveyance document to the Planning Division showing the conveyance of the density;
 - d. The density transfer meets the density transfer and density bank policies; and
 - e. The proposed transfer within the density bank meets all applicable Town regulations and standards.
2. **Class 4 Applications.** The following criteria shall be met for the Review Authority to approve a density transfer:

- a. The criteria for decision for a rezoning are met, since such density transfer must be processed concurrently with a rezoning development application (except for MPUD development applications);
 - b. The density transfer meets the density transfer and density bank policies; and
 - c. The proposed density transfer meets all applicable Town regulations and standards.
3. It shall be the burden of the applicant to demonstrate that submittal material and the proposed development substantially comply with the density transfer review criteria.

E. General Standards

- 1. **Density as a Property Interest.** Density in the density bank is considered a property interest by the Town, and may be bought or sold subject to meeting the applicable requirements of the CDC.
- 2. **Density Bank Certificate.** Upon the approval of a density transfer within the density bank, the Town shall issue a new density bank certificate to the new owner and to the original owner if the transfer does not involve all of the density shown on the density transfer certificate.
- 3. **Official Land Use and Density Allocation List.** The Planning Division shall update the official land use and density allocation list upon the approval and effective date of a density transfer.

17.4.11 DESIGN REVIEW PROCESS

A. The purpose and intent of the Design Review Process is to ensure that development is planned and designed to fit within the overall design context of the town. These regulations are also intended to:

- 1. Promote public health, safety and welfare;
- 2. Require quality building, landscaping and site design that enhances the character of the town;
- 3. Ensure development meets the Zoning and Land Use Regulations and other applicable requirements of this CDC;
- 4. Foster a sense of community;
- 5. Promote the economic vitality of the town;
- 6. Promote the resort nature and tourism trade of the town; and
- 7. Protect property values within the town.

B. Applicability and Exemptions

- 1. **Applicability.** The Design Review Process is applicable to any developer, owner, agent or person that plans on conducting one of the following activities:
 - a. The construction or alteration of a building or structure;
 - b. New landscaping or alterations to existing landscaping;
 - c. Any clearing, grading or other movement of land;
 - d. Any dredging, filling, grading, paving or excavation;
 - e. The improvement or alteration of any lot, property or open space, whether temporary or permanent;
 - f. New development;

- g. All exterior modifications to existing development; or
- h. The application of new paint or stain on a building or structure.

2. Exemptions.

- a. The following activities are exempt from the need to submit to a Design Review Process:
 - i. Landscaping to replace dead or diseased vegetation that was already approved by a previous Design Review Process development application;
 - ii. Landscaping that involves the planting of flowers without any expansion of the irrigation system;
 - iii. The placement of play equipment and similar uses in the rear yard that are not custom built on site, such as a swing set or a trampoline; and
 - iv. Any activity or building permitted by another development review process that has the same detail as the Design Review Process, including but not limited to conditional use development applications and site-specific PUD development applications.
 - (a) The Planning Division shall determine if an activity or building is approved via another development review process that has the same detail as the Design Review Process prior to an activity being exempt from the Design Review Process.
 - (b) Such written determinations shall be made either concurrent with the non-Design Review Process development application or by a separate written request after a development application has been approved.
 - (c) Examples of this include a facility that has detailed plans (grading, landscaping, floor plans, elevations, etc.) approved via the Conditional Use Permit Process and, therefore, would not be required to also conduct a Design Review Process.
 - v. Seasonal decorations that comply with any limitations in the CDC, such as the Lighting Regulations and be installed for no more than 60 days for all events except for winter seasonal decorations that may be installed for no longer than five (5) consecutive months.
- b. Even though an activity may be exempt from the Design Review Process, such activities shall still comply with the applicable requirements of the Design Regulations and this CDC.
- c. Even if an activity is exempt from the Design Review Process, it shall be the responsibility of the owner, developer or agent of a lot or property to ensure the activity, development, structure or improvements are constructed in compliance with the Design Regulations and the CDC.

C. Review Process

1. Class 1 Applications.

- a. The following types of Design Review Process development applications shall be processed as class 1 applications:

- i. Design revisions or remodeling that are minor in nature, does not alter the massing of the structure and does not compromise the intent of the Design Regulations or approved plans provided the developer provides a courtesy notice to all property owners within 400 feet of the lot affected by the redevelopment;
 - ii. Roofing replacement;
 - iii. Insubstantial landscaping and grading development applications;
 - iv. Sign permits;
 - v. Bridges for recreational or pedestrian paths;
 - vi. Fire mitigation and forestry management projects;
 - vii. New or modified lighting on all buildings and structures;
 - viii. The replacement of a lift with a new lift provided the capacity of the lift is not changing;
 - ix. Minor golf course improvements or landscaping, such green or tee replacements; and
 - x. Minor ski resort improvements such as replacing or installing a snowmaking line.
- b. If any is design variation is sought pursuant to Design Variation Process for one of the development applications set forth above, such development application shall be processed as a class 3 application.
 - c. The review authority may elect to elevate a Design Review Process development application to either a class 2 or 3 application based on complicating factors, complex design or other similar considerations.
 - i. If the review authority elects to elevate a Design Review Process development application to a class 3 application, no public notice of such application is required.

2. Class 2 Development Applications:

- a. The following types of Design Review Process development applications shall be processed as class 2 applications:
 - i. Building additions that do not increase the floor area by more than twenty-five percent (25%) of the primary structure;
 - ii. Design revisions or remodeling that are more significant in nature, minimally alters the massing of the structure and does not compromise the intent of the Design Regulations or approved plans provided the developer provides a courtesy notice to all property owners within 400 feet of the lot affected by the redevelopment;
 - iii. New or remodeled, non-residential buildings or structures with less than 2,500 sq. ft. of floor area; and
 - iv. Substantial landscaping and grading development applications;
- b. If any is design variation is sought pursuant to Design Variation Process for one of the development applications set forth above, such development application shall be processed as a class 3 application.
- c. The review authority may elect to elevate a Design Review Process development application to a class 3 application based on complicating factors, complex

design or other similar considerations.

- i. If the review authority elects to elevate a Design Review Process development application to a class 3 application, no public notice of such application is required.

3. Class 3 Development Applications. All other Design Review Process development applications not listed above shall be processed as class 3 applications. Class 3 applications consist of two steps as outlined below.

a. **Sketch Review.** The intent of the Sketch Review is to allow the DRB a preliminary review of the composition of the project to determine whether it is responsive to the Town Design Theme; fits within the context of the existing neighborhood and to identify the appropriateness of potential variations. The review is not a public hearing and does not constitute a final action. ~~no action will be taken.~~

i. **Sketch Review Disclaimer.** Any comments, ~~or~~ general direction, warranties, guarantees and/or approvals in any manner or form by the DRB shall not be considered a final action at Sketch Review ~~binding or represent any promises~~, warranties, guarantees and/or approvals in any manner or form. A sketch review shall not be construed as a comprehensive review of the proposal under discussion, and as such, additional issues and/or concerns will most likely arise as part of the final review process.

~~3.b.~~ **Final Review.** Held on a subsequent agenda after the Sketch Review, the Final Review is a public hearing to determine the project's consistency with the Town Design Theme and compliance with the CDC.

Formatted: Font: Bold

Formatted: List Paragraph, Indent: Left: 1", Hanging: 0.5", Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.75" + Indent at: 1"

Comment [GVN10]: If DRB has to "approve" to move forward, isn't this an action? Or can we simply make it a requirement of the Formal Approval that the DRB has voted to move project to Formal Review? See change. This avoids appeals on sketch.

Formatted: Indent: Left: 1.5", Hanging: 0.5"

Formatted: Normal, Indent: Left: 1.88"

Formatted: Font: Bold

Formatted: List Paragraph, Indent: Left: 1", Hanging: 0.5", Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.75" + Indent at: 1"

D. Criteria for Decision

1. The following criteria shall be met for the review authority to approve a Design Review Process development application:
 - a. The proposed development meets the Design Regulations;
 - b. The proposed development is in compliance with the Zoning and Land Use Regulations;
 - c. The proposed development complies with the road and driveway standards;
 - d. The proposed development is in compliance with the other applicable regulations of this CDC;
 - e. The development application complies with any previous plans approved for the site still in effect;
 - f. The development application complies with any conditions imposed on development of the site through previous approvals; and
 - g. The proposed development meets all applicable Town regulations and standards.
2. It shall be the burden of the applicant to demonstrate that submittal material and the proposed development substantially comply with the Design Regulations.

E. General Standards

1. **Licensed Architect Required.** All development applications for a structure or building to be constructed, altered or modified within the town are required to be stamped by a

Colorado licensed architect.

- a. If allowed by the CRS 12-25-301 et seq, the Director of Community Development may exempt a remodeling development application from this requirement if he/she determines that such remodeling is minor in nature and without any modification to a building's mass, or for a remodeling that is simply proposing the replacement of exterior materials and associated minor alterations.
2. **Master Development Plan.** Development applications with several phases are required to receive approval of a master development plan pursuant to the class 3 application process. Each phase will require review per the applicable Design Review Process set forth above and the Design Regulations. Design review development applications for each phase will conform to the approved master development plan.
 - a. The master development plan shall be used as a guide for the subsequent development of sites and the design and location of buildings and grounds within the project. All plans subsequently approved by the DRB in accordance with the Design Regulations shall substantially conform to the master development plan approved by the DRB.
3. **DRB Design Review Prior to Building Permit.** A building permit for a project that requires Design Review Process shall not be issued unless such project has been reviewed and approved pursuant to the Design Review Process and the Design Regulations.
 4. **Non-Conforming Lots or Buildings:** A Design Review Process development application shall require the applicant to bring the existing building(s), structure(s), landscaping and other site elements into compliance with the current Design Regulations and CDC requirements. The Town shall only seek to bring a lot, site or building into compliance with the CDC in direct proportion to the development application to ensure that the costs of compliance are fair and balanced to the level of originally requested improvements.
 5. **Design Variation Process.**
 - a. The DRB may grant design variations to the following Design Regulations sections:
 - i. Building siting design;
 - ii. Grading and drainage design;
 - iii. Building design;
 - iv. Landscaping regulations;
 - v. Trash, recycling and storage areas;
 - vi. Lighting regulations;
 - vii. Sign regulations; and
 - viii. Commercial, ground level and plaza area regulations.
 - b. A design variation request shall be processed concurrently with the applicable Design Review Process development application.
 - c. A design variation request shall outline the specific variations requested and include the section number.
 - d. A design variation request shall provide a narrative on how the variation request meets the design variation criteria for decision.

- e. The following criteria shall be met for the review authority to approve a design variation development:
 - i. The design variation is compatible with the design context of the surrounding area, and provides for a strong mountain vernacular design.
 - ii. The design variation is consistent with the town design theme;
 - iii. The strict development application of the Design Regulations(s) would prevent the applicant or owner from achieving its intended design objectives for a project;
 - iv. The design variation is the minimum necessary to allow for the achievement of the intended design objectives;
 - v. The design variation is consistent with purpose and intent of the Design Regulations;
 - vi. The design variation does not have an unreasonable negative impact on the surrounding neighborhood; ~~and~~
 - ~~vii.~~ vii. The proposed design variation meets all applicable Town regulations and standards; ~~and~~
 - ~~viii.~~ viii. The variation supports a design interpretation that embraces nature, recalls the past, interprets our current time, and moves the town into the future while respecting the design context of the neighborhood surrounding a site.
- f. Cost or inconvenience alone shall not be sufficient grounds to grant a design variation.
- g. It shall be the burden of the applicant to demonstrate that submittal material and the proposed development substantially comply with the design variation process.

Formatted: Normal, Indent: Left: 1.31", Hanging: 0.69"

6. DRB Compliance Inspection. No owner, lessee or their agent or assignee shall apply for a certificate of occupancy (CO), temporary certificate of occupancy (TCO), final building approval or other similar occupancy approvals from the Building Division unless the applicant has received final inspections for compliance conducted by the Planning Division staff, and staff has signed the Building Division inspection card.

- a. In the event that paving and/or landscaping cannot be constructed without unreasonable delay, a TCO may be issued, if the applicant complies with the landscape completion policy in the Design Regulations.

SIGN-IN SHEET

DRB Meeting

THURSDAY FEBRUARY 2, 2017

Please write clearly

ATTENDEE NAME (PLEASE PRINT CLEARLY)	EMAIL ADDRESS
Jean Vatter	
DEVIN MORRIS	
Mark McGarvey	
DAVID BALLODE	dbalode@msa.com
LEA SISSON	lea@leasissonarchitects.com



Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2016-ANM-3899-OE
Prior Study No.
2015-ANM-760-OE

Issued Date: 01/19/2017

DeeDee Stout
CCATT LLC
2055 S. Stearman Drive
Chandler, AZ 85286

**** MARKING & LIGHTING RECOMMENDATION ****

The Federal Aviation Administration has completed an evaluation of your request concerning:

Structure:	Antenna Tower 821994 Telluride
Location:	Telluride, CO
Latitude:	37-56-01.91N NAD 83
Longitude:	107-50-05.84W
Heights:	10476 feet site elevation (SE) 110 feet above ground level (AGL) 10586 feet above mean sea level (AMSL)

Based on this evaluation, we have no objection to the change provided the structure is marked/lighted in accordance with FAA Advisory Circular 70/7460-1, L Change 1 , Obstruction Marking and Lighting, red lights - Chapters 4,5(Red),&12.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

So that aeronautical charts and records can be updated, it is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed when the new system is installed and operational.

Your request for consideration to utilize an Aircraft Detection Lighting System to operate the recommended lighting is approved provided that the equipment meets established technical standards.

If this structure is subject to the authority of the Federal Communications Commission a copy of this letter will be forwarded to them and application should be made for permission to change the marking/lighting as requested.

This evaluation concerns the effect of the marking/lighting changes on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (202) 267-4525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2016-ANM-3899-OE.

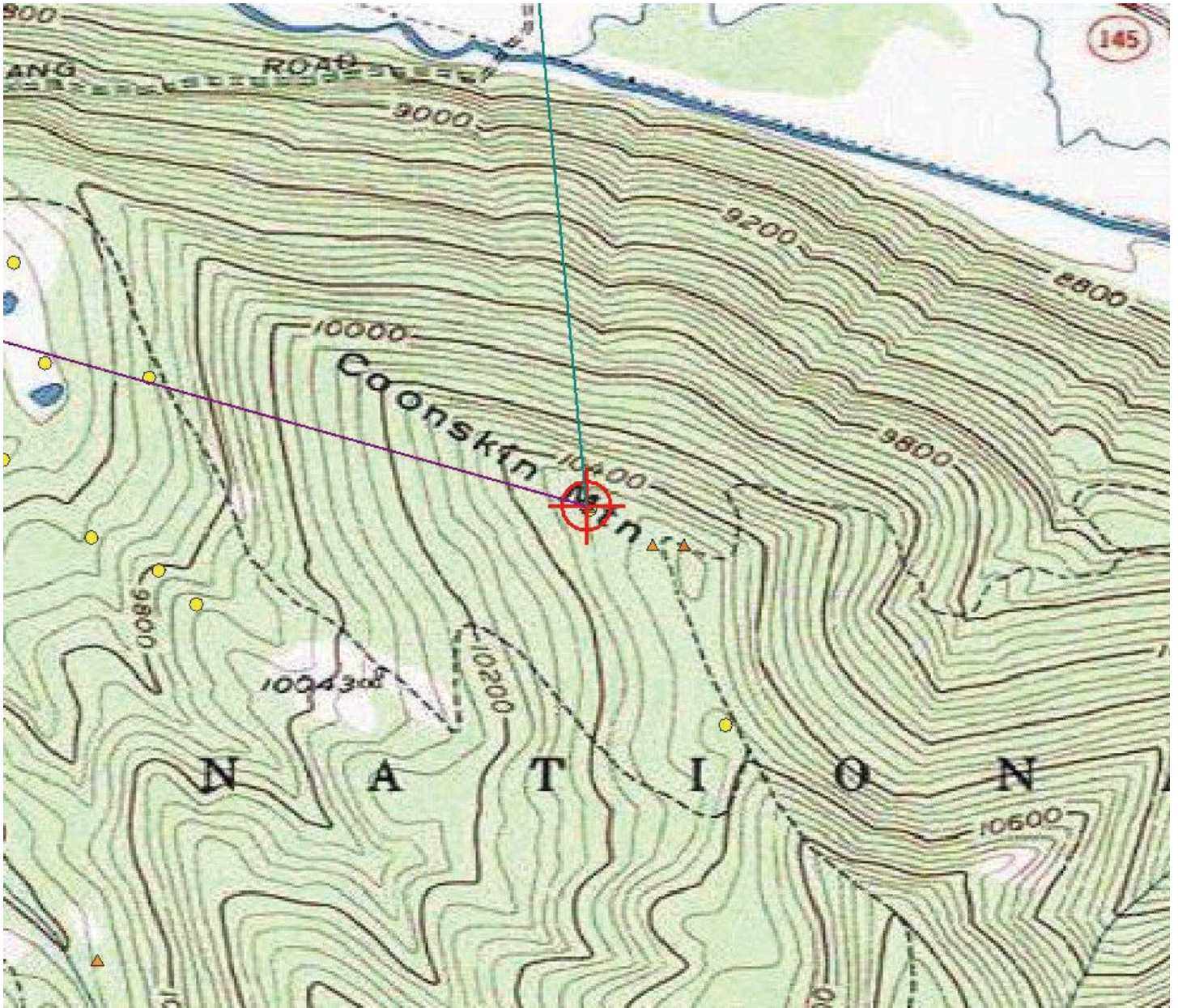
Signature Control No: 313108838-317994827

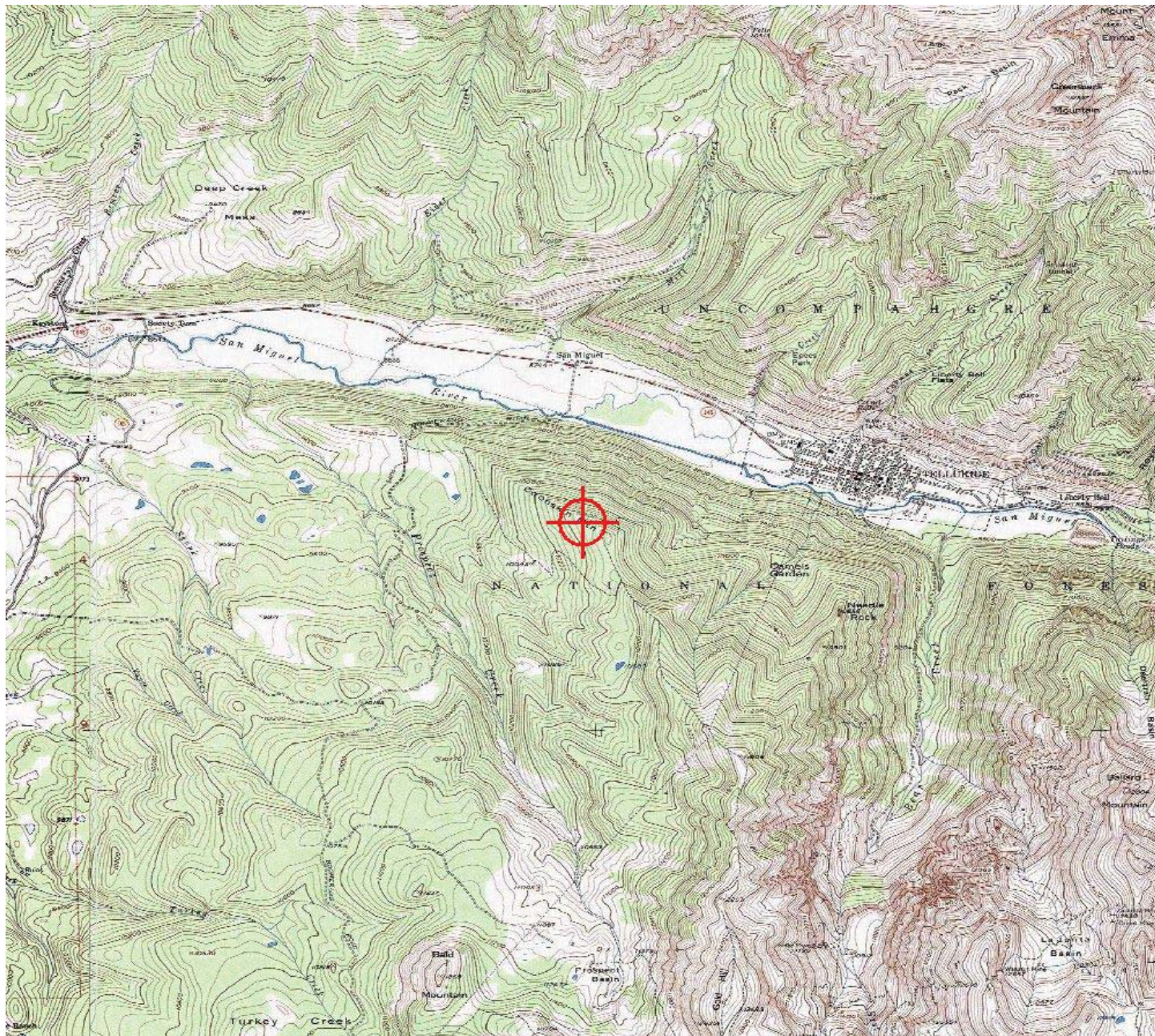
(MAL)

David Maddox
Specialist

Attachment(s)
Map(s)

cc: FCC







SAN MIGUEL COUNTY

BOARD OF COMMISSIONERS

HILARY COOPER

KRIS HOLSTROM

JOAN MAY

February 1, 2017

Honorable Mayor Dan Jansen and Town Council Members
David Eckman, Chair and members of the TMV Design Review Board

Re: Referral of the Application to Amend the Previously Approved Conditional Use Permit
For a 100-foot Communication Tower to be located on Tract OSP 49-R proposed by
Crown Castle and TSG Ski & Golf.

Dear Mayor Jansen, Council Members & Members of the Design Review Board

Based on new information provided this morning from the applicant concerning FAA approval of an alternative lighting system that will only activate when there are aircraft in the area the Board of County Commissioners is sending you this amended letter to reflect this new information, which supersedes our letter to you dated January 27, 2017

Thank you for the referral of this application from your Planning & Development Services Department. This referral is consistent with and in compliance with the referral provisions of the "Ridgeline Covenant" contained in the Stipulated Settlement Order between the TMV, TSG and San Miguel County that was entered into and recorded in September 1999.

The Board of County Commissioners (BOCC) at its regular public meeting held on Wednesday, January 25, 2017 considered making comments on the referral of this application to the Town of Mountain Village. The referred application seeks to amend the previously approved Conditional Use Permit issued in 2015. The pending application seeks to remove the stipulation that prohibited the tower proposed by AT&T from including lights to allow a red beacon as required by the Federal Aviation Administration (FAA). In reviewing this application the BOCC determined that the proposed 100' foot guyed communication tower with a red beacon on top will be visible from and extend into the Coonskin View Plan as described within the Ridgeline Covenant, in apparent violation of the visibility restrictions specified in section 2 of the 1999 recorded covenant.

The BOCC is very concerned with the visual impacts of development and lights on the Coonskin Ridge and with maintaining the integrity and intent of the Ridge Covenant. The BOCC has been advised of the January 16, 2017 letter from Bill Jensen, TSG CEO, to Sheriff Masters advising him of the November 2014 expiration of the 1988 KOTO Coonskin Tower Agreement and that based on structural capacity reports for the existing tower it will need to be vacated by the Sheriff's Department and associated parties, including the removal and of all equipment and cables. The BOCC has also considered the recent letters received from Chris Broady, Chairperson of the San Miguel Emergency Services Authority (SMETSA), and members of the public, stating the importance and need for the new tower to maintain and improve Emergency Radio

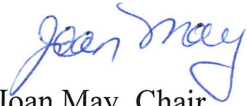
Communications and provide for the community's public safety. Having considered this matter, the BOCC is prepared to not initiate legal action to enforce the Ridgeline Covenant should the Town of Mountain Village approve this application to amend the CUP to allow this proposed communication tower with the FAA required Red beacon subject to the following conditions being imposed on and required of the applicant and/or committed to by the Town of Mountain Village:

1. The applicant, Crown Castle, enters into a legally binding written commitment with San Miguel County to allow the relocation of the State of Colorado's DTRS 800 Radio System equipment located on the existing 90 foot communication tower onto the proposed new 100 foot communication tower in a manner and at locations acceptable to the San Miguel County Sheriff, the Colorado Office of Information Technology, and SMETSA. In addition to amending the previously approved CUP application to remove the prohibition on a light on the new tower it is requested that the Town as a part of this amended application require Crown Castle to provide a new site plan depicting the DTRS 800 Radio System equipment and the proposed site elevations together with the proposed AT&T Antennas together with future collocator antenna array and microwave dishes on a drawing to replace the Proposed Site Elevations, Sheet C-3.1 prepared by Black & Veatch in 2015.
2. The Town of Mountain Village by separate agreement with San Miguel County and/or written resolution formally commits to turn off and discontinue using the "Upper Bank" of lights in the San Sophia Gondola Station, as demonstrated on the evening of January 17, 2017, from dusk to dawn to reduce light spill into the Coonskin View Plane. It is understood that these lights may be turned on intermittently and as needed for maintenance and or repairs, as well as in emergency situations.
3. The applicant, Crown Castle, shall install and utilize an Aircraft Detection Lighting System on Antenna Tower 821994 Telluride as approved by the FAA pursuant to Aeronautical Study No. 2016-ANM-3899-OE issued on 01/19/2017 so that the lighting system on the proposed 100-foot communication tower will only be activated when there are aircraft in the area.

The Board would like to thank the applicant, Mark McGary, Marken Telecom Services, who on behalf of Crown Castle took the initiative to file a formal request with the FAA to utilize an Aircraft Detection Lighting System to operate the required tower lighting as an alternative to the original proposal. It should be noted and understood that in making this decision we do not consider this to establish a precedent or be a routine action when it comes to compliance with and enforcement of the Coonskin Ridgeline Covenant in the future.

Sincerely,

BOARD OF COUNTY COMMISSIONERS


Joan May, Chair

cc: Glen Van Nimwegen, TMV Planning and Development Services
Sheriff Bill Masters
Greg Clifton, Telluride Town Manager
Bill Jensen, TSG, CEO
Jeff Proteau, TSG
Mark McGary, Marken Telecom Services

[text/word/coonskin.tower.referral.bocc]



Office of the Mayor
Sean Murphy, Mayor

February 1, 2017

Mr. Glen Van Nimwegen
Planning & Development Services Director, Town of Mountain Village

Submitted electronically via email to gvannimwegen@mtnvillage.org

Dear Mr. Van Nimwegen,

This letter is in response to your request for input on the Crown Castle Communications application to include a red light on the new communications tower that was approved by The Town of Mountain Village Town Council pursuant to Resolution 2015-0423-08.

The Town of Telluride is not a party to the 1999 Development Covenant ("Ridgeline Covenant") between Telski, San Miguel County, and St. Sophia Partners, LLC. However, the Ridgeline Covenant specifies that all applications for development on land that is subject to the Ridgeline Covenant shall be referred to the Town of Telluride for comments regarding compliance with the provisions of the Ridgeline Covenant. The Town of Telluride, and views of the night sky from the Town of Telluride, are impacted by development on the ridgeline. The Town was clearly intended to benefit from provisions of the Ridgeline Covenant, and the comments in this letter are meant to be advisory to the Town of Mountain Village regarding this specific application, as allowed by the Ridgeline Covenant.

It appears that the Federal Aviation Administration (FAA) requires that a red light be located on the approved Crown Castle Communications tower, contrary to the requirements of the initial Town of Mountain Village Conditional Use Application approval. The simulation of installing a red light near the proposed location of the new Crown Castle Communications tower in November of 2016 verified that the red light will be visible from the Town of Telluride, in violation of the Ridgeline Covenant requirement that "all structures, improvements, and lighting on the Ridgeline Properties shall be constructed, operated, and maintained so that they shall not be visible from or extend into the View Plane..."

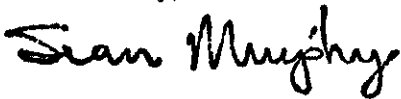
The proposed Crown Castle Communications tower has the potential to offer increased communications access for the region, in the form of additional space for telecommunications equipment. The new tower may also serve as a location for emergency services and law enforcement communications equipment, which is currently located on a tower that cannot structurally support the equipment. The Town of Mountain Village has also indicated that in connection with the proposed installation of the red light on the tower, the lights emanating from the St. Sophia Gondola Station could be reduced, in consideration of the community's concern about lighting in the night sky.

These potential benefits of the tower must be balanced with the clear language of the Ridgeline Covenant that prohibits additional illuminated structures on the Ridgeline. A balance could perhaps be reached if the proposed benefits of the tower—guaranteed communication co-location, future maintenance and upgrade potential for all emergency service and law enforcement providers—are documented and formally agreed upon as conditions of approval of the proposed red light on the tower.

We learned today that the FAA will allow an Aircraft Detection Lighting System to be used in this location, which would turn on the red light only when aircraft is in the area. We request that this technology be a requirement of any approval of the red light. In addition, we believe a legal requirement to reduce the existing illumination of the St. Sophia Gondola Station is an important component to any possible compromise to permit the red light on the tower.

This is a difficult decision, and one that we hope you will make in a manner that balances the public needs for enhanced communication infrastructure with the important considerations outlined in the Ridgeline Covenant, which were meant to protect the unique viewshed in Telluride and our region.

Sincerely,

A handwritten signature in black ink that reads "Sean Murphy". The signature is written in a cursive, slightly slanted style.

Sean Murphy
Mayor, Town of Telluride

Cc: Steven Zwick, San Miguel County Attorney
Mike Rozycki, San Miguel County Planning Director

Dear Mayor Jansen and members of the Town Council, and
Chairman Eckman and members of the Design Review Board,

My name is Ramesh Cherukuri and I am writing today to
comment on your consideration of an application for a new
radio/cell tower on Coonskin Ridge adjacent the Ridge
project.

I am a long time investor and property owner in Telluride
and Mountain Village with investments going back to the
Doral Hotel days. I currently own lots 893A and 92 in the
Village core and most importantly as far as the subject of
this letter is concerned the majority owner of the zoned
units in the Ridge project.

Through my LLC Coonskin Cabin Lot LLC I own Lot 161A-R2 and
Open Space Tract 161-R3 that are immediately adjacent to
the proposed new tower access road that is proposed for
access to the new tower.

I wish to first make clear I do not oppose the new tower,
but I do have serious questions and concerns about the
proposed new access road.

A bit of history;

The Ridge project has had a very long term and satisfactory
relationship with our neighbor the Cookskin radio tower
dating back to the inception of the Ridge project.

We have operated under a simple, rather generic maintenance
access agreement with the various owners of the tower over
the years.

In 2015 we had negotiated and we thought had reached
agreement for a new long term, 30 year agreement, with ATT
for construction and continued maintenance of the new
tower.

That agreement was suddenly dropped and consequently there
is no current access agreement.

My concerns are as follows:

1. Access Road Location. It is unclear EXACTLY where the
proposed new access road is to go in relation to Lot 161A-
R2 and OS Tract 161R-3. Greg Pope, the President of the

Ridge HOA, was told a current survey would be provided clearly showing the lot lines for the Ridge properties and the proposed new road but then was later told the survey would have to wait until Spring. My concern is that if the new tower and access road are approved that there will be no disturbance of the above property.

2.Tree Removal. It seems in order to build the access road a LOT of trees will have to be removed. Those trees form the backdrop and screening for the approved and planned development of Lot 161A-R2. We don't wish to see them removed, any of them. But since we are not aware of an existing survey of the proposed tree removal we don't really know what the scope of the tree removal might be and how it might affect Ridge property. Does such a survey exist and if so was it provided to Ridge owners?

Finally I would respectfully ask you to consider if a new access road is really necessary. Given the concerns I have outlined above and when alternative access is available Ridge property as it has been for years, what's the point?

If accommodations for one time construction access need to be made we're happy to discuss those accommodations and are confident we can make it work.

Sincerely.
Ramesh Cherukuri
15 Davis Drive
Saginaw, MI 48602
rcherukuri@aol.com
989.928.0360

February 1, 2017

PROPOSED MOTION FOR FEBRUARY 1, 2017 DRB AGENDA ITEM 4: CUP AMENDMENT FOR RED LIGHT ON TOWER

"I move to recommend the Town Council approve the proposed amendment to the conditional use permit recorded as Resolution No. 2015-0423-08 with the findings contained in the staff memo and the following amended conditions:

1. *The tower ~~shall not~~ MAY include a light beacon AS REQUIRED BY ~~or be~~ brightly painted to stand out to aircraft. If the Federal Aviation Administration ("FAA") SUBJECT TO THE USE OF AN AIRCRAFT DETECTION LIGHTING SYSTEM AS APPROVED BY THE FAA. ~~requires either a light beacon or bright paint for the tower to stand out, the antenna shall be lowered to a height where these FAA requirements do not apply.~~*
2. *The proposed towers and antennas shall be painted to match the surrounding tree color below the tree line and a blue gray above the tree line to mitigate visual impacts. The applicant shall provide color samples to the Town and San Miguel County for review and approval prior to or concurrent with submitting for a building permit.*
3. *New antennas or equipment placed on the existing tower shall be painted to match the surrounding tree color below the tree line and a blue gray above the tree line to mitigate visual impacts, with the color reviewed and approved by the Town and San Miguel County.*
4. *The new tower shall be designed to co-locate the number of antennas shown on the Proposed Site Elevations plan, Sheet C-3.1 dated 4/15/15.*
5. *The current and proposed towers shall be made available for colocation of new telecommunication equipment so long as: (A) there is enough room on the tower for the new equipment (given the vertical & horizontal separation requirements of the current users), (B) there is enough structural capacity for the new equipment, and (C) the new equipment will not cause interference to the current users.*
6. *Prior to issuing a building permit, the applicant shall submit long-term easements from The Ridge, TSG and any other intervening property owner for (1) the access road to the tower site; (2) the tower site; and (3) utility routes for existing and new utilities to the site. Prior to executing such easements, the Town shall review and approve the easements to ensure long-term vehicular and utility access across intervening land and long term tower siting.*
7. *Prior to issuing a building permit, the applicant shall submit a composite utility plan to show the planned routes for power, fiber and any other necessary utilities to the site.*
8. *The approved conditional use permit application is for the benefit of the existing tower that is owned by Telluride Ski and Golf, LLC ("TSG") and the proposed new tower on TSG owned land. Therefore the conditional use permit is hereby granted to TSG and any successors or assigns.*
9. *The conditional use permit shall be valid for a period of twenty (20) years from the Effective Date subject to meeting the conditions specified herein.*

10. *THE APPLICANT, CROWN CASTLE, ENTERS INTO A LEGALLY BINDING WRITTEN COMMITMENT WITH SAN MIGUEL COUNTY TO ALLOW THE RELOCATION OF THE STATE OF COLORADO'S DTRS 800 RADIO SYSTEM EQUIPMENT LOCATED ON THE EXISTING 90 FOOT COMMUNICATION TOWER IN A MANNER AND AT LOCATIONS ACCEPTABLE TO THE SAN MIGUEL COUNTY SHERIFF, THE COLORADO OFFICE OF INFORMATION TECHNOLOGY, AND SMETSA. THE APPLICANT SHALL PROVIDE A NEW SITE PLAN DEPICTING THE DTRS 800 RADIO SYSTEM EQUIPMENT AND THE PROPOSED SITE ELEVATIONS TOGETHER WITH THE PROPOSED AT&T ANTENNAS TOGETHER WITH FUTURE COLOCATOR ANTENNA ARRAY AND MICROWAVE DISHES ON A DRAWING TO REPLACE THE PROPOSED SITE ELEVATIONS, SHEET C-3.1 PREPARED BY BLACK AND VEATCH.*
11. *THE TOWN, BY WRITTEN RESOLUTION, FORMALLY COMMIT TO TURN OFF AND DISCONTINUE USING THE "UPPER BANK" OF LIGHTS IN THE SAN SOPHIA GONDOLA STATION, FROM DUSK TO DAWN TO REDUCE LIGHT SPILL IN TO THE COONSKIN VIEW PLANE. IT IS UNDERSTOOD THAT THESE LIGHTS MAY BE TURNED ON INTERMITTENTLY AS NEEDED FOR MAINTENANCE AND REPAIRS, AS WELL AS IN EMERGENCY SITUATIONS.*



HOME TECHNOLOGY APPLICATIONS

CONTACT

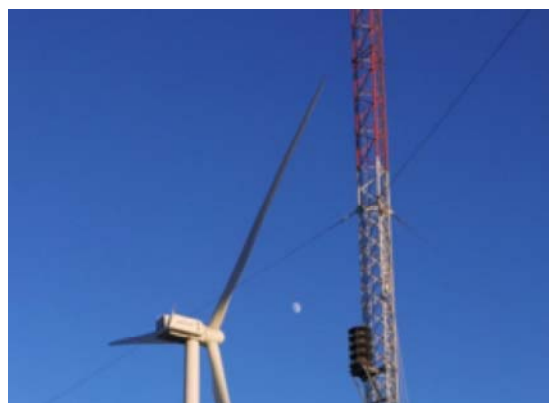
MD-12 Pulse Doppler Radar

Capabilities

- Proprietary radar design allows for Doppler processing from magnetron power source
- Detection of small moving targets in high clutter environments
- Low false alarm rate
- Integrated detection and tracking capability
- Site maps can be implemented to tune scenes to specific missions
- Tracker can be tuned to discriminate for targets of interest (aircraft, drones, birds, and others)
- Track data from multiple radars are merged together to establish perimeter protection of large areas via sensor fusion
- Radar control and track data output are available via standard IP-based network protocols



Laufer Radar Systems MD-12 pulse Doppler radar



- Target data and system status are readily available to other applications
- Other applications can interface with individual radars or a central processor for multi-radar output
- Designed for harsh environments
- Radar system components are designed as Line Replaceable Units (LRUs) for rapid maintenance and repair
- Designed for easy up-tower maintenance
- Radars have been operational at Bedford, NH R&D Facility (>3 Years), and the US National Renewable Energy Laboratory near Boulder, Colorado (>2 Years)
- Fully certified (FCC, CE, ETL)



MD-12 radar system installed at NREL

Technical Specifications

- Detection Range (1 sq-m RCS Target):
 - 12 km (all weather)
 - 16km (clear weather)
- Frequency: X-Band 9.4 GHz
- Peak RF Power: 12kW
- Pulse Width: 250 nsec to 1 usec
- PRF: 500 to 2000 Hz
- Average RF Power: 12W
- Rotating Antenna: 20 rpm
- Radar Package Size: 30.5 cm x 38.1 cm x 38.1 cm
- Antenna Package: 127.0 cm x 48.2 cm x 27.9 cm

- Beam Pattern: 2 x 11 Degrees
- Radar Weight: 46 kg with Radome
- Power: 100-240VAC, 50/60Hz, 300W
- Operating Temp. Range: -40 deg C to 55 deg C
- Operating Wind Range: 0-56m/s (0-125 mph)
- IP Rating: IP56
- Radar MTBF (per Telcordia): >6.4 Years

©2015 Laufer Wind Group LLC

Jane Marinoff

From: Dave Bangert
Sent: Monday, February 06, 2017 12:43 PM
To: Jane Marinoff
Subject: FW: Turn Radius Not Compliant

This was handed out to the DRB members at the 02/02/2017 meeting.

Dave Bangert
Senior Planner/Forester
Town of Mountain Village
455 Mountain Village Blvd, Suite A
Mountain Village, CO 81435
O :: 970.369.8203
C :: 970.417.1789
F :: 970.728.4342

From: Jim Boeckel [<mailto:jim@telluridefire.com>]
Sent: Thursday, February 02, 2017 9:46 AM
To: Dave Bangert
Subject: RE: Turn Radius Not Compliant

Dave,

I concur with the comments, this is why required the parking area, standpipe, and pathway from the parking area to the structures. My fire trucks won't be able to make the turn. The ambulances will be ok.

Jim Boeckel
Fire Marshal
Telluride Fire Protection District
P.O. Box 1645
Telluride CO. 81435
Phone 970-728-3801 Cell 970-729-1454
e-mail jim@telluridefire.com

From: Dave Bangert [<mailto:DBangert@mtnvillage.org>]
Sent: Thursday, February 02, 2017 9:02 AM
To: lea@leassissonarchitects.com
Cc: David Ballode (dballode@msn.com) <dballode@msn.com>; Forward jim.telluridefire.com <jim@telluridefire.com>
Subject: FW: Turn Radius Not Compliant

Please see the comments from the DRB chairman below.

Dave Bangert
Senior Planner/Forester
Town of Mountain Village
455 Mountain Village Blvd, Suite A
Mountain Village, CO 81435
O :: 970.369.8203

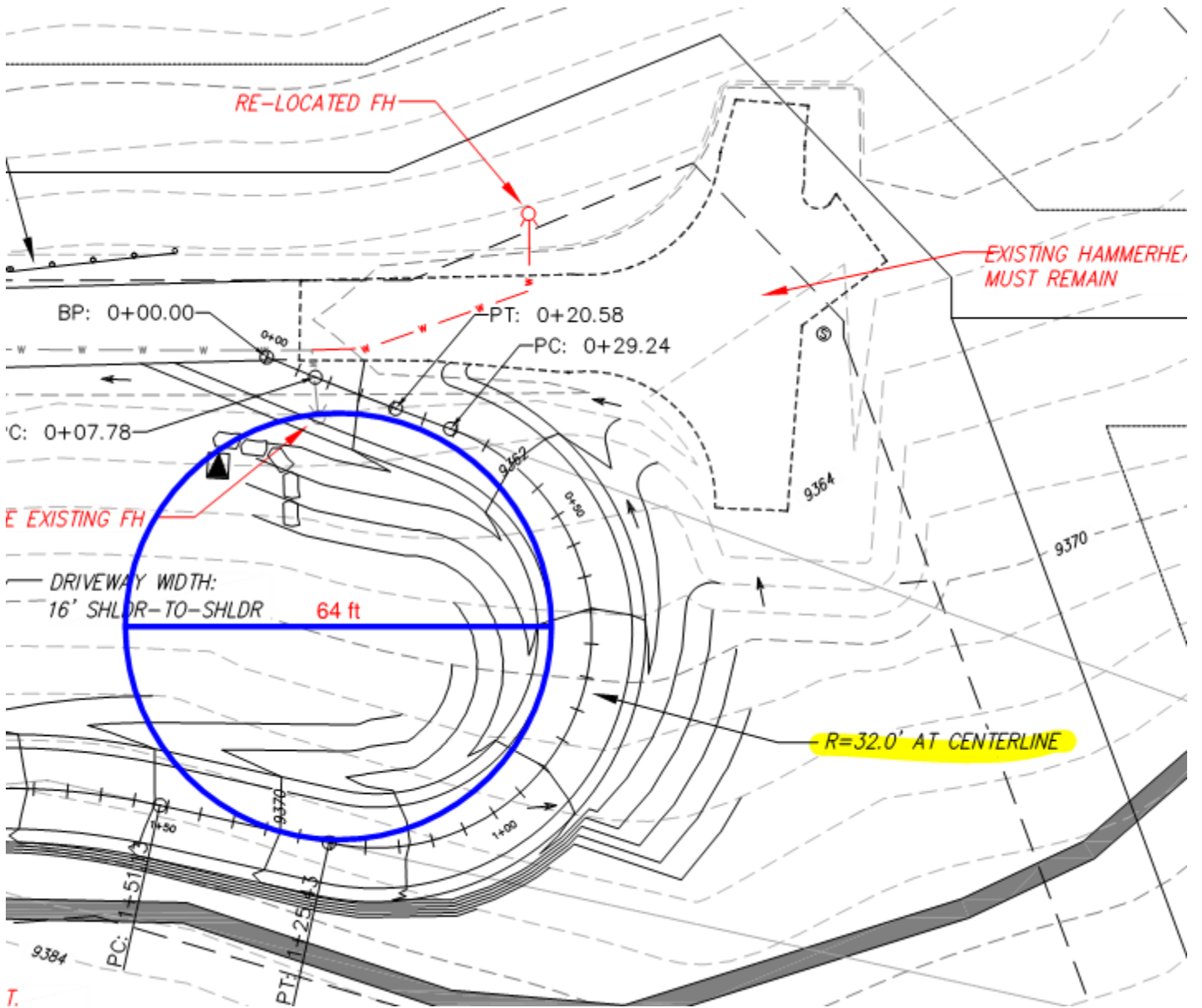
C :: 970.417.1789
F :: 970.728.4342

From: Glen Van Nimwegen
Sent: Thursday, February 02, 2017 8:59 AM
To: Dave Bangert
Subject: FW: Turn Radius Not Compliant

From: David Eckman [<mailto:ddeckman@eckmancm.com>]
Sent: Thursday, February 02, 2017 8:59 AM
To: Glen Van Nimwegen
Subject: Turn Radius Not Compliant

Glen,


On the pending application for the revised driveway the civil engineer proposed a 32' turn radius at centerline. Page 551 of the municipal code, item 6 of the driveway standards specifically states the minimum radius is applicable to the inside radius. I would be concerned that this may be too tight of a turn. See exhibit as follows to see the difference between the 2 means of designing and measuring.




In my research this nearly or does exceed the turn radius of customary vehicles that would need to access this property. Here is a snapshot from online research:

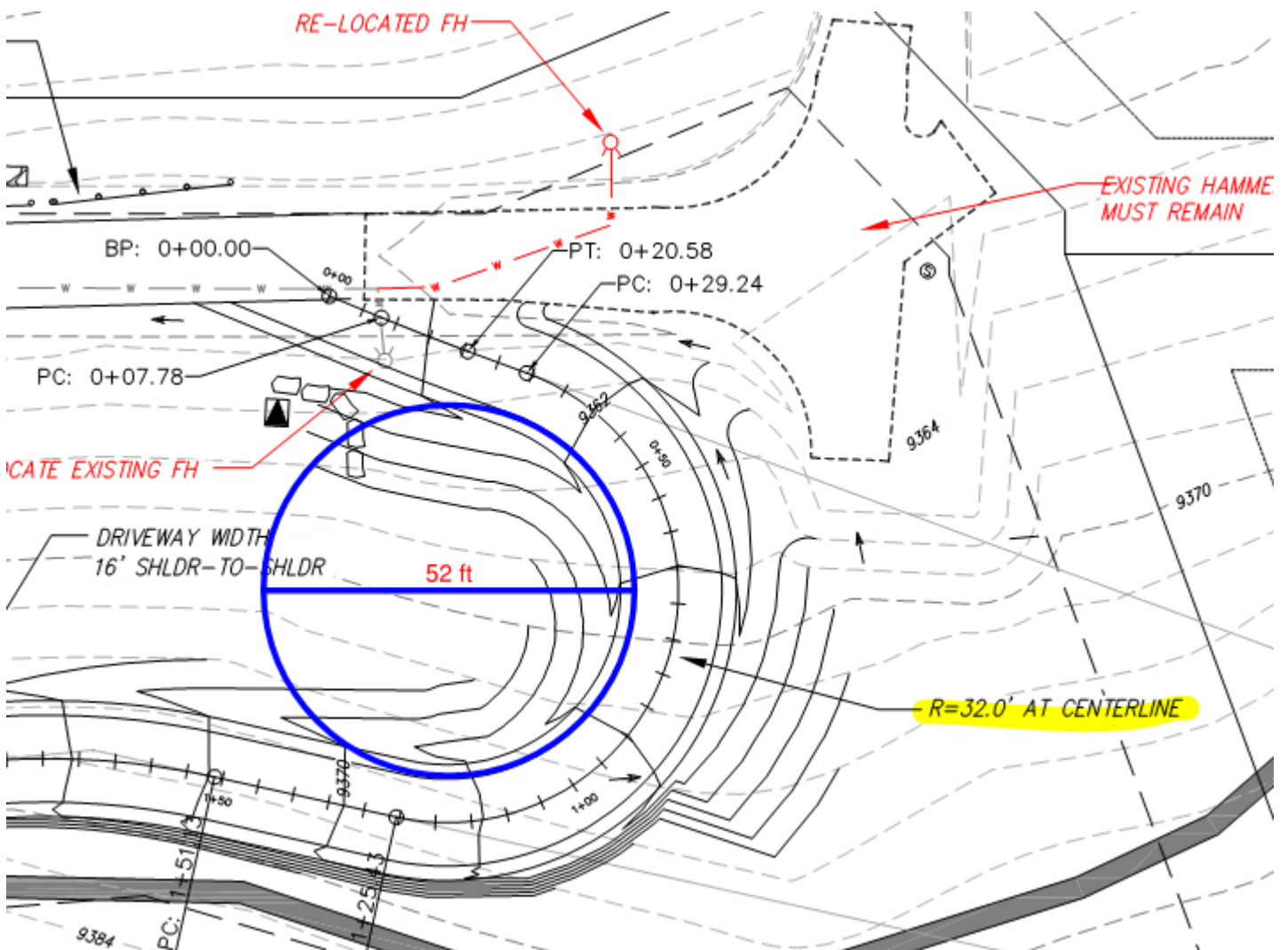
2016 Ford F-150 / Turning radius

20.35 to 26.5'

 2016 Ford F-250
23.05 to 29.25'

 2016 Ford F-350
23.05 to 29.25'

As I measure the proposed the inside radius is approximately 26' which is a substantive deviation from design standards.



Share and review with those who should be advised.

Respectfully,

David D Eckman, LEED® AP



120 Alexander Overlook
Telluride, CO 81435
970-462-3701 Office
970-708-9336 Cell

www.eckmancm.com

This e-mail, including any attachments, is intended solely for the person(s) to whom it is addressed and may contain confidential information protected by law. If you have received this e-mail in error, please notify us immediately by reply e-mail and then delete this message from your system and destroy all copies. Disclosing, copying, distributing information included in this message, or taking action based on this message by anyone other than the intended recipient(s) is strictly prohibited. We appreciate your cooperation. Unless stated to the contrary, any opinions or comments are personal to the writer and do not represent the official view of the company.

 Please consider the environment before printing this email

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2016.0.7998 / Virus Database: 4756/13884 - Release Date: 02/02/17