

GUNNISON COUNTY PLANNING COMMISSION
PRELIMINARY AGENDA: FRIDAY, September 18, 2020 by ZOOM meeting

- 8:45 a.m.**
- **Call to order; determine quorum**
 - **Approval of Minutes**
 - **Unscheduled citizens:** A brief period in which the public is invited to make general comments or ask questions of the Commission or Planning Staff about items which are not scheduled on the day's agenda.

- 9:00 a.m.** **Aero Marketing- LUC-20-00030; continued public hearing.** Aero Marketing and Logistics, LLC is proposing to install a 150-foot multi-user telecommunication facility with two prefabricated equipment shelters in order to accommodate the required radio/electrical equipment. The site will also require up to two backup generators with the appropriate diesel/propane storage tanks. This site is located off of US Highway 50, west of the CDOT building, west of Blue Mesa Dam, parcel # 398500000005.

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Adjourn

NOTE: Unless otherwise noted, all meetings are conducted by ZOOM meeting until further noticed. This is a preliminary agenda; agenda times may be changed up to 24 hours before the meeting date. If you are interested in a specific agenda item, you may want to call the Planning Department (641-0360) ahead of time to confirm its scheduled time. Anyone needing special accommodations may contact the Planning Department before the meeting.

**GUNNISON COUNTY PLANNING COMMISSION
REGULAR MEETING
Friday, September 18, 2020**

The Gunnison County Planning Commission conducted a regular meeting by Zoom virtual online meeting, Gunnison, CO.

Present:

Vice-Chairperson-Jack Diani	Director of Community and Economic Development-
Commissioner-Vince Rogalski	Cathie Pagano
Commissioner-Laura Puckett	Senior Planner – Rachel Sabbato
Daniels	Administrative Assistant III- Rebecca Ricord
Alternate Commissioner- Andy Sovick	Others present as listed in text
Alternate Commissioner- Scott Cox	

Absent: Commissioners AJ Cattles and Diego Plata

Seated: Alternate Commissioners Andy Sovick and Scott Cox

With a quorum present Vice-Chairperson Diani opened the September 18, 2020 regular meeting of the Planning Commission.

Moved by Puckett Daniels, seconded by Rogalski to approve the Planning Commission meeting minutes of, September 4, 2020 as amended, the motion passed unanimously.

Aero Marketing- LUC-20-00030; continued public hearing. Aero Marketing and Logistics, LLC is proposing to install a 150-foot multi-user telecommunication facility with two prefabricated equipment shelters in order to accommodate the required radio/electrical equipment. The site will also require up to two backup generators with the appropriate diesel/propane storage tanks. This site is located off of US Highway 50, west of the CDOT building, west of Blue Mesa Dam, parcel # 398500000005.

With a quorum present Vice-Chairperson Diani opened the continued public hearing.

Present representing the Planning Commission: Commissioners Diani, Rogalski, Puckett Daniels, Sovick and Cox.

Present representing staff: Senior Planner Rachel Sabbato, Administrative Assistant III Rebecca Ricord and Director of Community and Economic Development Cathie Pagano.

Present representing the application: Applicant/ Owners Chris and Scott Stryker and Tele Mtn Engineering, Engineer John Keating.

The commissioners introduced themselves.

Sabbato reviewed the Planning Commission public hearing protocol.

Ricord confirmed adequate notice. The staff had the notice published in the Crested Butte News, Gunnison Country Times and on the Gunnison County website.

Chris Stryker gave a brief summary of his application. The proposal consists of a 150 multi-user telecommunications structure to accommodate wireless carriers, emergency management personnel, CDOT, State Patrol and several County agencies. It's not strictly for wireless, however as a third party, Aero Marketing is welcoming all of the major carriers and emergency responders. There are two shelters proposed for all of the radio electric equipment, which will be housed at the base of the tower with a backup generator and the fuel source of either propane or diesel. The site is located just north of Highway 50 and west of the Blue Mesa Dam. This particular location was selected based on the difficult coverage area through the Blue Creek Canyon as well as a portion of Highway 92, further to the north along the Blue Mesa Dam. There is a large construction project slated for 2021 that is anticipated to take approximately two years, which was also a determining factor on the location to provide coverage in that area.

Sabbato confirmed with the Planning Commission that they received the public comment yesterday afternoon that she emailed to them. They all received it and it was added to the project database.

Sabbato went over the comments that were received by the planning commission and the public:

- Research about RF Emissions and the proximity to residences and any health impacts to agricultural operations.
- Describe impact on property values.
- Provide FCC document that explains the RF Emissions.
- Provide proof of receipt of public notice that were received back for the people who had signed for the notice letters.
- Discussion about specifics of the color of the tower and the possible conditions on how it can blend in and why a lattice structure is preferred.

C. Stryker stated that they have a third-party radio frequency engineer that will talk about the RF emissions. Puckett Daniels asked that they define RF emissions, electromagnetic waves and microwaves. John Keating, PE, introduced himself and gave his background. Explained that the FCC regulate all emissions over all of the licensed spectrum that they have prevue over. In regards to electromagnetic and microwaves, microwaves refer to a very specific part of the radio spectrum. RF emissions, electromagnetic waves and micorwaves all refer to the same thing. There are different levels of exposure that the FCC, in cooperation with the science organizations that consult with them, look at to determine if safe for public exposure. One frequency would have relatively different maximum permissible exposure level than another.

Keating explained that the FCC would consider this facility to fall under the category of Categorical Exclusion, under FCC OET Bulletin 65, the guidelines for telecommunication towers. The FCC has decided that, while all facilities must be compliant, there is a certain category of facilities that they deem to be categorically excluded from routine evaluation. They consider certain physical parameters at the site to be such that the chance of any detrimental effects to the public population to be so remote that they don't require an evaluation of the facility. They require evaluation for all facilities where the bottom part of the antenna is less than ten meters from the ground, roughly 30 feet and power out of the antenna is greater than 1000 watts EIRP. In this case, the tower being proposed is 150 feet without any antennas less than 10 meters off the ground, so the FCC would consider this facility to be deemed safe by virtue of its physical parameters. With regards

to compliance, it would be incumbent on those that do attach to the tower, that are FCC licensees, to have some kind of record of their installation showing that it follows FCC regulations.

C. Stryker stated that they have not found anything on how it effects agriculture, as far as property or livestock. The information that they have provided is from the human perspective.

C. Stryker went on to talk about the impact to property values. In the last meeting they were asked to give examples of property values closer to Gunnison. He looked at the property values near the tower that was constructed by the Gunnison High School football field and provided a table comparing the 2019 Assessor's value and 2020 actual sales price, within a 3,000-foot radius. Explained that a few of the property values dropped but there was a large increase and he doesn't believe the tower had an impact on the sales. Sabato asked how high the tower is. C. Stryker believes it is 75 feet.

Sabato asked whether there was anything in the FCC document that was provided that Stryker wanted to touch on. C. Stryker stated that all the information that he had included in the previous meeting and Keating's comments covers everything.

C. Stryker went over the questions about receipt of the notice of the public hearing. C. Stryker stated that the County does not require that they provide the green return card but that he provided them, along with a spreadsheet showing when each of the owners received the notices.

Sabato asked about the color, the structure of the tower itself and the colors of the antennas. C. Stryker commented that what he commonly sees in mountain areas is the etching of the tower. Since the structure is galvanized, in order to reduce the shine, they will use a chemical to etch it, which will dull the finish of the structure. The antennas can be painted. Typically, they are white. They can paint them if that is preferred. Would recommend to etch the tower and paint the antennas the specific color chosen.

Sabato showed the letter received yesterday afternoon, September 17, 2020, from attorney, Brent A. Martin, representing Erem.

Staff has no other comments.

Review Body Questions and Comments:

Sovick stated that the engineer mentioned that there has to be certain specifications if a tenant is placed less than ten meters from the ground and wanted to know what guarantees they have that there will never be a tenant placed lower than ten meters off the ground. C. Stryker asked that it be a condition of approval or put it as a requirement for any other future tenants. Sovick asked what the likelihood of that ever coming up would be. Keating stated that the FCC doesn't prohibit antennas from being placed lower than the ten meters but that it is the threshold for a tower structure where a routine evaluation would be required. You can put them lower than ten meters but it changes the compliance requirement to be mandatory.

Puckett Daniels asked Keating about the livestock concerns and if there are any studies or data that address that. Keating explained that he has not heard that is an issue, the guidelines are specific to human life. Puckett Daniels asked about the property values, residential and urban environment differences, believes that they would need to look at properties more similar. Is there any understanding of how these sites work on property values in a similar setting? C. Stryker stated that if you travel a quarter mile west of the proposed location Tri State or WAPA has the

large 230 KVA lattice tower structures. That's a very similar resemblance of what they are proposing. They could look at that property value and the impacts.

Public comments

Michael Yocum went over his concerns. He stated that there are already electrical poles on the south that run across their property lines. Their height is much lower than the proposed tower so you don't see them from every aspect. The proposed structure effects the viewshed. Having a 150-foot tower would obstruct their view. He wondered why they can't have a mono pole structure with other aspects so it doesn't have the same view impacts and would blend in much better. Asked what the impacts are for the towers if they are past that ten-meter mark and the regulations and requirements if they go past that. He wants to know that anything over 30 feet would have some requirements so they would be protected.

S. Stryker explained that they are proposing a lattice tower instead of a mono tower because it is most similar to the other ones in the surrounding areas. A mono pole has to be drilled with an auger that is three to four feet in diameter and 30 to 40 feet in depth and the geotech report they received back isn't conducive to that. A mono pole has to be put into a pier type foundation, the soils will not support that type of foundation. The lattice tower has a shallower foundation. C. Stryker stated that they are trying to be as similar to other structures in the area as they can be, they are only a little taller than the 125 feet of the other structures. Yocum stated that the power lines are in valleys and aren't blocking the viewshed and believes that the proposed structure will have an impact on their property value.

Keating explained that antennas mounted over ten meters are not exempt from being compliant in regards to transmissions that impact the public but that the FCC has deemed that above ten meters the likelihood that it will be a problem is small, so they don't require an automatic evaluation of it. Keating read through the FCC OET Bulletin 65 that was provided by the applicant.

Attorney Brent Martin explained that he represents the interest of Mrs. Erem. There are several issues that need to be looked at:

- Property value. This particular tower on the highest point on the property is considerably different from the single pole one in town.
- Viewshed issues. Is it possible to avoid viewshed issues by having two single pole towers that are half the height?
- Generators. If the generators are diesel what are the emissions, how often will they be operated on average, how will they impact the wildlife in the area, what noise will be generated and how will it affect the properties nearby?
- Tower tenants. Seems that once the tower is up any tenant that could fit on the tower would be permitted to as long as they fall under the FCC guidelines. If they went below the ten meters would that trigger an FCC evaluation. How would the neighboring property owners be notified and would they have an opportunity to address that before they are installed?
- Safety. Even if tenants are installed above the ten meters how many tenants will there be? How will they regulate the level of radio frequencies and microwave transmissions and how would the neighboring property owners be made aware of it? Would there be another planning session where the information is made aware to the adjacent landowners and the public or is it just left up to the planning commission and the FCC regarding guidelines?

C. Stryker explained that, in regards the impacts of the tower height at the 150 level, they typically look at utilities, access, topography, and willing landlords. In this instance, if they were to remove the site, how many sites would it take, how many towers would it take to cover the same area. Looking at that perspective, even from a financial standpoint, does it make sense to build three sites versus the one that would provide the coverage objective that they are looking for. If they can get away with one site versus multiple sites it would be better than spreading them across Highway 50.

C. Stryker stated that their generator would run on a test cycle, for five to eight minutes, every 30 days. In the event of an emergency, when the power goes down, it would kick in at that point. The generators are enclosed to reduce the decibel level, mitigating noise concerns for adjacent properties.

Keating stated it is typically up to the jurisdiction and their requirements in regards to tower tenants. C. Stryker stated that Aero Marketing is not an FCC licensee so it would be an opportunity for Gunnison County to require that any future tenants would comply with FCC requirements.

Puckett Daniels asked that Sabbato go over the process for the applicants if the project is approved. Asked whether the process of determining who the tenants are comes to the County or if that is up to Stryker and the telecom companies to create a lease agreement or does that go through a County process similar to this? Sabbato stated that they do not have to come through the County to get approval for the tenants. The planning commission is approving the tower. Pagano explained that according to Section 9-504 of the LUR, Attached Wireless Telecommunication Structures, future tenants would not be required to obtain a land use permit. Conditions could be added to this permit that would impact tenants down the line. Discussion followed on who and how many possible tenants there will be. C. Stryker explained that there are four major carriers, as far as wireless, that may become tenants. They designed the structure to support wireless, emergency and Wifi. It is designed to accommodate all but he is not sure who will actually become tenants at this time.

Puckett Daniels asked if each carrier would have a round of antennas on the tower. C. Stryker explained that yes, each wireless carrier would have their own round array of antennas on them. However, emergency services would utilize a four- or five-foot whip antenna, which is not like what the wireless carriers utilize. Wifi services would have a 12-inch disc.

Yocum asked whether it would be possible that prior to construction the applicants do an impact assessment on property values, potential health impacts and whatever may come from it and have a mandatory review period after each additional carrier was added on so that concerns can be mitigated. C. Stryker stated that they have conducted RF studies on other jobs, before and after an installation. They saw that the RF emissions before and after installation of the towers were not significant. The RF was coming more from what was existing then from the new constructed facility. He believes that it would make more sense that the County require that any tenants are required to comply with FCC requirements. C. Stryker stated that the tower site that they have proposed provides more coverage than doing it on separate sites. Property values are going up in the State of Colorado. C. Stryker believes that they have shown that the tower is not a health risk based off of FCC guidelines. Yocum asked that they make sure that the tower does not have an impact.

The commissioners reviewed the standards for approval, Section 9-505, Free Standing Wireless Communication Structures.

Discussion followed on possible conditions and the commissioners asked that the draft decision include the following conditions:

- The tower shall have a no shine finish applied to the lattice structure and any carrier equipment shall be painted a shade of grey.
- No antennae shall be less than ten meters or 30 feet off the ground.
- Any future tenants shall meet and maintain all Federal Communication Commission (FCC) guidelines.
- The lattice tower shall not have exterior lighting unless required by the Federal Aviation Administration.
- A lightning rod shall be placed on top of the tower but no other equipment will exceed the 150' height.
- All equipment structures shall have or be painted grey or brown earth tones to blend in with the natural environment.
- Noise created from the generators on site shall not exceed the maximum permissible noise levels for commercial use.

Diani closed the public hearing.

The commissioners reviewed the draft decision with the added conditions.

Commissioner Diani was seated as the chair. Alternate Commissioners, Sovik and Cox, were seated to the planning commission.

Moved by Rogalski seconded by Cox to approve LUC-20-00030 a telecommunications tower currently before the Gunnison County Planning Commission. The motion passed with Diani, Rogalski, Sovik and Cox voting yes and Puckett Daniels voting no.

PROJECT DESCRIPTION: Aero Marketing and Logistics, LLC is proposing to install a 150 foot multi-user telecommunication facility with two prefabricated equipment shelters in order to accommodate the required radio/electrical equipment. The site will also require up to two back up generators with the appropriate diesel/propane storage tanks. This site is critical in order to provide wireless coverage to the residents and visitors of Gunnison County and along the Highway 50 corridor. Near this site, Highway 50 is slated for significant redevelopment in 2021 and the service this tower will provide will be important for CDOT, State Patrol, multiple contractors as well as the traveling public. The tower will not have any exterior lighting except one on the equipment shed that will only be in use when routine maintenance is being conducted.

PROJECT LOCATION: The subject parcel is legally described as A tract of land located in parts of lots 33, 34, 37, 38 and a part of Tract 38 of Section 2, Township 48 North, Range 5 West of the new Mexico Principal Meridian, County of Gunnison, State of Colorado. Assessor account number is R025581.

IMPACT CLASSIFICATION:

The project, by definition, is a Minor Impact pursuant to *Section 6-102: J. Freestanding Wireless Telecommunication Structure*.

MEETING DATES:

The Planning Commission held work sessions and public hearings to discuss the application on the following dates:

- August 7, 2020 Work session
- Not necessary Site Visit
- September 4, 2020 Public Hearing
- September 18, 2020 Continued Public Hearing

SITE VISIT:

The Planning Commission determined that a site visit was not necessary.

PUBLIC HEARING:

The Planning Commission conducted a public hearing on September 4th, 2020 and was continued to September 18, 2020. Several surrounding landowners attended the Zoom public hearing meeting and voiced concerns including questions about RF emissions and the tower's proximity to residences and any health impacts to agricultural operations; the possible impact on property values; the proof of mailed receipts of the people that had signed for the public notice letters; the Federal Communication Commission (FCC) regulatory document; specifics on the color of the towers and possible conditions that carrier antenna color will blend in.

On September 18, 2020 the continued public hearing was attended by three members of the public with concerns. These concerns included:

- Having a 150-foot tower would obstruct view corridors.
- Potential of having a mono pole structure with other aspects so it doesn't have the same view impacts and would blend in much better.
- Impacts for the towers if they are past that ten-meter/30 feet mark and what are the regulations and requirements if they go past that.
- Expressed the need for an impact assessment on property values, potential health impacts.
- View shed issues. Is it possible to avoid view shed issues by having two single pole towers that are half the height?
- Generators. If the generators are diesel what are the emissions, how often will they be operated on average, how will they impact the wildlife in the area, what noise will be generated and how will it affect the properties nearby?
- Tower tenants. Seems that once the tower is up any tenant that could fit on the tower would be permitted to as long as the fall under the FCC guidelines. If they went below the ten meters would that trigger an FCC evaluation and how would the neighboring property

owners be notified and would they have an opportunity to address that before they are installed?

- From a safety perspective, even if tenants are installed above the ten meters how many tenants will there be? How will they regulate the level of radio frequencies and microwave transmissions and how would the neighboring property owners be made aware of it? Would there be another planning session where the information is made aware to the adjacent landowners and the public or is it just left up to the planning commission and the FCC regarding guidelines?

REVIEW AGENCY REFERRAL COMMENTS:

A copy of the complete application was sent via electronic mail on July 15, 2020 to the following agencies:

- Marlene Crosby, Gunnison County Public Works Director
- Crystal Lambert, Gunnison County Environmental Health and Building Official
- Kevin Blecha, Colorado Parks and Wildlife Biologist
- Theresa Childers, National Park Service Wildlife Biologist
- Brian Killian, Colorado Department of Transportation Region 3 Access Program Manager
- Scott Morrill, Gunnison County Emergency Management CO-CEM

Comments from the agencies and are noted in the applicable sections below.

COMPLIANCE WITH APPLICABLE SECTIONS OF THE GUNNISON COUNTY *LAND USE RESOLUTION*:

Section 9-100: *Uses Secondary to a Primary Residence.*

Not applicable. No secondary uses are proposed.

Section 9-200: *Special Residential Uses.*

Not applicable.

Section 9-300: *Commercial and Industrial Uses.*

Applicable. The wireless communication tower will not generate electrical disturbances, glare or heat, nor will it have exterior lighting on the tower.

Section 9-400: *Exploration, Extraction and Processing of Minerals and Construction Materials.*

Not applicable.

Section 9-505: *Freestanding wireless communications structures.*

Applicable. A new 150 foot multi-user telecommunication facility with two prefabricated equipment shelters in order to accommodate the required radio/electrical equipment. The site will also require up to two back-up generators with the appropriate diesel/propane storage tanks. This site is critical in order to provide wireless coverage to the residents and visitors of Gunnison County and along the Highway 50 corridor.

- B.1. Safety Setback. As illustrated in the plans provided, the tower complies with the safety setback of being 150 feet away from any property line.
- B.2. The lattice structure allows the visual line of sight to see through it and the tower and equipment shelters will be positioned below the ridge on the west side so as to hide the equipment buildings. The ridge will buffer some of the tower.

- B.4. Buffering. The access road will be on the west side of the hill, hidden from view from Highway 50. The structure will be designed by a professional engineer.
- B.5. Exterior lighting, applicant to provide more info.
- B.6. Access roads. Take highway 50 west for 31 miles to county road 50e. Take a right on 50e and follow north for 1/2 mile to access road on the left.
- B.7. Design Safety. The structure will be designed by a professional engineer.
- B.8. Utilities shall be located underground.

Section 10-102: *Locational Standards for Residential Development.*

Not applicable.

Section 10-103: *Residential Density.*

Not applicable.

Section 10-104: *Locational standards for commercial, industrial or other non-residential uses.*

Applicable. 10-104:C.1.a Necessary location because of specific circumstances to siting a telecommunication tower.

Section 11-104: *Development in Areas Subject to Geologic Hazards.*

Not applicable. According to County GIS mapping the subject parcel is not in a geologic hazard area.

Section 11-105: *Development in Areas Subject to Wildfire Hazards.*

Not applicable. According to County GIS mapping the subject parcel is not in a high wildfire risk area.

Section 11-106: *Protection of Wildlife Habitat Areas.*

Applicable. According to County GIS mapping the subject parcel is not in Gunnison sage-grouse habitat. In an email from Curecanti National Park Service Wildlife Biologist, Theresa Childers dated 7.29.20 she states, "I see that the county will require invasive weed prevention and treatment for any disturbed areas, which the NPS would also recommend. Cell towers are known to negatively affect birds in the following ways: 1. Mortality from direct collision with towers, 2. increased energy expenditure/lower survival when birds are attracted to lights on towers, 3. New research suggests that electromagnetic radiation from cell towers may affect nearby nesting density, nest survival or bird navigation. I've attached the FWS recommendations for communication towers for the county's and applicant's information."

CPW Wildlife Biologist Kevin Blecha reported no concerns in an emailed dated, August 17, 2020.

Section 11-107: *Protection of Water Quality.*

Not applicable. According to County GIS mapping the subject parcel is not near a waterbody or wetland.

Section 11-108: *Standards for Development on Ridgelines.*

Not Applicable.

Section 11-110: *Development of Land Beyond Snowplowed Access.*

Not applicable.

Section 11-111: *Development on Inholdings in The National Wilderness.*

Not applicable.

Section 12-103: *Road System.*

Applicable. Access would be from the north side of the parcel from old State Highway 50 and would follow a two track road to the west side of the hill and travel up the back out of view from Highway 50. In an email dated August 4, 2020 Brian Killian CDOT Region 3 Access Program Manager stated, "That would be fine. CDOT doesn't have any concerns with the proposed communication tower that will access Old State Highway 50. They will initially have some additional vehicles for construction, then taper off to only one vehicle every month or two for maintenance per our conversation. We will issue the permit in the order in which it was received."

Section 12-105: *Water Supply.*

Not applicable. Not requested as part of this application.

Section 12-106: *Sewage Disposal/Wastewater Treatment.*

Not applicable. Not requested as part of this application.

Section 12-107: *Fire Protection.*

Not applicable.

Section 13-103: *General Site Plan Standards and Lot Measurements.*

Applicable. The site plan for this proposed development meets the site plan criteria of this section, including proposed and existing roads, driveways, lot lines, building sites, and natural features of the site. The site plan, "Aero Marketing and Logistics, LLC CDOT Comm Site," prepared by TeleMountain Engineering and dated June 29, 2020, meets these criteria.

Section 13-104: *Setbacks from Property Lines and Road Rights-of-Way.*

Applicable. The site plan for this proposed development meets the site plan criteria of this section, including proposed and existing roads, driveways, lot lines, building sites, and natural features of the site. The site plan, "Aero Marketing and Logistics, LLC CDOT Comm Site," prepared by TeleMountain Engineering and dated June 29, 2020, meets these criteria.

This section applies; the proposed improvements meet the setback requirements.

Section 13-114: *Exterior Lighting.*

Applicable. No lights are proposed for the tower structure, a work light will be at the base of the tower on the equipment shed and will only be on during work activities.

Section 13-115: *Reclamation And Noxious Weed Control.*

Applicable if the disturbed area is greater than 10,000 square feet. A reclamation permit is required for road cutting and/or construction, homesite clearing and berm construction. **No excavation or disturbance of ground is proposed.**

Section 13-119: *Standards to Ensure Compatible Uses.*

The proposed development has been designed in a manner that will not adversely affect the character and tranquility of nearby residential or public use areas.

FINDINGS:

The Gunnison County Planning Commission finds that:

1. This project is classified as a Minor Impact pursuant to *Section 6-102: J. Freestanding Wireless Telecommunication Structure*.
2. Letters of support were received from Gunnison County Emergency Management Office, Crested Butte Marshal's Department, Delta County Sheriff Emergency Management, Gunnison/Hinsdale Combined Emergency Telephone Service Authority, and Crested Butte Fire Protection District.
3. A Determination of No Hazard to Air Navigation was received from the Federal Aviation Administration dated August 4, 2020.
4. The base of the tower and supporting equipment sheds will be located below the ridge on the west and will not be visible from Highway 50.
5. The tower will not have exterior lights.
6. This application is consistent with the standards and requirements of this *Resolution*.
7. This review and decision incorporates, but is not limited to, all the documentation submitted to the County and included within the Community Development file relative to this application; including all exhibits, references and documents as included therein.

DECISION:

The Gunnison County Planning Commission, having considered the submitted plan, site observations and public testimony, has reached the above Findings and recommends that LUC-20-00030 be classified as a Minor Impact, and has approved this application with the following conditions:

1. This permit is limited to activities described within the "Project Description" of this application, and as depicted on the Plan submitted as part of this application. Expansion or change of this use will require either an application for amendment of this permit, or submittal of an application for a new permit, in compliance with applicable requirements of the *Gunnison County Land Use Resolution*.
2. This approval is founded on each individual requirement. Should the applicant successfully challenge any such finding or requirement, this approval is null and void.
3. The tower shall have a no shine finish applied to the lattice structure and any carrier equipment shall be painted a shade of grey.
4. No antennae shall be less than ten meters off the ground.
5. Any future tenants shall meet and maintain all Federal Communication Commission (FCC) guidelines.

6. The lattice tower shall not have exterior lighting unless required by the Federal Aviation Administration.
7. A lightning rod shall be placed on top of the tower but no other equipment will exceed the 150' height.
8. All equipment structures shall have or be painted grey or brown earth tones to blend in with the natural environment.
9. Noise created from the generators on site shall not exceed the maximum permissible noise levels for commercial use.
10. This permit may be revoked or suspended if Gunnison County determines that any material fact set forth herein or represented by the applicant was false or misleading, or that the applicant failed to disclose facts necessary to make any such fact not misleading.
11. The removal or material alteration of any physical feature of the property (geological, topographical or vegetative) relied on herein to mitigate a possible conflict shall require a new or amended land use change permit.
12. Approval of this use is based upon the facts presented and implies no approval of similar use in the same or different location and/or with different impacts on the environment and community. Any such future application shall be reviewed and evaluated, subject to its compliance with current regulations, and its impact to the County.

The September 18, 2020 Planning Commission meeting was adjourned at 12:30 p.m.

/S/ Rebecca Ricord
Administrative Assistant III
Gunnison County Community Development Department