

Conditional Use Permit

Permit No. PL20210027

Project Name: Zirkel Wireless Hayden Cog Tower

Permittee: Zirkel Wireless

Property Owner: STATE OF COLORADO

Type of Use: Conditional Use Permit - Towers

Property Address: 6995 Homesteader Lane

Legal Description: S2 SEC 31, S2, S2NE4 LESS 1 AC SEC 32, S2, NE4, W2NW4, SW4NW4 SEC 33-7-88 TOTAL: 1,315.8 AC

Conditions of Approval:

General Conditions:

1. The CUP is contingent upon compliance with the applicable provisions of the Routt County Zoning Regulations including but not limited to Sections 5, 6, and 8.10.
2. The CUP is limited to the uses and facilities presented in the approved project plan. Any additional uses or facilities must be applied for in a new or amended application.
3. Any complaints or concerns that may arise from this operation may be cause for review of the CUP, at any time, and amendment or addition of conditions, or revocation of the permit if necessary.
4. In the event that Routt County commences an action to enforce or interpret this CUP, the substantially prevailing party shall be entitled to recover its costs in such action including, without limitation, attorney fees.
5. Permits will be assessed an Annual Fee in accordance with the Fee Schedule in Appendix B of the Routt County Zoning Regulations.
6. No junk, trash, or inoperative vehicles shall be stored on the property.

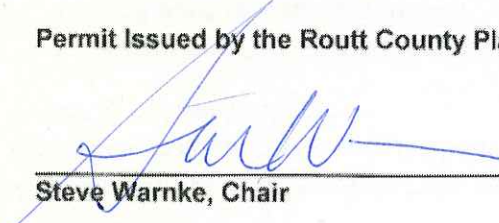
7. This approval is contingent upon the acquisition of and compliance with any required federal, state and local permits; the operation shall comply with all federal, state and local laws. Copies of permits or letters of approval shall be submitted to the Routt County Planning Department prior to operations.
8. Fuel, flammable materials, or hazardous materials shall be kept in a safe area and shall be stored in accordance with state and local environmental requirements.
9. All maintenance, security, or exterior lighting shall be downcast and opaquely shielded.
10. Prior to the issuance of the permit, the permittee shall provide evidence of liability insurance in compliance with the County's Insurance and Surety Requirements policy then in effect. The certificate of insurance shall include all permit numbers associated with the activity and Routt County shall be named as an additional insured. Permittee shall notify the Routt County Planning Department of any claims made against the policy.
11. Accessory structures/uses associated with this permit may be administratively approved by the Planning Director, without notice.
12. Transfer of this CUP may occur only after a statement has been filed with the Planning Director by the transferee guaranteeing that they will comply with the terms and conditions of the permit. If transferee is not the landowner of the permitted area, transferee shall submit written consent of the transfer by the landowner. Failure to receive approval for the transfer shall constitute sufficient cause for revocation of the permit if the subject property is transferred. Bonds, insurance certificates or other security required in the permit shall also be filed with the Planning Director by the transferee to assure the work will be completed as specified. Any proposal to change the terms and conditions of a permit shall require a new permit.
13. The Permittee shall prevent the spread of weeds to surrounding lands, and comply with the Colorado Noxious Weed Act as amended in 2013 and Routt County noxious weed management plan.

Specific Conditions:

14. The CUP is valid for the life of the use provided it is acted upon within one year of approval. The CUP shall be deemed to have automatically lapsed if the uses permitted herein are discontinued for a period of one (1) year.
15. The construction and use of a telecommunication facility shall not cause interference to other adjacent telecommunication facilities. The County shall be held harmless if interference occurs.
16. If tower lighting is required by the FAA, the operator shall use only white (preferably) or red strobe lights at the minimum intensity, minimum number of flashes per minute, and minimum number of lights allowed by the FAA.
17. Permittee shall bring the facilities subject to this CUP into service ("on air") within three (3) months of the application of the building permit for the facility. Facilities that are abandoned by disconnection of power service, equipment removal or loss of lease for greater than six (6) months shall be removed by the telecommunication facility owner and the site shall be reclaimed. Should the owner fail to remove the facilities, the County may do so at its option, and the costs thereof shall be a charge against the owner. The permittee shall post a bond with the County in the amount of 150% of the cost of restoration of the site. This bond will be used to guarantee the reclamation of the site in the event that reclamation and removal of equipment is not completed.


18. In order to limit the construction or proliferation of communication tower sites in the area, the operator shall agree to allow co-location of other users on the tower, providing their requested use is compatible with the existing use.
19. Prior to the issuance of a Certificate of Approval, the permittee shall provide the Planning Department with as-built drawings of the tower and facilities.
20. There shall be adequate space at the site to allow for access, turn around and parking for emergency vehicles.
21. Revegetation of disturbed areas shall occur within one growing season with a seed mix which avoids the use of aggressive grasses. See the Colorado State University Extension Office for appropriate grass seed mixes.
22. The telecommunication equipment shall be painted a color compatible with the existing character of the site and surrounding properties.
23. Anti-perching devices shall be installed along antennae frames, horizontal cross arms, and any other vantage point used by raptors for predation.
24. Landscaping, lighting, and/or buffering materials or structures shall be properly installed and maintained.
25. Defensible space shall be maintained around all structures.

Permit Issued by the Routt County Planning Commission:


Steve Warnke, Chair

11/30/22
Date

ACCEPTED:


Alan Belvo, Permittee

11-10-22
Date