

**RESOLUTION No. 2006-053**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS  
OF OURAY COUNTY, COLORADO TO APPROVE THE  
SPECIAL USE PERMIT FOR CORNERSTONE MONTROSE, LLC FOR A PORTABLE HOT MIX ASPHALT  
BATCH PLANT**

**WHEREAS**, Cornerstone Montrose, LLC ("Applicant") has filed its application for a Special Use Permit to install and operate a portable hot mix asphalt batch plant at 100 Cornerstone Trail, Montrose, Colorado ("Application"); and

**WHEREAS**, notice of a Public Hearing on such Application was published on June 23, 2006 in the Ouray Plaindealer and once on June 28, 2006 in the Ridgway Sun and the Board of County Commissioners of Ouray County, Colorado ("Board") held a public hearing on the Application on July 10, 2006 at 3:30 p.m.; and

**WHEREAS**, on July 10, 2006 the Board reviewed the Application and supporting materials and heard public comment on the Application; and

**WHEREAS**, based upon the Application, supporting materials, Staff Report and public comments, the Board has determined that the Application meets the conditions and criteria set forth in Section 5.3 of the Ouray County Land Use Code ("LUC") for a Special Use Permit and otherwise complies with the applicable provisions of the LUC; and

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF OURAY COUNTY, COLORADO, AS FOLLOWS:**

1. The Application for a Special Use Permit is approved for installation and operation of a portable hot mix asphalt batch plant at 100 Cornerstone Trail, Montrose, Colorado. The asphalt produced from such portable plant may only be used for improvements on Government Springs Road and for use within the Cornerstone development for internal infrastructure and improvements.
2. The Applicant may not operate the portable hot mix asphalt batch plant until all applicable state permits have been obtained and thereafter all operation shall be in compliance with all state permits, including, without limitation, stormwater discharge and air quality, including dust control on the haul roads. Applicant shall supply the Ouray County Land Use Office with copies of any and all inspections, reports, notices or orders from the State of Colorado upon receipt of the same by the Applicant or Applicant's agent.
3. Pursuant to Section 5.3A(11) of the LUC, the Board shall require an annual review of the Special Use Permit by Ouray County Land Use Staff to ensure continued compliance with the criteria set forth herein. The Applicant shall correct any issues of non-compliance and if such concerns cannot be adequately addressed, the Special Use Permit shall be placed on the Board's agenda for any necessary adjustments.

APPROVED AND ADOPTED THIS 17th DAY OF JULY, 2006, RATIFYING ACTION TAKEN ON JULY 10, 2006.

Board of County Commissioners of  
Ouray County, Colorado

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Heidi M. Albritton, Chair

ATTEST:

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Michelle Nauer  
Ouray County Clerk and Recorder  
By: Linda Munson-Haley,  
Deputy Clerk of the Board

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Don Batchelder, Vice-Chair

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Kristi R. Westfall, Commissioner Member