

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF OURAY COUNTY,  
COLORADO  
APPROVING A SPECIAL USE PERMIT FOR A PUBLIC UTILITY  
FOR THE INSTALLATION OF A WIRELESS COMMUNICATIONS FACILITY  
BY AT&T/NEW CINGULAR WIRELESS**

**WHEREAS**, Chaffee Creek, LLC, through its authorized agent, AT&T/New Cingular Wireless, applied for a Special Use Permit for the installation of a *wireless facility* to be located at 31557 Highway 550, Ridgway, Colorado; and

**WHEREAS**, the proposed wireless facility includes a 50-foot x 50-foot leased area, a 12-foot x 28-foot equipment shelter, and a 100-foot monopine communications tower; and

**WHEREAS**, the subject site is located within the Visual Impact Corridor and therefore potentially subject to the regulations found in Section 9 of the Ouray County Land Use Code; and

**WHEREAS**, it is Land Use Staff's opinion that Ouray County Visual Impact Regulations were not intended or written for application to wind generating towers or communication towers; and

**WHEREAS**, the Board of County Commissioners' ("the Board") historical direction to Land Use Staff is to apply the "*spirit and intent*" of the Visual Impact Regulations when addressing proposed towers; and

**WHEREAS**, in their prepared report, Land Use Staff's presented the opinion that the proposed application met the spirit and intent of the Visual Impact Regulations as the *monopine* design minimized potential visual impacts and maximized the structures ability to blend with the existing physical environment; and

**WHEREAS**, additionally, Land Use Staff presented the opinion that the proposed application minimizes possible visual impacts though the utilization of modern tower camouflage techniques and proposes equipment siting so as to be as compatible as possible with the surrounding land uses and the natural environment, thereby supporting the goals and policies stated in the Ouray County Master Plan; and

**WHEREAS**, Land Use Staff reviewed the application, prepared a staff report and supporting materials, and presented the application to the Planning Commission for review in a public hearing on April 15, 2014; and

**WHEREAS**, the Planning Commission reviewed the application, allowed time for public comment, and forwarded the application to the Board of County Commissioners with a unanimous recommendation for approval (with conditions); and

**WHEREAS**, the Board reviewed the subject application in a properly noticed public hearing on May 27, 2014; and

**WHEREAS**, the Board heard comments from Land Use Staff, the representative from AT&T, and the public; and

**WHEREAS**, the Board finds that the proposed Special Use Permit application for a Public Utility/wireless communications facility meets the regulations and requirements found in Section 5 of the Ouray County Land Use Code and unanimously approves the subject application with the following conditions:

1. The location and construction of the tower and associated equipment shelter shall be as represented in the AT&T design drawings/plans referencing Site No. COU6272 - A#: 12782768 and dated: February 21, 2014.
2. The design and construction of the "monopine" tower shall be as close as possible as is represented in the photos submitted with the application and included in this report.
3. The design and construction of the equipment shelter shall be as close as possible as represented in the photos submitted with the application and included in this report.
4. The color of paint of the wooden fence, and monopine tower shall be approved by Staff.

- 5. Applicant shall comply with any and all Ouray County regulations contained in the Land Use Code and specifically, any exterior lighting on the equipment shelter shall comply with Section 27 – Outdoor Lighting Regulations.
- 6. Per Section 5.6A of the Land Use Code, the Special Use Permit is effective for a term of two (2) years and is subject to all additional terms and requirements as described in this section.
- 7. Any proposed modification to the tower shall include design and location considerations consistent with the *monopine / camouflage* implementation.
- 8. Any proposed modification to the tower may require the owner to submit an application for a *Modification to an Existing Telecommunications Facility* and/or an application for an *Amendment to an existing Special Use Permit*.
- 9. There shall be no lights on the monopine tower.

Voting For: Commissioners Padgett, Fedel, and Batchelder  
 Voting Against: None

**APPROVED AND ADOPTED THIS 10 DAY OF JUNE, 2014.**

Board of County Commissioners of  
 Ouray County, Colorado



*Lynn M. Padgett*  
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 Lynn M. Padgett, Chair

*F. Mike Fedel*  
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 F. Mike Fedel, Vice Chair

*Don Batchelder*  
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 Don Batchelder, Commissioner

**ATTEST:**

*Michelle Nauer*  
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 Michelle Nauer, Clerk and Recorder  
 By: Hannah Hollenbeck, Clerk of the Board