



RECEPTION#: 678744, 09/16/2008 at
03:51:31 PM.
1 OF 3. R \$16.00 Doc Code:PER
Kay Weinland, Routt County, CO

CONDITIONAL USE PERMIT

**Routt County
Planning Commission**

Permit No.: PP2007-059

Project Name: Union Telephone Communication Tower

Owner: Twenty Mile Coal Company

Address: Located off County Road 33 and 27, approximately 18 miles southwest of Steamboat Springs.

Type of Use: Telecommunication Tower

Location/Legal Description: Located off County Road 33 and 27, approximately 18 miles southwest of Steamboat Springs.

Period of Permit: Life of Use

Board Approval Date: December 6, 2007

Conditions of Approval:

1. The Conditional Use Permit is valid for the life of the use provided it is acted upon within one year.
2. The Conditional Use Permit is limited to 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 which may arise from this operation may be cause for review of the Conditional Use Permit, 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 Conditional Use Permit, the substantially prevailing party shall be entitled to recover its costs in such action including, without limitation, attorney fees.
5. No junk, trash, or inoperative vehicles shall be stored on the property.

6. This permit is contingent upon any required federal, state and local permits being obtained and complied with; the operation shall comply with all federal, state and local laws.
7. 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.
8. Prior to the issuance of the permit, the permittee shall provide evidence of liability insurance in the amount of no less than \$1,000,000 per occurrence with either unlimited aggregate or a policy endorsement requiring notice to Routt County of all claims made. Routt County shall be named as an additional insured on the policy.
9. The operation shall comply with all applicable standards set forth by the Routt County Building Department and the Routt County Department of Environmental Health. The operation shall comply with all federal, state and local laws.
10. Lighting on the tower shall meet FAA guidelines and shall not be visible to adjacent property owners. Any maintenance or security lighting shall be downcast and opaquely shielded and shall not remain on.
11. The permittee shall prevent the spread of weeds to surrounding lands, and comply with the Colorado Noxious Weed Act and Routt County Noxious Weed Management Plan.
12. Telecommunication facilities that are abandoned by disconnection of powered service, equipment removal or loss of lease for greater than six (6) months shall be removed by the telecommunication facility owner and the site reclaimed. 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 a property reclamation and removal of equipment is not complete. The permittee shall provide evidence of liability insurance, in the amount of no less than \$1,000,000 per occurrence with either unlimited aggregate or a policy endorsement requiring notice to Routt County of all claims made. Routt County shall be named as an additional insured on the policy.
13. Any road cuts shall be designed to minimize erosion and shall be revegetated, if necessary, to the satisfaction of the landowner and the Routt County Road and Bridge Department.
14. 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.
15. At such time as hard utilities are extended to this tower location the permitted shall allow collocation of other facilities.
16. The tower and associated buildings shall be painted a color to be compatible with the existing character of the site and surrounding properties.
17. The operator shall coordinate the construction of the approved facilities with the Division of Wildlife to mitigate any negative impacts of the project on the grouse leks.

Permit Issued by the Routt County Planning Commission:

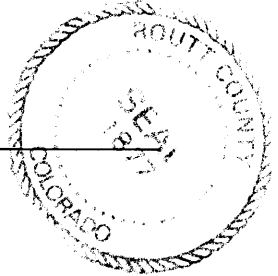
Don Alpert
Don Alpert, Chair

9/4/08
Date

ATTEST:

Kay Weinland
Kay Weinland, Clerk and Recorder

9/4/08
Date



ACCEPTED:

[Signature]
Permittee

7-7-08
Date

This permit may be subject to an Annual Fee: Permits/Approvals that require an ongoing review will be assessed an Annual Fee. Additional fees for mitigation monitoring will be charged on an hourly basis for staff time required to review and/or implement conditions of approval.