

BOARD OF COUNTY COMMISSIONERS
COUNTY OF HINSDALE, STATE OF COLORADO

RESOLUTION NO. 4, SERIES 2021

**A RESOLUTION AMENDING HINSDALE COUNTY ZONING &
DEVELOPMENT REGULATIONS TO ADD SUBSECTION
2.7-2.j THERETO TO ALLOW FOR COMMUNICATIONS TOWERS AS A
SPECIAL USE BY PERMIT ONLY IN THE RAD 2 ZONING DISTRICT**

WHEREAS, the Board of County Commissioners of the County of Hinsdale, State of Colorado ("Board") has adopted the Hinsdale County Zoning & Development Regulations ("Regulations") pursuant to § 30-28-101, *et seq.*, Colorado Revised Statutes; and

WHEREAS, the Board has the authority to amend the Regulations pursuant to §§ 30-28-112 & 116, Colorado Revised Statutes; and

WHEREAS, the Board desires to amend the Regulations to add Subsection 2.7-2.j thereto to add communications towers as special use allowed by permit only in the Rural Area District 2 Zoning District ("RAD 2"); and

WHEREAS, the amendment to Section 2.7-2 of the Regulations to add Subsection 2.7-2.j thereto is attached hereto as Exhibit A and incorporated herein by this reference (the "Amendment"); and

WHEREAS, the Board is adopting this Resolution pursuant to the authority contained in Section 8.11-1 of the Regulations, which allows for the creation of additional uses in Zoning districts; and

WHEREAS, the Hinsdale County Planning Commission considered the Amendment at its public meeting held on December 17, 20 20, and

WHEREAS, a public hearing regarding the Amendment was held on January 20, 20 21, and notice of such hearing was published in the *Silver World* newspaper on December 25, 20 20, which is at least 14 days prior to said public hearing; and

WHEREAS, the Board deems this Resolution to be in the best interests of the public health, safety and welfare of Hinsdale County, Colorado.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of the County of Hinsdale, State of Colorado, as follows:

1. The Hinsdale County Zoning & Development Regulations are hereby amended by adding Subsection 2.7-2.j thereto to allow for the development of

communications towers as a special use allowed by permit only in the RAD 2 Zoning District;

2. The entirety of the amended Section 2.7-2 of the Regulations, which now includes Subsection 2.7-2.j, is attached hereto as Exhibit A and incorporated herein by this reference;

3. Pursuant to Section 8.11-1 of the Regulations, the Board hereby finds and determines that allowing for communications towers in the RAD 2 Zoning District as a special use by permit only:

a. Is appropriate to the physiographic and general environmental character of the RAD 2 Zoning District;

b. Does not create any more hazard to the alteration of the natural environment than the minimum amount normally resulting from the other uses permitted in the RAD 2 Zoning District;

c. Does not create any more offensive noise, vibration, dust, heat, smoke, odor, glare or other objectionable influences or more traffic hazards than the minimum amount normally resulting from other permitted uses in the RAD 2 Zoning District; and

d. Is compatible with existing and permitted uses in the RAD 2 Zoning District.

THIS RESOLUTION shall be effective immediately and recorded with Exhibit A in the office of the Hinsdale County Clerk and Recorder and added to the existing Hinsdale County Zoning & Development Regulations.

Dated this 20th day of January, 2021.

**BOARD OF COUNTY COMMISSIONERS
COUNTY OF HINSDALE, STATE OF COLORADO**

By: Kristine Borchers
Kristine Borchers, Chair

ATTEST:

Joan Roberts
Joan Roberts, County Clerk



EXHIBIT A

**AMENDMENT TO HINSDALE COUNTY
ZONING & DEVELOPMENT REGULATIONS**

2.7-2 Special Uses Allowed by Permit Only:

- a. Public Utilities
- b. Recreation Facilities Class A, B, and C (see definitions)
- c. Agriculture
- d. Cluster Residences
- e. Underground Mining, Sand and Gravel and other Extractive Operations
- f. Retail Business
- g. Hospital and Medical Facilities
- h. Airports and Heliports
- i. PUD
- j. Communications Towers