



## STAFF REPORT

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**MEETING DATE:** September 12, 2024

**ITEM TITLE, PRESENTER:** Consideration and Approval of a Conditional Use Permit for Telecommunication Equipment to be mounted on Swinging Steak Restaurant in Mexican Hat, Daniel Thurgood, Technology Associates

**RECOMMENDATION:** Make a motion approving the Conditional Use using the Findings and Conditions after finding substantial evidence described in the Conditional Use Permit Document created by Staff.

Make a motion denying the Conditional Use based on findings of fact described / Make a motion denying the Conditional Use Permit due to the following reasons: (statement of findings for substantial evidence)

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### SUMMARY

The county has received a request from Technology Associates EC Inc. for the installation of a two foot (2') diameter Microwave Dish for a 2-point fiber connection on the roof of the Swinging Steaks Restaurant or to install a thirty foot (30') pole next to the side of the building for this equipment. This site is currently in a Community Control District (C-Cd) zone.

The Zoning Ordinance allows for a Conditional Use for “all other uses than those listed”. Towers are not defined in the ordinance for a specific purpose.

### Possible Conditions to Consider:

- Prior to construction, the applicant shall apply for and receive a San Juan County building permit.
- The applicant shall apply for, receive, and maintain a San Juan County business license if used commercially and be subject to regular inspections associated with the business license – to include a review of compliance with the CUP conditions.
- The construction and operation of the tower shall comply with the International Fire Code and the San Juan County Fire Policy – and be subject to inspection by fire authorities.
- The telecommunication tower shall be operated in compliance with federal regulations.
- The telecommunication tower shall not be used for outdoor advertising, signage, or similar uses without first obtaining permission from San Juan County.
- This permit shall be null and void if the tower is abandoned as a telecommunication facility or the tower is not maintained for 90 days. After abandonment or non-maintenance, the tower shall be removed at owner’s expense.

- Any neighbor or adjacent property owner or person reasonably expected to be at or near the facility during construction, maintenance, or other activity which has the potential to harm an individual shall be informed of the activity and provided with safety information, as appropriate.
- The facility shall be kept clean and free from rubbish, flammable waste material or other noxious or nuisance substances.