

PLANNING AND ZONING COMMISSION MEETING JUNE 7, 2022 6:30 P.M.

- 1. CALL TO ORDER PLEDGE OF ALLEGIANCE
- 2. APPROVAL OF THE MINUTES FOR THE REGULAR PLANNING & ZONING COMMISSION MEETING ON MAY 3, 2022 Planning and Zoning Commission will consider approving

Presenter:

- 3. PUBLIC HEARINGS none
- 4. NEW BUSINESS
 - Review County Development of proposed Amendment to Lot #3 of the Aldean Acres 7 Lot Major Subdivision and Rezoning Application.
 Planning and Zoning Commission will review only.

Presenter: Nancy Dosdall, Contract City Planner

b. Review County Development of proposed Subdivision Amendment Application to Highlands Terrace. Planning and Zoning Commission will review

Presenter: Nancy Dosdall, Contract City Planner

c. Review County Development of proposed After-The-Fact High Impact & Special Use Permit Planning and Zoning Commission will review.

Presenter: Nancy Dosdall, Contract City Planner

- 5. UNFINISHED BUSINESS
 - a. ADU Discussion #3 Planning and Zoning Commission will discuss ADU's

Presenter: Nancy Dosdall, Contract City Planner

- 6. OTHER ITEMS OF BUSINESS
 - a. FYI May 2022 Permits Issued Planning and Zoning Commission will review

Presenter: FYI

7. PUBLIC PARTICIPATION

8. ADJOURNMENT



CITY OF CORTEZ 123 ROGER SMITH AVENUE CORTEZ, CO 81321

June 7, 2022

Agenda Item: 2.

MEMO TO: Planning and Zoning Commission

FROM:

SUBJECT: APPROVAL OF THE MINUTES FOR THE REGULAR PLANNING & ZONING COMMISSION MEETING ON MAY 3, 2022

BACKGROUND See attached

RECOMMENDATION

Planning and Zoning Commission will consider approving

Attachments

P&Z MINUTES FROM MAY 3, 2022

PLANNING AND ZONING COMMISSION REGULAR MEETING TUESDAY, MAY 3, 2022

 The regular meeting was called to order 6:30 p.m. and was opened with the Pledge of Allegiance. Commission members present were Chairperson Robert Rime, Vice-Chairperson Rebecca Levy, Lance McDaniel, Stephen Candelaria, and Jim Skvorc. City staff present included Contract City Planner Nancy Dosdall, Director of Community and Economic Development Rachael Marchbanks, and Deputy City Clerk Cheryl Lindquist. There were 4 people in attendance.

Commissioner Candelaria moved that the minutes of the Special Workshop/Meeting of April 12, 2022, be approved.

Commissioner McDaniel seconded the motion and the vote was as follows:

Levy	Candelaria	McDaniel	Skvorc	Rime
Yes	Yes	Yes	Yes	Yes

A motion was made by Commissioner Candelaria to move PUBLIC HEARING up on the agenda and place UNFINISHED BUSINESS after.

Commissioner McDaniel seconded the motion and the vote was:

Levy	Candelaria	McDaniel	Skvorc	Rime
Yes	Yes	Yes	Yes	Yes

2. PUBLIC HEARING:

a. Public Hearing on an Application for a site plan for a 4,000 sq. ft. metal storage building to be located on the Southwest Memorial Hospital Campus presented by Contract City Planner Nancy Dosdall. The building is proposed for hospital storage only with no water or sewer. Since this is located in a P.U.D. there are design standards. The structure is to be complimentary to the principal building in the Southwest design but this structure does not meet those requirements since it is a storage building. Ralph Wegner, MCHD employee, stated the hospital is preparing for the next pandemic and they need the storage for beds, equipment, and emergency services. He stated they had cleared out 8 old storage units and a double wide trailer recently to make room. Rob Owens, Director of Plant Operations, said they had used 20 S. Market St., owned by the Catholic Church, for storage but needed something closer to the hospital and more easily accessible plus they had used hospital rooms for storage but are needing to clear them out for patients. In answer to a question from Commissioner McDaniel, Rick Schrader, CFO for Southwest Health Systems, said all safety requirements are being met; eye wash station, defibrillator, plus a 5-month supply of safety products. The building will be secure with easy access and includes heating and vent fans.

The design does not meet the Design Standards for the P.U.D. causing much discussion. The Ambulance Bay design included wainscoting and a color band around the top of the building to comply with the Design Standards. Discussion stated it is more cost effective to invest in PPE than to make the storage building's exterior design match the Ambulance Bay.

Commissioner Candelaria made the motion to recommend that Council approve the site development plan for a 4,000 sq. ft. storage building on property located at 1311 N. Mildred Road, zoned PUD, as submitted by Montezuma County Hospital District, and Southwest Memorial Hospital (SWMH) with 2 conditions.

Commissioner Skvorc seconded the motion, but wanted to add an amendment to the conditions.

Commissioner Skvorc made the motion to add a 3rd condition stating, "In approving the application for a metal storage building at Southwest Memorial Hospital we are aware that it does not meet the design standards for this P.U.D. This is a onetime exception. All future buildings in this P.U.D. are to meet design standards, including all future metal buildings".

Commissioner McDaniel seconded the amended motion to add the 3rd condition and the vote was as follows:

Levy	Candelaria	McDaniel	Skvorc	Rime
Yes	No	Yes	Yes	No

A second vote was taken to pass the motion as amended:

Levy	Candelaria	McDaniel	Skvorc	Rime
No	Yes	Yes	Yes	Yes

3. UNFINISHED BUSINESS:

- a. Continue ADU discussion: Contract City Planner Nancy Dosdall presented to the Commission the ADU changes that were presented in the last Drafted Land Use Code. She stated although there are differences, they are do not cover all the changes that the Commission feels are needing to be reviewed. Discussion was held on the immediate needs for the construction of affordable housing. In summary, the main concerns requiring attention are lot sizes, existing primary home size as compared to ADU size, lot coverage, and parking. The ADU topic will be on next month's agenda to continue the discussion.
- 4. CITIZEN PARTICIPATION Commissioner Skvorc suggested we change this to PUBLIC PARTICIPATION to be consistent with City Council's recent change.

5. NEW BUSINESS - none

6. OTHER ITEMS OF BUSINESS - FYI

a. Building Permits for April 2022

7. ADJOURNMENT OF REGULAR MEETING

Commissioner Candelaria moved that the meeting be adjourned at 7:35 p.m. Commissioner McDaniel seconded the motion, and the vote was as follows:

Levy	Candelaria	McDaniel	Skvorc	Rime
Yes	Yes	Yes	Yes	Yes

Robert Rime, Chairperson

ATTEST:

Cheryl K. Lindquist, Deputy City Clerk



CITY OF CORTEZ 123 ROGER SMITH AVENUE CORTEZ, CO 81321

June 7, 2022

Agenda Item: 4. a.

MEMO TO: Planning and Zoning Commission

FROM: Cheryl Lindquist, Permit Technician/Deputy City Clerk

SUBJECT: Review County Development of proposed Amendment to Lot #3 of the Aldean Acres 7 Lot Major Subdivision and Rezoning Application.

BACKGROUND See attached.

RECOMMENDATION

Planning and Zoning Commission will review only.

Attachments

McDonald review of Amendment



City of Cortez Planning and Building 123 Roger Smith Avenue Cortez, CO 81321

> Item No: 4a Meeting Date: June 7, 2022

ΜΕΜΟ

TO: Members of the Cortez Planning and Zoning Commission

FROM: Nancy Dosdall, Contract City Planner

SUBJECT: County Development- Review of a proposed rezone from AR 3-9 to COMZ

ATTACHMENTS: County Application Packet Request for a proposed Amendment to Lot #3 of the Aldean Acres 7 Lot Major Subdivision and Rezoning Application submitted by Richard & Melanie McDonald, on property located at TBD Road M, Cortez, CO, consisting of 3.85 acres, more or less, located west of Hwy 145, north of Road M, situated in Section 12, T.36N, R.16W, N.M.P.M.

BACKGROUND

The Applicant proposes to rezone the 3.85 acre parcel to allow for commercial uses.

The property is located within the 1-Mile Road Master Plan area along County Road M and Hwy 145. County Road M is designated as a Collector.

The Montezuma County Planning and Zoning Commission will hold a public hearing for this permit on June 9, 2022.

RECOMMENDATION

Staff recommends that the Commission state any concerns and request comments be forwarded to the County if so desired.



Montezuma County Planning & Zoning Commission

109 West Main, Room 270 Cortez, CO 81321 (970) 565-2801 (970) 565-3420 Fax

MONTEZUMA COUNTY PLANNING & ZONING COMMISSION PUBLIC NOTICE

Notice is hereby given that the Montezuma County Planning & Zoning Commission will hold a Public Hearing for the purpose of reviewing and determining recommendations to be made to the Board of County Commissioners regarding a proposed Amendment to Lot #3 of the Aldean Acres 7 Lot Major Subdivision and Rezoning Application submitted by Richard & Melanie McDonald, on property located at TBD Road M, Cortez, CO, consisting of 3.85 acres, more or less, located west of Hwy 145, north of Road M, situated in Section 12, T.36N, R.16W, N.M.P.M. The hearing will be held Thursday, June 9, 2022 at 6:00 pm, Commissioner's Hearing Room, Montezuma County Administrative Offices, 109 W. Main, Cortez, CO. Interested persons may attend and give input. Information may be obtained https://co-montezumafrom the Planning Office on-line service at co.smartgovcommunity.com/Public/Home; you may also contact the Planning Dept. at (970) 565-2801 with questions.

Dated this 20th day of May, 2022.

/s/ Kim Percell, Clerk, Board of County Commissioners Montezuma County, CO

Published in the Journal on Wednesday, May 25, 2022



Application Date: 5/2/2022

Date of Planning Commission Meeting: 6/9/2022

(All dates are subject to proper completion of submittals in preparation for the public hearing process.)

MONTEZUMA COUNTY SUBDIVISION AND RE-ZONING APPLICATION

This application is intended to give pertinent information to the Planning Department of Montezuma County for the purpose of determining the review procedure for a proposed zoning request. Nothing in this application is intended to abrogate any policy, design guideline, or standard as set forth in the Montezuma County Land Use Code, Amended March 2, 2015, Resolution No. 3-2015.

An applicant may pick up a hard copy of the Montezuma County Land Use Code for \$10.00 in office or go online for a free copy. We encourage all applicants to get a copy of the Land Use Code.

1)	Applicant Name(s): Richard & Melanie McDonald
	Mailing Address: <u>12107 Hwy 145, Dolores, CO 81323</u>
	Telephone Number: <u>970-799-4997</u> Alternate Number: <u>970-799-4725</u>
	Email Address: melainescottmcdonald@gmail.com or independent.rich1@gmail.com
2)	Agent(s): Phone No: Email
	(If the applicant is not the owner then evidence that the owner is aware of and consents to the filing of this application must be provided in writing before the application will be accepted.)
3)	Proposed Development: Current Zoning: <u>AR3-9</u> Requested Zoning: <u>COMZ</u>
	Number of Lots Proposed: <u>1 (one)</u> Total Acres: <u>3.85+/-</u>
	A brief description of proposed land use: <u>Applicants propose to change the zoning of</u>
	Lot#3 of the Aldean Acres Major Subdivision due to its location within the Commercial
	Overlay Zone along Hwy 145.
	Parcel I.D. Number: <u>561112401003</u>
	Physical Address of Property:TBD Road M, Cortez, CO
	Legal Description of Property: ALDEAN ACRES Lot: 3 3.85AC (25% MIN INT(MC1492) B441 P259
	B625 P878 B626 P919 B647 P724 B680 P181 Section 12 Township 36N Range 16W
	, N.M.P.M.

- Brief description of the adjacent land uses: <u>The surrounding properties consist of residential, small and large agricultural, commercial and industrial usages.</u> Number of Lots: 1(one) Average Acreage per Lot: Total Acres: 3.85+/-
- 5) Applicant shall submit sufficient copies of a pre-sketch plan which shows the general location of the development in sufficient detail to evaluate the relationship between the development and the physical features of the land and abutting lands. See Chapter 5: Section 3: 5302.

Pre-Sketch Plan Checklist:

	Location of	proposed	development	areas	upon	the	site
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Total acreage

Abutting land uses, zoning designations, abutting land owners names and addresses

Existing roads, streets and highways

Major physical features including structures, buildings, boundary fencing irrigation ditches and pipelines, utilities, topography, drainage, wetlands, noxious weed infestations and location of natural hazards.

6)	Septic: Existing Infrastructure	🖵 yes	🗵 No	
	Septic Permit Information Attached	🛛 yes	Permit	

In Process

Other: ______ This property is vacant land. Any new septic system will be required to be designed by a licensed engineer and permitted through the County Health Department.

× No

Copies of permits for existing systems are required. Installation of new systems will require permitting through the Sanitation Department. An Engineer will determine the type of septic system.

Rural Water: Existing Infrastructure 🖵 yes 🛛 🗵 No
Copy of Existing Tap Certificate:
Service provided by: <u>Montezuma Water Company</u>
Letter attached: 🖵 yes 🛛 No
Service Available forAdditional residential use(s)

8) Copy of Current Driveway/Access Permit from Montezuma County Road Department
 □ Yes ∑ No □ In Process

Access Permit can service up to _____ residential uses. Date on Permit: _____

Interior Road anticipated within development: U Yes 🗵 No

This is vacant land. Any	/ driveway access	s will be required	to be permitted	d through the
County Road Department.	·			-

9)	CDOT Access/Permit: Any development	nt that will require a	direct access o	off <u>any</u> highway
	shall require permitting through CDOT.	Required 🖵 Yes	Hwy:	No 🗵

10) Contact utility companies for information regarding any/all easements, contracts or fee for providing service to the development: Electric: I Empire Electric I Other: Telephone: I CenturyTel I CentryLink I Farmers I Other: Gas Source: I Atmos Energy I Propane I Other:
11) Irrigation Water: Yes X No Provided by:
12) Covenants Attached: Yes No Draft Final Pages <u>The covenants for this subdivision have been recorded with the County Clerk</u> <u>Recorder. The current covenants will be required to be amended to reflect the change zoning for Lot #3.</u> <u>Recording Fee: \$13.00 for the first page and \$5.00 each additional page</u>
 13) Fire Mitigation Plan: Is the property located in an area identified on the A or B Communi at Risk Map, or other areas that fall outside of the A or B Zone that have native vegetative cover deemed to be a wildfire risk: Yes, requires a Comprehensive Wildfire Mitigation Plan: Attached In Process <u>No, Waiver Granted by Wildfire Adapted Partnership. The lot owner is still responsib for maintaining defensible spaces.</u> Submittal of Affidavit with directional photos Attached In Process
 14) Weed Plan: Attached In Process <u>No, Waiver Granted by Montezuma County Noxious Weed Manager. The lot owner is still responsible for the management of noxious weeds.</u> 15) Geologic Investigation: Required X Not Required Prepared by:

Geologic Investigation required for Moderate and Major Development.

16)Storm Water Permit Required: Yes No No Not Applicable Required for Developments that disturb at least 1 acre of top soil in the process of developing. A storm water permit will be required for any construction.
17)Drainage Plan Required: □ Yes □ No ⊠Not Applicable Known site characteristics: <u>A drainage plan will be required for any</u> construction
Mitigation Measures to be taken:
18) Floodplain Development Permit: Yes No X Not Applicable <u>A floodplain permit will be required for any construction</u>
19) Municipal Review: 🖾 Cortez 🗅 Dolores 🗅 Mancos 🖵 Not Applicable
20) In accordance with CRS 31-23-215, all mineral rights owners and lessees of mineral owners should be notified regarding proposed subdivision of property. The following information can be obtained from the Assessor's Office.
NAMES AND CURRENT ADDRESS OF MINERAL RIGHTS OWNERS:
Name: Richard & Melanie McDonald
Address: <u>12107 Hwy 145, Dolores, CO 81323</u> Name:
Address:
Name: Address:
21) Other:
The Applicants are not proposing any development. They are only requesting rezoning of Lot #3 to commercial due to its location within the commercial overlay zone along Hwy 145.
22) Brief description of any planned or future development: Are there any other development applications that effect the proposed development:

□ Yes, see attached ⊠ No

No further development is planned at this time.

PROHIBITION ON LEGAL ADVICE Staff members cannot give legal advice. This prohibition includes assisting or advising with documents to file or record, completing the documents, or assessing the legality or "correctness of a document(s)." If this type of assistance is required, contact your attorney or legal advisor. C.R.S. 12-5-101

The landowner by signing this acknowledges that all federal, state and local permits will be obtained.

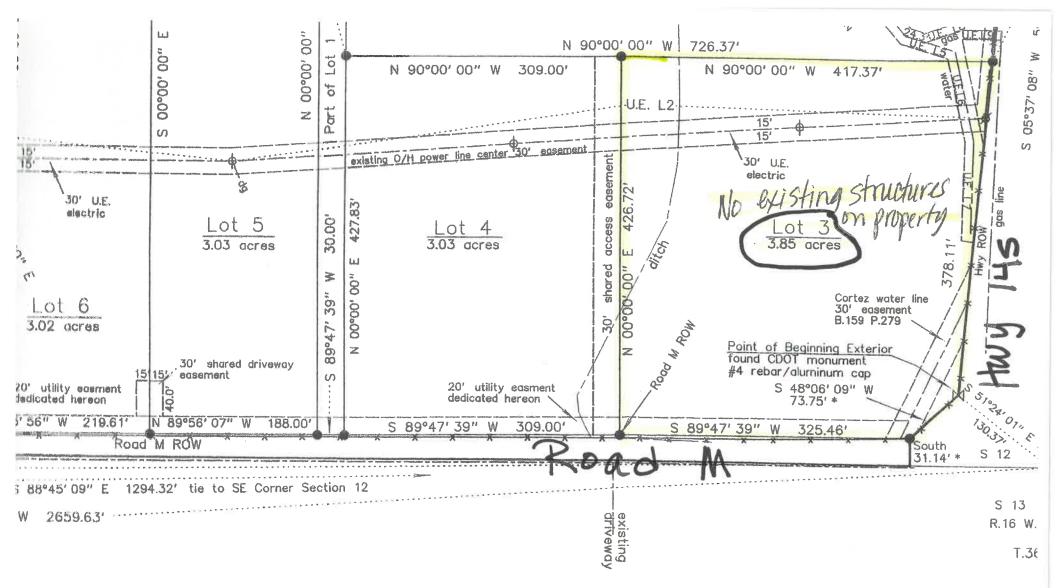
Applicant Date:

Applicant Date:

COUNTY USE ONLY

Based on the information provided herein, this Application complies with the application submittal requirements per the Montezuma County Land Use Code.

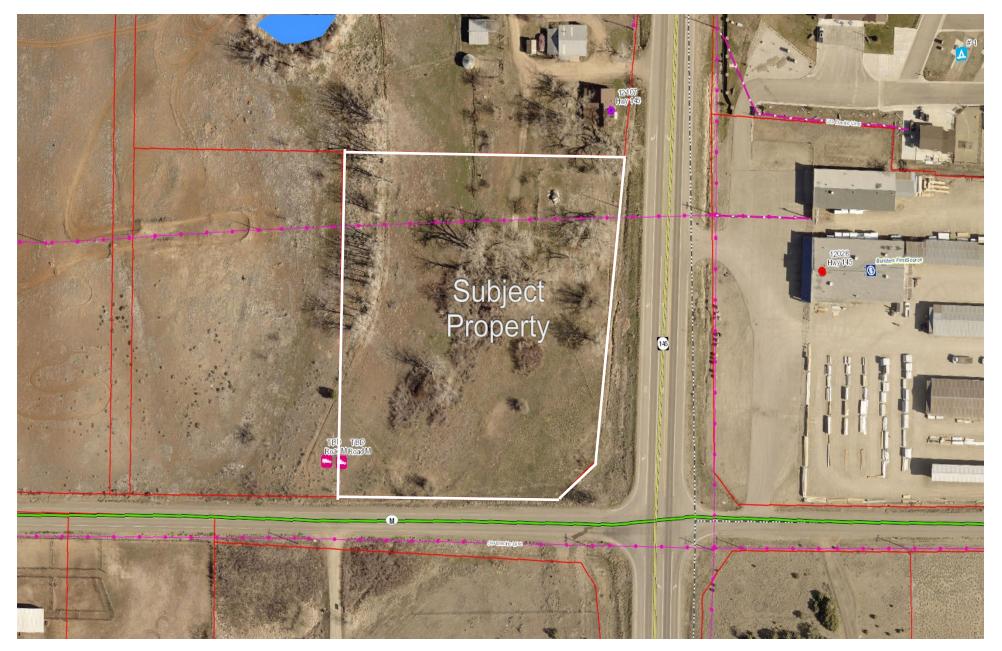
Name:	010	Title:	
Planning Director Review:	Om Herry	Date: 5/23/2	2
	0		



KNOW ALL MEN BY THESE do hereby certify that thi made by me or under my best of my knowledge and of practice. This statemen

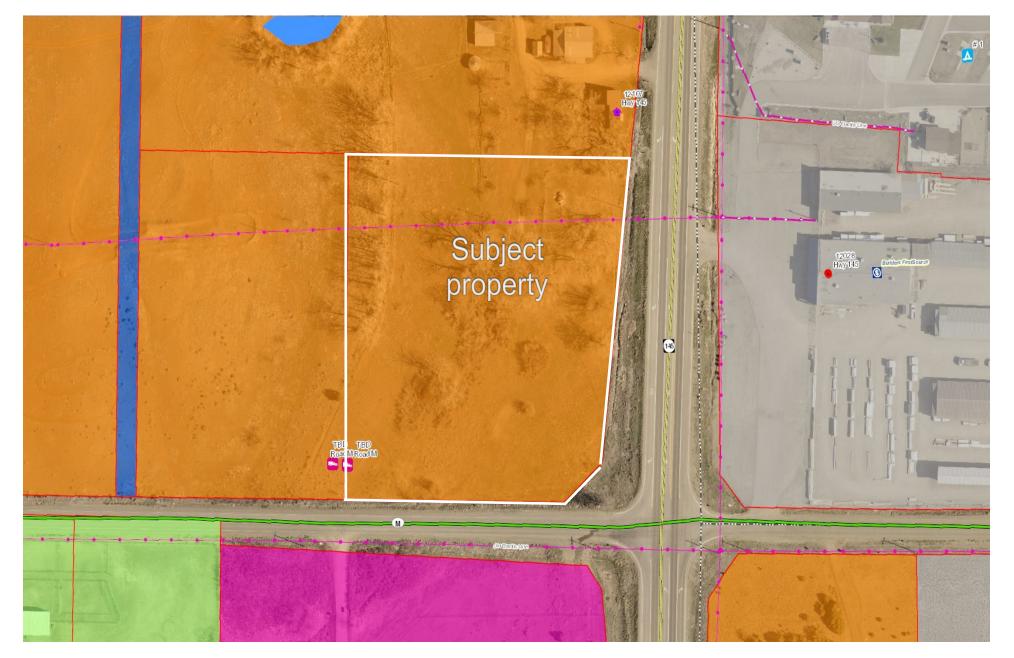
McDonald TBD Road M, Cortez, CO





McDonald TBD Road M, Cortez, CO

Zoning Map



McDonald TBD Road M, Cortez, CO

Neighbor Map & List



	Property Owner	Mailing Address	Physical Address	Zone	Acres
1	Richard & Melanie McDonald	12107 Hwy 145, Dolores, CO 81323	12107 Hwy 145, Dolores, CO 81323	AR3-9	4+/-
2	LN Real Estate, LLC	5251 DTC Parkway, Ste 1045, Greenwood Village, CO 80111	12028 Hwy 145, Dolores, CO 81323	AR ES	9.29+/-
3	Jerry & Norma McComb	827 W 7th St., Cortez, CO 81321	27042 Road M, Dolores, CO 81323	AR3-9	9.03+/-
4	Williford Land, LLC	26980 Road M, Cortez, CO 81321	26980 Road M, Cortez, CO 81321	INDLZ	3+/-
5	Richard & Melanie McDonald	12107 Hwy 145, Dolores, CO 81323	TBD Road M, Cortez, CO 81321	AR3-9	3.03+/-



CITY OF CORTEZ 123 ROGER SMITH AVENUE CORTEZ, CO 81321

June 7, 2022

Agenda Item: 4. b.

MEMO TO: Planning and Zoning Commission

FROM:

SUBJECT: Review County Development of proposed Subdivision Amendment Application to Highlands Terrace.

BACKGROUND See Attached.

RECOMMENDATION Planning and Zoning Commission will review

Ramsey Amendment

Attachments



City of Cortez Planning and Building 123 Roger Smith Avenue Cortez, CO 81321

> Item No: 4b Meeting Date: June 7, 2022

MEMO

TO: Members of the Cortez Planning and Zoning Commission

FROM: Nancy Dosdall, Contract City Planner

- SUBJECT: County Development- Review of a proposed Subdivision Amendment Application to the Highland terrace Major Subdivision, submitted by Burt & Debra Ramsey, property located at TBD Road K.8, Cortez, CO, consisting of 0.63 acres, more or less, located north of Road K.8, west of Hwy 491, situated in Section 22, T.36N, R.16W, N.M.P.M.
- ATTACHMENTS: County Application Packet Request for a of a proposed Subdivision Amendment Application to the Highland terrace Major Subdivision, submitted by Burt & Debra Ramsey, on property located at TBD Road K.8, Cortez, CO, consisting of 0.63 acres, more or less, located north of Road K.8, west of Hwy 491, situated in Section 22, T.36N, R.16W, N.M.P.M..

BACKGROUND

The Applicant proposes to re-subdivide the parcel.

The property is located within the 1-Mile Road Master Plan area served by Road K.8. The road is not designated on the Road Master Plan.

The Montezuma County Planning and Zoning Commission will hold a public hearing for this permit on June 9, 2022.

RECOMMENDATION

Staff recommends that the Commission state any concerns and request comments be forwarded to the County if so desired.



Montezuma County Planning Department

109 West Main, Room 270 Cortez, CO 81321 (970) 565-2801 (970) 565-3420 Fax

PUBLIC NOTICE MONTEZUMA COUNTY PLANNING & ZONING COMMISSION

Notice is hereby given that the Montezuma County Planning and Zoning Commission will hold a Public Hearing for review and determination of a proposed Subdivision Amendment Application to the Highland terrace Major Subdivision, submitted by Burt & Debra Ramsey, on property located at TBD Road K.8, Cortez, CO, consisting of 0.63 acres, more or less, located north of Road K.8, west of Hwy 491, situated in Section 22, T.36N, R.16W, N.M.P.M. The hearing will be held Thursday, June 9, 2022 at 6:00pm, Commissioner's Hearing Room, Montezuma County Administrative Offices, 109 W. Main, Cortez, CO. Interested persons may attend and give input. Information may be obtained from Planning Office on-line service https://co-montezumathe at co.smartgovcommunity.com/Public/Home; you may also contact the Planning Dept. at (970) 565-2801 with questions.

Dated this 20th day of May, 2022

/s/ Kim Percell, Clerk, Board of County Commissioners Montezuma County, CO

Published in the Cortez Journal on Wednesday, May 25, 2022



APPLICATION

This application is intended to give pertinent information to the Planning Department of Montezuma County and the Board of County Commissioners for the purpose of reviewing and determining the following request(s):

Af E: Af E: Amer V: Af Af E: Comparison	ariance ter –the-Fact Exemption kemption adment of: ariance ter-the-Fact Exemption kemption xisting Subdivision-Common Lot Line HIGHLAND TERRACE LOT #A
	in this application is intended to abrogate any policy, design guideline, or standard as set forth in the Montezuma County Land Use Code, 1 5/08/2013, Resolution No. 3-2015.
1)	Does the property involve more than one parcel? \Box Yes \boxtimes No
a.	Applicant(s) Name: Burt & Debra Ramsey Mailing Address: 21991 Road P, Cortez, CO 81321 Telephone Number: 970-749-8366 Email: ramseyburt@gmail.com Physical Address of Property: TBD Road K.8, Cortez, CO Acres: 0.63+/- Parcel Identification Number: 561122201033 Existing Zoning: AR ES Zoning Requested: Yes Section: _22 , Township: 36N , Range: _16W_ , N.M.P.M.
b.	Applicant(s) Name: Mailing Address: Telephone Number: Email: Physical Address of Property: Acres: Parcel Identification Number: Existing Zoning: Zoning Requested: Yes No Zoning Designation: Section: , Township: , Range:
.2)	Agent(s): Email Address: Mailing Address: Telephone Number:
3)	All lot owners are required to submit evidence of permitted sanitation systems. ISDS: ☐ Yes ⊠ No Public Sanitary Sewage System: ☐ Yes ☐ No Other: Permit NoThis property is currently vacant land
4)	Name of Rural Water Provider: <u>Montezuma Water Company</u> Evidence of services are required in the form of a tap certificate, a letter from the water company or municipality or service billing. Evidence Submitted: Yes X No

- 5) Contact utility providers for information regarding any/all easements, contracts or fees for providing service to the subject property.
 Electricity: I Empire Electric Association □ Alternative Source: ______
 Gas Source: I Propane □ Atmos Energy □ Alternative Source: ______ *Alternative sources must meet the Montezuma County Land Use Code Requirements and acceptance by the Board of County Commissioners.*
- 6) Copy of current Driveway/Access Permit: □ Yes ⊠ No Access off Road: <u>K.8</u> <u>This property is currently vacant land. Any driveway access will be required to obtain a</u> <u>driveway permit through the County Road Department</u>
- Provision(s) from the Montezuma Land Use Code for which the request is being made:
 9103.4 Exemptions. The Board of County Commissioners may grant exemptions as provided by 30-28-101 (10) (d) C.R.S., as amended.
- 8) Are there exceptional or extraordinary circumstances or conditions which make the request necessary:
 ⊠ Yes □ No
 Lots 1-9 of the Highland Terrace Subdivision were amended in 2017 to change them to Lots A, B, C, D, & E. The Applicants own Lots A & B. They are requesting to amend Lot A back to its original two lots.
- 9) Is the request the result of a self-imposed hardship? □ Yes ⊠ No Explain: ______ SEE #8
- 10) Can the request be granted without infringing on the fair and equal treatment of other property owners in the vicinity? ☑ Yes □ No
 Description of circumstances: <u>SEE #8</u>
- 12) A Site Plan identifying the property and circumstances for which the request is being made must be attached to and made a part of the application. Attached \boxtimes Yes \Box No
- 13) Mineral interest information attached? \Box Yes \boxtimes No
- 14) Deed transferring property attached: \Box Yes \boxtimes No

Appended:	Vicinity Map	
	Findings	
	Survey	
	Copy of Deed	•
	Other	

Burt Ramsey Applicant

82 17

Date: <u>5/5/2022</u>

Debra Ramsey Applicant

Date: <u>5/5/2022</u>

Part 19 Applicant

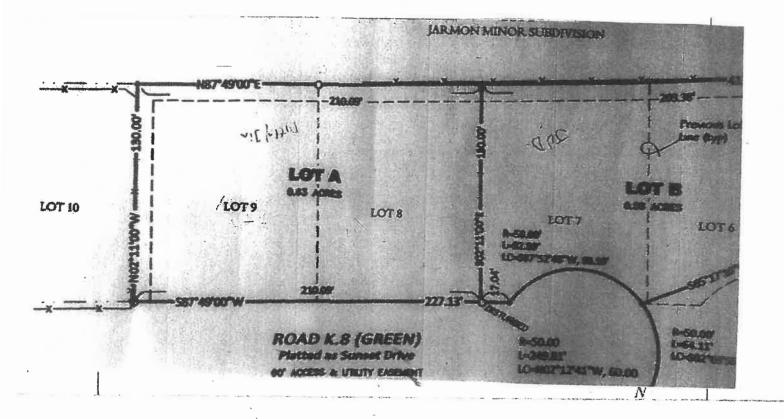
Date: 5/5/2022

Kinser Applicant

Date: _____

Om Haley Planning Director Review: ____

Date: 5/23/ 22

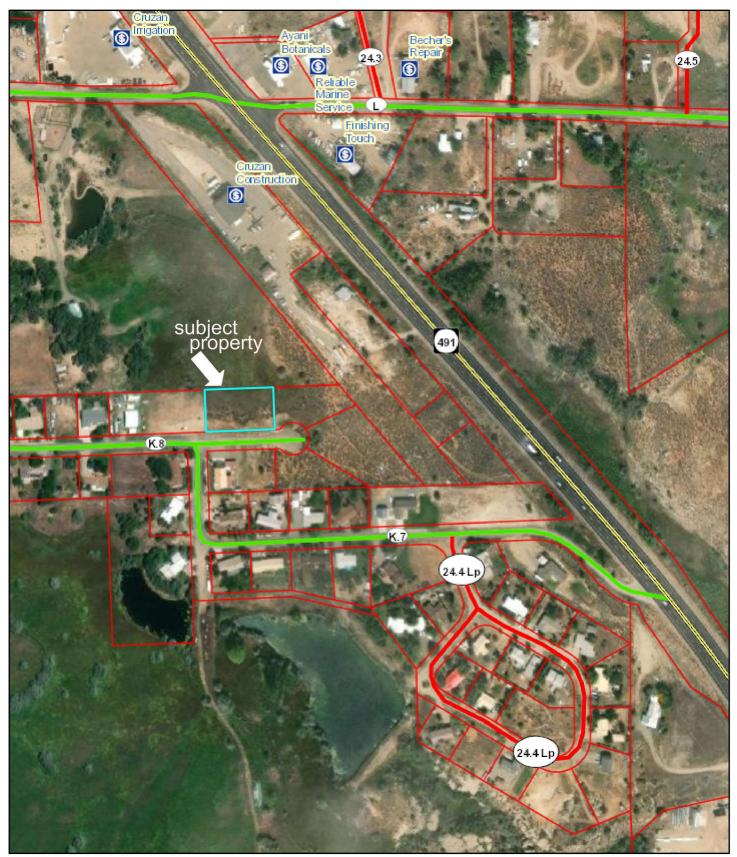


Montezuma County Property Detail Map





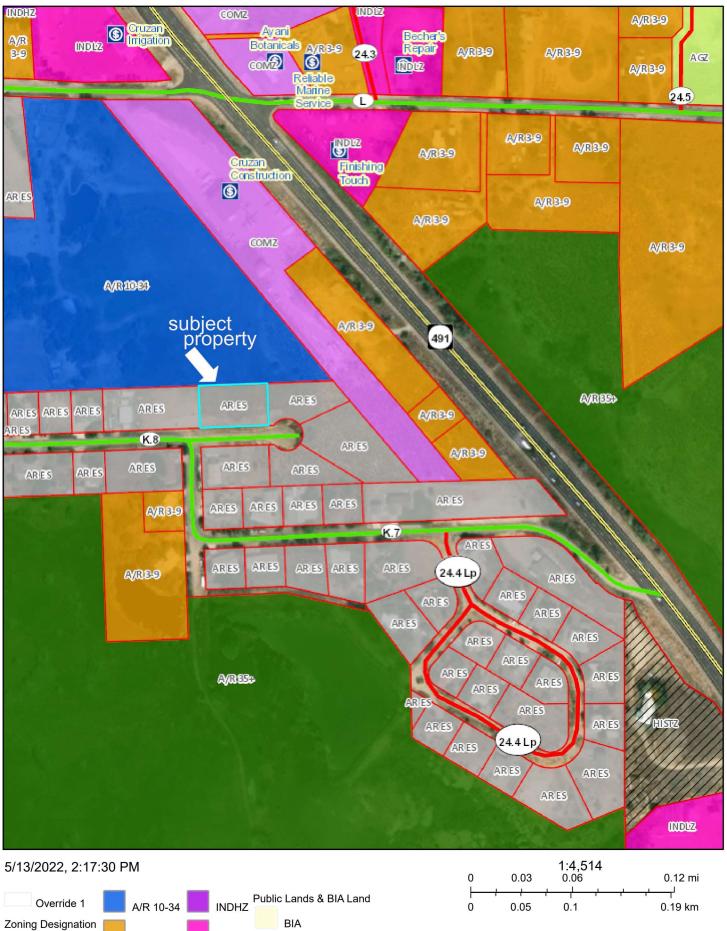
Montezuma County Property Detail Map





Rivers

Montezuma County Property Detail Map





TBD Road K.8, Cortez, CO

Neighbor List & Map



	Property Owner	Mailing Address	Physical Address	Zone	Acres
1	Steven & Margarita Jarmon	P O Box 1683, Cortez, CO 81321	24154 Road L, Cortez, CO 81321	AR10-34	17.86+/-
2	Burt & Debra Ramsey	21991 Road P, Cortez, CO 81321	TBD Road K.8, Cortez, CO 81321	AR ES	0.58+/-
3	Michael & Connie McGuire	126 Pinon Dr., Cortez, CO 81321	24262 Road K.8, Cortez, CO 81321	AR ES	0.54+/-
4	James & Perfidia Bridgewater	24243 Road K.8, Cortez, CO 81321	24243 Road K.8, Cortez, CO 81321	AR ES	0.63+/-
5	Randy & Jeanne Garbesi	24200 Road K.7, Cortez, CO 81321	24200 Road K.7, Cortez, CO 81321	AR ES	0.72+/-
6	Jimmie Carter	24233 Road K.7, Cortez, CO 81321	24160 Road K.8, Cortez, CO 81321	AR ES	0.90+/-



CITY OF CORTEZ 123 ROGER SMITH AVENUE CORTEZ, CO 81321

June 7, 2022

Agenda Item: 4. c.

MEMO TO: Planning and Zoning Commission

FROM:

SUBJECT: Review County Development of proposed After-The-Fact High Impact & Special Use Permit

BACKGROUND See Attached.

RECOMMENDATION

Planning and Zoning Commission will review.

Stanley review After-The-Fact

Attachments



City of Cortez Planning and Building 123 Roger Smith Avenue Cortez, CO 81321

> Item No: 4c. Meeting Date: June 7, 2022

MEMO

TO: Members of the Cortez Planning and Zoning Commission

FROM: Nancy Dosdall, Contract City Planner

SUBJECT:County Development- Review of a proposed After-The-Fact High Impact & Special Use Permit Application
and Commercial Planned Unit Development Application, submitted by Stanley Investments, LLC; agent:
Blaine Bowers, on property located at 6572 Road 24 #1-5, Cortez, CO, consisting of 2.27 acres, more or
less, located south of Road G, east of Hwy4 91, situated in Section 10, T.35N., R.16W., N.M.P.M.

ATTACHMENTS: County Application Packet Request

BACKGROUND

The Applicant is requesting an After-The fact Commercial Planned Unit Development by the addition of a new 6 unit apartment complex to the existing 5 unit apartment complex

The property is located right on the border of the 1-Mile Area of Influence but not within the Road Master Plan area.

The Montezuma County Planning and Zoning Commission will hold a public hearing for this permit on June 9, 2022.

RECOMMENDATION

Staff recommends that the Commission state any concerns and request comments be forwarded to the County if so desired.



Montezuma County Planning & Zoning Commission

109 West Main, Room 270 Cortez, CO 81321 (970) 565-2801 (970) 565-3420 Fax

PUBLIC NOTICE MONTEZUMA COUNTY PLANNING & ZONING COMMISSION

The Montezuma County Planning and Zoning Commission will hold a Public Hearing for review and determination of a proposed After-The-Fact High Impact & Special Use Permit Application and Commercial Planned Unit Development Application, submitted by Stanley Investments, LLC; agent: Blaine Bowers, on property located at 6572 Road 24 #1-5, Cortez, CO, consisting of 2.27 acres, more or less, located south of Road G, east of Hwy 491, situated in Section 10, T.35N., R.16W., N.M.P.M. The hearing will be held Thursday, June 9, 2022 at 6:00pm in the Commissioner's Hearing Room, 109 W. Main, Cortez, CO. Interested persons may attend and give input. Information may be obtained from Office https://co-montezumathe Planning on-line service at co.smartgovcommunity.com/Public/Home; you may also contact the Planning Dept. at (970) 565-2801 with questions.

Dated this 20th day of May, 2022.

/s/ Kim Percell, Clerk, Board of County Commissioners Montezuma County, CO

Published in the Cortez Journal on Wednesday, May 25, 2022



Date Submitted:

MONTEZUMA COUNTY HIGH IMPACT PERMIT APPLICATION

Conditions and safeguards may be imposed by the County Commissioners

This application is intended to give pertinent information to the Planning Department of Montezuma County for the purpose of the review process for a proposed zoning request. Nothing in this application is intended to retract any policy, design guideline, or standard as set forth in the Montezuma County Land Use Code, Amended 03/02/2015, Resolution No.3-2015.

Please initial here that you have a current copy of the Montezuma County Land Use Code or can access a copy online at <u>www.montezumacounty.org</u>; Click on Departments; Planning; and Montezuma Land Use Code _____GS____.

- 1) Applicant(s) Name: <u>Stanley Investments, LLC</u> Current Landowner's Name(s)/Owner: <u>Stanley Investments, LLC</u> Landowner Mailing Address: <u>813 Lanai Drive, Grand Junction, CO 81506</u> Telephone Number (970) <u>799-3609</u> Alternate Number: ()______
- 2) Agent(s): Blaine Bowers Agent Mailing Address:

Phone No. <u>(970) 759-2767</u>

Email: mountainviewbuilders@hotmail.com

(If the applicant is not the owner then evidence that the owner is aware of and consents to the filing of this application must be provided in writing before the application will be accepted.)

3) Existing Zoning: <u>AR ES</u> Requested Zoning: <u>CMOZ</u> Number of Lots: <u>1 (one)</u> Total Acres: <u>2.27+/-</u> A brief description of adjacent land usage: <u>the surrounding properties are of mixed uses that consist</u> <u>of residential, agricultural, commercial, and industrial uses.</u>

A brief description of the proposed development / use: <u>The Applicant is requesting an After-The-</u> fact Commercial Planned Unit Development by the addition of a new 6 unit apartment complex to the existing 5 unit apartment complex.

Parcel I.D. Number: <u>563710202009</u> Physical Address of Property: <u>6572 Road 24 #1-5, Cortez, CO</u> Legal Description of Property: COTTONWOOD GROVE ADDITION Tract: 13 2.27AC TR 13 LESS TR B482 P797 B569 P291 Section <u>10</u> Township <u>35N</u> Range <u>16W</u>, N.M.P.M.

- 4) Brief description of the proposed development: <u>addition of a new 6 unit apartment complex to the</u> <u>existing 5 unit apartment complex</u>.
- 5) General High Impact Submittal Requirements: The High Impact Permit Application will include, but not be limited to, the following required attachment(s); and will be made apart of the High Impact Permit Application, in the form of a narrative, plan, map, or description per Chapter 2, Section 2, 2201.4 of the Land Use Code:
- Names, Addresses, and contact information for the owner or representative of the owner
- Current and completed High Impact Permit Application, summarizing the level of compliance with each Threshold Standard and any recorded use or planned unit development covenants.
- A Site Plan, including a vicinity map, indicating to the extent feasible, compliance with the applicable Threshold Standards. See pages 2-4 of the Land Use Code.

- Detailed plans and specifications of the change in land use and conceptual or detailed plans for any potential enlargement of the development or land use.
- If the permit application concerns an enlargement of an existing use, the past history and expansion of the use.
- A list of the status of all other federal, state, and local permits and approvals that will be required for the change in land use, together with any proposal for coordinating these approvals with the County permitting process.
- A description of the public facilities required by the change in land use and evidence of service or specific proposals for providing facilities not currently available.
- Descriptions of those adverse impacts resulting from the change in land use which are not mitigated and which are irreversible and irretrievable.
- 6) A Mitigation Plan is required to address the following:
 - Threshold Standards that will be exceed during the construction or operation of the High Impact Permit request require Plans for mitigating conditions that exceed said standard(s). Below is an Evaluation for certifying the level of compliance with the Threshold Standards: Please check if your project Meets, Exceeds or if the Standard would be non-applicable.
- 7) Plans for winding down activities and service and facility demands:
 Attached
 Not Applicable
 - 1. When the construction and/or operation of the project is complete,
 - 2. In the event that the project is suspended or terminated prior to completion, and
 - 3. For controlling, restoring, and remediation of any impacts that will continue after the construction and/or operation of the change in land use is complete.

Plans for controlling and remediation of hazardous, toxic, and explosive substances that are used, stored, transported, disturbed, or produced in connection with the change in land use.

Plans for monitoring the effectiveness of the mitigation measures.

A description of how and when the mitigation plan will be implemented and financed.

- 8) Mitigation Plan: Attached, herewith and made a part of the application.
- 9) Additional requirements for projects involving the Potential of Highly Significant Impacts. Additional information may be required in the form of maps, narrative descriptions, photographs, data and studies to determine the nature and extent of potential highly significant impacts as provided for in 2202.6 and 2202.7 of the Land Use Code:

Additional Plan Submitted:	Yes		No	X	Not Applicable
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- 10) Professional Review Fee collected: 🖵 Yes 🗵 No
- 11) Municipal Review: 🗵 Cortez 🛛 Dolores 🖵 Mancos 🖵 Not Applicable
- 12) Rural Water: Existing Infrastructure ↓ yes No
 Copy of Existing Tap Certificate: ↓ yes ℕ not applicable
 Service provided by: <u>Blue Door Water Company</u>
 Letter attached: ↓ yes ℕ ↓ In Process
 Service Available for _____ Additional COMZ/INDZ use(s)
 _____ Applicant contacted Blue Door Water Co. and was directed to tie into the existing water line until further notice, due to future service line upgrades.
- 13) Copy of Current Driveway/Access Permit from Montezuma County Road Department
 Yes X No In Process
 Access Permit can service up to _____ industrial use. Date on Permit: _____

	Interior Road anticipated within development: Road Cut and (or) Bore Permit required If so, copy of permit attached Yes No
14)	CDOT Access/Permit: Any development that will require a direct access off <u>any</u> highway shall require permitting through CDOT. Required I Yes Hwy: No X
15)	Contact utility companies for information regarding any/all easements, contracts or fees for providing service to the development: Electric: Empire Electric Other: Telephone: Cell Phone Only Centurylink Farmers Other: Gas Source: Atmos Energy Propane Other:
16)	 Fire Mitigation Plan: Is the property located in an area identified on the A or B Community at Risk Map, or other areas that fall outside of the A or B Zone that have native vegetative cover deemed to be a wildfire risk: Yes, requires a Comprehensive Wildfire Mitigation Plan: Attached In Process No, Request for Waiver; Submittal of Affidavit with directional photos Attached In Process
17)	Weed Control Plan: Attached In Process: No, County Weed Manager recommends a waiver. Property owners are still responsible for noxious weed management
18)	NAMES AND CURRENT ADDRESS OF MINERAL RIGHTS OWNERS:
	Attached Same as Surface Owner No Mineral Owners for the property
Applicar Date:	Applicant 4-21a-22 Date:
Based or requiren	n the information provided herein, this Application complies with the application submittal nents per the Montezuma County Land Use Code. Director Review: Date: $\frac{5/19/22}{Date:}$

	ESHOLD STANDARD		NLEY INVESTMENTS, LLC	
NO.	STANDARD	THRESHOLD	APPLICANTS RESPONSE	PLANNING DEPARTMENT NOTES
1	Minimum lot size	 3 acres 10 acres within the Dolores River Valley 	2.27 acres, more or less	This property size was designated in 1957
2		 ♦ 35 feet 		This meets the requirement
	Maximum Building Height		15 feet	
3	Maximum Building Footprint	 Maximum building footprint overall shall not exceed 12% of the lot size. Building footprint does not apply to Commercial or Industrial zoned parcels immediately adjacent to a state or federal highway with an approved CDOT access permit and in accordance with 5101.5 of the Montezuma County Land Use Code. 	2880 sq ft for building	The new building does not exceed the threshold of 12%
4	Building setbacks	 Primary Residence: See 5101.3 (A) (1-3) of the Montezuma County Land Use Code. 50' from County Road and State Hwy. R.O.W. 50' from lot lines or interior use roads Commercial/Industrial use: See 5101.6 (C) 50' from County road and State Hwy. Rights- of-way 50' from residential lot lines and 25' from non- residential lot lines Within the Dolores River Valley: All new commercial and residential construction, including I.S.D.S., set back 100' from existing streambank 	72 feet to the north property line, 60 feet to south property line	These measurements meet the threshold standard for setbacks for commercial properties.
5	New Construction and Remodeling for Commercial, Industrial, Public Buildings	 All new construction and remodeling of commercial or industrial use buildings and public buildings must be built according to the Uniform Building Code, 1997 Edition. 	New construction	The construction of the new apartment unit ha been built equal to/o greater than, the threshold standard.
6	Livestock Fencing	 Adequate to protect from livestock encroachment. 5101.4 	N/A	This does not apply due to being within commercia and industrial properties
7	Protection of Normal Agriculture Operations	 No significant, adverse impacts on normal agricultural operations 5101.4 	N/A	This does not apply due t being within commercia and industrial properties
3	Outdoor Storage and/or Fabrication areas	 Appropriate screening may be required Merchandise displays are exempt 	N/A	The property does no provide storage.
9	Roads	 All interior roads built to county road standards. 5103.3 & 5305.5 	Road 24 and Road 24.2	The driveway access is onl provided to the apartmer units

10	Parking/Access/Loading Areas	 Adequate for intended use such that traffic flow and circulation are not impeded. 5101.6 Approved County or CDOT highway access permit 	Adequate use not impeded	Parking areas are for apartment renters only
11	Traffic	 Less than 15 vehicle round trips per business day 	22	There are 11 units x 2 round trips
12	Water	 Proof of availability and adequate flow. See 5103.3(G) & 5304(D) 	Adequate flow	The property is serviced by Blue Door Water Co.
13	Sanitary Sewer Disposal	 Compliance with 5101.7; 5103.3(F); and 5304(E) 	septic permits	The new septic has been permitted through the Public Health Department
14	Stormwater Control and Site Drainage	 No adverse impacts on any county road, state highway or adjacent land use. See 5103.3(H) 	No adverse impacts	This property is not in an area of influence
15	Solid Waste -garbage, refuse, sludge and other discarded material	 Proof of disposal service No materials transferred off-site by natural forces No on-site burning except for flammable domestic waste or as part of an agricultural operation or weed control program 	Dumpster on site, emptied weekly	The property owner provides weekly trash service to the residents of the apartments
16	Fire and Wildfire Protection	 ♦ Compliance with 5101.3(G); 5302.3(J); and 5304.3W. 	Compliant	This property is not in an area of influence of natural fire damage. Property has been cleared for defensible spaces
17	Law Enforcement and Emergency Service	 Letter of adequacy from law enforcement and/or emergency service provider may be required 	Compliant	EMS and Law Enforcement have adequate access spaces in order to enter/exit property
18	Floodplain	Compliance with the Montezuma County Floodplain Resolution No. 1-91 and completion of a Floodplain Development Plan Permit, where applicable	Compliant	This property is not in an area of influence of floodplain
19	Geologic and Natural hazards	 Identification and avoidance or mitigation of potential hazards. See 5103.2 	No hazards	This property is not in an area of influence
20	Public Facilities: Camp, RV Parks, MH parks, etc.	 Adequate restroom: one men/women set plus one extra sink and toilet per 100 weekly peak season visitors. See 4106.5.A. 	N/A	This property only occupies two apartment complexes, each apartment having their own facilities
21	Operational Electric Disturbances	 No detrimental effects such as radio and television interference beyond the boundaries of the site. 	None	This property does not create any interference
22	Fire and Explosive Hazards	 National Fire Protection Association standards and any other fire code or standard employed by the appropriate fire district apply. 		This property is not in an area of influence of natural fire damage
23	Glare and Heat	 Must be contained, enclosed or treated to 	None	Apartment buildings have
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		make glare and heat imperceptible form any point on the boundary line.		porch lights only
24	Lighting	 All direct rays confined to site and adjacent properties protected from glare. 	None	Apartment buildings have porch lights only
25	Noise	 Volume as established by C.R.S. 25-12-101, et seq. Volume as established by COGCC Rule 802 pertaining specifically to oil & gas development. Noise from normal agricultural operations is exempt 	None	The property is in compliance with the noise levels
26	Vibration	 Not perceptible, without instruments, at any point on any boundary line 	None	There is no vibration
27	Odors	 No perceptible at property boundaries Agriculture operations: no violation if the best practical treatment, maintenance and control available is being used to maintain the lowest possible emission of odors. 	None	No odors are present at the property
28	Dust, Smoke and Particulate	 Dust and Fumes: None beyond property line (Dust control of County roads at expense of Applicant) Particulate matter: Less than 0.2 grain/cf flue gas at 500F stack temperature Smoke: USEPA Regulations: Opacity System, Method 9. Agriculture operations: no violation if the best practical treatment, maintenance and control available is being used. 	None	The property is graveled and the speed limit within the property is of a very low speed.
29	Radioactivity	 Subject to State and Federal Regulations 	None	No radiation present
30	Water Pollution	 Subject to State and Federal Regulations 	None	No water pollution present
31	Noxious Weeds	 Compliance with State (35-5.5-101 et seq. C.R.S. as amended) and Montezuma County Comprehensive Weed Management Plan Resolution No. 3-2014, as amended. 	Compliant, by property owner	The County Weed Manager has recommended a waiver from a comprehensive weed plan due to the owner manages the noxious weed population
32	Other Significant Adverse Impacts	 Pertaining to the Health, Safety and welfare of the Citizens of Montezuma County 	None	No other adverse impacts are present at this time
33	Local, State, & Federal Required Permits	Per 2202.4(F)		the required permits are the responsibility of the owner



Application Date: 4/25/2022

Date of Zoning/Rezoning Hearing: ____6/9/2022_____

MONTEZUMA COUNTY ZONING APPLICATION

This application is intended to give pertinent information to the Planning Department of Montezuma County for the purpose of determining the review procedure for a proposed zoning request. Nothing in this application is intended to abrogate any policy, design guideline, or standard as set forth in the Montezuma County Land Use Code amended on 5/07/2012 Resolution No. 2012-6.

Please initial here that you have a current copy of the Montezuma County Land Use Code <u>GS</u>.

- 1) Applicant Name(s)/Owner: <u>Stanley Investments, LLC</u> Address<u>813 Lanai Drive, Grand Junction, CO 81506</u> Telephone Number (970) <u>799-3609</u> Alternate Number: ()
- 2) Agent(s) <u>Blaine Bowers</u> Phone No. <u>970-759-2767</u> (If the applicant is not the owner then evidence that the owner is aware of and consents to the filing of this application must be provided in writing before the application will be accepted.)
- Proposed Development: Current Zoning: <u>AR ES</u> Requested Zoning: <u>COMZ</u> Number of Lots: <u>1 (one)</u> Total Acres: <u>2.27+/-</u> A brief description of adjacent land usage: <u>the surrounding properties are of mixed uses that</u> <u>consist of residential, agricultural, commercial, and industrial uses.</u> Parcel I.D. Number: <u>563710202009</u> Physical Address of Property: <u>6572 Road 24 #1-5, Cortez, CO</u> Legal Description of Property: COTTONWOOD GROVE ADDITION Tract: 13 2.27AC TR 13 LESS TR B482 P797 B569 P291 Section <u>10</u> Township <u>35N</u> Range <u>16W</u>

Brief description of the proposed development: <u>The Applicant is requesting an After-The-fact</u> <u>Commercial Planned Unit Development by the addition of a new 6 unit apartment complex to the</u> <u>existing 5 unit apartment complex.</u>

- Number of Lots: <u>1</u> Average Acreage per Lot: _____ Total Acres: <u>2.27+/-</u>
- 5) Applicant shall submit sufficient copies of a pre-sketch plan which shows the general location of the development in sufficient detail to evaluate the relationship between the development and the physical features of the land and abutting lands. See Chapter 5: Section 3: 5302. Presketch Plan Checklist:
 - Location of proposed development areas upon the site
 - Total acreage
 - Abutting land uses, zoning designations, abutting land owners names and addresses
 - Existing roads, streets and highways
 - □ Major physical features including structures, buildings, boundary fencing irrigation ditches and pipelines, utilities, topography, drainage, wetlands, noxious weed infestations and

location of natural hazards.

6)	Septic: [x] Existing Infrastructure I Yes I No Septic Permit Information Attached: Yes I Permit I Other: I No
	In Process <u>The first apartment complex was constructed in 1980, with improvements in 2015, and permitted</u> <u>under septic permit #1170. The new apartment complex in permitted under septic permit #6167.</u>
	Copies of permits for existing systems are required. Installation of new systems will require permitting through the Sanitation Department. An Engineer will determine the type of septic system.
7)	Rural Water: Existing Infrastructure yes No Copy of Existing Tap Certificate: yes No not applicable Service provided by: <u>Blue Door Water Company</u> Letter attached: yes No Service Available for <u>Additional Residential use</u> <u>Applicant contacted Blue Door Water Co. and was directed to tie into the existing water line until</u> <u>further notice, due to future service line upgrades</u>
8)	Copy of Current Driveway/Access Permit from Montezuma County Road Department Yes X No In Process Access Permit can service up to residential uses. Date on Permit: Interior Road anticipated within development: Yes X No The property has an existing driveway access that has been in use since 1980.
9)	CDOT Access/Permit: Any development that will require a direct access off <u>any</u> highway shall require permitting through CDOT. Required I Yes No I Hwy:
10)	Contact utility companies for information regarding any/all easements, contracts or fees for providing service to the development: Electric: I Empire Electric I Other:
11)	Geologic Investigation: (moderate & major developments ONLY, if required) Required X Not Required The apartment complex has been constructed
12)	Required for all Moderate and Major Developments only. Municipal Review: 🖾 Cortez 🔲 Dolores 🖵 Mancos 🖵 Not Applicable

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14)	Other:
15)	Brief description of any planned or future development, including any application(s) being reviewed consecutively with the zoning request.
	(Any further development will require the signature of all landowners on the amended plat) There are no further development planned at this time.
assi	ROHIBITION ON LEGAL ADVICE Staff members cannot give legal advice. This prohibition includes isting or advising with documents to file or record, completing the documents, or assessing the legality "correctness of a document(s)." If this type of assistance is required, contact your attorney or legal advisor. C.R.S. 12-5-101
	2 Annald
Applica	Applicant Applicant
Date: _	Date:

Based on the information provided herein, this Application complies with the application submittal requirements per the Montezuma County Land Use Code.

Name:	Title:
Planning Director Review: Our Haly	Date: 5/19/22



Application Date _____4/25/2022

Date of Zoning/Rezoning Hearing ___6/9/2022__

(All dates are subject to proper completion of submittals in preparation for the public hearing process.)

MONTEZUMA COUNTY PLANNED UNIT DEVELOPMENT APPLICATION

This application is intended to give pertinent information to the Planning Department of Montezuma County for the purpose of determining the review procedure for a proposed development. Nothing in this application is intended to abrogate any policy, design guideline, or standard as set forth in the Montezuma County Land Use Code amended on May 7, 2012, in Resolution No. 2012-6.

Please initial here that you have a current copy of the Montezuma County Land Use Code _____GS__.

1)	Applicant Name(s)/Owner: <u>Stanley Investmens, LLC</u> Address 813 Lanai Drive, Grand Junction, CO 81506
	Telephone Number (970) 799-3609 Alternate Number: ()
	Proof of Ownership: Certificate Title Opinion from Attorney SOUTHER Other: Deed
2)	Agent(s) Blaine Bowers Phone No. 970-759-2767 (If the applicant is not the owner then evidence that the owner is aware of and consents to the filing of this application must be provided in writing before the application will be accepted.) Phone No. 970-759-2767 Agent Authorization Letter Provided: Image: State Sta
3)	Proposed Development: Current Zoning: <u>AR ES</u> Requested Zoning: <u>COMZ</u> Parcel I.D. Number: <u>563710202009</u> Physical Address of Property: <u>6572 Road 24 #1-5, Cortez, CO</u> Legal Description of Property: COTTONWOOD GROVE ADDITION Tract: 13 2.27AC TR 13 LESS TR B482 P797 B569 P291 Section <u>10</u> Township <u>35N</u> Range <u>16W</u>
	A brief description of adjacent land usage: <u>the surrounding properties are of mixed uses</u> that consist of residential, agricultural, commercial, and industrial uses.
4)	Type of PUD: Cluster Incentive General Commercial Industrial Mobile Home Intended Land Uses: <u>The Applicant is requesting an After-The-fact Commercial Planned</u> Unit Development by the addition of a new 6 unit apartment complex to the existing 5 unit

apartment complex.

Minimum Acreage Dedicated to:

Agricultural Land, _____ Acres
 Open Space , _____ Acres

☑ Not Applicable

Total Acreage: <u>2.27+/-</u> Total Preserved	Acres:	Total Developed Acres: _	1.27+/-
Max Number of Dwelling Units: 2			

Objectives to be achieved by PUD: The Applicant is requesting an After-The-fact 5) Commercial Planned Unit Development by the addition of a new 6 unit apartment complex to the existing 5 unit_apartment complex. Septic: Existing Infrastructure yes □No 6) Septic Permit Information Attached: Uyes Permit Dother: ______ × No □ In Process Copies of permits for existing systems are required. Installation of new systems will require permitting through the Sanitation Department. An Engineer will determine the type of septic system. Rural Water: Existing Infrastructure ves No 7) Copy of Existing Tap Certificate: □ yes □ No □ Not applicable Service provided by: Blue Door Water Company. Applicant contacted Blue Door Water Co. and was directed to tie into the existing water line until further notice, due to future service line upgrades Letter attached: 🖵 yes 🛛 No Service Available for Additional Residential uses Copy of Current Driveway/Access Permit from Montezuma County Road Department 8) □ Yes ⊠ No □ In Process Access Permit can service up to residential uses. Date on Permit: Interior Road anticipated within development: DYes XNo Road Surface width: feet built to Count Road & Bridge Specifications. CDOT Access/Permit: Any development that will require a direct access off any highway shall 9) require permitting through CDOT. Required Q Yes No 🗵 Hwy: ___ Contact utility companies for information regarding any/all easements, contracts or fees for 10) providing service to the development: Empire Electric D Other: Electric: Farmers
 Other: _____ Centurytel Telephone: Qwest Gas Source: Greeley Gas Propane Other: Atmos Energy ×Νο 11) Covenants Attached: Draft DFinal Applicant will be required to draft covenants. Recording Fee: \$13.00 for the first page and \$5.00 each additional page 12) Fire Mitigation Plan: Is the property located in an area identified on the A or B Community at Risk Map, or other areas that fall outside of the A or B Zone that have native vegetative cover deemed to be a wildfire risk:

\Box Yes, requires a Comprehensive Wildfire Mitigation Plan: \Box	Attached 🗵	In Process					
Fire Mitigation Plan Prepared by:							

□ No, Waiver Granted by Planning Department Staff;

	Submittal of	Affidavit with	directional	photos 🗖	Attached 🖵	In Process
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- 13) Weed Control Plan: Attached In Process:
 No, County Weed Manager recommends a waiver. Property owners are still responsible for noxious weed management
- 14) Geologic Investigation: □Required ⊠Not Required
 If required: □Attached □In Process
 Prepared by: _______
 Required for all Moderate and Major Developments only.
- 15) Storm Water Permit Required: □Yes □No ⊠Not Applicable Required for Developments that disturb at least 1 acre of top soil in the process of developing.
- Irrigation shares on proposed development: □Yes ⊠No Irrigation Company which serves development: ______ Total Shares:
- 17) If the property located in an area Identified in the FEMA Floodplain Map?
 □Yes ⊠No ⊠Not Applicable
- 18) Municipal Review: Cortez Dolores Mancos Not Applicable
- 19) Waiver or Modification of certain Threshold Standards or other applicable standards: □Attached ⊠Not Applicable

Standards	within	Waiver:	
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21)

20) In accordance with CRS 31-23-215, all mineral rights owners and lessees of mineral owners should be notified regarding proposed subdivision of property. The following information can be obtained from the Assessor's Office.

NAMES AND CURRENT ADDRESS OF MINERAL RIGHTS OWNERS:

Name	THERE ARE NO MINERAL OWNERS FOR THIS PROPERTY
Address	
Name	
Address	
Other:	

22) Dates of activities and services for which a temporary or interim project is being proposed: ______N/A

Note: Upon approval, a Special Use Permit is subject to reviews, as determined by the Board of County Commissioners, to ensure compliance with the criteria stated above and any additional condition(s) of approval. The duration of time permitted for a Special Use Permit may be established by the County Commissioners or until the use is changed or terminated, whichever occurs first.

Applicant

-26-22

Date:

Applicant

Date: _____

COUNTY USE ONLY

Based on the information provided herein, this Application complies with the application submittal requirements per the Montezuma County Land Use Code.

Name:		Title:		
	0 110	-	liala	
Planning Director Review: _	Mu Mary	Date:	119/22	
	0		/	



SPECIAL USE PERMIT APPLICATION

Conditions and safeguards may be imposed by the County Commissioners This application is intended to give pertinent information to the Planning Department of Montezuma County for the purpose of the review process for a proposed zoning request. Nothing in this application is intended to abrogate any policy, design guideline, or standard as set forth in the Montezuma County Land Use Code, Amended 03/02/2015, Resolution No.3-2015.

Please initial here that you have a current copy of the Montezuma County Land Use Code or can access a copy online at <u>www.co.montezuma.co.us</u>; Click on Departments; Click on Planning; and Click on Montezuma Land Use Code <u>GS</u>.

- 1) Applicant Name(s)/Owner: <u>Stanley Investments, LLC</u> Address<u>813 Lanai Drive, Grand Junction, CO 81506</u> Telephone Number (970) <u>799-3609</u> <u>EMAIL</u> <u>EMAIL</u>
- 2) Agent(s) <u>Blaine Bowers</u> Phone No. <u>970-759-2767</u> <u>EMAIL</u> <u>mountainviewbuilders@hotmail.com</u> (If the applicant is not the owner then evidence that the owner is aware of and consents to the filing of this application must be provided in writing before the application will be accepted.)
- 3) Proposed Development: Current Zoning: <u>AR ES</u> Requested Zoning: <u>COMZ</u> Number of Lots: <u>1 (one)</u> Total Acres: <u>2.27+/-</u> A brief description of adjacent land usage: <u>the surrounding properties are of mixed</u> <u>uses that consist of residential, agricultural, commercial, and industrial uses</u> Parcel I.D. Number: <u>563710202009</u> Physical Address of Property: <u>6572 Road 24 #1-5, Cortez, CO</u> Legal Description of Property: COTTONWOOD GROVE ADDITION Tract: 13 2.27AC TR 13 TR B482 P797 B569 P291 Section <u>10</u> Township <u>35N</u> Range <u>16W</u>, N.M.P.M.
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- 5) Applicant shall submit sufficient copies of a pre-sketch plan which shows the general location of the development in sufficient detail to evaluate the relationship between the development and the physical features of the land and abutting lands. See Chapter 5: Section 3:5302:

Presketch Plan Checklist:

- Location of proposed development areas upon the site
- Total acreage
- Abutting land uses, zoning designations, abutting land owners names and addresses
- Existing roads, streets and highways
- Major physical features including structures, buildings, boundary fencing irrigation ditches and pipelines, utilities, topography, drainage, wetlands, noxious weed infestations and location of natural hazards.

6)	Septic: [] Existing Infrastructure	🛛 Yes	🗖 No	Permit No.	
	Septic Permit Information Attached:	Yes	Permit	Other:	

🗵 No

	In Process
	The first apartment complex was constructed in 1980, with improvements in 2015,
	and permitted under septic permit #1170. The new apartment complex in permitted
	under septic permit #6167.
	Copies of permits for existing systems are required. Installation of new systems will require permitting through the Sanitation Department. An Engineer will determine the type of septic system.
7)	Rural Water: Existing Infrastructure yes No Copy of Existing Tap Certificate: yes No not applicable Service provided by: <u>Blue Door Water Company</u>
	Letter attached: yes No Service Available for: Applicant contacted Blue Door Water Co. and was directed to tie into the existing water line until further notice, due to future service line upgrades
8)	Copy of Current Driveway/Access Permit from Montezuma County Road Department Yes X No In Process Access Permit can service up to residential uses. Date on Permit:
	Interior Road anticipated within development: Road Cut and (or) Bore Permit required If so, copy of permit attached Yes No
	The property has an existing driveway access that has been in use since 1980
9)	Traffic Route Plan: <u>N/A</u>
10)	CDOT Access/Permit: Any development that will require a direct access off <u>any</u> highway shall require permitting through CDOT. Required I Yes Hwy: No I
11)	Contact utility companies for information regarding any/all easements, contracts or fees for providing service to the development: Electric: I Empire Electric I Other: Telephone: Centrytel I Qwest I Farmers I Other: Gas Source: Atmos Energy I Propane I Other:
12)	Irrigation Water: Yes X No Provided by:
13)	Fire Mitigation Plan: Is the property located in an area identified on the A or B Community at Risk Map, or other areas that fall outside of the A or B Zone that have native vegetative cover deemed to be a wildfire risk:
	Yes, requires a Comprehensive Wildfire Mitigation Plan: Attached I In Process No, Request for Waiver; Submittal of Affidavit with directional photos

□ Attached □ In Process

	14) Weed Plan: 🖵 Attached 🖵 In Process;	
	No, County Weed Manager recommends a waiver. Property owners are	
	still responsible for noxious weed management	
15)	Professional Review Fee collected: 🖵 Yes 🗵 No	
16)	A list of all Local, State, and Federal Permits required:	
17)	Municipal Review: 🖾 Cortez 🗳 Dolores 🖨 Mancos 🖨 Not Applicable	
		—
18)	Other:	
19)	A brief description of any/all planned or future development(s) that require a successiv High Impact Approval for the Proposed Development: There are no further development planned at this time	/e
Co	A Special Use Permit is a use that is deemed to need further review and the approval the County Commissioners. A management plan, that addresses all aspects of the day to-day operation(s), is required as part of the application. Sheck Mark Items that are addressed within the Management Plan and made a part of the Application) ditions and safeguards may be imposed by the County Commissioners to ensure that	у-
the	 use: Complies with the requirements of Chapter 2 of the Land Use Code and 	
	Hudspeth v. Board of County Commissioners of the County of Routt, 667 P.2d	I
	 775 (Colo.App.1983); including the following conditions Such use does not create any danger to safety in surrounding areas 	
	 Such use does not cause water pollution 	
	Such use does not create excessive noise, vibration, smoke, dust, odors, heat alore and anow eterage problems	
	 glare and snow storage problems Such use does not aggravate an existing wildfire hazard or create a wildfire hazard to structures on adjacent property 	
	Such use does not aggravate an existing flood hazard or increase flood hazard upstream or downstream properties	d to
	Such use does not create or increase geologic hazard or subject adjacent properties to geologic hazard.	
21)	Proposed project is described as being a special use that includes any or all of following:	the
	Temporary or Interim in use	
	Created by Nature	
	Permitted by Law or Regulation	
	 Has a potentially greater impact than Uses by Right Is of Unusual Circumstances 	

22) Dates of activities and services for which a temporary or interim project is being proposed: ______N/A

Note: Upon approval, a Special Use Permit is subject to reviews, as determined by the Board of County Commissioners, to ensure compliance with the criteria stated above and any additional condition(s) of approval. The duration of time permitted for a Special Use Permit may be established by the County Commissioners or until the use is changed or terminated, whichever occurs first.

Applicant

-26-22

Date:

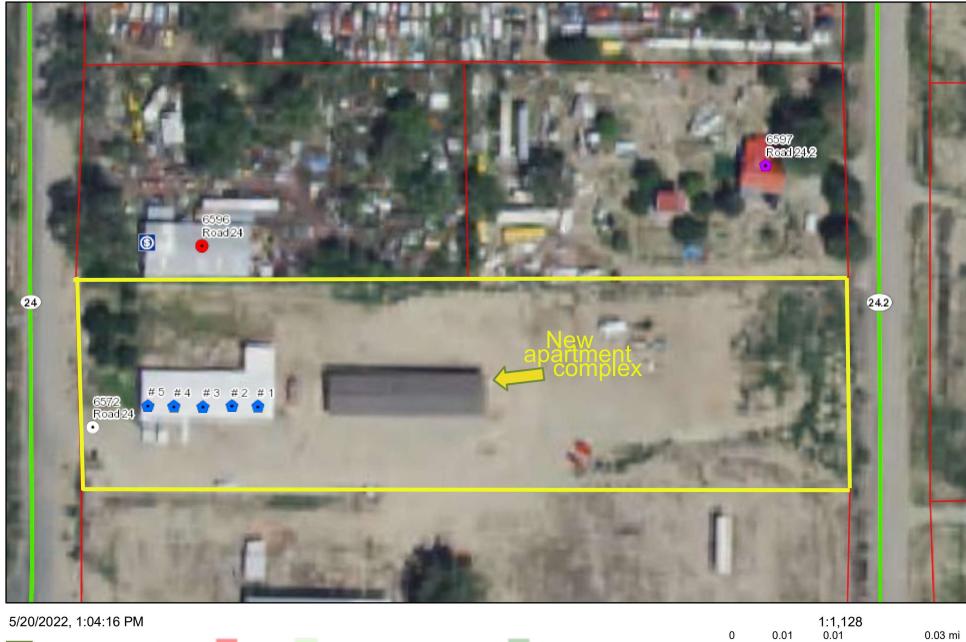
Applicant

Date: _____

COUNTY USE ONLY

Based on the information provided herein, this Application complies with the application submittal requirements per the Montezuma County Land Use Code.

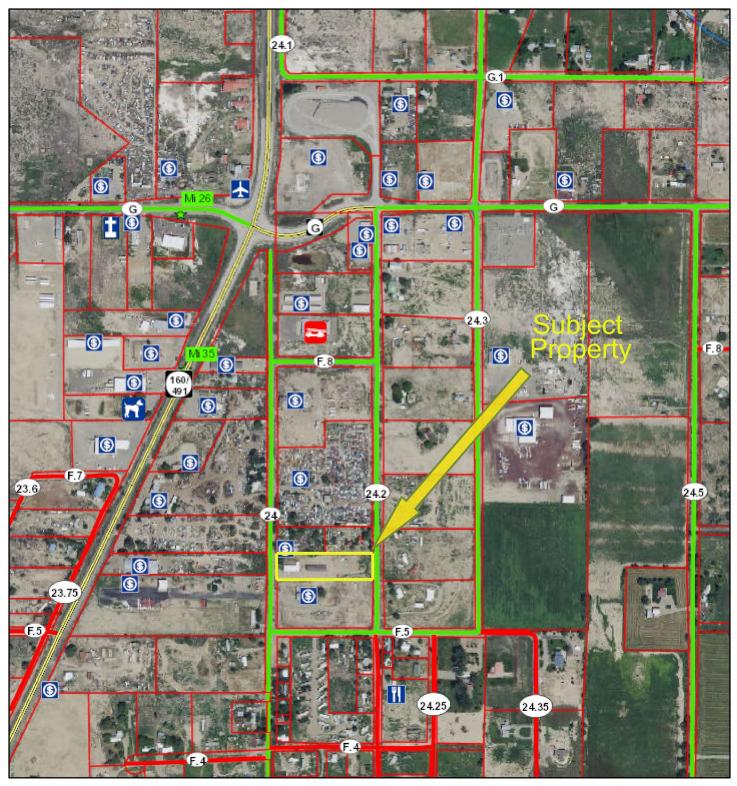
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Planning Director Review: _	Mu Mary	Date:	119/22	
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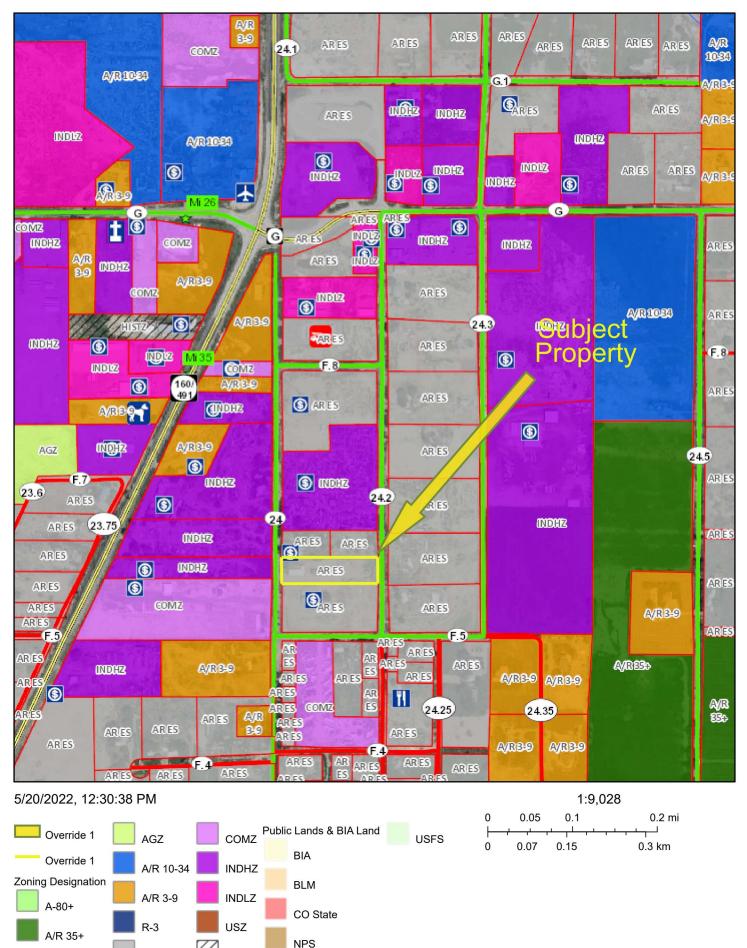
Montezuma County

n, U.S. Coastal Relief Model. Data refreshed August, 2021. | Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community | Copyright: 2013 National Geographic Society, i-cubed | Earthstar Geographics |





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Water Bodies Montezuma County Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community | Copyright:© 2013 National Geographic Society, i-cubed | Earthstar Geographics | Earthstar Geographics |

Neighbor List for: Stanley Investments, LLC 6572 Road 24 #1-5, Cortez, CO

	Property Owner	Mailing Address	Physical Address	Zone	Acres
1	Anvil Investments, LLC	124 N. Pinon Dr., Cortez, CO 81321	6596 Road 24, Cortez, CO 81321	AR ES	1.15+/-
2	Rick McIntyre	6597 Road 24, Cortez, CO 81321	6597 Road 24, Cortez, CO 81321	AR ES	1.11+/-
3	Molly Warren	P O Box 1335, Cortez, CO 81321	6584 Road 24.2, Cortez, CO 81321	AR ES	4+/-
4	Vergie Ayers	6580 Road 24.2, Cortez, CO 81321	6580 Road 24.2, Cortez, CO 81321	AR ES	4+/-
5	Norman Utley	P O Box 1540, Cortez, CO 81321	6568 Road 24, Cortez, CO 81321	AR ES	4.53+/-
6	James Ward	11492 Road 22, Cortez, CO 81321	6567 Road 24, Cortez, CO 81321	COMZ	10+/-
7	Belt Salvage Company	P O Box 699, Cortez, CO 81321	6638 Hwy 160-491, Cortez, CO 81321	INDHZ	3.21+/-
8	Christopher & Kelly Belt	P O Box 699, Cortez, CO 81321	6652 Hwy 160-491, Cortez, CO 81321	INDHZ	5+/-



CITY OF CORTEZ 123 ROGER SMITH AVENUE CORTEZ, CO 81321

June 7, 2022

Agenda Item: 5. a.

MEMO TO: Planning and Zoning Commission

FROM:

SUBJECT: ADU Discussion #3

BACKGROUND

See Attached.

RECOMMENDATION

Planning and Zoning Commission will discuss ADU's

ADU revision

Attachments

Existing Code with revisions

(22) Accessory Dwelling Units (ADUs). This type of use is intended to provide a mechanism to help meet the need of affordable housing by allowing accessory residential dwelling units under certain circumstances in areas normally restricted to a single unit, while preserving existing single-family character. All accessory single-family dwelling units shall be subject to the following requirements:

a. An ADU shall be permitted within the RE and R-1 zones in any zone in the City as a conditional use and shall be reviewed by the planning and zoning commission and the city council as per Section 6.10 of this code, Conditional use permits.

b. The parcel must contain a<u>n existing or proposed</u> single-family unit <u>that is or will be</u> occupied by <u>or</u> <u>otherwise reserved for use by</u> the property owner.

c. The ADU may be attached or incorporated within the living area of the existing primary dwelling or detached.

d. The ADU shall not result in an increase of more than<u>twenty (20)sixty-five (65)</u> percent in the existing living area. -Do you want to add a total sq. ft. limit?

e. The ADU may be used for rental purposes and shall be reserved for occupancy of one (1) or two (2) persons.

f. The ADU must be provided with two-one off-street parking space, in addition to the two required for the existing single family residences as per Section 5.01 of this code. Spaces and may be contained in a garage or protected by a carport. One of Tthe two-spaces provided may be in tandem.

g. Any new construction associated with the ADU shall comply with all setbacks, lot coverage, height, and design standards contained within the base zone and shall not alter the general appearance of the primary dwelling as a single-family residence.

h. The ADU shall have adequate sewer and water services and additional tap fees may be required for the dwelling.

i. The ADU shall not adversely impact traffic flow or parking in the neighborhood.

j. The lot shall consist of twenty (20) percent more area than meet the minimum lot size in the underlying zoning district.

An ADU that conforms to these requirements shall not be considered to exceed the allowable density for the lot upon which it is located, and shall be deemed to be a residential use consistent with the existing general plan and zoning designation for the lot.



CITY OF CORTEZ 123 ROGER SMITH AVENUE CORTEZ, CO 81321

June 7, 2022

Agenda Item: 6. a.

MEMO TO: Planning and Zoning Commission

FROM:

SUBJECT: FYI - May 2022 Permits Issued

BACKGROUND See Attached

RECOMMENDATION Planning and Zoning Commission will review

Permits Issued

Attachments

MAY 2022 PERMITS ISSUED

Permit Type	Sub Type	Permit#	Address	Issue Date
Building	Accessory Structure	B22-000052	901 South Oak Street	05/02/2022
Building	Accessory Structure	B22-000057	6 West MACARTHUR Avenue	05/03/2022
Building	Accessory Structure	B22-000061	1511 North DOLORES Road	05/06/2022
Building	Accessory Structure	B22-000068	119 South Madison Street	05/17/2022
Building Total	Accessory Structure Total			4
Building	Cell Tower Antennae Modification	B22-000050	11 South Broadway Avenue	05/16/2022
Building Total	Cell Tower Antennae Modification Total			1
Building	Commercial Remodel	B22-000018	1115 East MAIN Street	05/09/2022
Building	Commercial Remodel	B22-000035	700 East 2ND Street	05/05/2022
Building Total	Commercial Remodel Total			2
Building	Foundation Only	B22-000059	15 East 12th Street	05/05/2022
Building Total	Foundation Only Total			1
Building	New Commercial	B22-000019	330 South Broadway Avenue	05/19/2022
Building Total	New Commercial Total			1
Building	New Residential	B22-000026	1609 East Downey Street	05/02/2022
Building Total	New Residential Total			1
Building	Other	B22-000072	212 South ASH Street	05/27/2022
Building	Other	B22-000055	1706 RAMPART Street	05/03/2022
Building	Other	B22-000056	507 North COLORADO Street	05/03/2022
Building	Other	B22-000053	425 West 3rd Street	05/02/2022
Building	Other	B22-000054	717 Canyon Drive	05/09/2022
Building	Other	B22-000069	707 North Market Street	05/17/2022
Building	Other	B22-000070	1800 East Empire Street	05/24/2022
Building	Other	B22-000071	411 North Coloado Street	05/25/2022
Building	Other	B22-000066	50 North Broadway	05/16/2022
Building	Other	B22-000067	11 North Park Street	05/16/2022
Building	Other	B22-000062	111 North Edith Street	05/11/2022
				0-11110000
Building	Other	B22-000063	910 South MARKET Street	05/11/2022
-	Other Other Total	B22-000063	910 South MARKET Street	05/11/2022 12
Building		B22-000063 B22-000058	910 South MARKET Street 537 East MONTEZUMA Avenue	

Building Total				23
Burn Permit	Disposal	BRN22-000020	102 West MacArthur Avenue	05/05/2022
Burn Permit	Disposal	BRN22-000022	403 North Henry	05/12/2022
Burn Permit Total	Disposal Total			2
Burn Permit Total				2
Demolition	Demolition	D22-000001	422 East 3RD Street	05/02/2022
Demolition Total	Demolition Total			1
Demolition Total				1
Fire Inspection Permit	Fire Inspection Permit	F22-000084	400 East Main Street	05/09/2022
Fire Inspection Permit	Fire Inspection Permit	F22-000085	100 West Main Street	05/09/2022
Fire Inspection Permit	Fire Inspection Permit	F22-000086	430 State Street	05/09/2022
Fire Inspection Permit To	ota Fire Inspection Permit Total			3
Fire Inspection Permit To	ota			3
Plumbing	Commercial	P22-000033	109 West MAIN Street	05/05/2022
Plumbing Total	Commercial Total			1
Plumbing	Residential	P22-000034	1804 Kaleigh Circle	05/16/2022
Plumbing	Residential	P22-000035	826 North Wedgewood	05/16/2022
Plumbing	Residential	P22-000036	901 May Lane	05/16/2022
Plumbing	Residential	P22-000037	802 North Chestnut Street	05/16/2022
Plumbing Total	Residential Total			4
Plumbing Total				5
Right of Way	Public Right-of-Way	ROW22-000039	Sligo Street	05/25/2022
Right of Way	Public Right-of-Way	ROW22-000037	112 North ADAMS Street	05/23/2022
Right of Way	Public Right-of-Way	ROW22-000038	441 East Arbecam Avenue	05/23/2022
Right of Way	Public Right-of-Way	ROW22-000036	901 May Lane	05/17/2022
Right of Way	Public Right-of-Way	ROW22-000033	802 North Chestnut Street	05/09/2022
Right of Way Total	Public Right-of-Way Total			5
Right of Way Total				5
Sign	Wall-mounted	S22-000006	111 South Market Street	05/02/2022
Sign Total	Wall-mounted Total			1
Sign Total				1
Water Tap	1 1/2 inch	WT22-000008	330 South Broadway Avenue	05/19/2022
Water Tap Total	1 1/2 inch Total			1
Water Tap	3/4 inch	WT22-000009	1609 East Downey Street	05/02/2022

Water Tap Total	3/4 inch Total		1
Water Tap Total			2
All Permits Total			42