

PLANNING AND ZONING COMMISSION MEETING NOVEMBER 7, 2023 6:30 P.M.

- 1. CALL TO ORDER PLEDGE OF ALLEGIANCE
- 2. APPROVAL OF THE REGULAR MEETING MINUTES ON SEPTEMBER 5, 2023, and OCTOBER 3, 2023
- 3. PUBLIC PARTICIPATION: There is no limit to the number of speakers, although public comments will be held to an overall time limit of 30 minutes.(Speakers have a time limit of three (3) minutes per person, may only speak once, and may not cede time to another commenter.
- 4. **PUBLIC HEARINGS** none
- 5. UNFINISHED BUSINESS none
- 6. NEW BUSINESS none
- 7. OTHER ITEMS OF BUSINESS
 - a. County Development- Review of a proposed High Impact Permit Application. Recommendations to be made to the Board of County Commissioners regarding a proposed High Impact Permit Application, submitted by Maverik, Inc; agent: Todd Meyers, located at 7255 Hwy 160-491, Cortez, CO, consisting of 10 acres, more or less, situated in Section 4, Township 35N, Range 16W, N.M.P.M., located w est of Hwy 160-491, north of Road G.

Presenter: Nancy Dosdall, Contract City Planner

b. Land Use Code Update

Director of Community and Economic Development, Rachael Marchbanks, will give an update of progress of the Land Use Code.

Presenter: Rachael Marchbanks, Community/Economic Dev. Director

c. October 2023 Permits Issued Planning and Zoning Commission will review

Presenter: Cheryl Lindquist

8. ADJOURNMENT



CITY OF CORTEZ 123 ROGER SMITH AVENUE CORTEZ, CO 81321

November 07, 2023

Agenda Item: 2.

MEMO TO: Planning and Zoning Commission

FROM: Cheryl Lindquist, Permit Technician/Deputy City Clerk

SUBJECT: APPROVAL OF THE REGULAR MEETING MINUTES ON SEPTEMBER 5, 2023, and OCTOBER 3, 2023

Attachments

P&Z Minutes from September 5, 2023 P&Z Minutes October 3, 2023

PLANNING & ZONING COMMISSION

REGULAR MEETING

TUESDAY, SEPTEMBER 5, 2023

 The meeting was called to order in the City Council Chambers at 6:30 p.m., with the Pledge of Allegiance. Commissioners present were Chairman Robert Rime and Commissioner Jim Skvorc. An Introduction was made and Oath of Office was taken by Emily Waldron, the new Planning & Zoning Commissioner appointed by City Council. Commissioner Weiss had an excused absence. Chairman Rime announced that Commissioner Lance McDaniel had resigned at the end of August.

Staff present included: Community and Economic Development Director Rachael Marchbanks, Contract City Planner Nancy Dosdall, City Attorney Patrick Coleman, IT Support Kyle Kuhn, and Public Works Secretary/Receptionist Karie Bradshaw.

There were no people present in the audience.

2. Approval of the Regular Meeting Minutes of July 18, 2023.

Commissioner Skvorc moved that the minutes be approved. Chairman Rime seconded the motion and the vote was as follows:

Waldron	Skvorc	Weiss	Rime
Present	Yes	Absent	Yes

3. PUBLIC PARTICIPATION: none

4. PUBLIC HEARINGS:

a. <u>Resolution No. 15, Series 2023</u>

Contract City Planner Dosdall presented Resolution No. 15, Series 2023, an application submitted by 2474 Patterson Road, LLC, for a Site Development Plan for an office building. The property is currently addressed as TBD N. Sligo St, aka Lots 17 and 18 of Block 5, Henry Subdivision and Lot 19A of Henry Sub, Lots 9-10,19-20, Block 5 amended, although the final addresses will not be assigned until a building permit is submitted; also the lots must be consolidated before a building permit will be issued. The property is located in the Commercial Zoning District. The project as submitted appears to meet all development standards with three exceptions. Planner Dosdall stated the proposed site plan fails to meet the required 10% landscaped area requirements. The submitted site plan shows a total of 10.6% landscaped area, but that

included the City right-of-way and granite mulch with weed barrier. She stated that an additional 777 sq. ft of landscaped area (trees, shrubs and groundcover) is required. The property appears to have the room as they have an excess of four parking spaces that could be used as well as adjacent space to the building. Another possible issue is the drainage as the site rises steeply from Sligo and a significant paved area is proposed. The applicants will need to address drainage to the satisfaction of the City per City Engineer Kissler. Removing pavement and adding landscaping may assist with the drainage concerns. And finally, the site plan did not address sidewalks. Per the Land Use Code, all new developments must construct sidewalks to ensure safe pedestrian access. The proposed location is between residential and commercial areas and near parks and schools making pedestrian safety a significant concern. The City requires a 5-foot ADA compliant sidewalk. The Commissioners, City Attorney, and Planner discussed different options for the applicants to consider.

The Public Hearing was opened, there was no one wanting to speak, so the hearing was closed.

Commissioner Skvorc made the motion to recommend that the Cortez City Council approve P&Z Resolution No. 15, Series 2023, a resolution approving the site development plan for a new office building on property located at TBD N. Sligo, Cortez, Colorado, aka Lots 17 and 18 of Block 5, Henry Subdivision and Lot 19A of Henry Sub, Lots 9-10,19-20, BL 5 Amended, in the Commercial Highway (C) zone, with the following conditions:

- 1. All requirements of utility providers, City departments, CDOT and affected districts must be satisfied, as outlined in adopted City Codes and other regulatory documents. Specifically, all public improvements shall comply with the minimum requirements of the 2009 City of Cortez Construction Design Standards and Specifications.
- 2. The appropriate construction drawings and reports for the project, revised as required by the City Engineer shall be signed and stamped by a Colorado licensed architect or engineer, must be approved by the Building Official and City Engineer, and a building permit obtained prior to any construction on the Property.
- 3. A drainage report meeting CDPHE requirements shall be submitted and approved by the City Engineer prior to issuance of a building permit for the property.
- 4. The landscaping plan shall be revised to meet minimum code standards. Improvements shall be installed prior to issuances of a Certificate of Occupancy. Irrigation and maintenance must be provided. In the event that construction of the building and all other requirements are met prior to the installation of the landscaping, and the Applicant desires a Certificate of Occupancy (CO), the Applicant may choose to provide a financial surety and obtain a CO in advance of completing the landscaping improvements. In this event, the Applicant shall provide an assurance bond, letter of credit, or other financial security agreed to by both parties, providing a guarantee of installation of the landscaping within a time frame approved by the City of Cortez.
- 5. The plat amendment consolidating the lots shall be approved and recorded prior to issuance of a building permit for the property.

Commissioner Skvorc added a clause to amend the fourth condition, with the statement, "the Planning and Zoning Commission considers granite mulch does meet the landscaping requirements in the Land Use Code as presented by Planner Dosdall".

Commissioner Waldron seconded the motion and the vote follows:

Waldron	Skvorc	Weiss	Rime
Yes	Yes	Absent	Yes

5. UNFINISHED BUSINESS: none

- 6. NEW BUSINESS: none
- 7. OTHER ITEMS OF BUSINESS:
 - a. Planner Dosdall presented a County Development proposal for a Subdivision Amendment Application for a Commercial Planned Unit Development to Lot #31 of the Blue Door Subdivision submitted by Kenneth Hinton; agent: Richard O'Brien, on property located at 7351 Road 24.3, Cortez, CO, located south of Road G.3, east of Hwy 160-491, situated in Section 3, Township 35N, Range 16W, N.M.P.M. Planner Dosdall stated the applicant proposes to divide Lot #31 of the Blue Door Subdivision into two 1.5-acre parcels in order for the agent, Richard O'Brian to purchase the business that he has worked, for nearly 40 years. Each proposed parcel will continue the current activity. The property is located within the 1-Mile Area of Influence but outside of the Master Street Plan.

The Montezuma County Planning and Zoning Commission will hold a public hearing for this permit on September 14, 2023.

The Commissioners had no comments or concerns.

b. Planner Dosdall presented a County Development proposal for a 4 Lot Moderate Subdivision and Rezoning Application submitted by Triple S Farms, LLC; agent: Ernie Maness, on property located at 26960 Road N, Cortez, CO, consisting of 13 acres, more or less, located south of Road N, west of Hwy 145, situated in Section 12, T.36N, R.16W, N.M.P.M. The Applicant proposes to create a 4 Lot Moderate Subdivision consisting of 3+ acre parcels. The property is located within the 3-Mile Road Master Plan area along County Road N. County Road N is designated as a Collector.

The Montezuma County Planning and Zoning Commission will hold a public hearing for this permit on April 14, 2022.

The Commissioners had no comments or concerns.

8. ADJOURNMENT:

Commissioner Waldron made a motion to adjourn. Commissioner Skvorc seconded and the vote follows:

Waldron Yes Skvorc Yes Weiss Rime Absent Yes

PLANNING & ZONING COMMISSION

Robert Rime, Chairman

ATTEST:

Cheryl Lindquist, Deputy City Clerk

PLANNING & ZONING COMMISSION

REGULAR MEETING

TUESDAY, October 3, 2023

 The meeting was called to order in the City Council Chambers at 6:30 p.m., with the Pledge of Allegiance following. Commissioners present were: Chairman Robert Rime, Commissioners Emily Waldron and Katrina Weiss. Commissioner Jim Skvorc was absent. Staff present included: Community and Economic Development Director Rachael Marchbanks, Contract City Planner Nancy Dosdall, City Attorney Patrick Coleman, IT Support Aaron Holloman, Public Works Secretary/Receptionist Karie Bradshaw, and Deputy City Clerk Cheryl Lindquist.

There were two people present in the audience.

2. Approval of the Regular Meeting Minutes of September 5, 2023.

Chairman Rime made a motion to continue approval of the minutes to the next meeting as Commissioner Weiss was not present at the meeting so a quorum could not be met for the vote for approval. Commissioner Waldron seconded the motion and the vote for continuation was as follows:

Skvorc	Waldron	Weiss	Rime
Absent	Yes	Yes	Yes

- 3. PUBLIC PARTICIPATION: none
- 4. PUBLIC HEARINGS:
 - a. Resolution No. 17, Series 2023

Contract City Planner Nancy Dosdall presented Resolution No. 17, Series 2023, an application requesting approval of a conditional use permit/site development plan to establish/renovate a storage facility, SN Warehouse, LLC., located on the property at 459 W. North Street. There is an existing building on the western lot that has never been completed. The Applicant hopes to renovate the existing building into a climate controlled indoor storage with a small office, meeting room, and kitchen for employees. The second structure will consist of covered outdoor storage for large recreational vehicles, boats, etc. The eastern lot is currently vacant. A lot consolidation will be required prior to construction. Storage facilities are conditional uses in the Commercial Highway (C) zone. Planner Dosdall reviewed the six (6) conditions imposed for approval of the conditional use permit and the site plan review is to ensure compliance with all regulations and to protect the public health, safety and welfare, to promote balanced growth, to ensure

adequate provision of public services and facilities and to guide the character of the city per Section 6-14.12 (f) of the Land Use Code. Planner Dosdall also discussed parking spaces, utility easements, and landscaping.

Matthew Clark of Clark & Chapin Architects, representing the applicants, spoke that the civil engineer is working on the drainage and will have the new documentation to present before the next meeting.

The public hearing was opened and one person had questions about verifying SN Warehouse will not encroach on her property and asked about the traffic which may be increased, stating the traffic in the area is very concerning. Mr. Clark assured her that the property was surveyed and is approximately 25 feet from her building. He also stated there will be very little increase in traffic. The public hearing was closed as no one else spoke.

Commissioner Weiss made a motion that the Planning and Zoning Commission approve P&Z Resolution No. 17, Series 2023, a resolution recommending that City Council approve the conditional use permit and site development plan for a storage facility on property located at 459 W. North St., Cortez, Colorado, in the Commercial Highway (C) zone, as submitted by SN Warehouse, LLC., with staff's recommended conditions as follows:

- a. All requirements of utility providers, City departments, CDOT and affected districts must be satisfied, as outlined in adopted City Codes and other regulatory documents. Specifically, all public improvements shall comply with the minimum requirements of the 2009 City of Cortez Construction Design Standards and Specifications and all requirements of CDOT for required highway improvements.
- b. The appropriate construction drawings and reports for the project, revised as required by the City Engineer shall be signed and stamped by a Colorado licensed architect or engineer, must be approved by the Building Official and City Engineer, and a building permit obtained prior to any construction on the Property.
- c. A drainage report meeting CDPHE requirements shall be submitted and approved by the City Engineer prior to issuance of a building permit for the Property.
- d. Prior to issuance of a building permit for the project, the lots will be consolidated.

Commissioner Waldron seconded with the vote as follows:

Skvorc	Waldron	Weiss	Rime
Absent	Yes	Yes	Yes

5. UNFINISHED BUSINESS: none

6. NEW BUSINESS: none

7. OTHER ITEMS OF BUSINESS:

a. <u>County Development- Review of a proposed rezone from AR 35 to Heavy Industrial</u> <u>and Subdivision</u>

Planner Dosdall reviewed an application to Montezuma County proposing to amend the Hoch 2 Lot Minor Subdivision and AR3-9, to create one additional lot. The applicants also propose to rezone the property to Heavy Industrial for a construction equipment and materials storage yard. Planner Dosdall stated when the subdivision/rezone were first proposed earlier this year, the City sent Montezuma County a letter with seven concerns from Planning and Zoning. The Commissioners and staff discussed the concerns and felt the previous letter expressed the Commission's concerns sufficiently.

b. <u>County Development- Review of a proposed High Impact Permit for additional storage</u> units to be located at 26304 Road L.

Planner Dosdall presented an application to Montezuma County proposing a permit to add additional storage units at an existing facility on County Road L. The property is within the 1-mile area of influence. County Road L is designated as an arterial road in the Master Streets Plan. The commissioners expressed no concerns or comments on this project.

c. <u>Land Use Code Update</u>

Chairman Rime asked the Director of Community and Economic Development Rachael Marchbanks if she could give a brief statement on the progress of the Land Use Code. Director Marchbanks stated that Logan Simpson had finalized the Housing Needs Assessment and it has been uploaded to the City's website. She also stated, there have been meetings with the Land Use Code Advisory Committee, which consists of a P&Z Commissioner, a City Councilor, a Board of Adjustments and Appeals member, City Manager, City Attorney, the assistant to the City Engineer, two local contractors, a local realtor, and four staff members, and they are working on Module 1. Module 1 is Chapters 1 thru 3 of the Land Use Code, which covers Residential and Commercial zones and general provisions and uses. Director Marchbanks added there will be a hybrid presentation and Open House held by Logan Simpson and staff, the first is scheduled for October 26th at City Hall from 4:00 p.m. to 7:00 p.m. and the other scheduled for October 27th at Cortez Chamber of Commerce from 12:00 p.m. to 2:00 p.m. Chairman Rime thanked Dirctor Marchbanks for the update.

8. ADJOURNMENT:

Commissioner Weiss moved for the meeting to be adjoured.

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

Skvorc Absent Waldron Yes Weiss Yes

PLANNING & ZONING COMMISSION

Rime Yes

Robert Rime, Chairperson

ATTEST:

Cheryl Lindquist, Deputy City Clerk



CITY OF CORTEZ 123 ROGER SMITH AVENUE CORTEZ, CO 81321

November 07, 2023

Agenda Item: 7. a.

MEMO TO: Planning and Zoning Commission

FROM: Cheryl Lindquist, Permit Technician/Deputy City Clerk

SUBJECT: County Development- Review of a proposed High Impact Permit Application.

BACKGROUND

The parcel under consideration is adjacent to City limits on the north side, and within the 1-mile area of influence.

ISSUES See attached

RECOMMENDATION

Staff recommends that the Planning & Zoning Commission state any concerns and comments will be forwarded to the County.

Attachments

Staff Report Documentation Comments



Community & Economic Development Dept. 123 Roger Smith Avenue Cortez, CO 81321

Meeting Date: November 7, 2023

MEMO

TO: Members of the Cortez Planning and Zoning Commission

FROM: Nancy Dosdall, Contract City Planner

SUBJECT: County Development- Review of a proposed High Impact Permit Application

ATTACHMENTS: County Application Packet: Applicants proposal is for a High Impact Permit, submitted by Maverik, Inc; agent: Todd Meyers, located at 7255 Hwy 160-491, Cortez, CO, consisting of 10 acres, more or less, situated in Section 4, Township 35N, Range 16W, N.M.P.M., located west of Hwy 160-491, north of Road G

BACKGROUND

The parcel under consideration is adjacent to City limits on the north side, and within the 1-mile area of influence.

The Montezuma County Board of County Commissioners will hold a public hearing for this permit on November 9, 2023.

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

Notice is hereby given that the Montezuma County Planning and Zoning Commission will be reviewing and determining recommendations to be made to the Board of County Commissioners regarding a proposed High Impact Permit Application, submitted by Maverik, Inc; agent: Todd Meyers, located at 7255 Hwy 160-491, Cortez, CO, consisting of 10 acres, more or less, situated in Section 4, Township 35N, Range 16W, N.M.P.M., located w est of Hwy 160-491, north of Road G. The hearing will be held Thursday, November 9, 2023 at 6:00pm in the Commissioner's Hearing Room, Montezuma County District Courthouse, 109 W. Main, Room 250, Cortez, CO. Interested persons may attend and give input. Information may be obtained from the Planning Office on-line service at https://co-montezuma-co.smartgovcommunity.com/Public/Home; you may also contact the Planning Dept. at (970) 565-2801 with questions.

Dated this 23rd day of October, 2023.

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

Published in the Cortez Journal on Wednesday, October 25, 2023.



Maverik, Inc. 185 South State Street, Suite 800 Salt Lake City, UT 84111 801-936-5557 | maverik.com

Maverik, Inc. is requesting to build a new 4,492 square foot convenience store with fueling capabilities for both traditional vehicles and recreational and truck vehicles. The site will include sufficient parking, landscaping and other facilities to provide a great experience for its customers and will hopefully be a benefit for the community.

Please find attached site plans, utilities plans, grading and drainage plans, and landscaping plans showing the overall site.

Thank you in advance for your attendance.

Respectfully,

Todd Meyers Sr. Development Coordinator Maverik Inc Todd.Meyers@maverik.com 801-520-4072 185 South State Street Suite 800 Salt Lake City, Utah 84111



Date Submitted: 9/20/2023

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 November 17, 2020, Resolution No. 21-2020.

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 _____.

1) Applicant(s) Name: <u>Maverik, Inc.</u> Current Landowner's Name(s)/Owner: <u>Charles Martin</u> Landowner Mailing Address<u>: 7255 Hwy 160-491, Cortez, CO 81321</u> Telephone Number ()______ Alternate Number: ()______

2) Agent(s): Todd Meyers Phone No. (801) 520-4072 Agent Mailing Address: <u>185 South State Street Suite 800</u>, Salt Lake City, UT 84111 Email: <u>todd.meyers@maverik.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) Existing Zoning: <u>COMZ</u>Requested Zoning: <u>N/A</u> Number of Lots: <u>1</u> Total Acres: <u>10+/-</u>

A brief description of adjacent land usage: <u>The surrounding properties consist of agricultural,</u> residential and commercial uses.

A brief description of the proposed development / use: <u>The proposed project is a Maverik</u> Convenience Store with Fueling pumps

 Parcel I.D. Number:
 5637044401004

 Physical Address of Property:
 7255 Hwy 160-491, Cortez, CO

 Legal Description of Property:
 Subdivision: FOX RUN, 4TH AMD Lot: 2 10.60AC B500 P941 B500

 P954-57 B558 P88 B693 P328 R/476688 R/471397

- 4) Brief description of the proposed development: <u>See Attached Narrative</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: \Box Attached \boxtimes 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

- Weed Control Plan: Attached In Process:
 No, County Weed Manager has recommended a waiver to a comprehensive weed management plan, however the property owners are still responsible for noxious weed maintenance.
- 11) Professional Review Fee collected: 🖵 Yes 🗵 No
- 12) Municipal Review: 🖾 Cortez 🗳 Dolores 🖾 Mancos 🖾 Not Applicable
- 13) Rural Water: Existing Infrastructure □ yes ∑ No
 Copy of Existing Tap Certificate: □ yes □ No □ not applicable
 Service provided by: <u>Montezuma County Water District #1</u>
 Letter attached: □ yes □ No □ In Process
 Service Available for _____ Additional COMZ/INDZ use(s)
- Copy of Current Driveway/Access Permit from Montezuma County Road Department
 ❑ Yes □ No ☑ In Process Access Permit can service up to _____ industrial use. Date on Permit: ______
 Interior Road anticipated within development: □ Yes ☑ No

	Road Cut and (or) Bore Permit required Yes No If so, copy of permit attached Yes No
15)	CDOT Access/Permit: Any development that will require a direct access off <u>any</u> highway shall require permitting through CDOT. Required IX Yes Hwy: <u>160-491</u> No I
16)	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: I Cell Phone Only I Centurylink I Farmers I Other: Gas Source: I Atmos Energy I Propane I Other:
17)	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 Wildfire Adapted Partnership has recommended a waiver for a comprehensive wildfire plan, since it is in a low wildfire risk zone and sparse vegetation. While the property does not need a formal wildfire mitigation plan, it does not mean it is free from fire risk, mitigation efforts are always recommended. Wildfire Adapted Partnership offers free Home Wildfire Risk Site Visits. Contact Elizabeth James at (724) 977-8451 or ejames@wildfireadapted.org if the property owner would like to schedule a wildfire risk assessment. Wildfire Adapted Partnership will walk around the property with the owner and discuss what steps can make to be better prepared for wildfire. The property owner will receive a write up of everything they need to know to take the next steps in your wildfire preparedness journey as well as important materials to help guide them in their efforts. In many cases grant funding is available to help offset the costs of the mitigation projects. These visits generally take 60-90 minutes Attached In Process
18)	Weed Control Plan: Attached In Process: County Weed Manager recommends a waiver to a comprehensive weed plan, however the owners are still responsible for the management of noxious weeds.
18)	NAMES AND CURRENT ADDRESS OF MINERAL RIGHTS OWNERS:
	Attached Same as Surface Owner I There are no mineral owners for this property
	ant Applicant
Based	Date:
Plannin	Director Review: On Haly Date: 10/19/23

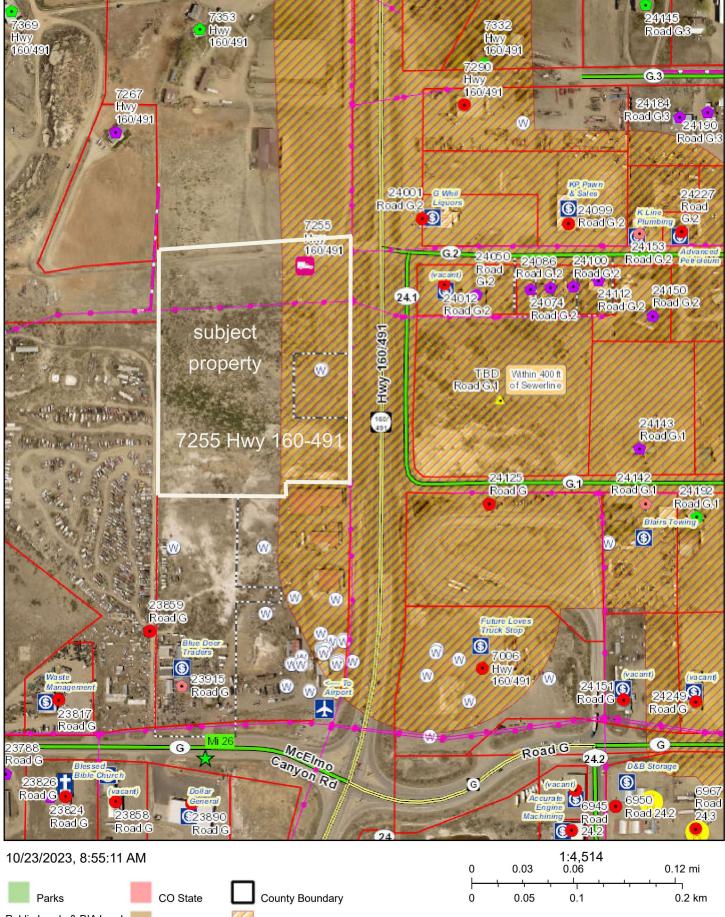
THR NO.	RESHOLD STANDARDS	SUMMARY THRESHOLD	APPLICANTS RESPONSE	PLANNING
	UT ANDAND		AT LICANTS RESPONSE	DEPARTMENT NOTES
1	Minimum lot size	 3 acres 10 acres within the Dolores River Valley 	7.445 acres	Meets, this complies with the County Land Use Code. the property is 10 acres, more or less
2	Maximum Building Height	 ◆ 35 feet 	Buildings to be 19'-0"	Meets, this complies with the County Land Use Code.
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. 	4,492 square feet	Meets, this complies with the County Land Use Code. This is far below the 12% maximum
4	Building setbacks	 Primary Residence: See 5101.3 (A) (1-3) of the Montezuma County Land Use Code. 30' from County Road and State Hwy. R.O.W. 30' 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 	The building is setback 175+/- from Highway 160	Meet per the Application and submittals The proposed building plans will be required to meet the minimum setbacks allowable by the Land Use Code
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. 	The building will be constructed to the newest building codes	Meets, this complies with the County Land Use Code.
6	Livestock Fencing	 Adequate to protect from livestock encroachment. 5101.4 	See site plan	Meet per the Application and submittals
7	Protection of Normal Agriculture Operations	 No significant, adverse impacts on normal agricultural operations 5101.4 	No significant affect	Meets, this complies with the County Land Use Code.
8	Outdoor Storage and/or Fabrication areas	 Appropriate screening may be required Merchandise displays are exempt 	None	Meets, this complies with the County Land Use Code
9	Roads	 All interior roads built to county road standards. 5103.3 & 5305.5 	See site plans for further details	Meets, this complies with the County Land Use Code
10	Parking/Access/Loading Areas	 Adequate for intended use such that traffic flow and circulation are not impeded. 5101.6 	1. The parking lot is designed so that snow can pushed to avoid impeding	Meets, this complies with the County Land Use Code

		1		
		Approved County or CDOT highway access permit	parking and traffic. 2. The parking lot will be asphalt engineered to accommodate the heavy loads of the vehicles and to avoid dust. 3. No parking stall is directly adjacent to any residential area. 39 parking stalls are provided. 4. CDOT approval is in process	
11	Traffic	 Less than 15 vehicle round trips per business day 	The project will exceed 15 vehicle round trips per business day and a permit is in process with CDOT with the required improvement to Highway 160.	Exceeds, at any given "business day" for the applicant, there will be a 15 RT vehicle potential and should be anticipated.
12	Water	 Proof of availability and adequate flow. See 5103.3(G) & 5304(D) 	Permit is in process with the water district.	This property lies in the Montezuma County Water District #1. Meet per the Application and submittals.
13	Sanitary Sewer Disposal	 Compliance with 5101.7; 5103.3(F); and 5304(E) 	Permit is in process with sewer district.	. The property lies in the Cortez Sanitation District. Meet per the Application and submittals.
14	Stormwater Control and Site Drainage	 No adverse impacts on any county road, state highway or adjacent land use. See 5103.3(H) 	All storm water will be retained on site and the site is engineered to drain away from parking areas, buildings, and other pedestrian routes.	Meets, this complies with the County Land Use Code
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 	1. See site plan for trash enclosure location; third party pick up with contracted. 2. No material will be transferred offsite by natural forces. 3. No material will be burned on site.	Meets, this complies with the County Land Use Code. The applicants will be contacting service from a local garbage company
16	Fire and Wildfire Protection	 ◆ Compliance with 5101.3(G); 5302.3(J); and 5304.3W. 	The property is delineated as low risk.	Meets, this complies with the County Land Use Code Wildfire Adapted Partnership commented this property has minimal vegetation and does not need a mitigation plan
17	Law Enforcement and Emergency Service	 Letter of adequacy from law enforcement and/or emergency service provider may be required 	Noted	Applicant shall contact the local emergency services and fire protection district for compliance
18	Floodplain	 Compliance with the Montezuma County Floodplain Resolution No. 1-91 and completion of a Floodplain Development Plan Permit, where applicable 	Not Applicable	This property is not located within the FEMA floodplain areas.
19	Geologic and Natural hazards	 Identification and avoidance or mitigation of potential hazards. See 5103.2 	Not Applicable	This property is not located in areas of natural resources
20	Public Facilities: Camp, RV Parks, MH parks, etc.	 Adequate restroom: one men/women set plus one extra sink and toilet per 100 weekly 	Not Applicable	This operation will not be used for camping or RV parks.

		peak season visitors. See 4106.5.A.		
21	Operational Electric Disturbances	 See 4100.5.A. No detrimental effects such as radio and television interference beyond the boundaries of the site. 	Not Applicable	Meets, this complies with the County Land Use Code
22	Fire and Explosive Hazards	 National Fire Protection Association standards and any other fire code or standard employed by the appropriate fire district apply. 	Noted	This property is located in the Cortez Fire Protection District. New building construction will be required to adhere to codes and standards of the local fire district
23	Glare and Heat	 Must be contained, enclosed or treated to make glare and heat imperceptible form any point on the boundary line. 	Not Applicable	Heat and glare needs to be contained to within the boundary lines
24	Lighting	 All direct rays confined to site and adjacent properties protected from glare. 	All direct rays will be confined to the site.	Meets, this complies with the County Land Use Code
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 	Noted; not applicable	This operation will produce day-to-day noises pertaining to local traffic
26	Vibration	Not perceptible, without instruments, at any point on any boundary line	Not applicable	This operation will produce vibrations due to day-to-day road traffic
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. 	No odors are expect at the property line.	Meets, this complies with the County Land Use Code.
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. 	No dust or fumes are expected beyond the property line	Meets, this complies with the County Land Use Code
29	Radioactivity	 Subject to State and Federal Regulations 	Not applicable	Meets, this complies with the County Land Use Code
30	Water Pollution	 Subject to State and Federal Regulations 	see drainage plan	Meets, this complies with the County Land Use Code
31	Noxious Weeds	Compliance with State (35-5.5-101 et seq. C.R.S. as amended) and Montezuma County Comprehensive Weed Management Plan	see landscape plan	County Noxious Weeds Department recommends a waiver from a comprehensive weed management plan, however

			Resolution No. 3-2014, as amended.		the property owners are responsible for noxious weed management.
32	Other Significant Adverse Impacts	•	Pertaining to the Health, Safety and welfare of the Citizens of Montezuma County	None expected.	There is nothing proposed that will challenge the health, safety, and welfare of Montezuma County citizens.
33	Local, State, & Federal Required Permits	•	Per 2202.4(F)	Maverik will and intends to comply with all applicable codes and rules	Applicant is fully aware of the additional permitting that will be required in order to complete the desired project.

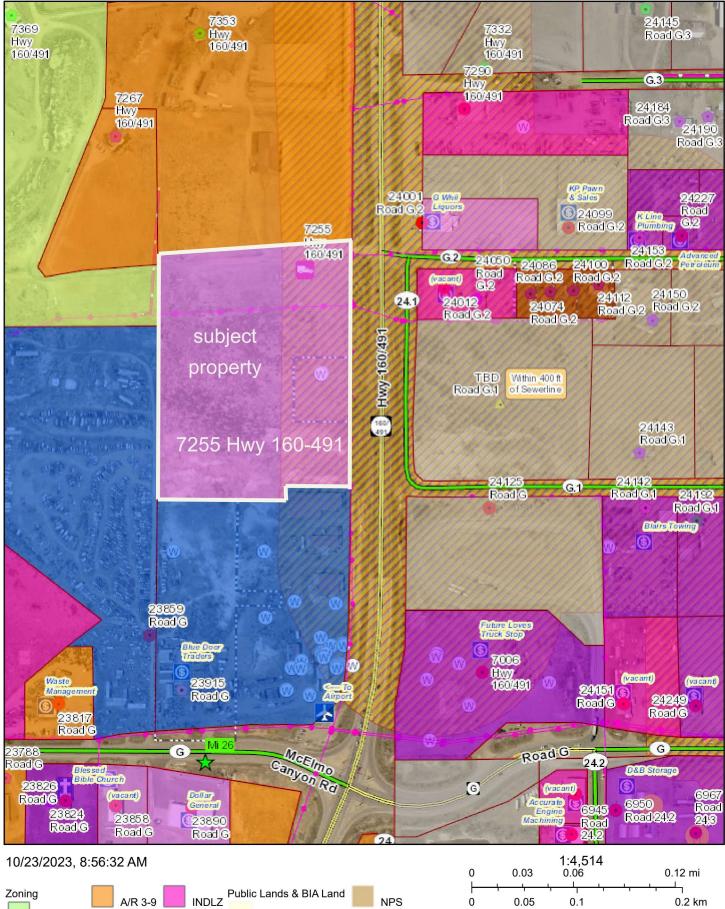
Montezuma Planning Map



Public Lands & BIA Land NPS Cortez Sanitation w/i 400ft BIA USFS Non-Active Mines BLM Other (USBR) Active Permitted Mines

Hexagon Imagery, Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

Montezuma Planning Map



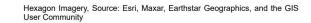
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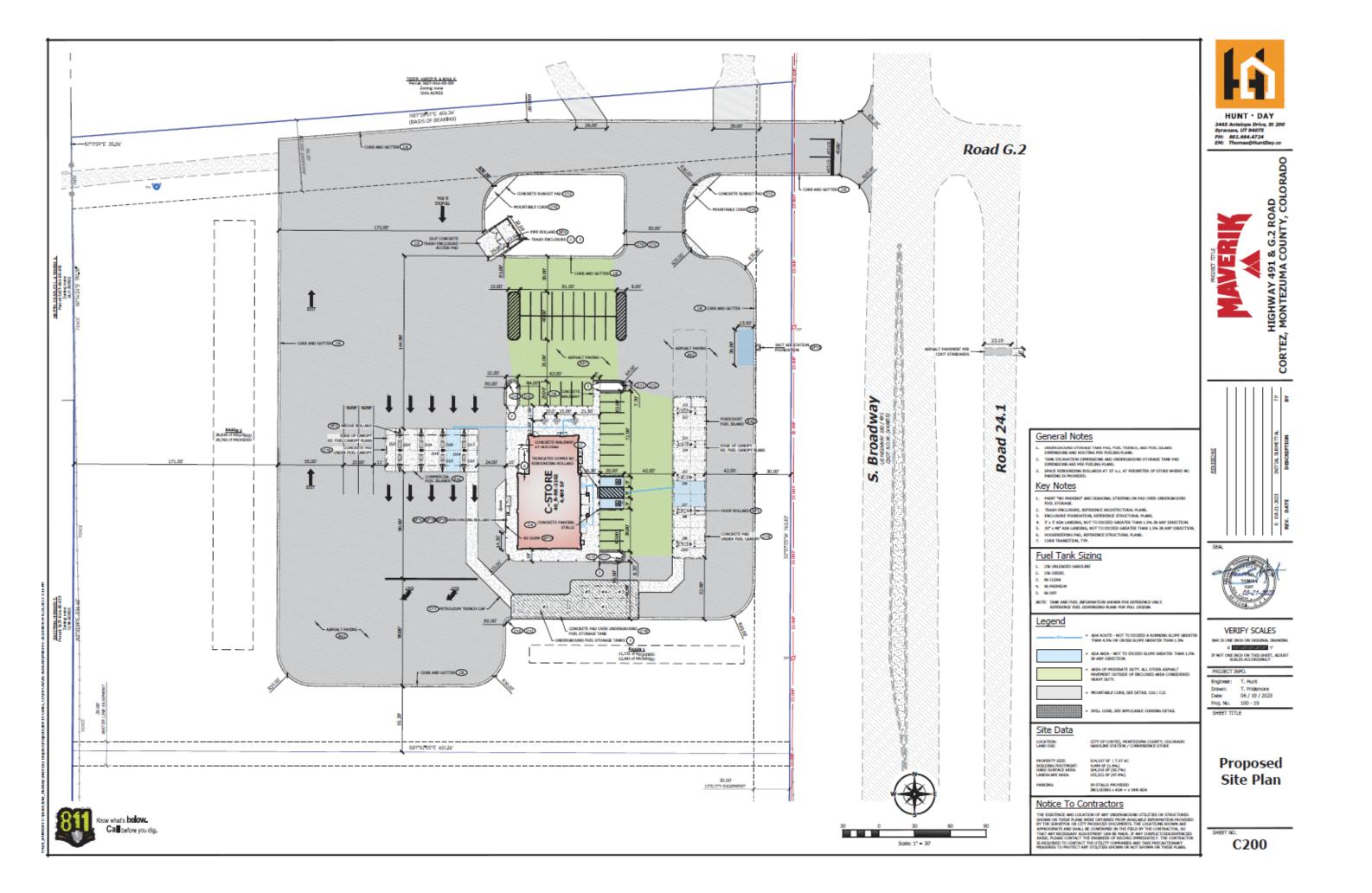


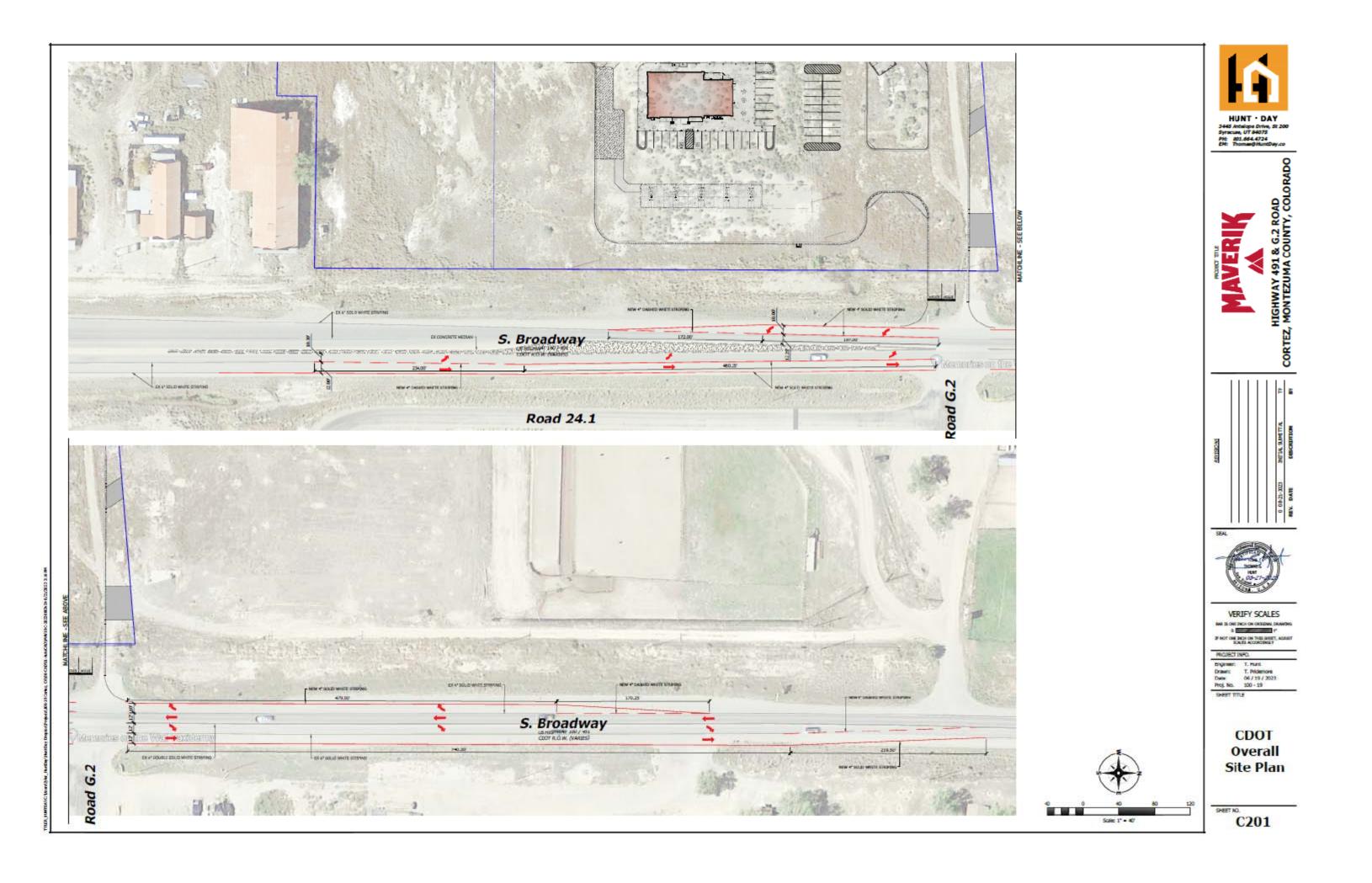
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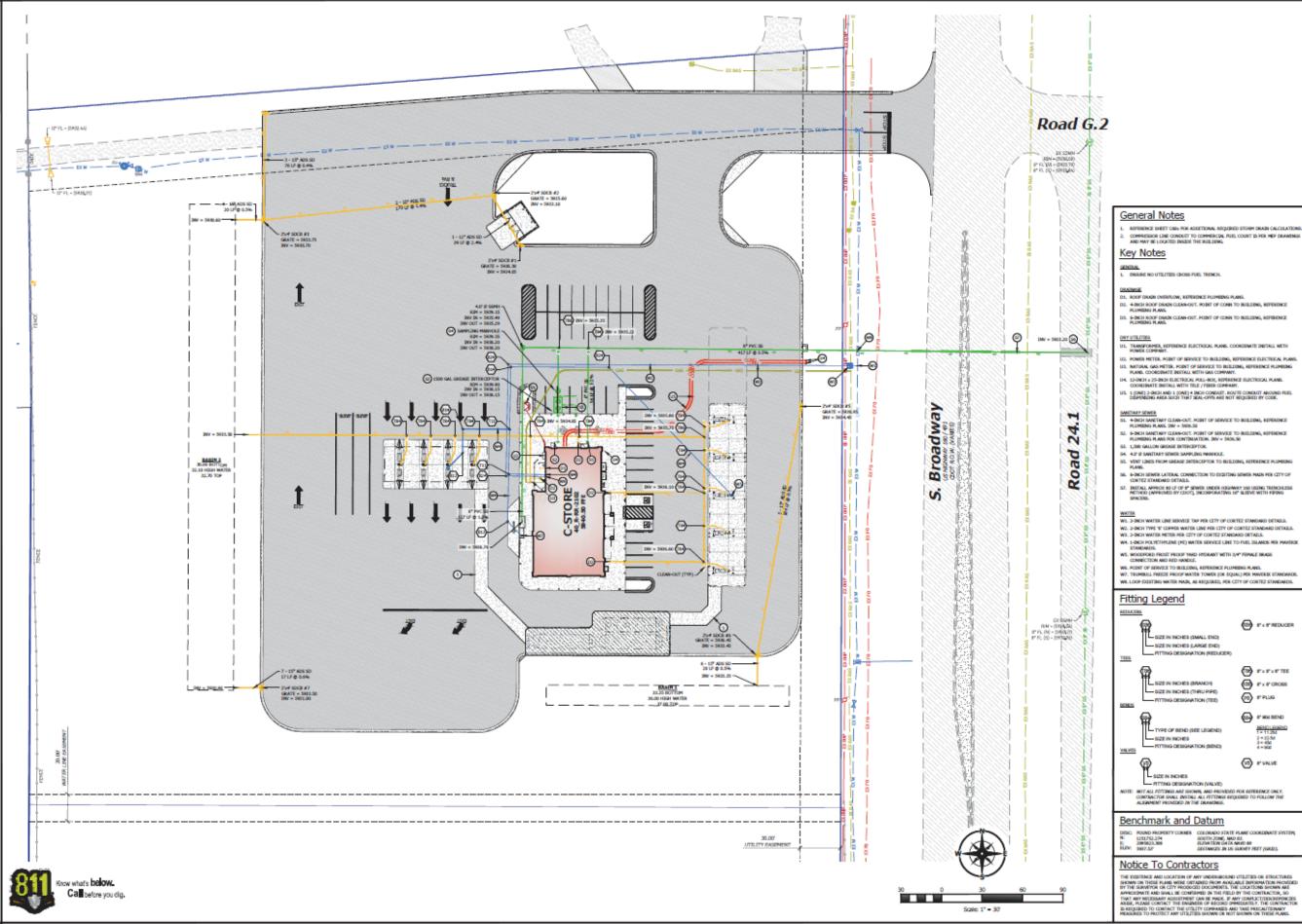
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HUNT · DAY 3445 Antelope Drive, St 200 Syracuse, UT 84075 PH: 801.664.4724 EM: Thomas@HuntDay.co







VERIFY SCALES BAR 35 ONE INCH ON ORBSINAL DRAWING 0 ".A. ABAR ABAR ¶

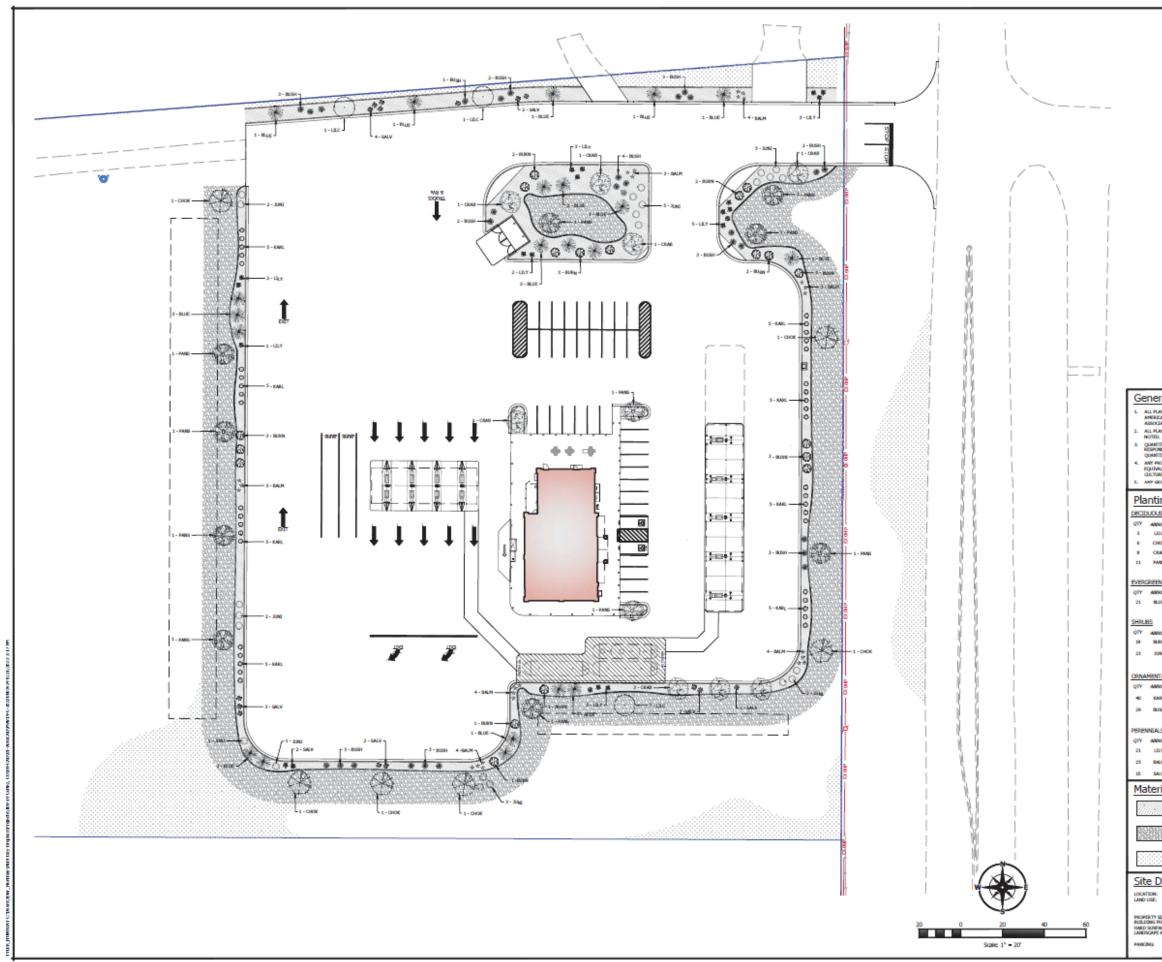
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Engineer: T. Hunt Drawn: T. Pridemore Dwte: 06 / 19 / 2023 Proj. No. 100 - 19

SHEET TITLE

Utility Plan

SHEET NO. C400



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FACE AREA: PE AREA:	324,337 SF / 7.37 AC 4,499 SF (1.4%) 164,316 SF (58.7%) 155,522 SF (47.9%)			SHEET		
	19 STALLS PROVIDED INCLUDING x ADA + x VAN A	DA			L10	0



HUNT • DAY 3445 Anteiope Drive, St 200 Syracuse, UT \$4075 PH: 801.654.4724 EM: Thomas@HuntDay.co



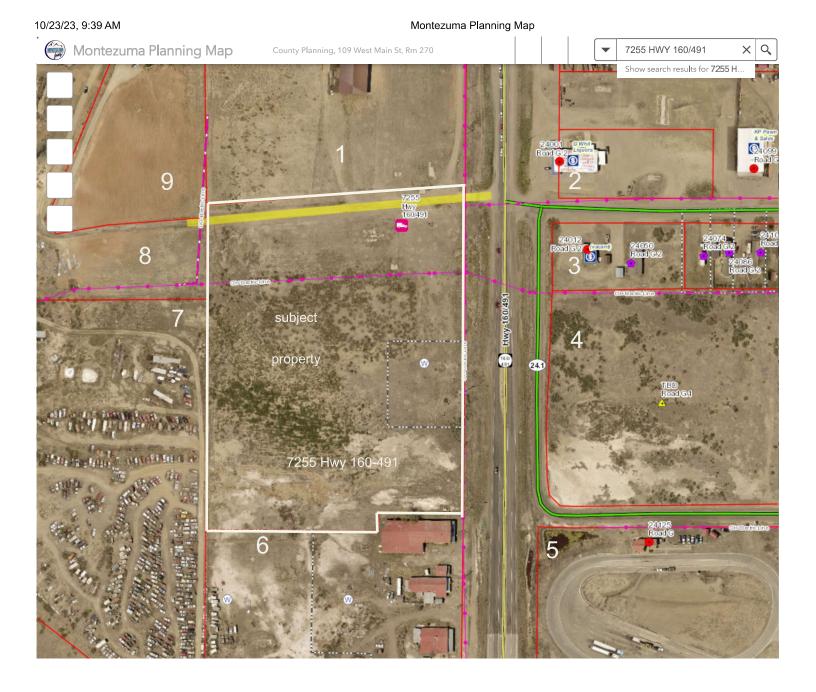


ERIFY SCALES

EINCH ON THES SHEET, ADJUS KALES ACCORDENSEY INFO.

engineer:	T. Hunt	
Drawn:	T. Pridemore	
Date:	06 / 19 / 2023	
Proj. No.	100 - 19	
SHEET TIT	LE	

andscape Plan





Neighbor List for 7255 Hwy 160-491 Cortez, CO 81321

No.	Property Owner	Mailing Address	Physical Address	Acres	Zoning
1	Hardy & Mika Tozer	7353 Hwy 160-491, Cortez, CO 81321	7353 Hwy 160-491, Cortez, CO 81321	12.84+/-	AR3-9
2	Bear and Bug Properties, LLC	905 Arbor St, Cortez, CO 81321	24001 Road G.2, Cortez, CO 81321	1.32+/-	COMZ
3	Karna Ward	11492 Road 22, Cortez, CO 81321	24050 Road G.2, Cortez, CO 81321	1.07+/-	INDLZ
4	Mark & Ursula Bevan	5501 Foothills, Farmington, NM 87402	TBD Road G.1, Cortez, CO 81321	6.02+/-	AR ES
5	CO Department of Transportation	4201 E Arkansas Ave, Denver, CO 80222	24125 Road G, Cortez, CO 81321	5.56+/-	AR ES
6	Howard Baxstrom	18633 Hwy 145, Dolores, CO 81323	23915 Road G, Cortez, CO 81321	10.03+/-	AR10-34
7	Howard Baxstrom	18633 Hwy 145, Dolores, CO 81323	23859 Road G, Cortez, CO 81321	12.98+/-	AR10-34
8	Charles & Wanda Martin	7369 Hwy 160-491, Cortez, CO 81321	7369 Hwy 160-491, Cortez, CO 81321	24.11+/-	AGZ
9	Jacob & Kathryn Martin	7267 Hwy 160-491, Cortez, CO 81321	7267 Hwy 160-491, Cortez, CO 81321	3.14+/-	AR3-9



From: Kevin Kissler <kkissler@cortezco.gov>
Sent: Friday, October 27, 2023 10:12 AM
Subject: Re: County Public Notice for new Maverik on west side of South Broadway at 7255 Hwy 160-491

A few concerns come to mind. One is that Montezuma water district #1 already has a stressed water capacity. Ideally, we could leverage this situation to get them to improve some system lines or bring more water into the network (ie. compensate the City for water purchase)

The next concern would be the access and how that ties into the highway 491 access control plan. We would just need a commitment to coordinate with the City and CDOT on that. Most likely they would be improving G.2 to CDOT's satisfaction, perhaps by using turn pockets, a signalized intersection, or both, and using that as access. Ian and I can coordinate with Don at Montezuma county regarding our current traffic data at this location. What may be preferable is to convert the current signalized intersection at road G into a roundabout and move the existing signals to G.2, just an idea...

Kevin B. Kissler City Engineer City of Cortez <u>www.cortezco.gov</u>

O: (970) 564-4068 M: (970) 739-3621



CITY OF CORTEZ 123 ROGER SMITH AVENUE CORTEZ, CO 81321

November 07, 2023

Agenda Item: 7. b.

MEMO TO: Planning and Zoning Commission

FROM: RACHAEL MARCHBANKS, DIRECTOR OF COMMUNITY/ECONOMIC DEVELOPMENT

SUBJECT: Land Use Code Update

BACKGROUND

Director of Community and Economic Development, Rachael Marchbanks, will give an update of progress on the Land Use Code.

ISSUES None

RECOMMENDATION Planning & Zoning Commissioners can comment.



CITY OF CORTEZ 123 ROGER SMITH AVENUE CORTEZ, CO 81321

November 07, 2023

Agenda Item: 7. c.

MEMO TO: Planning and Zoning Commission

FROM: Cheryl Lindquist, Permit Technician/Deputy City Clerk

SUBJECT: October 2023 Permits Issued

BACKGROUND October 2023 Permits Issued

ISSUES none

RECOMMENDATION Planning and Zoning Commission will review

October 2023 Permits Issued

Attachments

October 2023 Permits Issued

Permit Type	Sub Type	Address	Issue Date
Building	Accessory Structure	312 East Arbecam Avenue	10/05/2023
Building Total	Accessory Structure Total		1
Building	Commercial Addition	120 South MADISON Street	10/23/2023
Building Total	Commercial Addition Total		1
Building	Commercial Remodel	1430 East Main Street	10/04/2023
Building Total	Commercial Remodel Total		1
Building	Manufactured Home	405 West 7th Street	10/11/2023
Building Total	Manufactured Home Total		1
Building	New Residential	1911 ROLLING Road	10/11/2023
Building	New Residential	418 JARRETT Avenue	10/24/2023
Building	New Residential	1115 East Carpenter Street Units A&B	10/24/2023
Building	New Residential	2349 PAR Drive	10/20/2023
Building Total	New Residential Total		4
Building	Other	739 Sligo Street	10/25/2023
Building	Other	400 West Main Street	10/30/2023
Building	Other	1320 Mesa Verde Street	10/31/2023
Building	Other	632 Baker Street	10/31/2023
Building	Other	223 South WASHINGTON	10/20/2023
Building	Other	1006 South CEDAR Street	10/13/2023
Building	Other	121 West 3rd Street	10/17/2023
Building	Other	435 3RD	10/17/2023
Building	Other	1600 Golf Course Lane	10/17/2023
Building	Other	305 West 3RD Street	10/18/2023
Building	Other	714 3RD	10/10/2023
Building	Other	1119 East MAIN Street	10/04/2023
Building Total	Other Total		12
Building Total			20
Burn Permit	Debris	506 South 506 S. Valley Road Road	10/03/2023
Burn Permit	Debris	1301 North Dolores Road	10/24/2023
Burn Permit	Debris	1206 MESA VERDE Street	10/17/2023
Burn Permit Total	Debris Total		3
Burn Permit	Disposal	36 East 3RD Street	09/28/2023

Burn Permit	Disposal	529 West 7TH Street	10/09/2023
Burn Permit	Disposal	546 South Chestnut Street	10/09/2023
Burn Permit Total	Disposal Total		3
Burn Permit	Recreational Fire	120 South LINDEN Street	10/09/2023
Burn Permit Total	Recreational Fire Total		1
Burn Permit Total			7
Mechanical	Residential	414 North Colorado Street	10/12/2023
Mechanical	Residential	321 South BROADWAY Avenue	10/12/2023
Mechanical	Residential	705 SAN JUAN	10/12/2023
Mechanical Total	Residential Total		3
Mechanical Total			3
Plumbing	Commercial	201&209 East MAIN Street	10/30/2023
Plumbing Total	Commercial Total		1
Plumbing	Residential	118 South Maple Street	10/10/2023
Plumbing	Residential	229 North Market Street	10/03/2023
Plumbing	Residential	713 DOLORES	09/28/2023
Plumbing	Residential	410 North Market Street	10/23/2023
Plumbing Total	Residential Total		4
Plumbing Total			5
Right of Way	Public Right-of-Way	418 JARRETT Avenue	10/24/2023
Right of Way	Public Right-of-Way	1115 East Carpenter Street Units A&B	10/24/2023
Right of Way	Public Right-of-Way	2349 PAR Drive	10/20/2023
Right of Way	Public Right-of-Way	Various Locations	10/03/2023
Right of Way	Public Right-of-Way	118 South Maple Street	10/10/2023
Right of Way Total	Public Right-of-Way Total		5
Right of Way Total			5
Water Tap	3/4 inch	1911 ROLLING Road	10/11/2023
Water Tap	3/4 inch	2349 PAR Drive	10/20/2023
Water Tap	3/4 inch	1115 East Carpenter Street Units A&B	10/24/2023
Water Tap	3/4 inch	1115 East Carpenter Street Units A&B	10/24/2023
Water Tap Total	3/4 inch Total		4
Water Tap Total			4
All Permits Total			44