

**CITY OF CORTEZ  
RESOLUTION NO. 8, SERIES 2023**

**A RESOLUTION APPROVING A SITE DEVELOPMENT PLAN FOR A SEASONAL  
OUTDOOR MARKET TO BE LOCATED AT 111 W. 1<sup>st</sup> St., CORTEZ, COLORADO, IN  
THE NEIGHBORHOOD BUSINESS (NB) ZONING DISTRICT**

WHEREAS, the owners/applicants, Chris and Kim Lindell (the “Owner/applicants”) have applied for a Site Plan Review for establishment of a new outdoor seasonal market to be located on property at 111 E. 1st St., Cortez, Colorado and more particularly described as (the “Property”):

Lots 1 - 9, Block 44, City of Cortez, County of Montezuma, State of Colorado.

WHEREAS, the Owner/applicants presented a site plan and necessary submittal items for review by the City Planning and Zoning Commission at its regular meeting held on April 4, 2023; and

WHEREAS, the Cortez Land Use Code, Section 6.14, Site Plans, indicates that the owner or developer of a property may request an application of these site plan requirements for development on property located in the Neighborhood Business (NB) Zoning District; and

WHEREAS, the Planning and Zoning Commission reviewed the Site Plan for a seasonal outdoor market for the Property and is recommending approval of the Site Plan for the Property, with certain conditions, as evidenced in the adoption of P&Z Resolution No. 4, Series 2023; and

WHEREAS, it appears that all requirements of Chapters 5.00 and 6.00 of the City’s Land Use Code for development of Property as requested in the Site Plan Review application have been or can be met.

NOW, THEREFORE, BE IT RESOLVED BY THE CORTEZ CITY COUNCIL:

THAT, this Resolution No. 8, Series 2023, establishes the conditions of approval for the development on the Property; and

THAT, the Site Plan and full application for the Property are hereby recommended to Council for approval, subject to the following conditions to ensure compliance with the standards in the Cortez Land Use Code for a Site Plan:

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. All temporary sales tents, structures or items shall be removed or stored indoors when the market is not in operation.
3. The Property will be kept in a clean and orderly manner at all times.

4. The Owner/Applicants shall be responsible for ensuring that each vendor obtains all applicable sales tax licenses and business licenses from the City of Cortez.
5. The Owner/Applicants will apply for and receive a flea market license from the City Clerk prior to operation.
6. Noise from any event held on the Property shall comply with all requirements of the Land Use Code Sec. 5.07 (d) at all times.
7. Operations shall be limited to a maximum of two-days per week between the stated hours in the spring, summer and fall.
8. The Owner/applicants shall comply with all representations made in their application and as part of any public hearings regarding operations on the Property.

AND THAT, the Owner/applicants shall coordinate with City staff to ensure that these conditions are fully met.

MOVED, SECONDED, AND ADOPTED THIS 11th DAY OF APRIL, 2023



Rachel B. Medina, Mayor

ATTEST:



Linda L. Smith, City Clerk