

**CORTEZ
CITY COUNCIL
RESOLUTION NO. 21, SERIES 2023**

**A Resolution Approving a Conditional Use Permit for an approximately ten-acre parcel
located at 1050 Lebanon Road, Cortez, Colorado**

WHEREAS, the owners/applicants Anthony Moore and Mary Lancaster (the “Owners/applicants”) have applied for a Conditional Use Permit for an equipment storage yard and wood products manufacturing on an approximately ten-acre parcel located at 1050 Lebanon Road, Cortez, Colorado and more particularly described as (the “Property”):

A tract of land in the SW¼ of Section 23, Township 36 North, Range 16 West, N.M.P.M., County of Montezuma, State of Colorado

WHEREAS, the Owners/applicants presented a request and necessary submittal items for review of the Conditional Use Permit application by the City Planning and Zoning Commission at its regular meeting held on June 6, 2023; and

WHEREAS, Land Use Code Section 6.10, Conditional Use Permits, indicates that the owner or developer of a property may request a conditional use permit for development of said property; and

WHEREAS, the Planning and Zoning Commission reviewed the request for a Conditional Use Permit and was unable to achieve a majority vote for a recommendation of approval or denial of the request for a Conditional Use Permit on the Property.

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

THAT, this Resolution No. 21, Series 2023, establishes the conditions of approval for the issuance of the Conditional Use Permit on the Property; and

THAT, the Conditional Use Permit for the Property is hereby approved by the Cortez City Council, subject to the following conditions to ensure compliance with the standards in the Cortez Land Use Code for a conditional use permit:

- 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.
- b. Specifically, without limitation, 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.
- c. The Owners/applicants shall meet all requirements of the Cortez Sanitation District regarding protection of the manholes and existing sewer line.

- d. The address shall be clearly marked for emergency response.
- e. The Owners/applicants shall comply with the submitted project narrative at all times.
- f. Prior to approval of a final site plan for the development, the Owners/applicants shall submit a revised plan that complies with all landscape requirements for the LUC.
- g. Prior to approval of a final site plan for the development, the Owners/applicants shall propose a fencing plan that adequately screens the outdoor storage uses.
- h. Pursuant to Section 4.01 of the Cortez Land Use Code, a subdivision plat approved by the City Council shall be required prior to the issuance of a building permit on the Property.
- i. The following requirements of the Parks and Recreation Department shall be met:
 - (1) Secure and preserve the water quality of inflow from the Property into ponds and streams. Prevent harmful chemicals and toxins from washing into downstream waterways.
 - (2) Restrict access to the Carpenter Natural Area access drives and parking areas from the equipment, supplies, and deliveries to the Owners/applicants' business.
 - (3) Prevent any waste, construction debris, or other by-products from blowing or coming onto the Carpenter Natural Area or associated areas.
 - (4) Provide buffer and naturally-oriented visual screening along the Property's northern and eastern property boundary. The proposed naturally-oriented visual screen should be large (20' tall) evergreen trees planted approximately 20' on-center and staggered. The proposed buffer is 50'.
- j. Hours of Operation for noise producing activities such as woodcutting shall be limited to 8:00am to 6:00pm Monday through Friday. Exceptions are allowed for staging of vehicles and equipment during wildfire events.

MOVED, SECONDED, AND ADOPTED THIS 26th DAY OF SEPTEMBER, 2023

CORTEZ CITY COUNCIL

Rachel B. Medina, Mayor

ATTEST:

Linda L. Smith, City Clerk