CITY OF CORTEZ
RESOLUTION NO. 3, SERIES 2025

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR A WASTE MANAGEMENT BUSINESS TO BE LOCATED AT 2105 S. BROADWAY, CORTEZ COLORADO IN THE COMMERCIAL HIGHWAY DISTRICT

WHEREAS, the applicant Bruin Waste Management LLC, (the "Applicant"), with permission of the owner, 2105 S. Broadway Trust (the "Owner") has applied for review of a conditional use permit to establish a waste hauling business located at 2105 S. Broadway, Cortez, Colorado and more particularly described as follows (the "Property"):

> *A tract of land in the SW¼ of Section 34, Township 36 North, Range 16 West, N.M.P.M., County of Montezuma, State of Colorado, being more particularly described as follows: Beginning at a point on the SW¼ of said Section 34, from which point the SW Corner of said Section 34, bears South 18° 39'59" West a distance of 850.83 feet; thence, North 89°31'00" East a distance of 310.43 feet to the West right of way line of U.S. Highway 160-491; thence, South 15°44'35" West a distance of 311.69 feet along the West right of way line of U.S. Highway 160-491; thence, West a distance of 225.85 feet; thence, North a distance of 301.34 feet to the point of beginning*

WHEREAS, the Applicant presented a request and necessary submittal items for review by the City Planning and Zoning Commission at a regular meeting held on February 4, 2025; and

WHEREAS, Land Use Code Section 6.10, Conditional Use Permits, indicates that a conditional use may be permitted subject to conditions imposed upon the approval of the use that are designed to reasonable mitigate any adverse impacts upon surrounding properties; and

WHEREAS, the Planning and Zoning Commission reviewed the request for a Conditional Use Permit and, based upon the evidence and testimony presented, is recommending approval of the request on the Property, as evidenced in the adoption of P&Z Resolution No. 2, Series 2025; and

WHEREAS, it appears that all applicable requirements of Chapters 5.00 and 6.00 of the City's Land Use Code for development of this site have been met.

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

THAT, this Resolution No. 3, Series 2025, establishes the findings for approval of the request on the Property; and,

THAT, the Conditional Use Permit request for the Property is hereby approved with the following findings and conditions:

Findings:

1. The proposed land use is compatible with adjacent existing commercial uses.
2. The proposed use will provide adequate buffering with existing fencing and setbacks
3. Adequate services are available to serve the proposed development.

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 and all requirements of CDOT for required highway improvements.
2. The applicant shall meet all requirements of the Cortez Sanitation District
3. The property shall comply with all code requirements including storage but excluding, landscaping and surfacing of parking areas prior to initiation of the use.
4. The applicant shall comply with the submitted project narrative at all times.

MOVED, SECONDED, AND ADOPTED THIS 11th DAY OF MARCH, 2025

Robert Dobry, Councilmember

ATTEST:

Linda L. Smith, City Clerk