**CITY OF CORTEZ**
**RESOLUTION NO. 5, SERIES 2025**

**A RESOLUTION APPROVING A CONDITIONAL USE PERMIT AND SITE PLAN FOR AN EQUIPMENT YARD AND WOOD PRODUCTS MANUFACTURING ON AN APPROXIMATELY 10 ACRE PARCEL LOCATED AT 1050 LEBANON RD**

WHEREAS, owners/applicants Anthony Moore and Mary Landcaster, d/b/a Independent Log Company (the "Owner/applicant"), have applied for review of a Conditional Use Permit and Site Plan for an equipment storage yard and wood products manufacturing for a 10 acre parcel located at 1050 Lebanon Rd, Cortez, Colorado and more particularly described as (the "Property"):

*Section: 23 Township: 36 Range: 16 TR IN W/2SW/4SW1/4*

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 Owner/applicant presented a request and necessary submittal items for review of the request for a Conditional Use Permit ("CUP") and Site Plan by the City Planning and Zoning Commission at a regular meeting held on October 1, 2024; and

WHEREAS, the Planning and Zoning Commission reviewed the request for a CUP and Site Plan, and, based upon the evidence and testimony presented at the October 1, 2024 meeting, recommended approval of the request for the CUP and Site Plan on the Property; and

WHEREAS, the Owner/applicant made significant changes to the CUP and Site Plan that was recommended for approval at the October 1, 2024 meeting, and the City Staff required the Owner/applicant to obtain Planning and Zoning Commission review of the revised CUP and Site Plan application at its April 1, 2025 regular meeting; and

WHEREAS, the Planning and Zoning Commission reviewed the revised request for a Conditional Use Permit and Site Plan, and, based upon the evidence and testimony presented at the April 1, 2025 meeting, recommended approval of the request on the Property, as evidenced in the adoption of P&Z Resolution No. 7, Series 2025; and

WHEREAS, it appears that, with completion of all recommended conditions, all requirements of Chapters 5.00 and 6.00 of the City's Land Use Code for the proposed development of Property have been met.

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

THAT, Resolution No. 5, Series 2025, establishes the conditions of approval for a conditional use permit and site plan on the Property; and

THAT, the Conditional Use Permit and Site Plan for the Property is hereby recommended to the Cortez City Council for approval, subject to the conditions as stated in this resolution to ensure compliance with the standards in the Cortez Land Use Code for a conditional use permit and site plan:

THAT, the Conditional Use Permit and Site Plan for the Property is hereby approved, 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. Specifically, all public improvements shall comply with the minimum requirements of the 2009 City of Cortez Construction Design Standards and Specifications.
b. The applicant shall meet all requirements of the Cortez Sanitation District regarding protection of the manholes and existing sewer line and always comply with all requirements of the existing easement. Any items placed over the easement must be easily moved in the event of an emergency.
c. The address shall be clearly marked for emergency response.
d. The applicant shall comply with the submitted project narrative at all times including but not limited to operation of the business, noise levels, and hours of operation.
e. The applicant shall control dust on the property by either paving, other surfacing, vegetation, watering or chemical means.
f. The applicant shall comply with CRS 25-12-103, Maximum permissible noise levels at all times.
g. The applicant shall comply with all provisions of the fire code.
h. The applicant shall comply with engineering comments as received.

MOVED, SECONDED, AND ADOPTED THIS 8th DAY OF APRIL 2025

Rachel B. Medina, Mayor

ATTEST:

Linda L. Smith, City Clerk